



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3758

DATE FILMED 6-14-94 CAMERA NO. 2

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OGC 8881
National Republican Senatorial Committee

SENATOR PHIL GRAMM
CHAIRMAN

April 7, 1993

MUR 3758

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RECEIVED
FEDERAL ELECTION COMMISSION

Mr. Scott E. Thomas
Chairman
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Dear Mr. Chairman:

This letter constitutes a formal, sworn complaint pursuant to 2 U.S.C. 437g(a) of the Federal Election Campaign Act (the "Act") and sets forth reasons to believe that a violation of the Act and Federal Election Commission ("FEC") regulations has been committed by former Texas Railroad Commissioner Bob Krueger.

"TX Railroad Commissioner Bob Krueger" ("Krueger" or "Krueger State Committee"), which was the reporting name for candidate/officeholder Bob Krueger, is in violation of federal election law for spending more than the permissible amount on behalf of a presidential candidate during the 1992 election, and for failing to register as a political committee with and report to the FEC. The excessive expenditures resulted in approximately \$24,000 in illegal in-kind contributions to the Tsongas Committee ("Tsongas" or "Tsongas Committee"), the 1992 presidential committee of former Massachusetts Senator Paul Tsongas.

Certain pages from the Krueger State Committee "contribution reports" reflect that the Tsongas Committee contributed amounts of \$15,892.14, \$8,000 and \$1,000 to Krueger for "reimbursement for expenses paid by officeholder account." The first of these contributions was made on March 2, 1992, the latter two were made on March 6, 1992. The Krueger State Committee files reports with the Texas Ethics Commission. A copy of the relevant pages of the contribution reports are attached as Exhibit A.

The \$15,892.14 contribution is comprised of seventeen (17) expenses totaling \$15,625.69. The difference of \$203.45 is unexplained. The \$8,000 and \$1,000 contributions are comprised of eleven (11) itemizations for various expenses totaling \$9,052.63. The difference of \$52.63 is unexplained.

Scrutiny of the Krueger State Committee "expenditure reports" shows that twenty-six (26) of the twenty-eight (28) itemizations referenced above on the "contribution

RONALD REAGAN REPUBLICAN CENTER
425 SECOND STREET N.E. • WASHINGTON D.C. 20002 • (202) 675-6000

PAID FOR AND AUTHORIZED BY THE NATIONAL REPUBLICAN SENATORIAL COMMITTEE

94043523193

report" are also reported as corresponding expenditures to vendors. These expenditures are highlighted for your convenience on copies of the relevant pages of the expenditures reports attached as Exhibit B. The two (2) reimbursements itemized on the contribution report as "2/25 - SW Data - \$100" and "3/3 - American Printing - \$1,270" cannot be found on the expenditure report.

From the evidence provided in the Krueger contribution and expenditure reports, it is clear that Krueger fronted expenses for the Tsongas presidential campaign in Texas. One column on the expenditure report reflects that some of the expenditures were intended to be reimbursed and others were not.

As the Commission knows, the subchapter governing the presidential Primary Matching Fund does not alter the effect of any definitions, restrictions, obligations, and liabilities imposed by the Act and related regulations, unless expressly stated to the contrary. 11 C.F.R. 9031.1.

Therefore, the maximum amount that Krueger or any other person, partnership, association, or committee (other than a multicandidate political committee) was permitted to contribute to Tsongas in the 1992 presidential primary was \$1,000. See 11 C.F.R. 110.1(b)(1); 100.4 and 100.10.

Under the Act, a contribution is defined as any gift, subscription, loan, advance, or deposit of money or anything of value made for the purpose of influencing any election for federal office [emphasis added]. 2 U.S.C. 431(8)(A)(i); 11 C.F.R. 100.7(a)(1). Further, the regulations provide that a loan which exceeds the Act's contribution limitations is unlawful whether or not it is repaid [emphasis added]. 11 C.F.R. 100.7(a)(1)(i)(A); see also 11 C.F.R. 9032.4. The exception is for loans made by a federally chartered or federally insured lending institution in the ordinary course of business. 11 C.F.R. 100.7(b)(11). This exception is inapplicable in the case of this complaint.

In addition, the Commission is well aware that under 11 C.F.R. 9032.8 any committee, club, association, organization or other group of persons which incurs qualified campaign expenses for the purpose of influencing, or attempting to influence, the nomination of any individual for election to the office of President becomes a political committee and must register with and report to the FEC pursuant to 2 U.S.C. 433 and 434.

In light of this, Krueger remains in violation of federal law for having expended the approximately \$25,000 on Tsongas' behalf and having never registered his State Committee as a political committee with nor reported to the FEC.

Moreover, Tsongas' FEC reports do not show the in-kind contributions from Krueger. However, Tsongas does report the reimbursements to Krueger on its "Itemized Disbursements" section of its FEC report as follows:

<u>Purpose</u>	<u>Date</u>	<u>Amount</u>
Nina Guinn	Consulting	3/3/92 \$ 1,000
Texans for Tsongas	Field TX	3/5/92 \$ 8,000
Krueger Railroad Cmte	Field TX	3/6/92 \$15,892.14

These items are highlighted for your convenience on relevant pages of the Tsongas FEC report attached as Exhibit C.

There is no indication that Texans for Tsongas is registered as a political committee with the FEC either. Nina Guinn is a long-time Krueger operative and was the Treasurer of Friends of Bob Krueger, the 1984 principal campaign committee of Bob Krueger. Friends of Bob Krueger is the subject of a current complaint with the FEC involving alleged illegal corporate contributions.

Judging from the paper trail evidenced by the Krueger and Tsongas campaign finance reports, it is clear that Krueger fronted Tsongas funds for his presidential campaign effort in Texas and that the two committees failed to report the fund as in-kind contributions.

It also appears that Krueger loaned his staff to Tsongas to conduct field work in Texas for the Tsongas campaign. This reasonably follows from the Tsongas disbursements to "Texans for Tsongas" and "Nina Guinn" in amounts equal to the \$8,000 and \$1,000 reflected in the Krueger report described as "reimbursement." If Krueger's staff was in fact involved and if they conducted the Tsongas "field work" during work hours, then Krueger arguably has violated more than federal election campaign law.

In sum, by failing to register and file with the FEC during the 1992 presidential election, Krueger determined unilaterally that he did not have to follow the same statutory requirements as other individuals or groups who spend money in an attempt to influence federal elections. Further, by floating Tsongas funds from his State Committee (funds which were raised under state law), Krueger found a way to evade the contribution limits imposed by federal law so as to illegally inject money into Tsongas' presidential campaign.

The NRSC believes this evasion of federal election law must be condemned. Accordingly, I request:

1. The Office of General Counsel expeditiously review this complaint.
2. Determine whether Krueger knowingly and willfully violated the Act and regulations subjecting him to civil penalties pursuant to 2 U.S.C. 437 g(5)(B) up to 200% of the amount of the illegal contributions which may total as much as \$50,000.
3. Forward a copy of this complaint to the Texas Ethics Commission for a determination as to whether there has been a violation of state law.

3. Forward a copy of this complaint to the Texas Ethics Commission for a determination as to whether there has been a violation of state law.


The above complaint is true to the best of my knowledge, information or belief.

Sincerely,



Jay Velasquez
Legal Counsel

Sworn to and subscribed before me
this 7 day of April 1993.



Notary Public

Expiration Date: July 14, 1997

EXHIBIT A
1 of 2
USE ONLY BLACK INK OR BLACK TYPEWRITER
RIBBON WHEN FILLING OUT THIS FORM

Complete: Pg. 1 of 61

X2

CANDIDATE/OFFICEHOLDER
CONTRIBUTIONS OTHER THAN LOANS

Name of candidate/officeholder:

Date	Contributions (List full name and complete address of contributor(s))	List the amount of the contribution in the appropriate column	
		(1) Money or Equivalent	(2) Market value and description of gifts, use of property, or services (in-kind contribution)
1/20/92	Alexander Brown & Sons P.O. Box 1346, Baltimore, Maryland 21203	177.28	cash reserve fund dividend
"	"	1740.25	treasury note interest
2/6/92	"	98.66	dividend
3/2/92	The Tsongas Committee 2 Oliver St., Boston Mass. 02109	15,892.14	reimbursement for expenses paid by officeholder acc't as listed on X5 2/21-Garcia-193.28 2/24-SW Bell-400 2/24-AT&T-306 2/24-Atwell Prop-1250 2/24-Copy Prod.-780 2/24-SW Bell-1000 2/24-Postmaster-20.10 2/24-SW Bell-1500 2/25-City/Aust-710 2/25-Mullin-3667.86 2/25-Amer.Print-2657. 2/25-Laser-2900 2/25-Postmaster-250 2/25-SW Data-100 2/25-Postmaster-9.95 2/24-City Water-55 2/24-CPS Gas&Light-27
3/6/92	Bob Krueger P.O. Box 311717 New Braunfels, TX 78131	107.00	reimbursement/2/21-contract services-107 (personal)
TOTAL		18,015.33	

NOTE: If you accept a contribution from an out-of-state political committee, you must comply with the provisions of section 253.032, Texas Election Code. The provisions of this section are outlined in the instructions on the reverse side.

See Reverse Side for Instructions

X2

**CANDIDATE/OFFICEHOLDER
CONTRIBUTIONS OTHER THAN LOANS**

Name of candidate/officeholder: **TX RAILROAD COMMISSIONER BOB KRUEGER**

Date	Contributions (List full name and complete address of contributor(s))	List the amount of the contribution in the appropriate column	
		(1) Money or Equivalent	(2) Market value and descrip- tion of gifts, use of prop- erty, or services (in-kind contribution)
3/6/92	Alexander Brown & Sons P.O. Box 1346, Baltimore, Maryland 21203	1812.50 77.57 420.00	treasury bond interest reserve fund dividend Cabot Mortgage dividend
3/6/92	The Tsongas Committee 2 Oliver St., Boston, Mass. 02109	8000.00 1000.00	reimbursement for expenses paid by officeholder acc't as listed on X5: 3/3-Mullin-655 3/3-Amer.Print-1270.00 3/3-Office Depot-107. 3/3-Postmaster-144 3/3-Tyler-61.96 3/3-Lary-60.05 3/3-Laser-4785 3/3-Cash-100 3/3-SW Bell-250 3/3-Gleason-1393 3/3-" -226.62 (partia
3/26/92	Walter G. Hall P.O. Box 397, Dickinson, TX 77539	500.00	contribution to officeholder acc't
3/31/92	Grassroots Marketing 3701 Drossett, Austin, TX 78744	679.19	refund/overpayment (Christmas cards)
4/22/92	Alexander Brown & Sons	434.13	dividend
5/1/92	P.O. Box 1346, Baltimore, Maryland 21203	461.51	"
5/8/92	Di-Marc Communication 1528 W. Contour, San Antonio, TX 78212	451.21	refund/overpayment
5/11/92	Bob Krueger P.O. Box 311717, New Braunfels, TX 78131	210.40	reimbursement: flight 4/14 to McAllen pd. by State,
TOTAL		14,046.51	originally pd by officeholder acc't

NOTE: If you accept a contribution from an out-of-state political committee, you must comply with the provisions of section 253.032, Texas Election Code. The provisions of this section are outlined in the instructions on the reverse side.

See Reverse Side for Instructions

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1 of 7

T15 920001
2/92
Part X-05

USE ONLY BLACK INK OR BLACK TYPEWRITER
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Complete: Pg. 16 of 61

X5

**CANDIDATE/OFFICEHOLDER
EXPENDITURES AND PAYMENTS**

Name of candidate/officeholder: TX Railroad Commissioner Bob Krueger

Date	Payee or creditor Full name, complete address	Purpose of expenditure or payment (see instructions) * If another candidate/officeholder is receiving the benefits of a direct campaign expenditure, list the name of the candidate/ officeholder and the office sought or held by that person in this column *	(a) Check () this column if payment was from personal funds	(b) Check () this column if you expect to be reimbursed from political contributions	Enter the amount of the expenditure or payment in the appropriate column		
					(1) Disbursements of cash or property and unpaid bills (except loans) not previ- ously reported	(2) Repayments of loans of money	(3) Payments that were not political expenditures* (Tex. Elec. Code Ann. sec. 254.031(a)(4))
2/19/92	Roy Mullin 12319 Bedrock, Austin, TX	contract services 78727			200.00		
2/20/92	Dolly Garcia 2900 S. First, Austin, TX	contract services 78704			75.00		
2/21/92	Tandelyn Simon 742 N. Houston, New Braunfels, TX	contract services 78130			107.00		
2/21/92	Kwik Kopy	fax			10.78		
2/21/92	215 S. Seguin, New Braunfels, TX	78130			2.16		
✓ 2/21/92	Idolina Garcia 2900 S. First, Austin, TX	reimbursement/list from 78704 Dem. Party	X	X	193.28		
2/21/92	Postmaster of New Braunfels 626 S. Seguin, New Braunfels, TX	postage 78130			9.95		
TOTAL					598.17		

*"Payments that were not political expenditures" are payments that were not involved in an election or in the performance of officeholder duties or activities but were made from political contributions.

See Reverse Side for Instructions

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2/92
Part X-05

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2 of 7

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Complete: Pg. 17 of 61

**CANDIDATE/OFFICEHOLDER
EXPENDITURES AND PAYMENTS**

Name of candidate/officeholder: TX Railroad Commissioner Bob Krueger

Date	Payee or creditor Full name, complete address	Purpose of expenditure or payment (see instructions) * If another candidate/officeholder is receiving the benefits of a direct campaign expenditure, list the name of the candidate/ officeholder and the office sought or held by that person in this column *	(a) Check () this column if payment was from personal funds	(b) Check () this column if you expect to be reimbursed from political contributions	Enter the amount of the expenditure or payment in the appropriate column		
					(1) Disbursements of cash or property and unpaid bills (except loans) not previ- ously reported	(2) Repayments of loans of money	(3) Payments that were not political expenditures* (Tex. Elec. Code Ann. sec. 254.031(a)(4))
2/21/92	New Braunfels Utilities P.O. Box 310289, New Braunfels, TX 78131	utilities (N.B. office)			509.33		
2/21/92	Yolanda Lagunas 2706 FM 727, New Braunfels, TX 78130	contract services			60.00		
2/23/92	Peking Restaurant 227 Hwy. 81E, New Braunfels, TX 78130	staff lunch - BK & Biard			11.20		
✓ 2/24/92	SW Bell Telephone P.O. Box 267, San Antonio, TX 78287	deposit			400.00		
✓ 2/24/92	AT&T P.O. Box 85950, Louisville, KY 40285	phone equipment			306.00		
✓ 2/24/92	Atwell Properties 1920 Nacogdoches Rd., San Antonio, TX 78209	lease for office			1250.00		
✓ 2/24/92	City Water Board P.O. Box 2990, San Antonio, TX 78299	deposit			55.00		
TOTAL					2591.53		

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See Reverse Side for Instructions

T15 920001
2/92
Part X-05

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3 of 7

USE ONLY BLACK INK OR BLACK TYPEWRITER
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Complete: Pg. 18 of 41

**CANDIDATE/OFFICEHOLDER
EXPENDITURES AND PAYMENTS**

Name of candidate/officeholder: TX Railroad Commissioner Bob Krueger

Date	Payee or creditor Full name, complete address	Purpose of expenditure or payment (see instructions) * If another candidate/officeholder is receiving the benefits of a direct campaign expenditure, list the name of the candidate/ officeholder and the office sought or held by that person in this column *	(a) Check () this column if payment was from personal funds	(b) Check () this column if you expect to be reimbursed from political contributions	Enter the amount of the expenditure or payment in the appropriate column		
					(1) Disbursements of cash or property and unpaid bills (except loans) not previ- ously reported	(2) Repayments of loans of money	(3) Payments that were not political expenditures* (Tex. Elec. Code Ann. sec. 254.031(a)(4))
✓ 2/24/92	Copy Products P.O. Box 28209, San Antonio, TX 78228	copier & fax rental			780.00		
✓ 2/24/92	SW Bell Telephone	deposit			1000.00		
2/24/92	P.O. Box 267, San Antonio, TX 78287				1500.00		
✓ 2/24/92	Postmaster of New Braunfels 626 S. Seguin, New Braunfels, TX 78130	postage			20.10		
✓ 2/25/92	City of Austin Utilities 701 W. 5th, Austin, TX 78711	deposit			710.00		
✓ 2/25/92	Roy Mullin 12319 Bedrock Austin, TX 78727	reimbursement/expenses incurred X for Dem. presidential primary-2/92: Dem. Forum (mailing lists)-250; Postmaster-250; Kinko's (printing)-1021.68; Wiley Barnhart Prop.- 1500 (deposit); Vista Prop.-100 (realty fee); Boston Hotel-373.95 (2/21/92); cabs (Boston)-33; Volunteer staff meals-94.73 (Austin); Fed Ex-23; DFW parking-21		X	3667.36		
TOTAL					7677.46		

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See Reverse Side for Instructions

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2/92
Part X-05

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USE ONLY BLACK INK OR BLACK TYPEWRITER
RIBBON WHEN FILLING OUT THIS FORM

Complete: Pg. 19 of 61

**CANDIDATE/OFFICEHOLDER
EXPENDITURES AND PAYMENTS**

Name of candidate/officeholder: TX Railroad Commissioner Bob Krueger

Date	Payee or creditor Full name, complete address	Purpose of expenditures or payment (see instructions) * If another candidate/officeholder is receiving the benefits of a direct campaign expenditure, list the name of the candidate/ officeholder and the office sought or held by that person in this column *	(a) Check () this column if payment was from personal funds	(b) Check () this column if you expect to be reimbursed from political contributions	Enter the amount of the expenditure or payment in the appropriate column		
					(1) Disbursements of cash or property and unpaid bills (except loans) not previ- ously reported	(2) Repayments of loans of money	(3) Payments that were not political expenditures* (Tex. Elec. Code Ann. sec. 254.031(a)(4))
✓ 2/25/92	American Printers 630 Canion, Austin, TX 78752	letterhead			2457.65		
✓ 2/25/92	Laser Printers 1406 N.W.W. White, San Antonio, TX 78219	postage - mail-out			2900.00		
✓ 2/25/92	U.S. Postmaster 209 W. 9th, Austin, TX 78701	postage			250.00		
✓ 2/25/92	Postmaster of New Braunfels 686 S. Seguin, New Braunfels, TX 78130	express mail			9.95		
2/27/92	Gilbert Business Forms 505 Thompson Lane, Austin, TX 78742	printing (stat.)			260.11		
2/27/92	Cash	petty cash for Austin office (misc. office supplies, staff meals, postage, printing, etc.)			200.00		
TOTAL					6077.71		

*"Payments that were not political expenditures" are payments that were not involved in an election or in the performance of officeholder duties or activities but were made from political contributions.

See Reverse Side for Instructions

T15 920001
2/92
Part X-05

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5 of 7
USE ONLY BLACK INK OR BLACK TYPEWRITER
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Complete: Pg. 20 of 61

**CANDIDATE/OFFICEHOLDER
EXPENDITURES AND PAYMENTS**

Name of candidate/officeholder: TX Railroad Commissioner Bob Krueger

Date	Payee or creditor Full name, complete address	Purpose of expenditure or payment (see instructions) * If another candidate/officeholder is receiving the benefits of a direct campaign expenditure, list the name of the candidate/ officeholder and the office sought or held by that person in this column *	(a) Check () this column if payment was from personal funds	(b) Check () this column if you expect to be reimbursed from political contributions	Enter the amount of the expenditure or payment in the appropriate column		
					(1) Disbursements of cash or property and unpaid bills (except loans) not previ- ously reported	(2) Repayments of loans of money	(3) Payments that were not political expenditures* (Tex. Elec. Code Ann. sec. 254.031(a)(4))
3/1/92	Nina Guinn 418 Saddletree, New Braunfels, TX 78130	staff salary			1770.50		
✓ 3/3/92	Roy Mullin 12319 Bedrock Austin, TX 78727	reimbursement/print-outs & labels from TX Dem. Party	X	X	655.00		
✓ 3/3/92	Office Depot 517 S. Lamar, Austin, TX 78701	envelopes			107.73		
✓ 3/3/92	Postmaster of N.B. 686 S. Seguin, New Braunfels, TX 78130	postage			144.00		
✓ 3/3/92	John Tyler 111 W. 33rd St. Austin, TX 78711	reimbursement/copies-1.10; office supplies-9.47; sign- 14; volunteer meals-37.39	X	X	61.96		
✓ 2/24/92	CPS Gas & Light Co. 146 Navarro, San Antonio, TX 78299	deposit			275.00		
TOTAL					3014.19		

Payments that were not political expenditures are payments that were not involved in an election or in the performance of officeholder duties or activities but were made from political contributions.

See Reverse Side for Instructions

9 4 0 EXHIBIT 2B3 2 0 4

6 of 7

T15 920001
2/92
Part X-05USE ONLY BLACK INK OR BLACK TYPEWRITER
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Complete: Pg. 21 of 41

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CANDIDATE/OFFICEHOLDER
EXPENDITURES AND PAYMENTS

Name of candidate/officeholder: TX Railroad Commissioner Bob Krueger

Date	Payee or creditor Full name, complete address	Purpose of expenditure or payment (see instructions) * If another candidate/officeholder is receiving the benefits of a direct campaign expenditure, list the name of the candidate/ officeholder and the office sought or held by that person in this column *	(a) Check () this column if payment was from personal funds	(b) Check () this column if you expect to be reimbursed from political contributions	Enter the amount of the expenditure or payment in the appropriate column		
					(1) Disbursements of cash or property and unpaid bills (except loans) not previ- ously reported	(2) Repayments of loans of money	(3) Payments that were not political expenditures* (Tex. Elec. Code Ann. sec. 254.031(a)(4))
✓ 3/3/92	Mike Lary 707 Rio Grande, Austin, TX 78701	reimbursement/office supplies	X	X	60.05		
✓ 3/3/92	Laser Printers 1406 N.W.W. White, San Antonio, TX 78219	mail-out			4785.00		
✓ 3/3/92	Cash	petty cash for office (misc. office supplies, postage, staff meals, printing, etc.)			100.00		
3/3/92	TX Railroad Commission 1701 N. Congress Austin, TX 78701	3rd-party reimbursement/ payment made in case of possible inadvertent telephone use			50.00		
✓ 3/3/92	SW Bell Telephone P.O. Box 90, San Antonio, TX 78131	deposit			250.00		
✓ 3/3/91	Matthew Gleason 955 Rosemary, New Braunfels, TX 78130	reimbursement (ATT installation) contract services	X	X	1393.00		
TOTAL					6638.05		

Payments that were not political expenditures are payments that were not involved in an election or in the performance of officeholder duties or activities but were made from political contributions.

See Reverse Side for Instructions

9 4 0 EXHIBIT 2 B₃ 2 0 5
7 of 7

T15 920001
2/92
Part X-05

USE ONLY BLACK INK OR BLACK TYPEWRITER
RIBBON WHEN FILLING OUT THIS FORM

Complete: Pg. 22 of 61

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**CANDIDATE/OFFICEHOLDER
EXPENDITURES AND PAYMENTS**

Name of candidate/officeholder: TX RAILROAD COMMISSIONER BOB KRUEGER

Date	Payee or creditor Full name, complete address	Purpose of expenditure or payment (see instructions) * If another candidate/officeholder is receiving the benefits of a direct campaign expenditure, list the name of the candidate/ officeholder and the office sought or held by that person in this column *	(a) Check () this column if payment was from personal funds	(b) Check () this column if you expect to be reimbursed from political contributions	Enter the amount of the expenditure or payment in the appropriate column		
					(1) Disbursements of cash or property and unpaid bills (except loans) not previ- ously reported	(2) Repayments of loans of money	(3) Payments that were not political expenditures* (Tex. Elec. Code Ann. sec. 254.031(a)(4))
3/3/92	TCI Cablevision 160 Hwy. 81W, New Braunfels, TX 78130	cable			22.10		
3/3/92	MCI P.O. Box 99117, Ft. Worth, TX 76199	long distance telephone			135.30		
3/3/92	Cellular One P.O. Box 650413, Dallas, TX 75265	mobile phone			45.90		
3/3/92	SW Bell Telephone P.O. Box 90, San Antonio, TX 78131	telephone			155.60		
✓ 3/3/92	Matthew Gleason 935 Rosemary New Braunfels, TX 78130	reimbursement/folding tables & chairs	X	X	226.62		
3/3/92	AT&T P.O. Box 27-866, Kansas City, MO 64184	telephone			52.78		
TOTAL					638.30		

*"Payments that were not political expenditures" are payments that were not involved in an election or in the performance of officeholder duties or activities but were made from political contributions.

See Reverse Side for Instructions

EXHIBIT C 1 of 3

SENDSULE 8-P
Federal Election Commission
1101 Street, N.W.
Washington, D.C. 20460

ITEMIZED DISBURSEMENTS

DISBURSEMENTS
FOR THE
MONTH OF
MARCH 1992

3
LINE NUMBER

13

NAME OF COMMITTEE IN FULL

THE TSONBAS COMMITTEE INC.

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

DATE
MONTH,
DAY,
YEAR

AMOUNT
OF EACH
DISBURSEMENT
THIS PERIOD

NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT	DATE MONTH, DAY, YEAR	AMOUNT OF EACH DISBURSEMENT THIS PERIOD
Vincent McCarthy 2300 W. Alabama Street #32 Houston, TX 77098	Field TX DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-1,500.00
Nine Guinn 707 Rio Grande Austin, TX 78768	Consulting DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-1,000.00
Drew Schabert 4007 McCullough San Antonio, TX 78212	Consulting DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-1,000.00
Paula Price 1857 East Northern Suite B Dallas, TX 75204	Field AZ DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-5,000.00
Shannon Bailey 10100 No. Central Expressway Suite 220 Dallas, TX 75244	Consulting DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-1,000.00
Moore Telecommunications 2877 LBJ Freeway, #124 Dallas, TX 75234	Admin DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-270.63
Jeff Carroth 3255 D. South University Ft. Worth, TX 76109	Field TX DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-140.00
Shannon Bailey 10100 North Central Express Suite 220 Dallas, TX 75234	Field TX DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/3/92	-270.00
SUBTOTAL OF DISBURSEMENTS THIS PAGE (optional)			-10,180.63

NOTE: THIS REPORT MUST HAVE THIS LINE NUMBER ONLY

94043523206
37520318

SCHEDULE B-P
Federal Election Commission
200 T Street, N.W.
Washington, D.C. 20003

EXHIBIT C 203

ITEMIZED DISBURSEMENTS

DISBURSEMENTS FOR THIS PERIOD OF THE CAMPAIGN PERIOD (SEE INSTRUCTIONS)	PAGE 14	OF THE TOTAL 91
LINE NUMBER 23		

NAME OF COMMITTEE OR CANDIDATE		DATE (MONTH, DAY, YEAR)	AMOUNT OF EACH DISBURSEMENT THIS PERIOD
THE TORGAS COMMITTEE INC. Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.			
NAME, ADDRESS, CITY, STATE, ZIP CODE Torgas for Torgas 228 S. Seguin Street New Braunfels, TX	PURPOSE OF DISBURSEMENT Field TX DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-0,000.00
NAME, ADDRESS, CITY, STATE, ZIP CODE Bay Bank One Post Office Sq Boston MA 02109	PURPOSE OF DISBURSEMENT Postage DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-982.00
NAME, ADDRESS, CITY, STATE, ZIP CODE Realcom Box 740093 Atlanta GA 30374-0093	PURPOSE OF DISBURSEMENT Telephones DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-11,167.04
NAME, ADDRESS, CITY, STATE, ZIP CODE Xerox Corporation 66 Battery March Boston, MA 02109	PURPOSE OF DISBURSEMENT field mailing DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-81.22
NAME, ADDRESS, CITY, STATE, ZIP CODE Joe Ouellette 149 Lynnfield Street Lynn, MA 01909	PURPOSE OF DISBURSEMENT DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-136.00
NAME, ADDRESS, CITY, STATE, ZIP CODE Bill Dunbar 5065 57th Avenue Seattle, WA 98118	PURPOSE OF DISBURSEMENT Consulting DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-700.00
NAME, ADDRESS, CITY, STATE, ZIP CODE Al Paratone 112 Jennpce Street Lynn MA 01548-8523	PURPOSE OF DISBURSEMENT DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-155.28
NAME, ADDRESS, CITY, STATE, ZIP CODE Shannon Salley 10100 N Central Expressway Dallas, TX 75231	PURPOSE OF DISBURSEMENT DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/5/92	-865.00
GRAND TOTAL OF DISBURSEMENTS THIS PAGE (optional)			-32,087.24
TOTAL THIS PERIOD (last page this line number only)			

203 207 228 207 328 207 438 207 548 207 658 207 768 207 878 207 988 207

EXHIBIT C 383

SCHEDULE B-P

Political Election Committee
600 F Street, N.W.
Washington, D.C. 20063

ITEMIZED DISBURSEMENTS

DISBURSEMENTS FOR EACH CATEGORY OF THE DISBURSEMENT CATEGORY (SEE INSTRUCTIONS)	PAGE 56	OF 61
LINE NUMBER	25	

NAME OF COMMITTEE (PRINT)		DATE (MONTH, DAY, YEAR)		AMOUNT OF EACH DISBURSEMENT THIS PERIOD	
THE TSONBAS COMMITTEE INC.					
<p>Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.</p>					
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
American Express P.O. Box 1270 Newark N.J. 07101-1270	SchdAAdv DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-14,641.32	
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
:JYNEX Mobile P.O. Box 15485 Worcester, MA 01615-0485	SchdAAdv DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-372.05	
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
Dubs, Elaine M. 73 Clayton Ave Worcester, MA 01644	Consulting DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-1,400.00	
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
Bowdin Printing 400 S 14th Ave Ft Collins, CO 80526	Printing DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-7,449.96	
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
Krueger Railroad Commission P.O. Box 311717 Dallas, TX 75231	Field TX DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-15,892.14	
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
Michael O'Halloran 19 Madison Rd. Waltham, MA	Field MN DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-100.00	
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
Jeff Lerner 112 16th St. NW Suite 610 Washington, DC	Field MD DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-582.03	
NAME, ADDRESS, CITY, STATE, ZIP CODE	PURPOSE OF DISBURSEMENT				
Kennedy, Sharon 106 L Street S. Boston, MA 02127	Field Other DISBURSEMENT FOR: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/6/92		-800.00	
GRAND TOTAL OF DISBURSEMENTS THIS PAGE (optional)				-28,905.50	

02037520370

600 # 8890

National Republican Senatorial Committee

SENATOR PHIL GRAMM
CHAIRMAN

April 8, 1993

Mr. Scott E. Thomas
Chairman
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

MUR 3758

Dear Mr. Chairman:

This letter and the attached copy of The Houston Post article are submitted as additional information in the complaint filed with the Federal Election Commission with file date stamp April 7, 1993. A copy of the complaint is attached for your convenience.

In the article, a Krueger spokesperson states that the "Tsongas campaign gave Krueger's state office some 'bad information' and [Krueger] quickly reimbursed the officeholder account." This statement serves as an admission of wrongdoing. It seems as though the only issue remaining is whether the acts were intentional.

The evidence presented in the complaint and further investigation should show that they were.

Sincerely,

Jay Velasquez

Jay Velasquez
Legal Counsel

Sworn to and subscribed before me
this 8 day of April 1993.

Lana C. Steiner

Notary Public

Expiration Date: July 14, 1997

RONALD REAGAN REPUBLICAN CENTER
425 SECOND STREET, N.E. • WASHINGTON, D.C. 20002 • (202) 675-6000

PAID FOR AND AUTHORIZED BY THE NATIONAL REPUBLICAN SENATORIAL COMMITTEE

93 APR -8 PM 2:57

RECEIVED
FEDERAL ELECTION COMMISSION

94043523209

Houston Post

4-8-93

Complaint claims Krueger misused RRC funds

BY ROSALIND JACKLER
POST WASHINGTON BUREAU

WASHINGTON — The National Republican Senatorial Committee filed a complaint Wednesday against U.S. Sen. Bob Krueger, alleging he used funds from his Texas Railroad Commissioner account to help Paul Tsongas' failed presidential bid.

A Krueger campaign spokesman called the complaint filed with the Federal Election Commission "niggling," and said it is designed to get attention and has nothing to do with the real issues of the special Senate election May 1.

"The Republicans sit around, look up rules, search for technical violations, file complaints and nothing ever comes of it," said Krueger spokesman Monte Williams from Austin.

The complaint says Krueger's Railroad Com-

missioner office was reimbursed nearly \$25,000 by Tsongas' campaign in March 1992 while Krueger was Texas chairman for the former Democratic Massachusetts senator.

The senatorial committee, chaired by Republican Sen. Phil Gramm of Texas, said Krueger's state account was permitted by law to contribute only \$1,000 to the Tsongas campaign but illegally paid almost \$25,000 of the Tsongas campaign expenses in the state.

Williams said the Tsongas campaign gave Krueger's state office some "bad information" and quickly reimbursed the officeholder account.

Krueger was appointed to the Senate seat in January after Lloyd Bentsen quit to become Treasury secretary. He faces 23 contenders in the special election for the remaining two years of the term.

94043523210



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

APRIL 14, 1993

Jay Velasquez, Counsel
National Republican Senatorial Committee
425 Second Street, NE
Washington, DC 20002

RE: MUR 3758

Dear Mr. Velasquez:

This letter acknowledges receipt on April 7, 1993, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Nina Guinn, Robert Krueger, Texans for Tsongas and its treasurer, Tsongas Committee, Inc., and S. George Kokinos as treasurer, Krueger Railroad Commission and its treasurer. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3758. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in cursive script, reading "Teresa A. Hennessy", is positioned above the typed name.

Teresa A. Hennessy
Assistant General Counsel

Enclosure
Procedures

9404352311



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APRIL 14, 1993

S. George Kokinos, Treasurer
Tsongas Committee, Inc.
20 Park Plaza, Suite 230
Boston, MA 02146

RE: MUR 3758

Dear Mr. Kokinos:

The Federal Election Commission received a complaint which indicates that the Tsongas Committee, Inc. ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3758. Please refer to this number in all future correspondence.

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

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

94043523212

S. George Kokinos, Treasurer
Tsongas Committee, Inc.
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Teresa A. Hennessy

Teresa A. Hennessy
Assistant General Counsel

Enclosures

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

cc: Paul E. Tsongas

9 4 0 4 3 5 2 3 2 1 3



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APRIL 14, 1993

Treasurer
Texans for Tsongas
228 S. Seguin Street
New Braunfels, TX 78130

RE: MUR 3758

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Texans for Tsongas ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3758. Please refer to this number in all future correspondence.

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

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

94043523214

Treasurer
Texans for Tsongas
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Teresa A. Hennessy

Teresa A. Hennessy
Assistant General Counsel

Enclosures

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

cc: Paul E. Tsongas

9 4 0 4 3 5 2 3 2 1 5



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APRIL 14, 1993

Treasurer
Krueger Railroad Commission
P.O. Box 311717
New Braunfels, TX 78130

RE: MUR 3758

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Krueger Railroad Commission ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3758. Please refer to this number in all future correspondence.

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

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

94043523216

Treasurer
Krueger Railroad Commission
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Teresa A. Hennessy

Teresa A. Hennessy
Assistant General Counsel

Enclosures

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

cc: Robert Krueger

94043523217



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

APRIL 14, 1993

Honorable Robert Krueger
703 Hart Building
Washington, DC 20510

RE: MUR 3758

Dear Senator Krueger:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3758. Please refer to this number in all future correspondence.

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

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

94043218

Honorable Robert Krueger
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Teresa A. Hennessy

Teresa A. Hennessy
Assistant General Counsel

Enclosures

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

94043523219



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

APRIL 14, 1993

Nina Guinn
707 Rio Grande
Austin, TX 78768

RE: MUR 3758

Dear Ms. Guinn:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3758. Please refer to this number in all future correspondence.

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

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

94043523220

Nina Guinn
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Teresa A. Hennessy
Assistant General Counsel

Enclosures

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

94043523221

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

HOGAN & HARTSON

COLUMBIA SQUARE
555 THIRTEENTH STREET NW
WASHINGTON DC 20004-1109
(202) 637-5600

L. ANTHONY SUTIN
PARTNER
DIRECT DIAL (202) 637-8273

BRUSSELS
LONDON
PARIS
PRAGUE
WARSAW
BALTIMORE, MD
BETHESDA, MD
MCLEAN, VA

April 22, 1993

Mary Ann Bumgarner, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3758

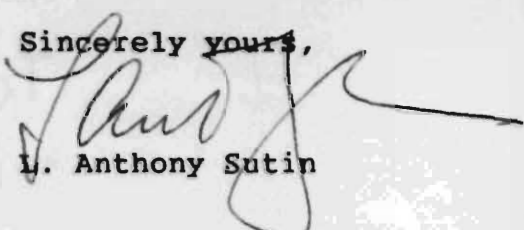
Dear Ms. Bumgarner:

To follow-up on our conversation today, enclosed please find a Designation of Counsel form, designating the undersigned as counsel for the Tsongas Committee, Inc. in the above-captioned MUR.

The Committee requests that the Commission permit it to submit its response to the complaint on or before May 21, 1993. The grounds for this request are that the Committee is no longer active and has no full-time staff able to assist counsel in gathering necessary information to formulate a response.

Thank you for your consideration.

Sincerely yours,


L. Anthony Sutin

Enclosure

3026s/4

93 APR 23 PM 12:26

RECEIVED
FEDERAL ELECTION COMMISSION

94043523222

APR 22 '93

9:46

KOGAN & HARTSON

017-244000
APR 23 11 21 AM '93

F-102

STATEMENT OF DESIGNATION OF COUNSEL

NOR 7752

NAME OF COUNSEL: L. MICHAEL BATESADDRESS: KOGAN & HARTSON555 Thirtieth Street, NWWashington, DC 20004-1109TELEPHONE: (202) 637-5600

The above-named individual is hereby designated as my --
counsel and is authorized to receive my notifications and other
communications from the Commission and to act on my behalf
before the Commission.

April 22, 1993

DATE: _____



 SIGNATURE
RESPONDENT'S NAME: THE THOMAS CORPORA, INC., c/o George Schindler, TreasurerADDRESS: 20 Park Plaza, Suite 220, Boston, MA 02146

TELEPHONE: HOME: (_____) _____

BUSINESS: (617) 423-0100RECEIVED
FEDERAL BUREAU OF INVESTIGATION

93 APR 23 PM 12:26

94043523223



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

APRIL 30, 1993

L. Anthony Sutin, Esquire
Hogan & Hartson
555 Thirteenth Street, NW
Washington, DC 20004-1109

RE: MUR 3758
Tsongas Committee, Inc.,
and George Kokinos, as
treasurer

Dear Mr. Sutin:

This is in response to your letter dated April 22, 1993, which we received on April 23, 1993, requesting an extension until May 21, 1993, to respond to the complaint in this matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on May 21, 1993.

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

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner
Attorney

9404352324

OGC 8842

HOGAN & HARTSON

COLUMBIA SQUARE
355 THIRTEENTH STREET NW
WASHINGTON DC 20004-1109
(202) 637-5600

L. ANTHONY SUTIN
PARTNER
DIRECT DIAL (202) 637-8273

BRUSSELS
LONDON
PARIS
PRAGUE
WARSAW
BALTIMORE, MD
BETHESDA, MD
MCLEAN, VA

May 21, 1993

BY HAND DELIVERY

Mary Ann Bumgarner, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

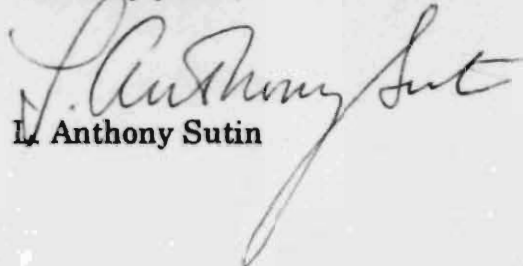
Re: MUR 3758

Dear Ms. Bumgarner:

Enclosed please find the Response of The Tsongas Committee, Inc. to the complaint in MUR 3758, accompanied by the Affidavit of David Goldman.

Please call me if you have any questions. Thank you for your consideration.

Sincerely yours,


L. Anthony Sutin

Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
93 MAY 21 PM 4:37

94043523225

UNITED STATES OF AMERICA
BEFORE THE FEDERAL ELECTION COMMISSION

93 MAY 21 PM 4:31

RECEIVED
FEDERAL ELECTION COMMISSION

NATIONAL REPUBLICAN SENATORIAL COMMITTEE)

Complainant,)

MUR 3758

v.)

KRUEGER STATE COMMITTEE,)

Respondent.)

RESPONSE OF THE TSONGAS COMMITTEE, INC.

This response is submitted to the Federal Election Commission on behalf of the Tsongas Committee, Inc. and S. George Kokinos, as Treasurer, (collectively, "the Committee") to the complaint filed in this matter by the National Republican Senatorial Committee.

The complaint alleges that U.S. Senator Bob Krueger and/or the Krueger State Committee (collectively, "Krueger") made excessive contributions to the Committee in the form of "fronted" payment of expenses on behalf of the unsuccessful 1992 presidential campaign of former U.S. Senator Paul E. Tsongas. Specifically, the complainant alleges that certain suppliers of campaign-related goods and services were paid in the first instance by Krueger and subsequently reimbursed by the Committee.

Although the complaint did not identify the Committee as a respondent, the Commission requested that the Committee submit a response. By this response, the Committee requests that the Commission find that it did not

violate the Federal Election Campaign Act of 1971, as amended ("the Act"), and that no further action should be taken against it in this matter.

I. THE COMMITTEE DID NOT KNOWINGLY ACCEPT EXCESSIVE CONTRIBUTIONS.

The Committee does not contend that the expenditures identified in the excerpts from reports attached to the complaint were not made by Krueger or that they were not made in support of the Tsongas candidacy in the State of Texas. Rather, it is the Committee's position that it was notified of the expenditures by Krueger shortly after they were made and reimbursed Krueger promptly.

As set forth in the accompanying Affidavit of David Goldman, Business Manager of the Committee, many campaign supporters were not aware of Commission regulations governing advances of campaign-related expenses. It was Committee policy to promptly reimburse any individuals who made such advances in excess of applicable contribution limits and to advise them of the governing FEC regulations. Goldman Affidavit ¶ 3.

Under the Act, "[n]o candidate or political committee shall knowingly accept any contribution or make any expenditure in violation" of the contribution limitations. 2 U.S.C. § 441a(f) (emphasis added). The Committee was not advised of the Krueger expenditures until after they were made and reimbursed the amounts promptly after being advised of the amounts by Krueger. See Goldman

9 4 0 4 3 5 2 3 2 8
Affidavit ¶ 4. 1/ Because the Committee reimbursed Krueger for the expenditures at issue promptly after becoming aware of them, the Committee cannot be said to have "knowingly" accepted an excessive contribution within the meaning of § 441a(f). 2/

The complaint also contends that "Tsongas' FEC reports do not show the in-kind contributions from Krueger." Complaint at 2. The attachments to the complaint demonstrate, however, that the date, recipient, and purpose of the reimbursements by the Committee were fully reported in a timely manner to the Commission. In addition, all records relating to these expenditures were made available to the Commission's audit staff during the course of audit fieldwork completed in the summer of 1992. Goldman Affidavit ¶ 5. 3/

For the foregoing reasons, the Committee respectfully submits that it did not knowingly receive an excessive contribution. At the very least, the Committee submits that the brief period of time between when the Krueger

1/ Indeed, reimbursements were made by the Committee within the ten day guideline established by Commission regulations for the return of other types of excessive contributions. 11 C.F.R. 103.3(b)(3). Moreover, the records submitted with the complaint demonstrate that the dates of reimbursement (March 3, 5 and 6) were quite close in time to the date of the Krueger expenditures being reimbursed. Thus, the total time that elapsed from the original expenditures by Krueger and their reimbursement by the Committee, i.e., any alleged "fronting" or "floating" of expenses, was of a very brief duration and of no electoral consequence.

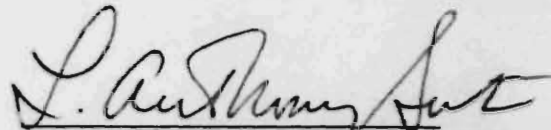
2/ At this time, the Committee is unable to determine the reason for the minor discrepancies between the amount of the expenditures reported on the Krueger state filings and the amount of reimbursement from the Committee. The difference either may relate to the problems with expenditure documentation submitted to the Committee or to the fact that certain expenditures by Krueger also may have related in part to non-Committee matters for which full reimbursement was not required.

3/ If the Commission determines that any additional reporting is appropriate, the Committee requests that such determinations be made as part of the audit process rather than requiring multiple amendments of reports.

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expenditures were made and when they were reimbursed by the Committee, as well as the Committee's prompt reimbursement upon learning of the expenditures, support a determination that no further action be taken against the Committee in this matter. To the extent that any technical or reporting violation took place as to the now-inactive Committee, it was a de minimus one that undoubtedly will be fully addressed by the Commission's audit report and does not justify the commitment of investigative resources by the Commission. See Heckler v. Chaney, 470 U.S. 821 (1985); MUR 3611, 3268.

Respectfully submitted,



L. Anthony Sutin
HOGAN & HARTSON
Columbia Square
555 Thirteenth Street, N.W.
Washington, DC 20004-1109
(202) 637-5600

Attorney for the Tsongas Committee,
Inc. and S. George Kokinos, as
Treasurer

UNITED STATES OF AMERICA
BEFORE THE FEDERAL ELECTION COMMISSION

NATIONAL REPUBLICAN SENATORIAL COMMITTEE

Complainant

v.

KRUEGER STATE COMMITTEE,

Respondent.

MUR 3758

AFFIDAVIT OF DAVID GOLDMAN

David Goldman, being duly sworn, states as follows:

1. I submit this affidavit in support of the Response of the Tsongas Committee, Inc. ("the Committee") to the complaint in the above-captioned Matter under Review.

2. I am the Business Manager of the Committee. I have held this position from the Committee's inception in 1991. In this capacity, I have overall responsibility for the accounts payable of the Committee.


3. From my experience during the campaign, I became aware that many campaign supporters were not aware of Commission regulations governing advances of campaign-related expenses. It was Committee policy to promptly reimburse any individuals who made such advances in excess of applicable contribution limits and to advise them of the governing FEC regulations.

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4. In March of 1992, I became aware that certain Tsongas supporters in Texas had made advance payments for various campaign-related expenditures. Although I had not authorized these expenditures, I authorized reimbursement to be made promptly upon learning of the advances. The \$1,000 check to Nina Guinn, dated March 3, 1992, the \$8,000 check to Texans for Tsongas, dated March 5, 1992, and the \$15,892.14 check to Krueger Railroad Commission, dated March 6, 1992, were for the purposes of such reimbursement. In each instance, these reimbursements were made within ten days of receiving notification of the expenditures.

5. Each of these three checks was reported in the Committee's monthly reports for the period and the checks and supporting documentation were made available to the Commission's audit staff.

Further affiant sayeth not.


David Goldman

Subscribed and sworn to before me this 19th day of May, 1993.


Notary Public

My Commission Expires: Nov. 16, 1995

GENERAL COUNSEL'S REPORT, DATED APRIL 5, 1994,
AND CERTIFICATION OF COMMISSION VOTE, DATED MAY 5, 1994,
ARE FILED AT THE FOLLOWING MICROFILM LOCATION:

MUR ROLL: 352

FRAMES: 2832-2847

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 6, 1994

Jay Velasquez, Legal Counsel
National Republican Senatorial Committee
425 Second Street, N.E.
Washington, D.C. 20002

RE: MUR 3758

Dear Mr. Velasquez:

On April 7, 1993, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994. This matter will become part of the public record within 30 days.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

940433233

MUR 3758

TEXAS RAILROAD COMMISSIONER BOB KRUEGER

In its complaint, the National Republican Senatorial Committee alleges that TX Railroad Commissioner Bob Krueger, a state committee, made excessive in-kind contributions totaling \$24,000 to the Tsongas Committee, Inc. The complaint also alleges that TX Railroad Commissioner Bob Krueger failed to register and file disclosure reports. TX Railroad Commissioner Bob Krueger did not file a response to the complaint.

In its response to the complaint, the Tsongas Committee states that it received notification of the expenditures after they were made and that within 10 days of notification of the expenditures, the Committee reimbursed Mr. Krueger for the full amount. The Committee indicates that it reported the reimbursements made to Mr. Krueger in a timely manner.

This matter involves less significant issues relative to the other issues pending before the Commission and remedial action has been taken.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 6, 1994

L. Anthony Sutin, Esq.
Hogan and Hartson
Columbia Square
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109

RE: MUR 3758
The Tsongas Committee, Inc. and
S. George Kokinos, as treasurer

Dear Mr. Sutin:

On April 14, 1993, the Federal Election Commission notified your clients, the Tsongas Committee, Inc. and S. George Kokinos, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994.

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

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L. Anthony Sutin, Esq.
MUR 3758
Page 2

If you have any questions, please contact Joan McEnery at
(202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

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MUR 3758

TEXAS RAILROAD COMMISSIONER BOB KRUEGER

In its complaint, the National Republican Senatorial Committee alleges that TX Railroad Commissioner Bob Krueger, a state committee, made excessive in-kind contributions totaling \$24,000 to the Tsongas Committee, Inc. The complaint also alleges that TX Railroad Commissioner Bob Krueger failed to register and file disclosure reports. TX Railroad Commissioner Bob Krueger did not file a response to the complaint.

In its response to the complaint, the Tsongas Committee states that it received notification of the expenditures after they were made and that within 10 days of notification of the expenditures, the Committee reimbursed Mr. Krueger for the full amount. The Committee indicates that it reported the reimbursements made to Mr. Krueger in a timely manner.

This matter involves less significant issues relative to the other issues pending before the Commission and remedial action has been taken.

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20461

June 6, 1994

Treasurer
Texans for Tsongas
228 S. Seguin Street
New Braunfels, TX 78130

RE: MUR 3758
Texans for Tsongas and its treasurer

Dear Sir or Madam:

On April 14, 1993, the Federal Election Commission notified Texans for Tsongas ("Committee") and its treasurer of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994.

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

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Treasurer, Texans for Tsongas
MUR 3758
Page 2

If you have any questions, please contact Joan McEnery at
(202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

94043523239

MUR 3758

TEXAS RAILROAD COMMISSIONER BOB KRUEGER

In its complaint, the National Republican Senatorial Committee alleges that TX Railroad Commissioner Bob Krueger, a state committee, made excessive in-kind contributions totaling \$24,000 to the Tsongas Committee, Inc. The complaint also alleges that TX Railroad Commissioner Bob Krueger failed to register and file disclosure reports. TX Railroad Commissioner Bob Krueger did not file a response to the complaint.

In its response to the complaint, the Tsongas Committee states that it received notification of the expenditures after they were made and that within 10 days of notification of the expenditures, the Committee reimbursed Mr. Krueger for the full amount. The Committee indicates that it reported the reimbursements made to Mr. Krueger in a timely manner.

This matter involves less significant issues relative to the other issues pending before the Commission and remedial action has been taken.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 6, 1994

Treasurer
Krueger Railroad Commission
P.O. Box 311717
New Braunfels, TX 78130

RE: MUR 3758
Krueger Railroad Commission and
its treasurer

Dear Sir or Madam:

On April 14, 1993, the Federal Election Commission notified the Krueger Railroad Commission ("Committee") and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994.

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

If you have any questions, please contact Joan McEnery at (202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

94043523241

MUR 3758

TEXAS RAILROAD COMMISSIONER BOB KRUEGER

In its complaint, the National Republican Senatorial Committee alleges that TX Railroad Commissioner Bob Krueger, a state committee, made excessive in-kind contributions totaling \$24,000 to the Tsongas Committee, Inc. The complaint also alleges that TX Railroad Commissioner Bob Krueger failed to register and file disclosure reports. TX Railroad Commissioner Bob Krueger did not file a response to the complaint.

In its response to the complaint, the Tsongas Committee states that it received notification of the expenditures after they were made and that within 10 days of notification of the expenditures, the Committee reimbursed Mr. Krueger for the full amount. The Committee indicates that it reported the reimbursements made to Mr. Krueger in a timely manner.

This matter involves less significant issues relative to the other issues pending before the Commission and remedial action has been taken.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 6, 1994

Robert Krueger
c/o Bob Krueger Campaign
P.O. Box 311717
New Braunfels, TX 78130

RE: MUR 3758
Robert Krueger

Dear Mr. Krueger:

On April 14, 1993, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994.

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

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Robert Krueger
MUR 3758
Page 2

If you have any questions, please contact Joan McEnery at
(202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

94043523244

MUR 3758

TEXAS RAILROAD COMMISSIONER BOB KRUEGER

In its complaint, the National Republican Senatorial Committee alleges that TX Railroad Commissioner Bob Krueger, a state committee, made excessive in-kind contributions totaling \$24,000 to the Tsongas Committee, Inc. The complaint also alleges that TX Railroad Commissioner Bob Krueger failed to register and file disclosure reports. TX Railroad Commissioner Bob Krueger did not file a response to the complaint.

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This matter involves less significant issues relative to the other issues pending before the Commission and remedial action has been taken.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 6, 1994

Nina Guinn
707 Rio Grande
Austin, TX 78768

RE: MUR 3758
Nina Guinn

Dear Ms. Guinn:

On April 14, 1993, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994.

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

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Nina Guinn
MUR 3758
Page 2

If you have any questions, please contact Joan McEnery at
(202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

94043523247

MUR 3758

TEXAS RAILROAD COMMISSIONER BOB KRUEGER

In its complaint, the National Republican Senatorial Committee alleges that TX Railroad Commissioner Bob Krueger, a state committee, made excessive in-kind contributions totaling \$24,000 to the Tsongas Committee, Inc. The complaint also alleges that TX Railroad Commissioner Bob Krueger failed to register and file disclosure reports. TX Railroad Commissioner Bob Krueger did not file a response to the complaint.

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This matter involves less significant issues relative to the other issues pending before the Commission and remedial action has been taken.

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THIS IS THE END OF MUR # 3758

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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DATE FILMED 6-14-94 CAMERA NO. 2

CAMERAMAN JMK

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