



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3377

DATE FILMED 11/5/91 CAMERA NO. 2

CAMERAMAN AS

91040872393

**REPORTS ANALYSIS REFERRAL**

**TO**

**OFFICE OF GENERAL COUNSEL**

**DATE:** 28 June 1991

**ANALYST:** ANDREW ZEHE

**I. COMMITTEE:**

**Patsy T. Mink Campaign Committee  
(C00246199)  
Helen Wiegert, Treasurer  
1946 Paula Drive  
Honolulu, HI 96816**

**II. RELEVANT STATUTE:** 2 U.S.C. §434(a)(6)  
11 CFR §104.5(f)

**III. BACKGROUND:**

**Failure to File Forty-Eight Hour Notifications**

The Patsy T. Mink Campaign Committee ("the Committee") has failed to file the required Forty-Eight (48) Hour Notifications ("48-Hour Notices") for three (3) contributions/loans totalling \$120,000 received prior to the 1990 Special General and Regular Primary Elections.

The candidate was involved in the 1990 Special General and Regular Primary Elections held on September 22, 1990. Prior Notices were sent to the Committee on August 17, 1990 (Attachment 2). The Notices include a section titled "Last-Minute Contributions". The section on the Notice for the Regular Primary Election reads "Committees must also file special notices on contributions of \$1,000 or more, received during the period September 3 through September 19, 1990. The notice must reach the appropriate federal and state offices within 48 hours of the committee's receipt." A section on the Notice for the Special General Election reads "Committees participating in the Special General and/or Regular General must also file special notices on contributions of \$1,000 or more, received between the 20th day and 48 hours before the day of the election.... Special General: 09/03/90 through 09/19/90... The notices must reach the appropriate federal and state offices within 48 hours of the committee's receipt."

Schedules A and C of the 1990 30 Day Special Post-General Report indicate that the Committee failed to file three (3) 48-Hour Notices for contributions/loans received during the aforementioned period (Attachment 3). The following is a list of the contributions/loans for which no 48-Hour Notices were filed:

91040872394

PATSY T. MINK CAMPAIGN COMMITTEE  
REPORTS ANALYSIS OGC REFERRAL  
PAGE 2

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Patsy T. Mink (Personal Loans)	9/06/90	\$60,000
Patsy T. Mink       "       "	9/12/90	\$20,000
Patsy T. Mink       "       "	9/12/90	\$40,000

On May 24, 1991, an Informational Notice ("IN") was sent to the Committee (Attachment 4). The Notice notes that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more. The notice requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that although the Commission may take legal steps, any response would be taken into consideration.

On May 31, 1991, the candidate, Congresswoman Mink, telephoned a Reports Analysis Division ("RAD") analyst to ask which contributions were missing 48-Hour Notices (Attachment 5). The analyst listed the names, dates and amounts of the contributions/loans which needed 48-Hour Notices. Congresswoman Mink stated that she was unaware that loans required 48-Hour Notices and added that she would like to send a letter explaining so.

On June 10, 1991, the Candidate responded by letter (Attachment 6). The letter states that the candidate loans "were not listed as contributions to the campaign because it was not known that loans were to be considered as contributions. Since loans are reported separately on a separate schedule, it was assumed that they were not considered as contributions. I also understood that the 20 days before the election disclosure was to inform the public of large outside third party contributions being made at the end of the campaign. I did not know that loans made by the candidate were included under this requirement."

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

91040872395

FEDERAL ELECTION COMMISSION  
1989-1990  
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 17JUN91

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	OFFICE SOUGHT/	PARTY	PRIMARY	GENERAL			
MINK, PATSY T	HOUSE 02 DEMOCRATIC PARTY				HAWAII	1990 ELECTION	ID# H6H102038
1. STATEMENT OF CANDIDATE							
1990 STATEMENT OF CANDIDATE					22JUN90	1	90HSE/399/0277
1991 STATEMENT OF CANDIDATE					15MAR91	1	91HSE/426/5056
2. PRINCIPAL CAMPAIGN COMMITTEE							
PATSY T MINK CAMPAIGN COMMITTEE						ID #C00246199	HOUSE
1990 STATEMENT OF ORGANIZATION					22JUN90	1	90HSE/399/0278
48 HOUR CONTRIBUTION NOTICE					18SEP90	2	90HSE/407/8100
48 HOUR CONTRIBUTION NOTICE					26SEP90	1	90HSE/408/1421
48 HOUR CONTRIBUTION NOTICE					25OCT90	3	90HSE/415/2430
48 HOUR CONTRIBUTION NOTICE					2NOV90	3	90HSE/417/0250
48 HOUR CONTRIBUTION NOTICE					7NOV90	2	90HSE/417/0257
JULY QUARTERLY		45,097		23,908	30JUN90	16	90HSE/400/1416
1ST LETTER INFORMATIONAL NOTICE					30JUN90	1	90FEC/651/0576
PRE-SPECIAL			207,835	207,044	1JUL90 - 2SEP90	32	90HSE/407/0108
PRE-SPECIAL - AMENDMENT			-	-	- 1JUL90 - 2SEP90	1	90HSE 412/0211
PRE-SPECIAL - AMENDMENT			-	-	- 1JUL90 - 2SEP90	3	90HSE/411/0274
PRE-SPECIAL - AMENDMENT		217,835		207,044	1JUL90 - 2SEP90	3	90HSE/417/0271
PRE-SPECIAL - AMENDMENT		-		-	- 1JUL90 - 2SEP90	5	90HSE/417/0275
PRE-SPECIAL - AMENDMENT		221,321		210,530	1JUL90 - 2SEP90	8	90HSE/421/0270
PRE-SPECIAL - AMENDMENT		221,449		210,658	1JUL90 - 2SEP90	2	91HSE/424/2127
REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL90 - 2SEP90	2	90FEC/669/0609
REQUEST FOR ADDITIONAL INFORMATION					1JUL90 - 2SEP90	2	90FEC/657/0575
POST-SPECIAL			245,718	257,312	3SEP90 - 17OCT90	36	90HSE/414/0149
POST-SPECIAL - AMENDMENT			-	-	- 3SEP90 - 17OCT90	14	90HSE/415/0240
POST-SPECIAL - AMENDMENT			245,718	257,312	3SEP90 - 17OCT90	3	90HSE/417/0274
POST-SPECIAL - AMENDMENT			-	-	- 3SEP90 - 17OCT90	2	90HSE/417/0276
POST-SPECIAL - AMENDMENT		246,184		257,778	3SEP90 - 17OCT90	11	90HSE/421/0299
POST-SPECIAL - AMENDMENT		-		-	- 3SEP90 - 17OCT90	1	90HSE/424/2129
POST-SPECIAL - AMENDMENT		-		-	- 3SEP90 - 17OCT90	2	91HSE/423/0280
1ST LETTER INFORMATIONAL NOTICE					3SEP90 - 17OCT90	1	91FEC/656/0500
POST-GENERAL			124,007	143,173	18OCT90 - 26NOV90	39	90HSE 421/0320
POST-GENERAL - AMENDMENT			124,366	143,532	18OCT90 - 26NOV90	4	91HSE/424/2129
POST-GENERAL - AMENDMENT			-	-	- 18OCT90 - 26NOV90	17	91HSE/428/0384
REQUEST FOR ADDITIONAL INFORMATION					18OCT90 - 26NOV90	4	91FEC/697/0600
YEAR-END			4,228	5,161	27NOV90 - 31DEC90	9	91HSE/424/2133
YEAR-END - AMENDMENT			-	-	- 27NOV90 - 31DEC90	4	91HSE/428/0407
YEAR-END - AMENDMENT			-	-	- 27NOV90 - 31DEC90	6	91HSE/428/0401
REQUEST FOR ADDITIONAL INFORMATION					27NOV90 - 31DEC90	2	91FEC/697/0601
TOTAL		45,097	596,227	23,908	617,129	242	TOTAL PAGES
3. AUTHORIZED COMMITTEES							
4. JOINT RAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN							

All reports reviewed.

Cash on hand as of 12-31-90 = \$288.30

Outstanding debts as of 12-31-90 = \$191,255.79



# PRIMARY ELECTION REPORT NOTICE

## FEDERAL ELECTION COMMISSION

HAWAII

August 17, 1990

REPORT	REPORTING PERIOD1/	REG./CERT. MAILING DATE2/	FILING DATE
PRE-PRIMARY	07/01/90 - 09/02/90	09/07/90	09/10/90
OCTOBER QUARTERLY	09/03/90 - 09/30/90	10/15/90	10/15/90

### WHO MUST FILE

PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL "CANDIDATES" who seek nomination in the September 22, 1990 Hawaii Primary.

### WHAT MUST BE REPORTED

All financial activity that occurred during the reporting period (or before, if not previously reported).

### REPORTING FORMS

Candidate committees use Form 3 (enclosed). If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32.

### WHERE TO FILE

Consult the instructions on the back of the Form 3 Summary Page. Note state filing requirements also.

### LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

### LAST-MINUTE CONTRIBUTIONS

Committees must also file special notices on contributions of \$1,000 or more, received during the period September 3 through September 19, 1990. The notice must reach the appropriate federal and state offices within 48 hours of the committee's receipt.

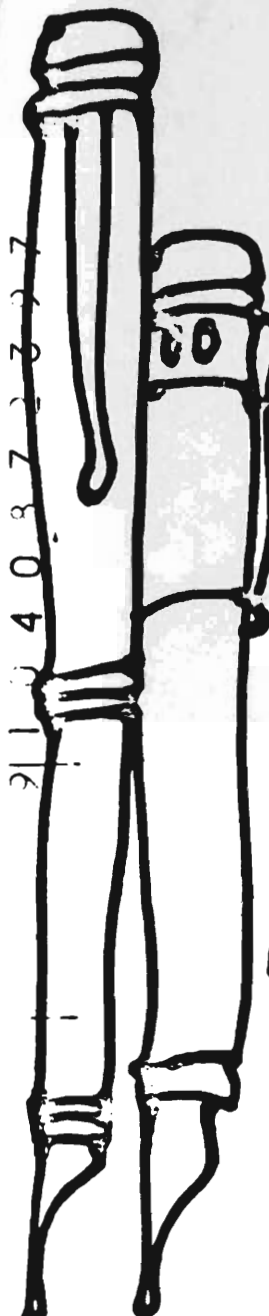
### COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

1/The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

2/Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

FOR INFORMATION, Call: 800/424-9530 or 202/376-3120



# PRIMARY ELECTION REPORT NOTICE

## FEDERAL ELECTION COMMISSION

HAWAII  
2nd District Special Election

August 17, 1990

**I. FOR COMMITTEES INVOLVED IN THE SPECIAL GENERAL (9/22)  
AND REGULAR GENERAL (11/6):**

REPORT	REPORTING PERIOD <sup>1/</sup>	REG./CERT. MAILING DATE <sup>2/</sup>	FILING DATE
Pre-Special	07/01/90 - 09/02/90	09/07/90	09/10/90
October Quarterly	- Waived -		
Post-Special <sup>3/</sup>	09/03/90 - 10/17/90	10/22/90	10/25/90
Pre-General	- Waived -		
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

**II. FOR COMMITTEES INVOLVED IN THE SPECIAL GENERAL (9/22)  
ONLY:**

REPORT	REPORTING PERIOD <sup>1/</sup>	REG./CERT. MAILING DATE <sup>2/</sup>	FILING DATE
Pre-Special	07/01/90 - 09/02/90	09/07/90	09/10/90
October Quarterly	- Waived -		
Post-Special	09/03/90 - 10/12/90	10/22/90	10/22/90

**WHO MUST FILE**

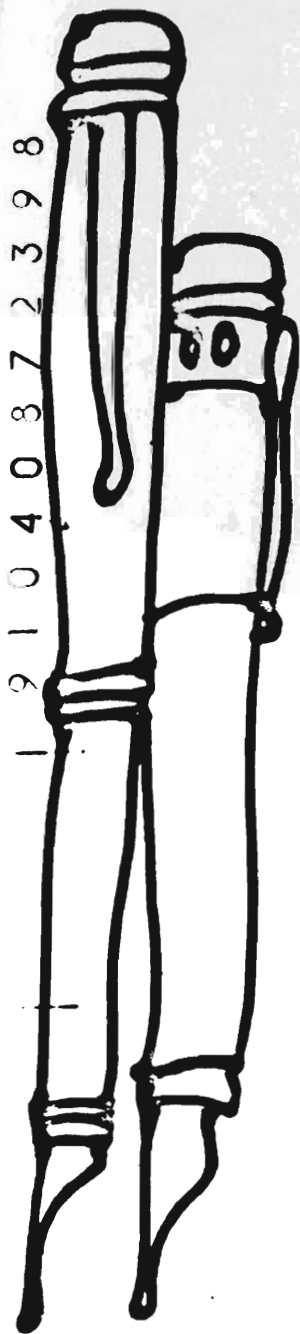
PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL "CANDIDATES" who seek election in the Special General held on September 22, 1990.

**WHAT MUST BE REPORTED**

All financial activity that occurred during the reporting period (or before, if not previously reported).

- 1/ The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.
- 2/ Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.
- 3/ Because the October 15 quarterly and the pre-general election reports have been waived, the post-special report coverage dates have been extended to include activity normally disclosed in those reports.

(over)



8  
9  
3  
2  
7  
0  
8  
4  
0  
1  
2

**HAWAII**  
**2nd District Special Election**

**REPORTING FORMS**

Candidate committees use Form 3 (enclosed). Principal campaign committees that are reporting activity for both the regularly scheduled and special elections should indicate this on the summary page of Form 3 and supporting schedules, as appropriate. If the candidate has authorized a separate principal campaign committee for the special election, this committee must file separate reports to disclose the financial activity.

**WHERE TO FILE**

Consult the instructions on the back of the Form 3 Summary Page. Note state filing requirements also.

**LABEL**

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

**LAST-MINUTE CONTRIBUTIONS**

Committees participating in the Special General and/or Regular General must also file special notices on contributions of \$1,000 or more, received between the 20th day and 48 hours before the day of the election. (See below).

Special General: 09/03/90 through 09/19/90

Regular General: 10/18/90 through 11/30/90

The notices must reach the appropriate federal and state offices within 48 hours of the committee's receipt.

**COMPLIANCE**

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

FOR INFORMATION, Call: 800/424-9530 or 202/376-3120

21040872399

AZ

**SCHEDULE A**                      **ITEMIZED RECEIPTS**

LOANS FROM CANDIDATE

**TOP SECRET category of the Deleted Summary Page**

FOR LINE NUMBER  
132

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

NAME OF COMMITTEE (in Full)

PATSY T. MINK CAMPAIGN COMMITTEE 137022

A2

A. Full Name, Mailing Address and ZIP Code <b>PATRY T. MINN</b> <b>1746 PAULA DR.</b> <b>HON, HI 96816</b>	Name of Employer <b>SELF</b>	Date (month, day, year) <b>9-6-90</b> <b>9-12-90</b> <b>9-12-90</b>	Amount of Each Rate or Fee Per Period <b>60,000.00</b> <b>20,000.00</b> <b>40,000.00</b>
Recount For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): <b>SPEC ELECTION</b>	Occupation <b>ATTORNEY</b>	Aggregate Year-to-Date <b>&gt; 170,000.00</b>	

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt in Period
	Description		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year to Date		

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Rate of this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): _____	Aggregate Year-to-Date > \$		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): _____	Assignate Year-as-Date <input type="checkbox"/> 2		

<b>F. Full Name, Mailing Address and ZIP Code</b>  _____ _____ _____	<b>Name of Employer</b>  _____	<b>Date (month, day, year)</b>  _____	<b>Amount of Each Receipt this Period</b>  _____
	<b>Occupation</b>  _____		
<b>Receipt For:</b> <input type="checkbox"/> <b>Order (merchandise)</b> <input type="checkbox"/> <b>Primary</b> <input type="checkbox"/> <b>General</b>	<b>Amount of Money on Hand</b> _____		

G. Full Name, Mailing Address and ZIP Code  		Name of Employer  		Date (month, day, year)  	Amount of Each Receipt this Period  
Receipt For: <input type="checkbox"/> Other (attach) <input type="checkbox"/> Primary <input type="checkbox"/> General		Occupation  			

**SUBTOTAL of Recover This Page (optional)** ..... **120,000.00**

FORM 1 This Period (last page this tax year only) ..... 120.0000



**SCHEDULE C**  
(Revised 3/88)

**LOANS**

SEE INSTRUCTIONS  
Use correct schedule  
for each numbered line

A2

Name of Committee (in Full)

**PATSY T. MINK CAMPAIGN COMMITTEE 137022**

A. Full Name, Mailing Address and ZIP Code of Loan Source

**PATSY T. MINK  
1746 PAULA DRIVE  
HONOLULU, HI 96816**

Original Amount  
of Loan

**60,000.00**

Cumulative Payments  
To Date

Balance Outstanding at  
Close of This Period

**60,000.00**

Election: ☐ Primary ☐ General ☒ Other (specify): **SPEC ELECTION**

Terms: Date Incurred **9-6-90** Date Due **NOV 90** Interest Rate **0** ☐ Report ☐ Secured

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

1. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

2. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

3. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

B. Full Name, Mailing Address and ZIP Code of Loan Source

**PATSY T. MINK  
1746 PAULA DRIVE  
HONOLULU, HI 96816**

Original Amount  
of Loan

**20,000.00**

Cumulative Payments  
To Date

Balance Outstanding at  
Close of This Period

**20,000.00**

Election: ☐ Primary ☐ General ☒ Other (specify): **SPEC ELECTION**

Terms: Date Incurred **9-12-90** Date Due **NOV 90** Interest Rate **0** ☐ Report ☐ Secured

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

1. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

2. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

3. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Amount Guaranteed Outstanding

SUBTOTALS This Period This Page (Include)

TOTALS This Period (For page in this line only)

0001403178340

**SCHEDULE C**  
(Revised 3/88)

**LOANS**

LOAN NUMBER: 125  
Also indicate schedule  
for each numbered part

A2

Name of Lender (in Full) <b>PATY T. MINE CAMPAIGN COMMITTEE 197022</b>			
A. Full Name, Mailing Address and ZIP Code of Loan Source <b>PATY T. MINE 1746 PALMA DRIVE HONOLULU, HI 96816</b>		Original Amount of Loan <b>40,000.00</b>	Balance Outstanding at Close of This Period <b>40,000.00</b>
Election <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) <b>SPEC ELECTION</b>			
Terms Date Incurred <b>9-12-90</b> Date Due <b>ADORE</b> Interest Rate <b>0</b> % <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Balance Outstanding at Close of This Period
Election <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms Date Incurred _____ Date Due _____ Interest Rate _____ % <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding	
SUBTOTALS This Period This Page (bottom) .....			
TOTALS This Period (last page in this line only) .....			

07914031792402



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20543

89-8

MAY 24 1991

Helen Wiegert, Treasurer  
Patsy T. Mink Campaign Committee  
1946 Paula Drive  
Honolulu, HI 96816

Identification Number: C00246199

Reference: 30 Day Post-Special Report (9/3/90-10/17/90)

Dear Ms. Wiegert:

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 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-Special 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 make concerning this matter will be taken into consideration. (11 CFR §104.5(f))

Any amendment or clarification should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

*Andrew Zehe*

Andrew Zehe  
Reports Analyst  
Reports Analysis Division

9104036721403

MEMORANDUM FOR FILES: TELECON

SUBJECT: 48 Hour Notices

FROM: Congresswoman Mink

TO: RAD analyst Andrew Zehe

NAME OF COMMITTEE: Patsy T. Mink Campaign Committee

DATE: 5-31-91

The Congresswoman called an analyst from RAD to ask which contributions were missing 48 Hour Notices. The analyst gave her the names, dates, and amounts of the missing notices. She stated that she was unaware that loans needed 48 Hour Notices and added that she would like to send a letter explaining this for the public record.



PATSY T. MINK  
SECOND DISTRICT, MARIANA

WASHINGTON OFFICE  
3135 RAYMOND HOUSE DRIVE BUILDING  
WASHINGTON, DC 20515-1102  
(202) 225-4800  
FAX (202) 225-4807

DISTRICT OFFICE  
9104 PINEWOOD DRIVE FEDERAL BUILDING  
P.O. Box 90134  
HONOLULU, HAWAII 96860-0977  
(808) 541-1000  
FAX (808) 530-0323

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1102**

COMMITTEE ON EDUCATION AND LABOR  
SUBCOMMITTEE  
GENERAL, Secondary & Vocational Education  
Postsecondary Education  
Labor Management Relations  
COMMITTEE ON GOVERNMENT OPERATIONS  
SUBCOMMITTEE  
INTELLIGENCE AND OVERSEAS RELATIONS  
GOVERNMENT INFORMATION, JUSTICE AND AGRICULTURE

June 9, 1991

137002

FEDERAL ELECTION COMMISSION  
Washington, D.C. 20463  
Attn: Andrew Sehe

Dear Mr. Sehe:

RE: PATSY T. MINK CAMPAIGN COMMITTEE  
C00246199

1. Your letter of May 24, 1991 regarding the 30 Day Post Special Report (9/3/90-10/17/90)

Re: the ATT check dated September 17, 1990 in the sum of \$1000 was received by the Committee after the date of the Special Election, September 22, 1990. Enclosed is a copy of the check and postmarked envelope showing that it was mailed on September 22, 1990. Also I enclose a copy of the deposit slip showing that the check was deposited on September 26. It was listed as a September 17th contribution because that was the date of the check and my volunteer assistant recorded most the checks by the date of the check.

Re: the three personal loans made by the candidate to the Committee were not listed as contributions to the campaign because it was not known that loans were to be considered as contributions. Since loans are reported separately on a separate schedule, it was assumed that they were not considered as contributions. I also understood that the 30 days before the election disclosure was to inform the public of large outside third party contributions being made at the end of the campaign. I did not know that loans made by the candidate were included under this requirement.

I submit this letter to the commission to explain this oversight. Thank you very much for affording me this opportunity to explain these two items.

Very truly yours,

*Patsy T. Mink*  
PATSY T. MINK

91714037240  
HAND DELIVERED

U.S. MAIL  
JUN 10 PM 3:55

RECEIVED  
F.E.C.  
SECRETARIAT

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

AUG 15 AM 10:07

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

RAD Referral #91L-68  
STAFF MEMBER: Jeffrey Long

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: Patsy T. Mink Campaign Committee and Helen  
Wiegert, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(6)  
11 C.F.R. § 104.5(f)

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on July 1, 1990.

Attachment 1. The basis for the attached referral is the failure of the Patsy T. Mink Campaign Committee and Helen Wiegert, as treasurer ("Committee"), to file three forty-eight hour notifications ("48 Hour Notices") for contributions totaling \$120,000.00 received prior to the 1990 Special General and Regular Primary Elections.<sup>1</sup> Patsy T. Mink won both the Special General and Regular Primary Elections in the Second Congressional District in Hawaii.

**II. FACTUAL AND LEGAL ANALYSIS**

See Attachment 2.

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

1. The Special General and Regular Primary Elections in the State of Hawaii were both held on September 22, 1990.

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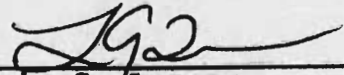
**IV. RECOMMENDATIONS**

1. Open a MUR.
2. Find reason to believe that the Patsy T. Mink Campaign Committee and Helen Wiegert, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.

3. Approve the appropriate letter, Factual and Legal Analysis, and proposed conciliation agreement.

Lawrence M. Noble  
General Counsel

8/14/91  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments:

1. Referral Materials
2. Factual and Legal Analysis
3. Proposed Conciliation Agreement

91040372408



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Patsy T. Mink Campaign Committee )  
and Helen Wiegert, as treasurer. )

RAD Referral #91L-68

(Mink  
3377)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 19, 1991, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #91L-68:

1. Open a MUR.
2. Find reason to believe that the Patsy T. Mink Campaign Committee and Helen Wiegert, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the appropriate letter, Factual and Legal Analysis, and proposed conciliation agreement, as recommended in the General Counsel's Report dated August 14, 1991.

Commissioners Aikens, Elliott, Josefiak, McDonald, and McGarry voted affirmatively for the decision; Commissioner Thomas did not cast a vote.

Attest:

8-20-91  
Date

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

Received in the Secretariat: Thurs., August 15, 1991 10:07 p.m.  
Circulated to the Commission: Thurs., August 15, 1991 4:00 p.m.  
Deadline for vote: Mon., August 19, 1991 4:00 p.m.

dr

91040872409



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

August 23, 1991

Helen Wiegart, Treasurer  
Patsy T. Mink Campaign Committee  
1946 Paula Drive  
Honolulu, Hawaii 96816

RE: MUR 3378  
Patsy T. Mink Campaign Committee and  
Helen Wiegart, as treasurer

Dear Ms. Wiegart:

On August 19, 1991, the Federal Election Commission found that there is reason to believe Patsy T. Mink Campaign Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6), 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.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. 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 any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, 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.

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Helen Wiegart, Treasurer  
Page 2

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.

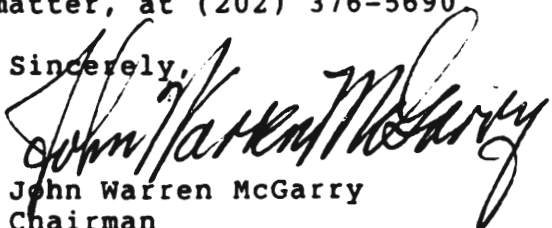
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

  
John Warren McGarry  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

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**FEDERAL ELECTION COMMISSION  
FACTUAL & LEGAL ANALYSIS**

RESPONDENTS: Patsy T. Mink Campaign Committee      MUR 3377  
and Helen Wiegert, as treasurer

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).

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

The Special General and Regular Primary Elections in the State of Hawaii were both held on September 22, 1990. Pursuant to the Act, the Committee was required to notify the Commission, in writing, of all contributions of \$1,000 or more

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received from September 3 to September 19, 1990, within 48 hours of their receipt.

A review of the Committee's 1990 30 Day Special Post-General Report identified three contributions received on September 6 and September 12, 1990, of \$1,000 or more totaling \$120,000. The Committee did not submit 48 Hour Notices for these contributions.

Therefore, there is reason to believe that the Patsy T. Mink Campaign Committee and Helen Wiegert, as treasurer, violated 2 U.S.C. § 434(a)(6)(A) by failing to report campaign contributions in excess of \$1,000 received after the 20th day, but more than 48 hours before the Special General and Regular Primary Elections, within 48 hours of receipt of the contributions.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 27, 1991

Helen Wiegart, Treasurer  
Patsy T. Mink Campaign Committee  
1946 Paula Drive  
Honolulu, Hawaii 96816

RE: MUR 3377  
Patsy T. Mink Campaign  
Committee and Helen Wiegart,  
as treasurer

Dear Ms. Wiegart:

On August 23, 1991, the Federal Election Commission notified you that it had found reason to believe against you and the Committee. That letter erroneously referenced this matter as MUR 3378 instead of MUR 3377. Please make a note of this correction and refer to MUR 3377 in all future correspondence.

If you have any questions about this correction or this matter, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in cursive script, reading "George F. Rishel".

BY: George F. Rishel  
Assistant General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION  
91 SEP 18 PM 2:42

In the Matter of

Patsy T. Mink Campaign Committee )  
and Helen Wiegert, as treasurer ) MUR 3377  
)

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

Attached is a conciliation agreement which has been signed by John F. Mink, the assistant treasurer of Patsy T. Mink Campaign Committee.

The attached agreement contains no changes from the agreement approved by the Commission on August 19, 1991. A check for the civil penalty has been received.

**II. RECOMMENDATIONS**

1. Accept the attached conciliation agreement with Patsy T. Mink Campaign Committee and Helen Wiegert, as treasurer.
2. Close the file.

Lawrence M. Noble  
General Counsel

9-18-91  
Date

BY: *Lois G. Lerner*  
Lois G. Lerner  
Associate General Counsel

**Attachments**

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Jeffrey Long

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Patsy T. Mink Campaign Committee ) MUR 3377  
and Helen Wiegert, as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 20, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 3377:

1. Accept the conciliation agreement with Patsy T. Mink Campaign Committee and Hellen Wiegert, as treasurer, as recommended in the General Counsel's Report dated September 18, 1991.
2. Close the file.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Josefiak did not cast a vote.

Attest:

9-20-91  
Date

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

Received in the Secretariat: Wed., Sept. 18, 1991 2:42 p.m.  
Circulated to the Commission: Wed., Sept. 18, 1991 4:00 p.m.  
Deadline for vote: Fri., Sept. 20, 1991 4:00 p.m.

dr





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**CLOSED**

September 27, 1991

Helen Wiegert, Treasurer  
Patsy T. Mink Campaign Committee  
1946 Paula Drive  
Honolulu, Hawaii 96816

RE: MUR 3377  
Patsy T. Mink Campaign  
Committee and Helen Wiegert,  
as treasurer

Dear Ms. Wiegert:

On September 20, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(6), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that 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.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Patsy T. Mink Campaign Committee and  
Helen Wiegert, as treasurer

)  
) MUR 3377  
)

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 the Patsy T. Mink Campaign Committee and Helen Wiegert, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(6).

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. Patsy T. Mink Campaign Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is the

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CLERK'S OFFICE

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authorized principal campaign committee for Ms. Mink's 1990 congressional campaign.

2. Helen Wiegert is the treasurer of the Patsy T. Mink Campaign Committee.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

4. The Respondents received on September 6 and September 12, 1990, three contributions of \$1,000 or more totaling \$120,000.

5. The Respondents did not submit 48 Hour Notices for these three contributions.

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V. The Respondents failed to report campaign contributions in excess of \$1,000 received after the 20th day, but more than 48 hours before the primary election, within 48 hours of receipt of the contributions, in violation of 2 U.S.C. § 434(a)(6).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of three thousand eight hundred dollars (\$3,800.00), 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 requirement 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

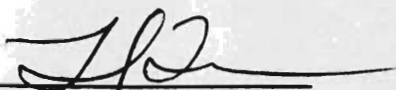
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other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

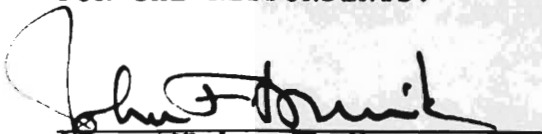
Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

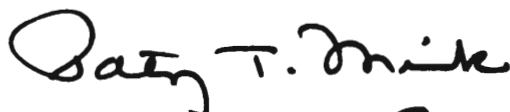
9/27/91  
Date

FOR THE RESPONDENTS:

  
(Name) John F. Thirk  
(Position) Assistant Treasurer

August 31, 1991  
Date

  
Asst Treasurer

  
Betty T. Thirk  
Candidate

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3377

DATE FILMED 11/5/91 CAMERA NO. 2

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