



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4706

DATE FILMED 7/9/98 CAMERA NO. 4

CAMERAMAN ESS

98043893450

 **Council
on
Hemispheric
Affairs**

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Nov 14 2 10 PM '97

November 11, 1997

General Counsel
Federal Election Commission
999 E Street, NW, Suite 657
Washington, DC 20463

Dear Sir or Madam:

In conformance with your office's procedures, this letter is meant to officially inform the General Counsel Office of the Federal Election Commission that our organization, the Council on Hemispheric Affairs, a 501 (c) (3) research and information organization, wishes to file a formal complaint against Carl Lindner, CEO of Chiquita Brand International and various members of the Lindner family, as well as any officers or employees of any business entity under Mr. Lindner's supervision, ownership or control, for possible violation of electoral regulations regarding donations to political campaigns. The complaint addresses any breach of campaign donation limits that any one of these parties may have engaged in, which are found to be in excess of federally-sanctioned limits for private donations to individual congressional or senatorial campaigns.

As your office is well aware, federal campaign financing codes dictate that any one individual cannot give more than \$1,000 per election to a candidate, and cannot exceed a total of \$25,000 to different congressional candidates running in the same year. The Cincinnati Enquirer's coverage of a November 6th Cox News Service report specified that ten members of the Lindner family may have violated these rules in the process of contributing to 250 political candidates. According to the Enquirer, these ten members of the Lindner family who exceeded the \$25,000 limit in 1996, included Carl Lindner, his wife, his three sons, three daughters-in-law, and two of his brothers. The aggregate sum of the violations, as contained in the newspaper's report, was at least \$49,000.

Once informed that information regarding the Lindners' excess campaign donations would become public knowledge, members of the family apparently endeavored to obtain refunds from some of their beneficiaries in instances where violations of such limits had occurred. But the fact remains that a number of encroachments by Carl Lindner et. al. on the provisions of the federal code may have taken place, as one of the Commission's representatives clearly articulated, and that erasing the violation does not free the wrongdoer of culpability.

The thrust of this letter is thus directed at respectfully calling upon the Commission to immediately initiate an investigation of any transgressions involving Carl Lindner and his use of his family and business associates as vehicles to donate illicit funds to individual campaigns.

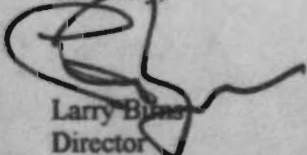
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The Council on Hemispheric Affairs is deeply troubled by the magnitude and systematic nature of the presumed federal election law violations by the Lindners' and their associates. Given the clarity of the regulations and the legal resources available to the family, it would strain credulity to view these derelictions as adventitious or incidental.

I might say that for the past several years, our organization has made some effort to monitor Mr. Lindner's financial interventions in the U.S. political arena and the resulting leverage that such activities have gained him. We were somewhat disappointed that the Senate Government Affairs Committee (The Thompson Committee) has not been able to vigorously investigate the allegations against members of the extended Linder family, in part, perhaps, because of the time constraints it confronted, and because its principal focus was on foreign contributions. There also seem to be grounds to conclude that the Lindners' were able to win immunity from scrutiny by the very magnitude of their contributions to both political parties.

We hope that the Federal Electoral Commission, whose mandate is to protect against financial and voting fraud in the political process, will initiate a formal examination to establish the breadth of the purported violations attributable to members of the Lindner family and Mr. Lindner himself, as well as his business associates. If any of the allegations against these individuals are confirmed, we trust that you will seek either administrative or judicial relief suitable for any infractions of federal legislation, and that these be as forcefully applied as the law allows. This must be done in order to uphold the ground rules of public probity, in one of this society's most important civic institutions --free and fair elections.

Sincerely,


Larry Bitts
Director

98043893452

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Please note:

The Council on Hemispheric Affairs has moved!

Our NEW address is:

Council on Hemispheric Affairs
1444 I Street, NW
Suite 211
Washington, DC 20005

393-3522
Phone: 202-216-9284
Fax: 202-216-9193



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 18, 1997

Larry Birns, Director
Council on Hemispheric Affairs
1444 I Street, NW
Suite 211
Washington, DC 20005

Dear Mr. Birns:

We have received your letter dated November 14, 1997, regarding the possibility of a violation of the Federal Election Campaign Act of 1971, as amended ("the Act").

The 1976 amendments to the Act and Federal Election Commission regulations require that a complaint meet certain specific requirements. Your letter does not meet these requirements. Consequently, the Commission can take no action at this time unless the allegations are refiled meeting the requirements for a properly filed complaint.

If you desire the Commission to look into the matter discussed in your letter to determine if the Act has been violated, a formal complaint as described in 2 U.S.C. § 437g(a)(1) must be filed. Requirements of this section of the law, and Commission regulations at 11 C.F.R. § 111.4, which are a prerequisite to Commission action, are detailed below:

- (1) A complaint must be in writing. (2 U.S.C. § 437g(a)(1)).
- (2) Its contents must be sworn to and signed in the presence of a notary public and shall be notarized. (2 U.S.C. § 437g(a)(1)). The notary must indicate as part of the jurat that such swearing occurred. The preferred form is "Subscribed and Sworn to before me on this ___ day of ___, ___."
- (3) A formal complaint must contain the full name and address of the person making the complaint. (11 C.F.R. § 111.4).
- (4) A formal complaint should clearly identify as a respondent each person or entity who is alleged to have committed a violation. (11 C.F.R. § 111.4).
- (5) A formal complaint should identify the source of information upon which the complaint is based. (11 C.F.R. § 111.4).
- (6) A formal complaint should contain a clear and concise recitation of the facts describing the violation of a statute or law over which the Commission has jurisdiction. (11 C.F.R. § 111.4).

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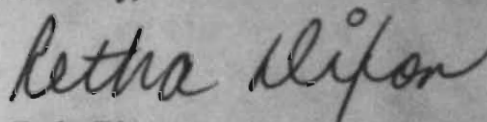
(7) A formal complaint should be accompanied by supporting documentation if known and available to the person making the complaint. (11 C.F.R. § 111.4).

Finally, please include your telephone number, as well as the full names and addresses of all respondents. Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

If we can be of any further assistance, please do not hesitate to contact me at (202) 219-3410.

Sincerely,



Retha Dixon
Docket Chief

Enclosure

cc: Carl Lindner

98043893455

 **Council
on
Hemispheric
Affairs**

Orig
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

DEC 19 10 04 AM '97

December 16, 1997

MUR 4706

General Counsel
Federal Elections Commission
999 E Street, NW, Suite 657
Washington, DC 20463

Complainant: Larry Birns
Director, Council on Hemispheric Affairs
1444 I Street, NW, Suite 211
Washington, D.C. 20005

Respondent: Carl Lindner
CEO, Chiquita Brand International
Chiquita Building
250 East Fifth Street
Cincinnati, Ohio 45202

To Whom It May Concern:

The following is a reformulation of an earlier letter of inquiry which we sent to your office addressing the same theme.

In conformance with what I understand to be your office's procedures, this letter is meant to officially inform the General Counsel Office of the Federal Election Commission that our organization, the Council on Hemispheric Affairs, a 501 (c) (3) organization, wishes to file a formal complaint against Carl Lindner, CEO of Chiquita Brand International (Respondent), and various members of the Lindner family, including Betty Lindner, Edith Lindner, Frances Lindner, Martha Lindner, Craig Lindner, John Lindner, Keith Lindner, Richard Lindner, Alan Lindner, David Lindner and Robert Lindner, as well as any liable officers or employees of any business entity under Mr. Lindner's supervision, ownership or control found to have violated existing statutes or regulations. These businesses include Chiquita Brands International, Great American Insurance, United Dairy Farmers, American Financial Corporation, Penn Central Corporation and Thriftway. The complaint addresses any violation of campaign donation limits that any one of these parties or entities may have made which are found to be in excess of federally-sanctioned amounts for political contributions to individual congressional or senatorial campaigns.

As your office is well aware, federal campaign financing codes dictate that any one individual cannot give more than \$1,000 per election to a candidate, and cannot exceed a total of \$25,000 to any aggregate of such candidates running in the same year's elections. The Cincinnati Enquirer's November 6th, 1996 coverage of a Cox News Service report specified that ten members of the Lindner family may have violated these rules in the process of contributing to 250 political candidates for a given election in 1996. These ten included Carl Lindner, his wife, his three sons, three daughters-in-law, and two of his brothers--all cited above by name. The total sum of the violations, as contained in the newspaper's report, was at least \$49,000, although this is not necessarily an authoritative figure.

As we mentioned in a previous communication to your office, once informed that information regarding the Lindners' excess campaign donations was about to become public knowledge, members of the family apparently endeavored to obtain refunds from their beneficiaries in instances where suspected violations of such limits had occurred in an attempt to purge themselves of illegal behavior. But the fact remains that a number of encroachments by Carl Lindner et. al. on the provisions of the federal code may have occurred, as one of the Commission's representatives clearly articulated in the Cox Newswire story.

The thrust of this letter is thus directed at respectfully calling upon the Commission to immediately initiate an investigation of any transgressions involving Carl Lindner and his use of his family and business associates as vehicles to violate apposite laws and regulations pertaining to individual campaign donations.

The Council on Hemispheric Affairs is deeply troubled by the magnitude and systematic nature of the presumed violations of federal election law by the Lindners' and their associates. Given the clarity of the regulation and the legal resources available to the family, it would strain credulity to view these derelictions as adventitious.

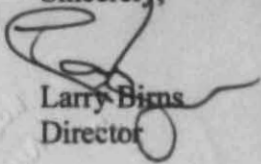
I might say that for the past several years, our organization has made some effort to monitor Mr. Lindner's financial interventions in the U.S. political arena and the resulting leverage that such activities may have produced for him. We were somewhat disappointed that the Senate Government Affairs Committee (The Thompson Committee) has not been able to vigorously investigate the allegations against members of the extended Linder family, perhaps in part due to the time constraints it confronted, and perhaps because its principal focus was on foreign contributions. There also are grounds to believe that the Lindners' were able to win virtual immunity from scrutiny by the very magnitude of their contributions to both political parties.

We hope that the Federal Electoral Commission, whose mandate is to protect against financial fraud in the voting process, will initiate a formal examination to establish the breadth of the purported violations attributable to members of the Lindner family, Mr. Lindner himself, as well as his business associates. If any of the allegations against these individuals are confirmed, we trust that you will seek either administrative or judicial penalties that punish these infractions of federal legislation as forcibly as the

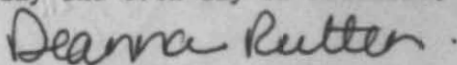
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law allows. This must be done in order to uphold the ground rules of public probity and civic rectitude in one of this society's most important Constitutionally-mandated processes --free and fair elections.

Sincerely,


Larry Birns
Director

Signed and sworn to before me this
day the 17th day of December, 1997


Deanna Rutten, Notary

98043893458



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Larry Birns, Director
Council on Hemispheric Affairs
1444 I Street, N.W., Suite 211
Washington, D.C. 20005

Re: MUR 4706

Dear Mr. Birns:

This letter acknowledges receipt on December 19, 1997, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended. The respondents will be notified of this complaint within five business 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 notarized and sworn to in the same manner as the original complaint. We have numbered this matter MUR 4706. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in dark ink, appearing to read "Andrew Turley".

Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

93043893459



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Richard E. Lindner
4901 Hunt Road
Cincinnati, Ohio 45242-6949

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

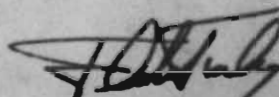
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

9804389346C

Richard E. Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893461



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Richard Lindner
3955 Montgomery Road
Cincinnati, Ohio 45212

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

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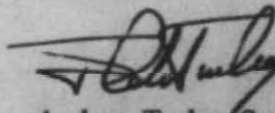
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Richard Lindner

Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893463



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 5, 1998

Frances Lindner
7725 Buckingham
Cincinnati, Ohio 45243

Re: MUR 4706

Dear Ms. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

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98043893464

Frances Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Craig Lindner
7725 Buckingham
Cincinnati, Ohio 45243

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

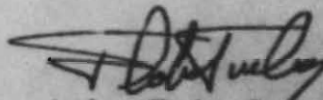
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98043893466

Craig Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893467



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Carl Lindner
9450 Whitegate Lane
Cincinnati, Ohio 45202

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

98043893468

Carl Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

John Lindner
c/o Carl Lindner
9450 Whitegate Lane
Cincinnati, Ohio 45202

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

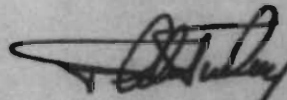
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John Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893471



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 5, 1998

Betty Lindner
3955 Montgomery Road
Cincinnati, Ohio 45202

Re: MUR 4706

Dear Ms. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

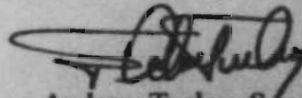
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98043893472

Betty Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

980433893473



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Edith Lindner
855 Shawnee Run Road
Cincinnati, Ohio 45243

Re: MUR 4706

Dear Ms. Lindner:

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 4706. Please refer to this number in all future correspondence.

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98043893474

Edith Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893475



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Keith Lindner
9450 Whitegate Lane
Cincinnati, Ohio 45202

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

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98043893476

Keith Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893477



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Alan B. Lindner
8815 Old Indian Hill Road
Cincinnati, Ohio 45243

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

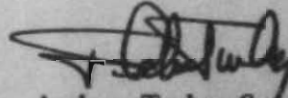
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

98043893478

Alan Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893479



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 5, 1998

David Lindner
3427 Monteith Avenue
Cincinnati, Ohio 45208-2304

Re: MUR 4706

Dear Mr. Lindner:

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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. 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.

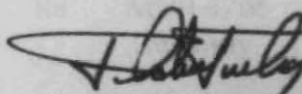
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9804389348C

David Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893481



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 5, 1998

Robert D. Lindner, Sr.
United Dairy Farmers, Inc.
3955 Montgomery Road
Cincinnati, Ohio 45212

Re: MUR 4706
Thriftway

Dear Mr. Lindner:

The Federal Election Commission received a complaint which indicates that Thriftway 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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Thriftway 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.

98043893482

Robert D. Lindner, Sr.
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893483



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 5, 1998

President
American Premier Underwriters
1 East 4th Street
Cincinnati, Ohio 45202-3717

Re: MUR 4706

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the American Premier Underwriters (FKA Penn Central Reinsurance Company) 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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the American Premier Underwriters (FKA Penn Central Reinsurance Company) 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.

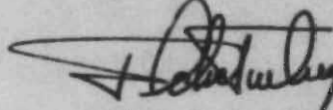
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

98043893484

American Premier Underwriters
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893485



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

President
Great American Insurance Company
P.O. Box 2575
Cincinnati, Ohio 45202-2575

Re: MUR 4706

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Great American Insurance Company 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 4706. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative oversight. Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Great American Insurance Company 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.

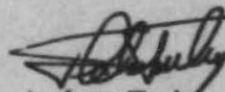
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

98043893486

Great American Insurance Company
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893487



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 5, 1998

Martha Lindner
9450 Whitegate Lane
Cincinnati, Ohio 45202

Re: MUR 4706

Dear Ms. Lindner:

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 4706. Please refer to this number in all future correspondence.

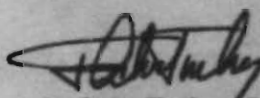
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This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter,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

Martha Lindner
Page 2

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley, Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893489



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 5, 1998

American Financial Corporation
c/o CT Corporation
3810 Carew Tower
Cincinnati, OH 45202

RE: MUR 4706

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that American Financial Corporation 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 4706. Please refer to this number in all future correspondence.

The Complaint was not sent to you earlier due to an administrative oversight. Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against American Financial Corporation 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.

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893491



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 5, 1998

United Dairy Farmers
c/o Paul Brunner, Registered Agent
PO BOX 2575
Cincinnati, OH 45212

RE: MUR 4706

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the United Dairy Farmers 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 4706. Please refer to this number in all future correspondence.

The Complaint was not sent to you earlier due to an administrative oversight. Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the United Dairy Farmers 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.

98043893492

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893493



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 5, 1998

Chiquita Brand International
c/o CT Corporation
441 Vine Street, #3810
Cincinnati, OH 45202

RE: MUR 4706

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Chiquita Brand International 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 4706. Please refer to this number in all future correspondence.

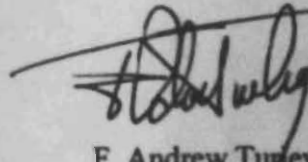
The Complaint was not sent to you earlier due to an administrative oversight. Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Chiquita Brand International in this matter. Please submit any factual or legal materials which you believe are relevant 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.

98043494

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Tunley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043893495

United Dairy Farmers

3955 MONTGOMERY ROAD • CINCINNATI, OHIO 45212 • (513) 396-8700

PHYLLIS A. MCCOY
Corporate Secretary

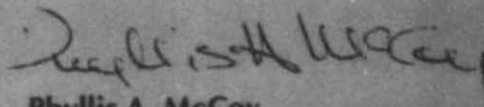
January 20, 1998

Alva E. Smith
Federal Election Commission
999 E Street N.W.
Washington D.C. 20463

Dear Ms. Smith:

In regards to our phone conversation this morning, Robert D. Lindner Sr. is not associated with Thriftway. For you records, his brother, Richard E. Lindner at one time owned and operated the Thriftway stores.

Cordially,



Phyllis A. McCoy
Assistant to Robert D. Lindner Sr.

98043893496

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

1440 NEW YORK AVENUE, N.W.

WASHINGTON, D.C. 20005-2111

TEL: (202) 371-7000

FAX: (202) 393-5760

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MOSCOW
PARIS
SINGAPORE
SYDNEY
TOKYO
TORONTO

January 21, 1996

VIA FACSIMILE

Andrew Turley, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4706-United Dairy Farmers,
Chiquita Brand International, Amer-
ican Premier Underwriters, American
Financial Corporation, Carl Lindner,
Edith Lindner, Betty Lindner, Frances
Lindner, Martha Lindner, Craig
Lindner, John Lindner, Keith Lindner,
Richard Lindner, Alan Lindner, David
Lindner, and Robert Lindner.

Dear Mr. Turley:

As we discussed, this letter requests an extension of time of twenty (20) days to respond to letters from the Federal Election Commission ("Commission"). The earliest due date a respondent received a notification was January 12, 1998. Many of the respondents have yet to be served. However, as we discussed, we anticipate responding on behalf of all the named respondents except John Lindner, who is not known to us and is not related to the other Lindners. We request this extension because we were only recently retained in this matter and the number of respondents is going to entail tracking much information from several sources. If the requested extension is granted, the response will be due February 17, 1998.

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COMMISSION
OFFICE OF GENERAL
COUNSEL

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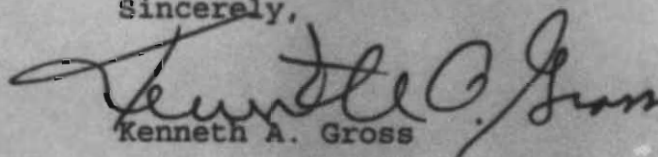
98043893497

Lawrence M. Noble, Esq.
January 20, 1998
Page 2

Also, per our discussion, enclosed is a Designation of Counsel from Carl Lindner. As to the other respondents, we will submit Designations of Counsel as we receive them.

Thank you for your consideration. If you have any questions, please call me.

Sincerely,


Kenneth A. Gross

Enclosure

98043893498

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4706

NAME OF COUNSEL: Kenneth A. Gross, Esq.

FIRM: Skadden, Arps, Slate, Meagher & Flom LLP

ADDRESS: 1440 New York Avenue, N.W.

Washington, D.C. 20005-2111

TELEPHONE: (202) 371-7007

FAX: (202) 393-5760

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.

1/19/98

Date

Carl H. Lindner

Signature

RESPONDENT'S NAME: Carl H. Lindner

ADDRESS: One East Fourth Street

Cincinnati, Ohio 45202

TELEPHONE: HOME()

BUSINESS(513) 579-2121

98043893499



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 23, 1998

Kenneth A. Gross, Esquire
Skadden, Arps, Slate, Meagher & Flom, L.L.P.
1440 New York Avenue
Washington, D.C. 20005-2111

RE: MUR 4706
Carl H. Lindner

Dear Mr. Gross:

This is in response to your letter dated January 21, 1996 [sic], which we received on January 21, 1998, requesting a 20 day extension to respond to the complaint filed in the above-noted 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 February 17, 1998.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alva E. Smith", is written above the typed name.

Alva E. Smith, Paralegal
Central Enforcement Docket

98043893500

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

1440 NEW YORK AVENUE, N.W.

WASHINGTON, D.C. 20005-2111

TEL: (202) 371-7000

FAX: (202) 393-5760

DIRECT DIAL
7007

FIRM/AFFILIATE OFFICES

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TOKYO
TORONTO

February 17, 1998

VIA HAND DELIVERY

Lawrence M. Noble, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: MUR 4706 - United Dairy Farmers,
Chiquita Brands International, Amer-
ican Premier Underwriters, American
Financial Corporation, Carl Lindner,
Edith Lindner, Betty Lindner, Frances
Lindner, Martha Lindner, Craig
Lindner, John Lindner, Keith Lindner,
Richard Lindner, Alan Lindner, David
Lindner, and Robert Lindner.

Dear Mr. Noble:

This document responds to letters from the
Federal Election Commission ("FEC" or "Commission"),
dated January 5, 1998, notifying United Dairy Farmers,
Inc., Chiquita Brands International, Inc., American
Premier Underwriters, Inc., American Financial Corpora-
tion, Carl H. Lindner, Edith B. Lindner, Betty J.
Lindner, Frances R. Lindner, Martha S. Lindner, S. Craig
Lindner, John Lindner, Keith E. Lindner, Richard E.
Lindner, Alan B. Lindner, David C. Lindner, Carl H.
Lindner III and Robert D. Lindner of the complaint (the
"Complaint") filed against them by the Council on Hemi-

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COMMISSION
OFFICE OF GENERAL
COUNSEL
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980433501

Lawrence M. Noble, Esq.
February 17, 1998
Page 2

spheric Affairs.' The complaint alleges that these individuals violated the Federal Election Campaign Act of 1971, as amended ("FECA") by exceeding an individual's aggregate annual contribution limit of \$25,000. 2.U.S.C. § 441a(a)(3).

The Council of Hemispheric Affairs ("Council") filed the Complaint as part of a vendetta against the Lindner family and certain of their financial holdings related to the banana business of Chiquita Brands International, Inc. It is not intended to further compliance with the FECA. Rather, the Complaint was brought to harass the Lindners and to further the political agenda of the Council and its baseless opposition to Chiquita's legitimate business practices in Central America. The improper purpose of the Complaint is transparent given the fact that corporations are named even though the allegations have nothing to do with these entities. As to the individuals, in each and every case, the Lindner family members were in compliance with the FEC limits long before the filing of this ill-motivated Complaint.

I. Corporate Respondents

The Commission has sent letters to United Dairy Farmers, Inc., Chiquita Brands International, Inc., American Premier Underwriters, Inc., and American Financial Corporation naming them as respondents in this matter. The Complaint, however, only alleges violations by individuals. There is not even one allegation of any corporate violation. Indeed, none of the corporate respondents have made impermissible federal contributions and no corporate funds were used to make any of the individual contributions in question. The Commission

Carl H. Lindner's Statement of Designation of Counsel was previously submitted. Attached are the designations for the remaining individual respondents. John Lindner is not a member of the Lindner family associated with this complaint and is not represented by our law firm. Thus, no response is submitted on his behalf.

98043893502

Lawrence M. Noble, Esq.
February 17, 1998
Page 3

therefore, can only find that there is no reason to believe any violation occurred with regard to the named corporations.

II. Individual Respondents

The attached information compiled from FEC reports and Lindner family records establishes that each of the Lindner family members named in this matter (the "contributors") are in compliance with the annual contribution limit of \$25,000. (Exhibit 1). The contributors either never exceeded the \$25,000 limit or, in accordance with the FEC's webpage directive, took corrective action after conducting an internal review of their contributions and promptly rectified any deficiencies beginning in May of 1997. Those actions included obtaining refunds and correcting misallocated contributions. (See FEC Webpage at Exhibit 2). It is also important to note that all the contributors are adults, the funds they contributed were their personal funds, and all contributions were sent directly from them to the recipient political committee.

The FEC's webpage directs those who may have inadvertently exceeded the annual limit to take the following actions: (1) obtain refunds from committees that received contributions; (2) reattribute joint contributions; (3) redesignate contributions; or (4) request transfers to non-federal accounts. When appropriate, the Lindners followed these steps to the letter.

Furthermore, the contributors voluntarily took action strictly in accordance with the FEC webpage directive long before even a hint of a news story or the threat of an FEC complaint. The FEC has repeatedly distinguished between spontaneous corrective actions taken prior to notification by the FEC or by a news story and those made in the wake of publicity. See MURs 3911 In Re William C.W. Mow, 3891 In Re David Packer. Voluntary corrective actions taken prior to the threat of adverse publicity or an FEC complaint are often the basis for dismissing a complaint. A dismissal under these

98043893503

Lawrence M. Noble, Esq.
February 17, 1998
Page 4

circumstances promotes meaningful compliance through self-evaluation and correction.

In this case, the first newspaper article covering the family contributions did not appear until November of 1997, several months after the Lindner family members undertook corrective action. In fact, a representative of the Lindner family fully cooperated with the reporter in order to make certain that the story was accurate and complete. Given the FEC's limited resources and its inability to track and enforce every violation of law, its overriding objective is to achieve voluntary compliance among the regulated community. That is precisely what occurred here.

As detailed below, in four instances the FEC records incorrectly overstate the actual amounts contributed with respect to the 1996 election. Those instances are: 1) the misdeposit of funds by party committees in a federal account rather than a non-federal account; 2) the apparent attribution of contributions to Tom Campbell's 1996 election when the contributions were in fact made prior to the special election which occurred on December 11, 1995; 3) the misattribution of contributions between Carl H. Lindner and his adult son Carl H. Lindner III; and 4) the double reporting on the FEC printout of contributions that were made directly to the separate campaign of Messrs. Chabot and Cremeans as also contributions to the Chabot/Cremeans joint fundraising committee. There were only contributions to the candidates' principal campaign committees, not to the joint committee.

In addition, there were a few instances where contributions made in 1995 were attributed to the 1996 election because the candidate was running for election in 1996. Many months ago, those contributors obtained refunds representing the 1995 contributions bringing every Lindner family member represented in this matter into full compliance with the annual limits. This response separately analyzes the contributions of each contributor and, where appropriate, the application of these factors.

28043893504

**A. Betty J. Lindner, Alan B. Lindner, and
David C. Lindner**

FEC reports of contributions made by Betty J. Lindner, Alan B. Lindner, and David C. Lindner are summarized in the attached lists. (Exhibit 1). According to these lists, Betty J. Lindner, Alan B. Lindner, and David C. Lindner made contributions within the \$25,000 limit. Betty J. Lindner's contributions to candidates seeking election in 1996 total \$19,000, Alan B. Lindner's contributions total \$21,000, and David C. Lindner's total \$25,000. Because none of these individuals made contributions in excess of the annual contribution limit, the Commission should find no reason to believe a violation occurred with regard to these individuals.

B. Carl H. Lindner

According to the FEC reports, Carl H. Lindner made a total of \$46,000 in contributions attributable to 1996. This computation is incorrect in several respects. Contributions of \$10,000 to the Pennsylvania Democratic Party, \$2,500 to the Kentucky Republican Party, and \$3,000 to the National Republican Senatorial Committee ("NRSC") were erroneously deposited into those committees federal accounts rather than non-federal accounts. Those deposits into the federal accounts were contrary to Mr. Lindner's intentions. (Affidavit at Exhibit 3). As soon as Mr. Lindner discovered that the party committees mistakenly designated those contributions to federal accounts, he sought their proper allocation. Letters from each of the party committees confirm that the transfer of the contributions to nonfederal accounts occurred. Indeed, the state party committees expressly acknowledge the misdeposit into the federal account. (Exhibit 4). Since these contributions, which were mistakenly deposited into federal accounts, were never intended to support federal election activity and have long since been transferred to non-federal accounts, there is no basis to aggregate those contributions toward Mr. Lindner's 1996

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annual contribution limit. See MUR 3249 In Re Richard Dennis.

On December 8, 1995, Carl H. Lindner made a contribution of \$1,000 to the Tom Campbell for Congress Committee. (Exhibit 5). Because this contribution was not designated for a specific election, it must be attributed to the next federal election after Mr. Lindner made the contribution. 11 C.F.R. 110.1(b)(2)(ii). Tom Campbell was elected to Congress in a special election that occurred on December 11, 1995, three days after the contribution was made. Thus, the December 8, 1995 \$1,000 contribution is attributable towards Mr. Lindner's 1995 annual contribution limit because the December 11 election was the "next" federal election. The December 8, 1995 contribution should not be attributed towards Mr. Lindner's 1996 annual contribution limit.

The FEC reports wrongly attribute five one thousand dollar (\$1,000) contributions made by Carl H. Lindner III to Carl H. Lindner. Carl H. Lindner III is an adult son of Carl H. Lindner. Carl H. Lindner has taken steps to have the candidates correct the FEC reports to show the proper attribution of these contributions. Thus, Carl H. Lindner's total 1996 contributions were \$5,000 less than reflected by the FEC reports. (See copies of the checks attached at Exhibit 6).

Finally, well before any press inquiry alleging FEC non-compliance, Mr. Lindner voluntarily sought and received the refund of \$6,000 in contributions to individual candidate committees that includes the amount in contributions given in 1995 that were attributed to the 1996 limit. (Exhibit 7). Even if the Commission only views as mitigating factors the refunds and the fact contributions made in 1995 were attributed by operation of law to the 1996 limit, the Commission has not taken action in those cases where voluntary pre-complaint compliance was achieved through corrective action. See MUR 4467 In Re Guy Millner for Senate. In that case, the Commission took no further action even though corrective action on the misdisclosure of \$500,000 worth of expenses took place after an adverse news story in a major publication and after the Reports Analysis Division notifica-

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tion of the errors. Certainly, dismissal is warranted in this case, where action was taken before any Commission notification or any adverse publicity on issues involving far less money.

After accounting for the proper attribution of a) \$15,500 in party contributions; b) the \$1,000 contribution to Tom Campbell's campaign; c) \$5,000 in contributions in fact made by Carl H. Lindner III; and d) the self-initiated refund of \$6,000 in contributions, Carl H. Lindner's aggregate annual contributions total \$24,500. Thus, Mr. Lindner is in full compliance.

C. Edith B. Lindner

According to the FEC reports, Edith B. Lindner, the wife of Carl H. Lindner, made \$30,000 in contributions attributable to 1996. As in the case of her husband, this computation is incorrect in several respects. The Kentucky Democratic Central Executive Committee erroneously deposited Edith B. Lindner's \$2,500 contribution into its federal account. (Affidavit at Exhibit 8). On May 21, 1997, well before the news stories, the party committee acknowledged the erroneous deposit and the contribution was transferred to its non-federal account. (Exhibit 4).

Also, according to FEC reports, on December 11, 1995, Edith B. Lindner made a contribution of \$500 to the Tom Campbell for Congress Committee attributable to his special election. However, Edith B. Lindner made that contribution on November 30, 1995. (Exhibit 9). Since Tom Campbell was elected to Congress in a special election that occurred on December 11, 1995, and Mrs. Lindner made the contribution prior to the election, it counts against her 1995 limit, not her 1996 limit. 11 CFR 110.1(b)(2)(ii).

Finally, when Edith B. Lindner learned that the FEC reports showed that her contributions exceeded the annual limit, she immediately sought the refund of \$5,000 in contributions. This amount reflected contributions

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made in 1995 but attributed to her 1996 limit. Like her husband, she self-initiated the refund of those contributions months ago as a voluntary matter and not in response to a press story or FEC notification.

After properly accounting for the misdeposit of the \$2,500 by the Kentucky Democratic Party, the proper attribution of the \$500 contribution to Tom Campbell, and the \$5,000 in refunds which represents the amount of the 1995 contributions, Edith B. Lindner's contributions to candidates seeking election in 1996, total \$22,500. Thus, no further action should be taken against her.

**D. Martha S. Lindner, S. Craig Lindner,
Frances R. Lindner, Keith E. Lindner,
Richard E. Lindner, Carl H. Lindner III
and Robert D. Lindner.**

An internal review of the contribution records of Martha S. Lindner, S. Craig Lindner, Frances R. Lindner, Keith E. Lindner, Richard E. Lindner, Carl H. Lindner III, and Robert D. Lindner revealed that these contribution totals were inflated on the FEC reports because of the double reporting of the same contributions to both a principal campaign committee and a joint fund-raising committee. Five of these individuals are the adult children and their spouses of Carl H. and Edith B. Lindner. Richard E. Lindner and Robert D. Lindner are Carl H. Lindner's brothers. They each made direct contributions to the campaign committees of Messrs. Chabot and/or Cremeans. (Exhibit 10). In addition, those same contributions are incorrectly recorded on the FEC reports as contributions to a joint Chabot/Cremeans for Ohio committee ("joint committee"). None of the contributors gave to the joint committee. The FEC records show that both the principal campaign committees and the joint committee received a contribution when actually only the principal campaign committees received contributions. Once this error in the FEC reports is accounted for, presumably caused during the data entry process, in addition to the refunds reflecting the 1995 contribu-

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tions, each of these contributors is within the \$25,000 annual limit.

Specifically, Martha S. Lindner made contributions of \$28,000 and obtained \$5,000 in refunds. S. Craig Lindner made contributions of \$32,000 and obtained \$9,000 in refunds. Frances R. Lindner made contributions of \$28,000 and obtained \$6,000 in refunds. Keith E. Lindner made contributions of \$30,000 and obtained \$6,000 in refunds and Richard E. Lindner made contributions of \$25,900 and obtained \$1,000 in refunds. Carl H. Lindner III made contributions of \$28,000 (including the \$5,000 in contributions that were incorrectly shown on the FEC printout as having been made by his father, Carl H. Lindner) and obtained \$4,000 in refunds. Robert D. Lindner made contributions of \$37,000 and obtained \$3,000 in refunds and \$10,000 in corrective reattributions. As was the case with his brother's contribution, Robert D. Lindner's contribution of ten thousand dollars (\$10,000) to the NRSC was erroneously deposited into a federal account. (Affidavit at Exhibit 11). It has since been transferred to a non-federal account. (Exhibit 12). Importantly, as in the case of the other individuals who sought refunds and reattributions, they were sought as a result of the internal review and in accordance with the FEC webpage directive and not in response to adverse media scrutiny or in response to an FEC complaint.

III. Conclusion

The complainant's allegations are designed to do nothing more than use the FEC processes as part of its private vendetta against the Lindner family's business interests. This response demonstrates that each of the contributors named in this action are in compliance with the law and most of the contributions that appeared to be attributable to the 1996 limits were, in fact, attributable to disclosure errors by the recipient committees, to which the contributors, as non-reporting entities, have no control, and until mid 1997, had no knowledge. Moreover, the Commission has dismissed cases involving persons who individually made annual contributions of over

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\$50,000. The contributions in those matters are in excess of those made by any contributor in this matter. See MURs 3912 In Re Abe Pollin, 3890 In Re William Hanbrecht, 3866 In Re Charles Intrigo, 3862 In Re Edmund A. Stanley, Jr.

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In so doing, the Commission recognized that pursuing those matters was not an efficient use of its resources. Moreover, the Commission recently addressed a matter involving excessive contributions made by an individual who is now a member of the U.S. House of Representatives. The filing of the Complaint in that matter was apparently politically motivated, as was most certainly the case with this Complaint. That matter involved excess contributions on par with, and in most cases greater than, those involved in the instant Complaint with no corrective action taken by the contributor. Notwithstanding, the Commission dismissed the complaint, stating that the matter was less significant relative to other matters pending before the Commission. See MUR 4462 In re Ellen O. Taucher. Dismissal is especially appropriate in matters like this one where the contributors on their own initiative took corrective action in accordance with the FEC directive which was designed to address situations involving honest, inadvertent errors. In this case, the system worked exactly as intended by the FEC. The FEC's outreach program which makes information readily available over the internet was a valuable tool in guiding the contributors in achieving voluntary compliance without the use of limited government resources.

Thus, for all the reasons stated, we respectfully request that the Commission take no further action and close the file in this matter.

Sincerely,


Kenneth A. Gross

Attachments

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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.

2.4.98
Date

 SR, A. v. P.
Signature

RESPONDENT'S NAME: United Dairy Farmers, Inc.
c/o A. Brad Lindner

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2/2/98
Date

Robert W. Olson
Signature

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Date

KJG
Signature

Assistant General Counsel & Assistant Secretary

RESPONDENT'S NAME: American Premier Underwriters, Inc.
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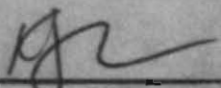
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Date

Edith B. Lindner

Signature

RESPONDENT'S NAME: Edith B. Lindner

ADDRESS: One East Fourth Street

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Feb. 4, 1998 Betty J. Lindner
Date Signature

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Date

Frances R. Lindner
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2/6/97
Date

Martha S. Lindner
Signature

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S. Craig Lindner

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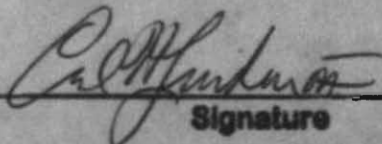
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2/3/98
Date


Signature

RESPONDENT'S NAME: Carl H. Lindner III

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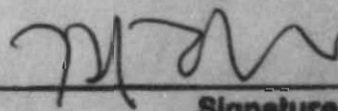
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Date

Richard E. Lindner

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Date

Signature

Robert D. Lindner

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98043893525

Carl H. Lindner

Contributions

1995

Citizens for Bunning	\$1,000
Committee to Re-elect Steven J. Chabot	\$1,000
Friends of Max Baucus	\$1,000
Bill Thomas Campaign Committee	\$1,000
Friends of Dick Lugar	\$1,000

1996

Reelect Thurmond Committee	\$1,000
Friends of John Warner	\$1,000
Friends of John Warner	\$1,000
Friends of Jim Inhofe	\$1,000
Hoke for Congress	\$1,000
Enzi for Senate	\$1,000
Sam Brownback for U.S. Senate	\$1,000
People for Ganske	\$500
Craig for U.S. Senate	\$1,000
Friends of Steve Stockman	\$1,000
People for Boschwitz '96	\$1,000
Montanans for Rehberg	\$1,000
Friends of Jim Harsdorf for Congress	\$500
Sununu for Congress	\$1,000
Citizens for Kasich	\$1,000
McConnell for Senate Committee	\$1,000
Cremeans for Congress	\$1,000
Collins for Senator	\$1,000
Ted Strickland for Congress	\$500
People for Lightfoot	\$1,000
People for Lightfoot	\$1,000
Citizens for Cochran	\$1,000
Zimmer for Senate Inc.	\$1,000
Pat Roberts for Senate	\$1,000
Wayne Allard for U.S. Senate Committee	\$1,000
Hutchinson for Senate	\$1,000
Parker for Congress	\$1,000
Pennsylvania Democratic Party	\$10,000
National Republican Senatorial Committee	\$3,000
Kentucky State Democratic Central Executive Committee	<u>\$2,500</u>
Total	\$46,000

Refunds

Wayne Allard for U.S. Senate Committee	\$1,000
Sununu for Congress	\$1,000
Friends of Jim Inhofe	\$1,000
Pat Roberts for Senate	\$1,000
Sam Brownback for U.S. Senate	\$1,000
McConnell for Senate	<u>\$1,000</u>
Total	\$6,000

Reallocations to Non-federal Accounts

Pennsylvania Democratic Party	\$10,000
National Republican Senatorial Committee	\$3,000
Kentucky State Democratic Central Executive Committee	<u>\$2,500</u>
Total	\$15,500

Total Contributions After Refunds and Reallocations

Total Contributions	\$46,000
Total Refunds	-\$6,000
Total Reallocations	<u>-\$15,500</u>
	\$24,500

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Edith B. Lindner

Contributions

1995

Friends of Max Baucus	\$1,000
Friends of Larry Pressler	\$1,000
Bill Thomas Campaign Committee	\$1,000
Citizens for Bunning	\$1,000
People for Boschwitz '96	\$1,000

1996

People for Lightfoot	\$1,000
Sam Brownback for U.S. Congress	\$1,000
Citizens for Kasich	\$1,000
McConnell for Senate Committee '96	\$1,000
Parker for Congress	\$1,000
Hutchinson for Senate	\$1,000
Enzi for Senate	\$1,000
Montanans for Rehberg	\$1,000
Zimmer for Senate, Inc	\$1,000
Collins for Senator	\$1,000
Weld for Senate	\$1,000
Friends of Larry Pressler	\$1,000
People for Boschwitz '96	\$1,000
Cremeans for Congress	\$1,000
Friends of Jim Harsdorf for Congress	\$500
Bob Smith for U.S. Senate	\$1,000
Sununu for Congress	\$1,000
Helms for Senate	\$1,000
Nancy Mayer for Senate	\$1,000
Gordon Smith for U.S. Senate Committee Inc.	\$1,000
Bob Riley for Congress	\$1,000
Volunteers for Shimkus	\$1,000
Wayne Allard for U.S. Senate	\$1,000
Kentucky State Democratic Central Executive Committee	<u>\$2,500</u>
Total	\$30,000

Refunds

Wayne Allard for U.S. Senate Committee	\$1,000
Bob Smith for U.S. Senate Committee	\$1,000
Sununu for Congress	\$1,000
Volunteers for Shimkus	\$1,000
Collins for Senator	<u>\$1,000</u>
Total	\$5,000

Reallocations to Non-federal Accounts

Kentucky State Democratic Central Executive Committee	<u>\$2,500</u>
Total	\$2,500

Total Contributions After Refunds and Reallocations

Total Contributions	\$30,000
Total Refunds	-\$5,000
Total Reallocations	<u>-\$2,500</u>
	\$22,500

S. Craig Lindner

Contributions

1995

Forbes for President Committee Inc.	\$1,000
People for Boschwitz	\$1,000
Sununu for Congress	\$1,000
Friends of Larry Pressler	\$1,000
Citizens for Bunning	\$1,000
Helms for Senate	\$1,000
Zimmer for Senate, Inc	\$1,000
Friends of Max Baucus	\$1,000
Cremeans for Congress	\$1,000
Committee to Re-elect Steven J. Chabot	\$1,000
Gordon Smith for U.S. Senate	\$1,000

1996

Guy Millner for U.S. Senate	\$1,000
Friends of John Boehner	\$1,000
Hoke for Congress	\$1,000
Enzi for U.S. Senate	\$1,000
People for Lightfoot Inc	\$1,000
Sam Brownback for U.S. Senate	\$1,000
Montanans for Rehberg	\$1,000
Sweetser 96 Committee	\$1,000
Hutchinson for U.S. Senate	\$1,000
Collins for Senator	\$1,000
Friends of Steve Stockman	\$1,000
Bob Smith for U.S. Senate	\$1,000
Teague for Congress	\$1,000
Dupwe for Congress	\$1,000
Jenkins for Senate 96	\$500
Jenkins for Senate 96	\$500
Friends of Larry Pressler	\$1,000
Citizens for Kasich	\$1,000
Nancy Mayer for Senate Inc	\$1,000
Parker for Congress	\$1,000
McConnell Senate Committee 96	\$1,000
Gordon Smith for U.S. Senate Committee	\$1,000
Total	\$32,000

Refunds

Friends of John Boehner	\$1,000
Steve Chabot for Congress	\$1,000
Sununu for Congress	\$1,000
Enzi for U.S. Senate	\$1,000
Sam Brownback for U.S. Senate	\$1,000
Collins for Senator	\$1,000
McConnell for Senate	\$1,000
Gordon Smith for U.S. Senate	\$1,000
Gordon Smith for U.S. Senate	\$1,000
Total	\$9,000

Total Contributions After Refunds

Total Contributions	\$32,000
Total Refunds	<u>\$9,000</u>
	\$23,000

Keith E. Lindner

Contributions

1995

Helms for Senate	\$1,000
Parker for Congress	\$1,000
Enzi for Senate	\$1,000
Forbes for President	\$1,000
Citizens for Bunning	\$1,000
Gordon Smith for U.S. Senate	\$1,000
Cremeans for Congress	\$1,000
Committee to Reelect Steven J. Chabot	\$1,000

1996

Hoke for Congress	\$1,000
Sam Brownback for Congress	\$1,000
Wayne Allard for Senate	\$1,000
Montanans for Rehberg	\$1,000
Sweetser 96 Committee	\$1,000
Teague for Congress	\$1,000
Zimmer for Senate	\$1,000
Wilde for Congress	\$1,000
People for Lightfoot Inc	\$1,000
Larry Bingham for Congress	\$1,000
Sununu for Congress	\$1,000
Friends of Sessions Campaign Committee	\$1,000
Friends of Larry Pressler	\$1,000
Collins for Senator	\$1,000
Citizens for Kasich	\$1,000
McConnell for U.S. Senate Committee	\$1,000
Friends of John Boehner	\$1,000
Hutchinson for Senate	\$1,000
Nancy Mayer for Senate	\$1,000
Frank Riggs for Congress	\$1,000
Heineman for Congress	\$1,000
Gordon Smith for U.S. Senate	\$1,000

Total \$30,000

Refunds

Gordon Smith for U.S. Senate	\$1,000
Sam Brownback for U.S. Senate	\$1,000
Wayne Allard for U.S. Senate	\$1,000
Steve Chabot for Congress	\$1,000
Sununu for Congress	\$1,000
Friends of John Boehner	\$1,000

Total \$6,000

Total Contributions After Refunds

Total Contributions	\$30,000
Total Refunds	<u>-\$6,000</u>
	<u>\$24,000</u>

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Carl H. Lindner, III

Contributions

1995

Forbes for President	\$1,000
Citizens for Bunning	\$1,000
Helms for Senate	\$1,000
Committee to Reelect Steven J. Chabot	\$1,000
Cremeans for Congress	\$1,000
Citizens for Bunning	\$1,000

1996

Sununu for Congress	\$1,000
Jenkins for Senate 96	\$500
Jenkins for Senate 96	\$500
Citizens for Kasich	\$1,000
Friends of John Boehner	\$1,000
Collins for Senator	\$1,000
Friends of Jim Harsdorf for Congress	\$1,000
Nancy Mayer for Senate	\$1,000
Robert Aderholt for Senate	\$1,000
Weld for Senate	\$1,000
Sam Brownback for U.S. Senate	\$1,000
Montanans for Rehberg	\$1,000
Bob Smith for U.S. Senate	\$1,000
Citizens for Cochran	\$1,000
Al Salvi for Senate Committee	\$1,000
Helms for Senate	\$1,000
Gordon Smith for U.S. Senate	\$1,000
Gordon Smith for U.S. Senate Committee Inc.	\$1,000

(The following contributions were originally attributed to Carl H. Lindner)

Parker for Congress	\$1,000
Day for Senate	\$1,000
Hutchinson for Senate	\$1,000
Zimmer for Senate	\$1,000
Wayne Allard for U.S. Senate Committee	\$1,000
Total	\$28,000

Refunds

Sam Brownback for U.S. Senate	\$1,000
Steve Chabot for Congress	\$1,000
Sununu for Congress	\$1,000
Friends of John Boehner	\$1,000
Total	\$4,000

Total Contributions After Refunds

Total Contributions	\$28,000
Total Refunds	<u>\$4,000</u>
	\$24,000

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Martha S. Lindner

Contributions

1995

Helms for Senate	\$1,000
Forbes for President Committee Inc	\$1,000
Friends of Max Baucus	\$1,000
Committee to Reelect Steven J. Chabot	\$1,000
Cremeans for Congress	\$1,000
Gordon Smith for U.S. Senate	\$1,000

1996

Sam Brownback for U.S. Senate	\$1,000
Friends of Sessions Committee Inc.	\$1,000
Day for Senate	\$1,000
Parker for Congress	\$1,000
Enzi for Senate	\$1,000
Zimmer for Senate	\$1,000
Collins for Senator	\$1,000
Friends of Steve Stockman	\$1,000
Friends of John Boehner	\$1,000
Montanans for Rehberg	\$1,000
Jenkins for Senate 1996	\$500
Jenkins for Senate 1996	\$500
Bob Smith for U.S. Senate	\$1,000
People for Lightfoot Inc	\$1,000
Hutchinson for Senate	\$1,000
Robert Aderholt for Congress	\$1,000
Sununu for Congress	\$1,000
Al Salvi for Senate	\$1,000
Citizens for Kasich	\$1,000
Nancy Mayer for Senate	\$1,000
Weld for Senate Inc.	\$1,000
Friends of Jim Harsdorf for Congress	\$1,000
Gordon Smith for U.S. Senate Committee Inc	\$1,000

Total \$28,000

Refunds

Sam Brownback for U.S. Senate	\$1,000
Steve Chabot for Congress	\$1,000
Sununu for Congress	\$1,000
Collins for Senator	\$1,000
Friends of John Boehner	\$1,000

Total \$5,000

Total Contributions After Refunds

Total Contributions	\$28,000
Total Refunds	<u>\$5,000</u>
	\$23,000

9 8 0 4 3 8 9 3 5 3 1

Frances R. Lindner

Contributions

1995

Friends of Max Baucus	\$1,000
Forbes for President	\$1,000
Nancy Mayer for Senate	\$1,000
Friends of Larry Pressler	\$1,000
Gordon Smith for U.S. Senate	\$1,000
Committee to Reelect Steven J. Chabot	\$1,000
Cremeans for Congress	\$1,000

1996

Hoke for Congress	\$1,000
Enzi for Senate	\$1,000
Sam Brownback for U.S. Senate	\$1,000
Montanans for Rehberg	\$1,000
Helms for Senate	\$1,000
Guy Millner for U.S. Senate	\$1,000
Zimmer for Senate Inc	\$1,000
Parker for Congress	\$1,000
Collins for Senator	\$1,000
Teague for Congress	\$1,000
Friends of Sessions Senate Committee Inc	\$1,000
Jenkins for U.S. Senate 1996	\$500
Jenkins for U.S. Senate 1996	\$500
Friends of John Boehner	\$1,000
Bill Caster for Congress	\$1,000
People for Lightfoot Inc	\$1,000
Sununu for Congress	\$1,000
Citizens for Kasich	\$1,000
Dick Chrysler for Congress	\$1,000
Hutchinson for U.S. Senate	\$1,000
Funderburk for Congress	\$1,000
Gordon Smith for U.S. Senate Committee	\$1,000

Total \$28,000

Refunds

Sam Brownback for U.S. Senate	\$1,000
Gordon Smith for U.S. Senate	\$1,000
Steve Chabot for Congress	\$1,000
Sununu for Congress	\$1,000
Collins for Senator	\$1,000
Friends of John Boehner	\$1,000

Total \$6,000

Total Contributions After Refunds

Total Contributions	\$28,000
Total Refunds	<u>-\$6,000</u>
	<u>\$22,000</u>

9 8 0 4 3 8 9 3 5 3 2

Richard E. Lindner

Contributions

1995

Forbes for President	\$1,000
Cremeans for Congress	\$1,000
Parker for Congress	\$1,000

1996

Hoke for Congress	\$1,000
People for Boschwitz	\$1,000
Guy Millner for U.S. Senate	\$1,000
Enzi for Senate	\$1,000
Virginia Blankenbaker for Congress	\$1,000
Friends of Mark Sharpe	\$1,000
Zimmer for Senate Inc	\$1,000
Bob Smith for U.S. Senate	\$1,000
Teague for Congress	\$1,000
Friends of Sessions Senate Committee Inc	\$1,000
Friends of Mark Foley	\$500
Larry Bingham for Congress	\$1,000
Cremeans for Congress	\$1,000
Committee to Reelect Steven J. Chabot	\$1,000
Citizens for Kasich	\$1,000
Al Salvi for Senate	\$1,000
Nancy Mayer for Senate	\$1,000
Gordon Smith for U.S. Senate	\$1,000
Seastrand 96	\$1,000
Frank Riggs for Congress	\$1,000
Wilde for Congress	\$1,000
Snowbarger for Congress	\$1,000
Jenkins for Senate 1996	\$1,000
AOPA Legislative Action PAC	\$200
AOPA Legislative Action PAC	\$200

Total \$25,900

Refunds

Steve Chabot for Congress	\$1,000
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Total \$1,000

Total Contributions After Refunds

Total Contributions	\$25,900
Total Refunds	<u>\$1,000</u>
	\$24,900

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Robert D. Lindner

Contributions

1995

Parker for Congress	\$1,000
Zimmer for Senate	\$1,000
Forbes for President	\$1,000
Committee to Reelect Steven J. Chabot	\$500
Committee to Reelect Steven J. Chabot	\$500

1996

Sweetser for Congress	\$1,000
People for Lightfoot	\$1,000
People for English	\$1,000
Friends of Mark Sharpe	\$1,000
Anne Northrup for Congress	\$1,000
Zimmer for Senate Inc	\$1,000
Guy Millner for U.S. Senate	\$1,000
Wayne Allard for U.S. Senate Committee	\$1,000
Friends of Scott Mcinnis	\$1,000
People for Boschwitz 96	\$1,000
Enzi for U.S. Senate	\$1,000
Sam Brownback for U.S. Senate	\$1,000
Montanans for Rehberg	\$1,000
Donovan for Congress	\$1,000
Cremeans for Congress	\$1,000
Gordon Smith for U.S. Senate Committee Inc	\$1,000
Committee to Reelect Steven J. Chabot	\$500
Committee to Reelect Steven J. Chabot	\$500
Citizens for Kasich	\$1,000
Hutchinson for Senate	\$1,000
Collins for Senator	\$1,000
Nancy Mayer for Senate	\$1,000
Heintz for Congress	\$1,000
Friends of Sessions Senate Committee Inc	\$1,000
National Republican Senatorial Committee	<u>\$10,000</u>
Total	\$37,000

Refunds

Wayne Allard for U.S. Senate Committee	\$1,000
Steve Chabot for Congress	\$1,000
Collins for Senator	<u>\$1,000</u>
Total	\$3,000

Reallocations to Non-federal Accounts

National Republican Senatorial Committee	<u>\$10,000</u>
Total	\$10,000

Total Contributions After Refunds and Reallocations

Total Contributions	\$37,000
Total Refunds	-\$3,000
Total Reallocations	<u>-\$10,000</u>
	\$24,000

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The \$25,000 Annual Contribution Limit

Published in August 1996

- Introduction
- Annual Limit of \$25,000
- Problem Areas to Watch Out For
- If Your Contributions Exceed the \$25,000 Annual Limit
- Other Limitations on Personal Contributions

Introduction

This brochure focuses on the \$25,000 annual limit on all contributions made by an individual to influence federal elections.¹ (A section at the end of this brochure discusses other limitations that apply to contributions made by an individual.)



Call the FEC if you have any questions after reading this brochure:

Federal Election Commission
Washington, D.C.
 202/219-3420 (local)
 800/424-9530 (toll free)
 202/219-3336 (for hearing impaired)

Annual Limit of \$25,000

As an individual, you are subject to an annual limit of \$25,000 on contributions made to federal candidates, party committees and political action committees or PACs. 2 U.S.C. §441a(a)(3); 11 CFR 110.5.

Contributions to Federal Candidates

Your contribution to a federal candidate² counts against your annual limit for the year in which the candidate's election is held, regardless of the year in which the contribution is made. 11 CFR 110.5(c). For purposes of the \$25,000 limit, you should carefully account for contributions given in one year but attributed to another.

Examples: All of the following contributions to candidates would count against your annual \$25,000 limit for 1996:

- Any contribution to a candidate's 1996 campaign that is made in 1995, 1996 or 1997 (to retire a 1996 campaign debt) or any other year.³ 11 CFR 110.5(c)(2).
- Contributions earmarked for a 1996 candidate through a conduit or intermediary who forwards the contribution to that candidate. 110.5(c)(3)(ii).
- Contributions made to an individual who is "testing the waters" to determine whether or not to run in 1996, if that individual later becomes a candidate for 1996. 11 CFR 100.7(b)(1).

Contributions to PACs and Party Committees

In contrast to a contribution made to a candidate, your contribution to a federal PAC or a federal political party committee counts against your annual limit for the year in which the contribution is actually made, unless you earmark the contribution for a particular candidate whose election falls in a different year. 11 CFR 110.5(c)(3).

Example: In 1995, you make a contribution of \$20,000 to a national party committee. The contribution thus counts against your 1995 annual \$25,000 limit.

Problem Areas to Watch Out For

The Commission cautions you to be especially aware of two situations that could cause you to inadvertently exceed the \$25,000 annual limit:

- Joint contributions; and
- Contributions to political committees that have separate accounts for federal and nonfederal election activity.

Joint Contributions

A joint contribution typically occurs when you and another individual each make a contribution using a single check or written instrument. If you both sign the check or an attached note, the contribution counts equally against your respective limits unless you specify, in writing, a different split. 11 CFR 110.1(k)(1) and (2).

If, however, you alone sign the check or note, the recipient committee must attribute the entire amount to you. That amount will count against your annual \$25,000 limit. See 11 CFR 104.8(c).

Example: In 1996, you and your spouse intend to contribute a combined amount of \$5,000 to a political action committee. However, you alone sign the check. As a result, the entire contribution is attributed to you and counts against your annual \$25,000 limit for 1996.

On the other hand, if each of you signed the check, \$2,500 would count against your 1996 \$25,000 limit, and \$2,500, against your spouse's \$25,000 limit.

Separate Accounts: Federal and Nonfederal

Some political action committees and political party committees (particularly state and national party committees) have separate accounts for federal and nonfederal election activity. Contributions deposited into the federal account are viewed as federal contributions and count against the annual \$25,000 limit. Contributions to the nonfederal account, however, do not.

To avoid the possibility of a committee's depositing your contribution into the federal account without your knowledge or consent, the Commission recommends that you specify the account into which you want the funds placed, either directly on the check or in an accompanying note. See AO 1988-18.

If Your Contributions Exceed the \$25,000 Annual Limit



Exceeding the \$25,000 annual limit results in a violation of federal law. An individual who exceeds the annual limit faces a potential penalty equal to the amount of contributions involved (or up to twice this amount in the case of a knowing and willful violation).⁴

If you inadvertently exceed the \$25,000 annual limit, the Commission advises that you immediately take one or more of the steps listed below. Viewing such actions as mitigating circumstances, the Commission may decrease any potential penalty.

Steps to Take:

1. Obtain refunds from any type of committee.
2. Reattribute a joint contribution made to any type of committee.
3. Redesignate contributions made to candidates.
4. Ask PACs and party committees to transfer your contributions to their nonfederal accounts.

1. Obtain Refunds From Committee

Contact any type of committee to obtain a refund of those contributions that caused you to exceed the \$25,000 limit. With regard to contributions made to candidates, be sure to request refunds from those candidates who ran for election in the calendar year for which you exceeded the annual limit.

The Commission recommends that you document your requests in writing.

2. Reattribute Joint Contributions

In the case of a contribution that was intended to be a joint contribution, but which was accompanied by only one contributor's signature, instruct the committee (any type), in writing, to reattribute a portion of the contribution to the other individual. Make sure:

- You and the other donor both sign the statement instructing the committee to reattribute the contribution;
- The reattribution does not cause either of you to exceed your contribution limits; and
- The reattribution occurs within 60 days of the treasurer's receipt of the contribution. See 11 CFR 110.1(k)(3)(ii).

Ask the committees to give you a written confirmation that your contributions were reattributed.

3. Redesignate Contributions

Redesignate your contribution to a candidate's committee by asking the committee to apply your contribution to another election (in which the candidate is running) held in a calendar year for which you have not used up your \$25,000 limit. Make sure:

- You make the request in writing and sign it;
- The redesignation does not cause you to exceed the \$1,000 limit for that particular election or the \$25,000 limit for the year in which that election is held; and
- The redesignation occurs within 60 days of the treasurer's receipt of the contribution. See 11 CFR 110.1(b)(5)(ii).

Ask the committee to provide written confirmation that it has processed your redesignation.

4. Request Transfers to Nonfederal Accounts

Contact PACs and party committees to request that they transfer your contributions from their federal accounts to their nonfederal accounts, assuming that such transfers are legal under state law. See 11 CFR 102.6(a). The Commission recommends that you make requests in writing, and ask for written confirmation that the committees have made the requested transfers.

Other Limitations on Personal Contributions

This section defines "contribution" and explains other limitations that apply when individuals make personal contributions. For more information on specific types of contributions and the contribution limits, consult the FEC publication *Supporting Federal Candidates: A Guide for Citizens*.

Definition of Contribution

Federal law defines a contribution as anything of value given to influence a federal election, including:

- Donations of checks or currency;
- Donated items or services;
- Purchases of fundraising tickets and items;
- Loans;
- Endorsements and guarantees of bank loans; and
- Advances of personal funds. 2 U.S.C. §431(8)(A).

Limitations on Contributions You Make

The value of the contributions you make counts against dollar limits. You, the contributor, and the committees you contribute to are legally responsible for making sure that your contributions do not exceed your contribution limits. See 2 U.S.C. §441a and 11 CFR 110.1. The law places the following limits on any type of contribution you make to influence federal elections:

Contribution Limits

Recipient	Limit
Candidate Committee	\$1,000 per election, ⁵ per candidate
National Party Committee	\$20,000 per calendar year
State Party Committee	\$5,000 per calendar year ⁶
Political Action Committee	\$5,000 per calendar year

1. Citations contained in this brochure refer to federal law, contained in Title 2 of the United States Code (2 U.S.C.), to Federal Election Commission (FEC) regulations, contained in Title 11 of the Code of Federal Regulations (11 CFR), and to advisory opinions (AOs). The reader should not rely solely on this brochure, but should also consult the Federal Election Campaign Act, Commission regulations and advisory opinions.
2. Contributions to federal candidates are also subject to a limit of \$1,000 per candidate, per election. (Federal candidates are candidates running for election to the U.S. House, U.S. Senate or U.S. Presidency.) For more information, see the last section of this brochure.
3. A contribution to retire debts from a candidate's previous election must be designated for that specific election in writing. 11 CFR 110.1(b)(2)(i) and (ii).
4. For more information on the enforcement process, order the FEC brochure *Filing a Complaint*.
5. A primary, runoff and general are each considered separate elections.
6. Because local party committees are presumed to be affiliated with the party's state committee, a contribution to a local party committee counts against the contributor's limit for the state party. 11 CFR 110.3(b)(3).

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BEFORE THE FEDERAL ELECTION COMMISSION

In re Carl H. Lindner

MUR 4706

AFFIDAVIT OF CARL H. LINDNER

Carl H. Lindner, being duly sworn, deposes and says, that

1. On April 12, 1996, I made a contribution of \$10,000 to the Pennsylvania Democratic Party and on May 30, 1996, I made a contribution of \$2,500 to the Kentucky Democratic Central Executive Committee. On May 6, 1996, I made a contribution of \$3,000 to a non-federal account of the National Republican Senatorial Committee.

2. When I made these contributions, it was my intention that the monies be used to support non-federal activities and not be used for federal elections.

3. It now appears that without my knowledge and contrary to my intention, the contributions were deposited into federal accounts.

4. I was unaware of these erroneous deposits until an internal review of my contributions was conducted in the Spring of 1997.

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5. When I learned of this error, I immediately sought the transfer of these contributions to non-federal accounts.

6. The Pennsylvania Democratic Party, the Kentucky Democratic Central Executive Committee and the National Republican Senatorial Committee have since transferred the contributions to their non-federal accounts.

Carl H. Lindner
Carl H. Lindner

STATE OF OHIO)
COUNTY OF HAMILTON) SS:

Sworn to and subscribed before me a Notary Public
on the 16th day of February, 1998.



MARY L. BONTA
Notary Public, State of Ohio
My Commission Expires March 31, 1998

Mary L. Bonta
Notary Public



THE PENNSYLVANIA DEMOCRATIC PARTY

510 North Third Street, Harrisburg, Pennsylvania 17101
(717) 238-9381 • Fax (717) 233-3472

Rep. Mark A. Magel
Chair

Rep. Christine Tarrington
Vice-Chair

Rep. Michael F. Coyne
Treasurer

July 11, 1996

Edward D. Ryan
Reports Analyst
Federal Election Commission
Washington, D.C. 20463

Identification Number: c00167130

Reference: Second Quarter Report (4/1/96 - 6/30/96)

Dear Mr. Ryan:

Please note on schedule A line 11 (a) (i) of this report is a donation from Carl Lindner, for \$10,000.00. ~~this~~ donation was deposited into our federal account in error. This donation was intended to be deposited in our non-federal account. When this error was realized we transferred the money to our non-federal account. You will find this transfer for \$10,000.00 listed on schedule B line 22 of this report.

If you have any questions please do not hesitate to call at 717-238-9381. Thank you for your consideration in this matter.

Sincerely,

Michael F. Coyne
Michael F. Coyne
Treasurer

141

AUG 20 1996

Paid for by The Pennsylvania Democratic Party



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96-03-065-2047

RECEIVED
FEDERAL ELECTION COMMISSION
JUL 13 12 01 PM '96

DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)

NAME OF COMMITTEE (in full)
PENNSYLVANIA DEMOCRATIC PARTY C00167130

Report Covering the Period
From: 04/01/96 To: 06/30/96

I. RECEIPTS		This Period	Year-To-Date
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			
(i) Itemized	13450.00		18200.00
(ii) Unitemized	42324.92		133173.93
(iii) Total of contributions from individual:	57704.92		151373.93
(b) Political Party Committees	0.00		0.00
(c) Other Political Committees (such as PACs)	1000.00		1000.00
(d) TOTAL CONTRIBUTIONS	58704.92		152373.93
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	339518.44		561645.44
13. ALL LOANS RECEIVED	0.00		0.00
14. LOAN REPAYMENTS RECEIVED	0.00		0.00
15. OFFSETS TO OPERATING EXPENDITURES	849.00		849.00
16. REFUNDS OF CONTRIBUTIONS TO CANDS/COMMITTEES	0.00		0.00
17. OTHER FEDERAL RECEIPTS	0.00		0.00
18. TRANSFERS FROM NONFEDERAL ACCOUNT	895335.00		1758429.09
19. TOTAL RECEIPTS	1294407.36		2473297.46
20. TOTAL FEDERAL RECEIPTS.. (subtract 18 from 19)	\$ 399072.36		\$ 714868.37
II. DISBURSEMENTS		This Period	Year-To-Date
21. OPERATING EXPENDITURES:			
a. Shared Federal/Non-Federal Activity (From Schedule H4)			
i. Federal Share	10869.22		603499.25
ii. Non-Federal Share	932607.99		1810498.57
b. Other Federal Operating Expenditures	17234.71		37664.71
c. Total Operating Expenditures	1260711.92		2451662.53
22. TRANSFERS TO AFFILIATED/OTHER COMMITTEES	10000.00		10000.00
23. CONTRIBUTIONS TO FED. CAND./OTHER COMMITTEES	0.00		0.00
24. INDEPENDENT EXPENDITURES (SCHEDULE E)	0.00		0.00
25. COORDINATED EXPENDITURES BY PARTY COMMITTEES	0.00		0.00
26. LOAN REPAYMENTS MADE	0.00		0.00
27. LOANS MADE	0.00		0.00
28. REFUNDS OF CONTRIBUTIONS			
(a) Individuals/Persons Not Political Committees	0.00		0.00
(b) Political Party Committees	0.00		0.00
(c) Other Political Committees (such as PACs)	0.00		0.00
(d) TOTAL CONTRIBUTION REFUNDS	0.00		0.00
29. OTHER DISBURSEMENTS	0.00		0.00
30. TOTAL DISBURSEMENTS	127071.92		2461662.53
31. TOTAL FEDERAL DISBURSEMENTS	338103.93		651163.46
III. CASH SUMMARY			
32. TOTAL CONTRIBUTIONS (OTHER THAN LOANS)	58704.92		152373.93
33. TOTAL CONTRIBUTION REFUNDS	0.00		0.00
34. NET CONTRIBUTIONS (OTHER THAN LOANS)	58704.92		152373.93
35. TOTAL FEDERAL OPERATING EXPENDITURES	328103.93		641163.46
36. OFFSETS TO OPERATING EXPENDITURES	849.00		849.00
37. NET OPERATING EXPENDITURES	327254.93		640314.46

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SCHEDULE A
Contributions from Individuals/Persons

UNIDENTIFIED RECEIPTS

PAGE 1 OF 2
FOR LINE NUMBER 11(a)(i)

NAME OF COMMITTEE (in Full):
PENNSYLVANIA DEMOCRATIC PARTY C00167130

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.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
ANDREW CANTOR 224 WARING ROAD Elkins Park, PA 19027- Receipt for []	SELF EMPLOYED ATTORNEY	06/25/96	\$250.00
Aggregate YTD >			\$250.00
Ellen Doyle 4345 SCHENLEY FARMS Pittsburgh, PA 15213- Receipt for []	HOMEMAKER	06/14/96	\$500.00
Aggregate YTD >			\$500.00
THOMAS LEONARD 14TH FLOOR PACKARD BUILDING Philadelphia, PA 19102- Receipt for []	OBERMAYER REBMANN MAXWELL PARTNER	06/28/96	\$200.00
Aggregate YTD >			\$200.00
Benson LICHTIG 1241 Charles St State College, PA 16804- Receipt for []	SELF EMPLOYED ATTORNEY	06/14/96	\$200.00
Aggregate YTD >			\$200.00
CARL LINDNER 8555 SHAMNEE RUN ROAD Cincinnati, OH 45246- Receipt for []	AMERICAN FINANCIAL CORP PRESIDENT	04/12/96	\$10000.00
Aggregate YTD >			\$10000.00
MILT LOPUS 2301 BELLEVUE ROAD Harrisburg, PA 17104- Receipt for []	SELF EMPLOYED ATTORNEY	06/21/96	\$500.00
Aggregate YTD >			\$500.00
OBERMAYER REBMANN MAXWELL HIPPEL 14TH FLOOR PACKARD BUILDING Philadelphia, PA 19102- Receipt for []	Partnership Attribution listed by partner	06/28/96	\$1000.00 MEMO
Aggregate YTD >			\$1000.00
JOE MCGOVERN 14TH FLOOR PACKARD BUILDING Philadelphia, PA 19102- Receipt for []	OBERMAYER REBMANN MAXWELL PARTNER	06/28/96	\$200.00
Aggregate YTD >			\$200.00
SUBTOTAL of Receipts This Page >			\$11850.00
TOTAL This Period >			

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SCHEDULE B
 TRANSFERRED DISBURSEMENTS
 Transfers to Affiliated/Other Party Committees

PAGE 1 OF 1
 FOR LINE NUMBER 22

NAME OF COMMITTEE (in Full)
 PENNSYLVANIA DEMOCRATIC PARTY C00167130

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

Full Name Mailing Address	Purpose of Disbursement	Date MM/DD/YY	Amount
NON FEDERAL Pennsylvania Democratic Party Nonfederal account	Transfer	06/28/96	\$10000.00
	Disbursement for [X]Other		EDR
SUBTOTAL of Disbursements This Page.....>			\$10000.00
TOTAL This Period.....>			\$10000.00

98043893545



Kentucky
Democratic
Party

May 21, 1997

Mr. Karl J. Grafe
Attorney at Law
One East Fourth Street
Suite 919
Cincinnati, Ohio 45202

Dear Mr. Grafe:

This is in response to your letter this date concerning contributions by Carl H. Lindner and Edyth B. Lindner. I did deposit these contributions into our federal account on May 30, 1996.

Since you advised the contributions were intended for our non-federal account, which has a contribution limit of \$2,500.00, I have transferred the contributions of \$2,500.00 from Mr. Lindner and the \$2,500 from Mrs. Lindner to the non-federal account this date and have enclosed copies of the transfer checks for your information.

I apologize for any inconvenience I may have caused over this error. If I may be of further assistance, please do not hesitate to contact me.

Sincerely,

Pat Goins
Kentucky Democratic Party

98043893546

KENTUCKY DEMOCRATIC PARTY 12-81
FEDERAL ACCOUNT
P.O. BOX 684
FRANKFORT, KY 40602

BARBERS BORN
CAPITAL TRUST COMPANY
FRANKFORT, KY 40601
12-81/028

5/21/97

5025

PAY TO THE ORDER OF Kentucky Democratic Party - General

\$ **2,500.00

Two Thousand Five Hundred and 00/100*****

DOLLARS

Kentucky Democratic Party - General
General Fund
PO Box 694
Frankfort, KY
40602

TWO SIGNATURES REQUIRED
Rich. Foster

MEMO

#005025# 1:0839006191: 25 3491 5#

KENTUCKY DEMOCRATIC PARTY/FEDERAL ACCOUNT

Kentucky Democratic Party - General

Transfer for Carl H. Lindner

5/21/97

2,500.00

5025

Federal

74536834086

2,500.00

KENTUCKY DEMOCRATIC PARTY 12-81
FEDERAL ACCOUNT
P.O. BOX 694
FRANKFORT, KY 40602

PARSONS BANK
& CAPITAL TRUST COMPANY
FRANKFORT, KY 40601
73-611833

5024

5/21/97

PAY TO THE ORDER OF Kentucky Democratic Party - General

\$ 2,500.00

Two Thousand Five Hundred and 00/100*****

DOLLARS

Kentucky Democratic Party - General
General Fund
PO Box 694
Frankfort, KY
40602

TWO THOUSAND FIVE HUNDRED

May 21, 1997

MEMO

⑈005024⑈ ⑆083900619⑆ 25 3491 6⑈

KENTUCKY DEMOCRATIC PARTY/FEDERAL ACCOUNT
Kentucky Democratic Party - General

Transfer for Edyth B. Lindner

5/21/97

2,500.00

5024

Federal

2,500.00

8 4 5 3 6 8 3 4 0 8 6

National Republican Senatorial Committee

SENATOR MITCH McCONNELL
CHAIRMAN

STEVEN J. LAW
EXECUTIVE DIRECTOR

June 9, 1997

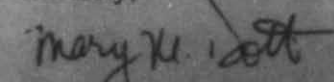
Mr. Karl J. Grafe
One East Fourth Street
Cincinnati, OH 45202

Dear Mr. Grafe:

This letter is to serve as confirmation that on May 23, 1997, the National Republican Senatorial Committee transferred \$3,000 from our federal to non-federal account. This transfer represents the contribution Mr. Lindner made to the Trust program on 5/6/96. The remaining \$7,000 is made up of checks written directly to individual candidates which the NRSC forwarded to the campaigns. The transfer will be disclosed on our next report which will be filed on June 20, 1997.

If you have any further questions, please feel free to contact me at (202) 675-6000.

Sincerely,


Mary M. Dotter
Assistant Treasurer

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

Printed and published by the National Republican Senatorial Committee

98043893549

CARL H. LINDNER OR
MRS. EDITH LINDNER

THE PROVIDENT BANK
CINCINNATI, OHIO 45202
13-42-420

1682

December 8, 1995

PAY TO THE
ORDER OF

Tom Campbell for Congress

\$ 1,000.00

One thousand and 00/100

DOLLARS

MEMO

Carl H. Lindner

98043093550

CARL H. LINDNER, III
MARTHA S. LINDNER

THE PROVIDENT BANK
CINCINNATI, OH 45202
13-48/430

09064

10/4/1996

PAY TO THE
ORDER OF Allard for Senate

\$ 1,000.00

One Thousand and 00/100

DOLLARS

Allard for Senate
5555 DTC Parkway, Suite B2006
Denver, CO 80111

030169312 09 101096 7516

CARL H. LINDNER, III - MARTHA S. LINDNER

MEMO Carl's Contribution

Melissa Harley

98043893551

CARL H. LINDNER, III
MARTHA S. LINDNER

THE PROVIDENT BANK
CINCINNATI, OH 45208
13-42420

09062

10/4/1996

PAY TO THE
ORDER OF

Hutchinson for Senate

\$ 1,000.00

One Thousand and 00/100

DOLLARS

Hutchinson for Senate

1415 W. 7th Street

Little Rock, Arkansas 72201

CARL H. LINDNER, III - MARTHA S. LINDNER

MEMO

Caf's Contribution

Melissa Harley

98043893552

CARL H. LINDNER, III 03-72
MARTHA S. LINDNER
[REDACTED]

THE PROVIDENT BANK
CINCINNATI, OHIO
12-42/420 - 21

8550

5/17/1996

PAY TO THE
ORDER OF

Day for Senate

••1,000.00

One Thousand and 00/100.....

DOLLARS
Security Features
Inkjet, or Inkjet

Day for Senate
2840 North-East Expy
Suite 214
Atlanta, GA 30345

CARL H. LINDNER, III - MARTHA S. LINDNER

Jamareh L. Trest

MEMO

[REDACTED]

98043393553

CARL H. LINDNER, III
MARTHA S. LINDNER

THE PROVIDENT BANK
CINCINNATI, OH 45202
TS-42/420

09074

10/4/1996

PAY TO THE
ORDER OF

Dick Zimmer for Senate

\$ 1,000.00

One Thousand and 00/100

DOLLARS

Dick Zimmer for Senate
3131 Princeton Pike, Suite 2B
Lawrenceville, NJ 08648

CARL H. LINDNER, III - MARTHA S. LINDNER

MEMO

Carl's Contribution

Melissa Hanley

98043893554

CARL H. LINDNER, II 03-72
MARTHA S. LINDNER

THE PROVIDENT BANK
CINCINNATI, OHIO
13-42/420 - 21

8976

9/11/1996

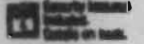
PAY TO THE
ORDER OF

Parker for U.S. Congress

\$ 1,000.00

One Thousand and 00/100

DOLLARS



CARL H. LINDNER, II - MARTHA S. LINDNER

Melinda Herley

MEMO

98043893555

WAYNE ALLARD FOR UNITED STATES SENATE COMMITTEE

P. O. Box 303-771-8380
LOVELAND, CO 80538

2344

82-544/1070

DATE 5-31-97


PAY
TO THE
ORDER OF

Carl Lindner, Jr

\$ 1000.00

One thousand dollars and

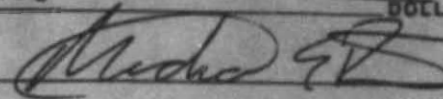
no
100

DOLLARS 



Valley Bank

2nd and Bridge Street, 6th Floor
Boulder, Colorado 80501



FOR

Refund

⑈002344⑈ ⑆107005445⑆050100966⑈

98043893556

SAM BROWNBACK FOR U.S. SENATE
P.O. BOX 2008
TOPEKA, KS 66601

COMMERCIAL & TRUST
TOPEKA, KANSAS
44-72-1011

1900

5/25/1997

PAY TO THE
ORDER OF Carl H. Linder

\$ 1,000.00

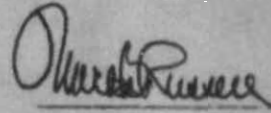
One Thousand and 00/100

DOLLARS

Carl H. Lindner
c/o Karl J. Graff, Attorney
One East Fourth Street
Cincinnati, OH 45202

MEMO

Refund of 1996 General Election Contribution



⑈001900⑈ ⑆101100728⑆ ⑈101 232 0⑈

SAM BROWNBACK FOR U.S. SENATE

Carl H. Linder
Refunds/96Gen

6165

5/25/1997

1900
1,000.00

Commerce-Disbur

Refund of 1996 General Election Contribution

1,000.00

98043893557

McCONNELL SENATE COMMITTEE '96
P.O. BOX 1496
LOUISVILLE, KY 40201

3366

21-013/830
Q

6/4 1997

PAY TO THE
ORDER OF

Carl Lindner

\$1000⁰⁰

one thousand dollars and ⁰⁰/₁₀₀

DOLLARS

BANK ONE

Bank One, Kentucky, NA
Louisville, KY

FOR

Contribution refund

Lawrence E. Gitt

⑆083000137⑆

090126203 3366

98043893558

SUNUNU FOR CONGRESS


54-153/114
3000720000

267

DATE 16 June 1997

PAY TO THE
ORDER OF Carl H. Lindner \$ 1,000.00

1,000.00 DOLLARS 

 **CITIZENS BANK**
New Hampshire

MEMO _____

PGC

⑆011401533⑆ 3300729930⑈ 0267

98043893559

PAT ROBERTS FOR SENATE
BOB PARRISH, TREASURER
P.O. BOX 433
GREAT BEND, KS 67530

BANK IV KANSAS, N.A.
GREAT BEND

0911

\$ 23.97

PAY TO THE ORDER OF MR. CARL H. LINDNER

\$ **1,000.00

One Thousand and 00/100

DOLLARS

☐ Security features
include:
Oversize of each

MR. CARL H. LINDNER
ATTN: KARL J. GRAFE
ONE EAST FOURTH STREET
CINCINNATI, OHIO 45202

MEMO REFUND-OVER LIMIT

[Handwritten Signature]

⑈000911⑈ ⑆101100045⑆ 333400002045⑈

PAT ROBERTS FOR SENATE / BOB PARRISH, TREASURER

0911

MR. CARL H. LINDNER

5/23/97

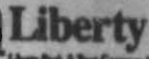
1,000.00

98043893560

Senate

REFUND-OVER LIMIT

1,000.00



FRIENDS OF JIM INHOFE COMMITTEE 1996
3025 N.W. 62ND SUITE 201 N. PH. 844-6050
OKLAHOMA CITY, OK 73118

2014-10-20

2994

**PAY
TO THE
ORDER**

OF Cellulose

\$ 1000.00

One Howard St 01/11/11

DOLLARS

1997

THE SPECIAL ADVISORY BOARD WITHIN THE GOVERNMENT ACCOUNTING

Byjuwanke

1002974 1030001981

0229216"

Dr. M. Zeeb

98043893561

BEFORE THE FEDERAL ELECTION COMMISSION

In re Edith B. Lindner

MUR 4706

AFFIDAVIT OF EDITH B. LINDNER

Edith B. Lindner, being duly sworn, deposes and says, that

1. On May 30, 1996, I made a contribution of \$2,500 to the Kentucky Democratic Central Executive Committee.

2. When I made the contribution, I intended that the contribution be deposited into a non-federal account and had no intention that it be used to support federal election activity.

3. It now appears that without my knowledge and contrary to my intention, the contribution was deposited into a federal account.

4. I was unaware of this erroneous deposit until an internal review of my contributions was conducted in the Spring of 1997.

5. When I learned of this error, I immediately sought the transfer of the contribution to a non-federal account.

980433893562

6. The Kentucky Democratic Central Executive Committee has since transferred the contribution to a non-federal account.

Edith B. Lindner
Edith B. Lindner

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

Sworn to and subscribed before me a Notary Public
on the 16th day of February, 1998.



Mary L. Bonta
Notary Public

MARY L. BONTA
Notary Public, State of Ohio
My Commission Expires March 21, 1999

98043893563

98043893564

CARL H. LINDNER OR MRS. EDITH LINDNER		THE PROGRESS BANK ORIGINAL, OPEN HERE 15-12-42	1880
		November 30, 1995	
PAY TO THE ORDER OF	Tom Campbell for Congress	\$ 500.00	
Five hundred and 00/100			DOLLARS
MEMO	<i>Edyth B. Lindner</i>		

DAVID LINDNER
SPECIAL ACCOUNT

1382

Sept. 25 '95

13-00000 30

PAY TO THE
ORDER OF

Steve Chabot for Congress

\$ 1,000.00**

One Thousand and no/100

DOLLARS

The Provident Bank
CINCINNATI, OHIO

Handwritten signature
Jim R. G. [unclear]

980438933565

ROBERT D. LINDNER
BETTY JOHNSTON LINDNER
CINCINNATI, OHIO

2094

Sept. 21, 1955 ¹³⁻⁴⁵/₄₂₀ 21

PAY TO
THE ORDER OF

Steve Chubert for Congress \$ 2,000.00
Two Thousand ⁰⁰/₁₀₀ DOLLARS



The Provident Bank
CINCINNATI, OHIO

FOR

Robert D. Lindner

980438933566

S. CRAIG LINDNER 94-73
FRANCES LINDNER

5980

13-00100 21

Sept. 19 19 95

PAY TO
THE ORDER OF

CHABOT FOR CONGRESS

\$ 1,000.00

One thousand and no/100

The Provident Bank
CINCINNATI, OHIO

DOLLARS

FOR Primary Election Contribution

98043893567

S. CRANE L... 04-73
FRANCES

5982

13-00000 31

Sept. 12 - 95

PAY TO
THE ORDER OF

CREMANES FOR CONGRESS

One thousand and no/100

\$ 1,000.00

The Provident Bank
CINCINNATI, OHIO

DOLLARS

FOR Primary Election Contribution

98043893568

CARL H. LINDNER, III 03-72
MARTHA S. LINDNER
[REDACTED]

THE PROVIDENT BANK
CINCINNATI, OHIO
13-43/420 - 21

7700

9/21/95

PAY TO THE ORDER OF Chabot for Congress \$ ***1,000.00
One Thousand and 00/100***** DOLLARS

CARL H. LINDNER, III - MARTHA S. LINDNER

Jamaral. Traft

MEMO primary election
[REDACTED]

9
8
0
4
3
8
9
3
5
6
9

CARL H. LINDNER, III 03-73
MARTHA S. LINDNER

THE PROVIDENT BANK
CINCINNATI, OHIO
13-42/420 - 21

7702

9/21/95

PAY TO THE
ORDER OF

Cremeans for Congress

***1,000.00

One Thousand and 00/100***** DOLLARS

CARL H. LINDNER, III - MARTHA S. LINDNER

MEMO

primary election

Jamara L. Inft

98043893570

KEITH E. LINDNER

3932

13-487428 21

PAY
TO THE
ORDER OF

Crescent

9/20 1985

\$ *5000.00*

One thousand and ⁰⁰/₁₀₀

DOLLARS

The Provident Bank
CINCINNATI, OHIO

KEITH E. LINDNER



FOR

Primary Election Contrib.

7/1/3/1-

98043893571

98043893572

RICHARD S. LINDNER		2426
		13-02400 21
9-22-95		
PAY TO THE ORDER OF	CORRECTIONS FUNDAMENTAL CAMPAIGN	\$ 1,000.00
ONE THOUSAND & 00/100		IN FULL
The Provident Bank CINCINNATI, OHIO		
		
		<i>Richard S. Lindner</i>

CARL H. LINDNER, III 03-72
MARTHA S. LINDNER

THE PROVIDENT BANK
CINCINNATI, OHIO
13-42/420 - 21

7701

9/21/95

PAY TO THE
ORDER OF

Chabot for Congress

\$ ***1,000.00

One Thousand and 00/100***** DOLLARS

CARL H. LINDNER, III - MARTHA S. LINDNER

MEMO primary election

Jamara L. Traft

CARL H. LINDNER, III 03-72
MARTHA S. LINDNER

THE PROVIDENT BANK
CINCINNATI, OHIO
13-42/420 - 21

7703

9/21/95

PAY TO THE
ORDER OF

Cremeans for Congress

\$ ***1,000.00

One Thousand and 00/100***** DOLLARS

CARL H. LINDNER, III - MARTHA S. LINDNER

MEMO primary election

Jamara L. Traft

KEITH E. LINDNER

3931

13-43/430 21

PAY
TO THE
ORDER OF

4/10 1945
\$ 1,000.00

DOLLARS

The Provident Bank
CINCINNATI, OHIO

KEITH E. LINDNER

FOR

Primary Election Controll.

DLB

98043893574

98043893575

S. CRAIG LINDNER 04-73 FRANCES LINDNER		5983
		13-42488 21
Sept. 19, 95		
PAY TO THE ORDER OF	CREMANES FOR CONGRESS	\$ 1,000.00
One thousand and no/100-----		DOLLARS
The Provident Bank CINCINNATI, OHIO		
Primary Election Contribution		<i>Frances R. Lindner</i>

S. CRAIG LINDNER 04-73 FRANCES LINDNER		5981
		13-42488 21
Sept. 19, 95		
PAY TO THE ORDER OF	CHABOT FOR CONGRESS	\$ 1,000.00
One thousand and no/100-----		DOLLARS
The Provident Bank CINCINNATI, OHIO		
Primary Election Contribution		<i>Frances R. Lindner</i>

BEFORE THE FEDERAL ELECTION COMMISSION

In re Robert D. Lindner

MUR 4706

AFFIDAVIT OF ROBERT D. LINDNER

Robert D. Lindner, being duly sworn, deposes and says, that

1. On April 8, 1996, I made a contribution of \$10,000 to a non-federal account of the National Republican Senatorial Committee.
2. I intended that this contribution be deposited into a non-federal account because my intention was for the contribution to be used for non-federal activity and not for federal elections.
3. It now appears that without my knowledge and contrary to my intention, the contribution was deposited into a federal account.
4. In the Spring of 1997, after a review of my contributions, I became aware that the National Republican Senatorial Committee had erroneously deposited the contribution to a federal account.

930433893576

5. When I learned of this error, I immediately sought the transfer of the contribution to a non-federal account.

6. The National Republican Senatorial Committee has since transferred the contribution to a non-federal account.

Robert D. Lindner
Robert D. Lindner

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

Sworn to and subscribed before me a Notary Public
on the 16th day of February, 1998.



MARY L. BONTA
Notary Public, State of Ohio
My Commission Expires March 31, 1999

Mary L. Bonta
Notary Public

98043893577

National Republican Senatorial Committee

SENATOR MITCH MCCONNELL
CHAIRMAN

STEVEN J. LAW
EXECUTIVE DIRECTOR

February 13, 1998

Mr. Karl J. Grafe
One East Fourth Street
Cincinnati, OH 45202

Dear Mr. Grafe:

This letter is to serve as confirmation that on July 21, 1997, the National Republican Senatorial Committee transferred \$10,000 from our federal to non-federal account. This transfer represents the contribution Mr. Robert D. Lindner made to the Senatorial Trust program on 4/8/96. The transfer was disclosed on the NRSC's August Monthly Report, which was filed on August 20, 1997.

If you have any further questions, please contact Margee Dotter at (202) 675-6000.

Sincerely,



Craig M. Engel
General Counsel

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

980433893578

SCHEDULE B

ITEMIZED DISBURSEMENTS

Use separate schedule(s)
for each category of the
Detailed Summary PagePAGE 2 OF 2
FOR LINE NUMBER 29

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

NAME OF COMMITTEE (in Full)

NATIONAL REPUBLICAN SENATORIAL COMMITTEE

FEC ID No. C00027466

A. Full Name, Mailing Address and ZIP Code NRSC Non-Federal Account 425 Second Street, NE Washington, DC 20002	Purpose of Disbursement Transfer/Robert Lindner Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 7/21/97	Amount of Each Disbursement This Period 10,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

10,000.00

TOTAL This Period (last page this line number only)

25,946.76

98043893579

NAME OF COMMITTEE

NATIONAL REPUBLICAN SENATORIAL COMMITTEE - EXPENDITURES

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	AMOUNT
(MONTH,	OF EACH
DAY,	DISBURSEMENT
YEAR)	THIS PERIOD

NAME, ADDRESS, CITY, STATE, ZIP	PURPOSE OF DISBURSEMENT		
NRSC NON-FEDERAL ACCOUNT	TRANSFER	05/20/97	111.25
425 SECOND STREET, NE			
	DISBURSEMENT FOR:		
WASHINGTON DC 20002	WEBCRAFT TECHNOLOGIES		

NAME, ADDRESS, CITY, STATE, ZIP	PURPOSE OF DISBURSEMENT		
NRSC NON-FEDERAL ACCOUNT	TRANSFER	05/20/97	408.66
625 SECOND STREET, NE			
WASHINGTON DC 20002	DISBURSEMENT FOR:		
	WEBCRAFT TECHNOLOGIES		

NAME, ADDRESS, CITY, STATE, ZIP	PURPOSE OF DISBURSEMENT		
NRSC NON-FEDERAL ACCOUNT	TRANSFER	05/12/97	18.20
625 SECOND STREET, NE			
WASHINGTON DC 20002	DISBURSEMENT FOR:		
	GRANT SWINDELLS		

NAME, ADDRESS, CITY, STATE, ZIP	PURPOSE OF DISBURSEMENT		
NRSC NON-FEDERAL ACCOUNT	TRANSFER	05/12/97	175.00
525 SECOND STREET, NE			
	DISBURSEMENT FOR:		
WASHINGTON DC 20002	MAX ALPERSTEIN DEPT.		

NAME, ADDRESS, CITY, STATE, ZIP	[PURPOSE OF DISBURSEMENT]		
NRSC NON-FEDERAL ACCOUNT	TRANSFER	05/07/97	50.01
925 SECOND STREET, NE			
	DISBURSEMENT FOR:		
WASHINGTON DC 20002	DOOR CLOSER SERVICE		

NAME, ADDRESS, CITY, STATE, ZIP	PURPOSE OF DISBURSEMENT		
IRSC NON-FEDERAL ACCOUNT	TRANSFER	05/23/97	3000.00
25 SECOND STREET, NE			
	DISBURSEMENT FOR:		
WASHINGTON DC 20002	CARL LINDNER		

NAME, ADDRESS, CITY, STATE, ZIP	PURPOSE OF DISBURSEMENT		

UBTOTAL OF DISBURSEMENTS THIS PAGE (optional)	3,763.12
---	----------

TOTAL THIS PERIOD (last page this line number only) 1 6,169.19 1

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

MAY 22 3 34 PM '98

In the Matter of —

)
)
)
)
)

CASE CLOSURES UNDER
ENFORCEMENT PRIORITY

GENERAL COUNSEL'S REPORT

SENSITIVE

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

II. CASES RECOMMENDED FOR CLOSURE.

A. **Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission**

EPS was created to identify pending cases which, due to the length of their pendency in inactive status or the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria which results in a numerical rating of each case.

Closing cases permits the

Commission to focus its limited resources on more important cases presently

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pending before it. Based upon this review, we have identified 14 cases that do not warrant further action relative to other pending matters.¹ The attachment to this report contains a factual summary of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the means to identify those cases which remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

¹ These cases are: Pre-MUR 360 (*First National Bank of Wheaton, IL*); Pre-MUR 361 (*Teresa Isuac for Congress*); MUR 4663 (*Rodriguez for Congress*); MUR 4698 (*Mayor Louis Bencardino*); MUR 4699 (*Warren County Democratic Committee*); MUR 4705 (*Fox for Congress*); MUR 4706 (*Carl Lindner*); MUR 4712 (*Fox for Congress*); MUR 4714 (*Mary Jane Garcia for Congress*); MUR 4717 (*Hostettler for Congress*); MUR 4718 (*Oxley for Congress*); MUR 4723 (*Oscar H. Flores*); MUR 4724 (*Feinberg for Congress*); and MUR 4727 (*Madison Magazine*).

We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We recommend that these cases be closed.³

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective June 3, 1998. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

³ These cases are:

MUR 4539 (*Sollic Mae Student Loan*); MUR 4543 (*Besicorp*); MUR 4625 (*Hinojosa for Congress*); MUR 4640 (*New Mexicans Accion del Pueblo Citizen Action*); RAD 97L-02 (*Cooksey for Congress*); RAD 97L-03 (*Maxfield for Congress*); RAD 97NF-03 (*Dan Hansen for Congress*); RAD 97NF-08 (*Congressional Accountability PAC*); RAD 97NF-16 (*America's Fund*); 97NF-18 (*Faith, Family & Freedom PAC*); and 97NF-19 (*Pro-Hispanic PAC*).

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective June 3, 1998, and approve the appropriate letters in the following matters

RAD 97L-02
RAD 97L-03
RAD 97NF-03

RAD 97NF-08
RAD 97NF-16
RAD 97NF-18

RAD 97NF-19
Pre-MUR 360
Pre-MUR 361

B. Take no action, close the file effective June 3, 1998, and approve the appropriate letters in the following matters:

MUR 4539
MUR 4543
MUR 4625
MUR 4640
MUR 4663

MUR 4698
MUR 4699
MUR 4705
MUR 4706
MUR 4712
MUR 4714
MUR 4717

MUR 4718
MUR 4723
MUR 4724
MUR 4727

5/22/98
Date

LM Noble (Z9Z)
Lawrence M. Noble
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Case Closures Under) Agenda Document No. X98-31
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 9, 1998, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X98-31:

1. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective June 15, 1998, and approve the appropriate letters in the following matters:

- | | |
|----------------|----------------|
| 1. RAD 97L-02 | 6. RAD 97NF-18 |
| 2. RAD 97L-03 | 7. RAD 97NF-19 |
| 3. RAD 97NF-03 | 8. Pre-MUR 360 |
| 4. RAD 97NF-08 | 9. Pre-MUR 361 |
| 5. RAD 97NF-16 | |

(continued)

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- B. Take no action, close the file effective June 15, 1998 and approve the appropriate letters in the following matters:

- | | |
|-------------|--------------|
| 1. MUR 4539 | 9. MUR 4706 |
| 2. MUR 4543 | 10. MUR 4712 |
| 3. MUR 4625 | 11. MUR 4714 |
| 4. MUR 4640 | 12. MUR 4717 |
| 5. MUR 4663 | 13. MUR 4718 |
| 6. MUR 4698 | 14. MUR 4723 |
| 7. MUR 4699 | 15. MUR 4724 |
| 8. MUR 4705 | 16. MUR 4727 |

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

Attest:

6-10-98
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Larry Birns, Director
Council On Hemispheric Affairs
1444 I Street, N.W., Suite 211
Washington, D.C. 20005

RE: MUR 4706

Dear Mr. Birns:

On December 19, 1997, 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 15, 1998. 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,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

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MUR 4706
CARL LINDNER

Mr. Larry Birns, Director of the Council on Hemispheric Affairs, alleges that Carl Lindner, the CEO of Chiquita Brand International, members of his family, and businesses under Mr. Lindner's control, exceeded their annual and per-election contribution limits. Mr. Birns asserts that the Lindners' began to request and obtain refunds of their excessive contributions only when their actions became public knowledge. Mr. Birns' allegations are based on an article in *The Cincinnati Enquirer*.

The respondents deny that any of the businesses under the control of Mr. Lindner made impermissible contributions, or that any corporate funds were used to make any of the individual contributions in question. The respondents reportedly commenced voluntarily corrective action when an appearance of exceeding the per-election contribution limits emerged. This corrective action reportedly included obtaining refunds and correcting misallocated contributions prior to notice of this complaint or any related publicity. Review of available FEC reports and the Lindner records appear to show that the respondents have not violated the \$25,000 annual contribution limit.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Mr. Kenneth A. Gross, Esquire
Skadden, Arps, Slate, Meagher & Flom, L.L.P.
1440 New York Avenue,
Washington, D.C. 20005-2111

RE: MUR 4706

American Financial Corporation; American Premier Underwriters, Inc.; Chiquita Brand International, Inc.; United Dairy Farmers, Inc; Alan B. Lindner; Betty Lindner; Carl Lindner; Craig Lindner; David Lindner; Edith Lindner; Frances Lindner; Keith Lindner; Martha Lindner; Richard E. Lindner; and Robert D. Lindner, Sr.

Dear Mr. Gross:

On January 5, 1998, the Federal Election Commission notified your clients 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 15, 1998.

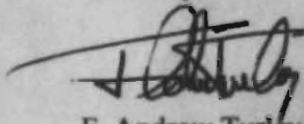
The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any 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.

Page 2

Mr. Kenneth A. Gross, Esquire

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

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MUR 4706
CARL LINDNER

Mr. Larry Birns, Director of the Council on Hemispheric Affairs, alleges that Carl Lindner, the CEO of Chiquita Brand International, members of his family, and businesses under Mr. Lindner's control, exceeded their annual and per-election contribution limits. Mr. Birns asserts that the Lindners' began to request and obtain refunds of their excessive contributions only when their actions became public knowledge. Mr. Birns' allegations are based on an article in *The Cincinnati Enquirer*.

The respondents deny that any of the businesses under the control of Mr. Lindner made impermissible contributions, or that any corporate funds were used to make any of the individual contributions in question. The respondents reportedly commenced voluntarily corrective action when an appearance of exceeding the per-election contribution limits emerged. This corrective action reportedly included obtaining refunds and correcting misallocated contributions prior to notice of this complaint or any related publicity. Review of available FEC reports and the Lindner records appear to show that the respondents have not violated the \$25,000 annual contribution limit.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Richard E. Lindner
4901 Hunt Road
Cincinnati, OH 45242-6949

RE: MUR 4706
Thriftway

Dear Mr. Lindner:

On January 5, 1998, the Federal Election Commission notified Robert Lindner of a complaint against Thriftway 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 Thriftway. See attached narrative. Accordingly, the Commission closed its file in this matter on June 15, 1998.

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 Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

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MUR 4706

CARL LINDNER

Mr. Larry Birns, Director of the Council on Hemispheric Affairs, alleges that Carl Lindner, the CEO of Chiquita Brand International, members of his family, and businesses under Mr. Lindner's control, exceeded their annual and per-election contribution limits. Mr. Birns asserts that the Lindners' began to request and obtain refunds of their excessive contributions only when their actions became public knowledge. Mr. Birns' allegations are based on an article in *The Cincinnati Enquirer*.

The respondents deny that any of the businesses under the control of Mr. Lindner made impermissible contributions, or that any corporate funds were used to make any of the individual contributions in question. The respondents reportedly commenced voluntarily corrective action when an appearance of exceeding the per-election contribution limits emerged. This corrective action reportedly included obtaining refunds and correcting misallocated contributions prior to notice of this complaint or any related publicity. Review of available FEC reports and the Lindner records appear to show that the respondents have not violated the \$25,000 annual contribution limit.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

President
Great American Insurance Company
P.O. Box 2575
Cincinnati, OH 45202-2575

RE: MUR 4706

Dear Sir or Madam:

On January 5, 1998, 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 Great American Insurance Company. See attached narrative. Accordingly, the Commission closed its file in this matter on June 15, 1998.

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 Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

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MUR 4706
CARL LINDNER

Mr. Larry Birns, Director of the Council on Hemispheric Affairs, alleges that Carl Lindner, the CEO of Chiquita Brand International, members of his family, and businesses under Mr. Lindner's control, exceeded their annual and per-election contribution limits. Mr. Birns asserts that the Lindners' began to request and obtain refunds of their excessive contributions only when their actions became public knowledge. Mr. Birns' allegations are based on an article in *The Cincinnati Enquirer*.

The respondents deny that any of the businesses under the control of Mr. Lindner made impermissible contributions, or that any corporate funds were used to make any of the individual contributions in question. The respondents reportedly commenced voluntarily corrective action when an appearance of exceeding the per-election contribution limits emerged. This corrective action reportedly included obtaining refunds and correcting misallocated contributions prior to notice of this complaint or any related publicity. Review of available FEC reports and the Lindner records appear to show that the respondents have not violated the \$25,000 annual contribution limit.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4706

DATE FILMED 7/9/98 CAMERA NO. 4

CAMERAMAN ESJ

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