



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4750

DATE FILMED 10-27-58 CAMERA NO. 2

CAMERAMAN JmH

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: September 30, 1997

ANALYST: PAT SHEPPARD

I. COMMITTEE: Harvey Gantt for Senate Campaign
Committee (C00242156)
Bobby T. Martin, Treasurer
P.O. Box 35555
Charlotte, NC 28235

II. RELEVANT STATUTE: 2 U.S.C. §441a(f)
11 CFR §110.1(b)(3)

III. BACKGROUND:

Receipt of Excessive Contributions

The Harvey Gantt for Senate Campaign Committee ("the Committee") has accepted apparent excessive contributions during 1996 totaling \$95,135.50. The contributions being referred are designated for the Primary election, but received after the May 7, 1996 North Carolina Primary Election. The Committee's reports disclose **no outstanding debts** from the Primary Election. The contributions were made by **one hundred twenty (120)** individuals and two qualified multicandidate political committees.

Presented below is a summary of the apparent excessive contributions received, notices sent and responses received. For details, please refer to the attached chart and its supporting documents. The chart is an alphabetical listing of the apparent excessive contributions received by the Committee.

Schedules A of the Committee's 1996 October Quarterly, 12 Day Pre-General and 30 Day Post-General Reports disclose the receipt of contributions

* Some correspondence was sent to the previous address of record.

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designated for the primary election, received after the May 7, 1996, Primary Election. As the Committee's reports fail to disclose any outstanding obligations from the Primary or any disbursements designated for the Primary, the Committee apparently used the contributions for the 1996 General Election.

On February 4, 1997, Requests For Additional Information ("RFAI") were sent to the Committee for these reports (Attachments 2, 3 and 4). The RFAs note the receipt of the contributions designated for the Primary Election received after the date of that election. The RFAs inform the Committee that it may accept Primary contributions only to the extent that it has debts remaining from that election. The RFAs request that the Committee refund or seek redesignation for the amounts in excess of the outstanding debt remaining from the Primary election. In addition, the RFAs note the possibility of further Commission action concerning the acceptance of excessive contributions.

On February 27, 1997, a Second Notice was sent to the Committee for failure to respond (Attachment 5).

On February 28, 1997, the Commission received a letter from the Committee requesting an extension of time to respond to the Commission's inquiries (Attachment 6).

On March 24, 1997, the Commission received an amendment to each of the aforementioned reports (Attachments 7, 8 and 9). In a cover letter submitted with the amendments, the treasurer notes changes in the election designations for several individuals. In reference to the Primary contributions received in excess of the outstanding Primary debt, the treasurer states that "[O]ur Committee did incur a Primary Debt of \$214,964 as defined by 11 CFR §110.1(b)(3)(ii)." The treasurer attached a detailed list of these debts. The treasurer also states "that the amount of our primary debt is not related to debts listed on Schedule D at the end of each reporting period (such as June 30, 1996 or September 30, 1996). A difference between the two amounts results from payment of Primary obligations with funds raised in the General election (as provided by 11 CFR §110.1(b)(3)(iv))." Included with the amendments were copies of letters, all dated on or after July 31, 1996 which had been sent to contributors. The letters requested that the contributors reattribute or redesignate any excessive amount, including redesignating it for Primary debt retirement.

On April 29, 1997, an RFAI was sent to the Committee in reference to the amended October Quarterly, 12 Day Pre-General and 30 Day Post-General Reports (Attachment 10). The RFAI notes the Committee's March 20, 1997,

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response stating that the Committee had Primary debts and that the debts were paid with funds raised for the General Election. The RFAI explains that the 1996 July Quarterly Report indicates that several large debts had been paid by July 1, 1996. The RFAI suggests that the Committee at this point, could no longer raise funds to retire Primary debts.

On May 8, 1997, a representative of the Committee called a Reports Analysis Division analyst (Attachment 11). Mr. Laurie stated that he was calling on behalf of the treasurer. He outlined the position of the Committee in reference to the Primary contributions received after the Primary election. Mr. Laurie also asked questions about transfers and excess campaign funds.

On May 22, 1997, a Second Notice was sent to the Committee for failure to respond in writing (Attachment 12).

The Commission received a letter from the Committee Treasurer, Bobby Martin, on September 15, 1997 pertaining to receipt of Primary contributions after the date of the Primary Election. Mr. Martin outlined his position and the Committee's understanding of Commission Regulations concerning debts outstanding with respect to 11 CFR §110.1(b)(iv): "The Committee interpreted this paragraph to mean that contributions could be received after the Primary election that were designated for the Primary to the extent of the net primary debt total, notwithstanding the fact that the primary debt had been retired." (Attachment 13).

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
ALPEN	THEODORE R	unknown	300	P		UNITEMIZED
ALPEN	THEODORE R	7/12/96	10	P		96020213728
ALPEN	THEODORE R	7/29/96	500	P		96020213729
ALPEN	THEODORE R	9/3/96	100	G	510	96020213729
ARMFIELD	ELLISON M	8/1/96	500	G		96020213919
ARMFIELD	ELLISON M	10/7/96	500	G		96020261370
ARMFIELD	ELLISON M	10/25/96	500	P	500	96020303582
ARNOVITZ	KEVIN F	8/14/96	1000	P		96020213564
ARNOVITZ	KEVIN F	8/14/96	1000	G	1000	96020213564
ARNOW	JOAN	6/22/96	1000	G		96020180275
ARNOW	JOAN	8/26/96	1000	P	1000	96020213934
ARNOW	ROBERT H	6/22/96	1000	G		96020180275
ARNOW	ROBERT H	8/26/96	1000	P	1000	96020213934
AUGUST	LINDA	6/19/96	1000	G		96020180267
AUGUST	LINDA	10/24/96	1000	P	1000	96020303592
SACHMAN	KAY D	6/28/96	300	G		96020180300
SACHMAN	KAY D	7/22/96	300	G		96020213951
SACHMAN	KAY D	9/16/96	400	G		96020213952
SACHMAN	KAY D	9/16/96	100	P	100	96020213951
SACHMAN	KAY D	10/8/96	300	P	300	97020062639
BEVAN	JOHN	unknown	200	P		UNITEMIZED
BEVAN	JOHN	6/4/96	250	G		96020180107
BEVAN	JOHN	7/10/96	100	G		96020213713
BEVAN	JOHN	7/22/96	350	G		96020213713
BEVAN	JOHN	8/9/96	250	G		96020213714
BEVAN	JOHN	8/15/96	100	P	50	96020213714
BEVAN	JOHN	9/7/96	250	P	250	96020213714
BEVAN	JOHN	10/9/96	100	P	100	96020261295
BEVAN	JOHN	10/10/96	200	P	200	96020261295
BLACK	ALLEN D	6/11/96	1000	G		96020180251
BLACK	ALLEN D	9/20/96	250	P	250	96020213910
BURKLE	RON	10/19/96	1000	P		96020303402
BURKLE	RON	10/19/96	1000	G	1000	96020303402
COFRIN	MARY ANN	10/19/96	1000	P		96020303401
COFRIN	MARY ANN	10/19/96	1000	G	1000	96020303401

HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
CONANT	LORING	2/2/96	500	P		96020081549
CONANT	LORING	6/25/96	500	G		96020180313
CONANT	LORING	8/16/96	500	G		96020213993
CONANT	LORING	9/20/96	500	P	500	97020043090
CROCKER	ARTHUR M	9/26/96	1000	P		96020213644
CROCKER	ARTHUR M	9/26/96	1000	G	1000	96020213644
CULLMAN	LEWIS B	3/12/96	250	P		96020081625
CULLMAN	LEWIS B	5/28/96	500	G		96020180129
CULLMAN	LEWIS B	9/3/96	500	G		97020043091
CULLMAN	LEWIS B	9/3/96	500	P	500	97020043091
CULLMAN	LEWIS B	10/30/96	250	G	250	96020303379
DANIELS, JR	WORTH B	5/20/96	1000	G		97020043056
DANIELS, JR	WORTH B	7/19/96	750	P	750	97020043091
DOCKSER	WILLIAM B	7/25/96	1000	P		96020213540
DOCKSER	WILLIAM B	7/25/96	1000	G	1000	96020213541
EDEY	HELEN W	12/13/95	250	P		96020103188
EDEY	HELEN W	6/24/96	1000	G		96020180115
EDEY	HELEN W	10/10/96	500	P	500	96020261302
ELSTON	PAUL J	10/19/96	1000	P		96020303401
ELSTON	PAUL J	10/19/96	1000	G	1000	96020303402
ERICSSON	LOWELL H	6/17/96	1000	G		96020180258
ERICSSON	LOWELL H	10/11/96	1000	P	1000	96020261371
FELDMAN	ARTHUR	10/21/96	1000	G		96020303406
FELDMAN	ARTHUR	10/21/96	1000	P	1000	96020303406
FISHER	LARRY	10/4/96	1000	G		96020261241
FISHER	LARRY	10/4/96	1000	P	1000	96020261242
FISHER	M ANTHONY	10/4/96	1000	G		96020261242
FISHER	M ANTHONY	10/4/96	1000	P	1000	96020261242
FISHER	ZACHARY	10/4/96	1000	G		96020261241
FISHER	ZACHARY	10/4/96	1000	P	1000	96020261241
GANNON	FRANKLIN R	9/14/96	1000	G		96020213618
GANNON	FRANKLIN R	9/14/96	1000	P	1000	96020213618
GELBAUM	MONICA	7/10/96	1000	G		96020213530
GELBAUM	MONICA	7/10/96	1000	P	1000	96020213530

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
GLICKENHAUS	SETH M	7/19/96	1000	G		96020213528
GLICKENHAUS	SETH M	7/19/96	1000	P	1000	96020213528
GLOVER	ALFRED	6/25/96	250	G		96020180278
GLOVER	ALFRED	10/18/96	750	G		97020062630
GLOVER	ALFRED	10/18/96	250	P	250	97020062631
GOODY	JOAN E	unknown	100	P		UNITEMIZED
GOODY	JOAN E	7/19/96	200	P		96020213754
GOODY	JOAN E	9/12/96	1000	G	200	96020213754
GOSSETT	LOUIS JR	10/10/96	1000	P		96020261255
GOSSETT	LOUIS JR	10/10/96	1000	G	1000	96020261256
GOULD	LESLIE	6/10/96	1000	G		96020180248
GOULD	LESLIE	9/24/96	200	P	200	96020213909
GRAVES	EARL G	8/23/96	1000	P		96020213580
GRAVES	EARL G	8/23/96	1000	G	1000	96020213580
GREENBERG	HAROLD	9/14/96	1000	G		96020213618
GREENBERG	HAROLD	9/14/96	1000	P	1000	96020213618
GRUMBACHER	JOHN R	7/15/96	1000	G		96020213521
GRUMBACHER	JOHN R	7/15/96	1000	P	1000	96020213521
HABER	MICHAEL	9/9/96	1000	P		96020213609
HABER	MICHAEL	9/9/96	1000	G	1000	96020213609
HAMMERSTEIN	JAMES	3/8/96	250	P		96020081825
HAMMERSTEIN	JAMES	6/3/96	500	G		96020180129
HAMMERSTEIN	JAMES	7/29/96	500	G		96020213758
HAMMERSTEIN	JAMES	9/13/96	300	P	300	96020213759
HAMMERSTEIN	JAMES	10/8/96	375	P	375	96020261309
HARF	RUTH	10/3/96	1000	G		96020261239
HARF	RUTH	10/3/96	1000	P	1000	96020261239
HELMS	H PARKS	10/24/95	500	P		96010203134
HELMS	H PARKS	9/14/96	1000	G		96020213800
HELMS	H PARKS	9/14/96	500	P	500	96020213801
HERMAN	RUSS M	7/31/96	1000	G		96020213543
HERMAN	RUSS M	8/19/96	62.5	P	62.5	96020213543

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
HIATT	ANNE W	10/22/95	250	P		96020103200
HIATT	ANNE W	3/12/96	250	P		96020081640
HIATT	ANNE W	7/19/96	500	P		96020213822
HIATT	ANNE W	10/10/96	1000	G	500	96020261333
INMAN	LUCY D	9/22/95	100	P		97020043063
INMAN	LUCY D	3/21/96	300	P		96020081645
INMAN	LUCY D	5/22/96	300	G		96020180187
INMAN	LUCY D	8/6/96	-100	G		96020214084
INMAN	LUCY D	8/16/96	300	P		96020213866
INMAN	LUCY D	8/16/96	1100	G	600	96020213866
ISTEL	YVES-ANDRE	8/29/96	250	G		96020213594
ISTEL	YVES-ANDRE	10/22/96	750	G		97020062631
ISTEL	YVES-ANDRE	10/22/96	250	P	250	97020062631
JOFFE	ROBERT D	6/21/96	1000	G		96020180269
JOFFE	ROBERT D	8/23/96	1500	P	1500 *	96020213933
JOFFE	ROBERT D	8/27/96	-500	G	-500	96020214083
JONES	RENE M	8/14/96	1000	G		96020213563
JONES	RENE M	8/21/96	100	P	100	96020213564
JOSEPH	PETER A	9/9/96	1000	G		96020213607
JOSEPH	PETER A	9/9/96	1000	P	1000	96020213607
JOSLIN	WILLIAM	7/19/96	1000	G		96020213527
JOSLIN	WILLIAM	9/14/96	250	P	250	96020213527
KAPLAN	WOODY	8/18/96	1000	P		96020214012
KAPLAN	WOODY	8/18/96	1000	G	1000	96020214012
KAUFMAN	KENNETH	12/20/95	250	P		96020103191
KAUFMAN	KENNETH	7/17/96	250	G		97020043802
KAUFMAN	KENNETH	9/27/96	500	G		97020043802
KAUFMAN	KENNETH	10/24/96	250	G		97020062631
KAUFMAN	KENNETH	10/24/96	250	P	250	97020062631
KEALY	WILLIAM J	9/5/96	1000	G		96020213603
KEALY	WILLIAM J	9/6/96	1000	P	1000	97020043092
KENWORTHY	THOMAS	unknown	100	P		UNITEMIZED
KENWORTHY	THOMAS	7/24/96	500	G		96020213865
KENWORTHY	THOMAS	8/12/96	500	G		96020213865
KENWORTHY	THOMAS	10/15/96	500	P	500	96020261349

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
KIMPTON	KAY	6/3/96	150	G		97020043056
KIMPTON	KAY	6/21/96	500	G		97020043056
KIMPTON	KAY	8/22/96	350	G		97020043092
KIMPTON	KAY	8/22/96	650	P	650	97020043092
KIND	PATRICIA	7/19/96	1000	G		96020213529
KIND	PATRICIA	9/12/96	1000	P	1000	96020213529
KRIEGEL	JAY L	6/22/96	1000	G		96020180271
KRIEGEL	JAY L	10/12/96	1000	P	1000	96020261377
LEIWANT	DAVID O	unknown	150	P		UNITEMIZED
LEIWANT	DAVID O	5/28/96	500	G		96020180065
LEIWANT	DAVID O	7/17/96	100	G		96020213661
LEIWANT	DAVID O	10/16/96	500	P		96020261274
LEIWANT	DAVID O	10/16/96	400	G	400	96020261274
LILIENTHAL	SALLY L	11/8/95	100	P		97020043063
LILIENTHAL	SALLY L	3/30/96	500	P		96020081613
LILIENTHAL	SALLY L	6/21/96	500	G		97020043056
LILIENTHAL	SALLY L	8/12/96	600	G	100 *	97020043092
LILIENTHAL	SALLY L	8/12/96	400	P	400	97020043092
LILIENTHAL	SALLY L	8/23/96	-100	G	-100	96020214084
LINK	CLARA	unknown	200	G		UNITEMIZED
LINK	CLARA	7/11/96	200	G		96020213958
LINK	CLARA	9/3/96	300	G		96020213958
LINK	CLARA	9/23/96	300	G		96020213958
LINK	CLARA	9/30/96	200	P	200	96020213959
LINK	CLARA	10/22/96	500	P	500	97020062631
LISWOOD	LAURA A	10/21/96	1000	P		96020303405
LISWOOD	LAURA A	10/21/96	1000	G	1000	96020303405
LONGSDON	GEORGIA	12/21/95	200	P		96020103150
LONGSDON	GEORGIA	3/11/96	500	P		96020081537
LONGSDON	GEORGIA	6/13/96	1000	G		96020180294
LONGSDON	GEORGIA	8/26/96	100	P	100	96020213938
LONGSDON	GEORGIA	9/3/96	50	IP	50	96020213938
LOONEY	THOMAS B	6/10/96	500	G		96020180247
LOONEY	THOMAS B	9/3/96	1000	P	500	96020213908
LOONEY	THOMAS B	9/3/96	500	G	500	96020213908

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
LORD	RUTH	9/25/95	100	P		96020103167
LORD	RUTH	10/24/96	100	P		96020103167
LORD	RUTH	unknown	100	G		UNITEMIZED
LORD	RUTH	5/13/96	100	G		96020180194
LORD	RUTH	5/24/96	100	G		96020180194
LORD	RUTH	6/10/96	100	G		96020180194
LORD	RUTH	8/26/96	100	G		96020213879
LORD	RUTH	8/26/96	250	G		96020213880
LORD	RUTH	9/27/96	150	G		96020213880
LORD	RUTH	10/7/96	500	P	400	96020261357
LUM	NORA TAKEKO	10/25/96	1000	G		96020303417
LUM	NORA TAKEKO	10/25/96	1000	P	1000	96020303417
MAHER	JOHN F	6/10/96	1000	G		96020180248
MAHER	JOHN F	9/13/96	1000	P	1000	96020213909
MAI	ANNE	8/19/96	1000	G		96020213573
MAI	ANNE	10/29/96	1000	P	1000	96020303386
MALINO	EMILY	9/9/96	1000	G		96020213608
MALINO	EMILY	9/9/96	1000	P	1000	96020213608
MARCUS	LEE M	5/23/96	500	G		96020180227
MARCUS	LEE M	7/8/96	500	G		96020213897
MARCUS	LEE M	10/15/96	600	P	600	96020261384
MCCALL	DAVID B	10/18/95	500	P		96020042324
MCCALL	DAVID B	7/18/96	1000	G		96020213672
MCCALL	DAVID B	7/18/96	1000	P	1000 *	96020213672
MCCALL	DAVID B	8/6/96	-500	G	-500	96020214083
MCCLURE	MARK W	4/25/96	100	P		97020043103
MCCLURE	MARK W	8/8/96	250	G		97020043801
MCCLURE	MARK W	9/7/96	150	G		87020043801
MCCLURE	MARK W	10/16/96	600	G		97020062639
MCCLURE	MARK W	10/16/96	400	P	400	97020062640
MEYER	CARLA E	9/25/96	1000	G		96020213640
MEYER	CARLA E	9/25/96	1000	P	1000	96020213640
MEYER	DANIEL H	10/16/96	1000	G		96020261266
MEYER	DANIEL H	10/16/96	1000	P	1000	96020261266
MEYER	NANCY	8/13/96	904	P		96020213559
MEYER	NANCY	8/13/96	1000	G	904	96020213559

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
MINSKOFF	CAROLYN	10/25/96	1000	G		96020303418
MINSKOFF	CAROLYN	10/25/96	500	P	500	96020303419
MINSKOFF	MYRON A	10/25/96	1000	G		96020303418
MINSKOFF	MYRON A	10/25/96	1000	P	1000	96020303418
MOUNTCASTLE	KATHARINE	6/30/96	1000	G		96020180042
MOUNTCASTLE	KATHARINE	10/11/96	200	P	200	96020261230
MOUNTCASTLE	KENNETH F	4/15/96	500	P		96020100613
MOUNTCASTLE	KENNETH F	6/5/96	500	G		96020180196
MOUNTCASTLE	KENNETH F	7/19/96	500	G		97020043093
MOUNTCASTLE	KENNETH F	7/19/96	500	P	500	97020043093
MYERS	NANCY FLECK	8/20/96	1000	P		96020213578
MYERS	NANCY FLECK	8/20/96	500	G	500	96020213578
NICHOL	ELIZABETH HOLME	5/8/96	500	G		96020180217
NICHOL	ELIZABETH HOLME	7/11/96	500	G		97020043093
NICHOL	ELIZABETH HOLME	7/11/96	500	P	500	97020043093
OWENS	MARK S	10/3/96	1000	G		96020261239
OWENS	MARK S	10/3/96	750	P	750	96020261239
PETRICCIANI	JOHN C MD	7/19/96	500	P		96020213529
PETRICCIANI	JOHN C MD	9/4/96	1000	G	500	96020213529
POMERANTZ	JOHN J	7/1/96	1000	G		96020213528
POMERANTZ	JOHN J	7/19/96	1000	P	1000	96020213528
POTTS	JOHN T	9/25/96	500	G		96020213642
POTTS	JOHN T	11/4/96	1000	P	500	97020043160
RICE	LINDA JOHNSON	6/14/96	1000	G		96020180256
RICE	LINDA JOHNSON	10/10/96	1000	P	1000	97020062640
RIGLER	LLOYD E	12/14/95	200	P		96020103146
RIGLER	LLOYD E	3/4/96	1000	G		96020081537
RIGLER	LLOYD E	9/10/96	250	P	250	96020213929
RILEY	JESSE L	12/15/95	500	P		96020103185
RILEY	JESSE L	8/30/96	500	G		96020213721
RILEY	JESSE L	10/5/96	500	G		97020062640
RILEY	JESSE L	10/5/96	500	P	500	97020062640

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
RITZ	ESTHER	6/26/96	250	G		96020180303
RITZ	ESTHER	10/16/96	750	G		97020062641
RITZ	ESTHER	10/16/96	250	P	250	97020062641
ROSENZWEIG	LESLIE M	10/15/96	1000	P		96020261263
ROSENZWEIG	LESLIE M	10/15/96	1000	G	1000	96020261264
RUDIN	JACK	7/10/96	1000	G		96020213531
RUDIN	JACK	10/3/96	1000	P	1000	97020062641
SABI	AYMAN A	10/21/96	1000	P		96020303403
SABI	AYMAN A	10/21/96	1000	G	1000	96020303403
SAGNER	ALAN	6/3/96	1000	G		96020180238
SAGNER	ALAN	8/19/96	1000	P	1000	96020213904
SANDERS	W G	4/8/96	100	P		97020043134
SANDERS	W G	6/17/96	500	G		96020180137
SANDERS	W G	7/19/96	400	G		96020213782
SANDERS	W G	10/18/96	100	G		97020062632
SANDERS	W G	10/18/96	900	F	900	97020062632
SAWYER	DEB	9/21/95	200	P		96020103204
SAWYER	DEB	6/17/96	1000	G		96020180168
SAWYER	DEB	10/18/96	800	P	800	97020062632
SCHEUER	JAMES H	9/9/96	1000	P		96020213608
SCHEUER	JAMES H	9/9/96	1000	G	1000	96020213606
SCUTCHFIELD	KATHLEEN OBOYLE	unknown	200	P		UNITEMIZED
SCUTCHFIELD	KATHLEEN OBOYLE	9/6/96	1000	P	200 *	96020213786
SCUTCHFIELD	KATHLEEN OBOYLE	9/6/96	1000	G	1000	96020213786
SCUTCHFIELD	KATHLEEN OBOYLE	9/9/96	-200	G	-200	96020214084
SHACK	VINCENT W	9/11/96	1000	G		96020213612
SHACK	VINCENT W	9/11/96	1000	P	1000	96020213612
SHELDON	NEAL E	3/4/96	500	P		96020081628
SHELDON	NEAL E	6/13/96	500	G		96020180131
SHELDON	NEAL E	9/3/96	500	G		97020043094
SHELDON	NEAL E	9/3/96	500	P	500	97020043094
SHULL	LEON	9/10/96	1000	G		96020213984
SHULL	LEON	9/10/96	100	P	100	96020213984

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
SMAILER	DOROTHY	6/29/96	500	G		96020180299
SMAILER	DOROTHY	9/1/96	500	G		97020043093
SMAILER	DOROTHY	9/1/96	500	P	500	97020043093
SMAILER	DOROTHY	9/18/96	500	P	500	96020213949
SONNENFELDT	MICHAEL W	8/28/96	1000	G		96020213520
SONNENFELDT	MICHAEL W	9/24/96	1000	P	1000	96020213520
SOROS	JONATHAN T	9/3/96	1000	P		96020213600
SOROS	JONATHAN T	9/3/96	1000	G	1000	96020213600
STEINBERGER	RANDI	8/23/96	1000	P		96020213591
STEINBERGER	RANDI	8/23/96	1000	G	1000	96020213591
STEVENS	HARLEY C	6/25/96	1000	G		96020180305
STEVENS	HARLEY C	10/8/96	500	P	500	97020062641
STOLLER	MIKE	10/13/95	250	P		96020103178
STOLLER	MIKE	2/19/96	125	P		96020081610
STOLLER	MIKE	5/24/96	1000	G		96020180093
STOLLER	MIKE	10/2/96	500	P	500	96020261286
STOREY	BAYARD THAYER	6/19/96	500	G		96020180264
STOREY	BAYARD THAYER	9/1/96	500	G		97020043094
STOREY	BAYARD THAYER	9/1/96	500	P	500	97020043094
STOREY	BAYARD THAYER	9/7/96	500	P	500	96020213932
STRAUSS	LYNN G	10/18/95	100	P		97020043064
STRAUSS	LYNN G	3/28/96	200	P		97020043064
STRAUSS	LYNN G	6/11/96	800	G		97020043094
STRAUSS	LYNN G	9/12/96	300	G	100 *	97020043094
STRAUSS	LYNN G	9/12/96	700	P	700	97020043094
STRAUSS	LYNN G	10/9/96	-100	G	-100	
STRICKLAND	DONALD R	10/27/95	96	P		96020103152
STRICKLAND	DONALD R	12/23/95	250	P		96020103152
STRICKLAND	DONALD R	9/4/96	1000	G		97020043803
STRICKLAND	DONALD R	10/21/96	654	P	654	97020062633
STRICKLAND	DONALD R	10/21/96	346	G	346 *	97020062633
STRICKLAND	DONALD R	10/30/96	-346	G	-346	96020303681
SUTTON	LEATRICE	10/4/96	1000	G		96020261242
SUTTON	LEATRICE	10/4/96	1000	P	1000	96020261242
THORNTON	MICHAEL	10/25/96	1000	G		96020303630
THORNTON	MICHAEL	10/28/96	30	P	30	96020303630

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
TURNER	RUBHEN N	unknown	200	G		UNITEMIZED
TURNER	RUBHEN N	5/16/96	100	G		96020180112
TURNER	RUBHEN N	6/20/96	100	G		96020180113
TURNER	RUBHEN N	6/28/96	100	G		96020180113
TURNER	RUBHEN N	7/1/96	100	G		96020213726
TURNER	RUBHEN N	7/22/96	100	G		96020213726
TURNER	RUBHEN N	9/9/96	50	G		96020213726
TURNER	RUBHEN N	9/18/96	200	G		96020213727
TURNER	RUBHEN N	10/3/96	200	P	150	96020261300
TURNER	RUBHEN N	10/19/96	200	P	200	96020303487
TURNER	RUBHEN N	10/24/96	200	G	200	96020303487
URATA	ERNEST T	unknown	100	G		UNITEMIZED
URATA	ERNEST T	5/28/96	200	G		97020043057
URATA	ERNEST T	7/10/96	250	G		97020043801
URATA	ERNEST T	8/13/96	200	P		97020043802
URATA	ERNEST T	9/3/96	200	G		97020043802
URATA	ERNEST T	9/30/96	200	G	150	97020043802
URATA	ERNEST T	10/15/96	150	G	150	96020062640
URATA	ERNEST T	10/15/96	50	P	50	97020062641
VAN AMERINGEN	HENRY	6/10/96	1000	G		96020180249
VAN AMERINGEN	HENRY	9/27/96	1000	P	1000	96020213909
VANDEN HEUVEL	KATRINA	5/30/96	500	G		96020180235
VANDEN HEUVEL	KATRINA	9/23/96	1000	P	500	96020213902
VANDERVEER	MARGARET C	5/20/96	500	G		96020180221
VANDERVEER	MARGARET C	6/19/96	500	G		97020043054
VANDERVEER	MARGARET C	6/19/96	500	P		97020043054
VANDERVEER	MARGARET C	8/8/96	500	P	500	96020213895
					see also	97020043039
						97020043051
WALLACE	WESLEY H	3/1/96	100	P		96020081629
WALLACE	WESLEY H	3/21/96	100	P		96020081629
WALLACE	WESLEY H	unknown	50	G		UNITEMIZED
WALLACE	WESLEY H	5/29/96	250	G		96020180307
WALLACE	WESLEY H	6/21/96	150	G		96020180307
WALLACE	WESLEY H	7/18/96	150	G		96020213976
WALLACE	WESLEY H	8/9/96	150	G		96020213977
WALLACE	WESLEY H	9/5/96	100	G		96020213977
WALLACE	WESLEY H	10/19/96	200	G	50	96020303619
WALLACE	WESLEY H	10/22/96	100	P	100	96020303619
WALTZER	RICHARD	11/4/96	1000	G		96020303442
WALTZER	RICHARD	11/4/96	1000	P	1000	96020303442

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

CONTRIBUTOR		RECEIPT DATE	AMOUNT	PGI	EXCESSIVE AMOUNT	MICROFILM #
WEILER	BARBARA A	9/27/96	1000	P		96020213646
WEILER	BARBARA A	9/27/96	1000	G	1000	96020213646
WEILER	DORIS	8/26/96	1000	G		96020213589
WEILER	DORIS	8/26/96	1000	P	1000	96020213589
WEISS	MARC N	8/13/96	1000	P		96020213560
WEISS	MARC N	8/13/96	1000	G	1000	96020213560
WHITE	THOMAS J	5/9/96	500	G		96020180041
WHITE	THOMAS J	8/12/96	500	G		96020213511
WHITE	THOMAS J	9/14/96	1000	P	1000	96020213511
WILD	WILLIAM	6/29/96	500	G		96020180302
WILD	WILLIAM	9/24/96	250	G		96020213955
WILD	WILLIAM	10/12/96	250	G		97020062640
WILD	WILLIAM	10/12/96	250	P	250	97020062640
WILLIAMS	JOSEPH A	9/28/96	1000	G		96020213648
WILLIAMS	JOSEPH A	9/28/96	500	P	500	96020213649
ZIFF	DANIEL	9/19/96	1000	P		96020213628
ZIFF	DANIEL	9/19/96	1000	G	1000	96020213628
ZIFF	DIRK	9/19/96	1000	P		96020213623
ZIFF	DIRK	9/19/96	1000	G	1000	96020213624
MACHINISTS NON-PARTISAN PL		4/18/96	2500	P		96020143716
MACHINISTS NON-PARTISAN PL		9/17/96	5000	G		96020214005
MACHINISTS NON-PARTISAN PL		9/21/96	2500	P	2500	96020214005
TRANSPORTATION POL ED LEAGUE		7/19/96	5000	G		96020213998
TRANSPORTATION POL ED LEAGUE		9/16/96	5000	P	5000	96020213998

95,135.50

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ATTACHMENT 1
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CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
	OFFICE SOUGHT/	PARTY	PRIMARY	GENERAL			

GANTT, HARVEY BERNARD SENATE DEMOCRATIC PARTY NORTH CAROLINA 1996 ELECTION ID# SINC00111

1. STATEMENT OF CANDIDATE

1995 STATEMENT OF CANDIDATE					17JUL95	2	95SEN/005/3374
1996 STATEMENT OF CANDIDATE - AMENDMENT					15JUL96	2	96SEN/014/4178

2. PRINCIPAL CAMPAIGN COMMITTEE

HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

ID #C00242156 SENATE

1995 STATEMENT OF ORGANIZATION - AMENDMENT					18JUL95	2	95SEN/005/3558
STATEMENT OF ORGANIZATION - AMENDMENT					20NOV95	2	95SEN/010/1223
JULY QUARTERLY		1,187		552	13MAR95 - 30JUN95	5	95SEN/008/393A
YEAR-END		1,007,972		434,009	1JUL95 - 31DEC95	120	96SEN/004/220A
YEAR-END - AMENDMENT		1,007,972		434,009	1JUL95 - 31DEC95	109	96SEN/010/3125
YEAR-END - AMENDMENT		-		-	1JUL95 - 31DEC95	1	97FEC/108/4752
YEAR-END - AMENDMENT		1,007,972		434,009	1JUL95 - 31DEC95	5	97SEN/004/3769
YEAR-END - AMENDMENT		1,007,972		434,009	1JUL95 - 31DEC95	7	97SEN/004/3012
REQUEST FOR ADDITIONAL INFORMATION					1JUL95 - 31DEC95	5	96FEC/038/4205
REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL95 - 31DEC95	6	96FEC/048/5239
1ST LETTER INFORMATIONAL NOTICE					1JUL95 - 31DEC95	7	97FEC/104/0797
1996 48 HOUR CONTRIBUTION NOTICE					22APR96	2	96SEN/009/2995
48 HOUR CONTRIBUTION NOTICE					22APR96	1	96SEN/010/0052
48 HOUR CONTRIBUTION NOTICE					23APR96	1	96SEN/010/0407
48 HOUR CONTRIBUTION NOTICE					25APR96	2	96SEN/010/069A
48 HOUR CONTRIBUTION NOTICE					29APR96	1	96SEN/010/1168
48 HOUR CONTRIBUTION NOTICE					30APR96	5	96SEN/010/1348
48 HOUR CONTRIBUTION NOTICE					20MAY96	1	96SEN/010/1768
48 HOUR CONTRIBUTION NOTICE					30MAY96	1	96SEN/010/180A
48 HOUR CONTRIBUTION NOTICE					6MAY96	1	96SEN/010/1871
48 HOUR CONTRIBUTION NOTICE					6MAY96	1	96SEN/010/1970
STATEMENT OF ORGANIZATION - AMENDMENT					15OCT96	2	96SEN/021/4092
48 HOUR CONTRIBUTION NOTICE					21OCT96	3	96SEN/024/1282
48 HOUR CONTRIBUTION NOTICE					21OCT96	2	96SEN/025/0751
48 HOUR CONTRIBUTION NOTICE					21OCT96	5	96SEN/025/075A
48 HOUR CONTRIBUTION NOTICE					22OCT96	4	96SEN/025/1737
STATEMENT OF ORGANIZATION - AMENDMENT					24OCT96	2	96SEN/026/1442
48 HOUR CONTRIBUTION NOTICE					24OCT96	4	96SEN/025/2906
48 HOUR CONTRIBUTION NOTICE					24OCT96	2	96SEN/027/160A
48 HOUR CONTRIBUTION NOTICE					26OCT96	3	96SEN/027/2228
48 HOUR CONTRIBUTION NOTICE					27OCT96	3	96SEN/027/2445
48 HOUR CONTRIBUTION NOTICE					28OCT96	3	96SEN/027/2912
48 HOUR CONTRIBUTION NOTICE					29OCT96	2	96SEN/027/3072
48 HOUR CONTRIBUTION NOTICE					29OCT96	3	96SEN/027/3237

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CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION		
	OFFICE SOUGHT/	PARTY	PRIMARY	GENERAL				PRIMARY	GENERAL
	TYPE OF FILER								
48 HOUR CONTRIBUTION NOTICE					31OCT96	2	96SEN/027/3045		
48 HOUR CONTRIBUTION NOTICE					1NOV96	3	96SEN/028/0483		
48 HOUR CONTRIBUTION NOTICE					2NOV96	3	96SEN/028/0795		
48 HOUR CONTRIBUTION NOTICE					3NOV96	3	96SEN/028/0689		
48 HOUR CONTRIBUTION NOTICE					5NOV96	3	96SEN/028/1174		
STATEMENT OF ORGANIZATION - AMENDMENT					5DEC96	2	96SEN/028/4162		
APRIL QUARTERLY			972,853		509,453	174	96SEN/008/1533		
APRIL QUARTERLY - AMENDMENT			-		-	2	97FEC/188/1078		
APRIL QUARTERLY - AMENDMENT			-		-	1	97FEC/188/0753		
APRIL QUARTERLY - AMENDMENT			972,853		509,453	5	97SEN/004/3774		
APRIL QUARTERLY - AMENDMENT			972,853		509,453	10	97SEN/004/3019		
REQUEST FOR ADDITIONAL INFORMATION					1JAN96 -31MAR96	3	96FEC/046/2902		
1 ST LETTER INFORMATIONAL NOTICE					1JAN96 -31MAR96	9	97FEC/188/0754		
PRE-PRIMARY			131,239		624,156	39	96SEN/010/0602		
PRE-PRIMARY - AMENDMENT			-		-	1	97FEC/188/1077		
PRE-PRIMARY - AMENDMENT			-		-	1	97FEC/188/0754		
PRE-PRIMARY - AMENDMENT			131,239		624,156	5	97SEN/004/3779		
PRE-PRIMARY - AMENDMENT			131,239		624,156	7	97SEN/004/3029		
REQUEST FOR ADDITIONAL INFORMATION					1APR96 -17APR96	3	96FEC/049/3066		
1 ST LETTER INFORMATIONAL NOTICE					1APR96 -17APR96	5	97FEC/188/0763		
JULY QUARTERLY			1,471,259		980,461	319	96SEN/014/3067		
JULY QUARTERLY - AMENDMENT			1,471,259		980,461	292	96SEN/018/0038		
JULY QUARTERLY - AMENDMENT			-		-	2	97SEN/004/1574		
JULY QUARTERLY - AMENDMENT			1,471,259		980,461	9	97SEN/004/3784		
JULY QUARTERLY - AMENDMENT			1,471,259		980,461	24	97SEN/004/3036		
JULY QUARTERLY - AMENDMENT			1,465,545		974,747	10	97SEN/005/3053		
REQUEST FOR ADDITIONAL INFORMATION					18APR96 -30JUN96	34	97FEC/178/3090		
REQUEST FOR ADDITIONAL INFORMATION 2ND					18APR96 -30JUN96	35	97FEC/187/1697		
OCTOBER QUARTERLY			2,638,229		2,363,668	585	96SEN/021/3507		
OCTOBER QUARTERLY - AMENDMENT			-		-	1	97FEC/188/0749		
OCTOBER QUARTERLY - AMENDMENT			2,638,229		2,363,668	14	97SEN/004/3793		
OCTOBER QUARTERLY - AMENDMENT			2,638,229		2,363,668	41	97SEN/004/3060		
OCTOBER QUARTERLY - AMENDMENT			-		-	3	97SEN/005/3750		
OCTOBER QUARTERLY - AMENDMENT			-		-	8	97SEN/011/1371		
REQUEST FOR ADDITIONAL INFORMATION					1JUL96 -30SEP96	60	97FEC/178/3924		
REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL96 -30SEP96	69	97FEC/187/1620		
REQUEST FOR ADDITIONAL INFORMATION					1JUL96 -30SEP96	2	97FEC/193/2792		
REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL96 -30SEP96	3	97FEC/198/4364		
REQUEST FOR ADDITIONAL INFORMATION					1JUL96 -30SEP96	3	97FEC/199/4791		
REQUEST FOR ADDITIONAL INFORMATION					1JUL96 -30SEP96	4	97FEC/204/0230		
REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL96 -30SEP96	3	97FEC/204/4182		

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CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	OFFICE SOUGHT/ PARTY	PRIMARY GENERAL	PRIMARY GENERAL	GENERAL			

REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL96 -30SEP96	5	97FEC/208/1491
PRE-GENERAL		830,846		1,360,555	10CT96 -160CT96	210	96SEN/026/1226
PRE-GENERAL - AMENDMENT		-		-	10CT96 -160CT96	1	97FEC/188/0750
PRE-GENERAL - AMENDMENT		830,846		1,360,555	10CT96 -160CT96	7	97SEN/006/2636
PRE-GENERAL - AMENDMENT		830,846		1,360,555	10CT96 -160CT96	23	97SEN/004/3101
PRE-GENERAL - AMENDMENT		-		-	10CT96 -160CT96	1	97FEC/240/0738
REQUEST FOR ADDITIONAL INFORMATION					10CT96 -160CT96	44	97FEC/178/3992
REQUEST FOR ADDITIONAL INFORMATION 2ND					10CT96 -160CT96	44	97FEC/187/1504
REQUEST FOR ADDITIONAL INFORMATION					10CT96 -160CT96	2	97FEC/199/4789
REQUEST FOR ADDITIONAL INFORMATION 2ND					10CT96 -160CT96	3	97FEC/204/4185
POST-GENERAL		1,061,425		1,556,755	170CT96 -25NOV96	311	96SEN/030/3375
POST-GENERAL - AMENDMENT		-		-	170CT96 -25NOV96	1	97FEC/188/0751
POST-GENERAL - AMENDMENT		1,061,425		1,556,755	170CT96 -25NOV96	9	97SEN/006/2627
POST-GENERAL - AMENDMENT		1,061,425		1,556,755	170CT96 -25NOV96	50	97SEN/004/3130
POST-GENERAL - AMENDMENT		-		-	170CT96 -25NOV96	1	97FEC/200/0739
REQUEST FOR ADDITIONAL INFORMATION					170CT96 -25NOV96	52	97FEC/178/4036
REQUEST FOR ADDITIONAL INFORMATION 2ND					170CT96 -25NOV96	51	97FEC/187/1533
REQUEST FOR ADDITIONAL INFORMATION					170CT96 -25NOV96	2	97FEC/199/4787
REQUEST FOR ADDITIONAL INFORMATION 2ND					170CT96 -25NOV96	4	97FEC/204/4188
YEAR-END		5,762		75,682	26NOV96 -31DEC96	16	97SEN/003/2273
YEAR-END - AMENDMENT		5,762		75,682	26NOV96 -31DEC96	3	97SEN/005/3063
YEAR-END - AMENDMENT		-		-	26NOV96 -31DEC96	1	97FEC/204/2835
REQUEST FOR ADDITIONAL INFORMATION					26NOV96 -31DEC96	4	97FEC/198/2243
REQUEST FOR ADDITIONAL INFORMATION 2ND					26NOV96 -31DEC96	5	97FEC/203/0410

TOTAL 2,113,251 6,001,007 1,668,170 6,331,407 2991 TOTAL PAGES

3. AUTHORIZED COMMITTEES

ANOTHER WOMAN FOR GRANT	1996 STATEMENT OF ORGANIZATION	JULY QUARTERLY	JULY QUARTERLY - AMENDMENT	JULY QUARTERLY - AMENDMENT	REQUEST FOR ADDITIONAL INFORMATION	REQUEST FOR ADDITIONAL INFORMATION 2ND	OCTOBER QUARTERLY	PRE-GENERAL	POST-GENERAL	ID #C00320999	SENATE	
										15JUL96	2	96SEN/014/4100
		1,587	-	-						1 APR96 -30JUN96	6	96SEN/014/4182
		-	-	-						1 APR96 -30JUN96	3	97SEN/001/0044
		-	-	-						1 APR96 -30JUN96	4	97SEN/001/0357
										1 APR96 -30JUN96	2	96FEC/162/3371
										1 APR96 -30JUN96	3	97FEC/185/2301
		2,807								1JUL96 -30SEP96	5	96SEN/021/4094
		1,325								10CT96 -160CT96	5	96SEN/026/1436
		2,057								170CT96 -25NOV96	5	96SEN/028/4164

35 TOTAL PAGES

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	OFFICE SOUGHT/ PARTY	PRIMARY GENERAL	PRIMARY GENERAL	COVERAGE DATES		

4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

NORTH CAROLINA VICTORY FUND

ID #C00319087	PARTY	NON-QUALIFIED
3JUN96		2 96SEN/012/0498
26JUN96		2 96FEC/059/2350
1JUL96		2 96SEN/013/1430
1JUN96 -30JUN96		20 96SEN/016/0784
1JUN96 -30JUN96		17 96FEC/129/2500
1JUN96 -30JUN96		5 96FEC/092/2278
1JUN96 -30JUN96		6 96FEC/126/4723
1JUL96 -31JUL96		10 96SEN/018/4307
1JUL96 -31JUL96		4 96SEN/019/4190
1AUG96 -31AUG96		5 96SEN/019/4194
1SEP96 -30SEP96		6 96SEN/023/1401
1OCT96 -16OCT96		6 96SEN/026/2565
1OCT96 -16OCT96		4 97SEN/001/3013
17OCT96 -25NOV96		6 96SEN/028/2269
17OCT96 -25NOV96		8 97SEN/001/3017
26NOV96 -31DEC96		5 97SEN/001/3025

108 TOTAL PAGES

4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

NORTH CAROLINA VICTORY FUND

ID# C00319087 PARTY NON-QUALIFIED

DSCC/UNITY '96

1996 JULY QUARTERLY	- AMENDMENT	91,185
OCTOBER QUARTERLY	- AMENDMENT	1,379

28JUN96	97SEN/005/3056
29JUL96	97SEN/004/3098

TOTAL 92,564

For the Harvey Gantt for Senate Campaign Committee:

All reports have been reviewed.

Ending cash-on-hand as of 12/31/96: \$125,663

Outstanding debts/obligations owed as of 12/31/96: \$10,130

FEDERAL ELECTION COMMISSION
1997-1998
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 30SEP97
(Page 5 of 5)
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CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		# OF PAGES	MICROFILM LOCATION
	OFFICE SOUGHT/	PARTY	PRIMARY	GENERAL		

GANTT, HARVEY BERNARD SENATE DEMOCRATIC PARTY NORTH CAROLINA 1996 ELECTION ID# S0MC00111

1. STATEMENT OF CANDIDATE

2. PRINCIPAL CAMPAIGN COMMITTEE

HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE			ID #C00242156 SENATE		
1997 MISCELLANEOUS REPORT	TO FEC		14MAR97		3 97SEN/004/2968
MISCELLANEOUS REPORT	TO FEC		17MAR97		2 97SEN/004/2167
MISCELLANEOUS REPORT	TO FEC		21MAR97		4 97SEN/004/2964
MID-YEAR REPORT		2,769	104,713	1JAN97 -30JUN97	21 97SEN/009/3155
TOTAL		0 2,769	0 104,713		30 TOTAL PAGES

3. AUTHORIZED COMMITTEES

ANOTHER WOMAN FOR GANTT ID #C00320994 SENATE

0 TOTAL PAGES

4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

NORTH CAROLINA VICTORY FUND			ID #C00319087 PARTY NON-QUALIFIED		
1997 TERMINATION APPROVAL			6JUN97		2 97FEC/207/1483
FEBRUARY MONTHLY			1JAN97 -31JAN97		5 97SEN/004/0678
FEBRUARY MONTHLY	- AMENDMENT		1JAN97 -31JAN97		5 97SEN/004/2382
MARCH MONTHLY			1FEB97 -28FEB97		5 97SEN/004/2377
APRIL MONTHLY			1MAR97 -31MAR97		2 97SEN/005/1061
MAY MONTHLY	- TERMINATED		1APR97 -30APR97		3 97SEN/005/3079
JUNE MONTHLY	- TERMINATED		1MAY97 -31MAY97		3 97SEN/006/1652

25 TOTAL PAGES

TERMINATED

4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

For the Harvey Gantt for Senate Campaign Committee:
All reports have been reviewed.
Ending cash-on-hand as of 6/30/97: \$23,720
Outstanding debts/obligations owed as of 6/30/97: \$0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

FEB - 4 1997

Bobby T. Martin, Treasurer
Harvey Gantt for Senate Campaign Committee
119 E. 8th Street
Charlotte, NC 28202

Identification Number: C00242156

Reference: October quarterly Report (7/1/96-9/30/96)

Dear Mr. Martin:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses a contribution(s) which appears to exceed the limits set forth in the Act (copies attached). You should conduct a review of all of your contributions to determine the rest of the excessives that your committee may have received. As you check for additional excessives, you should review the committee's procedures for handling the receipt of contributions.

An individual or political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. A qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441(a) and (f); 1 CFR §110.1(b), (e) and (k))

If the contribution(s) in question was not completely or correctly reported, you should amend your original report using the new or corrected information. If a contribution(s) exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or contribute the excessive amount in writing. All refunds,

98043900733

HARVEY GANTT FOR SENATE
CAMPAIGN COMMITTEE
PAGE 2

redesignations, and reattributions must be made within sixty days of receipt of the contribution. Copies of refund checks and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be considered.

-Schedule A of your report discloses contributions received after the primary election which are designated for the election. These contributions may be accepted by you only to the extent that you have outstanding debts remaining from the primary. (11 CFR §110.1(b)(3)(i))

A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(6))

If the contribution(s) accepted by you exceeds the amount of outstanding debt remaining from the primary election, you should refund the contribution(s) or seek redesignation of the contribution(s), in writing, from the contributor to the next election. The Commission should be notified if a refund is necessary. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the

98043900734

HARVEY GANTT FOR SENATE
CAMPAIGN COMMITTEE
PAGE 3

period during which the refund is made. Redesignations are reported as memo entries on a Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2))

Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount(s) will be considered.

-A review of your itemized receipts indicates a discrepancy in your aggregate year-to-date totals. The reported aggregate totals on your report should include all contributions from an individual or committee given in the calendar year 1996. Please review your procedures for compliance with this requirement and amend your report(s) as necessary.

-Please amend your report to include a supporting Schedule A for the activity reported on Line 12 of the Detailed Summary Page. All transfers to your committee from authorized committees must be itemized on Schedule A, regardless of the amount transferred. (11 CFR §104.3(a)(4)(iii))

-Please provide a Schedule B to support the amount reported on Line 19(a), Column A, of the Detailed Summary Page. Each loan payment made by the committee must be itemized on a supporting Schedule B, regardless of the amount of the payment. (11 CFR §104.3(b)(4)(iii) and (iv))

-For future reports, please be advised that you should provide the complete name of any political committee that has contributed to your committee. Reporting only the name of the connected organization is inadequate.

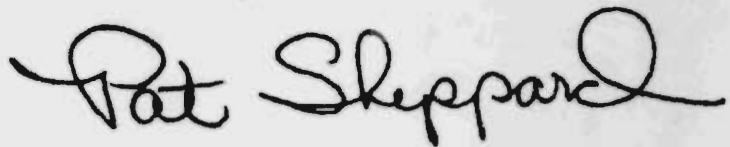
A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 within fifteen (15) days of the date of this letter. If you

98043900735

HARVEY GANTT FOR SENATE
CAMPAIGN COMMITTEE
PAGE 4

need assistance, please feel free to contact me on our toll-free number, (800) 424-9530.
My local number is (202) 219-3580.

Sincerely,



Pat Sheppard
Senior Reports Analyst
Reports Analysis Division

404

98043900736



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Bobby T. Martin, Treasurer
Harvey Gantt for Senate Campaign
Committee
119 East 8th Street
Charlotte, NC 28202

FEB - 4 1997

Identification Number: C00242156

Reference: 12 Day Pre-General Report (10/1/96-10/16/96)

Dear Mr. Martin:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses a contribution(s) which appears to exceed the limits set forth in the Act (copies attached). You should conduct a review of all of your contributions to determine the rest of the excessives that your committee may have received. As you check for additional excessives, you should review the committee's procedures for handling the receipt of contributions.

An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. A qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

If the contribution(s) in question was not completely or correctly reported, you should amend your original report using the new or corrected information. If the contribution(s) exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or reattribute the excessive amount in writing. All refunds,

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE
PAGE 2Attachment # 3
Page 2 of 3

redesignations, and reattributions must be made within sixty days of receipt of the contribution. Copies of refund checks and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be considered.

-Schedule A of your report discloses contributions received after the Primary Election which are designated for the primary. These contributions may be accepted by you only to the extent that you have outstanding debts remaining from the primary. (11 CFR §110.1(b)(3)(i))

A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(6))

If the contribution(s) accepted by you exceeds the amount of outstanding debt remaining from the primary election, you should refund the contribution(s) or seek redesignation of the contribution(s), in writing, from the contributor to the next election. The Commission should be notified if a refund is necessary. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period during which the refund is made. Redesignations are reported as memo entries on a Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2))

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE
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Page 3 of 3

Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount(s) will be considered.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,

Pat Sheppard

Pat Sheppard
Senior Reports Analyst
Reports Analysis Division

404

98043900739



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

FEB - 4 1997

Bobby T. Martin, Treasurer
Harvey Gantt for Senate Campaign Committee
119 E 8th Street
Charlotte, NC 28202

Identification Number: C00242156

Reference: 30 Day Post-General Report (10/17/96-11/25/96)

Dear Mr. Martin:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses a contribution(s) which appears to exceed the limits set forth in the Act (copies attached). You should conduct a review of all of your contributions to determine the rest of the excessives that your committee may have received. As you check for additional excessives, you should review the committee's procedures for handling the receipt of contributions.

An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. A qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

If the contribution(s) in question was not completely or correctly reported, you should amend your original report using the new or corrected information. If the contribution(s) exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or reattribute the excessive amount in writing. All refunds,

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**HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE
PAGE 2**

redesignations, and reattributions must be made within sixty days of receipt of the contribution. Copies of refund checks and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be considered.

-Schedule A of your report discloses contributions received after the primary election which are designated for the primary. These contributions may be accepted by you only to the extent that you have outstanding debts remaining from the primary. (11 CFR §110.1(b)(3)(i))

A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(6))

If the contribution(s) accepted by you exceeds the amount of outstanding debt remaining from the primary election, you should refund the contribution(s) or seek redesignation of the contribution(s), in writing, from the contributor to the next election. The Commission should be notified if a refund is necessary. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period during which the refund is made. Redesignations are reported as

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE
PAGE 3

memo entries on a Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2))

Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount(s) will be considered.

-All contributions received by your committee from 10/17/96 through 11/2/96 are required to be disclosed on this report. Your committee filed 48 hour notices reporting the following "last minute" contributions:

<u>Contributor</u>	<u>Date</u>	<u>Amount</u>
Anna Bernholz	10/21/96	\$1,000
Eva Clayton	10/29/96	\$1,000
C.A.P. Von Hemert	10/19/96	\$1,000
Michael F. Tilek, Sr.	10/19/96	\$1,000

These contributions do not appear on Schedule A of this report. Please amend your report to include these contributions or provide an explanation of these apparent discrepancies.

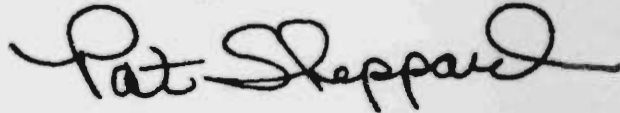
-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-General report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to provide concerning this matter will be considered. (11 CFR §104.5(f))

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HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE
PAGE 4

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Pat Sheppard
Senior Reports Analyst
Reports Analysis Division

404

98043900743

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

RQ-3

February 27, 1997

Bobby T. Martin, Treasurer
Harvey Gantt for Senate Campaign Committee
119 East 8th Street
Charlotte, NC 28202

Identification Number: C00242156

Reference: July Quarterly (4/18/96-6/30/96), October Quarterly (7/1/96-9/30/96), 12 Day Pre-General (10/1/96-10/16/96) and 30 Day Post-General (10/17/96-11/25/96) Reports

Dear Mr. Martin:

This letter is to inform you that as of February 26, 1997, the Commission has not received your response to our requests for additional information dated February 4, 1997. These notices request information essential to full public disclosure of your federal election campaign finances. To ensure compliance with the provisions of the Federal Election Campaign Act (the Act), please respond to these requests (copies enclosed).

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions regarding this matter, please contact Pat Sheppard on our toll-free number (800) 424-9530 or our local number (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosures

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HARVEY
GANTT
FOR U.S. SENATE '96

Attachment # 6
Page 1 of 1

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U.S. SENATE
97 FEB 23 PM 2:25
H.D.

February 27, 1997

Ms. Pat Sheppard
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Via Federal Express

Ref: C00242156

Dear Ms. Sheppard:

I am in receipt of your letters dated February 4 and February 14 regarding your review of our campaign committee's reports. Please be advised that I am currently in the process of responding to your requests for information and/or revisions to our reports.

As you may imagine, our campaign is no longer staffed and all of our records and documents have been placed in storage. I would like to request an additional two weeks from today to complete our response as I will need this time to investigate the items you have questioned.

Please contact me at (704) 375-7361 or at P.O. Box 35555; Charlotte, NC; 28235. Please note that the address on our letterhead is longer valid.

Thank you for your consideration.

Sincerely,

Bobby T. Martin
Bobby T. Martin, CPA
Treasurer

OFFICE OF THE SENATE
97 MAR 25 11:44
H.D.

HARVEY
GANTT
FOR U.S. SENATE '96

March 20, 1997

Ms. Pat Sheppard
Federal Election Commission
990 E Street, N.W.
Washington, DC 20463

Ref.: October Quarterly Report (7/1/96-9/30/96)
ID#: C00242156

Dear Ms. Sheppard:

This letter is in response to the Federal Election Commission's review of the above referenced report. The Commission has noted a number of concerns and potential problems with this report. I have addressed each of the issues raised in the following letter, and any amendments or specific clarifications for individual donors are itemized below.

Excessive Contributions

The Commission has noted the possible acceptance of excessive contributions. Upon further review, it appears that our Committee did accept excessive contributions from four of the donors listed. In almost all cases, acceptance of the excessive amounts resulted from duplicate donor records within our database. Duplicates sometimes occur because the same donor has been entered more than once into our computer system. Such duplicates may result from slightly different spellings of the name or address, or because the donor gave separately through various fundraising methods (e.g. direct mail, telemarketing, campaign events, dinners, etc.), each of which may have been processed individually.

Our Committee performed extensive review procedures to detect and eliminate any possible duplicates. While we believe we were successful in detecting nearly all of the duplicate records in our large database (by the end of the campaign our database contained approximately 120,000 separate contributions from approximately 100,000 different donors), we unfortunately failed to detect the excessive contributions noted below.

In certain cases, our Committee incorrectly reported to which election a contribution was designated. Such errors may have occurred when a donor had reached the limit for one election, yet wished to donate additional funds to another election. The errors resulted from changing a previously reported contribution's designation (Primary or General) within the computer database, but failing to reflect this change in the appropriate report. In such cases, the donor's contributions were not excessive, however, our Committee had incorrectly reported the

M. Pat Sheppard
Federal Election Commission
October Quarterly Report
Page 2 of 6

appropriate designation. We have corrected such errors with this (and other) amendment(s). Please see any detailed explanations below.

Primary Debt

The Commission has noted the acceptance of contributions after the Primary election which are designated for that election. Our Committee did incur a Primary debt of \$214,964 as defined by 11CFR §110.1(b)(3)(ii). We have attached a detailed listing of this debt by payee. As a result, we accepted numerous contributions after the primary election which were properly designated by the donors toward retirement of the debt. Please note that the amount of our primary debt is not related to debts listed on Schedule D at the end of each reporting period (such as June 30, 1996 or September 30, 1996). A difference between the two amounts results from payment of Primary obligations with funds raised in the General election (as provided by 11CFR §110.1(b)(3)(iv)).

Aggregate Year-to-Date Totals

In June, 1996 our Committee purchased a database software program called *Election Machine* from Grassroots Systems, Inc. of Bethesda, Maryland. Prior to issuing our July Quarterly Report, Grassroots converted our existing contribution database to this software. During the conversion, the programmers inadvertently included both 1995 and 1996 contributions in the aggregate year-to-date totals for 1996. We manually corrected a large number of these errors, however, we appear to have missed some of the problems. We have amended this report (and any others) to reflect additional corrections due to this error. Please note that any such errors detected by the Commission do not indicate contributions that we failed to itemize, but rather 1995 contributions that were incorrectly included in the 1996 totals.

Amended Report

On July 31, 1996 our Committee submitted an amendment to the July Quarterly Report. This amendment corrected two additional problems related to our database conversion to *Election Machine* in that 1) certain itemized receipts had failed to properly print for Schedules 11(a)(1), 11(b), and 11(c), and 2) certain contributions made on July 1, 1996 were incorrectly itemized with a June 30, 1996 date. In both instances the Committee's total contributions as well as the total cash on hand were correctly reported. The computer error was in the breakdown between itemized versus unitemized contributions. The itemized schedules and accompanying Detailed Summary Page were thus amended. In the Commission's review of this report, it appears that the original itemized schedules were used rather than the corrected amendment. We have noted any such explanations in our detailed discussion below.

Omitted Schedules

We have amended our report to include detailed Schedules A and B for activity reported on lines 12 and 19(a), respectively. The omission of these schedules was an accidental oversight on the part of our Committee.

Ms. Pat Sheppard
Federal Election Commission
October Quarterly Report
Page 3 of 6

Discussion of Specific Donors Cited

J. Allen Broach

Mr. Broach made an \$800 contribution on 7/1/96. This contribution was originally reported with a date of 6/30/96 but was corrected (excluded) in the first amendment of our July Quarterly Report. We have also amended the October Quarterly Report to correct the year-to-date total to \$800. Our original report included Mr. Broach's \$200 10/24/95 contribution in the 1996 year-to-date total.

Loring Conant

The donor's \$500 9/20/96 contribution was incorrectly reported as allocated to the General election. We obtained a designation letter from the donor specifying that \$1,000 of the total \$2,000 contributed should be allocated to primary debt. We have amended the October Quarterly Report to reflect this correction.

Lewis Cullman

The donor's \$1,000 9/3/96 contribution was incorrectly reported as being allocated 100% to the General election. We obtained a designation letter from the donor specifying that \$750 of the total \$1,750 contributed should be allocated to primary debt. We have amended the October Quarterly Report to reflect this correction.

Worth B. Daniels

Mr. Daniels and his wife, Jane W. Daniels, made the following contributions to our Committee: \$250 on 10/30/95; \$1,000 on 5/20/96; and \$1,000 on 7/19/96. Our Committee incorrectly reported the Daniel's 7/19/96 contribution in that \$750 of this contribution should have been allocated to primary debt and \$250 of the contribution should have been allocated to Mrs. Jane Daniels. We have amended this report to reflect these changes (see attached designation and attribution letter). Additionally, we have corrected the year-to-date amount in the July Quarterly Report.

K.N. Dayton

This donor made a \$1,000 contribution on 7/1/96. This contribution was originally reported with a date of 6/30/96 but was corrected (excluded) in the first amendment of our July Quarterly Report. We have also amended the October Quarterly Report to correct the year-to-date total to \$1,000. Our original report included the donor's \$500 12/30/95 contribution in the 1996 year-to-date total.

Alice H. Harris

Ms. Harris made a total of three \$1,000 contributions. We failed to detect the \$1,000 excessive contribution on 9/3/96 due to a duplicate record in our database. We are immediately refunding this amount. Additionally, we have corrected the year-to-date totals for the 6/13/96 and 9/3/96 amounts.

Norman Hinnerfeld

Apparently, Mr. Hinnerfeld's year-to-date totals were incorrect on the original July Quarterly Report. After reviewing the amended July Quarterly Report, it appears our Committee corrected this error.

Mary W. Hurtig

Mrs. Hurtig and her husband, Howard Hurtig, made the following contributions to our Committee: \$500 on 6/19/96; and \$1000 on 9/12/96. Our Committee incorrectly reported the Hurtig's 9/12/96 contribution

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Mr. Pat Shappard
Federal Election Commission
October Quarterly Report
Page 4 of 6

in that \$500 of this contribution should have been allocated to Mr. Howard Hurtig. We have amended this report to reflect these changes (see attached designation letter).

Lary D. Inman

Ms. Inman made the following contributions to our campaign: 9/22/95 \$100; 3/21/96 \$100; 5/22/96 \$300; 8/6/96 \$1,400. Our Committee incorrectly allocated Ms. Inman's 8/6/96 contribution between the primary and general elections. We have amended this report to reflect the correct allocation of \$600 to the Primary and \$800 to the General per Ms. Inman's designation (see attached letter). The 8/6/96 contribution also resulted in an excess in the General election of \$100. This amount was refunded on 8/6/96. Our amendments also correct the year-to-date totals for the 5/22/96 and 8/6/96 contributions.

William J. Kealy

Mr. Kealy's 9/6/96 \$1,000 contribution was incorrectly allocated to the General election. Our Committee requested and received a designation letter from Mr. Kealy and his wife, Ellen, allocating their contributions to the appropriate elections. We have amended our report to reflect that Mr. Kealy's 9/6/96 contribution was allocated toward our Primary debt.

Kay Kimpton

Ms. Kimpton made the following contributions to our campaign: 6/3/96 \$150; 6/21/96 \$500; 8/22/96 \$1,000. Our Committee failed to report the 6/3/96 contribution because it was contained in a duplicate record (under \$200 therefore not itemized). Additionally, our Committee incorrectly allocated the 8/22/96 contribution 100% to the General election. The allocation should have been \$350 to the General election and \$650 to the Primary election according to Ms. Kimpton's designation (see attached letter). We have corrected these errors in the relevant amendments.

Sally L. Lilienthal

Ms. Lilienthal made the following contributions to our campaign: 11/8/95 \$100; 3/30/96 \$500; 6/21/96 \$500; 8/12/96 \$1,000. Our Committee failed to properly allocate the 8/12/96 contribution in that \$400 should have been designated toward our Primary debt and \$600 to the General election (see attached letter). The 8/12/96 contribution also resulted in a \$100 excessive contribution to the General election which was refunded on 8/23/96. We have amended our reports to correct the designation error as well as the year-to-date totals for the 6/21/96 and 8/12/96 amounts.

Ernest Morgan

Mr. Morgan made the following contributions to our campaign: 9/14/95 \$1,000; 11/20/95 \$500; 3/21/96 \$500; 5/23/96 \$100; 8/17/96 \$50; 9/7/96 \$900. Mr. Morgan's 11/20/95 and 3/21/96 contributions were properly designated to the General election (see attached letter). Mr. Morgan's 5/23/96 \$100 donation resulted in an excessive contribution that was refunded 8/23/96. Our Committee failed to detect Mr. Morgan's additional excessive contributions of 8/17/96 and 9/7/96. As a result, we are immediately refunding an additional \$950. We have also amended our reports to correct the year-to-date totals for 5/23/96, 8/17/96 and 9/7/96.

Kenneth Mountcastle

Our Committee incorrectly allocated Mr. Mountcastle's 7/19/96 \$1,000 contribution. \$500 of this contribution should have been allocated toward Primary debt in accordance with the Mountcastle's designation (see attached letter). We have amended our October Quarterly Report to reflect this change.

97020041003

Ms. Pat Sheppard
Federal Election Commission
October Quarterly Report
Page 5 of 6

Elizabeth Holme Nichol

Our Committee incorrectly allocated Ms. Nichol's 7/11/96 \$1,000 contribution. \$500 of this contribution should have been allocated toward Primary debt in accordance with Ms. Nichol's designation (see attached letter). We have amended our October Quarterly Report to reflect this change.

Elizabeth Scheuer

Ms. Scheuer's 9/9/96 \$1,000 contribution resulted in an excessive contribution to the General election. Unfortunately, our Committee was unable to obtain a designation within the 60 day limit. As a result, we are immediately refunding \$1,000.

Irwin Schneiderman

Mr. Schneiderman's 9/3/96 \$1,000 contribution resulted in an excessive contribution to the General election. Unfortunately, our Committee was unable to obtain a designation within the 60 day limit. As a result, we are immediately refunding \$1,000.

Neal E. Sheldon

Our Committee incorrectly allocated Mr. Sheldon's 9/3/96 \$1,000 contribution. \$500 of this contribution should have been allocated toward Primary debt in accordance with Mr. Sheldon's designation (see attached letter). We have amended our October Quarterly Report to reflect this change.

Melvin Simon

Mr. Simon made a \$1,000 contribution on 7/1/96. This contribution was originally reported with a date of 6/30/96 but was corrected (excluded) in the first amendment of our July Quarterly Report.

Dorothy Smailer

Our Committee incorrectly allocated Ms. Smailer's 9/1/96 \$1,000 contribution. \$500 of this contribution should have been allocated toward Primary debt in accordance with Ms. Smailer's designation (see attached letter). We have amended our October Quarterly Report to reflect this change.

Lyman Spitzer

This donor made a \$1,000 contribution on 7/1/96. This contribution was originally reported with a date of 6/30/96 but was corrected (excluded) in the first amendment of our July Quarterly Report.

Bayard Thayer Storey

Our Committee incorrectly allocated Mr. Storey's 9/1/96 \$1,000 contribution. \$500 of this contribution should have been allocated toward Primary debt in accordance with Mr. Storey's designation (see attached letter). We have amended our October Quarterly Report to reflect this change.

Lynn Straus

Ms. Straus made the following contributions to our campaign: 10/18/95 \$400; 1/28/96 \$200; 6/15/96 \$800; 9/12/96 \$1,000. Our Committee incorrectly allocated Ms. Straus' 9/12/96 \$1,000 contribution. \$780 of this contribution should have been allocated toward Primary debt in accordance with Mr. Storey's designation (see attached letter). The 9/12/96 donation also resulted in a \$100 excessive contribution which was refunded on 10/9/96. We have amended our October Quarterly Report to correct the designation. We have also amended our reports to correct the year-to-date totals for 6/11/96 and 9/12/96.

Ms. Pat Sheppard
Federal Election Commission
October Quarterly Report
Page 6 of 6

Rawson L. Wood

Mr. Wood and his wife, Elizabeth, made the following contributions to our campaign: 9/14/95 \$500; 6/27/96 \$1,500; 8/17/96 \$1,000. Our Committee incorrectly reported the 8/17/96 contribution as being from Rawson when it should have been designated from Elizabeth (see attached letter). We have amended our October Quarterly Report to correct the designation. We have also amended our reports to correct the year-to-date totals for 6/27/96.

If you have any questions regarding this amendment or clarification please do not hesitate to contact me (please note our change of address and telephone on this letterhead). Furthermore, please note additional corrections to the July Quarterly Report which relate to issues raised by the Commission in their review of other reports by our Committee. These corrections have been explained in separate letters according to the reporting period which was reviewed.

Sincerely,

Bobby T. Martin

Bobby T. Martin, CPA
Treasurer

Enclosures

97020043065

Total Primary Expenses by Payee
 Paid after May 7, 1996

Payee	Purpose	Amount
James Andrews & Company	Consultant	60,843.80
Lake Research	Consultant	38,962.47
AB Data	Consultant	37,974.03
Grunwald Communications	Consultant	27,623.27
Harvey B. Gantt	Loan & travel expense	21,654.34
Alltel Mobile	Telephone	13,883.30
BTI	Telephone	6,625.18
Shrum, Devine & Donilon	Consultant	4,990.83
Jason Miner	Salary, computer & office exp.	4,582.89
Myers Park Country Club	Catering	3,998.50
MCR	Computer rental	3,355.50
Don Baker	Salary & travel expense	3,105.75
FMG	Consultant	3,101.27
Tarheel Aviation	Transportation	2,998.88
Mechanics & Farmers	Payroll taxes	2,542.77
Sam Johnson Lincoln	Transportation	2,139.02
Advantec Global Services	Computer Rental	2,079.42
Alice Dunscomb	Communications	1,482.84
Christopher Kouri	Salary & travel	1,408.95
American Adventure Conversion Vans	Transportation	1,394.33
Kathleen Taylor	Salary & office expense	1,258.75
Bell South	Telephone	1,066.47
PR Promotions	Field materials	977.97
Federal Express	Courier service	897.00
Creative Stage Design	Stage for campaign event	800.00
Sunbelt Graphics	Printing	712.85
Rene Jones	Salary & travel expense	708.61
Faron Adams	Travel expenses	675.63
Charlotte Copy Data	Copier rental	663.99
Michaels	Catering	608.09
Jonathon Sacks	Salary & office expense	595.84
Jason Solomon	Salary & travel expense	559.86
Wanda Davis	Salary & office expense	540.87
Lisa Mortman	Salary	530.96
Matthew Stogler	Salary & office expense	524.83
Terry Klein	Salary & office expense	524.41
La Fonda	Catering	500.00
Perspective Magazine	Advertising	500.00
N.C. Dept. of Revenue	Payroll taxes	477.21
Reginald Todd	Salary & travel expense	347.24
Lisa Rivers	Salary & office expense	329.37
Tamara Alexander	Salary	323.23
Linda Messing	Salary	316.23
Alcom	Telephone rental	314.67
Carolina Clipping	Research	245.64

**Total Primary Expenses by Payee
 Paid after May 7, 1996**

<u>Payee</u>	<u>Purpose</u>	<u>Amount</u>
Laura Green	Salary	244 13
Crime Prevention Inc.	Office Equipment	242 50
Charlotte Office Products	Office supplies	239 56
Martha Elder	Salary	236 13
Larry Freeman	Consultant	224 00
Cumberland County Vote Proj	Travel expense	200 00
Women with Vision	Travel	200 00
Giselle Lancaster	Copies & office expense	169 80
Duke Power	Electric Utility	161 82
Metrolina Cellular Services	Telephone	140 00
Alpha Graphics	Printing	125 53
Charu Khopkar	Travel	105 00
Janna Gower	Stipend	100 00
David Ritch	Stipend	87 50
Pembroke State University	Site rental	51 35
City of Charlotte	Water utilities	50 06
Spirit Square	Parking	46 00
Carolina Telecom	Communication	24 20
Connected	Computer supplies	16 00
Piedmont Natural Gas	Gas utility	15 59
Total Primary paid after 5/7/96		262,431.18
Less: cash on hand @ 5/7/96		47,466.68
= TOTAL PRIMARY DEBT		214,964.50

97020043067

HARVEY
GANTT
FOR U.S. SENATE '96

September 25, 1996

Loring and Louise Conant
70 Old Farm Rd.
Wellesley Hills, MA 02181

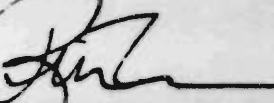
Dear Mr. and Mrs. Conant:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

Loring and Louise Conant

\$1000

\$1000

Name

Primary Debt Retirement

General

Loring Conant
Louise R. Conant

Signatures

9970200403076594

HARVEY GANTT

FOR U.S. SENATE '96

September 5, 1996

Lewis B. Cullman
767 Third Avenue
New York, NY 10017

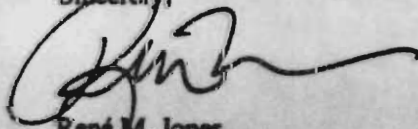
Dear Mr. Cullman:

On behalf of Mr. Gantt, I would like to thank you for your generous contribution to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,


René M. Jones
Finance Director

Lewis B. Cullman

\$ 750

\$ 1,000

Name

Primary Debt Retirement

General


Signature

3/4/96 250
5/22/96 \$500
8/29/96 1,000

PLEASE NOTE: We have made three contributions for a total of \$2,750

1,750

GANTT

FOR U.S. SENATE '96

410 467-2134

August 7, 1996

Worth and Jane Daniels
210 Ridgewood Rd.
Baltimore, MD 21210

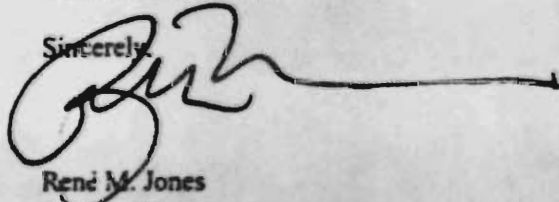
Dear Worth and Jane:

On behalf of Mr. Gantt, I would like to thank you both for your generous contributions totaling \$2250 to his U.S. Senate campaign.

Your check contribution is in Worth's name, although we understand that the contribution is from both of you. The Federal Election Commission requires us to have all funds designated from each individual to particular elections, allowing a limit of \$1000 per person per election. If you would both please sign this form designating your contributions I would be very appreciative.

I have enclosed a return envelope for your convenience. Thank you once again for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

\$1000
Primary Debt
(Retirement)

\$1000
General Election
Contribution

Worth B. Daniels, Jr.

NAME



SIGNATURE

\$250
General Election
Contribution

Jane W. Daniels

NAME



SIGNATURE

HARVEY GANTT For U.S. SENATE

Federal Election Commission DESIGNATION FORM

\$1000

Primary Debt Retirement

Lucy Daniels Inman

NAME

\$1000

General

Lucy Daniels Inman
SIGNATURE

98704200A3064

HARVEY
GANTT
FOR U.S. SENATE '96

September 5, 1996

William J. and Ellen Kealy
120 North Baum Trail
Duck, NC 27949

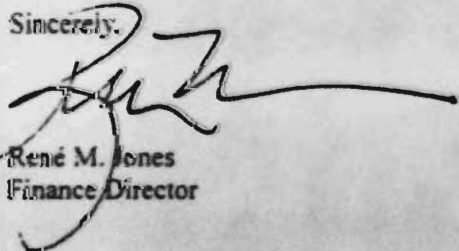
Dear William and Ellen:

On behalf of Mr. Gantt, I would like to thank you both for your generous contributions totaling \$4000 to his U.S. Senate campaign.

Your check contributions were \$3000 from Ellen and \$1000 from William, although we understand that the contributions are from both of you. The Federal Election Commission requires us to have all funds designated from each individual to particular elections, allowing a limit of \$1000 per person per election. If you would both please sign this form designating your contributions I would be very appreciative.

I have enclosed a return envelope for your convenience. Thank you once again for your generosity and continued support.

Sincerely,


René M. Jones
Finance Director

\$1000

Primary Debt
Retirement

\$1000

General Election
Contribution

William J. Kealy

NAME


SIGNATURE

\$1000

Primary Debt
Retirement

\$1000

General Election
Contribution

Ellen M. Kealy

NAME


SIGNATURE

KIMPTON
4154414820
CO 14154414820
F001

HARVEY
GANTT
FOR U.S. SENATE '96

August 14, 1996

Kay Kimpton
2620 Jackson St.
San Francisco, CA 94115

Dear Ms. Kimpton

On behalf of Mr. Gantt, I would like to thank you for your generous contribution to his U.S. Senate campaign

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,

Kay Kimpton

\$650

\$1000

Name

Primary Debt Retirement

General

Kay Kimpton
Signature

97020043076

HARVEY GANTT For U.S. SENATE
Federal Election Commission
DESIGNATION FORM

\$1000 ✓

Primary Debt Retirement

Sally Lilienthal

NAME

\$1000 ✓

General

Sally Lilienthal

SIGNATURE

97020043077

GANTT

FOR U.S. SENATE '96

July 31, 1996

Kenneth and Katherine Mountcastle
37 Oenoke Lane
New Canaan, CT 06840

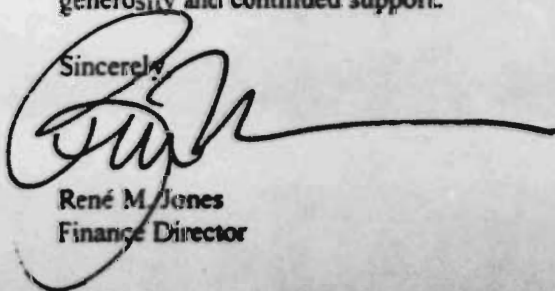
Dear Kenneth and Katherine:

On behalf of Mr. Gantt, I would like to thank you both for your generous contributions totaling ~~\$400~~ ^{3,000} to his U.S. Senate campaign.

The Federal Election Commission requires us to have all funds designated from each individual to particular elections, allowing a limit of \$1000 per person per election. If you would both please sign this form designating your contributions I would be very appreciative.

I have enclosed a return envelope for your convenience. Thank you once again for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

~~\$1000~~

Primary Debt
Retirement

\$1000

General Election
Contribution

Kenneth Mountcastle

NAME



SIGNATURE

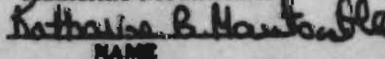
~~\$1000~~

Primary Debt
Retirement

\$1000

General Election
Contribution

Katherine Mountcastle



NAME

SIGNATURE

HARVEY
GANTT
FOR U.S. SENATE '96

July 31, 1996

Kenneth and Katherine Mountcastle
37 Oenoke Lane
New Canaan, CT 06840

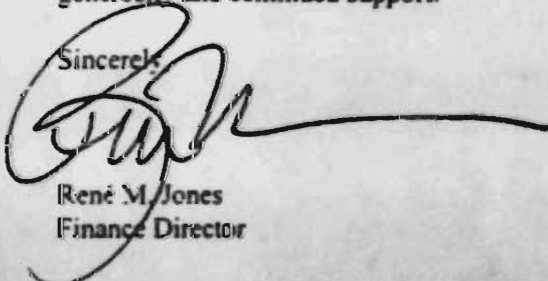
Dear Kenneth and Katherine:

On behalf of Mr. Gantt, I would like to thank you both for your generous contributions totaling ~~\$2000~~ ^{3,000} to his U.S. Senate campaign.

The Federal Election Commission requires us to have all funds designated from each individual to particular elections, allowing a limit of \$1000 per person per election. If you would both please sign this form designating your contributions I would be very appreciative.

I have enclosed a return envelope for your convenience. Thank you once again for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

\$1000

Primary Debt
Retirement

\$1000

General Election
Contribution

Kenneth Mountcastle

NAME



SIGNATURE

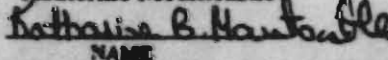
~~\$2000~~

Primary Debt
Retirement

\$1000

General Election
Contribution

Katherine Mountcastle



NAME

SIGNATURE

HARVEY
GANTT
FOR U.S. SENATE '96

August 15, 1996

Elizabeth Holme Nichol
7809 Blue Heron Drive, W.
Villa Number 2
Wilmington, NC 28405 (910) 636-5551

Dear Ms. Nichol:

On behalf of Mr. Gantt, I would like to thank you for your generous contribution to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,

René M. Jones
Finance Director

Elizabeth Holme Nichol		\$500	\$1000
<i>Elizabeth Holme Nichol</i>			<input checked="" type="checkbox"/>
for Harvey Gantt	Name	Primary Debt Retirement	General
✓		<i>Elizabeth Holme Nichol</i>	
		Signature	

Neal E. Sheldon

\$1000

\$1000

Name

Primary Debt Retirement

General

Neal E. Sheldon

Signature

119 E. 8th St. • Suite A • Charlotte, NC 28202 • 704-376-3293 • Fax 704-376-8042
Paid for Mr. Harvey Gantt for Senate Campaign Committee

9702004303

HARVEY GANTT

FOR U.S. SENATE '96

September 2, 1996

Dorothy Y. Smailer
2101 Faunce Street
Philadelphia, PA 19152

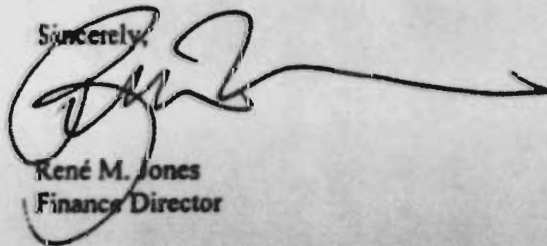
Dear Ms. Smailer:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contributions for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

Dorothy Y. Smailer


\$500

\$1000

Name

Primary Debt Retirement

General


Signature

HARVEY
GANTT
FOR U.S. SENATE '96

September 2, 1996

Bayard Thayer Storey
1919 Brandywine Street
Philadelphia, PA 19130


Dear Mr. Storey:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contributions for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,


René M. Jones
Finance Director

Bayard Storey

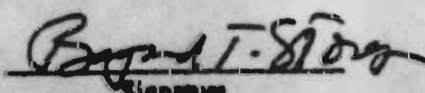
\$500

\$1000

Name

Primary Debt Retirement

General


Signature

Dear Ms. Jones -
I have contributed
an additional
\$500 for the
reception hosted by
Sen Allyson
Schwarz
here in PA
Presumably this
\$500 will be
for debt
primary
Just paid
in as per
file
Done
Storey

97020013065

HARVEY
GANTT
FOR U.S. SENATE '96

November 13, 1996

Lynn G. Straus
1037 Constable Drive, South
Mamaroneck, NY 10543

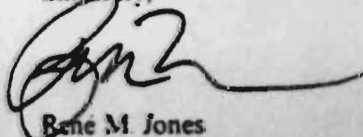
Dear Ms. Straus

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U S Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

Lynn G. Straus

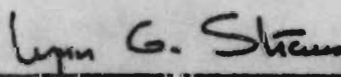
\$1000

\$1000

Name

Primary Debt Retirement

General



Signature

OFFICE OF THE SENATE
975725 11:43
H.D.

HARVEY
GANTT
FOR U.S. SENATE '96

March 20, 1997

March 20, 1997

Ms. Pat Sheppard
Federal Election Commission
999 E. Street, N.W.
Washington, DC 20463

Ref: 12 Day Pre-General Report (10/1/96-10/16/96)
ID#: C00242156

Dear Ms. Sheppard:

This letter is in response to the Federal Election Commission's review of the above referenced report. The Commission has noted a number of concerns and potential problems with this report. I have addressed each of the issues raised in the following letter, and any amendments or specific clarifications for individual donors are itemized below.

Excessive Contributions

The Commission has noted the possible acceptance of excessive contributions. Upon further review, it appears that our Committee did accept excessive contributions from four of the donors listed. In almost all cases, acceptance of the excessive amounts resulted from duplicate donor records within our database. Duplicates sometimes occur because the same donor has been entered more than once into our computer system. Such duplicates may result from slightly different spellings of the name or address, or because the donor gave separately through various fundraising methods (e.g. direct mail, telemarketing, campaign events, dinners, etc.), each of which may have been processed individually.

Our Committee performed extensive review procedures to detect and eliminate any possible duplicates. While we believe we were successful in detecting nearly all of the duplicate records in our large database (by the end of the campaign our database contained approximately 120,000 separate contributions from approximately 100,000 different donors), we unfortunately failed to detect the excessive contributions noted below.

In certain cases, our Committee incorrectly reported to which election a contribution was designated. Such errors may have occurred when a donor had reached the limit for one election, yet wished to donate additional funds to another election. The errors resulted from changing a previously reported contribution's designation (Primary or General) within the computer database, but failing to reflect this change in the appropriate report. In such cases, the donor's contributions were not excessive, however, our Committee had incorrectly reported the

To: Pat Sheppard
Election Commission
Pre-General Report
Page 2 of 4

appropriate designation. We have corrected such errors with this (and other) amendment(s). Please see any detailed explanations below.

Primary Debt

The Commission has noted the acceptance of contributions after the Primary election which are designated for that election. Our Committee did incur a Primary debt of \$214,964 as defined by 11CFR §110.1(b)(3)(ii). We have attached a detailed listing of this debt by payee. As a result, we accepted numerous contributions after the primary election which were properly designated by the donors toward retirement of the debt. Please note that the amount of our primary debt is not related to debts listed on Schedule D at the end of each reporting period (such as June 30, 1996 or September 30, 1996). A difference between the two amounts results from payment of Primary obligations with funds raised in the General election (as provided by 11CFR §110.1(b)(3)(iv)).

Aggregate Year-to-Date Totals

In June, 1996 our Committee purchased a database software program called *Election Machine* from Grassroots Systems, Inc. of Bethesda, Maryland. Prior to issuing our July Quarterly Report, Grassroots converted our existing contribution database to this software. During the conversion, the programmers inadvertently included both 1995 and 1996 contributions in the aggregate year-to-date totals for 1996. We manually corrected a large number of these errors, however, we appear to have missed some of the problems. We have amended this report (and any others) to reflect additional corrections due to this error. Please note that any such errors detected by the Commission do not indicate contributions that we failed to itemize, but rather 1995 contributions that were incorrectly included in the 1996 totals.

Amended Report

On July 31, 1996 our Committee submitted an amendment to the July Quarterly Report. This amendment corrected two additional problems related to our database conversion to *Election Machine* in that 1) certain itemized receipts had failed to properly print for Schedules 11(a)(i), 11(b), and 11(c), and 2) certain contributions made on July 1, 1996 were incorrectly itemized with a June 30, 1996 date. In both instances the Committee's total contributions as well as the total cash on hand were correctly reported. The computer error was in the breakdown between itemized versus unitemized contributions. The itemized schedules and accompanying Detailed Summary Page were thus amended. In the Commission's review of this report, it appears that the original itemized schedules were used rather than the corrected amendment. We have noted any such explanations in our detailed discussion below.

Discussion of Specific Donors Cited

Kay Bachman

Our Committee incorrectly allocated Ms. Bachman's 10/8/96 \$300 contribution. This contribution should have been allocated toward Primary debt in accordance with Ms. Bachman's designation (see attached letter). We have amended our Pre-General Report to reflect this change.

Mr. Pat Sheppard
Electoral Election Commission
Pre-General Report
Page 3 of 14

Glen Bartoo

Mr. Bartoo contributed a total of \$2,500 to our campaign as follows: 11/16/95 \$100; 3/28/96 \$200; 4/23/96 \$200; 6/20/96 \$1,000; 8/15/96 \$200; 9/14/96 \$100; 9/23/96 \$300; 10/1/96 \$100; 10/10/96 \$300. Unfortunately, we were unable to obtain a designation letter for \$500 toward our Primary debt nor did we detect the additional \$500 in excessive amounts. As a result, we are immediately refunding \$1,000. We have also amended our reports to correct the year-to-date amounts from 4/25/96 through 10/10/96.

Robert H. Berkley

Mr. Berkley's 10/5/96 \$500 contribution resulted in a \$100 excessive contribution to the General election. Unfortunately, we failed to detect this excessive amount. As a result, we are immediately refunding \$100.

Jacques Guicharnaud

Mr. Guicharnaud's 10/7/96 \$500 contribution resulted in an excessive contribution to the General election. Unfortunately, we failed to detect this excessive amount. As a result, we are immediately refunding \$500. Additionally, we amended our reports to correct the year-to-date amounts for 4/26/96, 8/1/96 and 10/7/96.

Henry S. Kingdon

Mr. Kingdon and his wife, Jodi, made the following contributions to our campaign: 10/13/95 \$500; 5/28/96 \$500; 10/14/96 \$1,000. Our Committee incorrectly allocated the 10/14/96 \$1,000 contribution 100% to Henry. This contribution should have been allocated as \$500 to Henry and \$500 to Jodi in accordance with their designation (see attached letter). We have amended our Pre-General Report to reflect this change. We have also amended our July Quarterly Report to correct the year-to-date amount for 5/28/96.

Mark W. McClure

Mr. McClure made the following contributions to our campaign: 4/25/96 \$100; 8/8/96 \$250; 9/7/96 \$150; 10/16/96 \$1,000. Our Committee incorrectly allocated the 10/16/96 \$1,000 contribution in that \$400 of this contribution should have been allocated toward Primary debt in accordance with Mr. McClure's designation (see attached letter). We have amended our Pre-General Report to reflect this change. Additionally, we amended our reports to correct the year-to-date amounts for 8/8/96 and 9/7/96.

Rolland O'Hare

Mr. O'Hare's 10/3/96 \$250 donation resulted in an excessive contribution to the General election. Unfortunately, we failed to detect this excessive amount and we are immediately refunding the \$250.

Linda Johnson Rice

Our Committee incorrectly allocated Ms. Rice's 10/10/96 \$1,000 contribution. This contribution should have been allocated toward Primary debt in accordance with Ms. Rice's designation (see attached letter). We have amended our Pre-General Report to reflect this change.

Jesse Riley

Our Committee incorrectly allocated Mr. Riley's 10/5/96 \$1,000 contribution. \$500 of this contribution should have been allocated toward Primary debt in accordance with Mr. Riley's designation (see attached

9 9 7 0 4 2 3 0 9 0 4 3 1 3 4
Letterhead
Financial Commission
Quarterly Report
Page 4 of 4

letter). We have amended our Pre-General Report to reflect this change. Additionally, we amended our October Quarterly Report to correct the year-to-date amount for 8/30/96.

Esther Ritz

Our Committee incorrectly allocated Ms. Ritz's 10/16/96 \$1,000 contribution. \$250 of this contribution should have been allocated toward Primary debt in accordance with Ms. Ritz's designation (see attached letter). We have amended our Pre-General Report to reflect this change.

Jack Rudin

Our Committee incorrectly allocated Mr. Rudin's 10/3/96 \$1,000 contribution. This contribution should have been allocated toward Primary debt in accordance with Mr. Rudin's designation (see attached letter). We have amended our Pre-General Report to reflect this change.

Harley C. Stevens

Our Committee incorrectly allocated Mrs. Steven's 10/8/96 \$500 contribution. This contribution should have been allocated toward Primary debt in accordance with Mrs. Steven's designation (see attached letter). We have amended our Pre-General Report to reflect this change.

Ernest T. Urata

Our Committee incorrectly allocated Mr. Urata's 10/15/96 \$200 contribution in that \$50 of this contribution should have been allocated toward Primary debt in accordance with Mr. Urata's designation (see attached letter). We have amended our Pre-General Report to reflect this change.

William Wild

Our Committee incorrectly allocated Mr. Wild's 10/12/96 \$500 contribution in that \$250 of this contribution should have been allocated toward Primary debt in accordance with Mr. Wild's designation (see attached letter). We have amended our Pre-General Report to reflect this change.

If you have any questions regarding this amendment or clarification please do not hesitate to contact me (please note our change of address and telephone on this letterhead). Furthermore, please note additional corrections to the July Quarterly Report which relate to issues raised by the Commission in their review of other reports by our Committee. These corrections have been explained in separate letters according to the reporting period which was reviewed.

Sincerely,



Bobby T. Martin, CPA
Treasurer

Enclosures

HARVEY
GANTT
FOR U.S. SENATE '96

Amended
1996 12 Day Pre-General report
Attachment # 8
Page 5 of 14

March 20, 1997

Secretary of the Senate
Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510-7116

Ref.: 12 Day Pre-General Report (10/1/96-10/16/96)
ID#: C00242156

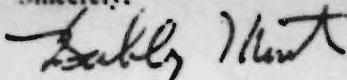
Dear Sir or Madam:

Enclosed please find an amendment to the above referenced report. Our Committee recently detected certain errors regarding previously reported contributions. The majority of these errors relate to the incorrect designation of contributions between the primary or general election. Additionally, we have corrected the year-to-date totals for a number of donors whose 1995 contributions were inadvertently included in the 1996 amount.

Unless otherwise noted, all entries in this amendment should replace any previously reported contribution information for a specific donor on a specific date. In some cases, new information has been included, and consequently, there is no previously reported information to replace.

If you have any questions regarding this amendment please do not hesitate to contact me (please note our change of address and telephone on this letterhead).

Sincerely,



Bobby I. Martin, CPA
Treasurer

Enclosures

HARVEY
GANTT

FOR U.S. SENATE '96

Amended
1996 12 Day Pre-General report
Attachment # 8
Page 6 of 14

October 24, 1996

Dr. Kay D. Bachman
416 Poplar Drive
Falls Church, VA 22046


Dear Dr. Bachman:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely, _____


René M. Jones
Finance Director

Kay D. Bachman

\$400

\$1000

Name

Primary Debt Retirement

General

Kay D. Bachman
Signature

Mark McClure

\$500

\$1000

Name

Primary Debt Retirement

General

Mark W McClure

Signature

119 E. 8th St. • Suite A • Charlotte, NC 28202 • 704-376-3293 • Fax 704-376-8042
Paid for by: Harvey Gantt for Senate Campaign Committee

97020043113

HARVEY
GANTT
FOR U.S. SENATE '96

Amended
1996 12 Day Pre-General report
Attachment # 8
Page 8 of 14

October 17, 1996

Linda Johnson Rice
1040 North Lake Shore Drive, #33B
Chicago, IL 60611

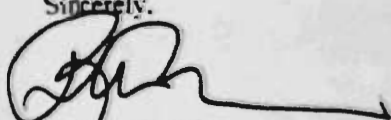
Dear Ms. Johnson Rice:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



Rene M. Jones
Finance Director

Linda Johnson Rice

\$1000

\$1000

Name

Primary Debt Retirement

General


Signature

HARVEY
GANTT
FOR U.S. SENATE '96

Amended
1996 12 Day Pre-General report
Attachment # 8
Page 9 of 14

October 8, 1996

Jesse and Sue Riley
854 Henley Place
Charlotte, NC 28207

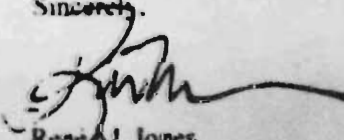
Dear Jesse and Sue:

On behalf of Mr. Gantt, I would like to thank you both for your generous contributions totaling \$2500 to his U.S. Senate campaign.

Your check contributions are in Jesse's name, although we understand that the contributions are from both of you. The Federal Election Commission requires us to have all funds designated from each individual to particular elections, allowing a limit of \$1000 per person per election. If you would both please sign this form designating your contributions I would be very appreciative.

I have enclosed a return envelope for your convenience. Thank you once again for your generosity and continued support.

Sincerely,


Rene M. Jones
Finance Director

\$1000 ¹⁰⁰⁰ ~~\$700~~ ^{KH} Jesse Riley
General Election Contribution Primary Debt Contribution NAME


SIGNATURE

\$1000 Sue Riley
General Election Contribution NAME


SIGNATURE

Esther Ritz


\$250

\$1000

Name

Primary Debt Retirement

General


Signature

119 E. 8th St. • Suite A • Charlotte, NC 28202 • 704-376-3293 • Fax 704-376-8042
Paid for by Harvey Gantt for Senate Campaign Committee



97020043117

HARVEY
GANTT
FOR U.S. SENATE '96

Amended
1996 12 Day Pre-General report
Attachment # 8
Page 11 of 14

November 13, 1996

Jack Rudin
241 Central Park West
New York, NY 10024

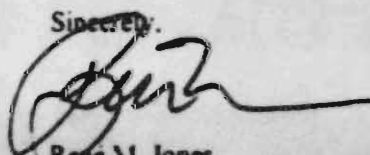
Dear Mr Rudin

On behalf of Mr Gantt, I would like to thank you for your generous contributions to his U S Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



Rene M. Jones
Finance Director

Jack Rudin

\$1000

\$1000

Name

Primary Debt Retirement

General

Signature

HARVEY
GANTT
FOR U.S. SENATE '96

Amended
1996 12 Day Pre-General report
Attachment # 8
Page 12 of 14

October 10, 1996

Mrs. Harley C. Stevens
1641 Green Street
San Francisco, CA 94123

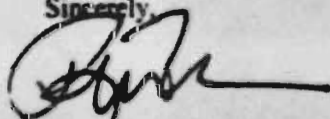
Dear Mrs. Stevens:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

Mrs. Harley C. Stevens


\$500

\$1000

Name

Primary Debt/Retirement

General

(Mrs. H.C.) 
Signature

Ernest Urata

\$450

\$1000

Name

Primary Debt Retirement

General

Ernest J. Urata

Signature

119 E. 8th St. • Suite A • Charlotte, NC 28202 • 704-376-3293 • Fax 704-376-8042
Paid for by: Ernest Urata for Senate Campaign Committee

97020043120

HARVEY
GANTT
FOR U.S. SENATE '96

Amended
1996 12 Day Pre-General report
Attachment # 8
Page 14 of 14

October 17, 1996

William Wild
1130 Tarrytown Lane
W. Columbia, SC 29170

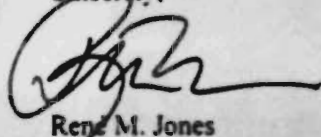
Dear Mr. Wild:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



Rene M. Jones
Finance Director

William Wild

\$250

\$1000

Name

Primary Debt Retirement

General


Signature

CLERK OF THE SENATE

97 MAR 25 11:11:09

H.L.

HARVEY
GANTT
FOR U.S. SENATE '96

March 20, 1997

Ms. Pat Sheppard
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Ref.: 30 Day Post General Report (10/17/96-11/25/96)
ID#: C00242156

Dear Ms. Sheppard:

This letter is in response to the Federal Election Commission's review of the above referenced report. The Commission has noted a number of concerns and potential problems with this report. I have addressed each of the issues raised in the following letter, and any amendments or specific clarifications for individual donors are itemized below.

Excessive Contributions

The Commission has noted the possible acceptance of excessive contributions. Upon further review, it appears that our Committee did accept excessive contributions from ten of the donors listed. In almost all cases, acceptance of the excessive amounts resulted from duplicate donor records within our database. Duplicates sometimes occur because the same donor has been entered more than once into our computer system. Such duplicates may result from slightly different spellings of the name or address, or because the donor gave separately through various fundraising methods (e.g. direct mail, telemarketing, campaign events, dinners, etc.), each of which may have been processed individually.

Our Committee performed extensive review procedures to detect and eliminate any possible duplicates. While we believe we were successful in detecting nearly all of the duplicate records in our large database (by the end of the campaign our database contained approximately 120,000 separate contributions from approximately 100,000 different donors), we unfortunately failed to detect the excessive contributions noted below.

In certain cases, our Committee incorrectly reported to which election a contribution was designated. Such errors may have occurred when a donor had reached the limit for one election, yet wished to donate additional funds to another election. The errors resulted from changing a previously reported contribution's designation (Primary or General) within the computer database, but failing to reflect this change in the appropriate report. In such cases, the donor's contributions were not excessive, however, our Committee had incorrectly reported the

Mr. Pat Sheppard
Federal Election Commission
Post-General Report
Page 2 of 6

appropriate designation. We have corrected such errors with this (and other) amendment(s). Please see any detailed explanations below.

Primary Debt

The Commission has noted the acceptance of contributions after the Primary election which are designated for that election. Our Committee did incur a Primary debt of \$214,964 as defined by 11CFR §110.1(b)(3)(ii). We have attached a detailed listing of this debt by payee. As a result, we accepted numerous contributions after the primary election which were properly designated by the donors toward retirement of the debt. Please note that the amount of our primary debt is not related to debts listed on Schedule D at the end of each reporting period (such as June 30, 1996 or September 30, 1996). A difference between the two amounts results from payment of Primary obligations with funds raised in the General election (as provided by 11CFR §110.1(b)(3)(iv)).

48 Hour Notices

The Commission has cited four instances in which "last minute" contributions were reported, yet do not appear on Schedule A. Additionally, the Commission has noted possible instances in which our Committee may have failed to report required contributions during the 48 hour period. While some of these cases were the result of differences in the names used in each of the respective reports, some cases were actual reporting omissions.

In each of the actual omissions, the errors resulted from contributions which were processed by a third party fundraiser. Our Committee had contracted a tele-marketing firm, Share Group, Inc. of West Somerville, Massachusetts, to assist with our fundraising. During the 48 hour notice period we attempted to adequately communicate with this firm to ensure that all \$1,000 (and over) contributions were properly reported. We have attached correspondence from our campaign instructing the tele-marketing firm to inform us of such contributions on a daily basis. Additionally, we have included correspondence from Share Group to the campaign noting no reportable contributions. Unfortunately, we failed to detect and report certain transactions. Please see the discussion of specific cases below.

Amended Report

On July 31, 1996 our Committee submitted an amendment to the July Quarterly Report. This amendment corrected two additional problems related to our database conversion to *Election Machine* in that 1) certain itemized receipts had failed to properly print for Schedules 11(a)(i), 11(b), and 11(c), and 2) certain contributions made on July 1, 1996 were incorrectly itemized with a June 30, 1996 date. In both instances the Committee's total contributions as well as the total cash on hand were correctly reported. The computer error was in the breakdown between itemized versus unitemized contributions. The itemized schedules and accompanying Detailed Summary Page were thus amended. In the Commission's review of this report, it appears that the original itemized schedules were used rather than the corrected amendment. We have noted any such explanations in our detailed discussion below.

Mr. Pat Sheppard
Federal Election Commission
Post-General Report
Page 3 of 6

Discussion of Specific Donors Cited

Anna Bernholz

Our Committee has no record of an "Anna" Bernholz contributing to the campaign, but we did correctly report "Anne Bernholz" on the 10/21/96 48 hour notice (last entry of first page) with a \$1,000 contribution. Our Committee erroneously reported Mrs. Bernholz's contribution under her husband's name, Martin J. Bernholz, on page 15 of Schedule 11(a)(i) in the Post-General Report. We have amended our report to correct this error. Please see additional discussion of Martin J. Bernholz below.

Eva Clayton

Eva Clayton Committee for Congress made a \$1,000 contribution on 10/29/96. The contribution was processed by the third party tele-marketing firm and was reported on the 48 hour notice as "Eva Clayton" based on a facsimile notice from the tele-marketing company. When the data was transferred to the campaign's computer database, this contribution was inadvertently included with the unitemized contributions and as a result, it did not print on Schedule 11(c). The amount was included with unitemized contributions on line 11(a)(ii) of the Detailed Summary Page. We have amended both the Detailed Summary Page and Schedule 11(c) to correct this error.

C.A.P. Von Hemert

C.A.P. Von Hemert and his wife, Edith, contributed \$1,000 on 10/19/96. The contribution was incorrectly reported on the 48 hour notice under the name of C.A.P. This contribution should have been reported on the 48 hour notice as Edith. The contribution was correctly reported in the Post-General Report. This 48 hour notice error occurred because the check was signed by C.A.P. but later designated to Edith (see attached letter) after the 48 notice had been submitted.

Michael F. Jilek, Sr.

Our Committee has no record of a Michael "Jilek" contributing to the campaign, but we did report a \$1,000 contribution from Michael "Jilek" on the 10/19/96 48 hour notice. This contribution was actually from a partnership named "Williams, Jilek, Lafferty & Gallagher" and submitted by Mr. Jilek. Our Committee incorrectly reported this contribution on the 48 hour notice because of a data entry error. Furthermore, the contribution was then incorrectly reported as four separate contributions from each partner in accordance with their respective ownership (see attached form from partnership as well as relevant pages of Schedule 11(a)(i)). We have amended the Post-General Report to properly report this partnership contribution.

Funeral Home Workers Association

This \$2,000 contribution was received and processed by the third party tele-marketing firm. Unfortunately, we were unaware of this contribution during the 48 hour notice period and therefore failed to report it. Furthermore, we have been unable to verify whether this entity is a political action committee or a corporation. As a result, we are immediately refunding this contribution.

Martin J. Bernholz

Our Committee incorrectly reported the 10/21/96 \$1,000 contribution as being from Mr. Martin J. Bernholz. This contribution was actually from Mr. Bernholz's wife, Anne. The contribution was correctly reported on the 10/21/96 48 hour notice. We have amended this report to correct the error. Please see discussion of "Anna" Bernholz above.

Ms. Pat Sheppard
Federal Election Commission
Post-General Report
Page 4 of 6

John Bernstein

Mr. Bernstein contributed \$2,000 on 10/21/96. This contribution was received and processed by the third party tele-marketing firm. Unfortunately, we were unaware of this contribution during the 48 hour notice period and therefore failed to report it. Additionally, we never received a designation for the excessive \$1,000 and as a result, we are immediately refunding this amount.

Margaret Errington

Ms. Errington made two \$1,000 contributions during the 48 hour notice period on 10/25/96 and 10/31/96. These contributions were received and processed by the third party tele-marketing firm. Our Committee was aware of one of the \$1,000 contributions which we were told was processed on 10/29/96. We reported this on a 48 hour notice. Unfortunately, we were unaware of the second contribution during the 48 hour notice period and therefore failed to report it. We have immediately refunded the second \$1,000 contribution as Ms. Errington has reached her limit in both the Primary and General elections.

Richard Gamble

Mr. Gamble made the following contributions to our campaign: 6/17/96 \$500; 9/16/96 \$999; 10/18/96 \$250. Our committee was unable to obtain a designation letter for the excessive contributions on 9/16/96 and 10/18/96. We have therefore immediately refunded the excessive \$749.

Walter Gilbert

Mr. Gilbert's 10/22/96 \$500 contribution resulted in a \$250 excessive contribution in the general election. Our committee was unable to obtain a designation letter for this excessive amount. We have therefore immediately refunded the excessive \$250.

Alfred Glover

Our Committee incorrectly allocated Mr. Glover's 10/18/96 \$1,000 contribution. \$250 of this contribution should have been allocated toward Primary debt in accordance with Mr. Glover's designation (see attached letter). We have amended our Post-General Report to reflect this change.

Yves-Andre Istel

Our Committee incorrectly allocated Mr. Istel's 10/22/96 \$1,000 contribution. \$250 of this contribution should have been allocated toward Primary debt in accordance with Mr. Istel's designation (see attached letter). We have amended our Post-General Report to reflect this change.

Kenneth Kaufman

Our Committee incorrectly allocated Mr. Kaufman's 10/24/96 \$500 contribution. \$250 of this contribution should have been allocated toward Primary debt in accordance with Mr. Kaufman's designation (see attached letter). We have amended our Post-General Report to reflect this change. Additionally, we have corrected the year-to-date amounts for 7/17/96 and 9/27/96.

John A. Koskinen

Mr. Koskinen's 10/18/96 \$250 contribution resulted in a \$250 excessive contribution in the general election. Our Committee failed to detect this excessive amount due to a duplicate record. We have therefore immediately refunded the excessive \$250.

Mr. Pat Sheppard
Federal Election Commission
Post-General Report
Page 5 of 6

Clara Link

Our Committee incorrectly allocated Ms. Link's 10/22/96 \$500 contribution. This contribution should have been allocated toward Primary debt in accordance with Ms. Link's designation (see attached letter). We have amended our Post-General Report to reflect this change.

Ruth Medgyes

Ms. Medgyes made a number of contributions to our campaign as follows: 9/25/95 \$50; 12/8/95 \$50; 1/19/96 \$700; 1/29/96 \$300; 1/31/96 \$50; 2/16/96 \$50; 3/18/96 \$50; 4/12/96 \$50; 5/7/96 \$50; 5/23/96 \$1,000; 6/10/96 \$50; 7/12/96 \$50; 10/25/96 \$1,250; 10/25/96 \$50; 11/4/96 \$50. The total of all contributions was \$3,800. Our Committee made refunds on two occasions: 6/7/96 \$300 and 10/16/96 \$150. These excessive contributions occurred because Ms. Medgyes continued to make donations through the tele-marketing firm despite our Committee's informing both the firm and the donor that she had exceeded the campaign limits. Additionally, Ms. Medgyes sometimes used different addresses or spellings of her name, and our database therefore contained a number of duplicate records. Our Committee has immediately refunded an additional \$1,350 bringing Ms. Medgyes net contributions to \$2,000. We have also amended all relevant reports to correct year-to-date totals, as well as the 1/19/96 designation of \$700 in accordance with the donor's letter (see attached).

Nancy M. Neal

Ms. Neal made two contributions to our campaign: 10/25/96 \$1,050 and 10/31/96 \$50. Our Committee failed to itemize the 10/31/96 contribution because it was contained in a duplicate record. Additionally, we did not detect the excessive amounts to the General election in time to request a designation toward Primary debt. As a result, we have immediately refunded the excessive \$100. We have also amended our report to itemize the 10/31/96 donation (previously unitemized).

Morris W. Offit

Mr. Offit's 11/21/96 \$1,000 contribution was processed by the tele-marketing firm. This contribution was contained in a duplicate record and we therefore failed to detect that it was excessive. We have immediately refunded this amount. Additionally, we have amended our report to correct the year-to-date total as of 11/21/96.

W.G. Sanders

Mr. Sanders made the following contributions to our campaign: 4/8/96 \$100; 6/17/96 \$500; 7/19/96 \$400; 10/18/96 \$1,000. Our Committee incorrectly allocated Mr. Sanders' 10/18/96 \$1,000 contribution in that \$900 of this contribution should have been allocated toward Primary debt in accordance with Mr. Sanders' designation (see attached letter). We have amended our Post-General Report to reflect this change.

Deb Sawyer

Ms. Sawyer and her husband, Wayne Martinson, made the following contributions to our campaign: 9/21/95 \$200; 6/17/96 \$1,000; 10/18/96 \$1,000. Our Committee incorrectly allocated Ms. Sawyer's 10/18/96 \$1,000 contribution in that \$800 of this contribution should have been allocated toward Primary debt and \$200 of the contribution should have been attributed to her husband, Wayne Martinson, in accordance with the couple's designation (see attached letter). We have amended our Post-General Report to reflect this change.

Ms. Pat Sheppard
Federal Election Commission
Post-General Report
Page 6 of 6

Clyde Shorey

Mr. Shorey's 10/25/96 \$1,000 contribution resulted in excessive contributions to the General election. This contribution was received and processed by the tele-marketing firm and reported on the 48 hour notice with a date of 10/29/96 based on a facsimile notice from the tele-marketing company. Our Committee was unable to obtain a designation for any of this amount toward our Primary debt. As a result, we are immediately refunding the \$1,000. Additionally, we have corrected the year-to-date totals for the 8/15/96 and 10/25/96 amounts.

Donald R. Strickland

Mr. Strickland made the following contributions to our campaign: 10/27/95 \$96; 12/23/96 \$250; 9/4/96 \$1,000; 10/21/96 \$1,000. Our Committee failed to itemize the 10/27/95 contribution because it was contained in a duplicate record. Additionally, we incorrectly allocated the 10/21/96 contribution in that \$654 of this contribution should have been allocated toward Primary debt in accordance with Mr. Strickland's designation (see attached letter). The excessive \$346 of this contribution was refunded on 10/30/96. We have amended our Post-General Report to correct the designation as well as the 1995 Year End Report to itemize the \$96. We have also corrected the year-to-date amounts for 9/4/96 and 10/21/96.

If you have any questions regarding this amendment or clarification please do not hesitate to contact me (please note our change of address and telephone on this letterhead). Furthermore, please note additional corrections to the July Quarterly Report which relate to issues raised by the Commission in their review of other reports by our Committee. These corrections have been explained in separate letters according to the reporting period which was reviewed.

Sincerely,


Bobby T. Martin, CPA
Treasurer

Enclosures

970200135

HARVEY
GANTT
FOR U.S. SENATE '96

SECRETARY OF THE SENATE
97 MAR 25 11:11:42

H.L.

March 20, 1997

Secretary of the Senate
Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510-7116

Ref: 30 Day Post General Report (10/17/96-11/25/96)
ID#: C00242156

Dear Sir or Madam:

Enclosed please find an amendment to the above referenced report. Our Committee recently detected certain errors regarding previously reported contributions. The majority of these errors relate to the incorrect designation of contributions between the primary or general election. Additionally, we have corrected the year-to-date totals for a number of donors whose 1995 contributions were inadvertently included in the 1996 amount.

Unless otherwise noted, all entries in this amendment should replace any previously reported contribution information for a specific donor on a specific date. In some cases, new information has been included, and consequently, there is no previously reported information to replace.

If you have any questions regarding this amendment please do not hesitate to contact me (please note our change of address and telephone on this letterhead).

Sincerely,

Bobby T. Martin

Bobby T. Martin, CPA
Treasurer

Enclosures

HARVEY GANTT

FOR U.S. SENATE '96

October 18, 1996

Alfred Glover
1426 Plumstead Road
Charlotte, NC 28216

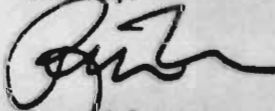
Dear Mr. Glover:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

Alfred Glover

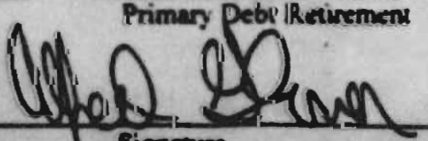
\$250

\$1000

Name

Primary Debt Retirement

General



Signature

HARVEY
GANTT
FOR U.S. SENATE 1996

October 24, 1996

Yves-Andre Istel
1251 Avenue of the Americas, 51st Floor
New York, NY 10020

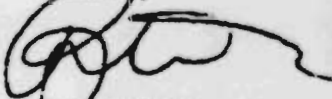
Dear Mr. Istel:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



Rene M. Jones
Finance Director

Yves-Andre Istel

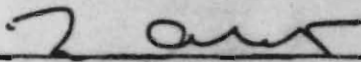
\$250

\$1000

Name

Primary Debt Retirement

General



Signature

HARVEY
GANTT
FOR U.S. SENATE '96

November 13, 1996

Kenneth Kaufman
54 Crescent Place
Wilmette, IL 60091

Dear Mr. Kaufman:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

Kenneth Kaufman

\$500

\$1000

Name

Primary Debt Retirement

General



Signature

HARVEY
GANTT
FOR U.S. SENATE '96

October 17, 1996

Clara Link
84 S. Grand Ave.
Pasadena, CA 91105

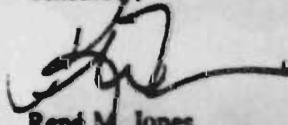
Dear Ms. Link:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



René M. Jones
Finance Director

Clara Link

\$200 + \$500 + 700

\$1000

Name

Primary Debt Retirement

General



Signature

HARVEY
GANTT

FOR U.S. SENATE '96

October 24, 1996

W.G. Sanders
710 N. Guadalupe No. 6
Redondo Beach, CA 90277

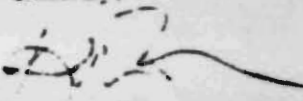
Dear Mr. Sanders:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,


Rena M. Jones
Finance Director

W.G. Sanders

\$1000

\$1000

Name

Primary Debt Retirement

General


Signature

HARVEY
GANTT
FOR U.S. SENATE '96

October 20, 1996

Wayne Martinson and Deb Sawyer
549 Cortez St.
Salt Lake City, UT 84103-2122

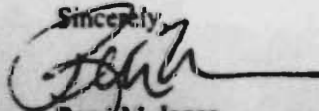
Dear Wayne and Deb:

On behalf of Mr. Gantt, I would like to thank you both for your generous contributions totaling \$2200 to his U.S. Senate campaign.

Your check contributions are in Deb's name, although we understand that the contributions are from both of you. The Federal Election Commission requires us to have all funds designated from each individual to particular elections, allowing a limit of \$1000 per person per election. If you would both please sign this form designating your contributions I would be very appreciative.

I have enclosed a return envelope for your convenience. Thank you once again for your generosity and continued support.

Sincerely,


Rene M. Jones
Finance Director

100 10/18 96 CLW G
200 9/21/96 P SH

\$1000	2000 <i>1,000</i>	Deb Sawyer	<i>Deb Sawyer</i>
General Election Contribution	Primary Debt Retirement	NAME	SIGNATURE
<i>200 09/21/96</i> 2000	Wayne Martinson	NAME	<i>Wayne Martinson</i> SIGNATURE
General Election Contribution			

Profession Occupation - Utah Wetlands Coordinator

9700043175

HARVEY
GANTT
FOR U.S. SENATE '96

November 13, 1996

Donald Strickland
417 Brighton Road
Durham, NC 27707

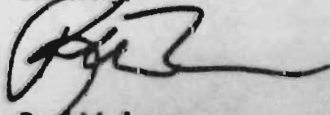
Dear Mr. Strickland:

On behalf of Mr. Gantt, I would like to thank you for your generous contributions to his U.S. Senate campaign.

According to the Federal Election Commission's rules and regulations, a contributor must designate contributions for each specific election in which they intend to apply the funds.

I would truly appreciate it if you would sign the following statement to designate your contribution for the primary debt and general election. I have enclosed a return envelope for your convenience. Thank you for your generosity and continued support.

Sincerely,



Rorie M. Jones
Finance Director

Donald Strickland

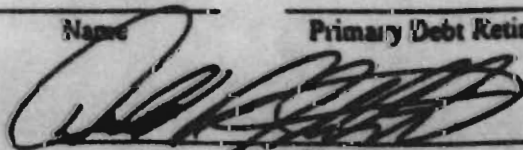
\$1000

\$1000

Name

Primary Debt Retirement

General



Signature



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Bobby T. Martin, Treasurer
Harvey Gantt for Senate Campaign
Committee
P.O. Box 35555
Charlotte, NC 28235

APR 29 1997

Identification Number: C00242156

Reference: Amended October Quarterly (7/1/96-9/30/96), Amended 12 Day Pre-General (10/1/96-10/16/96) and Amended 30 Day Post-General (10/17/96-11/25/96) Reports dated 3/20/97

Dear Mr. Martin:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your reports discloses contributions received after the May 7, 1996 Primary Election which are designated for the Primary Election. The Commission notes your March 20, 1997 response in which you state that "the committee did incur a Primary debt of \$214,964 as defined by 11 CFR §110.1(b)(3)(ii)". Schedule D of your July Quarterly Report discloses \$147,324 in outstanding debts. You further state that "the difference between the two amounts results from payment of Primary obligations with funds raised in the General election (as provided by 11 CFR §110.1(b)(3)(iv))".

Your response also includes a list of Primary Expenses paid after May 7, 1996. The Commission notes that all of these debts were paid on or by July 1, 1996 (i.e., James Andrews & Company \$60,843.80 - \$60,000 paid 5/29/96 and \$843.80 paid 5/22/96). This debt was paid in full during the July Quarterly reporting period and therefore the committee may not have raised funds to retire a debt that was no longer outstanding.

98043900796

Contributions designated for the Primary Election received after the Primary Election may be accepted by you only to the extent that you have outstanding debts remaining from the Primary Election at the time of receipt of the Primary contributions. (11 CFR §110.1(b)(3)(i))

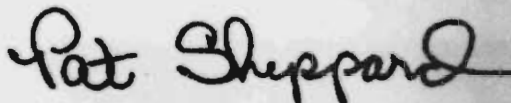
A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(6))

The Commission should be notified if a refund is necessary. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period during which the refund is made. Redesignations are reported as memo entries on a Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2))

Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount(s) will be considered.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Pat Sheppard
Senior Reports Analyst
Reports Analysis Division

MEMORANDUM TO FILES:
XX Telecon
Visit

DATE: May 8, 1997

NAME OF THE COMMITTEE: Harvey Gantt for Senate Campaign Committee

SUBJECT: April 29, 1997 RFAI

FEC REP: Pat Sheppard

COMMITTEE REP: Peter Lauria

Mr. Laurie called to get a clear picture as to the Commission's position on the receipt of the contributions designated for the primary election received after the date of the primary. I explained to him that as long as the committee had debts outstanding from that election, they could continue to raise funds for that election. Mr. Laurie stated that the committee did have primary debts after the May 7th, election.

I explained that whether or not the committee had debts was no longer an issue. The committee had demonstrated that there were sufficient debts remaining from the primary election. However, the committee used the general election funds to pay those debts. Therefore at the time of receipt of the primary contributions in the October Quarterly, 12 Day Pre-General and 30 Day Post-General Reports, all debts has been paid.

Mr. Laurie stated that he could not believe that the Commission would have committees make their creditors wait to get their money. He stated that they interrupted the Commission Regulations at 11 C.F.R. 110.1(b)(3)(iv) to mean that they could pay the primary debts with general election money and still raise the amount of the primary debts. I explained that was not the case. Mr. Laurie went on to argue the committee's position. I told him that this conversation was going no where and that he could put his argument in writing to the Commission. Mr. Laurie also asked about the use of excess campaign funds and how to properly report a transfer from a joint fundraising committee.

98043900798

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-3

May 22, 1997

Bobby T. Martin, Treasurer
Harvey Gantt for Senate Campaign
Committee
P.O. Box 35555
Charlotte, NC 28235

Identification Number: C00242156

Reference: Amended October Quarterly (7/1/96-9/30/96), Amended 12 Day Pre-General (10/1/96-10/16/96) and Amended 30 Day Post-General (10/17/96-11/25/96) Reports dated 3/20/97

Dear Mr. Martin:

This letter is to inform you that as of May 21, 1997, the Commission has not received your response to our request for additional information, dated April 29, 1997. This notice requests information essential to full public disclosure of your federal election campaign finances. To ensure compliance with the provisions of the Federal Election Campaign Act (the Act), please respond to this request (copy enclosed).

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions regarding this matter, please contact Pat Sheppard on our toll-free number (800) 424-9530 or our local number (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

98043900799

GANTT

FOR U.S. SENATE

Attachment # 13
Page 1 of 7

RECEIVED
FEDERAL ELECTION
COMMISSION MAIL ROOM

SEP 15 11 52 AM '97

September 12, 1997

Ms. Pat Sheppard
Senior Reports Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: *Harvey Gantt for Senate Committee, Bobby T. Martin, Treasurer*
ID #C003421557

Dear Ms. Sheppard:

It is my understanding that one unresolved issue remains outstanding regarding the Harvey Gantt for Senate Campaign Committee (hereinafter referred to as the "Committee") with respect to its compliance under the Federal Election Act, in particular, as it pertains to contributions received to retire net debts outstanding from the primary election.

As you are aware, the Harvey Gantt for Senate Campaign Committee was the principal Committee of Harvey Gantt, Democratic Candidate for the U.S. Senate in the 1996 Election against the incumbent Senator, Jesse Helms.

Mr. Gantt had primary opposition in the Democratic Primary which was held on May 7, 1996.

As a matter of background, the Commission is aware that the campaign reports of the Committee reflect that the Committee raised approximately \$8 million during the primary and general election campaigns. The campaign received over 120,000 separate contributions from over 100,000 different donors. The average (dollar value) contribution to the Committee was approximately \$50.00.

The Committee had in excess of 50 active vendors and the Committee processed approximately 50 checks per week in paying creditors, not including payroll checks.

Ms. Pat Sheppard
Senior Reports Analyst
September 12, 1997
Page Two

During the time period of May and June 1996, the Committee's average deposit included anywhere from 50 to 100 separate checks. In the September to November time frame, the Committee was depositing, processing and recording approximately 100 checks per day. This does not include the separate record keeping and processing that was done by the Committee's direct mail contractor and its telemarketing contractor.

This brief background is given so that you will recall the Committee was attempting to handle a large volume of contributions and expenditures in accordance with the provisions of the Act.

11 C.F.R. 110.1(b)(2) provides in pertinent part:

A contribution designated in writing for a particular election, but made after that election, shall be made only to the extent that the contribution does not exceed net debts outstanding from such election.

11 C.F.R. 110.1(b)(2) defines, in pertinent part, "net debts outstanding" as:

The total amount of unpaid debts and obligations incurred with respect to an election, less the total cash on hand available to pay those debts and obligations.

The Committee made a calculation of net debts outstanding as of May 7, 1996, the date of the primary election. (See Exhibit A attached hereto)

These debts (listed in Exhibit A) were incurred as ordinary and general expenses in seeking the Democratic nomination in the primary election held on May 7, 1996. The total amount of the debt was \$262,431.18. The cash on hand as of May 7, 1996 was \$47,466.68, producing a net primary debt of \$214,964.50.

It was the policy of the Committee to pay all debts and expenses (whether incurred for the primary or the general election) on a first in, first out basis. Therefore, although each payment by the Committee to the particular vendors did not specifically attribute the payment to a particular debt, it was the intent of the Committee to treat, and the Committee's vendors generally treated, the payment of the debt as being attributable to the earliest outstanding invoices.

Ms. Pat Sheppard
Senior Reports Analyst
September 12, 1997
Page Three

In fact, the Committee's primary debt was retired by July, 1996.

11 C.F.R. 110.1(b)(3)(i) provides:

A contribution designated in writing for a particular election, but made after that election, shall be made only to the extent that the contribution does not exceed net debts outstanding from such election.

11 C.F.R. 110.1(b)(3)(iii) provides in pertinent part:

The amount of the net debts outstanding shall be adjusted as additional funds are received and expenditures are made. The candidate and his or her authorized political committee may accept contributions made after the date of the election if such contributions are designated in writing by the contributor for that election and if such contributions do not exceed the adjusted amount of net debts outstanding on the date the contribution is received.

11 C.F.R. 110.1(b)(2)(iv) provides in pertinent part:

This paragraph shall not be construed to prevent a candidate who is a candidate in the general election or his or authorized political committee from paying primary election debts and obligations with funds which represent contributions made with respect to the general election.

The Committee determined that its net primary debt outstanding as of May 7, 1996 was \$214,964.50. The Committee in fact received contributions after May 7, 1996 which were designated in writing, by the contributor, for the primary election.

The Committee interpreted the above language of 11 C.F.R. 110.1(b)(iii) to mean that the net debt outstanding figure, being \$214,964.50, would be "adjusted as additional funds are received" by subtracting each post-primary contribution designated for the primary from the \$214,964.50 net debt figure.

Ms. Pat Sheppard
Senior Reports Analyst
September 12, 1997
Page Four

The Committee was of the opinion that it could receive contributions after the primary election that were designated as primary contributions up to the maximum amount allowed for each contributor as long as the cumulative total post-primary designated contributions did not exceed \$214,964.50.

As each designated primary contribution was received, the net debts outstanding was "adjusted" as provided in subparagraph (iii), by reducing the net debt outstanding by the amount of each such contribution. Therefore, the Committee had reason to believe it was complying with requirements of the Act.

This is especially true in light of 11 C.F.R. 110.1(b)(iv) which states:

this paragraph shall not be construed to prevent the candidate's committee from paying primary election debts and obligations with funds which represent contributions made with respect to the general election.

The Committee interpreted this paragraph to mean that contributions could be received after the primary election that were designated for the primary to the extent of the net primary debt total, notwithstanding the fact that the primary debt had been retired.

In other words, the Committee could have designated its payments to vendors following the primary as payments for post-primary services. Therefore, the Committee would have technically had primary debts outstanding throughout the fall of 1996.

However, the Committee believed that the concept of 11 C.F.R. 110.1 was that if the Committee's operations up to and including the primary resulted in a deficit (liabilities in excess of assets) then contributions received after the primary could be used to satisfy this primary deficit.

In conclusion, the Committee never contemplated that the Commission would construe 11 C.F.R. 110.1 in such a manner as would require the Committee to refrain from retiring its earlier debts or otherwise lose its ability to receive primary contribution from prospective donors. In an economic or accounting sense, the Committee received primary designated contributions up to the amount of its primary net debt. Therefore, the dollar value of the primary debt was retired by contributions designated for the primary.

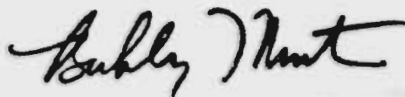
Ms. Pat Sheppard
Senior Reports Analyst
September 12, 1997
Page Five

This is the reasonable and logical construction of 11 C.F.R. § 110.1, which provides that post-primary contributions may only be designated as primary contributions in order to retire a deficit from the primary.

The committee limited its primary contributions to an amount necessary to retire the primary deficit, and therefore, the Committee complied with the intent and meaning of 11 C.F.R. § 110.1.

Accordingly, the Committee respectfully requests that the Commission find that the Committee's acted in good faith with respect to this matter, and therefore the Commission should find that the Committee did not violate the Federal Election Act.

Sincerely,



Bobby Martin, Treasurer

EXHIBIT A

Attachment #13

Page 6 of 7

**Total Primary Expenses by Payee
Paid after May 7, 1996**

Payee	Purpose	Amount
James Andrews & Company	Consultant	60,843.80
Lake Research	Consultant	36,882.47
AB Data	Consultant	37,874.03
Gruhwald Communications	Consultant	27,822.27
Harvey B. Gantt	Loan & travel expense	21,884.34
Alltel Mobile	Telephone	13,883.30
BTI	Telephone	6,825.18
Shrum, Devine & Donlon	Consultant	4,980.83
Jason Miner	Salary, computer & office exp	4,982.88
Myers Park Country Club	Catering	3,908.50
MCR	Computer rental	3,365.50
Don Baker	Salary & travel expense	3,105.75
FMG	Consultant	3,101.27
Tarheel Aviation	Transportation	2,988.88
Mechanics & Farmers	Payroll taxes	2,542.77
Sam Johnson Lincoln	Transportation	2,139.02
Advantec Global Services	Computer Rental	2,079.42
Alice Duncomb	Communications	1,482.84
Christopher Koun	Salary & travel	1,408.95
American Adventure Conversion Vans	Transportation	1,384.33
Kathleen Taylor	Salary & office expense	1,288.75
Bell South	Telephone	1,086.47
PR Promotions	Field materials	977.97
Federal Express	Courier service	987.00
Creative Stage Design	Stage for campaign event	800.00
Sunbelt Graphics	Printing	712.85
Rene Jones	Salary & travel expense	708.81
Faron Adams	Travel expenses	675.83
Charlotte Copy Data	Copier rental	663.88
Michael's	Catering	608.08
Jonathon Sacks	Salary & office expense	595.84
Jason Solomon	Salary & travel expense	588.86
Wanda Davis	Salary & office expense	548.87
Lee Marten	Salary	500.96
Matthew Steigler	Salary & office expense	524.83
Terry Klein	Salary & office expense	524.41
La Fonde	Catering	500.00
Perspective Magazine	Advertising	500.00
N.C. Dept. of Revenue	Payroll taxes	477.21
Reginald Todd	Salary & travel expense	347.34
Lisa Rivers	Salary & office expense	329.37
Tamara Alexander	Salary	323.23
Linda Messing	Salary	316.23
Alcom	Telephone rental	314.67
Carolina Clipping	Research	245.64

**Total Primary Expenses by Payee
Paid after May 7, 1996**

Payee	Purpose	Amount
Laura Green	Salary	244.13
Crime Prevention Inc.	Office Equipment	242.80
Charlotte Office Products	Office supplies	238.98
Martha Elder	Salary	238.13
Larry Freeman	Consultant	224.80
Cumberland County Vote Proj	Travel expense	200.00
Women with Vision	Travel	200.00
Geoffe Lancaster	Copies & office expense	189.80
Duke Power	Electric Utility	181.82
Metroline Cellular Services	Telephone	140.00
Alpha Graphics	Printing	125.83
Charu Khopkar	Travel	105.00
Jenna Gower	Stipend	100.00
David Rich	Stipend	87.80
Pembroke State University	Site rental	51.35
City of Charlotte	Water utilities	50.06
Spirit Square	Parking	48.00
Carolina Telecom	Communication	24.20
Connected	Computer supplies	18.00
Piedmont Natural Gas	Gas utility	15.58
Total Primary paid after 5/7/96		282,431.18
Less: cash on hand @ 5/7/96		47,486.88
= TOTAL PRIMARY DEBT		214,944.30

FEDERAL ELECTION COMMISSION

999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

MAY 4 2 51 PM '98

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 97L-23

DATE ACTIVATED: 1/15/98

STAFF MEMBER: Tamara Kapper

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as
treasurer

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
11 C.F.R. § 110.1(b)(3)
11 C.F.R. § 110.2(b)(3)

INTERNAL REPORTS CHECKED: Referral Material
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on September 30, 1997. The basis of the referral is the conversion into excessive contributions for the General Election of otherwise lawful Primary Election contributions from one hundred twenty (120) individuals and two (2) multicandidate political committees totaling \$95,135 in calendar year 1996 by Harvey Gantt for Senate Campaign Committee and Bobby T.

98043900807

Martin, as treasurer ("Gantt Committee"). To date, the Gantt Committee has not refunded the excessive portions of the contributions.¹

II. FACTUAL AND LEGAL ANALYSIS

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), states that no person may make a contribution to a candidate for Federal office, and his authorized campaign committee, in excess of \$1,000 per election. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(a)(2)(A), multicandidate political committees are prohibited from making contributions in excess of \$5,000 to any candidate and his authorized committee with respect to any election for Federal office. Pursuant to 2 U.S.C. § 441a(f), candidates and political committees are prohibited from knowingly accepting any contribution in violation of the provisions of Section 441a. Pursuant to 2 U.S.C. § 431(8)(A), a contribution includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any Federal election. Pursuant to 11 C.F.R. § 113.1(e), excess campaign funds are amounts received as contributions by a candidate which are determined to be in excess of any amount necessary to defray his or her campaign expenditures. Excess campaign funds received prior to an election may be used for any lawful purpose including an earlier election. 11 C.F.R. § 113.2. *See also* Advisory Opinion 1989-22.

The Act specifically provides that the contribution limitations shall apply separately with respect to each election. 2 U.S.C. § 441a(a)(6). Contributors to candidates are encouraged to

¹ On August 16, 1995, the Gantt Committee entered into a post probable cause conciliation agreement with the Commission regarding closed MUR 3471. In that MUR, the Commission made several findings against the Gantt Committee, one of which was similar to the activity that is the focus of this matter. However, the similar activity that occurred in MUR 3471 was significantly smaller than in the present case and was not the main focus of the case.

designate their contributions in writing for particular elections. 11 C.F.R. § 110.1(b)(2)(i). In cases where a contribution is not designated in writing by the contributor for a particular election, the contribution is considered to be in connection with the next election for that Federal office after the contribution is made. 11 C.F.R. §§ 110.1(b)(2)(ii) and 110.2(b)(2)(ii). Contributions which are designated for a particular election, but made after the date of that election, may only be accepted to the extent the contributions do not exceed a committee's "net debts outstanding" for that election. 11 C.F.R. §§ 110.1(b)(3)(i) and 110.2(b)(3)(i). Accordingly, if net debts outstanding do exist, then as additional funds are received and expenditures made, the amount of net debts outstanding shall be adjusted. 11 C.F.R. § 110.1(b)(3)(iii). Conversely, if net debts outstanding do not exist after an election, then a committee may not lawfully accept any post-election contributions for any purpose. Candidates who participate in both the Primary and General Elections may pay Primary Election debts and obligations with funds which represent contributions made with respect to the General Election. 11 C.F.R. § 110.1(b)(3)(iv).

Pursuant to 11 C.F.R. §§ 110.1(b)(3)(i) and 110.2(b)(3)(i), when a treasurer of a campaign committee receives post-election contributions in the absence of, or in excess of, net debts outstanding, then within ten days of receipt, the treasurer must either deposit the contribution or return it to the contributor. The treasurer of a political committee has the responsibility for determining the legality of any contributions received by the committee. If deposited, the treasurer has sixty (60) days from the date of receipt to obtain a reattribution or redesignation of the contribution to cure the illegality. 11 C.F.R. §§ 103.3(b)(3) and 110.1(b). Those contributions not reattributed or redesignated must be refunded to the contributor within sixty (60) days. 11 C.F.R. § 103.3(b)(3).

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B. The Facts

RAD has identified contributions totaling \$95,135 received by the Gantt Committee from 120 individuals and two multicandidate political committees, which were designated for the 1996 Primary Election, but which were received after the May 7, 1996 Primary Election in the state of North Carolina and apparently used to pay expenses incurred for the 1996 General Election. The Gantt Committee disclosed the receipt of the contributions as taking place between July 11, 1996 and November 4, 1996. A chart of the Gantt Committee's receipt of the contributions was prepared by RAD and is attached.² Attachment 1.

On February 4, 1997, RAD sent the Gantt Committee requests for additional information regarding three (3) disclosure reports, the 1996 October Quarterly, 12 Day Pre-General and 30 Day Post-General Reports. The notification letter noted the receipt of contributions designated for the 1996 Primary Election which appeared to be in excess of the reported net debts outstanding for that election. RAD also informed the Gantt Committee that the Commission might take further legal action with respect to the receipt of excessive contributions. The notice instructed the Gantt Committee to either refund the contributions to the donors or to obtain from the donor a redesignation of the contribution in writing.

On March 20, 1997, along with its response to RAD's requests for additional information, the Gantt Committee submitted amendments to the three disclosure reports and submitted a list of debts that it contends were owed to various creditors in connection with the 1996 Primary Election. Attachment 2. Mr. Martin, the Gantt Committee treasurer, stated that he

² RAD notes that the chart contains \$1,746 in excessive contributions that are not included in the referable amount because the Gantt Committee remedied them within the sixty day window provided for by 11 C.F.R. §§ 103.3(b)(3) and 110.1(b).

did not remedy the contributions identified by RAD as excessive receipts because he asserts that the contributions are permissible. Mr. Martin goes on to explain:

Our Committee did incur a Primary debt of \$214,964 as defined by 11 C.F.R. § 110.1(b)(3)(ii)....As a result, we accepted numerous contributions after the primary election which were properly designated by the donors toward retirement of the debt. Please note that our Primary debt is not related to debts listed on Schedule D at the end of each reporting period (such as June 30, 1996 or September 30, 1996). A difference between the two amount results from payments of Primary obligations with funds raised in the General election (as provided by 11 C.F.R. § 110.1(b)(3)(iv)).

Id., p. 2.

On April 29, 1997, RAD sent the Gantt Committee another request for additional information in reference to the amended reports and noted the Committee's explanation for not having remedied the post-Primary Election contributions, and the Committee's acknowledgment that it used General Election funds to pay debts from the Primary Election. The letter from RAD went on to explain that since its 1996 July Quarterly Report indicated that the net debts outstanding from the Primary Election had been paid as of July 1, 1996, from that point in time the Gantt Committee could no longer raise funds to retire Primary Election debts.

On September 15, 1997, Mr. Martin submitted a response to RAD's inquiries in which he admits that debts from the Primary Election were paid by July 1996, but explains that he consulted the Commission's Regulations section 110.1(b)(2) regarding net debts outstanding and determined that as of May 7, 1996, (the date of the Primary Election) the Gantt Committee's net debt outstanding for the Primary Election was \$214,964.50. Attachment 3. Mr. Martin goes on to say:

The Committee was of the opinion that it could receive contributions after the primary election that were designated as primary contributions up to the maximum amount allowed for each contributor as long as the cumulative total post-primary designated contributions did not exceed \$214,964.50.

Id., p. 4. Mr. Martin also asserts that the Committee's net debts outstanding were adjusted as post-primary contributions were received as required by 11 C.F.R. § 110.1(b)(3)(iii). Thus, the Gantt Committee "had reason to believe it was complying with requirements of the Act." *Id.*

Mr. Martin then recites 11 C.F.R. § 110.1(b)(3)(iv) and states:

The Committee interpreted this paragraph to mean that contributions could be received after the primary election that were designated for the primary to the extent of the net primary debt total, notwithstanding the fact that the primary debt had been retired.

Id. Apparently, Mr. Martin interpreted 11 C.F.R. § 110.1(b)(3)(iv) to mean that the Gantt Committee could lawfully collect post-Primary Election contributions equal to the amount of outstanding debt left over from that election, regardless of when the committee repaid the debt. In other words, Mr. Martin thought that since the Gantt Committee owed \$214,964.50 in net debts outstanding from the Primary Election, it could raise up to that amount and designate it for the retirement of Primary Election debt. Mr. Martin contends that "the Committee never contemplated that the Commission would construe 11 C.F.R. § 110.1 in such a manner as would require the Committee to refrain from retiring debts or otherwise lose its ability to receive primary contribution[s] from prospective donors." *Id.* Lastly, Mr. Martin concludes by arguing that, since the Gantt Committee limited its primary contributions to an amount necessary to retire its primary election debts, it complied with the intent and meaning of 11 C.F.R. § 110.1, and he

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requests that the Commission find that the Gantt Committee acted in good faith and did not violate the Act. *Id.*, p. 5.

C. The Analysis

Pursuant to the Commission's Regulations outlined above, the use of pre-election contributions designated by the contributor for a particular election to pay debts or expenses in connection with a prior election is permissible under the Act, as long as the candidate has determined that excess campaign funds exist. Furthermore Section 441a of the Act would not prevent a candidate's committee from retaining and using post-election contributions as long as there are net debts outstanding from that election at the time the contributions were received. See Explanation and Justification of Commission Regulations, 52 Fed. Reg. 760 (Jan. 9, 1987). While the Act and the Commission's Regulations permit candidates to use funds which were made in connection with the General Election to pay Primary Election debts, the reverse, which is using funds raised to extinguish Primary Election debts to pay upcoming General Election expenses, is impermissible because post-election contributions may only be received to the extent that post-election debt exists. 11 C.F.R. §§ 110.1(b)(3)(i) and (iv).

In the instant case, the Gantt Committee was able to lawfully accept post-election contributions designated for the 1996 Primary Election because of the existence of net debts outstanding from that election. However, on approximately July 1, 1996, the Gantt Committee paid the outstanding debts it owed from the Primary Election with funds it had raised for the upcoming General Election, thereby retiring all outstanding debts from the Primary Election.

As a result of the Gantt Committee accepting post-Primary Election contributions after it had already extinguished its debts from that election, any contributions received after July 1,

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1996, regardless of the election for which they were designated by the donors, were attributable to the contribution limitations applicable to the General Election. Thus, those post-election contributions that were designated for the Primary Election, but that were received at a time when there were no net debts outstanding for that election, would have to be aggregated with any other contributions made by the same individuals or political committees for the General Election, resulting in certain instances in excessive contributions totaling \$95,135 to the Gantt Committee pursuant to 2 U.S.C. §§ 441a(a)(1)(A) and (2)(A).

Because the Gantt Committee accepted contributions in excess of the limitations, the Office of the General Counsel recommends that the Commission find reason to believe that Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, violated 2 U.S.C. § 441a(f).³

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

³ In light of the fact that it was the Gantt Committee's conversion of Primary Election contributions to the General Election which resulted in excessive contributions by individuals and political committees, this Office makes no recommendations with regard to these contributors.

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IV. RECOMMENDATIONS


1. Open a MUR.
2. Find reason to believe that Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, violated 2 U.S.C. § 441a(f), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached proposed factual and legal analysis, the conciliation agreement and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

5/1/98

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Contributor Chart Prepared by RAD
2. Gantt Committee Response to RAD Inquiries dated 3/20/97
3. Gantt Committee Response to RAD Inquiries dated 9/12/97
4. Proposed Factual and Legal Analysis
5. Proposed Conciliation Agreement

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA R. DAVIS *(initials)*
COMMISSION SECRETARY

DATE: MAY 8, 1998

SUBJECT: RAD Referral #97L-23 - First General Counsel's Report
dated May 4, 1998.

The above-captioned document was circulated to the Commission
on Tuesday, May 05, 1998.

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

Commissioner Aikens	—
Commissioner Elliott	—
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	—
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for
Tuesday, May 19, 1998.

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harvey Gantt for Senate)
Campaign Committee and)
Bobby T. Martin, as treasurer)

RAD Referral 97L-23 MUR 4750

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on May 19, 1998, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions with respect to RAD Referral 97L-23:

1. Open a MUR.
2. Find reason to believe that Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, violated 2 U.S.C. § 441a(f), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the proposed factual and legal analysis, the conciliation agreement and the appropriate letter recommended in the General Counsel's May 1, 1998 report

(continued)

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Federal Election Commission
Certification: RAD Referral 97L-23
May 19, 1998

Page 2

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

Attest:

5-20-98
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 28 1998

Bobby T. Martin, Treasurer
Harvey Gantt for Senate
Campaign Committee
P.O. Box 35555
Charlotte, NC 28235

RE: MUR 4750
Harvey Gantt for Senate Campaign
Committee and Bobby T. Martin, as
treasurer

Dear Mr. Martin:

On May 19, 1998, the Federal Election Commission found that there is reason to believe Harvey Gantt for Senate Campaign Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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Mr. Martin
Page 2

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (800) 424-9580 or at (202) 694-1650.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

cc: Harvey Gantt

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Harvey Gantt for Senate Campaign Committee and Bobby T. Martin,
as treasurer MUR: 4750

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

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), states that no person may make a contribution to a candidate for Federal office, and his authorized campaign committee, in excess of \$1,000 per election. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(a)(2)(A), multicandidate political committees are prohibited from making contributions in excess of \$5,000 to any candidate and his authorized committee with respect to any election for Federal office. Pursuant to 2 U.S.C. § 441a(f), candidates and political committees are prohibited from knowingly accepting any contribution in violation of the provisions of Section 441a. Pursuant to 2 U.S.C. § 431(8)(A), a contribution includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any Federal election. Pursuant to 11 C.F.R. § 113.1(e), excess campaign funds are amounts received as contributions by a candidate which are determined to be in excess of any amount necessary to defray his or her campaign expenditures. Excess campaign funds received

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prior to an election may be used for any lawful purpose including an earlier election. 11 C.F.R. § 113.2. *See also* Advisory Opinion 1989-22.

The Act specifically provides that the contribution limitations shall apply separately with respect to each election. 2 U.S.C. § 441a(a)(6). Contributors to candidates are encouraged to designate their contributions in writing for particular elections. 11 C.F.R. § 110.1(b)(2)(i). In cases where a contribution is not designated in writing by the contributor for a particular election, the contribution is considered to be made in connection with the next election for that Federal office after the contribution is made. 11 C.F.R. §§ 110.1(b)(2)(ii) and 110.2(b)(2)(ii).

Contributions which are designated for a particular election, but made after the date of that election, may only be accepted to the extent the contributions do not exceed a committee's "net debts outstanding" for that election. 11 C.F.R. §§ 110.1(b)(3)(i) and 110.2(b)(3)(i).

Accordingly, if net debts outstanding do exist, then as additional funds are received and expenditures made, the amount of net debts outstanding shall be adjusted. 11 C.F.R.

§ 110.1(b)(3)(iii). Conversely, if net debts outstanding do not exist after an election, then a committee may not lawfully accept any post-election contributions for any purpose. Candidates who participate in both the Primary and General Elections may pay Primary Election debts and obligations with funds which represent contributions made with respect to the General Election. 11 C.F.R. § 110.1(b)(3)(iv).

Pursuant to 11 C.F.R. §§ 110.1(b)(3)(i) and 110.2(b)(3)(i), when a treasurer of a campaign committee receives post-election contributions in the absence of, or in excess of, net debts outstanding, then within ten days of receipt, the treasurer must either deposit the contribution or return it to the contributor. The treasurer of a political committee has the

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responsibility for determining the legality of any contributions received by the committee. If deposited, the treasurer has sixty (60) days from the date of receipt to obtain a reattribution or redesignation of the contribution to cure the illegality. 11 C.F.R. §§ 103.3(b)(3) and 110.1(b). Those contributions not reattributed or redesignated must be refunded to the contributor within sixty (60) days. 11 C.F.R. § 103.3(b)(3).

B. The Facts

The Reports Analysis Division ("RAD") has identified contributions totaling \$95,135 received by the Gantt Committee from 120 individuals and two multicandidate political committees, which were designated for the 1996 Primary Election, but which were received after the May 7, 1996 Primary Election in the state of North Carolina, and apparently used to pay expenses incurred for the 1996 General Election. The Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, ("Gantt Committee") disclosed the receipt of the contributions as taking place between July 11, 1996 and November 4, 1996.

On February 4, 1997, RAD sent the Gantt Committee requests for additional information regarding three (3) disclosure reports, the 1996 October Quarterly, 12 Day Pre-General and 30 Day Post-General Reports. The notification letter noted the receipt of contributions designated for the 1996 Primary Election which appeared to be in excess of the reported net debts outstanding for that election. RAD also informed the Gantt Committee that the Commission might take further legal action with respect to the receipt of excessive contributions. The notice instructed the Gantt Committee to either refund the contributions to the donors or to obtain from the donor a redesignation of the contribution in writing.

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On March 20, 1997, along with its response to RAD's requests for additional information, the Gantt Committee submitted amendments to the three disclosure reports and submitted a list of debts that it contends were owed to various creditors in connection with the 1996 Primary Election. Mr. Martin, the Gantt Committee treasurer, stated that he did not remedy the contributions identified by RAD as excessive receipts because he asserts that the contributions are permissible. Mr. Martin goes on to explain:

Our Committee did incur a Primary debt of \$214,964 as defined by 11 C.F.R. § 110.1(b)(3)(ii)....As a result, we accepted numerous contributions after the primary election which were properly designated by the donors toward retirement of the debt. Please note that our Primary debt is not related to debts listed on Schedule D at the end of each reporting period (such as June 30, 1996 or September 30, 1996). A difference between the two amount results from payments of Primary obligations with funds raised in the General election (as provided by 11 C.F.R. § 110.1(b)(3)(iv)).

On April 29, 1997, RAD sent the Gantt Committee another request for additional information in reference to the amended reports and noted the Committee's explanation for not having remedied the post-Primary Election contributions, and the Committee's acknowledgment that it used General Election funds to pay debts from the Primary Election. The letter from RAD went on to explain that since its 1996 July Quarterly Report indicated that the net debts outstanding from the Primary Election had been paid as of July 1, 1996, from that point in time the Gantt Committee could no longer raise funds to retire Primary Election debts.

On September 15, 1997, Mr. Martin submitted a response to RAD's inquiries in which he admits that debts from the Primary Election were paid by July 1996, but explains that he consulted the Commission's Regulations section 110.1(b)(2) regarding net debts outstanding and

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determined that as of May 7, 1996, (the date of the Primary Election) the Gantt Committee's net debt outstanding for the Primary Election was \$214,964.50. Mr. Martin goes on to say:

The Committee was of the opinion that it could receive contributions after the primary election that were designated as primary contributions up to the maximum amount allowed for each contributor as long as the cumulative total post-primary designated contributions did not exceed \$214,964.50.

Mr. Martin also asserts that the Committee's net debts outstanding were adjusted as post-primary contributions were received as required by 11 C.F.R. § 110.1(b)(3)(iii). Thus, the Gantt Committee "had reason to believe it was complying with requirements of the Act."

Mr. Martin then recites 11 C.F.R. § 110.1(b)(3)(iv) and states:

The Committee interpreted this paragraph to mean that contributions could be received after the primary election that were designated for the primary to the extent of the net primary debt total, notwithstanding the fact that the primary debt had been retired.

Apparently, Mr. Martin interpreted 11 C.F.R. § 110.1(b)(3)(iv) to mean that the Gantt Committee could lawfully collect post-Primary Election contributions equal to the amount of outstanding debt left over from that election, regardless of when the committee repaid the debt. In other words, Mr. Martin thought that since the Gantt Committee owed \$214,964.50 in net debts outstanding from the Primary Election, it could raise up to that amount and designate it for the retirement of Primary Election debt. Mr. Martin contends that "the Committee never contemplated that the Commission would construe 11 C.F.R. § 110.1 in such a manner as would require the Committee to refrain from retiring debts or otherwise lose its ability to receive primary contribution[s] from prospective donors." Lastly, Mr. Martin concludes by arguing that, since the Gantt Committee limited its primary contributions to an amount necessary to retire its

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primary election debts, it complied with the intent and meaning of 11 C.F.R. § 110.1, and he requests that the Commission find that the Gantt Committee acted in good faith and did not violate the Act.

C. The Analysis

Pursuant to the Commission's Regulations outlined above, the use of pre-election contributions designated by the contributor for a particular election to pay debts or expenses in connection with a prior election is permissible under the Act, as long as the candidate has determined that excess campaign funds exist. Furthermore Section 441a of the Act would not prevent a candidate's committee from retaining and using post-election contributions as long as there are net debts outstanding from that election at the time the contributions were received. See Explanation and Justification of Commission Regulations, 52 Fed. Reg. 760 (Jan. 9, 1987). While the Act and the Commission's Regulations permit candidates to use funds which were made in connection with the General Election to pay Primary Election debts, the reverse, which is using funds raised to extinguish Primary Election debts to pay upcoming General Election expenses, is impermissible because post-election contributions may only be received to the extent that post-election debt exists. 11 C.F.R. §§ 110.1(b)(3)(i) and (iv).

In the instant case, the Gantt Committee was able to lawfully accept post-election contributions designated for the 1996 Primary Election because of the existence of net debts outstanding from that election. However, on approximately July 1, 1996, the Gantt Committee paid the outstanding debts it owed from the Primary Election with funds it had raised for the upcoming General Election, thereby retiring all outstanding debts from the Primary Election.

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As a result of the Gantt Committee accepting post-Primary Election contributions after it had already extinguished its debts from that election, any contributions received after July 1, 1996, regardless of the election for which they were designated by the donors, were attributable to the contribution limitations applicable to the General Election. Thus, those post-election contributions that were designated for the Primary Election, but that were received at a time when there were no net debts outstanding for that election, would have to be aggregated with any other contributions made by the same individuals or political committees for the General Election, resulting in certain instances in excessive contributions totaling \$95,135 to the Gantt Committee pursuant to 2 U.S.C. §§ 441a(a)(1)(A) and (2)(A). Therefore there is reason to believe that Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, violated 2 U.S.C. § 441a(f).

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 4750

NAME OF COUNSEL: JOHN R. WALLACE

ADDRESS: WALLACE, CREECH & SARDA, L.L.P.
P.O. BOX 12065
RALEIGH, NC 27605

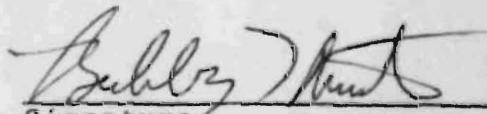
TELEPHONE: (919) 82-9328

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COMMISSION
OFFICE OF GENERAL
COUNSEL
JUN 12 12 52 PM '98

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.

June 9, 1998

Date


Signature

RESPONDENT'S NAME: HARVEY GANTT FOR SENATE CAMPAIGN COMMITTEE

ADDRESS: BOBBY T. MARTIN, TREASURER
715 E. FIFTH ST.
CHARLOTTE, NC 28202

HOME PHONE: _____

BUSINESS PHONE: (704) 375-7361

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUL 8 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John D. Wallace, Esquire
Wallace, Creech & Sarda, L.L.P.
P.O. Box 12065
Raleigh, NC 27605

RE: MUR 4750
Harvey Gantt for Senate Campaign
Committee and Bobby T. Martin, as
treasurer

Dear Mr. Wallace:

On May 28, 1998, your clients, Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date, your clients were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not submitted a written response on your clients' behalf to the Commission's findings and the proposed agreement. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact me at (202) 694-1650.

Sincerely,

Tamara K. Kapper
Paralegal Specialist

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WALLACE, CREECH & SARDA, L.L.P.

JOHN R. WALLACE*
PAUL P. CREECH
PETER J. SARDA
RICHARD P. NORDAN
M. BRADLEY KAHNOLD
SHERI L. ROBERSON

ATTORNEYS AT LAW

UCB PLAZA

3605 GLENWOOD AVENUE, SUITE 240
RALEIGH, NORTH CAROLINA 27612

MAILING:

P.O. BOX 12066
RALEIGH, N.C. 27605
(919) 782-9322

FAX

(919) 782-8115

*ALSO ADMITTED IN FLORIDA

July 8, 1998

Tamara Kapper, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

VIA FACSIMILE
ORIGINAL VIA U.S. MAIL

Re: Murr 4750

Dear Ms. Kapper:

I anticipate making a proposal to you today or tomorrow for a final resolution to this matter. I will do so as soon as I have my client's authority and consent to make the proposal.

Thank you for your patience in this regard.

With best regards I remain,

WALLACE, CREECH & SARDA, L.L.P.

John R. Wallace

JRW/cfd

RECEIVED
FEDERAL ELECTION
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OFFICE OF GENERAL
COUNSEL
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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 26, 1998

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from **Bobby T. Martin**, check number **3860136**, dated **August 21, 1998**, for the amount of , **\$1,680.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which a account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC Docket *Red*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 1,680.00, the MUR/Case number is 4750 and in the name of Bobby Martin. Place this deposit in the account indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Retha Wilson
Signature

8-26-98
Date

98043900831

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NationsBank

Cashier's Check

No. **3860136**

88-1/1136

Pay to the order of
12-17-1998 \$1,680.00

DATE

CHARLOTTE

CHARLOTTE/TOWN

08-21-98

Pay To The
Order Of

FEDERAL ELECTION COMMISSION***

*****1,680.00**

ONE THOUSAND SIX HUNDRED EIGHTY AND 00/100

Dollars

NOT VALID IF OVER

\$1,680.00

NationsBank, N.A.
San Antonio, Texas

BOBBY T. MARTIN

Remitter (Purchased By)

Paul Caldwell
Authorized Signature

042079187

3860136 1114000019 001641000421



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 26, 1998

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from **Harvey Gantt for Senate**, check number **277623**, dated **August 21, 1998**, for the amount of , **\$17,320.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

=====

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC Docket / *rd*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 17,320., the MUR/Case number is 4750 and in the name of Harvey Gantt for Sen. Place this deposit in the account indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Retha Ripon
Signature

8-26-98
Date



277623

REMITTER

Harvey Gantt for Senate

DATE August 21, 1998

06-1066/530

PAY TO THE
ORDER OF

*****Federal Elections Commissions*****

\$ *17,320.00*

M & F BK. **17,320** AND 00 CTS

DOLLARS

CASHIER'S CHECK

TWO SIGNATURES REQUIRED IF OVER \$500.00

Ramona D. Davis
Raymond Harrington

⑈00277623⑈ ⑆053010665⑆ 3157200301⑈

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

Ocr 1 11 20 AM '98

SENSITIVE

In the Matter of)
) MUR 4750
Harvey Gantt for Senate Campaign)
Committee and Bobby T. Martin,)
as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 19, 1998, the Commission found reason to believe that Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, ("Gantt Committee") violated 2 U.S.C. § 441a(f) by receiving \$95,135 in post-Primary Election contributions after the 1996 Primary Election debt had been paid, which resulted in the receipt of excessive contributions. On that same date, the Commission also determined to offer to enter into preprobable cause conciliation negotiations with the Gantt Committee and approved a proposed conciliation agreement

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III. RECOMMENDATIONS

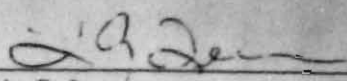
1. Accept the attached conciliation agreement with Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer.
2. Close the file.
3. Send the appropriate letter.

Lawrence M. Noble
General Counsel

Date

9/29/98

BY:


Lois G. Lerner
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Harvey Gantt for Senate Campaign) MUR 4750
Committee and Bobby T. Martin,)
as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 6, 1998, the Commission decided by a vote of 6-0 to take the following actions in MUR 4750:

1. Accept the conciliation agreement with Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, as recommended in the General Counsel's Report dated September 29, 1998.
2. Close the file.
3. Send the appropriate letter, as recommended in the General Counsel's Report dated September 29, 1998.

Commissioners Elliott, Mason, McDonald, Sandstrom, Thomas and Wold voted affirmatively for the decision.

Attest:

10-6-98
Date

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

Received in the Secretariat: Thurs., Oct. 01, 1998 11:20 a.m.
Circulated to the Commission: Thurs., Oct. 01, 1998 4:00 p.m.
Deadline for vote: Tues., Oct. 06, 1998 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 13, 1998

John R. Wallace, Esquire
Wallace, Creech & Sarda, L.L.P.
P.O. Box 12065
Raleigh, NC 27605

RE: MUR 4750
Harvey Gantt for Senate Campaign
Committee and Bobby T. Martin, as
treasurer

Dear Mr. Wallace:

On October 6, 1998, the Federal Election Commission accepted the signed conciliation agreement and civil penalty that you submitted on your clients' behalf in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

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

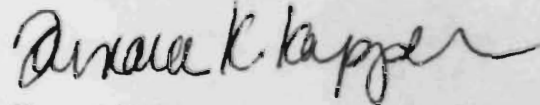
Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

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Mr. Wallace, Esq.
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files.
If you have any questions, please contact me at (202) 694-1650.

Sincerely,



Tamara K. Kapper
Paralegal Specialist

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4750
Harvey Gantt for Senate Campaign)
Committee and Bobby T. Martin,)
as treasurer)

AUG 26 10 30 AM '98

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Harvey Gantt for Senate Campaign Committee and Bobby T. Martin, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Harvey Gantt for Senate Campaign Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is the principal campaign committee for Harvey Gantt's 1996 senatorial campaign in the state of North Carolina.

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2. Bobby T. Martin is the treasurer of Harvey Gantt for Senate Campaign Committee.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), states that no person may make a contribution to a candidate for Federal office, and his authorized campaign committee, in excess of \$1,000 per election. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(a)(2)(A), multicandidate political committees are prohibited from making contributions in excess of \$5,000 to any candidate and his authorized committee with respect to any election for Federal office. Pursuant to 2 U.S.C. § 441a(f), candidates and political committees are prohibited from knowingly accepting any contribution in violation of the provisions of Section 441a.

4. Pursuant to 2 U.S.C. § 431(8)(A), a contribution includes any gift subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any Federal election.

5. The Act specifically provides that the contribution limitations shall apply separately with respect to each election. 2 U.S.C. § 441a(a)(6). Contributors to candidates are encouraged to designate their contributions in writing for particular elections. 11 C.F.R. § 110.1(b)(2)(i).

6. Contributions not designated in writing by the contributor for a particular election are considered to be made in connection with the next election for the Federal office after the contribution is made. 11 C.F.R. § 110.1(b)(2)(ii). Contributions which are designated for a particular election, but made after the date of that election, may only be accepted to the extent the contributions do not exceed a committee's "net debt outstanding" for that election. 11 C.F.R. §§ 110.1(b)(3)(i) and 110.2(b)(3)(i).

7. Accordingly, if net debts outstanding do exist, then as additional funds are received and expenditures made, the amount of the net debts outstanding shall be adjusted. 11 C.F.R.

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§ 110.1(b)(3)(iii). Conversely, if net debts outstanding do not exist after an election, then a committee may not lawfully accept any post-election contributions for any purpose.

8. The treasurer of a political committee has the responsibility for determining the legality of any contributions received by the committee. In the case of excessive contributions, the treasurer has sixty (60) days from the date of receipt to obtain a reattribution or redesignation of the contribution to cure the illegality. 11 C.F.R. §§ 103.3(b)(3) and 110.1(b). Excessive contributions not reattributed or redesignated must be refunded to the contributor within sixty days. 11 C.F.R. § 103.3(b)(3).

9. Respondents were able to lawfully accept post-election contributions designated for the 1996 Primary Election because of the existence of net debts outstanding from that election.

10. Respondents contend that as of May 7, 1996, their net debts outstanding from the Primary Election totaled \$214,964.

11. On approximately July 1, 1996, Respondents used funds raised for the upcoming General Election to extinguish the outstanding debts owed from the Primary Election. Respondents thereafter continued to accept post-Primary Election contributions after all debts from that election had been extinguished.

12. Respondents contend that the total amount of post-Primary Election contributions received did not exceed the original amount of net debts outstanding from that election, and that they believed they could continue to accept post-Primary Election contributions up to the original debt amount as of the date of that election regardless of when the debts were extinguished.

13. Any contributions received after July 1, 1996, regardless of the election for which they were designated by the donors, were attributable to the contribution limitations applicable to the General Election. Thus, the post-election contributions that Respondents received which

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were designated for the Primary Election, but that were received at a time when there were no net debts outstanding for that election, had to be aggregated with any other contributions made by the same individuals or political committees for the General Election, resulting in excessive contributions totaling \$95,135 to Respondents pursuant to 2 U.S.C. §§ 441a(a)(1)(A) and (2)(A).

V. Respondents received \$95,135 in post-Primary election contributions after the Primary Election debt had been paid, resulting in the receipt of excessive contributions from one hundred twenty (120) individuals and two (2) multicandidate political committees, in violation of 2 U.S.C. § 441a(f).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of nineteen thousand dollars (\$19,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral.

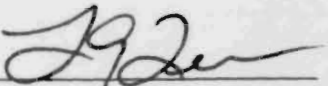
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made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel


BY:


Lois G. Lerner
Associate General Counsel

Date

11/13/98

FOR THE RESPONDENTS:


(Name)
(Position)

Date

8/21/98

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4750

DATE FILMED 10-27-98 CAMERA NO. 2

CAMERAMAN JMH

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