



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20461

THIS IS THE BEGINNING OF MUR # 3382

DATE FILMED 4-28-91 CAMERA NO. 2

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AR-91-25  
ES002685

August 23, 1991

MEMORANDUM

TO: Lawrence M. Noble  
General Counsel

THROUGH: John C. Surina  
Staff Director

FROM: Robert J. Costa *RJC*  
Assistant Staff Director  
Audit Division

SUBJECT: Friends of Sam Beard for the U.S. Senate - Matters  
Referred to the Office of General Counsel

Attached please find at Exhibits A and B matters concerning Friends of Sam Beard for the U.S. Senate which were approved by the Commission on August 22, 1991, for referral to your office.

Should you or your staff wish to review any audit workpapers or discuss these matters further, please contact Wanda Thomas or Joe Stoltz at 219-3720.

Attachments:

- Exhibit A - Receipt of General Election Contributions  
Exhibit B - Failure to File Required 48 Hour Notices

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Receipt of General Election Contributions

Section 441a(a)(1)(A) of Title 2 of the United States Code states that no person shall make contributions to any candidate with respect to any election for Federal office which, in the aggregate, exceed \$1,000.00.

Section 102.9(e) of Title 11 of the Code of Federal Regulations requires that if a candidate or his or her authorized committee receives contributions prior to the date of the primary, which are designated for the general election such candidate or committee shall use an acceptable accounting method to distinguish between contributions received for the primary and general elections.

If a candidate is not a candidate in the general election, any contributions made for the general election shall be refunded to the contributors or redesignated in accordance with 11 C.F.R. 110.1(b)(5) or 110.2(b)(5) or reattributed in accordance with 11 C.F.R. 110.1(k)(3) as appropriate.

Section 110.1(k) of Title 11 of the Code of Federal Regulations states, in part, that any contribution made by more than one person, except for a contribution made by a partnership, shall include the signature of each contributor on the check, money order, or other negotiable instrument or in a separate writing. A contribution made by more than one person that does not indicate the amount to be attributed to each contributor shall be attributed equally to each contributor. If a contribution to a candidate on its face or when aggregated with other contributions from the same contributor exceeds the limitations on contributions, the Treasurer may ask the contributor whether the contribution was intended to be a joint contribution by more than one person. A contribution shall be considered to be reattributed to another contributor if the treasurer of the recipient political committee asks the contributor whether the contribution is intended to a joint contribution by more than one person, and informs the contributor that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution; and within sixty days from the date of the treasurer's receipt of the contribution, the contributors provide the treasurer with a written reattribution of the contribution, which is signed by each contributor, and which indicates the amount to be attributed to each contributor if equal attribution is not intended.

Section 103.3(b)(3) of Title 11 of the Code of Federal Regulations states, in part, that contributions which exceed the contribution limitation may be deposited into a campaign depository. If any such contributions are deposited, the treasurer may request redesignation or reattribution of the contribution by the contributor in accordance with 11 C.F.R. 110.1(b), 110.1(k), or 110.2(b), as appropriate. If a

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redesignation or reattribution is not obtained, the treasurer shall, within 60 days of the treasurer's receipt of the contribution, refund the contribution to the contributor.

Section 103.3(b)(4) of Title 11 of the Code of Federal Regulations states that any contribution which appears to be illegal under 11 C.F.R. 103.3(b)(1) or (3), and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be legal. The committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds.

Section 441a(f) of Title 2 of the United States Code states that no candidate or political committee shall knowingly accept any contribution in violation of any limitation on contributions.

The Committee received contributions designated by the contributor for the general election in the amount of \$83,785.70. However, the candidate lost the primary election held on September 10, 1988, creating the need to refund or reattribute contributions designated for the general campaign.

The Committee's report covering the period 10/1/88 - 12/31/88 disclosed refunds of general election contributions totaling \$61,072.00. However, a review of the Committee's bank records indicated that the refunds were not made. In the same report, the Committee disclosed \$61,072.00 as contributions from individuals. According to the candidate, the contributions represent reattribution of general election contributions. (See Final Audit Report, Finding II A.) The candidate stated that he telephoned general election contributors and advised them of their option to receive a refund of their contribution or reattribute the contribution to another individual who had not made a contribution to the primary campaign. If the contributor agreed to the reattribution, the candidate was informed of the identification of the other contributor. The candidate did not maintain a written record of the telephone calls nor did he request written redesignation or reattribution of the contributions signed by each contributor.

The Audit staff examined copies of the general election contribution checks and noted in some cases that the contributions were reattributed to individuals who do not appear to have ownership over the funds used for the original contributions.

In some cases the listed joint account holders had each contributed \$1,000 to the primary and \$1,000 to the general election for a total of \$4,000. The listed reattribution shows two additional contributors, usually with the same surname, who are not shown on the contribution check as account holders. In

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other cases, the person to whom the contributions are reattributed has a surname or address different from the surname or address of the original contributor.

The Candidate stated that he assumed that individuals in the same family had joint ownership over the funds used for the contributions.\*/

In addition to the \$83,785.70 in contributions noted above, the Committee received contributions designated by the contributor for the primary election in excess of the limitation by \$4,650.00 for a total of \$88,435.70 in contributions requiring refund, redesignation or reattribution. During the period audited the Committee made refunds totaling \$11,500. (At the close of audit fieldwork one refund for \$1,000, check #1246, was outstanding)

It should be noted that on the primary date (9/10/88) the Committee did not have sufficient cash-on-hand to refund all of the general election and excessive contributions.

At the exit conference, the Committee was advised that the contributions had not been properly redesignated, reattributed, or refunded. The Committee was provided with a schedule of contributions requiring such action.

In the reports filed after the audit period (1/1/89 - 6/30/90), the Committee reported additional refunds of \$47,735.70. The reports also contained letters authorizing the reattribution from the original donor to his or her spouse or redesignation of contributions totaling \$13,300.00. The average number of days to refund or reattribute the contributions was 258.

Of the \$88,435.70 in contributions requiring refund, redesignation or reattribution, \$15,900.00 have not been addressed by the Committee.

In the interim audit report the Audit staff recommended that the Committee

- Provide evidence that contributions in question were refunded, redesignated, or reattributed in a timely manner; or

- Provide written documentation from the contributors demonstrating that the \$15,900 (\$88,435.70 - \$11,500 - \$47,735.70 - \$13,300.00) in contributions noted above can be

\*/In all cases except one, these contributions have been either reattributed or refunded, though not timely. (For the exception, see Attachment I, Herbert Kline.)

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redesignated/reattributed to another individual; or refund the contributions and submit photocopies of the negotiated refund checks (front and back) to the Audit staff.

- Provide a copy of negotiated refund check #1246 which was outstanding at the close of fieldwork (or a copy of the negotiated check used to replace check #1246) and copies of the negotiated checks for the \$47,735.70 in refunds reported for the period 1/1/89 - 6/30/90.

- Disclose the excessive contributions as debts owed by the Committee on Schedule D if funds were not available to make such refunds.

In response to the interim report the Committee submitted the following:

With respect to the \$15,900 in contributions requiring redesignation/retribution or refund, the Committee provided copies of letters authorizing the redesignation/retribution of contributions totaling \$5,900. Also included was one letter which lacked the contributor's signature authorizing the redesignation/retribution of a \$1,000 contribution. In addition, the Committee provided evidence that one \$1,000 contribution was not excessive. The Committee stated in its response that the remaining \$8,000 in contributions had been refunded. However, copies of the negotiated refund checks were not provided. The Committee stated that the checks had not been received from the bank but the bank had been contacted and all checks except one had been paid. See Attachment I.

Regarding the \$47,735.70 in refunds of general election contribution reported for the period 1/1/89 - 6/30/90, the Committee submitted copies of checks totaling that amount. However one check for \$1,000 did not relate to the contributions in question but was a refund of an excessive contribution made on 10/6/89. Therefore, only \$46,735.70 in checks provided relate to the general election contributions which required refunding. One \$1,000 general election contribution was reported as refunded on January 22, 1990, but no check copy was submitted.

The Committee submitted a copy of check #1246 and a debit advice from the bank indicating that the Committee's account had been charged for the item which was apparently lost in transit.

Recommendation #1

The Audit staff recommends that this matter be referred to the Office of General Counsel.

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REFERRAL-FAR  
FRIENDS OF SAM BEARD FOR U.S. SENATE

EXHIBIT A  
ATTACHMENT I

FRIENDS OF SAM BEARD FOR U.S. SENATE

SCHEDULE OF CONTRIBUTIONS REQUIRING  
REFUND OR REATTRIBUTION

CONTRIBUTOR	CONTRIBUTION DATE	EXCESSIVE AMOUNT	REF/ REA	REATTR. OR REFUND DATE	# DAYS FR PRIM	COMMENTS
BADHAM, JOHN	29-JUN-1988	250.00	REF	21-JAN-1991	863	CK# 1397 NO COPY
BEARD, ROSANNE H.	31-MAR 1988	1,000.00	REA	01-FEB-1991	874	REATTRIBUTED
FENTON, JEANNIE W.	31-MAR 1988	1,000.00	N/A		N/A	NOT EXCESSIVE
GROSSMAN, IRVING	10-MAY-1988	150.00	REA	10-FEB-1991	883	REATTRIBUTED
GUTNER, ELIZABETH D.	6-JUN-1988	1,000.00	REF	21-JAN-1991	863	CK# 1398 NO COPY
GUTNER, SAMUEL	6-JUN-1988	1,000.00	REF	21-JAN-1991	863	CK# 1399 NO COPY
HAUSSAMEN, CAROL	31-MAR 1988	1,000.00	REF	21-JAN-1991	863	CK# 1400 NO COPY
KLINE, HERBERT	14-DEC-1988	1,000.00	REA	25-JUL-1989	*	INADEQUATE REATTR *
KRAMARSKY, WERNER	29-JUN-1988	1,000.00	REA	26-JAN-1991	868	REATTRIBUTED
MASSMAN, MARTIN	25-AUG-1988	1,000.00	REF	21-JAN-1991	863	CK# 1401 NO COPY
NAKAGAWA, RON	25-AUG-1988	1,000.00	REF	21-JAN-1991	863	CK# 1403 NO COPY
RUGER, WILLIAM B.	31-DEC-1988	1,000.00	REF	21-JAN-1991	863	CK# 1404 NO COPY
SCHWARTZ, SHEILA	22-JAN-1988	1,000.00	REA	17-JUL-1989	310	REATTRIBUTED
SHEER, LYLE	1-JUN-1987	1,000.00	REF	21-JAN-1991	863	CK# 1405 NO COPY
SMITH, STEPHEN	6-SEP-1988	1,000.00	REA	19-FEB-1991	892	REATTRIBUTED
SPELLUM, ARNOLD	16-MAY-1988	250.00	REF	21-JAN-1991	863	CK# 1406 NO COPY
SPELLUM, ARNOLD	27-JUN-1988	500.00	REF	21-JAN-1991	863	CK# 1406 NO COPY
TAYLOR, WILLARD B.	30-JUN-1988	500.00	REA	29-JAN-1991	871	REATTRIBUTED
WAHL, MICHAEL	18-JUL-1988	250.00	REA			REATTRIBUTED (UNDATED)
YAKE, J. STANLEY	24-AUG-1988	1,000.00	REA	10-FEB-1991	883	REATTRIBUTED
TOTAL		<u>15,900.00</u>			836	AVERAGE # DAYS TO REATTRIBUTE OR REFUND

\* LETTER SIGNED BY ATTORNEY FOR DECEASED CONTRIBUTOR ONLY, NOT BY SPOUSE TO WHOM THE CONTRIBUTION IS TO BE REATTRIBUTED.

Failure to File Required 48 Hour Notices

Section 104.5(f) of Title 11 of the Code of Federal Regulations requires that a candidate or any authorized committee who receives any contribution of \$1,000 or more after the 20th day, but more than 48 hours, before 12:01 AM of the day of the election notify the Secretary of the Senate within 48 hours of receipt of the contribution. The notification shall be in writing and shall include the name of the candidate and office sought, the identification of the contributor and the date of receipt and amount of the contribution. The notification shall be in addition to the reporting of these contributions on the post - election report.

The date of the primary election in the state of Delaware was September 10, 1988. Therefore, the Committee was required to notify the Secretary of the Senate of any contributions of \$1,000 or more received from August 22 through September 7, 1988 within 48 hours of receipt. During that period the Committee received 36 such contributions totaling \$41,500 but failed to file any of the required 48 hour notices.

Committee officials stated that they were not aware of the regulation.

In the interim audit report, the Audit staff recommended that the Committee provide any evidence which demonstrates that it has not violated 11 C.F.R. § 104.5(f) or any other comments that the Committee believes are relevant.

In response, the Committee admits to violating 11 C.F.R. § 104.5(f) but states again that they were unaware of the requirement. The Committee stated, "...it is clear that this omission in no way violated the intent or substance of the law. All of our contributions - over \$1 million - were filed on a complete and timely basis. The oversight of not reporting 36 contributions totaling \$41,500 was of no political or strategic value and had not(sic) impact whatsoever on the campaign. We are sorry." See the Committee's response at Attachment I.

Recommendation #2

The Audit staff recommends that this matter be referred to the Office of General Counsel

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REFERRAL-FAR  
FRIENDS OF SAM BEARD FOR U.S. SENATE

EXHIBIT B  
ATTACHMENT I  
PAGE 1

SAMUEL S. BEARD  
105 Tumblerock Road  
Wilmington, DE 19807

TO: Robert J. Costa  
Assistant Staff Director  
for the Audit Division  
Federal Election Commission

FROM: Sam Beard  
Friends of Sam Beard for the U.S. Senate Committee

RE: Response to Recommendations As Per Campaign Audit

DATE: February

BACKGROUND

I am responding to your letter of December 19, 1990 about the "Friends of Sam Beard" 1988 U.S. Senate Committee.

We fully respect the professionalism and tremendous detail which you have demonstrated in reviewing all of our financial records.

Before responding to the specifics of your three recommendations, I wish to make some overall introductory remarks. The following points seem of importance to us:

- o First, we agree that we made a selected number of either technical mistakes or errors of omission. We don't deny that we made these errors. Our attitude is humble and we recognize that our compliance was not 100%.
- o Secondly, we are very happy that with all of your very thorough research that you complimented us across the board on the quality of our record keeping, the completeness of our records and our full and open disclosure.

From the beginning of my candidacy for the Senate, one of my earliest undertakings was to select a quality and totally honest local accountant to serve as treasurer of the campaign. In addition we selected a totally experienced attorney and legal advisor. Simply stated, we had nothing to hide. Our intentions were pure, and we wanted to do everything right.

We ran the Senate campaign, which you know is a massive undertaking, with volunteers and a small staff of dedicated professionals who had never done election bookkeeping before. From our viewpoint, we are gratified that intensive scrutiny found no major violations of any kind.

After two years of effort, after spending over \$1 million, thousands of transactions - all carried out for the first time by first time people - you found our books and record keeping in excellent shape.

- o Third, consistent with this, you found no willful intent in any way to violate any law. And, there was none.

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Federal Election Commission  
February  
Page two

- o Fourth, from my personal viewpoint, I have had the privilege of working for over 25 years in public service and have successfully undertaken job creation programs for the last four Presidents of the United States. My whole career and life has been public service, and running for the U.S. Senate was a wonderful reaffirmation of democracy at work. In a Senate campaign you meet thousands of wonderful people, who reinforce all over again, an individual's excitement about public service.

My purpose in presenting this background is to agree that we made mistakes, and to put them in the proper context - there was no willful intent to violate any law, that our records were thorough and open, and that our errors were all of a technical nature.

Response To Federal Election Commission Recommendations

In answering your specific issues raised, we have the following response:

A. Misstatements of Financial Activity

As you have requested, enclosed please find a comprehensive amendment for calendar year 1988 correcting reported receipts, disbursements, and cash on hand, and properly itemizing the noted unreported disbursements.

Please see Attachment I

B. Receipt of General Election Contributions

You requested that we review all refunds of monies donated to the general campaign and/or monies reattributed in accordance with 11 C.F.R. 110.1(k)(3)

We agree that we received \$88,435.70 in contributions requiring refund, redesignation, or reattribution.

We agree that an estimated \$23,000 was not refunded or reattributed in our 12/31/88 year end report.

In this report we refunded \$11,500. We reattributed \$20,300 for which we subsequently collected the jointly signed forms of reattribution as approved by the Federal Election Commission. We reattributed \$33,522.00 as per the candidate telephone conversations with the donors. These reattributions were all direct relatives of the original donors. After subsequent conversation with the Federal Election Commission, the Friends of Sam Beard committee refunded these monies, because the original donors and the designees did not have joint ownership of the original bank accounts.

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Page Three

Please note that the omissions by the Friends of Sam Beard committee were carried out with an honest intent and were all of a technical nature.

Currently, the Federal Election Commission has jointly signed and acceptable reattributions/redesignations totaling \$20,300, and all remaining general election contribution funds have been returned as requested.

Please see Attachment II for details of the \$15,900 requiring refunds or reattributions.

Further, please find attached a copy of the check (# 1246) missing from the bank statement. The check was evidently missing in transit from the Bank of New York, and the attached are copies of the information sent to us by the bank.

We have also attached copies, back and front, of the checks you requested for the \$47,735.70. Please see Attachment III.

C. Failure to File Required 48 Hour Notices

First, in retrospect, we did violate section 104.5(f) of Title 11.

Secondly, for whatever reasons, we were totally unaware of this requirement. Throughout the Senate campaign we were determined to file every report thoroughly and on time. The record is clear that in every other case, we complied with this. We prided ourselves on being detailed, professional and exact.

Most importantly, it is clear that this omission in no way violated the intent or substance of the law. All of our contributions - over \$1 million - were filed on a complete and timely basis. The oversight of not reporting 36 contributions totaling \$41,500 was of no political or strategic value and had not impact whatsoever on the campaign. We are sorry.

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

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FIRST GENERAL COUNSEL'S REPORT

**SENSITIVE**

MUR #3382

STAFF MEMBER : Phillip L. Wise

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

RESPONDENTS: Friends of Sam Beard for the U.S. Senate and  
Howard Simon, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(6)  
2 U.S.C. § 431(8)(A)  
2 U.S.C. § 441a(a)(1)(A)  
2 U.S.C. § 441a(f)  
2 U.S.C. § 441f  
11 C.F.R. § 102.9(e)  
11 C.F.R. § 110.1(b)(3)(i)(A)  
11 C.F.R. § 110.1(b)(3)(i)(B)  
11 C.F.R. § 110.1(b)(3)(i)(C)  
11 C.F.R. § 110.1(k)

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Audit Division ("Audit"). (Attachment 1). The bases for the attached referral are the failure of Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, ("Beard Committee" or "Respondents") to file forty-eight hour notifications ("48 Hour Notices") for contributions totaling \$41,500, and for receipt of General Election contributions after losing in the Primary Election. Sam Beard lost the Primary Election held on September 10, 1988, in the State of Delaware.

II. FACTUAL AND LEGAL ANALYSIS

A. Receipt of General Election Contributions

Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political

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committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000. No candidate or political committee shall knowingly accept any contribution or make any expenditure in violation of the provisions of this section. 2 U.S.C. § 441a(f).

If the candidate, or his or her authorized committee(s), receives contributions prior to the date of the primary election, which contributions are designated in writing by the contributor for use in connection with the general election such candidate or such committee(s) shall use an acceptable accounting method to distinguish between contributions received for the primary election and contributions received for the general election. 11 C.F.R. § 102.9(e)

If the candidate is not a candidate in the general election, all contributions made for the general election shall be either returned or refunded to the contributors or redesignated in accordance with 11 C.F.R. § 110.1(b)(5), or reattributed in accordance with 11 C.F.R. § 110.1(k)(3), as appropriate. 11 C.F.R. § 110.1(b)(3)(i)(B) and (C)

Any contribution made by more than one person, except for a contribution made by a partnership, shall include the signature of each contributor on the check, money order, or other negotiable instrument or in a separate writing. 11 C.F.R. § 110.1(k)(1). If a contribution made by more than one person does not indicate the amount to be attributed to each contributor, the contribution shall be attributed equally to each contributor. 11 C.F.R. § 110.1(k)(2). If a contribution

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to a candidate or political committee, either on its face or when aggregated with other contributions from the same contributor, exceeds the limitations on contributions, the treasurer of the recipient political committee may ask the contributor whether the contribution was intended to be a joint contribution by more than one person. 11 C.F.R. § 110.1(k)(3)(i).

A contribution shall be considered to be reattributed to another contributor if the treasurer of the recipient political committee asks the contributor whether the contribution is intended to be a joint contribution by more than one person, and informs the contributor that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution; and within sixty days from the date of the treasurer's receipt of the contribution, the contributors provide the treasurer with a written reattribution of the contribution, which is signed by each contributor, and which indicates the amount to be attributed to each contributor if equal attribution is not intended. 11 C.F.R. § 110.1(k)(3)(ii)(A) and (B).

The treasurer is required to examine all contributions for evidence of illegality and to ascertain whether all contributions from the same contributor when aggregated exceed contribution limitations. Any contribution which appears to be illegal and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be legal. The

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political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all refunds. 11 C.F.R. § 103.3(b)(4).

Pursuant to 2 U.S.C. § 441f no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

The Beard Committee received contributions designated by the contributors for the general election in the amount of \$83,785.70. However, the candidate lost the primary election held September 10, 1988, creating the need to refund or reattribute contributions designated for the general campaign.

The Beard Committee's report covering the period 10/1/88 to 12/31/88 disclosed refunds of general election contributions totaling \$61,072.00. However, a review of the Beard Committee's bank records indicated that the refunds were not made. In the same report, the Beard Committee disclosed \$61,072.00 as contributions from individuals. According to the candidate, the contributions represent reattribution of general election contributions. The candidate stated that he telephoned general election contributors and advised them of their option to receive a refund of their contribution or reattribute the contribution to another individual who had not made a contribution to the primary campaign. If the contributor agreed to the reattribution, the candidate was informed of the identification of the other contributor. The candidate did not

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maintain a written record of the telephone calls nor did he request written redesignation or reattribution of the contributions signed by each contributor.

The Audit staff examined copies of the general election contribution checks and noted in some cases that the contributions were reattributed to individuals who do not appear to have ownership over the funds used for the original contributions.<sup>1</sup>

The examination by Audit revealed that in some cases the listed joint account holders had each contributed \$1,000.00 to the primary and \$1,000 to the general election for a total of \$4,000. The listed reattribution shows two additional contributors, usually with the same surname, who are not shown on the contribution check as account holders. In other instances the person to whom the contributions are reattributed has a surname or address different from the surname or address of the original contributor. In total there was \$61,072.00 reattributed to persons other than the originally reported contributor.<sup>2</sup>

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1. A review of the Audit working papers reveals that there was a total of \$45,072.00 in reattributions to 53 individuals who appeared to have no ownership of the original contributions.

2. A violation of provision 2 U.S.C. § 441f of the Act was not referred because the candidate, in response to the Interim Audit Report, stated that he had assumed that individuals in the same family had joint ownership over the funds used for the contributions; and in all cases except one, these contributions have been either reattributed or refunded. In addition this Office advised that since the Committee refunded and obtained proper reattributions for the \$61,072.00 in original reattributions, references to 2 U.S.C. § 441f and 11 C.F.R. § 110.1(i)(2) in the report were unnecessary.

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In addition to the \$83,785.70 in contributions the Beard Committee received, which were designated by the contributor for the general election, the Beard Committee received contributions designated by the contributors for the primary election in excess of the limitation by \$4,650.00 for a total of \$ 88,435.70 in contributions requiring refund, redesignation or reattribution. During the period audited, the Beard Committee made refunds totaling \$11,500.00. In the reports filed after the audit period (1/1/89 to 6/30/90), the Beard Committee reported additional refunds of \$47,735.70. Regarding the \$47,735.70 in refunds of general election contributions reported for the period 1/1/89 to 6/30/90, the Beard Committee submitted copies of checks totaling that amount. The reports also contained letters authorizing the reattribution from the original donor to his or her spouse or redesignation of contributions totaling \$13,300.00. The average number of days to refund or reattribute the contributions was 258 days.

Of the \$88,435.70 in contributions requiring refund, redesignation or reattribution, \$15,900.00 has not been addressed by the Beard Committee. With regard to the above \$15,900.00 in contributions and in response to the interim audit report, the Beard Committee provided copies of letters authorizing the redesignation/reattribution of contributions totaling \$5,900.00. One letter did not contain the contributor's signature authorizing the redesignation/reattribution of a \$1,000.00 contribution. The Beard Committee also provided evidence that one contribution for

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\$1,000.00 was not excessive. The Beard Committee stated in its response that the remaining \$8,000.00 had been refunded. According to the Beard Committee, the copies of the checks evidencing the refunds were not furnished to the Commission because they had not been received from the bank. However, the Beard Committee states that it was informed, by the bank, that all checks except for one had been paid.<sup>3</sup>

During the examination of the Beard Committee, Audit also noted that on the Primary Election date (9/10/88) the Committee did not have sufficient cash-on-hand to refund all of the general election and excessive contributions. Therefore, it appears that the committee used funds, which had been contributed for the general election for the primary election.

The Audit work papers show that the funds collected for the general election were, in fact, used to pay primary election debts and expenditures. General election contributions were originally deposited into a Money Market Account. Primary election contributions and loans were originally deposited into an Exploratory Account; however, after Beard announced his candidacy these funds were deposited into an Operating Account. On December 18, 1987, the Beard Committee purchased a \$60,000.00 Certificate Of Deposit ("CD") with funds from the Money Market Account containing general election contributions. The CD

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3. The Beard Committee has never furnished copies of the refund checks for the remaining \$8,000.00.

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matured in September 1988 and in October 1988 the Beard Committee cashed it in and deposited the funds into the Operating Account. The following chart illustrates the movement of funds received by the Beard Committee:



By October 25, 1988 the Beard Committee had closed the Money Market Account and transferred the balance to the Operating Account. This resulted in all contributions received for both the primary and general election being deposited into one account from which the Beard Committee made expenditures with regard to the primary election.

Based on the foregoing, it appears that the Beard Committee received contributions for the primary election in excess of the limitations in violation of 2 U.S.C. § 441a(f). In addition, it appears that the Beard Committee received contributions designated for the general election, for which Sam Beard was not a candidate, and failed to refund such contributions and/or

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failed to receive authorization to redesignate/reattribute such contributions in a timely manner in violation of 2 U.S.C. § 441a(f). It also appears that the Beard Committee used general election designated contributions for primary election expenditures.

Furthermore, it appears that the Beard Committee made reattributions to persons in a manner which resulted in making of a contribution in the name of another. Specifically, the Beard Committee knowingly solicited contributors to redesignate/reattribute their contributions, designated for the general election, to other individuals who were not spouses of the original contributor nor joint account holders with the original contributor. Therefore, the Beard Committee knowingly accepted these contribution in the name of another in violation of 2 U.S.C. § 441f.<sup>4</sup>

B. Failure to File Required 48 Hour Notices

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

4. The General Counsel makes no recommendation as to the individual contributors because any violation they may have committed was the result of the Beard Committee's request that they reattribute their contributions, and/or that the Committee through an alleged mistake reattributed said contributions to the wrong party

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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)

Pursuant to 11 C.F.R. § 104.5(f), if any contribution of \$1,000.00 or more is received by any authorized committee of a candidate after the 20th day, but more than 48 hours, before 12:01 A.M. of the day of the election, the principal campaign committee of that candidate shall notify the Commission, the Clerk of the House, the Secretary of State, as appropriate, within 48 hours of receipt of the contribution. The notification shall be in writing and shall include the name of the candidate and office sought by the candidate, the identification of the contributor, and the date of receipt and amount of the contribution. The notification shall be in addition to the reporting of these contributions on the post-election report.

The date of the primary election in the state of Delaware was September 10, 1988. Therefore, the Beard Committee was required to notify the Secretary of the Senate of any contributions of \$1,000.00 or more received from August 22 through September 7, 1988 within 48 hours of receipt. During

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that period the Beard Committee received 35<sup>5</sup> such contributions totaling \$41,500.00 but failed to file any of the required 48 hour notices in violation of 2 U.S.C. § 434(a)(6). The Office of the General Counsel recommends that the Commission find reason to believe that the Committee violated 2 U.S.C. §§ 434(a)(6).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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5. Audit has stated that there are 36 such contributions, however, a review of the Audit papers by this Office has disclosed that there were in fact are only 35 contributions

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IV. RECOMMENDATIONS


1. Find reason to believe that Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and enter into conciliation prior to a finding of probable cause to believe.
2. Approve the appropriate letter, Factual and Legal Analysis, and proposed conciliation agreement.

Lawrence M. Noble  
General Counsel

Date

1/9/92

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments:

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / DONNA ROACH *DR*  
COMMISSION SECRETARY

DATE: JANUARY 15, 1992

SUBJECT: MUR 3382 - FIRST GENERAL COUNSEL'S REPORT  
DATED JANUARY 9, 1992.

The above-captioned document was circulated to the  
Commission on MONDAY, JANUARY 13, 1992 at 11:00 A.M.

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

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

This matter will be placed on the meeting agenda  
for TUESDAY, JANUARY 28, 1992

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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F.E.C.  
SECRETARIAT  
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MEMORANDUM

January 23, 1992

TO: The Commission

FROM: Lawrence M. Noble  
General Counsel

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

**SENSITIVE**

**EXECUTIVE SESSION**

JAN 28 1992

SUBJECT: Addenda in MUR 3382

The First General Counsel's Report in MUR 3382, dated January 9, 1992, has been objected to and placed on the agenda for Tuesday, January 28, 1992. We ask that this memorandum and attachments also be placed on the agenda for the Commission's consideration in conjunction with the report in MUR 3382.

The attachments seek to clarify the figures used as the basis for the alleged violations, particularly with respect to the reattributions and the 2 U.S.C. § 441f question.

As the report pointed out, the committee reattributed \$61,072 in excessive primary contributions or general election contributions that required refund or reattribution because the candidate lost the primary election. Of this amount, \$7,000 consisted of checks drawn on joint accounts where the reattribution was to the other account holder, \$10,250 consisted of checks drawn on joint accounts where the reattribution was to some one other than a joint account holder, and \$5,650 consisted of checks drawn on accounts where neither the original contributor or the reattributed contributor was the account holder. The remaining \$38,172 consisted of checks drawn on single accounts where the reattribution was to someone other than the account holder.

The sum total of all reattributions to individuals who appeared to have no ownership of the original contribution is \$54,072.00.<sup>1/</sup> See, Attachment entitled, Beard Committee Chart Explaining Footnote #1 On Page #5 Of The General Counsel's Report Signed January 9, 1992. This raises the possibility that the committee was having contributions reattributed in a manner that resulted in the receipt of contributions in the names of

1/ In the General Counsel's Report this amount was stated as \$45,072.00, however after requesting confirmation of this figure from Audit, it was discovered that the amount should have been \$54,072.00.

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others. These reattributed contributions were allegedly refunded.

The \$54,072 in contributions reattributed to someone other than the account holder includes reattributions to persons with the same last name and at the same address as the original contributor, to persons with different last names at the same address as the original contributor, to persons with the same last names but at different addresses (often different states) as the original contributor, and to persons with different last names and at different addresses as the original contributor. There is also an instance of reattributions involving an estate. From the information developed during the audit and from committee reports, it is not possible to ascertain at this point whether the person to whom contributions were reattributed were spouses of the original contributors, adult offspring, minor children, or other family members.

The report treats the committee's activity in obtaining reattributions that appear to result in the receipt of contributions in the names of others as well as the evidence that the committee spent general election contributions on the primary as circumstances that offset the making of refunds.

#### Attachments

Staff person: Phillip L. Wise

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BEARD COMMITTEE 441a(f) CHART

General Election Contributions

\$83,785.70

Primary Election Excessives  
Contributors and Amounts

Grosman	\$ 150.00
Kramarsky	1,000.00
Massmon	1,000.00
Smith	2,000.00
Taylor	500.00

)

4,650.00

Total Requiring Refund, Redesignation  
or Reattribution

\$88,435.70

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BEARD COMMITTEE REFUND CHART

Total Amount Requiring Refund,  
Redesignation or Reattribution \$88,435.70

(The amounts which are listed below are subtracted from the above total amount requiring refund, redesignation or reattribution.)

Amount Refunded During  
Audit Period 11,500.00

Report Of Refunds and Accompanying  
Checks (1/1/89 to 6/30/90) 47,735.70

Report Of Reattributions/Redesignations  
And Authorization Letters 13,300.00

SUBTOTAL \$72,535.70

Mathematical Computation \$88,435.70  
(minus) 72,535.70  
(equals) \$15,900.00

\$15,900.00 is the amount which the Beard Committee originally did not address.

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BEARD COMMITTEE REFUND OF \$15,900.00

Amount Originally Not Addressed Which  
Required Refund, Redesignation or  
Reattribution

\$15,900.00

(The amounts which are listed below are subtracted from the above amount.)

Signed Authorization letters furnished  
for redesignation/reattribution

5,900.00

Unsigned Authorization letter furnished  
for redesignation/reattribution

1,000.00

Evidence furnished was not excessive

1,000.00

SUBTOTAL \$7,900.00

Mathematical Computation \$15,900.00

(minus) 7,900.00

(equals) \$ 8,000.00

The Beard Committee allegedly refunded the remaining \$8,000.00 however they have furnished no proof of such a refund. The Conciliation Agreement proposed by this Office requires such a refund or proof that the refund has been in fact made.

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BEARD COMMITTEE REATTRIBUTION CHART

SINGLE ACCOUNT TO SOMEONE NOT ON ACCOUNT

<u>Original Contributor</u>	<u>Reattributed Contributor</u>	<u>Amount</u>
Tatiana Copeland (DE)	Maria Brandt (TX)	\$1,000.00
David P. Crosby (MN)	Katherine Crosby (MN, Spouse)	500.00
Lee Ault Carter (OH)	Lee Carter Jr. (OH)	1,000.00
Patricia M. Cloherty (NY)	Margaret Steinman (CA)	1,000.00
Robert W. Davenport (NY)	Thomas Davenport (WI)	1,000.00
John DelCampo (DE)	Nancy DelCampo (DE, Spouse)	800.00
Paul W. Douglas (CT)	Colette Douglas (NY, Spouse)	1,000.00
Richard B. Fisher (NY)	Emily Fisher (NY, Spouse)	1,000.00
Bradford M. Freeman (CA)	Lisa Freeman (CA)	1,000.00
Irving W. Grossman (DE)	Danielle Grossman (DE, Same)	150.00
Samuel Gutner (NY)	Paul Kaplan (NY)	1,000.00
Carol Haussamen (NY)	Dale Hemmerdinger (NY, Same)	1,000.00
Gary Hellinger (CT)	Marilyn Hellinger (CT, Spouse)	1,000.00
Philip C. Iglehart (CT)	Sasha Iglehart (NY)	1,000.00
Susan L. Igleharr (MD)	Laura Iglehart (MA)	1,000.00
Herbert Kline (NY)	Jacqueline Kline (NY, Same)	1,000.00

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Judith E. Kulanda (IL)	David Kulanda (IL, Same)	1,000.00
Barry LeMieux (NH)	Patti Kanter (NH, Same)	1,000.00
William M. Lese (NY)	Sahra Lese (NY)	1,000.00
Hugh W. Levey (NY)	Evan Levey (NY, Same)	1,000.00
Wendy Levey (NY)	Dwight Hilson (NY)	1,000.00
Stuart Lichter (CA)	Margaret Kilb (NY)	1,000.00
Sara L. Loveland (NY)	George Loveland (TN)	1,000.00
Daniel Lufkin (NY)	Elise G.B. Lufkin (ID)	1,000.00
Andrew Marks (NY)	Michael Solomon (NY)	1,000.00
Martin Massman (CA)	Bruce Massman (CA)	1,000.00
Ron Nakagawa (CA)	Sandra Massman (CA)	1,000.00
Joseph Nolan (IL)	Chris Loveland (CA)	1,000.00
Minna Towbin Finger (NY)	Jess Towbin (NJ)	1,000.00
Ralph J. Roberts (PA)	Suzanne Roberts (PA)	1,000.00
Stephen E. Smith (NY)	Jean Smith (NY, Same)	1,000.00
Arnold Spellum (NY)	Mark A. Spellum (NY, Same)	750.00
Estate of Joseph Tigani J. Paul Tigani (Trustee) (DE)	Josephine Tigani (DE)	286.00

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J. Paul Tigani (DE)	Greg Tigani (DE)	700.00
J. Vincent Tigani, Jr. (DE)	Estate of Joseph Tigani (DE)	286.00
Rita Tigani (DE)	Jeanne Tigani (DE)	1,000.00
Irene K. Towbin (NY)	Zach Towbin (NY)	1,000.00
Robert Towbin (NY)	Belmont Towbin (NY, Same)	1,000.00
Abraham Towbin, Jr. (NY)	Phoebe Towbin (NY)	1,000.00
Michael Wahl (NY)	Andrew Wahl (NY, Same)	250.00
Bruce Zenkel (NY)	Gary & Daniel Zenkel (NY)	1,000.00
Lois Zenkel (NY)	Lisa Zenkel (NY)	1,000.00
John "Jack" Crane (DE)	Mary E. Crane (DE, Spouse)	100.00
Alfred Gawthrop, Jr. (CA)	Al Gawthrop III (CA)	100.00
John Badham (CA)	Jan Badham (CA, Same)	250.00

TOTAL: \$38,172.00

This Office only has information that six of the above reattributions was to a spouse. The total amount of these six reattributions is \$4,400.00.

JOINT ACCOUNT TO SOMEONE NOT ON ACCOUNT

<u>Original Contributor</u>	<u>Joint Acct Holder</u>	<u>Reattributed Contributor</u>	<u>Amount</u>
Alan Applebua (NY)	Judith Applebua (NY)	Alexander Applebua (NY)	\$1,000
Judith Applebua (NY)	Alan Applebua (NY)	Stephen Shalen (NY, Same)	1,000

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William Bardel (NY)	Penelope Bardel (NY)	Penny Bardel (NY, Same)	500
Elizabeth D. Gutner (NY)	Samuel Gutner (NY)	Sarinda Darrow (NY)	1,000
William Lawrence (NJ)	Lois Lawrence (NJ)	William Lawrence, Jr. (CO)	750
Harold Lustig (CT)	Laura Lustig (CT)	Andrew Lustig (CT, Same)	1,000
Laura Lustig (CT)	Harold Lustig (CT)	Lynn Lustig (CT)	1,000
Judith Sheer (NY)	Lyle Sheer (NY)	Kenneth Sheer (NY, Same)	1,000
Lyle Sheer (NY)	Judith Sheer (NY)	Eric Sheer (NY, Same)	1,000
Gerson Strassberg (NY)	Roslyn Strassberg (NY)	Laurie Amster (NY)	1,000
Roslyn Strassberg (NY)	Gerson Strassberg (NY)	Merrie Schrager (NY)	1,000
TOTAL:			\$10,250

JOINT ACCOUNT TO OTHER JOINT ACCOUNT HOLDER

<u>Original Contributor</u>	<u>Joint Acct Holder</u>	<u>Reattributed Contributor</u>	<u>Amount</u>
Jeannie W. Fenton (DE)	Wendell Fenton (DE, Same)	Wendell Fenton (DE, Same)	\$1,000
Alfred Goldfield (NY)	Joan Goldfield (NY)	Joan Goldfield (NY)	250
Werner Kramarsky (NY)	Sarah Ann Kramarsky (NY)	Sarah Ann Kramarsky (NY)	1,000
Paul Sack (CA)	Prentice Sack (CA, Same)	Prentice Sack (CA, Same)	1,000

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Sheila Schwartz (NY)	Richard Schwartz (NY)	Richard Schwartz (NY)	1,000
Richard Stat (PA)	Linda Stat (PA)	Linda Stat (PA)	250
Willard B. Taylor (NY)	Frederike Taylor (NY)	Frederike Taylor (NY)	500
J. Stanley Yake (NY)	Barbara Yake (NY, Same)	Barbara Yake (NY, Same)	1,000
Peter Cannell	Annie Cannell	Annie Cannell	1,000
TOTAL:			\$7,000

ACCOUNT NOT IN NAME OF ORIGINAL CONTRIBUTORS  
TO ANOTHER CONTRIBUTOR

<u>Original Contributor</u>	<u>Account Holder</u>	<u>Reattributed Contributor</u>	<u>Amount</u>
Miles Berger (NJ)	M.B. Holding Company account	Suzanne Berger (NJ)	\$1,000
Martin Berger (DE)	M.B. Holding Company account	Elsa Berger (DE)	500
Jeanette Loeb (NY)	Investment account check	Karen E. Loeb (NY)	1,000
Peter K. Loeb (NY)	(Unknown)	James M. Loeb (MA)	1,000
Peter K. Loeb, Jr. (NY)	Investment account check	Fay Winter (NY)	1,000
David M. Salter, Jr. (DE)	Holcomb & Salter Realty Co. check	Patricia Salter (?)	150
Richard Collier (NY)	(Unknown)	Roberta Collier (CT)	1,000
TOTAL:			\$5,650

GRAND TOTAL: \$61,072

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BEARD COMMITTEE CHART EXPLAINING FOOTNOTE #1 ON PAGE  
#5 OF THE GENERAL COUNSEL'S REPORT SIGNED  
JANUARY 9, 1992

The above referenced footnote states that, " A review of the Audit working papers reveals that there was a total of \$45,072.00 in reattributions to 53 individuals who appeared to have no ownership of the original contributions."

The footnote should state that, " A review of the Audit working papers reveals that there was a total of \$54,072.00 in reattributions to 63 individuals who appeared to have no ownership of the original contributions."

**MATHEMATICAL COMPUTATION**

(NOTE: Amounts and categories are from the attachment entitled Beard Committee Reattribution Chart)

TOTAL REATTRIBUTIONS INCLUDING  
ALL CATEGORIES

Single Account to Someone Not On Account	\$38,172.00
Joint Account to Someone Not On Account	10,250.00
Joint Account to Other Joint Account Holder	7,000.00
Account Not In Name Of Original Contributor To Another Contributor	<u>5,650.00</u>
<b>TOTAL</b>	<b>\$61,072.00</b>

REATTRIBUTIONS TO INDIVIDUALS  
WHO APPEARED TO HAVE NO  
OWNERSHIP OF ORIGINAL CONTRIBUTION

Single Account to Someone Not On Account	\$38,172.00
Joint Account to Someone Not On Account	10,250.00
Account Not In Name Of Original Contributor To Another Contributor	<u>5,650.00</u>
<b>TOTAL</b>	<b>\$54,072.00</b>

94030971708

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Sam Beard for the U.S.  
Senate and Howard Simon, as  
treasurer.

)  
)  
)  
)  
)

MUR 3382

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for  
the Federal Election Commission executive session on  
January 28, 1992, do hereby certify that the Commission  
decided by a vote of 6-0 to take the following actions  
in MUR 3382:

1. Find reason to believe that Friends  
of Sam Beard for the U.S. Senate and  
Howard Simon, as treasurer, violated  
2 U.S.C. §§ 434(a)(6), 441a(f), and  
441f, and 11 C.F.R. § 110.1(b)(3) and  
enter into conciliation prior to a  
finding of probable cause to believe.
2. Approve the appropriate letter, Factual  
and Legal Analysis, and proposed  
conciliation agreement as recommended  
in the General Counsel's report dated  
January 9, 1992

(continued)

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Federal Election Commission  
Certification for MUR 3382  
January 28, 1992

Page 2

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

Attest:

94030971710  
Jan. 30, 1992  
Date

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



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 10, 1992

Howard Simon, Treasurer  
Friends of Sam Beard for  
the U.S. Senate  
621 Delaware St. Van Dyke Armory  
New Castle, DE 19720

RE: MUR 3382  
Friends of Sam Beard for the  
U.S. Senate and Howard Simon,  
as treasurer

Dear Mr. Simon:

On January 28, 1992, the Federal Election Commission found that there is reason to believe Friends of Sam Beard for the U.S. Senate ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 110.1(b)(3), a provision of the Commission's Regulations. 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.

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

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Howard Simon, Treasurer  
Page 2

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 Phillip Leo Wise, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

*Joan D. Aikens*

Joan D. Aikens  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

94030971712

FEDERAL ELECTION COMMISSION  
FACTUAL & LEGAL ANALYSIS

MUR 3382

RESPONDENTS: Friends of Sam Beard for the U.S. Senate and  
Howard Simon, as treasurer

A. Receipt of General Election Contributions

Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000. No candidate or political committee shall knowingly accept any contribution or make any expenditure in violation of the provisions of this section. 2 U.S.C. § 441a(f).

If the candidate, or his or her authorized committee(s), receives contributions prior to the date of the primary election, which contributions are designated in writing by the contributor for use in connection with the general election, such candidate or such committee(s) shall use an acceptable accounting method to distinguish between contributions received for the primary election and contributions received for the general election. 11 C.F.R. § 102.9(e)

If the candidate is not a candidate in the general election, all contributions made for the general election shall be either returned or refunded to the contributors or redesignated in accordance with 11 C.F.R. § 110.1(b)(5), or reattributed in accordance with 11 C.F.R. § 110.1(k)(3), as appropriate. 11 C.F.R. § 110.1(b)(3)(i)(B) [obtain a written redesignation for another election] and (C) [obtain a written

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retribution to another contributor].

Any contribution made by more than one person, except for a contribution made by a partnership, shall include the signature of each contributor on the check, money order, or other negotiable instrument or in a separate writing. 11 C.F.R. § 110.1(k)(1). If a contribution made by more than one person does not indicate the amount to be attributed to each contributor, the contribution shall be attributed equally to each contributor. 11 C.F.R. § 110.1(k)(2). If a contribution to a candidate or political committee, either on its face or when aggregated with other contributions from the same contributor, exceeds the limitations on contributions, the treasurer of the recipient political committee may ask the contributor whether the contribution was intended to be a joint contribution by more than one person. 11 C.F.R. § 110.1(k)(3)(i).

A contribution shall be considered to be reattributed to another contributor if the treasurer of the recipient political committee asks the contributor whether the contribution is intended to be a joint contribution by more than one person, and informs the contributor that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution; and within sixty days from the date of the treasurer's receipt of the contribution, the contributors provide the treasurer with a written reattribution of the contribution, which is signed by each contributor, and which indicates the amount to be attributed to each contributor if

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equal attribution is not intended. 11 C.F.R. § 110.1(k)(3)(ii)(A) and (B).

The treasurer is required to examine all contributions for evidence of illegality and to ascertain whether all contributions from the same contributor when aggregated exceed contribution limitations. Any contribution which appears to be illegal and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all refunds. 11 C.F.R. § 103.3(b)(4).

Pursuant to 2 U.S.C. § 441f no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

The Beard Committee received contributions designated by the contributors for the general election in the amount of \$83,785.70. However, the candidate lost the primary election held September 10, 1988, creating the need to refund or reattribute contributions designated for the general campaign.

The Beard Committee's report covering the period 10/1/88 to 12/31/88 disclosed refunds of general election contributions totaling \$61,072.00. However, a review of the Beard Committee's bank records indicated that the refunds were not made. In the same report, the Beard Committee disclosed \$61,072.00 as

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contributions from individuals. According to the candidate, the contributions represent reattribution of general election contributions. The candidate stated that he telephoned general election contributors and advised them of their option to receive a refund of their contribution or reattribute the contribution to another individual who had not made a contribution to the primary campaign. If the contributor agreed to the reattribution, the candidate was informed of the identification of the other contributor. The candidate did not maintain a written record of the telephone calls nor did he request written redesignation or reattribution of the contributions signed by each contributor

The Audit staff examined copies of the general election contribution checks and noted in some cases that the contributions were reattributed to individuals who do not appear to have ownership over the funds used for the original contributions.<sup>1/</sup>

The examination by Audit revealed that in some cases the listed joint account holders had each contributed \$1,000.0 to the primary and \$1,000 to the general election for a total of \$4,000. The listed reattribution shows two additional contributors, usually with the same surname, who are not shown on the contribution check as account holders. In other instances the person to whom the contributions are reattributed

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<sup>1/</sup> A review of the Audit working papers reveals that there was a total of \$54,072.00 in reattributions to 63 individuals who appeared to have no ownership of the original contributions.

has a surname or address different from the surname or address of the original contributor. In total there was \$61,072.00 reattributed to persons other than the originally reported contributor.

In addition to the \$83,785.70 in contributions the Beard Committee received, which were designated by the contributor for the general election, the Beard Committee received contributions designated by the contributors for the primary election in excess of the limitation by \$4,650.00 for a total of \$ 88,435.70 in contributions requiring refund, redesignation or reattribution. During the period audited, the Beard Committee made refunds totaling \$11,500.00. In the reports filed after the audit period (1/1/89 to 6/30/90), the Beard Committee reported additional refunds of \$47,735.70. Regarding the \$47,735.70 in refunds of general election contributions reported for the period 1/1/89 to 6/30/90, the Beard Committee submitted copies of checks totaling that amount. The reports also contained letters authorizing the reattribution from the original donor to his or her spouse or redesignation of contributions totaling \$13,300.00. The average number of days to refund or reattribute the contributions was 258 days.

Of the \$88,435.70 in contributions requiring refund, redesignation or reattribution, \$15,900.00 has not been addressed by the Beard Committee. With regard to the above \$15,900.00 in contributions and in response to the interim audit report, the Beard Committee provided copies of letters authorizing the redesignation/reattribution of contributions

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totaling \$5,900.00. One letter did not contain the contributor's signature authorizing the redesignation/retribution of a \$1,000.00 contribution. The Beard Committee also provided evidence that one contribution for \$1,000.00 was not excessive. The Beard Committee stated in its response that the remaining \$8,000.00 had been refunded. According to the Beard Committee, the copies of the checks evidencing the refunds were not furnished to the Commission because they had not been received from the bank. However, the Beard Committee states that it was informed, by the bank, that all checks except for one had been paid.<sup>2/</sup>

During the examination of the Beard Committee, Audit also noted that on the Primary Election date (9/10/88) the Committee did not have sufficient cash-on-hand to refund all of the general election and excessive contributions. Therefore, it appears that the committee used funds, which had been contributed for the general election for the primary election.

The Audit work papers show that the funds collected for the general election were, in fact, used to pay primary election debts and expenditures. General election contributions were originally deposited into a Money Market Account. Primary election contributions and loans were originally deposited into an Exploratory Account; however, after Beard announced his

<sup>2/</sup> The Beard Committee has never furnished copies of the refund checks for the remaining \$8,000.00. Accordingly, the proposed conciliation agreement requires that the Beard Committee refund the above mentioned \$8,000.00 and/or furnish copies of the fronts and backs of checks as proof that the refunds have in fact been made.

candidacy these funds were deposited into an Operating Account. On December 18, 1987, the Beard Committee purchased a \$60,000.00 Certificate Of Deposit ("CD") with funds from the Money Market Account containing general election contributions. The CD matured in September 1988 and in October 1988 the Beard Committee cashed it in and deposited the funds into the Operating Account. The following chart illustrates the movement of funds received by the Beard Committee:



By October 25, 1988 the Beard Committee had closed the Money Market Account and transferred the balance to the Operating Account. This resulted in all contributions received for both the primary and general election being deposited into one account from which the Beard Committee made expenditures with regard to the primary election.

Based on the foregoing, it appears that the Beard Committee received contributions for the primary election that were, from

the on set, in excess of the limitations in violation of 2 U.S.C. § 441a(f). In addition, it appears that the Beard Committee received contributions designated for the general election, for which Sam Beard was not a candidate, and failed to refund such contributions and/or failed to receive authorization to redesignate/reattribute such contributions in a timely manner. 11 C.F.R. § 110.1(b)(3)(i)(B) and (C). It also appears that the Beard Committee used general election designated contributions for primary election expenditures resulting in excess aggregate receipts from some contributors in violation of 2 U.S.C. § 441a(f).

Furthermore, it appears that the Beard Committee made reattributions in a manner which resulted in the acceptance of contributions made by certain persons in the names of others. Specifically, the Beard Committee knowingly solicited contributors to redesignate/reattribute their contributions, designated for the general election, to other individuals who were not spouses of the original contributor or joint account holders with the original contributor. Therefore, the Beard Committee knowingly accepted these contributions in the name of another in violation of 2 U.S.C. § 441f.

**B. Failure to File Required 48 Hour Notices**

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

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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).

Pursuant to 11 C.F.R. § 104.5(f), if any contribution of \$1,000.00 or more is received by any authorized committee of a candidate after the 20th day, but more than 48 hours, before 12:01 A.M. of the day of the election, the principal campaign committee of that candidate shall notify the Commission, the Clerk of the House, the Secretary of State, as appropriate, within 48 hours of receipt of the contribution. The notification shall be in writing and shall include the name of the candidate and office sought by the candidate, the identification of the contributor, and the date of receipt and amount of the contribution. The notification shall be in addition to the reporting of these contributions on the post-election report.

The date of the primary election in the state of Delaware was September 10, 1988. Therefore, the Beard Committee was required to notify the Secretary of the Senate of any contributions of \$1,000.00 or more received from August 22

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through September 7, 1988 within 48 hours of receipt. During that period the Beard Committee received 35 such contributions totaling \$41,500.00 but failed to file any of the required 48 hour notices in violation of 2 U.S.C. § 434(a)(6). The Office of the General Counsel recommends that the Commission find reason to believe that the Committee violated 2 U.S.C. §§ 434(a)(6).

Therefore, there is reason to believe that Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and 11 C.F.R. § 110.1(b)(3)

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Howard Simon, Treasurer  
Friends of Sam Beard for  
the U.S. Senate  
621 Delaware St. Van Dyke Armory  
New Castle, DE 19720

RE: MUR 3382  
Friends of Sam Beard for the  
U.S. Senate and Howard Simon,  
as treasurer

Dear Mr. Simon:

On January 28, 1992, the Federal Election Commission found that there is reason to believe Friends of Sam Beard for the U.S. Senate ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 110.1(b)(3), a provision of the Commission's Regulations.

On February 10, 1992, you were notified about the above findings and 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 you 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 responded to 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) 219-3400.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

94030971723

SAM BEARD  
621 Delaware Street  
Suite 300  
New Castle, DE 19720  
(302) 323-9116

March 20, 1992

Mr. Phillip L. Wise  
Federal Election Commission  
Washington, D.C. 20463

Dear Mr. Wise:

Pursuant to our conversation earlier today, The Sam Beard For U.S. Senate Committee did not receive the conciliation agreement until today, which you very kindly sent us via FAX.

Mr. Beard is in receipt of this document, and will respond as soon as possible.

Thank you so much for your help.

Sincerely,

Nancy F. Leonard  
Assistant to Sam Beard

NFL:dim

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RECEIVED  
FEDERAL ELECTION COMMISSION  
MAR 21 1992

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

March 23, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Sam Beard  
Friends of Sam Beard for  
the U.S. Senate  
621 Delaware St.  
Suite 300  
New Castle, DE 19720

RE: MUR 3382  
Friends of Sam Beard for the  
U.S. Senate and Howard Simon,  
as treasurer

Dear Mr. Beard:

On January 28, 1992, the Federal Election Commission found that there is reason to believe Friends of Sam Beard for the U.S. Senate ("Committee") and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 110.1(b)(3), a provision of the Commission's Regulations.

On February 10, 1992, the Committee was notified about the above findings and 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 the Committee was sent a conciliation agreement offered by the Commission in settlement of this matter.

On March 20, 1992 you contacted this Office by telephone and informed me that you had not received the Commission's correspondence dated February 10, 1992. On that same date I attempted to fax this material to you, however you informed me that you did not receive all pages. Therefore, attached hereto is a complete copy of the materials the Commission mailed to your campaign committee.

On March 20, 1992, you also requested a meeting with me to discuss this matter. This meeting as per our telephone conversation is scheduled for 9:30 a.m. Thursday, April 2, 1992, at the Office of the General Counsel. If you have any documents supporting your position please bring them with you.

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Sam Beard  
Page 2

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. The 30 day period for negotiations will soon expire.

Should you have any questions, please contact me at (202) 219-3400.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

94030971726



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 10, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Sam Beard  
Friends of Sam Beard for  
the U.S. Senate  
621 Delaware St.  
Suite 300  
New Castle, DE 19720

RE: MUR 3382  
Friends of Sam Beard for the  
U.S. Senate and Howard Simon,  
as treasurer

Dear Mr. Beard:

Attached hereto is a copy of the Primary Election Report Notice, which was mailed to all candidates who sought nomination in the September 10, 1988, Delaware Primary. At a meeting with staff members from this Office on April 2, 1992, you asserted that you had no knowledge of the requirement to file 48 Hour Notices with regard to contributions. The explanation and requirement for such filing is found under the heading "LAST-MINUTE CONTRIBUTIONS."

During the above referenced meeting you also asserted that you would furnish documentation, to prove that telephone calls were made to the original contributors to acquire authorization to reattribute their contributions to another person. Please furnish such evidence to the Commission within 10 days from your receipt of this letter. If no such evidence is forthcoming this Office will make recommendations to the Commission based on the information now in the possession of the Commission.

Should you have any questions, please contact me at (202) 219-3400.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Attachment

94030971727

# PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

DELAWARE

August 5, 1988

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
PRE-PRIMARY	07/01/88**-08/21/88	08/26/88	08/29/88
OCTOBER QUARTERLY	08/22/88 - 09/30/88	10/15/88	10/15/88

## WHO MUST FILE

PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL "CANDIDATES" who seek nomination in the September 10, 1988, Delaware 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 which receive a contribution of \$1,000 or more, after the 20th day, but more than 48 hours before the election, must report it within 48 hours of its 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.

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

\*\*From the date of registration, or the close of books of the last report filed, whichever is later

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Patricia M. Cloherty  
420 Madison Avenue  
New York, NY 10017

RE: MUR 3382

Dear Ms. Cloherty:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

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Patricia M. Cloherty  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971730



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Robert W. Davenport  
5 East 22nd Street - 27F  
New York, NY 10010

RE: MUR 3382

Dear Mr. Davenport:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

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Robert W. Davenport  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

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For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971732



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Samuel Gutner  
19 East 88th Street  
New York, NY 10128

RE: MUR 3382

Dear Mr. Gutner:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

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Samuel Gutner  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971734



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Susan L. Iglehart  
Upper Melinda  
12627 Bonita Avenue  
Glyndon, MD 21071

RE: MUR 3382

Dear Ms. Iglehart:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
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If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

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Susan L. Iglehart

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971736



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Stuart Lichter  
112 Pasio De Suenos  
Redondo Beach, CA 90277

RE: MUR 3382

Dear Mr. Lichter:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

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Stuart Lichter  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971738



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Sara L. Loveland  
5 East 22nd Street #27F  
New York, NY 10010

RE: MUR 3382

Dear Ms. Loveland:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

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Sara L. Loveland  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971740



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Daniel Lufkin  
711 Fifth Avenue - Suite 401  
New York, NY 10022

RE: MUR 3382

Dear Mr. Lufkin:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
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- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

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Daniel Lufkin  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971742



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Martin Massman  
1818 South Oak Street  
Los Angeles, CA 90017

RE: MUR 3382

Dear Mr. Massman:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971743

Martin Massman  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971744

mk 3382

RECEIVED  
FEDERAL ELECT.  
COMMISSION  
MAY 1 1992

MRS. PHILIP C. IGLEHART  
3565 BUTLER ROAD  
GLYNDON, MARYLAND 21071

AUG 11 1 11 PM '92

August 6, 1992

Dear Mr. Wise

In response to your letter  
of July 30 about Sam Beard.  
I am sorry to say I have a very  
poor memory and so you must  
bear with me.

Answers by number:

1. yes —, don't really know
2. no
3. no

If you should need further  
information, my address has  
changed to the one above which  
is different from the one your letter  
was addressed to.

Thank you.

Sincerely,

Susan Iglehart

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RECEIVED  
FEDERAL ELECT.  
COMMISSION  
AUG 11 1 11 PM '92





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

AUG 17 10 32 AM '92

July 30, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Daniel Lufkin  
711 Fifth Avenue - Suite 401  
New York, NY 10022

RE: MUR 3382

Dear Mr. Lufkin:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

Aug 8, 1988 CK 4339 \$1,000  
Aug 8, 1988 CK 4340 \$1,000

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE  
92 AUG 17 PM 3:29

94030971746

Yes  
No record of this

Daniel Lufkin  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

*No record  
of this*

94030971747



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 18, 1992

POSTMASTER

U.S. Post Office

New York, New York 10128

MUR 3382

ADDRESS INFORMATION REQUEST

Pursuant to 39 C.F.R. § 265.6(d)(1), please furnish this agency with a new address, if available, for the individual or entity listed below, or verify whether the address given below is one at which mail for this individual or entity is currently being delivered.

NAME: Samuel Gutner

LAST KNOWN ADDRESS: 19 East 88th Street  
New York, New York 10128

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

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

FOR POST OFFICE USE ONLY

- ( ) Mail is Delivered to Above Address  
( ) Moved, left no forwarding address  
( ) No such address  
( ) Other (Please Specify)

New Address : \_\_\_\_\_  
\_\_\_\_\_

94030971748

AUG 24 9 24 AM '92

August 18, 1992

Mr. Phillip Wise  
Federal Election Commission  
Washington, DC 20463

RE: MUR 3382

Dear Mr. Wise:

I am in receipt of your letter dated July 30, 1992 regarding Friends of Sam Beard. For your information, I have known Sam for more than twenty years and believe he would make an excellent elected public official. Regarding your three questions, let me answer them as follows:

First, yes I made a contribution to the Friends of Sam Beard. My contribution was \$2,000.

Second, after Sam lost the primary election, he called me and informed me that he could keep only \$1,000 of the \$2,000 contribution. We discussed redesignating \$1,000 of the contribution to a close family member (a brother, I believe).

Third, Sam later called me to inform me that I could not redesignate \$1,000 to a close family member. He then refunded the excess \$1,000 to me. The contribution to Friends of Sam Beard was made on January 23, 1988 according to my canceled check. The conversation concerning redesignating the excess \$1,000 occurred shortly after the primary. Because I keep my bank statements only for one year, there is no way I can track the precise date of the refunded \$1,000.

I trust this answers your questions. If you need any additional information, please do not hesitate to contact me.

Very truly yours,

  
Robert W. Davenport

RWD/dg

92 AUG 25 AM 11:15

RECEIVED  
FEDERAL ELECTION  
COMMISSION

94030971749

SAM BEARD  
105 Tumblerock Road  
Wilmington, DE 19807

OGC 6153

August 20, 1992

Mr. George Rishel  
Mr. Philip Wise  
Federal Election Commission  
Washington, D.C. 20463

Dear Mr. Rishel & Mr. Wise:

MUR 3382

RECEIVED  
FEDERAL ELECTION COMMISSION  
92 AUG 24 PM 3:57

I very much appreciated our meeting on April 2, 1992. You were extremely helpful in clarifying a broad range of issues related to the FEC's review of the Sam Beard for Senate campaign and helped guide me.

1. Source Of The Problem

Much to my chagrin and embarrassment, I found out at that meeting that I, Sam Beard, was the source of all the campaign's problems. The campaign had been lost - all the attorneys and experts were gone. My inadvertent errors triggered your whole review because I didn't know what I was doing re: refunds and reattributions.

Please let me restate the circumstances. From the beginning of the campaign I was determined to do everything in a totally legal way and to keep totally accurate records.

Perkins Coie was the campaign's attorney, one of the nation's most distinguished election attorneys, and Simon, Master & Sidlow serves as the campaign's accountants and treasurer in the person of Howard Simon. Your staff especially complimented our campaign during the audit that our records were tremendously complete and detailed.

On September 10, 1988 Sam Beard won the primary in a spectacular come from behind victory. This victory was recognized in the newspapers and on Philadelphia television. We won by six points - 53% to 47%. For one week we waged the general election. On Monday, September 12, 1988 my primary opponent indicated that there was a computer error in the count. We discounted these claims and proceeded on the general election. A rapid statewide count was completed by the Delaware Election Commission by Friday, September 16, 1988, and I had lost the primary by 71 votes statewide. For six days Sam Beard was the official Democratic nominee and was waging the general election.

To say the least the reversal of events was devastating and depressing. I took a few days off and went back to work at my job beginning in October. The campaign was \$300,000 in debt, all the lawyers, advisors, and experienced staff were gone. I had no knowledge of FEC reallocation or refunding procedures. I knew that I had received over

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\$80,000 of donations for the general election, and that these monies needed either to be reattributed or refunded. I did everything that I thought was right. I called everyone who I thought had made a contribution to the general election and offered to return their money. Unhappily for me twelve individuals requested the excess donation to be returned, and the records indicate that \$11,500 was returned. Sixty-eight donors were willing to reattribute the excess. This was the root of the campaign's problems and led to your review of the campaign. There was no attempt to break any laws. A distraught former candidate, not knowing the intricate FEC regulations thought that these reattributions were proper. The records will show that after the FEC's March 1989 audit that proper FEC approved reattribution forms were sent and signed and approved by the FEC and all other monies were refunded.

2. General Election For A Week

The FEC was unaware that Sam Beard won the primary on Saturday, September 10, 1988 - 53% to 47%. A recount uncovered a legitimate computer data entry error and one week later on Friday, September 16, 1988 Beard stepped down as general election candidate and conceded to his primary opponent. Please see the attached clippings.

After the primary victory on September 10, 1988, the campaign spent an estimated \$10,000 on staff, rent, telephone and postage directed towards the general election.

3. Failure To File Required Forty-Eight Notice

The campaign agrees that we did not file the required forty-eight hour notice. Thirty-six contributions were received during this period totaling \$41,500.

We stated that we were totally unaware of this requirement. During the April 2, 1992 meeting the FEC stated that each campaign received specific written notice of this requirement.

We reviewed our own files and we asked our accountants to review their files. No such notices were ever received.



Our only assumption is that too often the U.S. Post Office does not deliver mail properly if the exact suite number is not detailed in the address. As an example your February 10, 1992 final report was never received by us and you finally faxed a copy to us on March 20, 1992.

Yes, we did not meet the forty-eight hour reporting requirement, but there was no political or strategic value to the \$41,000. This campaign exceeded \$1 million in contributions, and clearly there was no intent to be deceitful or to impact the election.

4. Reattributions of General Election Contributions

As admitted in number one the candidate, Sam Beard personally was responsible for not following proper FEC procedures in reattribution of the general election contributions.

The campaign was over. We had lost. We spent over \$1 million, and the game had ended in a bazaar manner, the primary win - a recount - a computer error - and a statewide 71 vote loss. All the lawyers, technicians, and staff and experienced political people were gone.

That notwithstanding during October, November, and December 1988, Sam Beard did his best, following what he thought were the proper procedures, to refund or reattribute the general election donations. Any review of the records will show that the mistakes were procedural and that there was no intent to violate the law. The candidate to the best of his ability called each of the general election donors and offered to return their money. Twelve excepted this offer for a total of \$11,500, and this money was refunded. Sixty-eight donors did not want the money back, and generously agreed to reattribute the donation to a spouse or close relative. The candidate is not experienced in election laws. This was a challenge race against an incumbent - and the great majority of the donors to the campaign were not politically active and participated because of the friendship with the candidate. These are not the conditions which would lead to a plan or plot to consciously manipulate or violate FEC regulations. Just the opposite. The record clearly shows that the campaign did everything in its power to be legal, above board, and pure. Yes, there were mistakes, but there was no intent.

The FEC asked for dates and any records indicating when these calls were made. Please see the attached list which details when each call was made.

94030971752

Dates of Original Telephone Calls to General Election Donors

Date	Name	Date	Name
11/1/88	Abrams, Richard	11/25/88	Lemieux, Barry
12/12/88	Applebaum, Alan	11/10/88	Lese, William
10/9/88	Applebaum, Judith	11/10/88	Levey, Hugh
11/88	Badham, John	11/14/88	Levey, Wendy
11/14/88	Ball, George	11/12/88	Lichter, Stuart
10/25/88	Bardel, William	11/22/88	Loeb, Jeannette
9/21/89	Beard, Anson Hill	11/12/88	Loeb, Peter
9/21/89	Beard, Anson, Jr.	11/22/88	Loeb, Peter Jr.
9/21/89	Beard, Ashley	11/22/88	Loveland, Sarah
9/21/89	Beard, James	11/15/88	Lufkin, Dan
9/21/89	Beard, Jean	11/22/88	Lustig, Harold
2/1/91	Beard, Rosane	11/18/88	Lustig, Laura
4/89	Berg Howard	12/1/88	Marks, Andrew
10/18/88	Berger, Martin	11/1/88	Marx, Helen
10/10/88	Berger, Miles	11/1/88	Marx, Louis
11/1/88	Bernhard, Joan	12/2/88	Massman, Martin
11/1/88	Bernard, Robert	12/4/88	Nakagawa, Ron
11/1/88	Bickwit, Len	12/5/88	Nolan, Joseph
11/1/88	Bronfman, Edgar Jr.	4/3/89	Osborn, Janet
11/1/88	Buttenweiser, Larry	12/5/88	Pinger, Minna T.
10/9/88	Cannell, Peter	12/7/88	Roberts, Ralph
4/89	Carney, Al	1/21/91	Ruger, William
10/11/88	Carter, Lee	11/30/88	Sack, Paul
10/20/88	Cloherly, Patricia	12/10/88	Salter, David
10/18/88	Collier, Richard	12/11/88	Schwartz, Sheila
88	Copeland, Tatiana	12/10/88	Sheer, Judith
4/18/89	Crane, John Jack	13/13/88	Sheer, Lyle
4/16/89	Crosby, David	11/30/88	Smith, Steve
10/19/88	DelCampo, John	11/12/88	Spellun, Arnold
10/10/88	Davenport, Robert	6/30/89	Standard Distrib.
10/27/88	Douglas, Paul	11/15/88	Stat, Richard
10/18/88	Fenton, Jeannie	11/18/88	Strassberg Gerson
12/14/88	Fine, Eileen	11/20/88	Strassberg Roslyn
12/14/88	Fine, Steve	11/20/88	Taylor, Willard
10/20/88	Fisher, Richard	12/10/88	Tigani, Joseph
11/1/88	Fleischer, Walter	12/8/88	Tigani, Paul
10/9/88	Freeman, Bradford	12/12/88	Tigani, Rita
11/10/88	Gawthrop, Al	12/10/88	Tigani, Vincent
10/12/88	Goldfield, Alfred	12/10/88	Towbin, Abraham
10/12/88	Grossman, Irv	12/13/88	Towbin, Irene
10/12/88	Gutner, Elizabeth	12/12/88	Towbin, Robert
10/7/88	Gutner, Sam	11/1/88	Wahl, Michael
10/21/88	Haussamen, Carol	11/9/88	Yake, Stanley
10/15/88	Hellinger, Gary	11/2/88	Zenkel, Bruce
4/17/88	Horchow, Carolyn	11/5/88	Zenkel, Lois
6/30/89	Horchow, Elizabeth		
6/30/89	Horchow, Regen		
4/17/89	Howchow, Roger		
6/30/89	Horchow, Sally		
10/12/88	Iglehart, Philip		
10/12/88	Iglehart, Susan		
10/17/88	Kline, Herbert		
19/19/88	Kramarsky, Win		
11/12/88	Kulanda, Judith		
4/3/89	Lang, Barry		
11/14/88	Lawrence, William		

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5. Detailed History and Analysis of Each General Election Donor

Attached please find a detailed chart listing by name each individual who made a general election contribution. This chart lists their names, the amount, the original action taken, and the dates (retribution or refund), and lists the final action taken (retribution or refund) and the dates.

The last column indicates the number of days elapsed which exceeds the sixty day limit.

The total number of general election donors was 101. The campaign received contributions from over 2,400 individuals - over \$1 million.

6. Time Elapsed For Refund Or Retribution

The FEC report indicates that the average number of days elapsed before refund or retribution was 258 days. The way this is written it sounds as if the Beard campaign was egregiously unresponsive.

Our analysis paints a different picture.

Immediately following the campaign we telephoned, refunded, and retributed eighty of the 101 names within the sixty day FEC required time limit. We missed twenty-one names. From our viewpoint 80% of the job was done in a timely fashion.

During the March 1989 FEC audit we found that we had not followed the correct retribution procedures. This generated a new round of activity, and in our judgment the sixty day time limit should start again. During April and May 1989 almost all of the refunds and retributions were completed with FEC approval.

On December 19, 1990 the FEC discovered nine new names that had escaped both of our attentions. Within 60 days of that date these nine names were completed with FEC approval.

By our count the average number of days elapsed was 82.

- o 54 of the 101 names (53%) were completed to FEC satisfaction within the 60-day limit.
- o 22 (an additional 22%) were completed to FEC satisfaction within 90 days of the 60-day limit.
- o 17 were completed within 365 days.
- o 8 extended up to 600 days because of cancer, illness, Altsheimer's disease, divorce, and health.

94030971754

Mr. Rishel & Mr. Wise  
August 20, 1992  
Page six

The Candidate's Summary

I have spent all my life in public service. For 25 years I have founded and chaired four economic development programs for the past four Presidents of the United States - Presidents Nixon, Ford, Carter, and Reagan. These efforts have created over 500,000 private sector jobs in disadvantaged communities - over \$15 billion of private sector financing.

To seek elected office is a high honor. We did everything honorably and legally.

Once the attorneys and political experts had left, after the campaign was over and lost, the candidate clearly made procedural mistakes in reattributing 68 contributions (2.8% of the 2,400 campaign contributions). There was no intent to do anything illegal or improper.

In fact, the candidate, even with the mistakes, is proud of the way he handled the post campaign responsibilities. On September 16, 1988 the campaign was an estimated \$300,000 in debt. The candidate did not walk away from the small businesses who had performed services for the campaign. These debts were paid as fast as possible to the surprise of most political people - but this was the honorable thing to do. The candidate raised as much money as possible to help, and then completed the task personally including further mortgaging his house. A losing campaign is very painful, but nevertheless can be handled honorably. The candidate has no regrets for venturing to seek elective office, and has now returned to full time ongoing public service.

I appreciate the job the FEC is doing, and look forward to closing this matter.

Sincerely,



Sam Beard

94030971755

# Beard beats Woo



Samuel S. Beard displays a hole in his shoe made in his successful campaigning for the U.S. Senate nomination. With him: his wife, Joan, and his children, Hillary and Alex.

## Wins right to seek Roth seat

By CELIA COHEN

Samuel S. Beard stopped his long U.S. Navy's 40-year-old political career by beating him for the Democratic nomination for the U.S. Senate in the only statewide primary Tuesday.

The election, which grew increasingly acrimonious, was a victory for Beard and the establishment support of many Democrats and labor leaders against Woo and his own organization.

Beard's victory — 52 percent to Woo's 47 percent — gave him the right to run against U.S. Sen. William V. Roth Jr., a Republican seeking his fourth career term in the Nov. 8 general election.

On a mild September day when events such as the Brandywine Arts Festival and football games kept the Delaware electorate to be elsewhere, the Beard-Woo primary was the shortest event of 21 party contests.

In the Beard-Woo primary, turnout among the state's 120,000 registered Democrats was roughly 30 percent after weeks of being headbashed by the radioactive political advertising and political maneuvering.

In the votes were being tallied, the image of the two candidates captured across Long Island in Washington took on another twist as the Delaware West Wing and Beard at the White House. When the results came in and Beard's win became obvious, Democrats regretted from Woo's headquarters to Beard's. Beard acknowledged his victory as he entered a second-floor suite where his wife Joan and supporters were gathered. He said to her "U.S. called and we won."

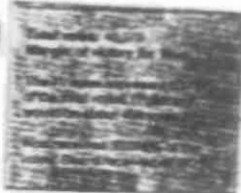
Beard said he would focus on two themes for his battle against Roth: that it's time for a change and it's important to bring U.S. resources back home.

In a concession speech, Woo apologized to the staff and to his fellow Chinese-American voters wide, saying he was sorry that he did not run a better campaign.



In an emotional moment, Joan and Samuel S. Beard embrace moments after S.B. Woo conceded defeat.

# Woo wins



## Recount is official; Beard pledges unity for general election

By WILLIAM D. ZAPENIN

Gov. S.B. Woo could finally, officially and belatedly celebrate a victory Thursday.

Woo, who had conceded defeat in Saturday's Democratic U.S. Senate primary to his opponent, Samuel S. Beard, officially became the primary winner Thursday after completion and certification of a statewide vote recount showed Woo leading Beard by a 75-vote margin.

Woo will now face Republican Sen. William V. Roth Jr. in the November general election.

The election outcome had been in doubt since Monday, when a poll worker discovered that a 2,000-vote tallying error in New Castle County had mistakenly given Beard a victory. As a result, new totals were recounted in all three counties, although results in Kent and Sussex counties were never in doubt and did not change after recounts that were completed earlier in the week.

Woo and Beard appeared at the news conference with their wives and state Democratic Party Chairman Samuel L. Shupry. Beard, Woo and Shupry clasped one another's hands and held them up in a sign of party unity, and both Beard and Woo said that a unified Democratic Party would beat Roth in November.

"With unity and with S.B.'s special qualities, we're going to beat Bill Roth," Beard said. Woo, obviously pleased by Beard's backing,

## For Beard, a last hurrah, then a kiss from his wife

Friday, Sept. 15, 1988

The News-Journal papers

By WILLIAM D. ZAPENIN

Samuel S. Beard held his wife's hand as he quietly stepped out of the year's political spotlight.

As reporters swarmed over Lt. Gov. S.B. Woo, the official winner in Saturday's Democratic U.S. Senate primary, Beard and his wife Joan slipped out of a press news conference with Woo at the Ritz-Carlton Hotel Wilmington, unobserved by the press.

The Beards walked out of the hotel almost hand-in-hand down Ninth Street, looking like any other couple out on a morning stroll. Suddenly, Joan Beard turned up and gave her husband a kiss on the cheek, a touching consolation for an emotionally wrenching experience.

Sam Beard had been the victor in a hard-fought primary for about 26 hours.

But the victory had been a cruel fate, a one-in-a-million mistake, and rather than campaigning for U.S. Senate after the Thursday news conference, instead of preparing his campaign against Republican Sen. William V. Roth Jr., Beard was in Market Street thanking those who had supported an effort that came within 75 votes of succeeding.

Beard announced his support for Woo at the news conference, and he wanted to use the occasion to thank his supporters around the state. But the event was also a catharsis, and Sam Beard found himself fighting tears as he spoke of the people who helped him.

The press pays a great deal of attention to the singular candidate, but the candidate is really a reflection of thousands of people, he said, his voice cracking with emotion.

And then a thick silence filled the air as Beard choked back tears, unable to speak.

Joan Beard rose to hug him and he collected himself. His eyes cleared, and he resumed his statement with a joke.

"My concession speech Saturday night has to go down as the most upbeat concession speech in political history," he said.

The official primary outcome was in doubt throughout the week, but it became apparent fairly early that Woo would indeed be the eventual winner. Even so, for a time when some election districts hadn't yet reported their results, Beard said he still thought he would win.

Beard said the highlight of the agonizing week was when Woo stood beside him at the New Castle County elections board meeting Monday night and agreed to his request for a recount.

"It was a beautiful thing," he said.



Joan Beard consoles her husband at news conference.



Samuel S. and Joan Beard leave the news conference where his immediate political hopes were dashed.

NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DAYS EXCEEDING 60 DAY LIMIT
Braden, Richard	\$500		Same	11/1/88	\$500 Refunded	#1 11/16/88 -0-
Braden, Richard	\$1,000	10/12/88	Reattributed To Son Alexander Appiebaum	7/27/89	\$1,000 Refunded	#2 5/22/89 65
Braden, Richard	\$1,000	10/9/88	Reattributed To Stephen Shalen	7/27/89	\$1,000 Refunded	#2 5/22/89 65
Batham, John	\$250	11/88	Reattributed To Spouse Jan Batham	1/21/91	\$250 Refunded	#2 5/22/89 599
Bell, George	\$1,000	Same		11/14/88	\$1,000 Refunded	#1 11/16/88 -0-
Bardel, William	\$500	10/25/88	Reattributed To Spouse Penny Bardel	4/8/89	FEC Approved Reattribution	#2 5/22/89 -0-
Beard, Aaron Hall	\$1,000	-	-	9/21/89	\$1,000 Refunded	#2 5-22-89 119
Beard, Aaron Jr.	\$1,000	-	-	9/21/89	\$1,000 Refunded	#2 5/22/89 119
Beard, Robert	\$1,000	-	-	9/21/89	\$1,000 Refunded	#2 5/22/89 119
Beard, James	\$1,000	-	-	9/21/89	\$1,000 Refunded	#2 5/22/89 119
Beard, James	\$1,000	-	-	9/21/89	\$1,000 Refunded	#2 5/22/89 119
Benson, Susan	\$1,000	-	-	2/1/91	FEC Approved Reattributed To Spouse	#2 5/22/89 578
Berg, Howard	\$100			4/89	FEC Approved Reattributed To Spouse Sandra	#2 5/22/89 -0-
Berger, Martin	\$500	10/18/88	Reattributed to Spouse Elan Berger	4/89	FEC Approved Reattribution	#2 5/22/89 -0-

NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DAYS EXCEEDING 60 DAY LIMIT
Brown, Tims	\$1,000	10/10/88	Reattributed To Spouse Suzanne Decker	1/89	FEC Approved Reattribution	#2 5/22/89
						-0-
Brown, John	\$1,000	Same		11/1/88	\$1,000 Refunded 9/16-11/1/88	#1 11/16/88
						-0-
Brown, Robert	\$1,000	Same		11/1/88	\$1,000 Refunded 9/16-11/1/88	#1 11/16/88
						-0-
Brown, Joe	\$1,000	Same		11/1/88	\$1,000 Refunded 9/16-11/1/88	#1 11/16/88
						-0-
Brown, Edgar Jr	\$1,000	Same		11/1/88	\$1,000 Refunded 9/16-11/1/88	#1 11/16/88
						-0-
Brown, Robert	\$1,000	Same		11/1/88	\$1,000 Refunded 9/16-11/1/88	#1 11/16/88
						-0-
Cannell, Peter	\$1,000	10/9/88	Reattributed To Spouse Annie Cannell	4/7/89	FEC Approved Reattribution	#2 5/22/89
						-0-
Carter, Al	\$1,000	-	-	4/89	FEC Approved Reattribution To Spouse	#2 5/22/89
						-0-
Carter, Lee	\$1,000	10/11/88	Reattributed To Son Lee Carter, Jr.	4/3/89	\$1,000 Refunded	#2 5/22/89
						-0-
Chabot, Patricia	\$1,000	10/20/88	Reattributed To Margaret Steinman	6/30/89	\$1,000 Refunded	#2 5/22/89
						-0-
Collins, Richard	\$1,000	10/18/88	Reattributed To Spouse Roberta Collier	5/2/89	FEC Approved Reattribution	#2 5/22/89
						-0-
Crandall, Tania	\$1,000	/88	Reattributed To Maria Brandt	12/15/89	\$1,000 Refunded	#2 5/22/89
						-0-
Cramer, John Jack	\$100	-	-	4/18/89	FEC Approved Reattribution To Spouse	#2 5/22/89
						-0-
Crosby, David	\$500	-	-	4/16/89	FEC Approved Reattribution To Spouse	#2 5/22/89
						-0-

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NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DAYS EXCEEDING 60 DAY LIMIT
Tracy, Susan, John	\$1,000	10/11/88	Reattributed To Spouse Susan Tracy	1/15/89	FEC Approved Reattribution	
Tracy, Robert	\$1,000	10/10/88	Reattributed To Relative Tom Davidson	2/15/89	\$1,000 Refunded	#2 5/22/89 211
Tracy, Paul	\$1,000	10/27/88	Reattributed To Spouse Curtis Davidson	4/6/89	FEC Approved Reattribution	#2 5/22/89 -0-
Tracy, Wendel	\$1,000	10/18/88	Reattributed To Spouse Wendel Fenton		Original Contributions Were Signed Correctly- Never A Problem	-0-
Tracy, Susan	\$1,000	Same		12/14/88	\$1,000 Refunded	#1 11/16/88 28
Tracy, Susan	\$1,000	Same		12/14/88	\$1,000 Refunded	#1 11/16/88 28
Tracy, Richard	\$1,000	10/20/88	Reattributed To Spouse Emily Fisher	4/10/89	FEC Approved Attribution	#2 5/22/89 -0-
Tracy, Walter	\$1,000	Same		11/1/88	\$1,000 Refunded 2/18/88 - 11/1/88	-0-
Tracy, Bradford	\$1,000	10/9/88	Reattributed To Daughter Lisa Freeman	4/17/89	\$1,000 Refunded	#2 5/22/89 -0-
Tracy, Al	\$100	11/10/88	Reattributed To Son Al Gusterson, III	4/24/89	FEC Approved Reattribution To Spouse	#2 5/22/89 -0-
Tracy, Alfred	\$200	10/12/88	Reattributed To Spouse Joan Goldfield	4/10/89	FEC Approved Reattribution	#2 5/22/89 -0-
Tracy, Eric	\$100	10/12/88	Reattributed To Spouse Danielle Grossman	2/10/91	FEC Approved Reattribution	#3 2/19/91 -0-
Tracy, Elizabeth	\$1,000	10/12/88	Reattributed To Mother Sarinda Dransow	1/21/91	\$1,000 Refunded	#2 5/22/89 599
Tracy, Sam	\$1,000	10/7/88	Reattributed To Paul Kaplan	1/21/91	\$1,000 Refunded	#2 5/22/89 599



NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DAYS EXCEEDING 60 DAY LIMIT
McGowan, Carol	\$1,000	10/21/89	Reattributed to Son Isak McGowan	1/21/91	\$1,000 Refunded	#1 1/19/91 -0-
McLinden, Mary	\$1,000	08/15/89	Reattributed to Spouse Maxine McLinden	8/18/89	FEC Approved Reattribution	#2 5/22/89 -0-
McNee, Carolyn	\$1,000			4/17/89	\$1,000 Reimbursed	#2 5/22/89 -0-
McNee, Elizabeth	\$1,000			6/30/89	\$1,000 Refunded	#2 5/22/89 38
McNee, Megan	\$1,000			6/30/89	\$1,000 Refunded	#2 5/22/89 38
McNee, Robert	\$1,000			4/17/89	\$1,000 Refunded	#2 5/22/89 -0-
McNee, Sally	\$1,000			6/30/89	\$1,000 Refunded	#2 5/22/89 -0-
McLachlan, Phyllis	\$1,000	10/12/88	Reattributed To Daughter Nasha McLachlan	5/8/89	\$1,000 Refunded	#2 5/22/89 -0-
McLachlan, Susan	\$1,000	10/12/88	Reattributed To Daughter Laura McLachlan	5/8/89	\$1,000 Refunded	#2 5/22/89 -0-
Kline, Wendell	\$1,000	10/17/88	Reattributed To Spouse Jacqueline Kline	7/25/89	Signed By Executor Of Estate	#2 5/22/89 83
Kromarsky, Win	\$1,000	10/19/89	Reattributed To Spouse Sara Kromarsky	1/26/91	FEC Approved Reattribution	#2 2/19/91 -0-
Kulanda, Judith	\$1,000	11/12/88	Reattributed To Relative David Kulanda	5/30/89	\$1,000 Refunded	#2 5/22/89 8
Land, Barry	\$1,000			4/3/89	\$1,000 Refunded	#1 5/22/89 -0-
Lawrence, William	\$750	11/14/88	Reattributed To Son William Lawrence, Jr.	6/30/89	\$750 Refunded	#2 5/22/89 38

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NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DAYS EXCEEDING 60 DAY LIMIT
Conover, Betty	\$1,000	11/25/88	Reattributed To Spouse Patricia Conover	4/28/89	\$1,000 Refunded	#2 5/22/89
Conover, William	\$1,000	11/10/88	Reattributed To Spouse Nancy Lowe	4/89	FBI Approved Reattribution	#2 5/22/89
Conover, Betty	\$1,000	11/10/88	Reattributed To Son Evan Lowe	11/10/88	\$1,000 Refunded	#2 5/22/89 90
Conover, Wendy	\$1,000	11/14/88	Reattributed To DeWalt Wilson	8/23/89	\$1,000 Refunded	#2 5/22/89 90
Cook, Stanley	\$1,000	11/12/88	Reattributed To Margaret Kalk	1/22/89	\$1,000 Refunded	#2 5/22/89 240
Loeb, Jennifer	\$1,000	11/22/88	Reattributed To Relative Karen Loeb	7/27/89	\$1,000 Refunded	#2 5/22/89 65
Loeb, Peter	\$1,000	11/12/88	Reattributed To Relative James Loeb	7/27/89	\$1,000 Refunded	#2 5/22/89 65
Loeb, Peter Jr.	\$1,000	11/22/88	Reattributed To Relative Ray Winter	7/27/89	\$1,000 Refunded	#2 5/22/89 65
Loveland, Sarah	\$1,000	11/22/88	Reattributed To Relative George Loveland	9/15/89	\$1,000 Refunded	#3 2/19/91 -0-
Lufkin, Dan	\$1,000	11/15/88	Reattributed To Spouse Elise Lufkin	5/30/89	\$1,000 Refunded	#2 5/22/89 8
Lustig, Harold	\$1,000	11/22/88	Reattributed To Son Andrew Lustig	4/14/89	\$1,000 Refunded	#2 5/22/89 -0-
Lustig, Lynn	\$1,000	11/18/88	Reattributed To Daughter Lynn Lustig	4/14/89	\$1,000 Refunded	#2 5/22/89 -0-
Mark, Jeffrey	\$1,000	12/1/88	Reattributed To Son Michael Solomon	4/20/89	\$1,000 Refunded	#2 5/22/89 -0-
Mark, Helen	\$1,000	None		11/1/88	\$1,000 Refunded	#1 11/16/88 -0-

NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DAYS EXCEEDING 60 DAY LIMIT
Reed, George	\$1,000	12/1/88		11/1/88	\$1,000 Refunded	# 11/1/88
						-0-
Reed, George	\$1,000	12/2/88	Reattributed To Brother George Newman	1/21/91	\$1,000 Refunded	#2 5/22/89
						599
Reed, George	\$1,000	12/1/88	Reattributed To Sandra Newman	1/21/91	\$1,000 Refunded	#2 5/22/89
						599
Reed, George	\$1,000	12/1/88	Reattributed To Relative Chris Loveland	5/30/89	\$1,000 Refunded	#2 5/22/89
						#
Reed, George	\$1,000			4/3/89	\$1,000 Refunded	#1 5/22/89
						-0-
Reed, George	\$1,000	12/5/88	Reattributed To Relative Joan Towbin	10/16/89	\$1,000 Refunded	#2 5/22/89
						188
Reed, George	\$1,000	12/7/88	Reattributed To Spouse Suzanne Roberts	4/89	FEC Approved Reattribution	#2 5/22/89
						-0-
Reed, William	\$2,000			1/21/91	\$1,000 Refunded	#2 5/22/89
						599
Reed, Fred	\$1,000	11/29/88	Reattributed To Spouse Frentice Sack	4/17/89	FEC Approved Reattribution	#2 5/22/89
						-0-
Reed, David	\$1,000	12/10/88	Reattributed To Spouse Estheria Satter	4/5/89	FEC Approved Reattribution	#2 5/22/89
						-0-
Schwartz, Richard	\$1,000	12/11/88	Reattributed To Spouse Richard Schwartz	7/17/89	FEC Approved Reattribution	#2 5/22/89
						55
Sheep, Kenneth	\$1,000	12/10/88	Reattributed To Son Kenneth Sheep	7/27/89	\$1,000 Refunded	#2 5/22/89
						65
Sheep, Eric	\$1,000	12/13/88	Reattributed To Son Eric Sheep	1/21/91	\$1,000 Refunded	#2 5/22/89
						599
Smith, Jean	\$1,000	11/20/88	Reattributed To Spouse Jean Smith	2/19/91	FEC Approved Reattribution	#3 2/19/91
						-0-

NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DAYS EXCEEDING 60 DAY LIMIT
Wahl, Andrew	\$100	11/12/88	Reattributed To Son Mark Wahl	1/21/91	\$100 Refunded	-0-
Wahl, Robert	\$1,000			6/30/89	\$1,000 Refunded	#2 5/22/89
Wahl, Richard	\$250	11/15/88	Reattributed To Spouse Linda Wahl	4/16/89	FEC Approved Reattribution	#2 5/22/89
Wahl, Robert	\$1,000	11/18/88	Reattributed To Daughter Laurie Wahl	11/6/89	\$1,000 Refunded	#2 5/22/89
Wahl, Robert	\$1,000	11/20/88	Reattributed To Daughter Marie Wahl	1/6/89	\$1,000 Refunded	#2 5/22/89
Wahl, William	\$300	11/20/88	Reattributed To Spouse Frederike Wahl	1/29/91	FEC Approved Reattribution	#3 2/19/91
Wahl, Joseph	\$142.85	12/10/88	Reattributed To Relative Josephine Wahl	5/30/89	\$142.85 Refunded	#2 5/22/89
Wahl, Paul	\$700	12/08/88	Reattributed To Relative Gary Wahl	4/20/89	\$700 Refunded	#2 5/22/89
Wahl, Erik	\$1,000	12/12/88	Reattributed To Relative	5/28/89	\$1,000 Refunded	#2 5/22/89
Wahl, Vincent	\$142.85	12/10/88	Reattributed To Estate Of Joseph Wahl	5/30/89	\$142.85 Refunded	#2 5/22/89
Wahl, Abraham	\$1,000	12/10/88	Reattributed To Relative Phoebe Wahl	10/16/89	\$1,000 Refunded	#2 5/22/89
Wahl, James	\$1,000	12/13/88	Reattributed To Son Jack Wahl	10/16/89	\$1,000 Refunded	#2 5/22/89
Wahl, Robert	\$1,000	12/12/88	Reattributed To Brother Belmont Wahl	10/16/89	\$1,000 Refunded	#2 5/22/89
Wahl, Michael	\$250	11/11/88	Reattribution To Son Andrew Wahl	1/21/91	FEC Approved Reattribution To Spouse Judith Wahl	#3 2/19/91

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NAME	AMOUNT	DATE	ORIGINAL ACTION	DATE	FINAL ACTION	DATE EXPIRING GO DATE LIMIT
	\$1,000	11/18/80	Beats Assigned To Supervisor Partners Index	12/18/81	HR Approved Reassignment	
	\$1,000	11/2/80	Beats Assigned To Supervisor Partners Index	10/18/81	HR Approved Reassignment	42 5/22/83 15.5
	\$1,000	11/2/80	Beats Assigned To Supervisor Partners Index	10/25/81	HR Approved Reassignment	42 5/22/83 15.5

94030971765



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 24, 1992

POSTMASTER

U.S. Post Office

New York, New York 10017

MUR 3382

ADDRESS INFORMATION REQUEST

Pursuant to 39 C.F.R. § 265.6(d)(1), please furnish this agency with a new address, if available, for the individual or entity listed below, or verify whether the address given below is one at which mail for this individual or entity is currently being delivered.

NAME: Patricia M. Cloherty

LAST KNOWN ADDRESS: 420 Madison Avenue

New York, New York 10017

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

  
Lois G. Lerner  
Associate General Counsel

FOR POST OFFICE USE ONLY

- ( ) Mail is Delivered to Above Address  
( ) Moved, left no forwarding address  
( ) No such address  
( ) Other (Please Specify)

New Address : \_\_\_\_\_  
\_\_\_\_\_

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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COMMISSION  
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AUG 27 9 04 AM '92

August 18, 1992

POSTMASTER

U.S. Post Office

New York, New York 10128

MUR 3382

ADDRESS INFORMATION REQUEST

Pursuant to 39 C.F.R. § 265.6(d)(1), please furnish this agency with a new address, if available, for the individual or entity listed below, or verify whether the address given below is one at which mail for this individual or entity is currently being delivered.

NAME: Samuel Gutner

LAST KNOWN ADDRESS: 19 East 88th Street

New York, New York 10128

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

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

FOR POST OFFICE USE ONLY

- ( ) Mail is Delivered to Above Address  
( ) Moved, left no forwarding address  
( ) No such address  
(✓) Other (Please Specify) *Forwarding Order Expired - Records purged*

New Address : \_\_\_\_\_  
\_\_\_\_\_



92 AUG 28 AM 10:30

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FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK  
WASHINGTON, D.C. 20463

94030971767

Sally Loveland  
5 East 22nd Street, Apt. #22C  
New York, New York 10010

August 24, 1992

Phillip L. Wise, Esq.  
Federal Election Commission  
Washington, DC 20463

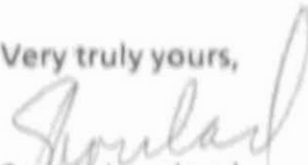
RE: MUR 3382

Dear Mr. Wise:

Please excuse the tardiness of this letter, but I have been checking my old records so I could accurately answer your questions. Because more than four years have elapsed since I made a donation to the Friends of Sam Beard, I have no checking account records concerning the transaction. Therefore, I will answer your questions from memory. First of all, regarding your first question, I did make a contribution to Friends of Sam Beard in the 1988 election. I believe the amount was \$2,000, but I cannot verify that amount from my records. Regarding your second question, my husband, Robert Davenport, discussed with me the fact that because Sam lost the primary election, he could accept only \$1,000 in contributions. We discussed redesignating the second \$1,000 to a family member. To my knowledge, nothing came of that discussion because (going to your third question) at a later date, I remember receiving a refund from Sam Beard. Unfortunately, I do not have a record of the date or amount of refund I received.

I hope this information is helpful to your investigation.

Very truly yours,

  
Sara L. Loveland

SLL/rp

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92 AUG 28 AM 10:31

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FEDERAL ELECTION COMMISSION  
92 AUG 27 11 21 AM '92

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FEDERAL ELECTION  
COMMISSION  
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AUG 31 9 17 AM '92

MARTIN MASSMAN  
5777 W. CENTURY BLVD  
SUITE 1700  
LOS ANGELES, CA 90045

August 26, 1992

Mr. Phillip L. Wise  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3382

Dear Mr. Wise:

Here are my responses per your letter of July 30, 1992.

1. Yes. March 14, 1988 - \$1,000. August 17, 1988 - \$1,000
2. Yes.
  - a. Sam Beard
  - b. telephone
  - c. I don't remember
  - d. If I wanted the money back or if it was ok to redesignate my contribution.
  - e. Bruce Massman - \$1,000
3. Yes.
  - a. \$1,000
  - b. I don't remember
  - c. Because he didn't win the primary.
  - d. Sam Beard told me because he did not win the primary.

Also, just for your records, please note my new address above.

Kindest regards,

  
Martin Massman

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AUG 31 PM 3:58

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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COMMISSION  
MAIL ROOM

SEP 8 1 16 PM '92

August 24, 1992

POSTMASTER

U.S. Post Office

New York, New York 10017

MUR 3382

ADDRESS INFORMATION REQUEST

Pursuant to 39 C.F.R. § 265.6(d)(1), please furnish this agency with a new address, if available, for the individual or entity listed below, or verify whether the address given below is one at which mail for this individual or entity is currently being delivered.

NAME: Patricia M. Cloherty

LAST KNOWN ADDRESS: 420 Madison Avenue

New York, New York 10017

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

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

FOR POST OFFICE USE ONLY

- ( ) Mail is Delivered to Above Address  
( ) Moved, left no forwarding address  
( ) No such address  
(X) Other (Please Specify)

*Moving Order Expired  
AT 38 M.H.*

New Address : \_\_\_\_\_  
\_\_\_\_\_

92 SEP -8 PM 3:30



94030971770



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Alan Applebaum  
1 State Street Plaza  
New York, NY

RE: MUR 3382

Dear Mr. Applebaum:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971771

Alan Applebaum  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971772



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Judith Applebaum  
1 State Street Plaza  
New York, NY

RE: MUR 3382

Dear Ms. Applebaum:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

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2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971773

Judith Applebaum  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971774



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John Badham  
Jasmine Mill  
1707 Manderville Lane  
Los Angeles, CA 90049

RE: MUR 3382

Dear Mr. Badham and Ms. Mill:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971775

John Badham  
Jasmine Mill  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971776



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William Bardel  
1165 Fifth Avenue - Apt. 6C  
New York, NY 10029

RE: MUR 3382

Dear Mr. Bardel:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971777



William Bardel  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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- (c) Why was the contribution(s) refunded?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971778



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Martin Berger  
Third & Market Streets  
Wilmington, DE 19801

RE: MUR 3382

Dear Mr. Berger:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971779

Martin Berger  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971780



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Miles Berger  
Lincoln Motel  
430 Broad Street  
Newark, NJ 07102

RE: MUR 3382

Dear Mr. Berger:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971781

94030971782

Miles Berger

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Peter Cannell  
160 East 72nd Street  
New York, NY 10021

RE: MUR 3382

Dear Mr. Cannell:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971783

Peter Cannell  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971784



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Lee Ault Carter  
Cincinnati Commerce Center  
600 Vine Street, Suite 1808  
Cincinnati, OH 45202

RE: MUR 3382

Dear Mr. Carter:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

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2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.,
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971785



Lee Ault Carter  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971786



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Richard Collier  
Bear, Stearns & Co., Inc.  
245 Park Avenue, 11th Floor  
New York, NY 10167

RE: MUR 3382

Dear Mr. Collier:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
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If the answer to the foregoing question is yes,

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94030971787

Richard Collier  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971788



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Tatina Copeland  
175 Brecks Lane  
Wilmington, DE 19807

RE: MUR 3382

Dear Ms. Copeland:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971739

Tatina Copeland  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971790



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John "Jack" Crane  
P.O. Box 851  
Seaford, DE 19973

RE: MUR 3382

Dear Mr. Crane:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971791

John "Jack" Crane  
Page 2

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If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971792



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

David P. Crosby  
2402 Hamel Road  
Hamel, MN 55340

RE: MUR 3382

Dear Mr. Crosby:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971793



David P. Crosby  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971794



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John DelCampo  
1004 Weldin Circle  
Wilmington, DE 19803

RE: MUR 3382

Dear Mr. DelCampo:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971795

John DelCampo  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971796



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Paul W. Douglas  
The Pittston Company  
One Pickwick Plaza  
Greenwich, CT 06830

RE: MUR 3382

Dear Mr. Douglas:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971797

Paul W. Douglas  
Page 2

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971798



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jeannie W. Fenton  
Box 3954  
Greenville, DE 19807

RE: MUR 3382

Dear Ms. Fenton:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971799

Jeannie W. Fenton

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

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- (d) How do you know why the contribution(s) was refunded?

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For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971800



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Richard B. Fisher  
1251 Avenue of the Americas  
New York, NY 10020

RE: MUR 3382

Dear Mr. Fisher:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971801



Richard B. Fisher  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971802



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Bradford M. Freeman  
523 West 6th Street, Suite 623  
Los Angeles, CA 90014

RE: MUR 3382

Dear Mr. Freeman:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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If the answer to the foregoing question is yes,

- (a) Who contacted you?
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971803

Bradford M. Freeman

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971804



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Alfred Gawthrop, Jr.  
7919 Folsom Blvd.  
Sacramento, CA 95826

RE: MUR 3382

Dear Mr. Gawthrop:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971805

Alfred Gawthorp, Jr.

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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- (c) Why was the contribution(s) refunded?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971806



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Alfred Goldfield  
67 Wall Street  
New York, NY 10005

RE: MUR 3382

Dear Mr. Goldfield:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971807

Alfred Goldfield  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971808



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Irving W. Grossman  
2006 Woodbrook Drive  
Westwood Manor  
Wilmington, DE 19810

RE: MUR 3382

Dear Mr. Grossman:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971809



Irving W. Grossman  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971810



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Elizabeth D. Gutner  
19 East 88th Street  
New York, NY 10128

RE: MUR 3382

Dear Ms. Gutner:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971811

Elizabeth D. Gutner  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971812



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Carol Haussamen  
40 Central Park South  
New York, NY 10019

RE: MUR 3382

Dear Ms. Haussamen:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971813

Carol Haussamen  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971814



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Gary Hellinger  
Cherry Valley Road  
Greenwich, CT 06831

RE: MUR 3382

Dear Mr. Hellinger:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971815

Gary Hellinger  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

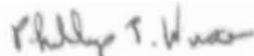
If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971816



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Philip C. Iglehart  
390 Lake Avenue  
Greenwich, CT 06830

RE: MUR 3382

Dear Mr. Iglehart:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971817



Philip C. Iglehart

Page 2

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971818



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Herbert Kline  
2880 Ocean Avenue  
Seaford, NY 11783

RE: MUR 3382

Dear Mr. Kline:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971819

Herbert Kline  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971820



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Werner Kramarsky  
33 East 70th Street  
New York, NY 10021

RE: MUR 3382

Dear Mr. Kramarsky:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971821

94030971822  
Werner Kramarsky  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Judith E. Kulanda  
4720 N. Leamington  
Chicago, IL 60630

RE: MUR 3382

Dear Ms. Kulanda:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971823

Judith E. Kulanda  
Page 2

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971824



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William Lawrence  
43 Warren Place  
Montclair, NJ 07042

RE: MUR 3382

Dear Mr. Lawrence:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

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2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971825



William Lawrence  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971826



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Barry LeMieux  
579 Sagamore Avenue  
Portsmouth, NH 03801

RE: MUR 3382

Dear Mr. LeMieux:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971827

Barry LeMieux  
Page 2

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971828



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William M. Lese  
444 Madison Avenue, Suite 401  
New York, NY 10022

RE: MUR 3382

Dear Mr. Lese:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971829

William M. Lese

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971830



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Hugh W. Levey  
60 East 42nd Street, Suite 3810  
New York, NY 10015

RE: MUR 3382

Dear Mr. Levey:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971831

Hugh W. Levey  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971832



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Wendy Levey  
920 Fifth Avenue  
New York, NY 10021

RE: MUR 3382

Dear Ms. Levey:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971833



Wendy Levey  
Page 2

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971834



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jeanette Loeb  
1285 Avenue of the Americas  
New York, NY 10019

RE: MUR 3382

Dear Ms. Loeb:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971835

Jeanette Loeb  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971836



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Peter K. Loeb  
1285 Avenue of the Americas  
New York, NY 10019

RE: MUR 3382

Dear Mr. Loeb:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971837

Peter K. Loeb

Page 2

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If the answer to the foregoing question is yes,

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971838



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Peter K. Loeb, Jr.  
1285 Avenue of the Americas  
New York, NY 10019

RE: MUR 3382

Dear Mr. Loeb:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971839

Peter K. Loeb, Jr.  
Page 2

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971840



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Harold Lustig  
47 Davis Hill Road  
Weston, CT 06880

RE: MUR 3382

Dear Mr. Lustig:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971841



Harold Lustig  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971842



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Laura Lustig  
47 Davis Hill Road  
Weston, CT 06880

RE: MUR 3382

Dear Ms. Lustig:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971843

Laura Lustig  
Page 2

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Sincerely,



Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971844



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Andrew Marks  
100 William Street, 14th Floor  
New York, NY 10038

RE: MUR 3382

Dear Mr. Marks:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971845

Andrew Marks

Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971846



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ron Nakagawa  
Transparent Films  
1816 South Oak Street  
Los Angeles, CA 90015

RE: MUR 3382

Dear Mr. Nakagawa:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971847

Ron Nakagawa  
Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971848



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joseph Nolan  
800 East Brown Street  
Harvard, IL 60033

RE: MUR 3382

Dear Mr. Nolan:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joseph Nolan  
800 East Brown Street  
Harvard, IL 60033

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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

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Joseph Nolan  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971850



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Minna Towbin Pinger  
240 East 27th Street  
Apartment 25H  
New York, NY 10016

RE: MUR 3382

Dear Ms. Pinger:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.,
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

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Minna Towbin Pinger  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

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For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971852



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ralph J. Roberts  
1 Belmont Avenue  
Bala Cynwyd, PA 19004

RE: MUR 3382

Dear Mr. Roberts:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

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Ralph J. Roberts  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971854



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Paul Sack  
3820 Washington Street  
San Francisco, CA 94118

RE: MUR 3382

Dear Mr. Sack:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971855

Paul Sack  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971856





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

David M. Salter, Jr.  
48 South Stockton Drive  
New Castle, DE 19720

RE: MUR 3382

Dear Mr. Salter:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971857

David M. Salter, Jr.  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971858



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Sheila Schwartz  
842 Sleepy Hollow Road  
Scarborough, NY 10510

RE: MUR 3382

Dear Ms. Schwartz:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971859

Sheila Schwartz  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
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For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971860



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Judith Sheer  
180 Mount Misery Road  
Huntington, NY 11743

RE: MUR 3382

Dear Ms. Sheer:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971861

Judith Sheer  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

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For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971862



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Lyle Sheer  
180 Mount Misery Road  
Huntington, NY 11743

RE: MUR 3382

Dear Mr. Sheer:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971863

Lyle Sheer  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
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For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971864





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Stephen E. Smith  
220 East 62nd Street  
New York, NY 10021

RE: MUR 3382

Dear Mr. Smith:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

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- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971865

Stephen E. Smith

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971866



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Arnold Spellun  
320 West 80th Street  
New York, NY 10024

RE: MUR 3382

Dear Mr. Spellun:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971867

Arnold Spellun  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971868



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Richard Stat  
725-A Norway Road  
Chadds Ford, PA 19317

RE: MUR 3382

Dear Mr. Stat:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

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2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971869

Richard Stat  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971870



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Gerson Strassberg  
18 Engineers Road  
Roslyn Harbor, NY 11576

RE: MUR 3382

Dear Mr. Strassberg:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

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- (a) Who contacted you?
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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971871

Gerson Strassberg  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
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Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971872





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Roslyn Strassberg  
The Angler's Group, Ltd.  
45-25 162nd Street  
Flushing, NY 11358

RE: MUR 3382

Dear Ms. Strassberg:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

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- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971873

Roslyn Strassberg  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971874



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Willard B. Taylor  
125 Broad Street  
New York, NY 10004

RE: MUR 3382

Dear Mr. Taylor:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

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94030971875

Willard B. Taylor

Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
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For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971876



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

J. Paul Tigani  
913 South Heald Street  
P.O. Box 149  
Wilmington, DE 19809

RE: MUR 3382

Dear Mr. Tigani:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971877

J. Paul Tigani  
Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971878



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

J. Vincent Tigani, Jr.  
913 South Heald Street  
P.O. Box 149  
Wilmington, DE 19809

RE: MUR 3382

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94030971879

J. Vincent Tigani, Jr.  
Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971880





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Estate of Joseph Tigani  
913 South Heald Street  
P.O. Box 149  
Wilmington, DE 19899

RE: MUR 3382

Dear Sir or Madam:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971881

Estate of Joseph Tigani  
Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971882



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Rita Tigani  
903 Stuart Road  
Westover Hills  
Wilmington, DE 19807

RE: MUR 3382

Dear Ms. Tigani:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971883

Rita Tigani  
Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971884



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Abraham Towbin, Jr.  
51 West 28th Street  
New York, NY 10001

RE: MUR 3382

Dear Mr. Towbin:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971885

Abraham Towbin, Jr.

Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971886



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Irene K. Towbin  
121 Mercer Street  
New York, NY 10012

RE: MUR 3382

Dear Ms. Towbin:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971887

Irene K. Towbin  
Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971888





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Robert Towbin  
American Express Tower  
World Financial Center  
New York, NY 10285-1700

RE: MUR 3382

Dear Mr. Towbin:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971889

Robert Towbin  
Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971890



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Michael Wahl  
475 Tenth Avenue  
New York, NY 10018

RE: MUR 3382

Dear Mr. Wahl:

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94030971891

Michael Wahl

Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971892



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

J. Stanley Yake  
10 Ferry Drive  
Rexford, NY 12148

RE: MUR 3382

Dear Mr. Yake:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971893

J. Stanley Yake

Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971894



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Bruce Zenkel  
15 W. 53rd Street  
New York, NY 10019

RE: MUR 3382

Dear Mr. Zenkel:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971895

Bruce Zenkel

Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure

FEC addressed envelope

94030971896





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Lois Zenkel  
15 West 53rd Street  
New York, NY 10019

RE: MUR 3382

Dear Ms. Zenkel:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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94030971897

Lois Zenkel

Page 2

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Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971898

ANDREW H. MARKS  
100 William Street - 14th Floor  
New York, New York 10038

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL COPY ROOM

Nov 5 11 03 AM '92

Mr. Philip L. Wise, Esq.  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 3382

Dear Mr. Wise:

Below please find my responses to your queries in your letter of October 22, 1992:

1. Yes. \$2,000 for Primary & General Election (total) - Spring of 1988;
2. Yes;
  - a. Sam Beard (or one of his staff)
  - b. telephone
  - c. cannot recall
  - d. give them name of another family member who could give the \$1,000 (part of \$2,000) intended for the General Election, since Sam did not win the Primary
  - e. Michael Solomon - son - \$1,000
3. Yes;
  - a. \$1,000 (mentioned in 2d)
  - b. cannot recall
  - c. since law only allowed \$1,000 per person/per election and Sam lost Primary, there was no General Election Fund
  - d. informed of Sam's loss.

If I can be of further service, please let me know.

Sincerely,

ANDREW H. MARKS

AHM:dm  
Enc.

92 NOV -5 PM 3:21

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL COPY ROOM

94030971899



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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FEDERAL ELECTION  
COMMISSION  
MAIL COPY ROOM

Nov 6 11 05 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

J. Stanley Yake  
10 Ferry Drive  
Rexford, NY 12148

RE: MUR 3382

Dear Mr. Yake:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- Who contacted you?
- How were you contacted? (telephone, letter, etc.)
- When were you contacted? (date)
- What was requested of you?
- Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

92 NOV -9 AM 10:45

FEDERAL ELECTION COMMISSION

yes  
\$500.00  
believe  
but I  
cannot  
lost  
my  
remin  
cheer to  
that effect.

But I was never  
contacted to give more  
or to attribute it to  
somebody else. I hope you

11/3/92

94030971900

J. Stanley Yake  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

*NO*  
If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

92 NOV - 3

*11/5/92*

94030971901



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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COMMISSION  
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Nov 6 11 04 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Tatina Copeland  
175 Brecks Lane  
Wilmington, DE 19807

RE: MUR 3382

Dear Ms. Copeland:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the 2 checks Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. 3/5/88

3/31/88 Friends of Sam Beard \$1,000.- Beard for Senate \$1,000

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? No

If the answer to the foregoing question is yes,

- Who contacted you?
- How were you contacted? (telephone, letter, etc.)
- When were you contacted? (date)
- What was requested of you?
- Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971902

92 NOV -9 AM 10:45

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COMMISSION  
MAIN COPY ROOM

Tatina Copeland  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? } NO

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971903

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COMMISSION  
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BEAR STEARNS Nov 9 9:30 AM '92

BEAR, STEARNS & CO. INC.

245 PARK AVENUE  
NEW YORK, NEW YORK 10167  
(212) 272-2000

ATLANTA • BOSTON  
CHICAGO • DALLAS • LOS ANGELES  
NEW YORK • SAN FRANCISCO  
AMSTERDAM • GENEVA • HONG KONG  
LONDON • PARIS • TOKYO

November 5, 1992

Federal Election Commission  
999 E. Street, N.W.  
Washington, D.C. 20463  
Attn: Phillip L. Wise, Esq.

RE: Richard Collier

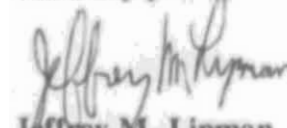
MUR 3382

92 NOV - 5 PM 3:30

Dear Mr. Wise:

As we discussed today, I mailed your October 22nd letter to the last address we had in our personnel department of Richard Collier.

Sincerely yours,



Jeffrey M. Lipman  
Managing Director

ea

F:\text\11202JL

94030971904



LEE AULT CARTER  
CINCINNATI COMMERCE CENTER  
800 VINE STREET  
SUITE 2020  
CINCINNATI, OH 45202

November 3, 1992

Federal Election Commission  
Attention: Phillip Wise  
999 E Street, N.W.  
Washington, DC 20463

Gentlemen:

MUR 3382

This is in response to your letter of October 22 regarding contributions that I made to Sam Beard's 1988 Senate Campaign.

I made two contributions as follows:

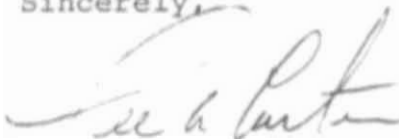
\$1,000 - Check #3744 dated 12/7/87  
\$1,000 - Check #3826 dated 3/30/88

When Sam lost the Primaries, he called to refund \$1,000. I responded that I did not want the money back and reattributed the \$1,000 to my son, Lee A. Carter, Jr.

In May of 1989 I received a \$1,000 refund from Sam Beard with the notation that the reattribution was improper and I got my money back.

Sam Beard has been a personal friend of mine since 1952 when we were school roommates. I can assure you that there was no intent to circumvent the law.

Sincerely,



Lee A. Carter

LAC/gk

94030971905

94030971905

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NOV 9 9 16 AM '92

Jeannie W. Fenton  
3423 South Creek Road  
Hill Girt Farms  
Chadds Ford, PA 19317

November 4, 1992

92 NOV -9 PM 3:37

Phillip L. Wise, Esquire  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

Re: Your Reference MUR3382

Dear Mr. Wise:

I received your letter of October 22nd. My answer to your three questions are set forth below, the numbering being the number of your question.

1. Yes, in the amount of \$1,000. I do not know the date of the contribution, but I am sure this is in the records of the campaign.

2. No.

3. No.

Yours truly,



Jeannie W. Fenton

JWF:sem

94030971906

125 BROAD STREET  
NEW YORK, N.Y. 10004

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Nov 9 9 14 AM '92

November 5, 1992

*MUR 3382*

Mr. Philip L. Wise,  
Federal Election Commission,  
999 E. Street, N.W.,  
Washington, D.C. 20463

Dear Mr. Wise:

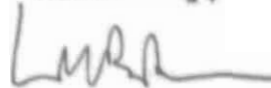
This is in response to your letter of October 22, 1992 relating to an investigation under the Federal Election Campaign Act of 1971.

1. I did make a contribution to the Friends of Sam Beard for the 1988 Senate Campaign. According to my records, I sent him a check for \$500 on June 30 of that year.

2. Sam Beard did contact me following the campaign to request that a portion of the contribution be redesignated as a contribution made by my wife. This was done by telephone. I do not remember when I was contacted and I do not remember whether I agreed to his request. If I did, the amount would have been redesignated as a contribution by Frederieke S. Taylor.

3. No contributions were refunded to me by the Friends of Sam Beard.

Sincerely,



Willard B. Taylor

94030971907

92 NOV -9 PM 3:34

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*John P. Del Campo*

1004 WELDON CIRCLE  
WILMINGTON, DELAWARE 19803

302-762-5396

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Nov 9 9 16 AM '92

November 4, 1992

Mr. Phillip Wise, Esq.  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

*MUR 3382*

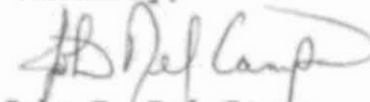
Dear Mr. Wise:

I made a contribution of \$ 800 to the "Friends of Sam Beard". My check was dated August 26, 1988.

I was never contacted to redesignate a portion of my contribution.

I never received any refund from the "Friends of Sam Beard".

Sincerely,



John P. Del Campo

92 NOV -9 PM 3:37

NOV 9 1992

94030971908



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 9 9 15 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Lyle Sheer  
180 Mount Misery Road  
Huntington, NY 11743

RE: MUR 3382

Dear Mr. Sheer:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *\$2000*  
*I DON'T REMEMBER THE DATE*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you? *SAM BEARD*
- (b) How were you contacted? (telephone, letter, etc.) *TELEPHONE*
- (c) When were you contacted? (date) *I DON'T REMEMBER*
- (d) What was requested of you? *IF I WANTED THE MONEY RETURNED*
- (e) Who did you redesignate a portion of your *ERIC SHEER WHO IS MY SON* contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to *\$1000* such person(s).

92 NOV -9 PM 3:40

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FEDERAL ELECTION COMMISSION  
OFFICE

94030971909

Lyle Sheer  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? *YES*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you? *\$1000*
- (b) When was this contribution refunded? *DON'T REMEMBER*
- (c) Why was the contribution(s) refunded? *IT WAS NOT MADE IN A PROPER MANNER*
- (d) How do you know why the contribution(s) was refunded? *SAM BEARD CALLED ME*

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

92 NOV -9 PM 3:40

94030971910



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 9 9 13 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Judith Sheer  
180 Mount Misery Road  
Huntington, NY 11743

RE: MUR 3382

Dear Ms. Sheer:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *\$2000*  
*I don't remember the date.*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you? *Sam Beard.*
- (b) How were you contacted? (telephone, letter, etc.) *Telephone*
- (c) When were you contacted? (date) *? don't remember*
- (d) What was requested of you? *if I wanted the money returned*
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s). *My son Kenneth Sheer \$1000*

92 NOV -9 PM 3:40

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COMMISSION

94030971911

Judith Sheer  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? *yes*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you? *\$1,000*
- (b) When was this contribution refunded? *don't remember*
- (c) Why was the contribution(s) refunded? *it was improperly made*
- (d) How do you know why the contribution(s) was refunded? *it was called by Sam Beard*

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971912





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 9 11 11 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Lois Zenkel  
15 West 53rd Street  
New York, NY 10019

RE: MUR 3382

Dear Ms. Zenkel:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

*yes - \$2000 (I don't remember date)*

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? *yes*

If the answer to the foregoing question is yes,

- Who contacted you? *Sam Beard*
- How were you contacted? (*telephone* letter, etc.)
- When were you contacted? (date) *Not sure end of '88?*
- What was requested of you?
- Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

Sam  
D offered to give  
money back  
I said no I  
redesigned to my  
daughter hisa.  
\$1000

92 NOV -9 PM 3:21

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94030971913

Lois Zenkel  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? *yes \$1000*

If the answer to the foregoing question is yes,

- The Beard said original contrib. had not been done right.*
- (a) How much was refunded to you? *\$1000*
  - (b) When was this contribution refunded? *Not sure - I guess early 89*
  - (c) Why was the contribution(s) refunded?
  - (d) How do you know why the contribution(s) was refunded? *Sam Beard called me after being advised by elect. commission*

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971914



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 10 11 04 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William Bardel  
1165 Fifth Avenue - Apt. 6C  
New York, NY 10029

RE: MUR 3382

Dear Mr. Bardel:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *\$500 - Aug. 1, 1988*

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? *No*

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

92 NOV 10 PM 3:40

94030971915

William Bardel  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

No

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
VEC addressed envelope

94030971916

**Standard  
Distributing  
Co.**

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(302) 655-5511  
FAX (302) 654-4254

Nov 12 1 01 PM '92

913-915 S. HEALD ST.  
P. O. BOX 149  
WILMINGTON, DE 19899

November 9, 1992

Mr. Phillip L. Wise  
Federal Election Commission  
999 E. Street N. W.  
Washington, D.C. 20463

RE: MUR 3382

Dear Mr. Wise:

I take this opportunity to respond to your letter of October 22 in the sequence requested, in my capacity as trustee for the Estate of Joseph P. Tigani.

1. Yes, two separate checks each for \$500.00 on 8-23-88, plus one check for \$142.85 on 4-23-87 from a partnership.
2. Yes
  - a) Sam Beard
  - b) telephone
  - c) in early October 1988, subsequent to the primary election
  - d) Sam offered to return a portion of my campaign contributions, I said no, I'd prefer to redesignate the contributions to another relative.
  - e) Josephine Tigani, amount \$142.85.
3. Yes
  - a) \$142.85
  - b) 5-30-89
  - c) Sam Beard telephoned to say that apparently the Estate of JPT had exceeded the \$1000 limit on contributions
  - d) same as c) above

92 NOV 12 PM 3:05

I hope this letter answers your questions fully,  
however, I would be pleased to supply any additional  
information you may require.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Paul Tigani, Trustee".

J. Paul Tigani, Trustee

JPT/wjr

94030971918

**Standard  
Distributing  
Co.**

(302) 655-5511  
FAX (302) 654-4254

913-915 S. HEALD ST.  
P. O. BOX 149  
WILMINGTON, DE 19899

November 9, 1992

Mr. Phillip L. Wise  
Federal Election Commission  
999 E. Street N. W.  
Washington, D.C. 20463

RE: MUR 3382

Dear Mr. Wise:

I take this opportunity to respond to your letter of October 22 in the sequence outlined.

1. Yes, three checks for:  
\$500.00 on 1-29-88  
\$700.00 on 8-23-88  
\$214.00 on 8-25-88
2. Yes
  - a) Sam Beard
  - b) telephone
  - c) early October 1988, subsequent to the primary election.
  - d) Sam Beard offered to return a portion of my campaign contributions, I said no, I'd prefer to redesignate the contributions to a family member.
  - e) Gregory Tigani
3. Yes
  - a) \$700.00
  - b) 5-30-89
  - c) Sam Beard called to advise that while he made every effort to reclassify the contributions properly, the FEC contacted him stating the procedures were not correct.
  - d) same as c) above

I hope these responses provide the information you need,  
if not, I would be pleased to furnish any additional  
information you might require.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Paul Tigani', with a stylized flourish at the end.

J. Paul Tigani

JPT/wjr

94030971920



# Standard Distributing Co.

(302) 655-5511  
FAX (302) 654-4254

913-915 S. HEALD ST.  
P. O. BOX 149  
WILMINGTON, DE 19899

November 9, 1992

Mr. Phillip L. Wise  
Federal Election Commission  
999 E. Street N. W.  
Washington, D.C. 20463

RE: MUR 3382

Dear Mr. Wise:

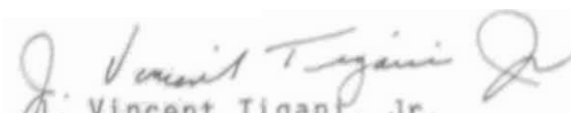
I take this opportunity to respond to your letter of October 22.

1. Yes, two separate checks each for \$500.00 on 8-23-88, plus one check for \$142.85 on 4-23-87 from a partnership.
2. Yes
  - a) Paul Tigani
  - b) in person
  - c) early October 1988, subsequent to the primary election.
  - d) Paul Tigani advised that Sam Beard had offered to return a portion of my campaign contributions, I said no, I'd prefer to redesignate the contributions to a family member.
  - e) a relative.
3. Yes
  - a) \$142.85
  - b) 5-30-89
  - c) Paul Tigani advised that Sam Beard telephoned to say that apparently I had exceeded the \$1000 limit on contributions.
  - d) same as c) above

94030971921

I trust this response is satisfactory, although I would be happy to provide any additional information you may require.

Sincerely,

  
J. Vincent Tigani, Jr.  
JVT/wjr

94030971922



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 16 11 39 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William M. Lese  
444 Madison Avenue, Suite 401  
New York, NY 10022

RE: MUR 3382

Dear Mr. Lese:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

94030971923

92 NOV 16 PM 3:20

William M. Lese  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

*As per William M. Lese he was a personal friend of Sam Beard  
and made a small contribution. Mr. Lese  
is presently out of the country & will not be  
returning till about the 1st of December.*

94030971924

# Zenkel Schoenfeld

733 Third Avenue, New York, New York 10017

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FEDERAL ELECTION  
COMMISSION  
MAIN COPY ROOM

Tel 212-983-5903 Fax 212-983-5589

Nov 16 11 21 AM '92

Bruce Zenkel

November 9, 1992

Mr. Phillip L. Wise  
Federal Election Commission  
Washington  
District of Columbia 20463

Dear Mr. Wise:

*MUR 3382*

I am in receipt of your letter dated October 22, requesting answers to your inquiries. My responses to the best of my memory are as follows:

## Questions

1. Did you make a contribution to the Friends of Sam Beard during the 1988 Senate campaign?

2. Did anyone contact you with regard to redesignating a portion of your contribution...?

(a) Who contacted you?

(b) How were you contacted?

(c) When were you contacted?

(d) What was requested of you?

(e) Who did you redesignate a portion of your contribution?

3. Were any contributions refunded to you by the Friends of Sam Beard?

(a) How much was refunded to you.

(b) When was this contribution refunded?

(c) Why was the contribution refunded?

## Answers

I have make a two thousand dollar (\$2,000.00) contribution to the Friends of Sam Beard. However, I'm unsure of the date.

Samuel S. Beard.

By telephone.

I believe it was at the end of 1988.

Mr. Beard offered to give the money back. I said it wasn't necessary.

I redesignated \$500 to my son Daniel Zenkel and \$500 to my son Gary Zenkel.

Yes.

\$1,000.

I think early 1989.

Mr. Beard said original contribution had not been done right.

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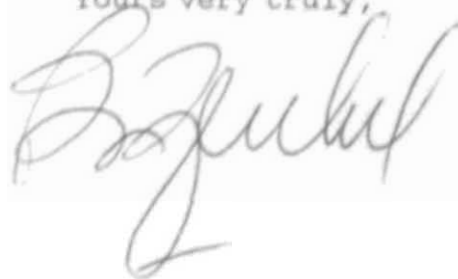
Page 2 of 2 pages.

(d) How do you know why the contribution was refunded?

Sam Beard called after being advised by the Election Commission.

Please do not hesitate to call me if you need further information.

Yours very truly,



BZ:ew

94030971926

910 Third Avenue  
New York, New York 10022  
(212) 752-5255

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Nov 16 11 22 AM '92

Peter B. Cannell Co. Inc.

November 10, 1992

Phillip L. Wise, Esq.  
Federal Election Commission  
999 East E Street, NW  
Washington, DC 20463

Re: MUR 3382

Dear Mr. Wise:

I have your letter of October 22nd asking me about the contribution that I made to my friend, Sam Beard, when he was seeking the Democratic nomination for Senator.

I am quite sure that the amount that I contributed to Sam's campaign was \$1,000.

With respect to the second question in your letter, no one contacted me with regard to redesignating a portion of my contribution to attribute it to someone other than myself.

As to your question number three no contribution was refunded to me by the Friends of Sam Beard.

Give me a call at the above number if you have any further questions.

Sincerely,



PBC/bg

94030971927

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Nov 16 11 20 AM '92

Joseph L. Nolan  
1201 N. Fourth Street  
Harvard, Illinois 60033  
November 6, 1992

Phillip L. Wise  
Federal Election Commission  
Washington, D.C. 20463

MUR3382

Dear Mr. Wise,

I have received your letter of October 22, 1992, regarding my donation to Sam Beard during the 1988 campaign. To answer your questions:

1. Yes, I made a \$1000 contribution to the Friends of Sam Beard. I also made a \$1000 contribution to Sam Beard for the U.S. Senate. Both of these were made in January of 1988.
2. No one contacted me with regard to redesignating a portion of my contribution to attribute it to someone other than myself.
3. Yes, I believe one contribution of \$1000 was refunded to me by the Friends of Sam Beard. I cannot locate a bank record of this so I can only guess that it must have been late in 1988. I believe the explanation of this was that Sam could accept a maximum of \$1000 per individual per election. I had donated \$1000 for the primary and \$1000 for the regular election, but a primary is not considered an election. I believe I received a letter explaining this.

Please understand this took place four years ago. I can only go by what I remember after this length of time. I only keep my cancelled checks for a few years. But also in 1988 I moved, and some of my records were lost or misplaced. I have been unable to locate the exact information that you seek.

If I can be of any further assistance to you, please feel free to contact me.

Sincerely,

*Joseph L. Nolan*

Joseph L. Nolan  
Citizen

92 NOV 16 PM 3:31

94030971928





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 16 11 21 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Rita Tigani  
903 Stuart Road  
Westover Hills  
Wilmington, DE 19807

RE: MUR 3382

Dear Ms. Tigani:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.  
*\$1000.00 when Sam decided to campaign*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?  
*\$1000.00 more if Sam won the primary*

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

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92 NOV 16 PM 3:31  
FEDERAL ELECTION COMMISSION

Rita Tigani  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?  
(b) When was this contribution refunded?  
(c) Why was the contribution(s) refunded?  
(d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

*\$1000.00  
refunded  
when Sam  
lost money  
back*

94030971930

RICHARD J. SCHWARTZ  
SUITE 1305  
720 FIFTH AVENUE  
NEW YORK, N. Y. 10019

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Nov 16 9 37 AM '92

212-586-4225

November 11, 1992

Mr. Phillip L. Wise  
Federal Election Commission  
999 E Street N.W.  
Washington, D.C.

RE: MUR 3382

Dear Mr. Wise:

This in answer to your letter of October 22, 1992 to my wife, Sheila Schwartz. We have searched our records, and the answer to your first question is yes. \$2,000 was given on January 20, 1988.

The answers to the second and third questions are no.

Sincerely,

*Richard J. Schwartz*

94030971931

WERNER H. KRAMARSKY  
560 BROADWAY  
NEW YORK, NEW YORK 10012

(212) 966-6601  
FAX: (212) 966-5560

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Nov 16 9 38 AM '92

November 12, 1992

Phillip L. Wise, Esq.  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Dear Mr. Wise:

*MUR 3382*

I am in receipt of your letter of October 22, 1992 with respect to contributions to the Friends of Sam Beard during the 1988 Senate campaign.

I am a fairly active contributor to political campaigns and do not exactly recall the circumstances of my contributions to Sam Beard's campaign. I do recall that there was a discussion about my second contribution to the campaign, but I do not remember the details of it.

My records indicate that I made two contributions, each in the amount of \$1,000, one on September 11, 1987 and one on June 29, 1988. We do not have a record of any money being returned.

Yours very truly,

  
Werner H. Kramarsky

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 16 11 20 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Richard Stat  
725-A Norway Road  
Chadds Ford, PA 19317

RE: MUR 3382

Dear Mr. Stat

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. YES - SEE CHECK

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? CANNOT RECALL SUCH A CONVERSATION, BUT CONTRIBUTIONS

If the answer to the foregoing question is yes, WERE FROM RICHARD & LINDA STAT

- (a) Who contacted you?  
(b) How were you contacted? (telephone, letter, etc.)  
(c) When were you contacted? (date)  
(d) What was requested of you?  
(e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

\*OR CONTACT

92 NOV 16 PM 3:35

COPIES  
ATTACHED.

94030971933

Richard Stat  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? I DON'T REMEMBER RECEIVING ANY REFUND.

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

ANSWERS BY  
Richard Stat  
11/9/92

94030971934

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Nov 16 11 19 AM '92

November 10, 1992

Federal Election Commission  
999 E. Street, N.W.  
Washington, D.C. 20463  
Attn: Phillip L. Wise, Attorney

Dear Mr. Wise,

*MUR 3382*

I am in receipt of your letter dated October 22, 1992 (copy attached) addressed to my father David M. Salter, Jr., concerning his donations to the Friends of Sam Beard campaign.

This letter is to notify you that my father passed away June 10, 1989 and therefore the answers to your questions cannot be completed. I am sorry that I could not be of any more assistance to you in this matter. If you have any questions or need further information please do not hesitate to contact me.

Very truly yours,

*Dennis M. Salter*

Dennis M. Salter  
621 Delaware Street  
New Castle, DE 19720

(302) 328-6111

92 NOV 16 PM 3:36

FEDERAL ELECTION  
COMMISSION

94030971935



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 18 11 32 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Alfred Goldfield  
67 Wall Street  
New York, NY 10005

RE: MUR 3382

Dear Mr. Goldfield:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971936

92 NOV 19 AM 10:30



Alfred Goldfield  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

11/14/92

*Dear Mr. Wise,*

As per our conversation on the telephone this morning, I do not have records for 1988. However, I remember giving Sam Beard a check for \$1000.00 for his Congressional Campaign.

*Alfred Goldfield*

94030971937



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 23 1 53 PM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William Lawrence  
43 Warren Place  
Montclair, NJ 07042

RE: MUR 3382

Dear Mr. Lawrence:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

William W. Lawrence, Jr.

92 NOV 23 PM 3:06

FEDERAL ELECTION COMMISSION

Yes.  
Can not locate dates, total \$95,750 in 1988.

Yes  
Sam Beard (S.B.)

Telephone  
late 1988  
To accept a refund of \$750 and redesignate \$750 of the original contribution

William Lawrence  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

*Yes*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you? *→ \$75,000*
- (b) When was this contribution refunded? *→ Late 1988*
- (c) Why was the contribution(s) refunded? *→ S.B. lost in the primary*
- (d) How do you know why the contribution(s) was refunded? *SB, advised me.*

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971939



## GARY PLASTIC PACKAGING CORP.

770 Garrison Ave., Bronx, N.Y. 10474-5693 212-893-2200 Fax 212-378-2141

divisions

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Antistatic Packaging

**Stockline™ Service**

Stock Plastic Boxes

November 17, 1992

Phillip L. Wise, Esq.  
Federal Election Committee  
Washington, DC 20463

Re: MUR 3382

Dear Mr. Wise:

In response to your letter of October 22, 1992, I am answering the questions posed in that letter as follows:

- 1) In January 1988, I made two \$1,000 contributions, one payable to Sam Beard for U.S. Senate, and the other check payable to "Friends of Sam Beard." A copy of these checks and my transmittal letter dated January 25, 1988 are enclosed.
- 2) In early April 1989, I received a letter dated March 28, 1989, from Sam Beard. My wife and I each signed the letter confirming that \$1,000 of my contribution was to be re-designated to the primary and re-attributed to my wife. A copy of that letter is enclosed.
- 3) No contributions were refunded to me or to my wife by the Friends of Sam Beard.

If you need additional information, please contact me.

Very truly yours,

  
Gary L. Hellinger

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FOR OUR FUTURE  
**SAM  
BEARD** U.S. SENATE

621 Delaware Street  
New Castle, DE 19720  
(302) 323-1988

March 28, 1989

Gary Hellinger  
Gary Plastics  
770 Garrison Avenue  
Bronx, NY 10474

Dear Gary,

During the campaign you were extremely generous to me, and I remain tremendously appreciative.

As you remember from our telephone conversation, you as an individual are only allowed to donate \$1000 for the 1988 U.S. Senate primary election. In our conversation you indicated that your spouse wished to make a contribution to the campaign and that you would allow me to redesignate the excessive donation from the general account to the primary account, and to attribute the excess contribution to your spouse.

For Federal Election Commission purposes please verify the above reattribution and redesignation by having both you and your spouse sign below.

\$1000.00

Excess amount to be redesignated to the primary and reattributed to my spouse.

GARY L. HELLINGER *[Signature]* 4/1/89  
NAME (original donor) SIGNATURE DATE

MAILYN HELLINGER *[Signature]* 4/1/89  
NAME (spouse) SIGNATURE DATE

Sorry to bother you again. We just want to make sure everything is done correctly.

Sincerely,

Sam Beard

Enclosure



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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COMMISSION  
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Nov 23 9 22 AM '92

October 22, 1992

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Laura Lustig  
47 Davis Hill Road  
Weston, CT 06880

RE: MUR 3382

Dear Ms. Lustig:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *one time \$2000*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? *DATE 88?*

If the answer to the foregoing question is yes,

- (a) Who contacted you? *SAM BEARD*
- (b) How were you contacted? *(telephone, letter, etc.)*
- (c) When were you contacted? *(date) I DON'T RECALL (1988?)*
- (d) What was requested of you? *TO RETURN 1000*
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s). *my daughter LYNN LUSTIG 1000*

94030971942

Laura Lustig  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you? \$1000.00
- (b) When was this contribution refunded? 1989
- (c) Why was the contribution(s) refunded? to comply with RULES
- (d) How do you know why the contribution(s) was refunded? Sam Beard said we exceed 1000 limit.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

*Laura Lustig 11/16/92*

94030971943





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 23 9 22 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Harold Lustig  
47 Davis Hill Road  
Weston, CT 06880

RE: MUR 3382

Dear Mr. Lustig:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *ONCE \$2000 @ 4/24/88*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes,

- (a) Who contacted you? *Sam Beard*
- (b) How were you contacted? *(telephone)* letter, etc.)
- (c) When were you contacted? (date) *DON'T Remember*
- (d) What was requested of you? *TO RETURN 1000 \$ to me to Redesignate*
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

*MY SON ANDREW LUSTIG*

94030971944

92 NOV 23 PM 3:17

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COMMISSION



Harold Lustig  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you? 1000
- (b) When was this contribution refunded? Approx 1969?
- (c) Why was the contribution(s) refunded? Account P. NILES
- (d) How do you know why the contribution(s) was refunded? SAM BEARD SAID WE EXCEED 1000 LIMIT

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

*Harold Lustig*  
*[Signature]*

*11/16/92*

94030971945



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Nov 23 9 20 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Irving W. Grossman  
2006 Woodbrook Drive  
Westwood Manor  
Wilmington, DE 19810

RE: MUR 3382

Dear Mr. Grossman:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.  
*Yes - \$150.00 - 4-6-88*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? *NO*

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

52 NOV 23 PM 3:16

94030971946

Irving W. Grossman  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? *No*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971947

06C 7716

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Nov 27 9 23 AM '92

MICHAEL WAHL  
475 Tenth Avenue  
New York, New York 10018

November 20, 1992

Phillip L. Wise, Esq.  
Federal Election Commission  
Washington, D.C. 20463

MUR 3382

92 NOV 27 AM 11

Re: Your Letter Dated October 22, 1992

Dear Mr. Wise:

Set forth below is my response to your October 22, 1992 letter, a copy of which is attached:

Question 1. Yes. A contribution of \$250.00, on or about July 5, 1988.

Question 2. No.

Question 3. No.

Very truly yours,

*Michael Wahl*

Michael Wahl

94030971948

# LEHMAN BROTHERS

A. ROBERT TOWBIN  
MANAGING DIRECTOR

November 24, 1992

Mr. Phillip L. Wise  
Attorney  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

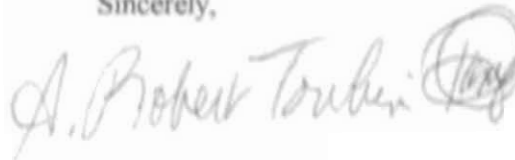
Dear Mr. Wise:

**RE: MUR 3382**

In reference to your inquiry of October 22nd, I made a contribution on November 25th, 1987 to the Friends of Sam Beard for \$1,000 and on the same date, \$1,000 to Beard for Senate for the 1988 Senate campaign. Sam did contact me about redesignating a portion of my contribution by telephone, the exact date I don't recall, and I redesignated \$1,000 to my brother, Belmont Towbin. That contribution was later refunded to me.

If you require any further information, please do not hesitate to call me at (212)298-4631.

Sincerely,



A. Robert Towbin

ART/kmf

92 DEC -1 PM 4:24

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

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MAIN COPY ROOM

DEC 2 8 43 AM '92

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John Badham  
Jasmine Mill  
1707 Manderville Lane  
Los Angeles, CA 90049

RE: MUR 3382

Dear Mr. Badham and Ms. Mill:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. 6/16/88 \$250

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? NO

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

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NOV 17 1992  
ELKINS & ELKINS

92 DEC -2 AM 9:36

94030971950

John Badham  
Jasmine Mill  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? *NO*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971951



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

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Dec 3 11 29 AM '92

October 22, 1992

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Paul Sack  
3820 Washington Street  
San Francisco, CA 94118

RE: MUR 3382

Dear Mr. Sack:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates.

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself?

If the answer to the foregoing question is yes, ANYTHING

- (a) Who contacted you?  
(b) How were you contacted? (telephone, letter, etc.)  
(c) When were you contacted? (date)  
(d) What was requested of you?  
(e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

*Can you find this info? Paul 11/3*  
*Bonus - find this info? Paul 11/3*

92DEC-3 PM 3:14

*YES*  
*SSS-BW*

*DO NOT REMEMBER ABOUT THIS*

94030971952



Paul Sack  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

DO NOT  
RECALL  
NOT REFUND

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971953

IRENE K. TOWBIN 121<sup>4</sup> MERCER STREET NEW YORK CITY 10012  
IRENE K. TOWBIN 121 MERCER STREET NEW YORK CITY 10012

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OCC 7808

December 3, 1992

MUR 3382

Dear Mr. Wise

I received your letter when I returned from a trip.

In answer to your questions I did contribute to Sam Beard's campaign. I have known Sam for a long time and he contacted me by telephone. I cannot recall the exact dates but I do remember that I sent \$1000. I was asked later if I wanted a refund and it was made to my son at my suggestion. I understood that the refunds were made because of some incorrect procedure.

I cannot furnish any exact dates on these events but these are my recollections.

If you have any further questions I would be happy to respond.

Sincerely,  
Irene K. Towbin

66C 7898

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92 DEC 14 PM 1:28



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Martin Berger  
Third & Market Streets  
Wilmington, DE 19801

RE: MUR 3382

Dear Mr. Berger:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *Yes, Copies Enclosed.*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? *No*

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s)

94030971955

Martin Berger  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? *No*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971956

Mellon Bank  
Mellon Bank (DE) N.A.  
Wilmington, DE




M B HOLDING CO. 004  
THIRD AND MARKET STREET  
WILMINGTON, DELAWARE 19801

760

Feb 16, 19 87

02-4/311

THE SUM \$1000.00

DOLLARS \$ 1,000.00

PAY  
TO THE ORDER  
OF

Beard for Senate Exploratory Committee

*M. B. Beard*

⑈0000 100000⑈

THIS CHECK IS DELIVERED FOR PAYMENT  
ON THE FOLLOWING ACCOUNTS:

Contribution


M B HOLDING CO. 004  
THIRD AND MARKET STREET  
WILMINGTON, DELAWARE 19801

964

Aug. 2, 19 88

02-4/311

THE SUM \$250.00

DOLLARS \$ 250.00

PAY  
TO THE ORDER  
OF

Friends of Sam Beard

BFE-DE

*M. B. Beard*

⑈00000 25000⑈

THIS CHECK IS DELIVERED FOR PAYMENT  
ON THE FOLLOWING ACCOUNTS:

Contribution


M B HOLDING CO. 004  
THIRD AND MARKET STREET  
WILMINGTON, DELAWARE 19801

975

Aug. 24, 19 88

02-4/311

THE SUM \$250.00

DOLLARS \$ 250.00

PAY  
TO THE ORDER  
OF

Friends of Sam Beard

NER-DE

*M. B. Beard*

⑈00000 25000⑈

Mellon Bank  
Mellon Bank (DE) N.A.  
Wilmington, DE



94030871957

FARRELL, FRITZ, CAEMMERER, CLEARY, BARNOSKY, ARMENTANO

PROFESSIONAL CORPORATION

EAB Plaza

Uniondale, New York 11556-0120

(516) 832-1000

TELECOPIER: (516) 683-0374

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JOHN M. ARMENTANO  
JOHN J. BARNOSKY  
KOR BILEWICH  
JOHN F. CLEARY  
JOHN F. COPPEY  
GEORGE J. FARRELL, JR.  
DOLores FRIEDRICH

ROBERT V. GUIDO  
THOMAS J. KILLEN  
JOHN R. MORRIS  
ANDREW J. SIMONS  
CHARLES M. STRAIN  
WILLIAM D. WALL

KENNETH AUERBACH  
JAMES A. BRADLEY  
THOMAS J. DORAN  
ARTHUR K. FELDMAN  
STEVEN G. GARNER  
ANTHONY S. GUARDINO  
KISHUA A. HAZELWOOD  
MICHAEL J. HEALY  
JUDITH HEPWORTH  
ERIC M. KRAMER  
CHRISTOPHER J. KUTNER  
SCOTT L. LANIN  
SUSAN W. LAWLER

NORA M. LINK  
BARBARA Q. McILROY  
STEPHEN F. MELORE  
DIANE K. MENDEZ  
DINA T. MILLER  
GERHARDT M. NIELSEN  
ROBERT E. SANDLER  
L. SUSAN SLAVIN  
JANICE L. SNEAD  
JOHN V. SOEDERBERG  
SANFORD STRENGER  
KAREN J. TENENBAUM

JOHN D. CAEMMERER  
1928-1982  
FRANK A. FRITZ, JR.  
1934-1982

COUNSEL  
SAMUEL S. TRIPP  
DAVID A. CAMPBELL  
J. KENNEDY HANSON  
LEONARD LAZARUS

December 10, 1992

OUR FILE NO. 6391-100

Phillip L. Wise, Esq.  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3382

Mr. Gerson Strassberg and Mrs. Roslyn Strassberg

Dear Mr. Wise:

Please be advised that this office represents Mr. Gerson Strassberg and Mrs. Roslyn Strassberg to each of whom you addressed a letter dated October 22, 1992. Both Mr. and Mrs. Strassberg have forwarded their letters to us for reply.

At the outset, please accept my apologies for the delay in responding to you. When your letters arrived, Mr. Strassberg was out of the country. He only recently returned and then forwarded them to our office for reply.

Prior to responding to any of the questions posed to Mr. & Mrs. Strassberg in your October 22, 1992 letters, I would respectfully request that you provide us with some information. Your letter specifically states that neither Mr. or Mrs. Strassberg is considered a respondent in the above-captioned matter. Your letter does, however, state that the Federal Election Commission is conducting an investigation in connection with which it requests responses from both of them.

Prior to preparing any response on behalf of Mr. or Mrs. Strassberg, I would respectfully request that you inform me of the nature of the investigation, the proposed respondent in the investigation, the nature of the information which causes you to solicit any information from the Strassbergs and how the Strassbergs are involved in the investigation. This should permit

94030971958


Phillip L. Wise, Esq.  
December 10, 1992

-2-

us to prepare a proper response to the questions contained in your  
October 22, 1992 letter.

Thank you in advance for your anticipated courtesy and  
cooperation in this matter.

Very truly yours,



Igor Bilewich

IB/lmc

cc: Mr. Gerson Strassberg  
Mrs. Roslyn Strassberg

RICHARD T. COLLIER  
P. O. BOX 798  
SOUTHPORT, CT 06490

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DEC 14 12 27 PM '92

December 8, 1992

Mr. Philip L. Wise  
Attorney  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

Dear Sir:

Re: MUR 3382

This will reply to your letter of October 22, sent to my former office at Bear Stearns and Company, Inc.

The answer to your first question is "yes". The amount was \$2,000. I don't recall the dates and my check stubs for this period are in storage.

Question 2 is also "yes". Sam Beard contacted me by telephone, and I don't recall the exact date, probably in late '88. Sam offered to return my contribution and I refused, I redesignated one half of my contribution to my wife Robbie.

Question 3 is "no".

Sincerely,

*Richard T. Collier*

92 DEC 14 PM 1:29

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

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October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

David P. Crosby  
2402 Hamel Road  
Hamel, MN 55340

RE: MUR 3382

Dear Mr. Crosby:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *Yes*
2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? *NO*

If the answer to the foregoing question is yes,

- (a) Who contacted you?
- (b) How were you contacted? (telephone, letter, etc.)
- (c) When were you contacted? (date)
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s).

92DEC21 PM 3:42

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COMMISSION

94030971961

David P. Crosby  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard?

*No*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

94030971962



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

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DEC 21 10 35 AM '92

October 22, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Richard B. Fisher  
1251 Avenue of the Americas  
New York, NY 10020

RE: MUR 3382

Dear Mr. Fisher:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

The Commission needs your responses to the following questions:

1. Did you make a contribution(s) to the Friends of Sam Beard during the 1988 Senate campaign? If the answer is yes, list the amounts of such contributions and the dates. *YES \$2000*

2. Did anyone contact you with regard to redesignating a portion of your contribution(s) to attribute it to someone other than yourself? *YES*

If the answer to the foregoing question is yes,

- (a) Who contacted you? *Sam Beard*
- (b) How were you contacted? (*telephone* letter, etc.)
- (c) When were you contacted? (date) *10/20/88*
- (d) What was requested of you?
- (e) Who did you redesignate a portion of your contribution(s) as being from? List the name(s) of the person(s) and amount(s) redesignated to such person(s). *Emily H. Fisher \$1000*

(d) Sam Beard offered to return the \$1000 of the donation to the general campaign. I declined this + offered to discuss with Emily her donation to the primary account

24030971963

92DEC21 PM 3:36

Richard B. Fisher  
Page 2

3. Were any contributions refunded to you by the Friends of Sam Beard? *No.*

If the answer to the foregoing question is yes,

- (a) How much was refunded to you?
- (b) When was this contribution refunded?
- (c) Why was the contribution(s) refunded?
- (d) How do you know why the contribution(s) was refunded?

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

For your convenience enclosed herein is an envelope addressed to the Commission with prepaid postage. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

*Phillip L. Wise*

Phillip L. Wise  
Attorney

Enclosure  
FEC addressed envelope

24030971964

SAMUEL S. BEARD  
105 TUMBLEROCK ROAD  
WILMINGTON, DELAWARE 19807

FEDERAL E  
OFFICE

COMMISSION

93 FEB 22 PM 4:17

Mr. Phil Wise  
Office of the General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, DC. 20463

MUR: 3382

Friday, February 19, 1993

Dear Mr. Wise,

Enclosed is the information you requested  
including the actual stubs from the checkbook as  
verification.

The rent was \$1,100 per month. We actually  
signed on for an extra three months once we "won" the election.  
(September through November.)

I hope this is satisfactory.

Sincerely,

Sam Beard

94030971965

MUR: 3382

SUMMARY OF ESTIMATED CAMPAIGN  
EXPENSES INCURRED ONCE SAM BEARD  
"WON" THE PRIMARY ELECTION

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK

93 FEB 22 PM 4: 17

2/19/93

"ESTIMATED GENERAL ELECTION EXPENSES"

Background

On September 10, 1988, Sam Beard was declared the primary election winner in the U.S. Senate race in Delaware. For a period of approximately one week to ten days, Mr. Beard campaigned as the General Election Candidate, and incurred substantial ongoing expenses.

Once the Delaware Election Commission completed a recount, and declared Mr. Woo the winner, Mr. Beard released his people, and closed the campaign.

Below are all expenses incurred during the time Delaware perceived that Mr. Beard was the General Election Candidate.

Itemized List

All these expenses are salary direct labor unless otherwise indicated. Canvassers, telephone bank callers, regular campaign staff, etc.

<u>Check Number</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
1188	9/12	Joe Hansen	\$1,458.30
1189	9/12	Joe Hansen (Expenses)	\$ 81.83
1190	9/15	Barbara Kiser	\$ 80.00
1191	9/15	Katie Grzbowski	\$ 130.
1192	9/15	Alerta Robinson	\$ 115.
1193	9/15	Mark Burgess	\$ 115.
1194	9/15	Laura White	\$ 95.
1195	9/15	Debra Shetzler	\$ 113.50
1196	9/15	Debbie Pettitt	\$ 170.
1197	9/15	Bonnie Tadder	\$ 135.
1198	9/15	Gary Pettitt	\$ 95.
1199	9/15	Lynn Andrew	\$ 40.
1200	9/15	Donna Crawford	\$ 500.
1201	9/15	Anna Lingenfelter	\$ 325.
1202	9/15	Nancy Leonard	\$ 833.34
1203	9/15	Paul Erhardt	\$ 300.
1204	9/15	Veronica Anthos	\$ 583.34
1205	9/15	Janis Cloughley	\$1,500.
1206	9/15	Jeffrey Forbes	\$ 600.
1207	9/15	Paul Gilbert	\$ VOID
1208	9/15	Paul Gilbert	\$ 375.
1209	9/15	Drew Hastings	\$ 325.
1210	9/15	Nathan Siegal	\$1,500.
1211	9/15	Alfie Moss	\$ 250.
1212	9/15	Nathan Siegal	\$ 798.

Sub-Total: \$10,518.31

During this 7 to 10 day period, there clearly was a prorated expense for rent, telephone, overhead, postage, office supplies, etc. The campaign did not break out these bills. Assume that all other expenses during this period totalled \$2,000.

TOTAL: \$12,518.31

94030971966

93 FEB 22 - PL

94030971967

0131: 533

No. 1187  
9/9 88  
TO Advanced Audio  
FOR  
TOTAL  
AMOUNT THIS CHECK 427 71  
BALANCE

No. 1188  
9/12 88  
TO Joe Hansen  
FOR Res Pay - 875.00  
Pam Pay - 583.30  
(10 days)  
TOTAL  
AMOUNT THIS CHECK 1458 30  
BALANCE

No. 1189  
9/12 88  
TO Joe Hansen  
FOR  
TOTAL  
AMOUNT THIS CHECK 81 82  
BALANCE

LIST SOURCE OF DEPOSITS AND INFORMATION ABOUT OF PRECEDING STUBS EXPENDITURES ON BACK

deposits - 9/9/88 600 -

7595 -

7158



94030971968

RECEIVED  
FEDERAL ELECTION COMMISSION

93 FEB 22 PM 4:18

9/14/88  
No. 1190 deposits  
9/15 88  
TO Barbara Kiser  
FOR  
BALANCE BROUGHT FORWARD  
2705 00  
46435 00  
1435 00  
(2062 58)  
DEPOSITS  
+240 00  
re-extr  
Volo # 1149

TOTAL  
AMOUNT THIS CHECK 80 -  
BALANCE

LIST SOURCE OF DEPOSITS  
AND INFORMATION ABOUT  
EXPENDITURES ON BACK

No. 1191  
9/15 88  
TO Kane Greybowski  
FOR  
BALANCE BROUGHT FORWARD  
TOTAL  
AMOUNT THIS CHECK 130 -  
BALANCE

No. 1192  
9/15 88  
TO Alena Robinson  
FOR  
BALANCE BROUGHT FORWARD  
TOTAL  
AMOUNT THIS CHECK 165 00  
BALANCE



93 FEB 22 PM 4:16

94030971969

No. 1193		BALANCE BROUGHT FORWARD	
9/15 1988			
TO <i>Paul Burger</i>			
FOR		DEPOSITS	
TOTAL			
AMOUNT THIS CHECK		115 -	
BALANCE			
No. 1194		BALANCE BROUGHT FORWARD	
9/15 1988			
TO <i>Louise White</i>			
FOR		DEPOSITS	
TOTAL			
AMOUNT THIS CHECK		95 -	
BALANCE			
No. 1195		BALANCE BROUGHT FORWARD	
9/15 1988			
TO <i>Debra SHERLEN</i>			
FOR		DEPOSITS	
TOTAL			
AMOUNT THIS CHECK		113.50	
BALANCE			

LIST SOURCE OF DEPOSITS AND INFORMATION ABOUT EXPENDITURES ON BACK

RECEIVED  
FEDERAL RESERVE BANK OF MINNESOTA

93 FEB 22 PM 4:18

94030971970

No.

1196

9/15 1988

TO Debbie Pettitt

FOR

TOTAL

AMOUNT THIS CHECK

170 -

BALANCE

HARLAND-1

No.

1197

9/15 1988

TO Bonnie Jaddes

DEPOSITS

TOTAL

AMOUNT THIS CHECK

135 -

BALANCE

No.

1198

9/15 1988

TO Gary Pettitt

DEPOSITS

TOTAL

AMOUNT THIS CHECK

95 -

BALANCE

HARLAND-1

LET SOURCE OF FUNDS  
AND INFORMATION ABOUT  
APPROPRIATES ON BACK  
OF PRECEDING SLIPS

93 FEB 22 1988

199

9/15 1988

TO Lynn Andrew

FOR

TOTAL

AMOUNT THIS CHECK

40 -

BALANCE

HARLAND-1

LIST SOURCE OF DEPOSITS AND INFORMATION ABOUT OF PRECEDING STUBS EXPENDITURES ON BACK

No.

1200

9/15 1988

TO DONNA Crawford

FOR

TOTAL

AMOUNT THIS CHECK

500 -

BALANCE

HARLAND-1

No.

1201

9/15 1988

TO Ann Lugenfelte

FOR

TOTAL

AMOUNT THIS CHECK

325 -

BALANCE

HARLAND-1

94030971971

94030971972

No. 1202

9/15

88

93 FEB 22 PM 4:11

TO Nancy Leonard

FOR

TOTAL

AMOUNT THIS CHECK

833 34

BALANCE

HARLAND-1

LIST SOURCE OF DEPOSITS AND INFORMATION ABOUT OF PRECEDING STUBS EXPENDITURES ON BACK

No.

1203

9/15

88

TO Paul Erhardt, IV

FOR

TOTAL

AMOUNT THIS CHECK

300-

BALANCE

HARLAND-1

No.

1204

9/15

88

TO Theonick Armas

FOR

TOTAL

AMOUNT THIS CHECK

583 34

BALANCE

HARLAND-1



94030971973

1205 FEDERAL RESERVE BANK OF NEW YORK  
 9/15 1988  
 RECEIVED  
 FEDERAL RESERVE BANK OF NEW YORK  
 93 FEB 22 PM 4:18  
 TO *JANIS Cloughley*  
 FOR  
 DEPOSITS  
 TOTAL  
 AMOUNT THIS CHECK 1500 -  
 BALANCE  
 HARLAND-1

AND INFORMATION ABOUT LIST SOURCE OF DEPOSITS EXPENDITURES ON BACK

1206  
 9/15 1988  
 TO *JEFFREY Tubes*  
 FOR  
 DEPOSITS  
 TOTAL  
 AMOUNT THIS CHECK 600 -  
 BALANCE  
 HARLAND-1

1207  
 9/15 1988  
 TO *Paul Sellers*  
 FOR  
 DEPOSITS  
 TOTAL  
 AMOUNT THIS CHECK 375 -  
 BALANCE  
 HARLAND-1

VOID

94030971974

PAY TO THE ORDER OF

JEFFREY

SIX HUNDRED

DELAWARE  
Wilmington

FOR

1100 120711

FRIE  
F

AND INFORMATION ABOUT  
OF PRECEDING STUBS

LIST SOURCE OF DEPOSITS  
EXPENDITURES ON BACK

No.

1209

TO

9/15 1988  
Drew Hastings

FOR

TOTAL

AMOUNT THIS CHECK

325 -

BALANCE

HARLAND-1

BALANCE BROUGHT FORWARD

No.

1210

TO

9/15 1988  
Nantani Siegal

FOR

TOTAL

AMOUNT THIS CHECK

1500

BALANCE

HARLAND-1

08

FEDERAL  
DEPT. OF JUSTICE

RECEIVED  
FEDERAL PROBATION COMMISSION

93 FEB 22 PM 4:18

TO

Paul Sillea

FOR

TOTAL

AMOUNT THIS CHECK

375 -

BALANCE

HARLAND-1

93 FEB 22 PM 4:48

94030971975

No.		1211		BALANCE BROUGHT FORWARD	
		9/15 88			
TO		Alfie Moss			
FOR				DEPOSITS	
		TOTAL			
		AMOUNT THIS CHECK		250 -	
BALANCE					

LIST SOURCE OF DEPOSITS  
AND INFORMATION ABOUT  
EXPENDITURES ON BACK

No.		1212		BALANCE BROUGHT FORWARD	
		9/15 88			
TO		Nathan Siegel			
FOR		allotment \$		DEPOSITS	
		TOTAL			
		AMOUNT THIS CHECK		798 -	
BALANCE					

transfer deposit 9/16 15,000.00

No.		1213		BALANCE BROUGHT FORWARD	
		9/16 deposits 88			
TO		Delaware Trust			
		9/22 88			
				2600 00	
				5435 00	

00000025000



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Friends of Sam Beard for the U.S. Senate )  
and Howard Simon, as treasurer )

RECEIVED  
F.E.C.  
SECRETARIAT

93 APR 14 PM 5:09

**SENSITIVE**  
MUR 3382

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The Office of the General Counsel received a referral from the Audit Division ("Audit"). The bases for the referral were the failure of Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, ("Beard Committee" or "Respondents") to file forty-eight hour notifications ("48 Hour Notices") for contributions totaling \$41,500, and the receipt of General Election contributions after losing in the Primary Election.

On January 28, 1992, the Federal Election Commission ("the Commission") found reason to believe that the Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and 11 C.F.R. § 110.1(b)(3). On that same date the Commission also determined to enter into negotiations directed toward reaching preprobable cause conciliation in this matter. On February 10, 1992, the Beard Committee was notified about the Commission's finding and sent a copy of the proposed conciliation agreement approved by the Commission.

On March 20, 1992, the Beard Committee responded by telephone to the Commission's reason to believe finding and the proposed conciliation agreement. During the aforementioned

94030971977

telephone conversation Sam Beard requested a meeting with staff members from the Office of the General Counsel to discuss this matter. This meeting was held on April 2, 1992, at the Office of the General Counsel.

## II. ANALYSIS

It should be noted that when the Commission found reason to believe that the Beard Committee had violated certain provisions of the federal election laws, the Commission expressed the following concerns: (1) whether the Beard Committee had contacted its contributors before reattributions were attempted, and (2) whether the Beard Committee had proof that all contributions requiring refunding had been refunded.

When staff members from the Office of the General Counsel met with Beard, on April 2, 1992, an inquiry was made into the areas of interest expressed by the Commission. With regard to the copies of checks evidencing the refunding of the remaining \$8,000.00 to be refunded Mr. Beard said he had the copies of such checks.<sup>1/</sup>

Sam Beard lost the Primary Election held on September 10, 1988, in the State of Delaware. However, during the April 2, 1992, meeting with staff members from this office, Mr. Beard furnished newspaper articles as evidence that for approximately one week, from September 10, 1988 to September 16, 1988, he was

<sup>1/</sup> Mr. Beard has furnished copies of these checks which are included as Attachment 2(a).

the announced winner of the Primary Election.<sup>2/</sup> (Attachment 1). According to Mr. Beard and the newspaper articles, the Delaware Board of Elections informed Mr. Beard, on or about September 16, 1988, that after an official recount it was discovered that he had lost by 71 votes. He was mistakenly announced the winner because election officials erroneously gave Beard votes which were in fact cast for his opponent S.B. Woo, the Lieutenant Governor of Delaware.

On August 24, 1992, this Office received a written response from Beard as a follow-up to information requested at the April 2, 1992 meeting. (Attachment 2). In this response Beard claimed that he spent approximately \$10,000.00 on his short general election campaign. In the August 24, 1992, response Beard did not furnish any evidence to support his assertion that approximately \$10,000 was spent for the general election during the period in which he was mistakenly the announced winner of the primary (for approximately one week, from September 10, 1988 to September 16, 1988, he was the announced winner of the Primary Election). Such evidence was therefore requested from Beard.

On February 22, 1993, this Office received the requested information. (Attachment 2(b)). Mr. Beard stated that the expenses were mainly for salaries. The information furnished contained names and amounts Beard asserts he paid to each. There were also copies of check stubs with the names, dates, and

<sup>2/</sup> This information had never been revealed to this Office or the Commission until the April 2, 1992 meeting with Mr. Beard.

94030971980

amounts paid. The direct labor expenses, as indicated in Beard's submission were \$10,518.31 from September 12, 1988 through September 15, 1988. Beard also estimates, but furnishes no documentary proof, that \$2,000.00 was expended for the combined other expenses, such as rent, telephone, overhead, postage, office supplies, etc. during that week. The funds alleged by Beard to be expended on his general election campaign were all spent after the date of the Delaware primary, which was September 10, 1988. However, as stated in the First General Counsel's Report, signed January 9, 1992, during the examination of the Beard Committee, Audit noted that on the Primary Election date (9/10/88) the Committee did not have sufficient cash-on-hand to refund all of the general election and excessive contributions. The total amount of the general election and excessive contributions is \$88,435.70. The Audit work papers indicate that on the Primary date the Beard Committee had \$61,818.77 cash-on-hand. Therefore, the Beard Committee used funds, which had been contributed for the general election to pay primary election debts and expenditures.<sup>3/</sup> Furthermore, the fact that Beard claims approximately \$12,518.31 was expended on general election activity from September 12, 1988 through September 15, 1988, is irrelevant and does not justify the use of approximately \$26,616.93 of the general election contributions prior to the date of the primary.

<sup>3/</sup> \$88,435.70 minus \$61,818.77 equals \$26,616.93

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Throughout this matter Beard has also alleged that he telephoned the original contributors to ascertain whether each wanted a refund of their general election contributions or would agree to reattribute such contributions to other persons of their choice. He also claims that he was unaware that in instances where the newly named contributor had no ownership right in the account from which the original contribution came, such reattributions were unlawful. Beard's August 24, 1992, response contained the names of his general election contributors and the dates on which he asserts that he contacted them and explained the options of refund and reattribution. (See Attachment 2, page 4). This Office also sent letters to each of Beard's contributors whose contributions were at issue in this matter. All of the contributors who answered the inquiry, and appeared to have given contributions to Beard's general election campaign, indicated that Beard had contacted them and had done what they had requested, i.e., returned or reattributed portions of their contributions to a named family member. The contributors who authorized reattribution of their contributions indicated that later they received a refund of that amount, and that Beard had informed them that the reattribution was improper. (See Attachment 3, sample of responses)

In his response Beard stated:

Immediately following the campaign we telephoned, refunded, and reattributed eighty of the 101 names within the sixty day FEC required time limit. We missed twenty-one names. From our viewpoint 80% of the job was done in a timely fashion.

During the March 1989 FEC audit we found that we had not followed the correct reattribution procedures. This generated a new round of activity, and in our judgment the sixty day time limit should start again.

The foregoing argument by Beard is erroneous. If the candidate is not a candidate in the general election, all contributions made for the general election shall be either returned or refunded to the contributors or redesignated in accordance with 11 C.F.R. § 110.1(b)(5), or reattributed in accordance with 11 C.F.R. § 110.1(k)(3), as appropriate. 11 C.F.R. § 110.1(b)(3)(i)(B) and (C). Any contribution made by more than one person, except for a contribution made by a partnership, shall include the signature of each contributor on the check, money order, or other negotiable instrument or in a separate writing. 11 C.F.R. § 110.1(k)(1). If a contribution made by more than one person does not indicate the amount to be attributed to each contributor, the contribution shall be attributed equally to each contributor. 11 C.F.R. § 110.1(k)(2). If a contribution to a candidate or political committee, either on its face or when aggregated with other contributions from the same contributor, exceeds the limitations on contributions, the treasurer of the recipient political committee may ask the contributor whether the contribution was intended to be a joint contribution by more than one person 11 C.F.R. § 110.1(k)(3)(i).

A contribution shall be considered to be reattributed to another contributor if the treasurer of the recipient political

94030971982

committee asks the contributor whether the contribution is intended to be a joint contribution by more than one person, and informs the contributor that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution; and within sixty days from the date of the treasurer's receipt of the contribution, the contributors provide the treasurer with a written reattribution of the contribution, which is signed by each contributor, and which indicates the amount to be attributed to each contributor if equal attribution is not intended. 11 C.F.R.

§ 110.1(k)(3)(ii)(A) and (B). The sixty day period runs from the date on which the original contribution is accepted, not the date of discovery of the error or the date of ineffective attempts at reattribution. Thus, as the reattributions by Beard were ineffective the time period continued to run.

The Beard Committee received contributions designated by the contributors for the general election in the amount of \$83,785.70. The Beard Committee also received contributions designated by the contributors for the primary election in excess of the limitation by \$4,650.00, for a total of \$88,435.70 in contributions requiring refund, redesignation or reattribution.

### III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS


1. Approve the proposed conciliation agreement.
2. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

Date

4/14/93

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments:

1. News articles
2. August 24, 1993 response
- 2(a) Copies of refund checks
- 2(b) Response and check stubs for general activity
3. Sample of responses from contributors
4. Proposed Conciliation Agreement

Staff assigned: Phillip L. Wise

94030971985

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Sam Beard for the U.S.  
Senate and Howard Simon, as  
treasurer.

MUR 3382

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 20, 1993, the Commission decided by a vote of 4-0 to take the following actions in MUR 3382:

1. Approve the proposed conciliation agreement, as recommended in the General Counsel's Report dated April 14, 1993.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated April 14, 1993.

Commissioners Aikens, Elliott, McGarry, and Potter voted affirmatively for the decision; Commissioners McDonald and Thomas did not cast votes.

Attest:

4-20-93  
Date

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

Received in the Secretariat:  
Circulated to the Commission  
Deadline for vote:

Wed., April 14, 1993 5:09 p.m.  
Thurs., April 15, 1993 11:00 a.m.  
Tues., April 20, 1993 4:00 p.m.

dr

94030971986



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

APRIL 22, 1993

Samuel S. Beard  
105 Tumblerock Road  
Wilmington, Delaware 19807

RE: MUR 3382  
Friends of Sam Beard for the  
U.S. Senate and Howard Simon,  
as treasurer

Dear Mr. Beard:

On January 28, 1992, the Federal Election Commission found that there is reason to believe the Friends of Sam Beard for the U.S. Senate ("Committee") and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 110.1(b)(3), a provision of the Commission's Regulations. Notification of the Commission's findings, the Factual and Legal Analysis, which formed a basis for the Commission's finding, and a proposed conciliation agreement, were mailed to you on February 10, 1992.

The Commission is still hopeful that this matter can be settled through a conciliation agreement. Insofar as the 30 day period for pre-probable cause conciliation has elapsed, you should respond within five days of your receipt of this notification. If a response is not received within this period, this matter will proceed to the next stage of the enforcement process.

94030971987

Samuel S. Beard  
Page 2

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

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
Conciliation Agreement

94030971988

RECEIVED  
F.E.C.  
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

93 DEC 27 AM 10:38

**SENSITIVE**

In the Matter of

Friends of Sam Beard for the U.S. Senate  
and Howard Simon, as treasurer

MUR 3382

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was referred by the Audit Division ("Audit") to the Office of the General Counsel. On January 28, 1992, the Federal Election Commission ("the Commission") found reason to believe that the Friends of Sam Beard for the U.S. Senate ("the Beard Committee") and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and 11 C.F.R. § 110.1(b)(3). On that same date the Commission also determined to enter into negotiations directed toward reaching preprobable cause conciliation in this matter. This report contains recommendations to assure that this matter conforms to the Court's opinion in FEC v. NRA Political Victory Fund, et al., No. 91-5360 (D.C. Cir. Oct. 22, 1993) ("NRA"), and recommendations concerning pre-probable cause conciliation.

II. RECOMMENDED ACTIONS IN LIGHT OF FEC v. NRA

This Office recommends that the Commission, consistent with its November 9, 1993 decisions concerning compliance with the NRA opinion, and based on the original referral from the Audit Division ("Audit"), revoke the determination to find reason to believe that the Friends of Sam Beard for the U.S. Senate ("the Beard Committee") and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and 11 C.F.R.

94030971989

§ 110.1(b)(3). This Office also recommends that the Commission revoke the determination to approve the Factual and Legal Analysis which accompanied the Commission's January 28, 1992 findings and to enter into preprobable cause conciliation in this matter.

When the Commission originally voted to find reason to believe that the Beard Committee had violated certain provisions of the federal election laws, the Commission expressed the following concerns: (1) whether the Beard Committee had contacted its contributors before reattributions were attempted, and (2) whether the Beard Committee had proof that all contributions requiring refunding had been refunded.

Throughout this matter Beard has argued that after the campaign, refunds and reattribution of the contributions were done within the sixty day required time limit. During the audit by the Commission it was discovered that the Beard Committee had not followed the correct reattribution procedures. According to Beard this generated a new round of activity and a restart of the sixty day time limit.

The foregoing argument by Beard is erroneous. If the candidate is not a candidate in the general election, all contributions made for the general election shall be either returned or refunded to the contributors or redesignated in accordance with 11 C.F.R. § 110.1(b)(5), or reattributed in accordance with 11 C.F.R. § 110.1(k)(3), as appropriate. 11 C.F.R. § 110.1(b)(3)(i)(B) and (C). The sixty day period, with regard to the circumstances in this matter runs from the

94030971990

date on which it was officially determined that Beard had lost the primary election, not from the date of discovery of the error or the date of ineffective attempts at reattribution. Thus, Mr. Beard's initial invalid attempts to seek reattributions had no effect on the sixty day period.

II. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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94030971993

III. RECOMMENDATIONS

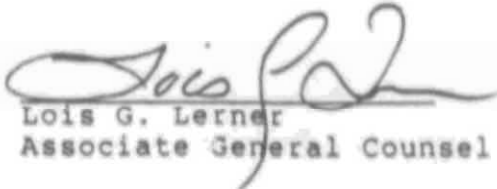
1. Find reason to believe that the Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and 11 C.F.R. § 110.1(b)(3), and enter into conciliation prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement.
3. Approve the attached letter.

Lawrence M. Noble  
General Counsel

Date

12-22-93

BY:

  
Lois G. Lerner  
Associate General Counsel


94030971994



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

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

DATE: JANUARY 6, 1994

SUBJECT: MUR 3382 - MEMORANDUM TO THE COMMISSION  
DATED DECEMBER 30, 1993.

The above-captioned document was circulated to the  
Commission on Thursday, December 30, 1993 at 4:00 p.m.

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

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

This matter will be placed on the meeting agenda  
for Tuesday, January 11, 1994.

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

94030971995



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
F.E.C.  
SECRETARIAT

94 JAN -6 PM 5:16

MEMORANDUM

TO: Trevor Potter  
Chairman

FROM: Lee Ann Elliott *LM*  
Commissioner

DATE: January 6, 1994

SUBJECT: Request for Postponement

By this memorandum I am requesting a postponement of consideration of MUR 3382, Memorandum to The Commission, dated December 30, 1993, to the Executive Session scheduled for January 25, 1994.

✓ cc: Commission Secretary

94030971996

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Sam Beard for U.S.  
Senate and Howard Simon, as  
treasurer

)  
) MUR 3382  
)  
)  
)

CORRECTED CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the  
Federal Election Commission executive session on  
January 25, 1994, do hereby certify that the Commission  
decided by a vote of 6-0 to take the following actions  
in MUR 3382:

1. Find reason to believe that the Friends  
of Sam Beard for the U.S. Senate and  
Howard Simon, as treasurer, violated  
2 U.S.C. §§ 434(a)(6), 441a(f), and  
441f, and 11 C.F.R. § 110.1(b)(3), and  
enter into conciliation prior to a  
finding of probable cause to believe.
2. Approve the Factual and Legal Analysis  
which accompanied the Commission's  
January 28, 1992 findings.
3. Approve the proposed conciliation  
agreement recommended in the General  
Counsel's report dated December 30,  
1993

(continued)

94030971997

Federal Election Commission  
Certification for MUR 3382  
January 25, 1994

Page 2

4. Approve an appropriate letter pursuant to the above noted actions.

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

Attest:

2-10-94  
Date

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

94030971998



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20542

FEBRUARY 14, 1994

Sam Beard  
Suite 300  
621 Delaware St.  
New Castle, DE 19720

RE: MUR 3382  
Friends of Sam Beard for the  
U.S. Senate and Howard Simon,  
as treasurer

Dear Mr. Beard:

On January 28, 1992, the Federal Election Commission found reason to believe that the Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and 11 C.F.R. § 110.1(b)(3) and subsequently entered into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, No. 91-5360 (D.C. Cir. Oct. 22, 1993). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

In this matter, on January 25, 1994, the Commission revoted to find reason to believe that the Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer violated 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, and 11 C.F.R. § 110.1(b)(3), and to approve the Factual and Legal Analysis previously mailed to you. You should refer to that document for the basis of the Commission's decision. If you need an additional copy, one will be provided upon request.

94030971999

Sam Beard  
Page 2

if you have any questions, please contact Phillip L.  
Wise, the attorney assigned to this matter, at (202) 219-3690.

For the Commission,

  
Trevor Potter  
Chairman

Enclosure  
Conciliation Agreement

94030972000



RECEIVED  
F.E.C.  
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

94 MAR 15 PM 3:10

In the Matter of )

)  
Friends of Sam Beard for the U.S. Senate)  
and Howard Simon, as treasurer )

MUR 3382

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Sam Beard, the candidate, on behalf of Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer (Attachment 1)

The attached agreement contains no changes from the agreement approved by the Commission on February 9, 1994. A check in the amount of \$5,000.00, which is the amount of the first installment on the \$10,000.00 civil penalty has been received. (Attachment 2).

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

3-15-94  
Date

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Phillip L. Wise

94030972001

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Sam Beard for the U.S.  
Senate and Howard Simon, as  
treasurer.

)  
)  
) MUR 3382  
)  
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 18, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3382:

1. Accept the conciliation agreement with the Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, as recommended in the General Counsel's Report dated March 15, 1994.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated March 15, 1994.

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

Attest:

3-18-94  
Date

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

Received in the Secretariat: Tues., Mar. 15, 1994 3:10 p.m.  
Circulated to the Commission: Tues., Mar. 15, 1994 4:00 p.m.  
Deadline for vote: Fri., Mar. 18, 1994 4:00 p.m.

bjr

94030972002



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

MARCH 21, 1994

Sam Beard  
Suite 300  
621 Delaware St.  
New Castle, DE 19720

RE: MUR 3382  
Friends of Sam Beard for the  
U.S. Senate and Howard Simon,  
as treasurer

Dear Mr. Beard:

On March 18, 1994, the Federal Election Commission accepted the signed conciliation agreement and the first installment on the civil penalty submitted on behalf of the Friends of Sam Beard for the U.S. Senate and Howard Simon, as treasurer, in settlement of a violation of 2 U.S.C. §§ 434(a)(6), 441a(f), and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), and a violation of 11 C.F.R. § 110.1(b)(3) of the Commission's regulations. 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.

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.

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Sam Beard  
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the additional installments on the civil penalty are due according to the conciliation agreement. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

*Phillip L. Wise*  
Phillip L. Wise  
Attorney

Enclosure  
Conciliation Agreement

94030972004

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Sam Beard for the U.S. Senate )  
and Howard Simon, as treasurer ) MUR 3382

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 Friends of Sam Beard for U.S. Senate and Howard Simon, as treasurer ("Respondents") violated 2 U.S.C. §§ 434(a)(6), 441a(f) and 441f, and 11 C.F.R. § 110.1(b)(3)

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. Friends of Sam Beard for U.S. Senate is a political committee within the meaning of 2 U.S.C. § 431(4), and is the

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authorized principal campaign committee for Sam Beard's 1988 Senate campaign.

2. Howard Simon is the treasurer of Friends of Sam Beard for U.S. Senate.

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. Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000. No candidate or political committee shall knowingly accept any contribution or make any expenditure in violation of the provisions of this section. 2 U.S.C. § 441a(f).

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5. Pursuant to 2 U.S.C. § 441f no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

6. If the candidate is not a candidate in the general election, all contributions made for the general election shall be returned or refunded to the contributors, redesignated in accordance with 11 C.F.R. § 110.1(b)(5), or redesignated and reattributed in accordance with 11 C.F.R. § 110.1(k)(3), if appropriate. 11 C.F.R. §§ 102.9(e); 110.1(b)(3)(i)

7. The date of the primary election in the state of Delaware was September 10, 1988. Therefore, the Respondents were required to notify the Secretary of the Senate of any contributions of \$1,000.00 or more received from August 22 through September 7, 1988 within 48 hours of receipt. During that period the Beard Committee received 35 such contributions totaling \$41,500.00 but failed to file any of the required 48 hour notices in violation of 2 U.S.C. § 434(a)(6).

8. The Beard Committee received excessive primary election contributions totaling \$4,650.00

9. The Beard Committee received contributions designated by the contributors for the general election in the amount of \$83,785.70. However, the candidate lost the primary election held September 10, 1988, creating the need to refund the contributions to the contributors, redesignate the

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contributions for another election or redesignate the contributions and reattribute them to another contributor.

10. The Beard Committee did not have sufficient cash-on-hand to refund all of the general election and excessive contributions. The Beard Committee ultimately deposited general election contributions into an account from which primary expenditures and debts were paid.

11. The Beard Committee attempted to redesignate the contributions to another election or redesignate and reattribute the contributions to individuals who had no ownership of the original contributions.

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 contribution(s), in violation of 2 U.S.C. § 434(a)(6).

VI. Respondents accepted contributions for the primary election in excess of the limitations in violation of 2 U.S.C. § 441a(f). In addition, Respondents accepted contributions designated for the general election, for which Sam Beard was not a candidate, and converted such contributions to primary election use in violation of 2 U.S.C. § 441a(f). Further, Respondents failed to refund such contributions, receive proper authorization to redesignate such contributions to another election, or receive proper authorization to redesignate such contributions and reattribute them to another contributor in a timely manner in violation of 11 C.F.R. § 110.1(b)(3)

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VII. Respondents accepted contributions made by one person in the name of another person in violation of 2 U.S.C. § 441f.

VIII. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Ten Thousand dollars (\$10,000), pursuant to 2 U.S.C. § 437g(a)(5)(A), such penalty to be paid as follows:

1. One initial payment of \$5,000 due within 30 days from the acceptance of this agreement.

2. Thereafter, consecutive installments of \$2,500 each must be paid every six months until the total amount is paid in full.

3. Each such installment payment shall be paid on the first day of the month in which it becomes due;

4. In the event that any installment payment is not received by the Commission by the fifth day of the month in which it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the Respondents. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

IX. 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

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the District of Columbia.

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

XI. 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.

XII. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:

Lois G. Lerner  
Lois G. Lerner  
Associate General Counsel

3-21-94  
Date

FOR THE RESPONDENTS:

San Beaul  
(Name)  
(Position) Friend of  
San Beaul  
Candidate

Tuesday, March 1, 1994  
Date

94030972010



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3382

DATE FILMED 4-23-84 CAMERA NO. 2

CAMERAMAN JM 14

94030972011



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

Date: 9/23/94

☒ Microfilm  
☐ Public Records  
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3382

94043584279

**SAMUEL S. BEARD**  
105 TUMBLEROCK ROAD  
WILMINGTON, DELAWARE 19807

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATIVE

SEP 23 11 44 AM '94

September 20, 1994

Mr. Phillip L. Wise  
Attorney  
Federal Election Commission  
Washington, D.C. 20463

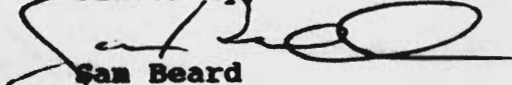
RE: MUR 3382  
Friends of Sam Beard for U.S. Senate

Dear Mr. Wise:

Enclosed please find a check in the amount  
of \$2,500 to satisfy my second payment toward my  
FEC penalty.

Thank you.

Sincerely,

  
Sam Beard

SSB:

Enclosure

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
SEP 23 2 36 PM '94

94043584280

2 4 0 4 3 5 8 4 2 8 1  
FRIENDS OF SAM BEARD  
FOR U. S. SENATE

1415

9/20 1994 82-13 311-26

PAY TO THE ORDER OF FEDERAL Election Commission \$ 2,520.00

Twenty Five Hundred Dollars AND 00/100 DOLLARS

DELAWARE TRUST  
COMPANY  
Wilmington, Delaware 19801-2200

FOR Nancy D. Leonard  
⑈001415⑈ ⑈031100131⑈ 533⑈431⑈

SEP 23 2 36 PM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF CLERK  
COUNCIL





RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

SEP 23 2 35 PM '94

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

9/23/94

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton  
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Friends of Sam Boyd for U.S. Senate, check number 1415, dated 9/20/94, and in the amount of \$2,500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton  
Accounting Technician

FROM: OGC, Docket Byaa

In reference to the above check in the amount of \$2,500.00, the MUR number is 3382 and in the name of Friends of Sam Boyd for U.S. Senate. The account into which it should be deposited is indicated below:

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

Anita Alexander  
Signature

9-23-94  
Date

24043584282



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Date: 6/13/95

☒ Microfilm  
☐ Public Records  
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3382

25043644610



SAMUEL S. BEARD  
105 TUMBLEROCK ROAD  
WILMINGTON, DELAWARE 19807

June 6, 1995

Mr. Phillip L. Wise  
Attorney  
Federal Election Commission  
Washington, DC 20463

Dear Mr. Wise:

Pursuant to our conversation earlier today,  
enclosed please find a check in the amount of  
\$2,500 which represents my last and final  
payment to the Federal Election Commission.

Thank you so much for all of your help and  
cooperation.

Sincerely,

  
Sam Beard

SSB:nfl

Enclosure

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ACCOUNTING OFFICE  
JUN 9 12 23 PM '95

5043644611

FRIENDS OF SAM BEARD  
FOR U. S. SENATE

1416

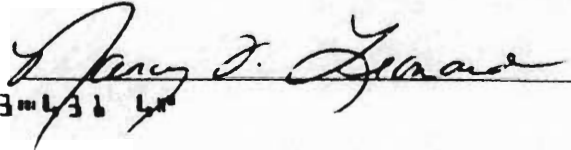
6/6 1995 <sup>62-13</sup><sub>311</sub> 26

PAY TO THE ORDER OF FEDERAL ELECTION COMMISSION \$ 2,500.00

TWO THOUSAND FIVE HUNDRED DOLLARS AND <sup>00</sup>/<sub>100</sub> DOLLARS

DELAWARE TRUST  
COMPANY   
Wilmington, Delaware 19800

FOR FINAL PAYMENT



⑆001416⑆ ⑆031100131⑆ 53314314⑆

25043644612



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

JUN 12 11 25 AM '95

June 12, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton  
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Friends of Sam  
Beard For U.S. Senate, check number 1416, dated  
June 6, 1995, and in the amount of \$2,500.00.  
Attached is a copy of the check and any correspondence that  
was forwarded. Please indicate below the account into which  
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton  
Accounting Technician

FROM: OGC, Docket By IR for aa

In reference to the above check in the amount of  
\$2,500.00, the MUR number is 3382 and in the name of  
Friends of Sam Beard For U.S. Senate. The account into  
which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16  
☒ Civil Penalties Account, 95-1099.160  
— Other: \_\_\_\_\_

Janet Kornson  
Signature

6/12/95  
Date

25043644613