



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MUR # 3853

DATE FILMED 5-11-54 CAMERA NO. 2

CAMERAMAN JmH

94030973775

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: September 9, 1993

ANALYST: Robin Kelly

I. COMMITTEE:

Studds for Congress Committee
(C00018648)
Anne-Marie Litchfield, Treasurer
(June 1, 1993-Present)
Margaret D. Xifaras, Treasurer
(April 9, 1992-May 31, 1993)
Edwin M. Martin, Jr., Treasurer
(January 1, 1991-April 8, 1992)
P.O. Box 513
Scituate, MA 02066

II. RELEVANT STATUTE:

2 U.S.C. §434(a)(6)
11 CFR §104.5(f)

III. BACKGROUND:

Failure to File Forty-Eight Hour Notifications

The Studds for Congress Committee ("the Committee") has failed to file 22 of 57 or 39% of the required Forty-Eight (48) Hour Notifications ("48-Hour Notices") for contributions totalling \$31,500 received prior to the 1992 General Election.

The candidate was involved in the 1992 General Election held on November 3, 1992. Prior Notice was sent to the Committee on September 28, 1992 (Attachment 2). The Notice includes a section titled "48 Hour Notices on Contributions". This section reads "Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of October 15 through October 31. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

Schedule A of the 30 Day Post-General Report indicates that the Committee failed to file twenty-two (22) 48-Hour Notices for contributions received during the aforementioned period (Attachment 3). The following is a list of the contributions for which no 48-Hour Notices were filed:

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<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Augustus Fabens	10/26/92	\$1,000
Mr. Peter L. Eleey	10/29/92	\$1,000
Mr. Tim Walton	10/23/92	\$1,000
Mr. Fred Hochberg	10/24/92	\$1,000
Mr. Kenneth Novack	10/28/92	\$1,000
Mr. Leonard Schnitzer	10/28/92	\$1,000
Mr. Robert Philip	10/28/92	\$1,000
Mr. F. Helmut Weymar	10/29/92	\$1,000
Mr. Martin J. Haddigan	10/29/92	\$1,000
AT&T PAC	10/24/92	\$1,000
Masters Mates & Pilots P.A.C.	10/29/92	\$1,000
American Medical PAC	10/24/92	\$1,500
Fund for a Democratic Majority	10/24/92	\$2,500
I.B.E.W.-Cope Pac	10/31/92	\$2,000
	10/31/92	\$1,500
Committee on Letter Carriers Pac	10/31/92	\$2,000
Intn'l Longshoreman's Pac	10/29/92	\$1,000
U.A.W.V. Cap P.A.C.	10/31/92	\$5,000
American President Companies Pac	10/29/92	\$1,000
Nynex Federal Pac 1	10/24/92	\$1,000
Cruise PAC	10/24/92	\$2,000
The National PAC	10/31/92	\$1,000

On July 28, 1993, an Informational Notice ("IN") was sent to the Committee (Attachment 4). The IN notes that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more. The notice requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that although the Commission may take legal steps, any response would be taken into consideration.

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1991-1992
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
STUDDS, GERRY E	HOUSE 10 DEMOCRATIC PARTY				MASSACHUSETTS		1992 ELECTION	ID# H6MA12028	
1. STATEMENT OF CANDIDATE									
1991 STATEMENT OF CANDIDATE							26JUN91	1	91HSE/428/4784
2. PRINCIPAL CAMPAIGN COMMITTEE									
STUDDS FOR CONGRESS COMMITTEE								ID #C000018648	HOUSE
1991 MISCELLANEOUS REPORT	TO FEC						17JUL91	1	91HSE/429/2088
STATEMENT OF ORGANIZATION - AMENDMENT							25OCT91	1	91HSE/434/5078
MID-YEAR REPORT			124,449		52,308		1JAN91 -30JUN91	45	91HSE/431/1745
MID-YEAR REPORT - AMENDMENT							1JAN91 -30JUN91	3	92HSE/438/1312
YEAR-END			145,571		137,949		1JUL91 -31DEC91	41	92HSE/438/0224
YEAR-END - AMENDMENT							1JUL91 -31DEC91	3	92HSE/451/4047
REQUEST FOR ADDITIONAL INFORMATION							1JUL91 -31DEC91	2	92FEC/751/3212
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JUL91 -31DEC91	3	92FEC/754/4446
1992 STATEMENT OF ORGANIZATION - AMENDMENT							14APR92	1	92HSE/445/2905
STATEMENT OF ORGANIZATION - AMENDMENT							9JUN92	1	92HSE/453/4146
48 HOUR CONTRIBUTION NOTICE							2SEP92	2	92HSE/465/3294
48 HOUR CONTRIBUTION NOTICE							3SEP92	2	92HSE/466/0741
48 HOUR CONTRIBUTION NOTICE							3SEP92	3	92HSE/466/0738
48 HOUR CONTRIBUTION NOTICE							11SEP92	1	92HSE/466/4267
48 HOUR CONTRIBUTION NOTICE							14SEP92	1	92HSE/466/4005
48 HOUR CONTRIBUTION NOTICE							14SEP92	1	92HSE/466/4831
48 HOUR CONTRIBUTION NOTICE							17OCT92	1	92HSE/471/1301
48 HOUR CONTRIBUTION NOTICE							21OCT92	1	92HSE/477/3434
48 HOUR CONTRIBUTION NOTICE							24OCT92	2	92HSE/480/4092
48 HOUR CONTRIBUTION NOTICE							27OCT92	1	92HSE/481/2772
48 HOUR CONTRIBUTION NOTICE							29OCT92	1	92HSE/481/4088
48 HOUR CONTRIBUTION NOTICE							30OCT92	2	92HSE/481/5440
APRIL QUARTERLY			166,942		123,876		1JAN92 -31MAR92	22	92HSE/445/1671
APRIL QUARTERLY - AMENDMENT			167,431		124,364		1JAN92 -31MAR92	5	92HSE/456/3858
JULY QUARTERLY			238,183		123,565		1APR92 -30JUN92	57	92HSE/456/2867
1'ST LETTER INFORMATIONAL NOTICE							1APR92 -30JUN92	1	93FEC/852/2403
PRE-PRIMARY			124,562		143,062		1JUL92 -26AUG92	48	92HSE/466/4001
NOTICE OF FAILURE TO FILE							1JUL92 -26AUG92	1	92FEC/777/4019
OCTOBER QUARTERLY				202,752		301,290	27AUG92 -30SEP92	64	92HSE/469/2488
OCTOBER QUARTERLY - AMENDMENT							-27AUG92 -30SEP92	4	93HSE/505/0200
REQUEST FOR ADDITIONAL INFORMATION							27AUG92 -30SEP92	2	93FEC/849/2649
REQUEST FOR ADDITIONAL INFORMATION 2ND							27AUG92 -30SEP92	3	93FEC/856/4319
PRE-GENERAL				94,601		191,800	1OCT92 -14OCT92	46	92HSE/479/2471
POST-GENERAL				302,525		300,201	15OCT92 -23NOV92	81	92HSE/484/1638
1'ST LETTER INFORMATIONAL NOTICE							15OCT92 -23NOV92	2	93FEC/852/2400
YEAR-END				38,190		65,837	24NOV92 -31DEC92	30	93HSE/491/3103
REQUEST FOR ADDITIONAL INFORMATION							24NOV92 -31DEC92	1	93FEC/849/2647
REQUEST FOR ADDITIONAL INFORMATION 2ND							24NOV92 -31DEC92	2	93FEC/856/4317
TOTAL			800,196	638,068	581,248	859,128		488	TOTAL PAGES

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FEDERAL ELECTION COMMISSION
1991-1992
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 8SEP93

PAGE 2

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

3. AUTHORIZED COMMITTEES
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

-All reports have been reviewed.
 -Cash-on-hand as of 12/31/92: \$19,799.05
 -Debts and obligations owed by the Committee as of 12/31/92: \$83,952.98
 -Debts and obligations owed to the Committee as of 12/31/92: \$0

94030973779

GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL

September 28, 1992

1992 GENERAL ELECTION CANDIDATE COMMITTEES

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Pre-General	10/01/92 - 10/14/92	10/19/92	10/22/92
Post-General	10/15/92 - 11/23/92	12/03/92	12/03/92

WHO MUST FILE

All 1992 general election principal campaign committees of congressional candidates (including unopposed candidates) who seek election in the November 3, 1992 General Election must file the Pre- and Post-General Election Reports.

WHO NEED NOT FILE

Principal campaign committees of candidates not active in the 1992 elections (i.e., committees active in past or future elections) and 1992 campaign committees not participating in the general election do not file the Pre- and Post-General Reports.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of October 15 through October 31. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

LABEL

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

COMPLIANCE

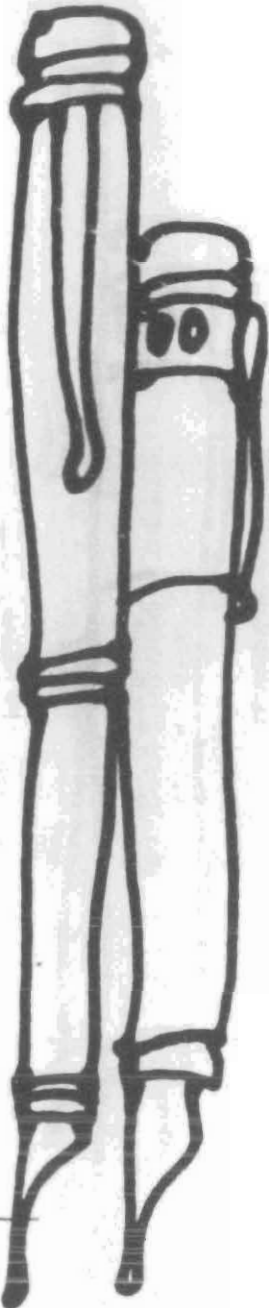
TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

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

**Reports sent by registered or certified mail must be post-marked by the mailing date; otherwise, they must be received by the filing date.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Individuals/Persons

Page 12 of 44
 For line number: 11(a)(1)

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Studde for Congress C04065/

A. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Bruce Downey 1725 New Hampshire, NW #202 Washington, DC 20009	Information requested	11/09/92	\$50.00

Receipt for: G Aggregate ytd > \$250.00

B. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Ms. Joan Pyle Dufault 7 Gracie Square New York, NY 10028	Self Freelance Photographer	10/21/92 11/05/92	\$100.00 \$150.00

Receipt for: G Aggregate ytd > \$650.00

C. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
William G. Dugan 159-F Tall Oak Drive Weymouth, MA 02190	Information Requested	10/20/92	\$300.00

Receipt for: G Aggregate ytd > \$400.00

D. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Dr. Helen W. Edey Seven Gates Farm Vineyard Haven, MA 02568	Retired	10/25/92	\$300.00

Receipt for: G Aggregate ytd > \$1300.00

E. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
William L. Edwards 1369 Hyde Street #54 San Francisco CA 94109-3839	NPS-GGNRA Voucher examiner	11/01/92	\$100.00

Receipt for: G Aggregate ytd > \$398.81

F. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Augustus Fabens 58 Brimmer Street Boston, MA 02108-1022	Self-employed Publisher	10/26/92	\$1000.00

Receipt for: G Aggregate ytd > \$2000.00

SUBTOTAL of Receipts This Page \$2000.00
 TOTAL This Period \$14342.00

1-9403097372

SCHEDULE A
ITEMIZED RECEIPTS
Contributions from Individuals/Persons

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 For line number: 11(a)(1)

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Full Name of Committee: Studs for Congress C040037

A. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Peter L. Eisey 69 Forbes Hill Road Quincy, MA 02170-0000	Self Lawyer	10/29/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

B. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Peter F. O'Connell 40 Hatherly Rd. Quincy, MA 02170-0000	O'Connell Management Owner	10/29/92	\$500.00

Receipt for: G Aggregate ytd > \$500.00

C. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Karen DeFellis 936 Commercial Street Weymouth, MA 02188-0000	At Home	10/31/92	\$300.00

Receipt for: G Aggregate ytd > \$500.00

D. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Alan D. Solomont 220 Ridgeway Road Weston, MA 02193	A/D/S Management, Inc. CEO	10/31/92	\$500.00

Receipt for: G Aggregate ytd > \$1500.00

E. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Timothy Barnicle 7301 Pinehurst Parkway Chevy Chase, MD 20815	Neece, Cator & Assoc Inc. Consultant	10/23/92	\$250.00

Receipt for: G Aggregate ytd > \$750.00

F. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Charles Bascom 95 Allens Point Road Marion, MA 02738	Information requested	10/31/92	\$100.00

Receipt for: G Aggregate ytd > \$300.00

SUBTOTAL of Receipts This Page \$2650.00
 TOTAL This Period \$37805.71

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Individuals/Persons

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Full Name of Committee: Studde for Congress C040657

A. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. William R. Howell
 847 Alder Street
 Edmonds, WA 98020
 Alaska Trawl Fisheries
 President 10/23/92 \$500.00

Receipt for: G Aggregate ytd > \$500.00

B. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. Hans W. Mauritsen
 2401 Skyline Way #102
 Anacortes, WA 98221
 Sunnar Shipping, Inc.
 Factory Trawler Operator 10/23/92 \$1000.00

Receipt for: G Aggregate ytd > \$1000.00

C. Full Name, Address, Zipcode Employer/Occupation Date Amount

Scott M. Zoltowski
 1 Spruce Lane
 Duxbury, MA 02332
 Information Requested 10/23/92 \$140.00
 10/23/92 \$70.00

Receipt for: G Aggregate ytd > \$210.00

D. Full Name, Address, Zipcode Employer/Occupation Date Amount

Tobin C. Wirt
 9 Sumner Street, Box #2150
 Sandwich, MA 02563
 Information Requested 10/23/92 \$300.00

Receipt for: G Aggregate ytd > \$300.00

E. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. Tim Walton
 44 W. Cedar Street
 Boston, MA 02114
 Information requested 10/23/92 \$1000.00

Receipt for: G Aggregate ytd > \$1000.00

F. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. Emanuel D. Berger
 18 Chestnut Street
 Boston, MA 02108
 New England Medical
 Vice President 10/23/92 \$250.00

Receipt for: G Aggregate ytd > \$250.00

SUBTOTAL of Receipts This Page \$3260.00
 TOTAL This Period \$49650.71

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Individuals/Persons

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Full Name of Committee: Studts for Congress C040657

A. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Fred Hochberg New York, NY	Lillian Vernon Administrator	10/24/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

B. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Gary Meade 2966 Passmore Dr. Los Angeles, CA 90068	Information Requested	10/24/92	\$250.00

Receipt for: G Aggregate ytd > \$250.00

C. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. William A. Palmer c/o Perry Oretsky 10880 Wilshire Blvd #600 Los Angeles, CA 90024	Self Information requested	10/25/92	\$500.00

Receipt for: G Aggregate ytd > \$500.00

D. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Alfred A. Slifka P. O. Box 9161 800 South Street Waltham, MA 02154	Global Petroleum Corp. Businessman	10/26/92	\$250.00

Receipt for: G Aggregate ytd > \$250.00

E. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Robert Ahearn C/O I. G. S. 55 Rear Main Street Kingston, MA 02364	Int'l Gov't Systems Consultant	10/26/92	\$600.00

Receipt for: G Aggregate ytd > \$600.00

F. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Timothy Carlson C/O Momentum 273 Summer Street Boston, MA 02210	Momentum Consultant	10/26/92	\$250.00

Receipt for: G Aggregate ytd > \$250.00

SUBTOTAL of Receipts This Page \$2850.00
 TOTAL This Period \$52500.71

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Individuals/Persons

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 For line number: 11(a)(i)

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Full Name of Committee: Studs for Congress C040657

A. Full Name, Address, Zipcode Employer/Occupation Date Amount

Marie M. Lambert
 737 Park Avenue, #9D
 New York, NY 10021
 Information Requested 10/28/92 \$250.00

Receipt for: G Aggregate ytd > \$250.00

B. Full Name, Address, Zipcode Employer/Occupation Date Amount

Bruce A. Cohen
 535 Fourth Street, SE
 Washington, DC 20003
 Swidler Berlin
 Attorney 10/28/92 \$250.00

Receipt for: G Aggregate ytd > \$250.00

C. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. Gilbert Schnitzer
 P. O. Box 10047
 Portland, OR 97210
 Information requested 10/28/92 \$500.00

Receipt for: G Aggregate ytd > \$500.00

D. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. Manuel Schnitzer
 P. O. Box 10047
 Portland, OR 97210
 Information requested 10/28/92 \$500.00

Receipt for: G Aggregate ytd > \$500.00

E. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. Kenneth Novack
 P. O. Box 10047
 Portland, OR 97210
 Information requested 10/28/92 \$1000.00

Receipt for: G Aggregate ytd > \$1000.00

F. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mr. Leonard Schnitzer
 P. O. Box 10047
 Portland, OR 97210
 Information requested 10/28/92 \$1000.00

Receipt for: G Aggregate ytd > \$1000.00

SUBTOTAL of Receipts This Page \$3500.00
 TOTAL This Period \$59250.71

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SCHEDULE A
Contributions from Individuals/Persons

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For line number: 11(a)(1)

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Full Name of Committee: Studde for Congress C040001

A. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Robert Philip P. O. Box 10047 Portland, OR 97210	Information requested	10/28/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

B. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. F. Helmut Weymar 80 Westcott Road Princeton, NJ 08540	Information requested	10/29/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

C. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Ms. Jane Ann Donlan C/O Neelon & Salisbury 21 McGrath Highway Quincy, MA 02169	Neelon & Salisbury Bookkeeper	10/29/92	\$300.00

Receipt for: G Aggregate ytd > \$300.00

D. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Martin J. Haddigan 63 St. Agatha Road Milton, MA 02186	Information requested	10/29/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

E. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. R. Christian Johnsen 2810 N. Glade Street NW Washington DC 20016	Jones, Walker, Waechter Attorney	10/29/92	\$500.00

Receipt for: G Aggregate ytd > \$500.00

F. Full Name, Address, Zipcode	Employer/Occupation	Date	Amount
Mr. Edward A. Seidel 6617 3rd Street, NW Washington, DC 20012	Information requested	10/31/92	\$250.00

Receipt for: G Aggregate ytd > \$250.00

SUBTOTAL of Receipts This Page	\$4050.00
TOTAL This Period	\$63300.71

94030973786

SCHEDULE A
ITEMIZED RECEIPTS
Contributions from Other Political Committees

 Page 1 of 11
 For line number: 11(c)

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Studs for Congress C040001

A. Full Name, Address, Zipcode Employer/Occupation Date Amount

 AFSCME P.E.O.P.L.E. PAC
 1625 L. Street NW
 Washington, DC 20036

10/16/92 \$1000.00

Receipt for: G Aggregate ytd > \$7500.00

B. Full Name, Address, Zipcode Employer/Occupation Date Amount

 AT&T PAC
 550 Madison Avenue
 New York, NY 10022

10/24/92 \$1000.00

Receipt for: G Aggregate ytd > \$3120.00

C. Full Name, Address, Zipcode Employer/Occupation Date Amount

 Masters Mates & Pilots P. A. C.
 700 Maritime Boulevard
 Linthicum Heights, MD 21090

10/29/92 \$1000.00

Receipt for: G Aggregate ytd > \$2000.00

D. Full Name, Address, Zipcode Employer/Occupation Date Amount

 Preston Gates Ellis PAC
 1735 New York Avenue, NW
 Ste 500
 Washington, DC 20006

10/23/92 \$1000.00

Receipt for: G Aggregate ytd > \$1000.00

E. Full Name, Address, Zipcode Employer/Occupation Date Amount

 UFCW PAC
 1775 K Street, NW
 Washington, DC 20006

10/27/92 \$5000.00

Receipt for: G Aggregate ytd > \$8000.00

F. Full Name, Address, Zipcode Employer/Occupation Date Amount

 AFL-CIO COPE
 815 16th Street NW
 Washington, DC 20006

10/21/92 \$2500.00

Receipt for: G Aggregate ytd > \$2500.00

SUBTOTAL of Receipts This Page \$11500.00

TOTAL This Period \$11500.00

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SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Other Political Committees

Page 3 of 11
For line number: 11(c)

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Studde for Congress C040007

A. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
American Hospital PAC 840 North Lake Shore Drive Chicago, IL 60611	10/29/92	\$750.00

Receipt for: G Aggregate ytd > \$1750.00

B. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
American Medical PAC 1101 Vermont Avenue, NW Washington, DC 20005	10/24/92	\$1500.00

Receipt for: G Aggregate ytd > \$4000.00

C. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
American Pilots Association PAC 1055 Thos Jefferson St. Ste Washington, DC 20007	11/02/92	\$1000.00

Receipt for: G Aggregate ytd > \$1500.00

D. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
ArcticAlaska Fisheries PAC PO Box 79021 Seattle, WA 98119	10/21/92	\$2000.00

Receipt for: G Aggregate ytd > \$3000.00

E. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Boat Owners Association P. A. C. 880 South Pickett Street Alexandria, VA 22304	10/21/92	\$500.00

Receipt for: G Aggregate ytd > \$2100.00

F. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Brunswick Good Government Fund 3306 Fallen Tree Court Alexandria, VA 22310	11/02/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

SUBTOTAL of Receipts This Page	\$6750.00
TOTAL This Period	\$30250.00

SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Other Political Committees

Page 4 of 11
 For line number: 11(c)

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Studs for Congress C040657

A. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Carpenters' Legislative Improvements 101 Constitution Avenue NW Washington, DC 20001	10/26/92	\$2500.00

Receipt for: G Aggregate ytd > \$2500.00

B. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Congressional Agenda 90's PAC 3148 O Street, NW Washington, DC 20007	11/02/92	\$500.00

Receipt for: G Aggregate ytd > \$650.00

C. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Effective Government PAC 80 F Street, NW, 8th floor Washington, DC 20001	10/16/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

D. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Firefighters PAC 1750 New York Avenue, NW Washington, DC 20006	10/19/92	\$2500.00

Receipt for: G Aggregate ytd > \$2500.00

E. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Fund for a Democratic Majority 420 C Street NE Washington DC 20002	10/24/92	\$2500.00

Receipt for: G Aggregate ytd > \$2500.00

F. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Graphic Communications International 1900 L Street NW Washington, DC 20036	10/27/92	\$500.00

Receipt for: G Aggregate ytd > \$500.00

SUBTOTAL of Receipts This Page	\$9500.00
TOTAL This Period	\$39750.00

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RX

SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Other Political Committees

Page 5 of 11
 For line number: 11(c)

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Full Name of Committee: Studde for Congress C040657

A. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
I. B. E. W. - Cope Pac	10/11/92	\$2000.00
1125 15th Street NW	10/11/92	\$1500.00
Washington, DC 20005		

Receipt for: G Aggregate ytd > \$5500.00

B. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Laborers' Political League	11/01/92	\$1000.00
905 16th Street, NW		
Washington, DC 20006		

Receipt for: G Aggregate ytd > \$3000.00

C. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Committee On Letter Carriers Pac	10/19/92	\$5000.00
100 Indiana Avenue NW	10/31/92	\$2000.00
Washington, DC 20001		

Receipt for: G Aggregate ytd > \$10000.00

D. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Intn'L Longshoreman's Pac	10/29/92	\$1000.00
1188 Franklin Street		
San Francisco, CA 94109		

Receipt for: G Aggregate ytd > \$3000.00

E. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Lykes Bros Steamship Active Co.	11/09/92	\$500.00
300 Poydras Street		
New Orleans LA 70130		

Receipt for: G Aggregate ytd > \$500.00

F. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Matson F. E. C. Pac	11/07/92	\$500.00
444 North Capital St. N. W.		
Washington, DC 20001		

Receipt for: G Aggregate ytd > \$1500.00

SUBTOTAL of Receipts This Page	\$13500.00
TOTAL This Period	\$53250.00

94030973790

SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Other Political Committees

Page 7 of 11
 For line number: 11(c)

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Full Name of Committee: Studde for Congress C04057

A. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
--	------	--------

Sea-Land Good Govt Fund P. A. C.
 1331 Pennsylvania Ave.

10/29/92 \$1000.00

Suite 560

Washington, DC 20004

Receipt for: G

Aggregate ytd > \$7500.00

B. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
--	------	--------

Seafarers Political Activity
 5201 Auth Way
 Camp Springs, MD 20746

10/18/92 \$5000.00

Receipt for: G

Aggregate ytd > \$5000.00

C. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
--	------	--------

U. A. W. V. Cap P. A. C.
 800 East Jefferson
 Detroit, MI 48214

10/31/92 \$5000.00

Receipt for: G

Aggregate ytd > \$9500.00

D. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
--	------	--------

US Telephone Ass'n PAC
 900 19th Street, NW,
 Suite 800
 Washington, DC 20006

10/24/92 \$350.00

Receipt for: G

Aggregate ytd > \$350.00

E. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
--	------	--------

United Steelworkers Of America
 5 Gateway Center
 Pittsburgh, PA 15222

11/02/92 \$1000.00

Receipt for: G

Aggregate ytd > \$1000.00

F. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
--	------	--------

Marine Retailers P. A. C.
 Committee For Responsible
 Boating Legislation
 Chicago, IL 60611

10/31/92 \$100.00

Receipt for: G

Aggregate ytd > \$850.00

SUBTOTAL of Receipts This Page \$12450.00

TOTAL This Period \$75200.00

94030973791

SCHEDULE A **ITEMIZED RECEIPTS**
Contributions from Other Political Committees

Page 8 of 11
For line number: 11(c)

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Studde for Congress C040657

A. Full Name, Address, Zipcode Employer/Occupation Date Amount

Housing P. B. A. -P A. C.
Timothy L. Nickels 10/21/92 \$150.00
299 Broadway Suite 910
New York, NY 10007

Receipt for: G Aggregate ytd > \$250.00

B. Full Name, Address, Zipcode Employer/Occupation Date Amount

American President Companies Pac
1111 Broadway 10/29/92 \$1000.00
Oakland, CA 94607

Receipt for: G Aggregate ytd > \$1500.00

C. Full Name, Address, Zipcode Employer/Occupation Date Amount

Great Lakes Dredge & Dock PAC
2747 Richmond Terrace, Box 311 10/16/92 \$300.00
Staten Island, NY 10303

Receipt for: G Aggregate ytd > \$300.00

D. Full Name, Address, Zipcode Employer/Occupation Date Amount

Bay-Area Non-Partisan Alliance Pac
660 Market Street Suite 300 10/19/92 \$1000.00
San Francisco, CA 94104

Receipt for: G Aggregate ytd > \$1000.00

E. Full Name, Address, Zipcode Employer/Occupation Date Amount

Mobilization Against AIDS Pac
1540 Market Street Suite 160 10/19/92 \$1000.00
San Francisco, CA 94102

Receipt for: G Aggregate ytd > \$1000.00

F. Full Name, Address, Zipcode Employer/Occupation Date Amount

Independent Action Pac
1511 K. Street NW 10/21/92 \$2500.00
Suite 723 10/21/92 \$2500.00
Washington, DC 20005

Receipt for: G Aggregate ytd > \$5000.00

SUBTOTAL of Receipts This Page \$8450.00

TOTAL This Period \$83650.00

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RK

SCHEDULE A
Contributions from Other Political Committees

Page 9 of 11
For line number: 11(c)

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: Studs for Congress C040..

A. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Amer Assoc for Respiratory Care PAC 11030 Ables Lane Dallas, TX 75229	10/24/92	\$300.00

Receipt for: G Aggregate ytd > \$300.00

B. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Glaxo Inc. Democracy Fund PAC Five Moore Drive Research Triangle Pk, NC 27709	10/24/92	\$500.00

Receipt for: G Aggregate ytd > \$500.00

C. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Dynex Federal Pac 1 C/O Mr. Glover 1828 L. St. Washington, DC 20036	10/24/92	\$1000.00

Receipt for: G Aggregate ytd > \$1000.00

D. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Shaklee Corporation Fed Good Gov't Shaklee Terraces 444 Market Street San Francisco, CA 94111	10/24/92	\$250.00

Receipt for: G Aggregate ytd > \$250.00

E. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Cruise PAC P.O. Box 18732 Washington DC 20036	10/24/92	\$2000.00

Receipt for: G Aggregate ytd > \$2000.00

F. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
San Francisco Bar Pilots P.O. Box 26409 San Francisco, CA 94126	10/25/92	\$500.00

Receipt for: G Aggregate ytd > \$500.00

SUBTOTAL of Receipts This Page	\$4550.00
TOTAL This Period	\$88200.00

SCHEDULE A
Contributions from Other Political CommitteesPage 10 of 11
For line number: 11(c)

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee: **Studs for Congress C040..07**

A. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
American Academy of Ophthalmology Pac 1101 Vermont Avenue NW Suite 300 Washington, DC 20005	10/27/92	\$2000.00
Receipt for: G	Aggregate ytd >	\$2000.00

B. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Nat'l Comm. For An Effective Congress 507 Capitol Court NE Washington, DC 20002	10/27/92	\$2500.00
Receipt for: G	Aggregate ytd >	\$2500.00

C. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Victory U. S. A. Pac 300 Capitol Mall Suite 350 Sacramento, CA 95814	10/28/92	\$3000.00
Receipt for: G	Aggregate ytd >	\$3000.00

D. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Democrats Party Committee Abroad 7400 Rebecca Drive Alexandria, VA 22307	10/28/92	\$1000.00
Receipt for: G	Aggregate ytd >	\$1000.00

E. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
The National PAC Capitol Place, Building One 555 New Jersey Avenue, NW, Washington, DC 20001	10/31/92	\$1000.00
Receipt for: G	Aggregate ytd >	\$1000.00

F. Full Name, Address, Zipcode Employer/Occupation	Date	Amount
Harkey for Congress Committee P. O. Box 526 Medford, MA 02155	11/02/92	\$500.00
Receipt for: G	Aggregate ytd >	\$500.00

SUBTOTAL of Receipts This Page	\$10000.00
TOTAL This Period	\$98200.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

RG-5

JUL 28 1993

Anne-Marie Litchfield, Treasurer
Studds for Congress Committee
P.O. Box 513
Scituate, MA 02066

Identification Number: C00018648

Reference: 30 Day Post-General Report (10/15/92-11/23/92)

Dear Ms. Litchfield:

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

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

-Schedule D of your report itemizes a debt to New England Newsclip with an outstanding beginning balance; however, this debt was not included on your previous report. Please refer to Section 104.11(b) of the FEC Regulations and amend your report(s).

Any amendment or clarification should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515. If you need assistance, please

9 3 0 33 80 59 27 23 470 90 5

STUDIES FOR CONGRESS COMMITTEE
PAGE 2

Attachment #4
Page 2 of 2

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

Sincerely,

Robin Kelly

Robin Kelly
Reports Analyst
Reports Analysis Division

9 4 0 3 3 8 0 5 9 2 7 2 3 4 7 0 9 6

RECEIVED
F.E.C.
SECRETARIAT

FEDERAL ELECTION COMMISSION 4 JAN -4 PM 3:08
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral #93L-63
STAFF MEMBER: Frances B. Hagan

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

RESPONDENTS: Studds for Congress Committee
Anne-Marie Litchfield, Treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(6)(A)

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on September 9, 1993. Attachment A. The basis for the attached referral is the failure of the Studds for Congress Committee and Anne-Marie Litchfield, as treasurer, ("Committee" or "Respondents") to file six 48 Hour notifications ("48 Hour Notices") for contributions totaling \$31,500. Gerry E. Studds won the 1992 General Election in the 10th Congressional District in the State of Massachusetts with 62 percent of the vote.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment B, this Office recommends the Commission find reason to believe the respondents violated 2 U.S.C. § 434(a)(6)(A).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS


1. Open a MUR.
2. Find reason to believe that the Studds for Congress Committee and Anne-Marie Litchfield, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

1-4-98

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

- A. Referral Materials
- B. Factual and Legal Analysis
- C. Proposed Conciliation Agreement




FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE J. ROSS 
COMMISSION SECRETARY

DATE: JANUARY 6, 1994

SUBJECT: RAD REFERRAL #93L-63 - FIRST GENERAL COUNSEL'S
REPORT DATED JANUARY 4, 1994.

The above-captioned document was circulated to the
Commission on Tuesday, January 4, 1994 at 4:00 p.m. .

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

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

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.

94030973799

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Studds for Congress Committee;) RAD Referral
Anne-Marie Litchfield, treasurer) #93L-63

(MUR 3853)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on January 11, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to RAD Referral #93L-63:

1. Open a MUR.
2. Find reason to believe that the Studds for Congress Committee and Anne-Marie Litchfield, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation prior to a finding of probable cause to believe.
2. Approve the Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter as recommended in the General Counsel's report dated January 4, 1994.

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

Attest:

1-12-94
Date

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

94030973800



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

JANUARY 21, 1994

Anne-Marie Litchfield, Treasurer
Studds for Congress Committee
P.O. Box 513
Scituate, MA 02066

RE: MUR 3853
Studds for Congress Committee
Anne-Marie Litchfield, Treasurer

Dear Ms. Litchfield:

On January 11, 1994, the Federal Election Commission found that there is reason to believe the Studds for Congress Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

94030973801

Anne-Marie Litchfield, Treasurer
Page 2

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

For the Commission,

Danny L. McDonald
Danny L. McDonald
Vice Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

cc: Honorable Gerry E. Studds

94030973802

FEDERAL ELECTION COMMISSION
FACTUAL & LEGAL ANALYSIS

MUR 3853

RESPONDENTS: Studde for Congress Committee
Anne-Marie Litchfield, as treasurer

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

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

The General Election in the state of Massachusetts was held on November 3, 1992. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000 or more received from October 15

through October 31, 1992, within 48 hours of their receipt. A review of the Committee's 1992 30 Day Post-General Report identified 22 contributions of \$1,000 or more received between October 23 and 31, 1992, totaling \$31,500. The Committee did not submit 48 Hour Notices for these contributions. See Attachment.

Therefore, there is reason to believe that the Studts for Congress Committee and Anne-Marie Litchfield, as treasurer, violated 2 U.S.C. § 434(a)(6)(A) by failing to report campaign contributions of \$1,000 or more, received after the 20th day, but more than 48 hours before the general election, within 48 hours of receipt of the contributions.

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94030973805

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Augustus Fabens	10/26/92	\$1,000
Mr. Peter L. Eeley	10/29/92	\$1,000
Mr. Tim Walton	10/23/92	\$1,000
Mr. Fred Hochberg	10/24/92	\$1,000
Mr. Kenneth Novack	10/28/92	\$1,000
Mr. Leonard Schnitzer	10/28/92	\$1,000
Mr. Robert Philip	10/28/92	\$1,000
Mr. F. Helmut Weymar	10/29/92	\$1,000
Mr. Martin J. Haddigan	10/29/92	\$1,000
AT&T PAC	10/24/92	\$1,000
Masters Mates & Pilots P.A.C.	10/29/92	\$1,000
American Medical PAC	10/24/92	\$1,500
Fund for a Democratic Majority	10/24/92	\$2,500
I.B.E.W.-Cope Pac	10/31/92	\$2,000
	10/31/92	\$1,500
Committee on Letter Carriers Pac	10/31/92	\$2,000
Intn'l Longshoreman's Pac	10/29/92	\$1,000
U.A.W.V. Cap P.A.C.	10/31/92	\$5,000
American President Companies Pac	10/29/92	\$1,000
Nynex Federal Pac 1	10/24/92	\$1,000
Cruise PAC	10/24/92	\$2,000
The National PAC	10/31/92	\$1,000

Attachment

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

February 10, 1994

Ms. Frances B. Hagan
Office of the General Counsel
Federal Election Commission
999 E Street NW
Washington, D.C. 20463

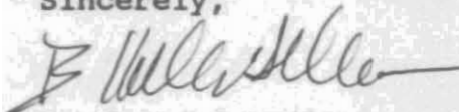
Re: MUR 3853 - Studds for Congress Committee
and Anne-Marie Litchfield, Treasurer

Dear Ms. Hagan:

On behalf of Studds for Congress Committee and Anne-Marie Litchfield, Treasurer, we request an extension of time to respond in the above-referenced matter.

Due to the recent designation of Perkins Coie as counsel, a copy of which is attached (original designation will be filed with the response), we do not have an adequate opportunity to respond. An extension of time is necessary in order to review the record, have an adequate opportunity to discuss the issues with our clients, collect factual information and prepare a comprehensive response. Therefore, we are requesting a 20 day extension until March 3.

Sincerely,



B. Holly Schadler

Attachment

[17141-0001/DA940400.039]

94 FEB 10 PM 3:24

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FEDERAL ELECTION COMMISSION

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 3853

NAME OF COUNSEL: Robert F. Bauer/B. Holly Schadler, Perkins Coie

ADDRESS: 607 14th Street, NW, Suite 800
Washington, DC 20005

TELEPHONE: (202) 628-6600

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

4/10/94
Date

[Signature]
Signature

RESPONDENT'S NAME: CONGRESSMAN SERRA STUDDS / STUDDS FOR CONGRESS

ADDRESS: P.O. Box 513
SCITUATE, MA 02066

TELEPHONE: HOME ()
BUSINESS (617) 984-1994

94030973807



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 14, 1994

B. Holly Schadler, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3853
Studds for Congress Committee
Anne-Marie Litchfield, as treasurer

Dear Ms. Schadler:

This is in response to your letter dated February 10, 1994, which we received the same day, requesting an extension until March 3 to respond to the Commission's reason to believe finding and pre-probable cause conciliation proposal. 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 March 3, 1994.

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

Sincerely,

A handwritten signature in cursive script, reading "Frances B. Hagan", is written above the typed name.

Frances B. Hagan
Paralegal Specialist

94030973808

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607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

RECEIVED 06C 359
FEDERAL ELECTION COMMISSION
94 MAR -3 PM 4:49

March 3, 1994

Ms. Frances Hagan
Office of General Counsel
Federal Election Commission
999 E Street, NW
6th Floor
Washington, DC 20463

Re: MUR 3853

Dear Ms. Hagan:

This letter is filed on behalf of Studds for Congress Committee ("Committee") and Anne-Marie Litchfield, Treasurer ("Respondents"), in response to the Commission's notification dated January 21, 1994, in MUR 3853. The Factual and Legal Analysis states that a review of the Committee's 1992 30-Day Post-General Report identified 22 contributions of \$1,000 or more received between October 23 and 31, 1992, for which the Committee did not submit 48-hour notices.

1. The 48-Hour Notices Were Filed by the Committee. The documentation accompanying this letter demonstrates that the Committee did file the notices in question with the Clerk of the House in a timely manner. As the notices that appear in the Commission's files indicate, the Committee's standard practice is to send its 48-hour notices to the Clerk of the House by facsimile. Exhibit 1. With one exception, each of the contributions that the Commission has listed in the Factual and Legal Analysis was recorded in a notice from Will Woodruff, the Committee's Financial Director, to the Clerk of the House.¹ In each case, the notices were then faxed to the Clerk of the House within 48 hours of receipt of the contributions. The notices prepared under these procedures for the contributions that are the subject this matter are attached as Exhibit 2.

¹The Committee has not been able to locate the 48-hour notice for the contribution from Augustus Fabens.

[17141-0001/DA940610.012]

94030973809

Ms. Frances Hagan
March 3, 1994
Page 2

One of the notices, which disclosed the following contributions:

10/29/92	Mr. Kenneth Novack	\$1,000
10/29/92	Mr. Robert Philip	\$1,000
10/29/92	Mr. Leonard Schnitzer	\$1,000
10/29/92	Mr. F. Helmut Weymar	\$1,000
10/30/92	American President Companies	\$1,000
10/30/92	Mr. Peter Eeley	\$1,000
10/30/92	Mr. Martin Haddigan	\$1,000
10/30/92	International Longshoremen PAC	\$1,000
10/30/92	Masters Mates & Pilots PAC	\$1,000

appears in the public record in part. Exhibit 3. Clearly, the cover page and page 2 of the facsimile were received, but apparently page 1 may not have transmitted successfully. Or, alternatively, the notice may not have been entered appropriately on the public record. The Committee was not aware of any transmission failure and had no way of determining whether the Clerk's office received the notice.

The enclosed copies of the Committee's telephone bills demonstrate that the notices were sent. Exhibit 4. The phone bills are for the line devoted to the campaign's facsimile. The phone number of the Clerk's office specifically designated for faxing 48-hour notices appears for each day the committee sent its notices.

Therefore, the Factual and Legal Analysis is incorrect and based on inadequate information. The Committee, did, in fact, file its 48-hour notices. The FEC has specifically authorized committees to send these notices by telefacsimile in order to meet the 48-hour requirement and has provided the fax numbers for doing so. The Commission has never advised campaigns, nor does the Record provide, that Committees must take steps to confirm receipt by the Clerk of the House. FEC Record (January 1992).

2. Commission Did Not Provide Adequate Information to the Committee to Respond to the RFAI on these Notices. The issue of whether the Committee filed these notices was first raised by the Reports Analysis Division in a request for additional information ("RFAI"). The Committee received this request dated July 28, 1993, but the RFAI did not give any indication what contributions were in question. Because the Committee's records indicated that all 48-hour notices had been filed, it had no idea how to respond to the Commission's letter.

In light of this confusion, Mr. Woodruff contacted the Reports Analysis Division for clarification. Exhibit 5. He made every effort to be responsive to the Commission's inquiry. Despite several attempts by Mr. Woodruff to get more information about which contributions were in question, he was unsuccessful in obtaining this information. As the attached letter discusses, he was told that Ms. Kelly, the Committee's Reports Analyst, was on leave and was not able to assist him with this question. The staff person filling in for Ms. Kelly during her absence was also unable to assist Mr. Woodruff and said that he would pass on the message to return Mr. Woodruff's call to Ms. Kelly when she returned. Mr. Woodruff never received a return call from Ms. Kelly.

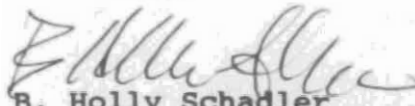
3. Commission Did Not Follow Its Own Internal Procedures for Requesting Additional Information. The Committee also never received a second notice regarding the 30-Day Post-General Report, nor does any such request appear in the Commission's records. This failure to send the Committee a second letter requesting additional information is thoroughly inconsistent with the Commission's own internal procedures. According to a Commission's Information Specialist, the Agency's own internal directives on RFAI procedures, dictate that the Commission will provide Committees with two notices requesting additional information before initiating an enforcement action. Nevertheless, and in contravention of the agency's procedures, the next correspondence the Committee received was the letter initiating this MUR.

Therefore, after one notification requesting additional information, and despite the Committee's attempts to clarify this request in an effort to respond, the Commission has initiated an enforcement action. If the Committee did not adequately respond to the RFAI, the Commission should have notified the Committee in accordance with its own procedures.

Ms. Frances Hagan
March 3, 1994
Page 4

Now that the Commission has identified the contributions in question, the Committee is able to provide the documentation to demonstrate that it did file timely 48-hour notices. Clearly, if the Committee had been given adequate information about the Report Analysis Division's request, this documentation would have been submitted earlier. Therefore, Respondents request that this matter be dismissed with no further action.

Sincerely,



B. Holly Schadler
Counsel for Respondents

BHS:dma

Attachments

94030973812

Studds for Congress

040657

FACSIMILE

TO: Clerk of the House, Office of Records & RegistrationFROM: Will Woodruff, Financial DirectorDATE: 9/2/92 PAGES TO FOLLOW: 1

If there are any problems with this transmission please contact the Studds for Congress Committee at (617)837-3739 (phone) and (617)837-1546 (fax).

Report of "Last Minute" Contributions

09/02/92

12:02

FAX 617 837 1640

CAMPAIGN HQ

0002

RECEIVED
OFFICE OF RECORDS & REGISTRATION

SEP-2 PM 12:11

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES**FAX Studds for Congress**

Clerk of the House
Office of Records and Registration
1036 Longworth House Office Building
Washington, DC 20515-6612

The following contributions were received by the Committee to Re-Elect Congressman Studds (FEC ID: 040657). These are last minute contributions prior to the Primary Election on September 15, 1992.

Date	Contributor's Name and Address	Amount
09/01/92	Malen P. Burns 682 Main Street Wingham, MA 02043	\$1,000.
09/01/92	Bricklayers and Allied Craftmen 815 Fifteenth Street, NW Washington, DC 20005	\$1,000.
09/01/92	SEIU Cape Fund PCCC 1313 L Street, NW Washington, DC 20005	\$1,000.

Please contact Will Woodruff, Financial Director, if you have any questions.

cc: Mass. Secretary of State

Filed for by the Studds for Congress Committee, 2055 Ocean Street, Marshfield, MA 02050 617-837-3730



Studds for Congress

Clerk of the House
Office of Records and Registration
1036 Longworth House Office Building
Washington, DC 20515-6612

10/23/92

The following contributions were received by the Committee to Re-Elect Congressman Studds (FEC ID: 040657). This is a last minute contribution prior to the General Election on November 3, 1992.

<u>Date</u>	<u>Contributor's Name and Address</u>	<u>Amount</u>
10/23	Tim Walton 44 W. Cedar Street Boston, MA 02114	\$1,000

Please contact Will Woodruff, Financial Director, if you have any questions.



Clerk of the House
Office of Records and Registration
1036 Longworth House Office Building
Washington, DC 20515-6612

The following contributions were received by the Committee to Re-Elect Congressman Studds (FEC ID: 040657). These are last minute contributions prior to the General Election on November 3, 1992.

<u>Date</u>	<u>Contributor's Name and Address</u>	<u>Amount</u>
10/25	American Medical PAC 1101 Vermont Avenue, NW Washington, DC 20005	\$1,500
10/25	AT&T PAC 550 Madison Avenue New York, NY 10022	\$1,000
10/25	Cruise PAC P.O. Box 18732 Washington, DC 20036	\$2,000
10/25	Fund for a Democratic Majority 420 C Street, NE Washington, DC 20002	\$2,500
10/25	NYNEX Federal PAC 1	\$1,000
10/25	Fred Hochberg New York, NY	\$1,000

Please contact Will Woodruff, Financial Director, if you have any questions.

Studds for Congress

Clerk of the House
Office of Records and Registration
1036 Longworth House Office Building
Washington, DC 20515-6612

10/29/92

The following contributions were received by the Committee to Re-Elect Congressman Studds (FEC ID: 040657). These are last minute contributions prior to the General Election on November 3, 1992.

<u>Date</u>	<u>Contributor's Name and Address</u>	<u>Amount</u>
10/28	Democratic Party Abroad 7400 Rebecca Drive Alexandria, VA 22307	\$1,000
10/28	Victory USA PAC 300 Capitol Mall, Suite 350 Sacramento, CA 95714	\$3,000
10/28	Philip Shapiro 18 Old Wheatley Road Brookville, NY 11545	\$1,000
10/28	Janet Shapiro 18 Old Wheatley Road Brookville, NY 11545	\$1,000

Please contact Will Woodruff, Financial Director, if you have any questions.

Studds for Congress

Clerk of the House
Office of Records and Registration
1036 Longworth House Office Building
Washington, DC 20515-6612

10/30/92

The following contributions were received by the Committee to Re-Elect Congressman Studds (FEC ID: 040657). These are last minute contributions prior to the General Election on November 3, 1992.

<u>Date</u>	<u>Contributor's Name and Address</u>	<u>Amount</u>
10/29	Mr. Kenneth Novack P.O. Box 10047 Portland, OR 97210	\$1,000
10/29	Mr. Robert Philip P.O. Box 10047 Portland, OR 97210	\$1,000
10/29	Mr. Leonard Schnitzer P.O. Box 10047 Portland, OR 97210	\$1,000
10/29	Mr. F. Helmut Weymar 80 Wescott Road Princeton, NJ 08540	\$1,000
10/30	American President Companies 1111 Broadway Oakland, CA 94607	\$1,000
10/30	Mr. Peter Eeley 304 Victory Road Marina Bay, MA 02171	\$1,000
10/30	Mr. Martin Haddigan 63 St. Agatha Road Milton, MA 02186	\$1,000
10/30	International Longshoremen PAC 1188 Franklin Street San Francisco, CA 94109	\$1,000
10/30	Masters Mates & Pilots PAC 700 Maritime Boulevard Linthicum Heights, MD 21090	\$1,000

2 of 2 (continued)

10/30

Sea-Land Good Government PAC
1331 Pennsylvania Ave, NW
Washington, DC 20004

\$1,000

Please contact Will Woodruff, Financial Director, if you have any questions.

Studds for Congress

Clerk of the House
Office of Records and Registration
1036 Longworth House Office Building
Washington, DC 20515-6612

10/31/92

The following contributions were received by the Committee to Re-Elect Congressman Studds (FEC ID: 040657). These are last minute contributions prior to the General Election on November 3, 1992.

<u>Date</u>	<u>Contributor's Name and Address</u>	<u>Amount</u>
10/31/92	Committee on Letter Carriers PAC 100 Indiana Avenue, NW Washington, DC 20001	\$2,000.
10/31/92	I.B.E.W.-Cope PAC 1125 15th Street Washington, DC 20005	\$2,000. \$1,500.
10/31/92	U.A.W. PAC 800 East Jefferson Detroit, MI 48214	\$5,000. \$5,000.
10/31/92	The National PAC Capitol Place, Building One Washington, DC 20001	\$1,000.

Please contact Will Woodruff, Finance Director, if you have any questions.

10/30/92 11:49

001

Studds for Congress



040657

FACSIMILE

TO: Clerk of the House

FROM: Will Woodruff

DATE: 10/30 PAGES TO FOLLOW: 2

If there are any problems with this transmission please contact the Studds for Congress Committee at (617)837-3739 (phone) and (617)837-1546 (fax).

Notification of Last-minute Contributions

Printed for by the Studds for Congress Committee, 2033 Ocean Street, Marshfield, MA 02050, 617-837-3739

EXHIBIT 3

10-30-92 10:53AM P001 #07

10/30/92 11:49

002

RECEIVED

FAX

102 OCT 30 AM 11:00

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

2 of 2 (continued)

10/30

Sea-Land Good Government PAC
1331 Pennsylvania Ave, NW
Washington, DC 20004

\$1,000

Please contact Will Woodruff, Financial Director, if you have any questions.

EXHIBIT 3

10-30-92 10:53AM P002 807

94030973823

STUDDS FOR CONGRESS
PO BOX 513
SCITUATE, MA. 02066DL DATE 112092
DUE BY PA-DAT 1212
PAZ 0000
PB-SHP CUS 739 401

SLD NO	PAZ	REC	MU-1	MU-2	AST-ER	REP MIST	LATE	PAB	REC

SEP	AS	CIV

TOT AMT DUE 850

STUDDS FOR CONGRESS
PO BOX 513
SCITUATE, MA. 02066DL DATE 112092
DUE BY PA-DAT 1212
PAZ 0000
PB-SHP CUS 739 401

SLD NO	PAZ	REC	MU-1	MU-2	AST-ER	REP MIST	LATE	PAB	REC

SEP	AS	CIV

TOT AMT DUE 854

TOLL H 617 837-3739 401

NO.	DATE	TIME	PLACE
1JX D	38. OCT 22	209	WASHINGTON
1JX D	39. OCT 22	252	WASHINGTON
1JX D	40. OCT 22	258	SILVER SPD
1JX D	41. OCT 22	302	ALEXANDRIA
1JX D	42. OCT 22	328	WASHINGTON
1JX D	43. OCT 22	643	WASHINGTON
1JX D	44. OCT 22	654	WASHINGTON
1JX D	45. OCT 22	734	WASHINGTON

NO.	DATE	TIME	PLACE
1JX D	1. OCT 28	1002	WASHINGTON
1JX D	2. OCT 28	1042	WASHINGTON
1JX D	3. OCT 28	1044	WASHINGTON
1JX D	4. OCT 28	1058	SILVER SPD
1JX D	5. OCT 28	1102	SILVER SPD
1JX D	6. OCT 28	1102	ALEXANDRIA
1JX D	7. OCT 28	1225	POST IN
1JX D	8. OCT 28	1322	WASHINGTON
1JX D	9. OCT 28	1323	WASHINGTON
1JX D	10. OCT 28	2077	WASHINGTON
1JX D	11. OCT 28	2247	SILVER SPD
1JX D	12. OCT 28	2377	ALEXANDRIA
1JX D	13. OCT 28	2457	ITTSBURCH

NOV 20, 1992

AT&T

AT&T

PAGE

14

MINISEC AMOUNT

202 225-7781 DD

PAGE

15

TOLL H 617 837-3739 401

NO.	DATE	TIME	PLACE
1JX D	14. OCT 28	2477	ALEXANDRIA
1JX D	15. OCT 28	3157	WASHINGTON
1JX D	16. OCT 28	3537	WASHINGTON
1JX D	17. OCT 28	4407	WASHINGTON
1JX D	18. OCT 28	4497	WASHINGTON
1JX D	19. OCT 28	5367	WASHINGTON
1JX D	20. OCT 28	4457	WASHINGTON
1JX D	21. OCT 28	1058	WASHINGTON
1JX D	22. OCT 28	1111	WASHINGTON
1JX D	23. OCT 28	1158	WASHINGTON
1JX D	24. OCT 28	1254	WASHINGTON
1JX D	25. OCT 28	1417	SILVER SPD
1JX D	26. OCT 28	1407	ALEXANDRIA
1JX D	27. OCT 28	1177	WASHINGTON
1JX D	28. OCT 28	4037	WASHINGTON
1JX D	29. OCT 28	4047	SILVER SPD
1JX D	30. OCT 28	2307	WASHINGTON
1JX D	31. OCT 28	4427	WASHINGTON
1JX D	32. OCT 28	1057	WASHINGTON
1JX D	33. OCT 28	1208	ALEXANDRIA

NOV 20, 1992

AT&T

AT&T

PAGE

15

AREA-NUMBER

MINISEC AMOUNT

202 225-7781 DD

202 225-7781 DD

March 2, 1994

Holly Schadler
Perkins Coie
607 14th St, #800
Washington, DC 20005

Dear Ms. Schadler:

Last summer, the Studts for Congress Committee received requests for response or amendment for the following 1992 reports:

October Quarterly Report (8/27/92-9/30/92)	request dated 7/20/93
re: debt calculation error and last minute contribution	
Year End Report (11/24/92-12/31/92)	request dated 7/20/93
re: debt calculation errors	
30 Day Post-General Report (10/15/92-11/23/92)	request dated 7/28/93
re: last minute contributions	
July Quarterly Report (4/1/92-6/30/92)	request dated 7/28/93
re: Summary & Detailed Summary page errors	

All of these requests were signed by Robin Kelly, Reports Analyst.

All of the requests for amendments were self-explanatory except for the last minute contribution inquiries (October Quarterly and 30 Day Post-General). It was not at all clear which 48-hour reports were not received. In early August I placed a call to Ms. Kelly regarding these requests. I explained to her that the campaign was quite careful to send last minute notices every day and that I had kept copies of all notices we sent to the Clerk of the House and the Mass. Secretary of State. I told her that perhaps the problem was rooted in a clerical error (date discrepancy, misspelled names, etc.).

The campaign received a letter dated 8/12/93 and signed by John D. Gibson, Assistant Staff Director for Reports Analysis Division, which served as a second request for the information missing from the October Quarterly and Year End Report (7/20/93 letters); no request was received for the 30 Day Post General. The letter asked us to contact Robin Kelly with any questions.

I called Ms. Kelly the week of 8/23/93 and left a message for her to return my call. On 8/27/93, I spoke with Peter Kell. He explained that Ms. Kelly was away on maternity leave.

I told Mr. Kell that I had a letter requesting a 8/27/93 response regarding the campaign's October Quarterly and Year End Reports. I explained that I wished to ensure campaign compliance, but that I had a question regarding the October Quarterly Report last minute contributions inquiry. Mr. Kell informed me that the campaign may have failed to report a 8/31/92 contribution of \$3,000 from Timer Warner Inc. PAC. I checked our files and found the notification in question. Mr. Kell asked me to send the original in with the other information requested for the October Quarterly Report.

I also asked Mr. Kell about the last minute contribution inquiries from the 30 Day Post-General Report. Mr. Kell said that there were numerous contributions in question and that Robin Kelly

MUR 3853
PAGE TWO
3/2/94

would have to handle the matter when she returned. He said he would leave a message for her to that effect.

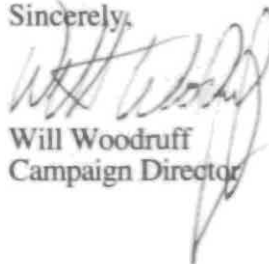
Since Mr. Kell and I spoke on 8/27/93 (the deadline for response on the October Quarterly and Year-End), I asked him what I should do to avoid any kind of penalty. He asked me to overnight responses and amendments to his attention for the October Quarterly, Year-End and July Quarterly Report to his attention and that we would be fine. I sent said materials via Federal Express the evening of 8/27/93 from Orleans, MA.

I did not hear back from Ms. Kelly. Nor did the campaign ever receive a second notice regarding the 30-Day Post-General Report. In fact, the campaign did not receive a call from Ms. Kelly or any request until the FEC letter dated January 21 notifying the committee that a MUR has been initiated.

I researched the last minute contributions in question. The campaign has the original notices in all but one case: Augustus Fabens (10/26/92).

I am including an itemization of each contribution in question.

Sincerely,



Will Woodruff
Campaign Director

06C 809

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

April 6, 1994

RECEIVED
FEDERAL ELECTION COMMISSION
94 APR -6 PM 12:41

Frances B. Hagan
Federal Election Commission
Office of General Counsel
999 E Street, NW
6th Floor
Washington, DC 20463

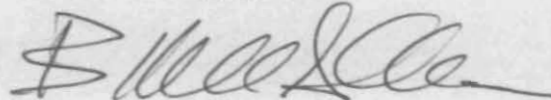
Re: MUR 3853

Dear Ms. Hagan:

Pursuant to our telephone conversation, enclosed please find the executed affidavit of Will Woodruff, Financial Director for the Studts for Congress Committee from April 1992 until February 1994.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



B. Holly Schadler

/dma

Enclosure

[17141-0001/LETTER.01]

94030973827

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 3853

AFFIDAVIT OF WILL WOODRUFF

I, Will Woodruff, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.

2. I served as Finance Director for the Studts for Congress Committee ("Committee") from April 1992 until February 1994.

3. The Committee had a standard procedure for receiving contributions and filing 48-hour reports prior to the 1992 election. I oversaw the Assistant Finance Director who was responsible for implementing this procedure.

4. When contributions of \$1,000 or more were received less than 20 days before an election, the Assistant Finance Director listed each check in a notice, a sample of which is attached hereto.

5. It was the Committee's standard practice to send the notices by facsimile machine to the Clerk of the House within

RECEIVED
FEDERAL ELECTION COMMISSION
94 APR -6 PM 12:41

94030973828

48 hours of receipt of the contributions. The Assistant Finance Director completed this task.

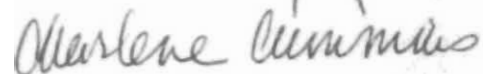
6. I have no reason to believe that the procedure described above was not followed in each and every instance prior to the 1992 election.

7. In assembling materials to respond to the Commission in this matter, I retrieved copies of the 48-hour notices from the file of notices maintained by the Assistant Finance Director during the 1992 election.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 5th day of April, 1994.


Will Woodruff

Sworn to before me this 5th day of April, 1994.



MY COMMISSION EXPIRES JAN. 13, 1995

BEFORE THE FEDERAL ELECTION COMMISSION

91 APR 20 AM 11:08

In the Matter of)
) MUR 3853
Studds for Congress Committee)
Anne-Marie Litchfield, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On January 11, 1994, the Commission found reason to believe that the Studds for Congress Committee ("Committee") and Anne-Marie Litchfield, as treasurer, violated 2 U.S.C. § 434(a)(6)(A) by failing to file 48-Hour Notices for pre-election campaign contributions totaling \$31,500. At the same time, the Commission entered into conciliation with the Committee prior to a finding of probable cause to believe. After receiving an extension of time to respond to the Commission's finding, the Committee responded with a request for no further action.

II. ANALYSIS

The Committee asserts that with one exception, the 48-Hour Notices actually were filed with the Clerk of the House of Representatives. The Committee stated that its practice is to submit 48-Hour Notices by facsimile to the Clerk of the House, a filing option endorsed by the Commission and publicized in the FEC Record (acceptable only for reporting 48-Hour Notices).

Attachment B.¹

1. The Committee also complained that it did not receive from the Reports Analysis Division a second Request for Additional Information or a list of allegedly omitted 48-hour contributions before the matter was referred to the Office of the General Counsel. However, pursuant to its usual procedures, RAD sent the Committee a single notice regarding the apparent failure to report

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94030973831
To support its assertion that the notices were filed on time, the Committee submitted four notices prepared for 21 of 22 contributions referred by RAD.² For three of these notices representing 16 of the 22 contributions at issue, the Committee provided telephone records showing facsimile transmissions to the facsimile number designated by the Clerk of the House to receive 48-Hour Notices.³ When this Office asked for telephone records to support the third faxed notice, counsel stated that the former Committee Finance Director had the records and, having recently left the Committee for another campaign effort, was not available to provide them. In lieu of the telephone documentation, counsel obtained from the former Finance Director a sworn affidavit attesting that "it was the Committee's standard practice to send the notices by facsimile machine to the Clerk of the House within 48 hours of receipt of the contributions." He stated he had "no reason to believe the procedure . . . was not followed in each and every instance prior to the 1992 election." Attachment C at 2-3.

Committee telephone records indicate that the Committee

(Footnote 1 continued from previous page)
last-minute contributions, and RAD does not provide lists of such contributions by mail. Moreover, the obligation to file these notices is statutory and independent of our internal procedures.

2. The Committee admits it was unable to find a fifth notice for a single individual contribution of \$1,000. The notice at Attachment A-9 was erroneously provided as it represents contributions not at issue in this matter.

3. One of these 48-hour Notices supported by phone records apparently was partially transmitted. The cover memo and page two appear on public record, but the first page with nine contributions was not on public record. Attachment A at 10-11 and 13-14.

94030973832
faxed documents to the appropriate facsimile number on dates corresponding to certain contribution notices in question. In addition, several other faxed notices do appear on public record during the period 10/16/92 through 10/30/92, indicating successful facsimile transmission of other contemporaneous 48-Hour Notices. The telephone records of facsimile transmissions here evidence attempts to report 48-Hour Notices much as registered and certified mail records evidence pre-election filing efforts under 2 U.S.C. § 434(a)(2)(A)(i). The affidavit and telephone records, coupled with evidence of other successfully faxed 48-Hour Notices, appear to substantiate the Committee's faxing practice. Therefore, in view of the foregoing evidence and information, this Office recommends that the Commission take no further action regarding this matter and close the file.

III. RECOMMENDATIONS

1. Take no further action against the Studds for Congress Committee and Anne-Marie Litchfield, as treasurer, for a violation of 2 U.S.C. § 434(a)(6)(A).
2. Close the file.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date

4/19/94

BY:


Lois G. Lerner
Associate General Counsel

Attachments

- A. Committee request for no further action
- B. FEC Record Vol. 18, No. 1 (Jan. 1992), p. 18
- C. Financial Director's affidavit

Staff assigned: Frances B. Hagan

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Studds for Congress Committee and) MUR 3853
Anne-Marie Litchfield, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 25, 1994, the Commission decided by a vote of 6-0 to take the following actions in MUR 3853:

1. Take no further action against the Studds for Congress Committee and Anne-Marie Litchfield, as treasurer, for a violation of 2 U.S.C. § 434(a)(6)(A).
2. Close the file.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated April 19, 1994.

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

Attest:

4-25-94
Date

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

Received in the Secretariat: Wed., April 20, 1994 11:08 a.m.
Circulated to the Commission: Wed., April 20, 1994 4:00 p.m.
Deadline for vote: Mon., April 25, 1994 4:00 p.m.

dmd

94030973833



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 28, 1994

B. Holly Schadler, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3853
Studds for Congress Committee
Anne-Marie Litchfield, as treasurer

Dear Ms. Schadler:

On January 21, 1994, your clients, the Studds for Congress Committee and Anne-Marie Litchfield, as treasurer, were notified that the Federal Election Commission found reason to believe that your clients violated 2 U.S.C. § 434(a)(6)(A). On March 3, 1994, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of the matter, the Commission determined on April 25, 1994, to take no further action against your clients, and closed the file 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.

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

Sincerely,

Frances B. Hagan
Frances B. Hagan
Paralegal Specialist

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3853

DATE FILMED 5-11-94 CAMERA NO. 2

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