



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4484 merged w/ RCE - MUR 325

DATE FILMED 2-24-67 CAMERA NO. 4

CAMERAMAN JMN

97043774478

JONES, DAY, REAVIS & POGUE

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1450 G STREET, N.W.
WASHINGTON, D.C. 20005-2068

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(202) 879-4640

December 21, 1995

VIA MESSENGER

Lois Lerner, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Lois:

Thank you for taking the time to meet with me yesterday concerning the contributions of Stewart Bainum, Jr. and his family. As promised, I am enclosing a set of materials which I trust you will find helpful in evaluating whether the FEC should take any action in this matter.

In particular, I am enclosing a five tabbed set of materials. Tab 1 includes a summary of contributions by Stewart Bainum, Jr. between 1991-1994, including individual contributor print-outs for those years from the FEC database. (Please note that the print-outs do not include certain contributions made by Stewart, but that are included on our summary. On the other hand, the print-outs do contain certain contributions made by Stewart's father, Stewart Bainum, Sr., which I have taken the liberty to mark.) Tabs 2 and 3 include the same information for Stewart's wife, Sandra Bainum, and his infant son, Bradford Bainum. Tab 4 contains a summary of Bainum family contributions to the four candidates to whom contributions were made and designated from Bradford Bainum. Behind the summary are Schedule A's from the individual candidates' reports, together with copies of checks. You will note that the checks are imprinted with Stewart Bainum, Jr.'s name. The checks are, however, drawn on an account over which Stewart and Sandra have joint control, even though neither Stewart nor his wife have signature authority. Finally, at Tab 5 you will find letters from Stewart and Sandra Bainum requesting refunds or redesignating contributions, together with a summary of the contributions summarized in Tab 4 once the actions requested in the letters are taken by the respective campaigns.

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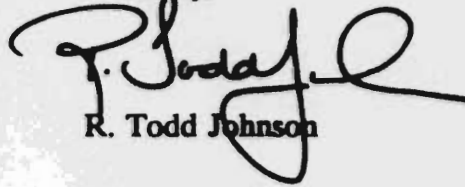
Pre MUR 325

Lois Lerner, Esq.
December 21, 1995
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I look forward to discussing soon, with you or a member of your staff, OGC's evaluation of this matter. I trust you will agree that the relatively small size of the matter and the voluntary efforts already undertaken by Stewart and Sandra suggest that no further action should be taken. Should you need any additional information or desire to discuss the matter further, please feel free to contact me at the number above. Although I will be out of the office next week, I will be checking for messages regularly.

Best wishes for the holidays.

Sincerely,



R. Todd Johnson

Attachment

cc: Stewart Bainum, Jr.

97043774400

BAINUM FAMILY CONTRIBUTIONS

(1991-1994)

Stewart Babin, Jr.

Individual Contributions			1991	1992	1993	1994
Adkins	Fed	primary	\$ 1,000.00			
		general		\$ 1,000.00		
Cardin	Fed	primary				
		general				\$ 500.00
Hattery	Fed	primary				
		general		\$ 1,000.00		
Hoyer	Fed	primary				
		general				\$ 1,000.00
Kennedy	Fed	primary			\$ 1,000.00	
		general				\$ 1,000.00
Packwood	Fed	primary	\$ 1,000.00			
		general				
Sarbanes	Fed	primary				
		general				\$ 500.00
Tsongas	Fed	primary		\$ 1,000.00		
		general				
Foster	Fed	primary				
		general		\$ 1,000.00		
Wynn	Fed	primary	\$ 500.00	\$ 1,000.00		
		general				
Dem. Senatorial Campaign	Fed			\$ 10,000.00		\$ 10,000.00
Maryland Democratic State Central Committee	Fed			\$ 2,000.00		\$ 1,000.00
Montgomery County Democratic Central Committee	Fed		\$ 450.00	\$ 500.00	\$ 200.00	
Emily's List	Fed				\$ 500.00	
Clean Up Congress	Fed					\$ 5,000.00
Manor Healthcare PAC	Fed		\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Total			\$ 7,950.00	\$ 22,500.00	\$ 6,700.00	\$ 24,000.00

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SELECTED LIST OF RECEIPTS & EXPENDITURES (91-92)
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CONTRIBUTOR/LENDER/TRANSFERER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY	STATE ZIP REPORT TYPE	TYPE OF FILER ELECTION DATE	AMOUNT
BAINUM, STEWART MANOR HEALTHCARE CORP FEDERAL POLITICAL ACTION COMMITTEE 91FEC/52/3340 #0009760 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 APRIL QUARTERLY	PRIMARY 1MAR91	5,000
BAINUM, STEWART WYNN-PAC 92HSE/439/0095 #0278414 CONTRIBUTION		SILVER SPRING	MD 20901 YEAR-END	PRIMARY 25OCT91	500
BAINUM, STEWART WYNN-PAC 92HSE/442/4701 #0322842 CONTRIBUTION		SILVER SPRING	MD 20901 PRE-PRIMARY	PRIMARY 28JAN92	500
BAINUM, STEWART FRIENDS OF SENATOR DON NICHLES 92SEN/02/2846 #0810589 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 PRE-GENERAL	GENERAL 14OCT92	1,000
BAINUM, STEWART CHANDLER 192 92SEN/02/1991 #0822777 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 PRE-GENERAL	GENERAL 13OCT92	1,000
BAINUM, STEWART DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE 92SEN/025/0938 #0820250 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 OCTOBER MONTHLY	PRIMARY 30SEP92	10,000
BAINUM, STEWART COLORADO FOR CONSIDINE 92SEN/02/1599 #1001937 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 POST-GENERAL	GENERAL 30OCT92	1,000
BAINUM, STEWART REPUBLICAN NATIONAL COMMITTEE - RNC 92FEC/807/1983 #114739 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 POST-GENERAL	PRIMARY 5NOV92	10,000
BAINUM, STEWART JR MANOR HEALTHCARE CORP FEDERAL POLITICAL ACTION COMMITTEE 91FEC/52/3340 #0009759 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 APRIL QUARTERLY	PRIMARY 6MAR91	5,000
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 91HSE/429/0706 #0044741 CONTRIBUTION FROM CANDIDATE			H2MD05122 MID-YEAR REPORT	HOUSE PRIMARY 24JAN91	1,186
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 91HSE/429/0706 #0044742 CONTRIBUTION FROM CANDIDATE			H2MD05122 MID-YEAR REPORT	HOUSE PRIMARY 22FEB91	1,081
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 91HSE/429/0706 #0044743 CONTRIBUTION FROM CANDIDATE			H2MD05122 MID-YEAR REPORT	HOUSE PRIMARY 23MAR91	1,183

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CONTRIBUTOR/LENDER/TRANSFERER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY	STATE ZIP REPORT TYPE	TYPE OF FILER ELECTION DATE	AMOUNT
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 91HSE/429/0706 #0044744	CONTRIBUTION FROM CANDIDATE		HEMD05122 MID-YEAR REPORT	HOUSE PRIMARY 25APR91	1,087
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 91HSE/429/0706 #0044745	CONTRIBUTION FROM CANDIDATE		HEMD05122 MID-YEAR REPORT	HOUSE PRIMARY 17MAY91	80,529
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 91HSE/429/0706 #0044745	CONTRIBUTION FROM CANDIDATE		HEMD05122 MID-YEAR REPORT	HOUSE PRIMARY 30MAY91	249
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 91HSE/429/0706 #0044747	CONTRIBUTION FROM CANDIDATE		HEMD05122 MID-YEAR REPORT	HOUSE PRIMARY 2JUN91	460
BAINUM, STEWART JR RE-ELECT PACKWOOD COMMITTEE 91SEN/006/0604 #0084619	CONTRIBUTION	SILVER SPRING	MD 20901 MID-YEAR REPORT	PRIMARY 4MAR91	1,000
BAINUM, STEWART JR MONTGOMERY COUNTY DEMOCRATIC CENTRAL COMMITTEE 91FEC/705/3534 #0110032	CONTRIBUTION	SILVER SPRING MANOR CARE	MD 20901 MID-YEAR REPORT	PRIMARY 2MAR91	450
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 92HSE/436/0428 #0213396	CONTRIBUTION FROM CANDIDATE		HEMD05122 TERMINATION REPORT	HOUSE PRIMARY 28JUL91	475
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 92HSE/436/0428 #0213397	CONTRIBUTION FROM CANDIDATE		HEMD05122 TERMINATION REPORT	HOUSE PRIMARY 30AUG91	65,000
BAINUM, STEWART JR FRIENDS OF STEWART BAINUM JR INC 92HSE/436/0428 #0213398	CONTRIBUTION FROM CANDIDATE		HEMD05122 TERMINATION REPORT	HOUSE PRIMARY 30AUG91	92
BAINUM, STEWART JR ATLANTA FOR OLIVER PRESS 92HSE/441/4131 #0279892	CONTRIBUTION	SILVER SPRING MANOR CARE INC	MD 20901 YEAR-END	PRIMARY 27NOV91	1,000
BAINUM, STEWART JR ISOMGAS COMMITTEE INC 92FEC/022/5477 #0392510	CONTRIBUTION	CHEVY CHASE MANOR CARE NURSING INC	MD 20815 MARCH MONTHLY	PRIMARY 3FEB92	1,000
BAINUM, STEWART JR MANOR HEALTHCARE FOR FEDERAL POLITICAL ACTION COMMITTEE 92FEC/022/5477 #0417031	CONTRIBUTION	CHEVY CHASE MANOR CARE INC	MD 20815 APRIL QUARTERLY	PRIMARY 18MAR92	5,000

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20 USC 6104(a)(4)

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BAINUM, STEWART JR HATTERY FOR CONGRESS 92HSE/458/4548 #0645570 CONTRIBUTION		SILVER SPRING MANOR CARE	MD 20901 JULY QUARTERLY	GENERAL 13MAY92	1,000
BAINUM, STEWART JR ATKINS FOR CONGRESS 92HSE/479/2347 #1009868 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 OCTOBER QUARTERLY	GENERAL 13SEP92	1,000
BAINUM, STEWART SR NATIONAL REPUBLICAN SENATORIAL COMMITTEE DAN COATS FOR INDIANA A/K/A DAN COATS FOR SENATE COMMITTEE 92SEN/026/2448 #0831173 EARMARKED CONTRIBUTION			C00027466 PRE-GENERAL	PARTY QUALIFIED GENERAL 9OCT92	1,000
BAINUM, STEWART SR CITIZENS FOR ARLEN SPECTER 92SEN/027/1122 #0874572 CONTRIBUTION		SILVER SPRING MANOR CARE INC	MD 20901 PRE-GENERAL	GENERAL 10OCT92	1,000
BAINUM, STEWART SR CITIZENS FOR ARLEN SPECTER NATIONAL REPUBLICAN SENATORIAL COMMITTEE 92SEN/027/1122 #0980692 EARMARKED INTERMEDIARY OUT			C00216218 PRE-GENERAL	SENATE PRIMARY 30OCT92	1,000
BAINUM, STEWART SR FRIENDS OF SENATOR DON NICKLES NATIONAL REPUBLICAN SENATORIAL COMMITTEE 92SEN/027/1122 #0980694 EARMARKED INTERMEDIARY OUT			C00115972 PRE-GENERAL	SENATE PRIMARY 30OCT92	1,000
BAINUM, STEWART SR DAN COATS FOR INDIANA A/K/A DAN COATS FOR SENATE COMMITTEE NATIONAL REPUBLICAN SENATORIAL COMMITTEE 92SEN/027/1122 #0980696 EARMARKED INTERMEDIARY OUT			C00235499 PRE-GENERAL	SENATE PRIMARY 30OCT92	1,000
BAINUM, STEWART SR CHANDLER '92 NATIONAL REPUBLICAN SENATORIAL COMMITTEE 92SEN/027/1123 #0980698 EARMARKED INTERMEDIARY OUT			C00251991 PRE-GENERAL	SENATE PRIMARY 30OCT92	1,000
BAINUM, STEWART SR COLORADANS FOR CONSIDINE NATIONAL REPUBLICAN SENATORIAL COMMITTEE 92SEN/028/3178 #1071906 EARMARKED INTERMEDIARY OUT			C00257436 POST-GENERAL	SENATE PRIMARY 29OCT92	1,000

NOTE: THE DOCUMENTS LISTED ABOVE ARE AVAILABLE FOR PUBLIC INSPECTION AND COPYING AT THE FEC. ANY INFORMATION COPIED FROM SUCH REPORTS OR STATEMENTS MAY NOT BE SOLD OR USED BY ANY PERSON FOR THE PURPOSE OF INFLUENCING AN ELECTION. NO PERSON SHALL BE PENALIZED FOR PROVIDING OTHER THAN TRUE AND ACCURATE INFORMATION TO ANY POLITICAL COMMITTEE TO SOLICIT CONTRIBUTIONS FROM SUCH COMMITTEE.

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SELECTED LIST OF RECEIPTS & EXPENDITURES (93-94)
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CONTRIBUTOR/LENDER/TRANSFERER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY	STATE ZIP REPORT TYPE	TYPE OF FILER ELECTION DATE	AMOUNT
RAINUM, STEWART NATIONAL REPUBLICAN SENATORIAL COMMITTEE HAYTAIAN U S SENATE '94 94SEN/022/1118 #0778531 EARMARKED CONTRIBUTION				C00027466 OCTOBER QUARTERLY 30SEP94	PARTY QUALIFIED GENERAL 1,000
RAINUM, STEWART DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE 94SEN/005/3963 #0308639 CONTRIBUTION	SILVER SPRING MANOR HEALTH CARE	MD 20901	FEBRUARY MONTHLY 10JAN94	PRIMARY 10,000	
RAINUM, STEWART J MILLER FOR U S SENATE 94SEN/010/3205 #0300716 CONTRIBUTION	SILVER SPRING	MD 20910	PRE-PRIMARY 18APR94	PRIMARY 1,000	
RAINUM, STEWART FRIENDS OF JIM COOPER 94SEN/002/3353 #0762372 CONTRIBUTION	SILVER SPRING MANOR CARE INC	MD 20901	OCTOBER QUARTERLY 26AUG94	GENERAL 1,000	
RAINUM, STEWART FRIENDS OF CONRAD BURNS 94SEN/025/1146 #0811754 CONTRIBUTION	SILVER SPRING	MD 20910	PRE-GENERAL 4OCT94	GENERAL 1,000	
RAINUM, STEWART ROTH SENATE COMMITTEE 94SEN/026/2137 #030815 CONTRIBUTION	SILVER SPRING MANOR HEALTHCARE	MD 20910	PRE-GENERAL 3OCT94	GENERAL 1,000	
RAINUM, STEWART FRIENDS OF JIM INHOPE 94SEN/026/3023 #083115 CONTRIBUTION	SILVER SPRING MANOR CARE INC	MD 20910	PRE-GENERAL 4OCT94	GENERAL 1,000	
RAINUM, STEWART ROMNEY FOR U S SENATE COMMITTEE INC 94SEN/026/1514 #0865313 CONTRIBUTION	SILVER SPRING MANOR CARE INC	MD 20901	PRE-GENERAL 6OCT94	GENERAL 1,000	
RAINUM, STEWART SEN. CARDIN FOR CONGRESS 94SEN/026/1671 #1056250 CONTRIBUTION	SILVER SPRING	MD 20910	PRE-GENERAL 14OCT94	GENERAL 500	
RAINUM, STEWART JR SEN. CARDIN FOR SENATE 94SEN/002/1521 #0149493 CONTRIBUTION	SILVER SPRING MANOR CARE	MD 20901	MID-YEAR REPORT 29JUN93	PRIMARY 1,000	
RAINUM, STEWART JR MANOR HEALTHCARE 1088 FEDERAL POLITICAL ACTION COMMITTEE 94SEN/002/1125 #0402357 CONTRIBUTION	CHEVY CHASE MANOR CARE INC	MD 20815	APRIL QUARTERLY 3FEB94	PRIMARY 5,000	
RAINUM, STEWART JR DEMOCRATIC STATE CENTRAL COMMITTEE OF MARYLAND 94SEN/002/1125 #0402357 CONTRIBUTION	SILVER SPRING MANOR CARE	MD 20901	APRIL QUARTERLY 10FEB94	PRIMARY 1,000	

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BAINUM, STEWART JR EMILY'S LIST 94FEC/899/1675 #0503440 CONTRIBUTION	SILVER SPRING MANOR CARE	MD 20901 MAY MONTHLY	PRIMARY 4APR94	500	
BAINUM, STEWART JR KENNEDY FOR SENATE 94SEN/024/1050 #0791108 CONTRIBUTION	SILVER SPRING MANOR CARE INC	MD 20910 OCTOBER QUARTERLY	GENERAL 30SEP94	1,000	
BAINUM, STEWART JR CLEAN UP CONGRESS 94FEC/939/4447 #0897773 CONTRIBUTION	CHEVY CHASE MANOR CARE INC	MD 20815 PRE-GENERAL	PRIMARY 12OCT94	5,000	
BAINUM, STEWART JR HOYER FOR CONGRESS 94HSE/553/2291 #0936072 CONTRIBUTION	CHEVY CHASE MANOR CARE	MD 20815 PRE-GENERAL	GENERAL 14OCT94	1,000	
BAINUM, STEWART JR CITIZENS FOR SARBANES 94SEN/029/1627 #1068174 CONTRIBUTION	CHEVY CHASE MANOR CARE INC	MD 20815 POST-GENERAL	GENERAL 24OCT94	500	
BAINUM, STEWART SR NATIONAL REPUBLICAN SENATORIAL COMMITTEE KAY BAILEY HUTCHISON FOR SENATE COMMITTEE 93SEN/005/1083 #0045597 EARMARKED CONTRIBUTION			C00027466 PARTY QUALIFIED PRE-RUN-OFF RUNOFF 13MAY93	1,000	
BAINUM, STEWART SR KAY BAILEY HUTCHISON FOR SENATE COMMITTEE NATIONAL REPUBLICAN SENATORIAL COMMITTEE 93SEN/006/1233 #0070555 EARMARKED INTERMEDIARY OUT			C00279273 SENATE JUNE MONTHLY PRIMARY 12MAY93	1,000	
BAINUM, STEWART SR NATIONAL REPUBLICAN SENATORIAL COMMITTEE SANTORUM '94 94SEN/023/1011 #0802441 EARMARKED CONTRIBUTION			C00027466 PARTY QUALIFIED OCTOBER QUARTERLY GENERAL 29SEP94	1,000	
BAINUM, STEWART SR SANTORUM '94 NATIONAL REPUBLICAN SENATORIAL COMMITTEE 94SEN/024/2883 #0146508 EARMARKED INTERMEDIARY OUT			C00254257 SENATE OCTOBER MONTHLY PRIMARY 23SEP94	1,000	
BAINUM, STEWART SR SANTORUM '94 NATIONAL REPUBLICAN SENATORIAL COMMITTEE 94SEN/024/2883 #0146508 EARMARKED INTERMEDIARY OUT			C00253205 SENATE OCTOBER MONTHLY PRIMARY 23SEP94	1,000	
BAINUM, STEWART SR SANTORUM '94 NATIONAL REPUBLICAN SENATORIAL COMMITTEE 94SEN/024/2883 #0146508 EARMARKED INTERMEDIARY OUT			C00254257 SENATE OCTOBER MONTHLY PRIMARY 23SEP94	1,000	

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Sandra Balum

Individual Contributions			1991	1992	1993	1994
Caulin	Fed	primary				
		general				\$ 1,000.00
Hattery	Fed	primary				
		general			\$ 1,000.00 ¹	
Hoyer	Fed	primary				
		general				\$ 1,000.00
Pender	Fed	primary				
		general		\$ 1,000.00		
Serbanes	Fed	primary				
		general				\$ 1,000.00
Schliro	Fed	primary				
		general				\$ 1,000.00
Tongas	Fed	primary		\$ 1,000.00		
		general				
Wynn	Fed	primary		\$ 1,000.00		
		general				\$ 1,000.00
Clean Up Congress	Fed					\$ 5,000.00
Total			\$ 0	\$ 3,000.00	\$ 1,000.00	\$ 10,000.00

153341.1

¹ Contributed for 1992 general election debt retirement.

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BAINUM, SANDRA WYNN-FAC 92HSE/442/4701 #0322843 CONTRIBUTION		SILVER SPRING	MD 20901 PRE-PRIMARY	PRIMARY 28JAN92	500
BAINUM, SANDRA A TSONGAS COMMITTEE INC 92FEC/739/5477 #0397611 CONTRIBUTION		CHEVY CHASE HOMEMAKER	MD 20815 MARCH MONTHLY	PRIMARY 3FEB92	1,000

U.S. GOVERNMENT PRINTING OFFICE: 1983-30-017

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BAINUM, SANDRA BATTERY FOR CONGRESS 94HSE/512/2589 #0366991 CONTRIBUTION		SILVER SPRING	MD 20910 YEAR-END	GENERAL 16JUL93	1,000
BAINUM, SANDRA CLEAN UP CONGRESS 94FEC/939/4447 #0897774 CONTRIBUTION		CHEVY CHASE HOMEMAKER	MD PRE-GENERAL	PRIMARY 12OCT94	5,000
BAINUM, SANDRA RE-ELECT ALBERT WYNN TO CONGRESS 94HSE/558/4310 #1012298 CONTRIBUTION		CHEVY CHASE	MD 20815 POST-GENERAL	GENERAL 27OCT94	1,000
BAINUM, SANDRA PHIL SCHILIRO FOR CONGRESS COMMITTEE 94HSE/558/0962 #1068783 CONTRIBUTION		CHEVY CHASE HOMEMAKER	MD 20815 POST-GENERAL	GENERAL 9NOV94	1,000
BAINUM, SANDRA Y KENNEDY FOR SENATE 94SEN/024/1057 #0791107 CONTRIBUTION		CHEVY CHASE HOMEMAKER	MD 20815 OCTOBER QUARTERLY	GENERAL 29SEP94	1,000
BAINUM, SANDRA Y HOYER FOR CONGRESS 94HSE/553/2292 #0936073 CONTRIBUTION		CHEVY CHASE HOMEMAKER	MD 20815 PRE-GENERAL	GENERAL 14OCT94	1,000
BAINUM, SANDRA Y BEN CARDIN FOR CONGRESS 94HSE/552/3671 #1066249 CONTRIBUTION		CHEVY CHASE	MD 20815 PRE-GENERAL	GENERAL 14OCT94	1,000
BAINUM, SANDRA Y CITIZENS FOR SARBANES 94SEN/029 1627 #1068175 CONTRIBUTION		CHEVY CHASE HOMEMAKER	MD 20815 POST-GENERAL	GENERAL 24OCT94	1,000

Bradford Balaban

Individual Contributions			1991	1992	1993	1994
Athias	Fed	primary				
		general			\$ 1,000.00 ¹	
Hattery	Fed	primary				
		general			\$ 1,000.00 ²	
Thongas	Fed	primary		\$ 1,000.00		
		general				
Wynn	Fed	primary		\$ 1,000.00		
		general				
Total				\$ 2,000.00	\$ 2,000.00	

155041.1

¹ The candidate applied this contribution to the retirement of 1992 general election debt.

² Contributed for 1992 general election debt retirement.

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MICROFILM LOCATION	TRANSACTION TYPE			DATE	
BAINUM, BRADFORD TSONGAS COMMITTEE INC 92FEC/739/5475 #0397609 CONTRIBUTION		CHEVY CHASE STUDENT	MD 20815 MARCH MONTHLY	PRIMARY 3FE392	1,000
BAINUM, BRADFORD WYNN-PAC 92HSE/445/1029 #0412548 CONTRIBUTION		SILVER SPRING	MD 20901 APRIL QUARTERLY	PRIMARY 2MAR92	1,000

U.S. DEPARTMENT OF JUSTICE OFFICE: MAR 24 1967

NOTES: THE INFORMATION LISTED ABOVE ARE AVAILABLE FOR PUBLIC INSPECTION AND COPYING AT THE FEE. ANY INFORMATION COPIED FROM SUCH REPORTS OR STATEMENTS MAY NOT BE SOLD OR USED BY ANY PERSON FOR THE PURPOSE OF OBTAINING A FURTHER FEE. INFORMATION COPIED FROM SUCH REPORTS OR STATEMENTS MAY NOT BE USED BY ANY PERSON FOR THE PURPOSE OF OBTAINING A FURTHER FEE. INFORMATION COPIED FROM SUCH REPORTS OR STATEMENTS MAY NOT BE USED BY ANY PERSON FOR THE PURPOSE OF OBTAINING A FURTHER FEE.

FEDERAL ELECTION COMMISSION

DATE 19DEC95

SELECTED LIST OF RECEIPTS & EXPENDITURES (93-94)
USER SELECTED ITEMIZED TRANSACTIONS

PAGE 3

CONTRIBUTOR/LENDER/TRANSFERER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY	STATE ZIP REPORT TYPE	TYPE OF FILER ELECTION DATE	AMOUNT
BAINUM, BRADFORD ATKINS FOR CONGRESS 93HSE/503/1345 #0131789 CONTRIBUTION		SILVER SPRINGS	MD 20901 MID-YEAR REPORT	FOR 1992 11FEB93	1,000
BAINUM, BRADFORD HATTERY FOR CONGRESS 94HSE/512/2587 #0366990 CONTRIBUTION		SILVER SPRING	MD 20910 YEAR-END	GENERAL 16JUL93	1,000

U.S. GOVERNMENT PRINTING OFFICE: 1983-301-877

4

1992 Bainum Family Contributions
(where contributions were designated for all three members)

Candidate		Stewart	Sandra	Bradford
Atkins for Congress	P	\$ 1,000	-	-
	G	\$ 1,000	-	\$ 1,000
Hattery for Congress	P	-	-	-
	G	\$ 1,000	\$ 1,000	\$ 1,000
Tsongas Committee	P	\$ 1,000	\$ 1,000	\$ 1,000
	G	n/a	n/a	n/a
Re-Elect Albert Wynn to Congress	P	\$ 500 \$ 500 \$ 500	\$ 500 \$ 500	\$ 1,000
	G	-	\$1,000	-

*** CDS-4.19.0-2 ***
 01 91 to 12/31/91

CAMPAIGN SUPPORT SYSTEM
 FEI Schedule A - Receipts

Form : 30-CAN-91
 Reg : 00002

Adams Committee

*** Confidential Information ***

Contributor Name & Mailing Address	Employer/Occupation	Aggr: \$	Date	Amount
Stewart Bairum Jr. 10770 Columbia Pike Silver Spring, MD 20901	Manor Care, Inc. Chairman		11 07 91	\$ 1,000.00
<u>Prim</u> <u>Genl</u> <u>Other</u>	Aggr YTD \$	1,000.00		
Jonathan P. Banton 37 Station Road West Redding, CT 06896	Information Requested Not Provided		09 06 91	\$ 250.00
<u>Prim</u> <u>Genl</u> <u>Other</u>	Aggr YTD \$	250.00		
Michael Barnes 1948 Baltimore Street Kensington, MD 20895	Arent & Fox Attorney		12 31 91	\$ 200.00
<u>Prim</u> <u>Genl</u> <u>Other</u>	Aggr YTD \$	200.00		
Anthony J. Barraco 14100 Blackberry Hill Road Los Gatos, CA 95032	Elcom, Incorporated President		11 02 91	\$ 250.00
<u>Prim</u> <u>Genl</u> <u>Other</u>	Aggr YTD \$	250.00		
David F. Basisho 1411 Lake Berry Drive Winter Park, FL 32789	Self-Employed Physician		11 01 91	\$ 1,000.00
<u>Prim</u> <u>Genl</u> <u>Other</u>	Aggr YTD \$	1,000.00		
Robert Beal 2000 Belmont Street Boston, MA 02118	The Beal Companies President		11 01 91	\$ 500.00
<u>Prim</u> <u>Genl</u> <u>Other</u>	Aggr YTD \$	500.00		
William A. Bergen 10000 Lake Silver Spring, MD 20901	Bingham Dana & Gould Attorney		11 01 91	\$ 250.00
<u>Prim</u> <u>Genl</u> <u>Other</u>	Aggr YTD \$	250.00		

*** CSB-4.19.0-2 ***
08/27/92 to 09/30/92

CANADIAN SUPPORTER SYSTEM
FEC Schedule A - Receipts

Date : 15-OCT-92
Page : 00002

thine Committee

*** Confidential Information ***

Line#: 11A

Contributor Name & Mailing Address	Employer/Occupation/Aggr\$	Date	\$ Amount
David B. Arnold Jr. 309 Masterfield Road Concord, MA 01742	self Philanthropist	09/12/92 09/12/92	\$ 150.00 P \$ 100.00 G
Prim Genl Other	Aggr YTD \$ 600.00		
William R. Aycock 22037 W. River Road Crosse Isle, MI 48138	Private Practice Attorney	09/11/92	\$ 1,000.00 P
Prim Genl Other	Aggr YTD \$ 1,000.00		
Lawrence M. Bailis 70 Leicester Road Belmont, MA 02178	Professor	09/02/92	\$ 500.00 P
Prim Genl Other	Aggr YTD \$ 1,500.00		
Stewart Bauman Jr. 10770 Columbia Pike Silver Spring, MD 20901	Minor Care, Inc. Chairman	09/11/92	\$ 1,000.00 G
Prim Genl Other	Aggr YTD \$ 1,000.00		
Vincent Bajajian Coppermine Road Concord, MA 01742	Wellington Management Corp Senior Vice President	08/02/92	\$ 250.00 P
Prim Genl Other	Aggr YTD \$ 350.00		
Sumner T. Barnicle 1050 17th Street, N.W. Suite 810 Washington, DC 20036	Information Requested Not Provided	09/07/92	\$ 750.00 P
Prim Genl Other	Aggr YTD \$ 750.00		
Edward F. Barry Jr. 975 Memorial Drive Cambridge, MA 02138	The Congress Group Developer	09/02/92	\$ 250.00 P
Prim Genl Other	Aggr YTD \$ 250.00		

*** 133-4.19.0-2 ***
01, 01, 93 to 06/30/93

CAMPAIGN SUPPORTER SYSTEM
FEC Schedule A - Receipts

Date : 30-JUL-93
Page : 00001

Attains Committee

*** Confidential Information ***

Line#: 11A

Contributor Name & Mailing Address	Employer/Occupation/Aggr\$	Date	\$ Amount
Bradford Bainum 10770 Columbia Drive Silver Springs, MD 20901	Information Requested Not Provided	02/11/93	\$ 1,000.00 D
<u>Prim</u> <u>Genl</u> <u>Othr</u>	Aggr YTD \$ 1,000.00		
Vidya Bhatia 9 Hickerson Road Lexington, MA 02173	Minuteman International C Accountant	05/12/93	\$ 450.00 D
<u>Prim</u> <u>Genl</u> <u>Othr</u>	Aggr YTD \$ 450.00		
Peter A. Brooke Barretts Mill Road Concord, MA 01742	Advent International Venture Capitalist	05/12/93	\$ 250.00 D
<u>Prim</u> <u>Genl</u> <u>Othr</u>	Aggr YTD \$ 250.00		
Apostle G. Cardamamos 420 Heald Road Carlisle, MA 01741	Information Requested Not Provided	03/14/93	\$ 1,000.00 D
<u>Prim</u> <u>Genl</u> <u>Othr</u>	Aggr YTD \$ 1,000.00		
Barbara A. Clark Abigail Drive Hudson, MA 01743	Bedrosian Associates Physician	05/14/93	\$ 1,000.00 D
<u>Prim</u> <u>Genl</u> <u>Othr</u>	Aggr YTD \$ 1,000.00		
John J. Cohen 1000 Salemst Way Boston, MA 02118	Information Requested Not Provided	05-14-93	\$ 1,000.00 D
<u>Prim</u> <u>Genl</u> <u>Othr</u>	Aggr YTD \$ 1,000.00		
John J. Cohen 1000 Salemst Way Boston, MA 02118	Information Requested Not Provided	04-15-93	\$ 500.00 D
<u>Prim</u> <u>Genl</u> <u>Othr</u>	Aggr YTD \$ 500.00		

STEWART BAINUM, JR.

88-234
180

MO.	DA.	YR.
11	21	91

No. 0577

PAY EXACTLY ***1,000** DOLLARS AND 00 CENTS \$ 1,000.00

TO THE ORDER OF:

Atkins for Congress
56 Thoreau Street
Concord, MA 01742

Christine A. Shreve

SOVRAN BANK / MARYLAND

CR

#0000 100000

STEWART BAINUM, JR.

68-234
100

MO.	DA.	YR.
9	11	92

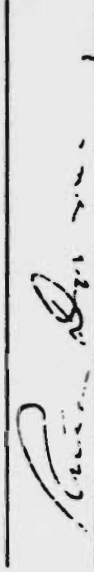
No. 0767


PAY EXACTLY 1,000 DOLLARS AND 00 CENTS \$ 1,000.00

TO THE ORDER OF:

Atkins for Congress Committee

SOVRAN BANK / MARYLAND



 /0000100000

STEWART BAINUM, JR.

Political contribution by Brifford Bainum

05-754
650

MO.	DA.	YR.
2	11	93

No. 0863

PAY EXACTLY **1,000**

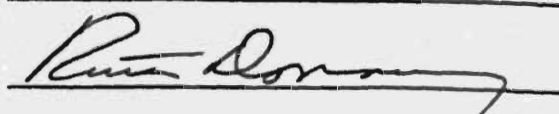
DOLLARS AND 00 CENTS

\$1,000.00

TO THE ORDER OF:

Committee To Re-elect Congressman Atkins

SOVRAN BANK / MARYLAND



⑈0000⑈00000⑈

SCHEDULE A - ITEMIZED RECEIPTS

PAGE: 1 OF 51

Individual Contribution

LINE NUMBER 11A

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

Name of Committee: Hattery for Congress

Name and Address	Employer	Date	Amount
David M. Abramson 11043 Gaither Farm Road Ellicott City, MD 21042	Employer: Levens, Schimmel, Selman, & Abramson	06/09/92	250.00
Receipt for General 1992 Occupation: Attorney			
YTD amount: 250.00			
Jane D Acquaviva 1016 Paxton Ave. Cincinnati, OH	Employer: ARMS	09/21/92	200.00
Occupation: association executive			
Receipt for General 1992 YTD amount: 200.00			
Gary R Alexander 1200 Swan Harbor Tantallon, MD 20744	Employer: MD General Assembly	04/02/92	200.00
Occupation: delegate			
Receipt for General 1992 YTD amount: 200.00			
Stewart Bainum, Jr. 10770 Columbia Avenue Silver Spring, MD 20901	Employer: Manor Care	05/12/92	1000.00
Occupation: chairman			
Receipt for General 1992 YTD amount: 1000.00			
Carl Belt, Jr. Route 5, Box 117A Cumberland, MD 21502	Employer: Carl Belt, Inc.	05/26/92	200.00
Occupation: contractor			
Receipt for General 1992 YTD amount: 200.00			
Richard O. Berndt 1323 North Calvert Street Baltimore, MD 21218	Employer: Gallagher, Evelius, and Jones	05/29/92	1000.00
Occupation: managing partner			
Receipt for General 1992 YTD amount: 1000.00			

Subtotal receipts this page:

2050.00

STEWART BAINUM, JR.

00-234
140

MO.	DA.	YR.
5	6	92

No. 0689

PAY EXACTLY

1,000

DOLLARS AND 00 CENTS

\$ 1,000.00

TO THE ORDER OF:

Hattery For Congress

Christine A. Shreve

SOVRAN BANK / MARYLAND

⑈0000 100000⑈

ITEMIZED RECEIPTS

PAGE 1
FOR LINE 1000000

12/31/93

13a(1)

2. Information derived from the Reports of Statements may not be used or sold to any person for the purpose of soliciting contributions or for commercial purposes other than as to the name and address of any political committee to which contributions from such committee

NAME OF COMMITTEE on F-100

Battery for Congress C 00252817

A Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Bradford Bainum 8737 Colesville Rd., Suite 800 Silver Spring, MD 20910	Decline	7/16/93	1,000.00
Receipt for: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Aggregate Year to Date \$ 1,000.00	Description		
B Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Sandra Bainum 8737 Colesville Rd., Suite 800 Silver Spring, MD 20910	Decline	7/16/93	1,000.00
Receipt for: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Aggregate Year to Date \$ 1,000.00	Description		
C Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Patricia Hudak 189 Fairfield Dr. Frederick, MD 21702	Fred. Memorial Hos.	7/3/93	200.00
Receipt for: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Aggregate Year to Date \$ 200.00	Description		
D Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Michael Sponseller Box 22 New Market, MD 21774	self	7/3/93	200.00
Receipt for: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General Aggregate Year to Date \$ 200.00	Description		
E Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General Aggregate Year to Date \$	Description		
F Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General Aggregate Year to Date \$	Description		
G Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for: <input type="checkbox"/> Other (specify) <input type="checkbox"/> Primary <input type="checkbox"/> General Aggregate Year to Date \$	Description		

STEWART BAINUM, JR.

Sandra Bainum Personal Contribution

09-234
100

8737 Colesville Road
Silver Spring, MD 20910
301-495-4400

MO.	DA.	YR.
7	14	93

8737 Colesville Road, Suite 800
Silver Spring, MD 20910
301-495-4400

No. 0966

PAY EXACTLY **1000**

DOLLARS AND 00 CENTS \$1,000.00

TO THE ORDER OF:

Hattery 1992 Debt Retirement

SOVRAN BANK / MARYLAND

Maup C. Acker

#0000100000

STEWART BAINUM, JR.

Bradford Bainum Personal Contribution

00-274
100

8737 Colesville Road, Suite 800
Silver Spring, MD 20910
301-495-4400

MO.	DA.	YR.
7	14	93

No. 0967

PAY EXACTLY **1,000**

DOLLARS AND 00 CENTS

\$ 1,000.00

TO THE ORDER OF:

Battery 1992 Debt Retirement

SOVRAN BANK / MARYLAND

Mary C. Adler

#0000100000

*** CMS-4.19.0-2 ***
02/01/92 to 02/28/92

CANDIDATE SUPPORTER STATEMENT
FEC Schedule A - Receipts

Date : 10-000-92
Page : 00000

Receipts for President

*** Confidential Information ***

Line#: 17A

Contributor Name & Mailing Address	Employer/Occupation/Agent	Date	\$ Amount
Constantinos Sahalis 433 Catherine Street Port Lee, NJ 07024	Palibu Diner Owner	02/07/92 02/25/92	\$ 100.00 P \$ 100.00 P
Prim Genl Other	Aggr YTD \$ 292.00		
Nicholas W Sabarinas PO Box 244 105 Taunton Avenue Norton, MA 02766	Sabarinas, Seiden & King Attorney	02/21/92	\$ 250.00 P
Prim Genl Other	Aggr YTD \$ 1,000.00		
B P Backlund 1220 Savings Center Tower Bartonville Bank Peoria, IL 61602	Bartonville Bank President	02/26/92	\$ 1,000.00 P
Prim Genl Other	Aggr YTD \$ 1,000.00		
Alka Badshah 61 Gray St Arlington, MA 02174	Information Requested Not Provided	02/15/92	\$ 250.00 P
Prim Genl Other	Aggr YTD \$ 250.00		
Elizabeth W Bagley PO Box 118 Twentynine Palms, CA 92277	Trustee	02/27/92	\$ 300.00 P
Prim Genl Other	Aggr YTD \$ 300.00		
Jeffrey Bain 1220 North Circle Drive Colorado Springs, CO 80909-3196	Cheers Liquor Mart Manager	02/25/92	\$ 250.00 P
Prim Genl Other	Aggr YTD \$ 250.00		
Bradford Bauman 10 Pringle Street Bryn Mawr, MD 20815	Student	02/03/92	\$ 1,000.00 P
Prim Genl Other	Aggr YTD \$ 1,000.00		

02047745416

*** CSB-4.19.0-2 ***
01/01/92 to 02/28/92

CORRUPTION DISCLOSURE REPORT
FEC Schedule A - Receipts

Date : 10-09-92
Page : 00000

Receipts for President

*** Confidential Information ***

Line#: 176

Contributor Name & Mailing Address	Employer/Occupation/Agent	Date	\$ Amount
Stewart Bairam Jr 12 Primrose Street Chevy Chase, MD 20815-4229	Minor Care Nursing, Inc President	02/01/92	\$ 1,000.00 P
Prim Genl Other	Aggr YTD \$ 1,000.00		
Sandra A Bairam 12 Primrose Street Chevy Chase, MD 20815-4229	Remember	02/01/92	\$ 1,000.00 P
Prim Genl Other	Aggr YTD \$ 1,000.00		
Gregory W Baird 620 North Washington Winshire, IL 60521	Information Requested Not Provided	02/24/92	\$ 500.00 P
Prim Genl Other	Aggr YTD \$ 500.00		
Michael J Bahalis 1731 North 78th Court Kildeer Park, IL 60035	Information Requested Not Provided	02/28/92	\$ 500.00 P
Prim Genl Other	Aggr YTD \$ 500.00		
Mayer H Baker 502A Epping Forest Road Annapolis, MD 21401-1	Information Requested Not Provided	02/23/92	\$ 250.00 P
Prim Genl Other	Aggr YTD \$ 250.00		
John Baker 380 Shippin Avenue Stamford, CT 06902	Baker Meat Market	02/04/92	\$ 250.00 P
Prim Genl Other	Aggr YTD \$ 250.00		
Joseph J Bakewell 178 Georgetown Rd Arlingford, VA 22121	Information Requested Not Provided	02/18/92	\$ 1,000.00 P
Prim Genl Other	Aggr YTD \$ 1,000.00		

11325411

STEWART BAINUM, JR.

00-234
100

MO.	DA.	YR.
1	15	92

No. 0596

PAY EXACTLY 1,000 DOLLARS AND 00 CENTS \$ 1,000.00
TO THE ORDER OF: THE TSONGAS COMMITTEE
403772574 02-05-92 004 00 0370
Christine A. Shreve

SOVRAN BANK / MARYLAND

0000100000

STEWART BAINUM, JR.

65-234
500

MO.	DA.	YR.
1	15	92

No. 0597

PAY EXACTLY 1,000 DOLLARS AND 00 CENTS \$ 1,000.00
TO THE ORDER OF: 403772529 02-03-92 004 10 0370
THE TSONGAS COMMITTEE

Christine G. Shreve

SOVRAN BANK / MARYLAND

#0000100000

STEWART BAINUM, JR.

66-234
660

MO.	DA.	YR.
1	15	92

No. 0598

PAY EXACTLY 1,000

DOLLARS AND 00 CENTS \$ 1,000.00

TO THE ORDER OF:

THE TSONGAS COMMITTEE

403772533 02-05-92 004 10 0370

Christine A. Shreve

SOVRAN BANK / MARYLAND

⑈0000100000⑈

Contributions from Individuals/Persons

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)

VIMS-SEC Albert Wynn Congressional Representative Committee

1. Name, Address and Zip Code	Name of Employer	Date (Month, day, year)	Amount of Cash Receipt This Period
DENNIS L. LLOYD JR. 2801 MOUNTAIN VIEW ST. Camp Springs, MD. 20746 Receipt For: Primary <input checked="" type="checkbox"/> General <input type="checkbox"/>	Occupation Aggregate TID 250.00	10-18-91	250.00
GEORGE B. B. B. B. B. 1010 WYOMING AVE. SE. NED Silver Spring, MD. 20910 Receipt For: Primary <input checked="" type="checkbox"/> General <input type="checkbox"/>	Occupation Aggregate TID 250.00	10-21-91	250.00
STEVEN M. COOPER 15710 Columbia Pike Silver Spring, MD. 20901 Receipt For: Primary <input checked="" type="checkbox"/> General <input type="checkbox"/>	Occupation Aggregate TID 500.00	10-25-91	500.00
STEVEN M. COOPER 1101 Spring Street Silver Spring, MD. 20910 Receipt For: Primary <input checked="" type="checkbox"/> General <input type="checkbox"/>	Occupation Aggregate TID 500.00	10-21-91	500.00
Subtotal of Receipts This Page (Optional)			1,500.00
Total This Period (last page this line number only)			18535.00

18535.70

STEWART BAINUM, JR.

06-734
550

MO.	DA.	YR.
10	25	91

No. 0568

PAY EXACTLY ***500*** DOLLARS AND 00 CENTS \$ 500.00

TO THE ORDER OF:

Albert R. Wynn for Congress
8700 Central Avenue, Suite 306
Landover, MD 20785

SOVRAN BANK / MARYLAND

Ruth Donnelly

#0000050000

NAME OF COMMITTEE (in Full)

NYAN For Congress

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>STANLEY BARNUM 10770 Columbia Pike Silver Spring, MD. 20901</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>1-28-42</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>STANLEY BARNUM 10770 Columbia Pike Silver Spring, MD. 20901</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>1-28-42</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>AFSCME 1635 L ST., N.W. Washington, D.C. 20036</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 5,000.00</p>	<p>Date (month, day, year)</p> <p>1-28-42</p>	<p>Amount of Each Receipt this Period</p> <p>5,000.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>WALTER M. COOK MD. COURT HOUSE 5501 LANSIDE RD. Towson, MD. 21204</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>1-28-42</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>COX</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 100.00</p>	<p>Date (month, day, year)</p> <p>1-28-42</p>	<p>Amount of Each Receipt this Period</p> <p>100.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>DAVID MCALISTER 301 N. Charles St. SE. 20 Baltimore, MD 21201</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 100.00</p>	<p>Date (month, day, year)</p> <p>1-28-42</p>	<p>Amount of Each Receipt this Period</p> <p>100.00</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Bakery Confectionery and Tobacco Workers INT'L UNION 4401 CANNONCT AVE. Silver Spring, MD. 20895-3961</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>2-4-42</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>

SUBTOTAL of Receipts This Page (optional)

7700.00

TOTAL This Period (last page this line number only)

7750.00

STEWART BAINUM, JR.

05-234
164

Personal - Stewart Bainum, Jr.

MO.	DA.	YR.
1	22	92

No. 0602

PAY EXACTLY

500

DOLLARS AND 00 CENTS

\$ 500.00

TO THE ORDER OF:

Wynn For Congress
8700 Central Ave., Suite 306
Landover, MD 20785

Christine A. Shreve

SOVRAN BANK / MARYLAND

⑈0000050000

STEWART BAINUM, JR.

Personal - Stewart Bainum, Jr.

00-234
100

MO.	DA.	YR.
1	22	92

No. 0602

PAY EXACTLY 500

DOLLARS AND 00 CENTS \$ 500.00

TO THE ORDER OF:

Wynn For Congress
8700 Central Ave., Suite 306
Landover, MD 20785

Christine A. Shreve

SOVRAN BANK / MARYLAND

⑈0000050000

STEWART BAINUM, JR.

Personal - Sandra Y. Bainum

98-234
550

MO.	DA.	YR.
1	22	92

No. 0603

PAY EXACTLY 500.

DOLLARS AND 00 CENTS \$ 500.00

TO THE ORDER OF:

Wynn For Congress
8700 Central Ave., Suite 306
Landover, MD 20785

Christine A. Slueve

SOVRAN BANK / MARYLAND

0000050000

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule for each category of the Detailed Summary Page

Page 1 of 2
Form Line Number

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

WYNN For Congress

<p>A. Full Name, Mailing Address and ZIP Code Daniel Baldwin, Jr. 3628 Waterwheel Square 2nd Baltimore, MD 21135</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year) 2-26-92</p>	<p>Amount of Each Receipt this Period 500.00</p>
<p>B. Full Name, Mailing Address and ZIP Code Colman J. Zamorski 3000 Waterwheel Square Baltimore, MD 21280</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Occupation Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year) 2-26-92</p>	<p>Amount of Each Receipt this Period 200.00</p>
<p>C. Full Name, Mailing Address and ZIP Code Steven Bainum, Jr. 1070 Columbia Pike Silver Spring, MD 20901</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year) 2-2-92</p>	<p>Amount of Each Receipt this Period 500.00</p>
<p>D. Full Name, Mailing Address and ZIP Code Barbara J. Bainum 1070 Columbia Pike Silver Spring, MD 20901</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Occupation Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year) 2-2-92</p>	<p>Amount of Each Receipt this Period 1,000.00</p>
<p>E. Full Name, Mailing Address and ZIP Code Smedley Bainum 1070 Columbia Pike Silver Spring, MD 20901</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year) 3-2-92</p>	<p>Amount of Each Receipt this Period 500.00</p>
<p>F. Full Name, Mailing Address and ZIP Code Arthur M. Reynolds, Jr. 1155 5th Street, NW, Suite 200 Washington, D.C. 20005</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Occupation Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year) 3-2-92</p>	<p>Amount of Each Receipt this Period 1,000.00</p>
<p>G. Full Name, Mailing Address and ZIP Code Malcolm E. Hollis, Jr. South Columbia St., Suite 2100 Baltimore, MD 21202</p> <p>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Occupation Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year) 2-28-92</p>	<p>Amount of Each Receipt this Period 200.00</p>

SUBTOTAL of Receipts This Page (attach)

4050.00

TOTAL This Period (last page this line number only)

4215.00

STEWART BAINUM, JR.

Personal Contribution from Stewart Bainum, Jr.

06-234
640

MO.	DA.	YR.
3	2	92

No. 0641

PAY EXACTLY 500 DOLLARS AND 00 CENTS \$ 500.00

TO THE ORDER OF:

Albert Wynn for Congress
8700 Central Ave., Suite 306
Landover, MD 20785

SOVRAN BANK / MARYLAND

Stewart Bainum, Jr.

⑈0000050000⑈

STEWART BAINUM, JR.

Personal Contribution From Bradford Bainum

05-224
000

MO.	DA.	YR.
3	2	92

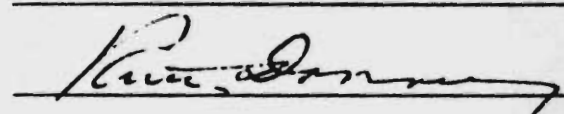
No. 0640

PAY EXACTLY *****1,000***** DOLLARS AND 00 CENTS \$ 1,000.00

TO THE ORDER OF:

Albert R. Wynn for Congress
8700 Central Ave., Suite 306
Landover, MD 20785

SOVRAN BANK / MARYLAND



0000 100000

STEWART BAINUM, JR.

Personal Contribution from Sandy Bainum

00-234
660

MO.	DA.	YR.
3	2	92

No. 0642

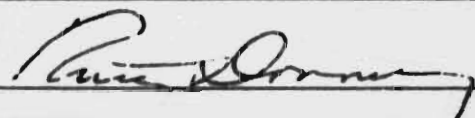
PAY EXACTLY 500.

DOLLARS AND 00 CENTS \$ 500.00

TO THE ORDER OF:

Albert R. Wynn For Congress
8700 Central Ave., Suite 306
Landover, MD 20785

SOVRAN BANK / MARYLAND



#0000050000

*** ITEMIZED RECEIPTS ***

Page 1

Schedule A (Line Number 11a) - Contributions From Individuals

WYNN FOR CONGRESS 1994

Donor Name

Employer/Occupation

Mailing Address

City, State, Zipcode

Primary/General/Debt Date of Receipt Amount of Receipt
Year to Date Donations

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.

A-1040 Insurance Center

A-1040 Insurance Center

Post Office Box 8810

Gaithersburg, MD 20898-8810

General

10/22/94

\$

100.00

YTD: \$ 100.00

Susanne M. Bacon

Post Office Box 1280

Suitland, MD 20752

General

10/21/94

\$

100.00

YTD: \$ 100.00

Sandra Bainum

12 Priarose Street

Chevy Chase, MD 20815

General

10/27/94

\$

1,000.00

YTD: \$ 1,000.00

Morris E. Balser

Self

920 Providence Road

Suite 300

Towson, MD 21204

General

10/27/94

\$

250.00

YTD: \$ 250.00

Guillermo Batista

333 S. Glebe Road

Arlington, VA 22204

General

10/29/94

\$

173.00

YTD: \$ 173.00

Lindberg Bing

L&E Associates, Inc./Owner

2210 Stebuen Avenue

Port Washington, MD 20744

General

11/04/94

\$

500.00

YTD: \$ 750.00

Subtotal: \$ 2,123.00

5

1992 Bainum Family Contributions Following Refunds and Redesignations
(where contributions were designated for all three members)

Candidate		Stewart	Sandra	Bradford
Atkins for Congress	P	\$ 1,000	-	-
	G	\$ 1,000	\$ 1,000	
Hattery for Congress	P	-	-	-
	G	\$ 1,000	\$ 1,000	-
Tsongas Committee	P	\$ 1,000	\$ 1,000	-
	G	n/a	n/a	n/a
Re-Elect Albert Wynn to Congress	P	\$ 500	\$ 500	-
		\$ 500	\$ 500	
	G	\$ 500	\$1,000	-

STEWART BAINUM, JR.

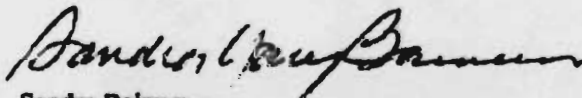
December 20, 1995

Atkins for Congress
Alan D. Solomon, Treasurer
P.O. Box 487
Concord, MA 01742

Dear Alan:

Please note that the \$1,000 contribution toward your 1992 general election debt retirement and reported by your committee in its 1993 Mid-Year Report with the Federal Election Commission as received from Bradford Bainum on February 11, 1993, should be corrected to reflect it as a contribution from me. The check was mistakenly designated as a contribution from my infant son.

Best regards,


Sandra Bainum

STEWART BAINUM, JR.

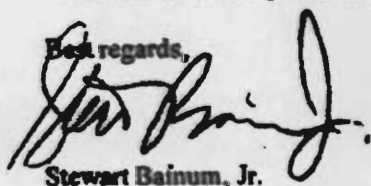
December 20, 1995

Hattery for Congress
Terrence W. McPherson, Treasurer
7101 Woodville Road
Mt. Airy, MD 21771

Dear Tom:

I regret that I must request that the \$1,000 contribution toward your 1992 general election debt retirement and reported by your committee in its 1993 Year-End Report with the Federal Election Commission as received from Bradford Bainum on July 16, 1993 be refunded. The check was mistakenly sent as a contribution from my infant son. I would appreciate your assistance in correcting this mistake.

Best regards,



Stewart Bainum, Jr.

STEWART BAINUM, JR.

December 20, 1995

Tsongas Committee, Inc.
S. George Kokinos, Treasurer
220 Broadway
Suite 104
Lynnfield, MA 01940

Dear Mr. Kokinos:

I regret that I must request that the \$1,000 contribution toward your 1992 presidential primary campaign and reported by your committee in its 1992 February Monthly Report with the Federal Election Commission as received from Bradford Bainum on February 3, 1992 be refunded. The check was mistakenly sent as a contribution from my infant son. I would appreciate your assistance in correcting this mistake.

Best regards.

Very truly yours,


Stewart Bainum, Jr.

STEWART BAINUM, JR.

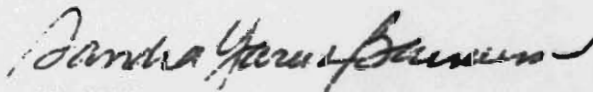
December 20, 1995

Re-Elect Albert Wynn to Congress
Delphine Hall-Anderson, Treasurer
P.O. Box 5323
Capitol Heights, MD 20791

Dear Al:

Please note that the \$1,000 contribution toward your 1992 primary election and reported by your committee in its 1992 April Quarterly Report with the Federal Election Commission as received from Bradford Bainum on March 3, 1992 should have been noted as a contribution from me for your general election campaign. The check was mistakenly designated as a contribution from my infant son. I would appreciate your assistance in correcting this mistake.

Best regards,


Sandra Bainum

STEWART BAINUM, JR.

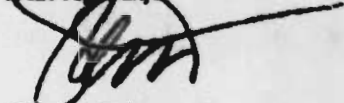
December 20, 1995

Re-Elect Albert Wyna to Congress
Delphine Hall-Anderson, Treasurer
P.O. Box 6323
Capitol Heights, MD 20791

Dear Al:

Please note that my \$500 contribution to your committee and reported on your 1992 April Quarterly Report with the Federal Election Commission as received on March 3, 1992 should have been noted as a contribution from me for your general election campaign. The check was mistakenly designated as a contribution for your primary election. I would appreciate your assistance in correcting this mistake.

Best regards,



Stewart Bainum, Jr.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 27, 1995

**R. Todd Johnson
Jones, Day, Reavis & Pogue
Metropolitan Square
1450 G. Street N.W.
Washington, D.C. 20005-2088**

RE: Pre-MUR 325

Dear Mr. Johnson:

This is to acknowledge receipt of your letter dated December 21, 1995, pertaining to Steward Bainum, Jr. and other family members. You will be notified as soon as the Federal Election Commission takes action on your submission.

If you have any questions, please call me at (202) 219-3690. For your information, we have attached a brief description of the Commission's procedures for handling matters such as this.

Sincerely,

Mary L. Taksar

**Mary L. Taksar, Attorney
Central Enforcement Docket**

**Enclosure
Procedures**

Celebrating the Commission's 20th Anniversary

**YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED**

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ATLANTA
BRUSSELS
CHICAGO
CLEVELAND
COLUMBUS
DALLAS
FRANKFURT
GENEVA
HONG KONG
IRVINE
LONDON
LOS ANGELES
NEW DELHI
NEW YORK
PARIS
PITTSBURGH
RIYADH
TAIPEI
TOKYO

RECEIVED
FEDERAL ELECTION COMMISSION
JONES, DAY, REAVIS, SMITH & COMPANY
OFFICE OF GENERAL COUNSEL
METROPOLITAN SQUARE
1450 G STREET, N.W.
WASHINGTON, D.C. 20005-1000
JUL 25 2 40 PM '96

TELEPHONE: 202-679-3838
TELEX: DOMESTIC 882410
TELEX: INTERNATIONAL 64388
CABLE: ATTORNEYS WASHINGTON
FACSIMILE: 202-797-2892
WRITER'S DIRECT NUMBER:

(202) 879-4640

July 24, 1996

VIA FACSIMILE

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

Re: Pre-MUR 325

Dear Ms. Kapper:

Pursuant to our recent conversations, I am providing you with the information you requested concerning:

- (1) the type of account from which the checks were drawn for the contributions under review in Pre-MUR 325;
- (2) which person or persons controlled the account and/or had access to the account during the relevant period;
- (3) why neither Stuart nor Sandra had signature authority on the account; and
- (4) whether the funds contained in the account were "personal funds," as defined in 11 C.F.R. § 110.10(b).

Stewart and Sandra (sometimes referred to herein as the "Bainums") had two checking accounts. The account from which the checks were drawn for the contributions under review (the "Domestic Account") was a checking account at Sovran Bank/Maryland (now, NationsBank). Though nominally titled a "business account" by the bank, the Domestic Account was in the name of Stewart Bainum, Jr. personally. Stewart's salary and bonuses, as well as dividends and distributions from his personal investments, represented the primary source of funds deposited into the Domestic Account. No corporate funds or funds other than the personal funds of the Bainums were commingled in the Domestic Account.

Tamara Kapper, Esq.
July 24, 1996
Page 2

Both Stewart and Sandra had access and control over the Domestic Account during the relevant period. In fact, only Stewart and Sandra had control over the Domestic Account. As stated in prior correspondence to the Commission, however, neither Stewart nor Sandra had the authority to sign checks drawn on the Domestic Account.¹ Instead, the Domestic Account was administered by employees of Realty Investment Company, Inc. ("Realty"), a subchapter C corporation engaged in the real estate development and management business and wholly-owned by Stewart Bainum, Jr., his parents and siblings. The employees of Realty who administered the Domestic Account -- Patricia Bowditch, Vice President, Finance (and her predecessor in that position, Christine A. Shreve), her assistant, Ruth Donnelly, and Mary Acker, Comptroller -- served as bookkeepers and administrators of the Domestic Account, but exercised no individual control over the Domestic Account. Rather, funds were deposited into the Domestic Account (usually electronically) and were disbursed (1) to repay loans and credit card balances, (2) to pay the mortgage, household payroll and other household expenses of the Bainums (including cable, electric, water, gas and telephone bills), and (3) in response to requests from the Bainums for checks to charitable organizations and political committees.

Due to his mistaken understanding of the federal campaign finance laws, Stewart Bainum, Jr. requested the checks in question that were drawn as contributions from the Domestic Account in the name of Bradford Bainum. There has been no response from any of the committees to the letters requesting refunds or redesignations.²

Stewart and Sandra did not have signature authority for the Domestic Account, quite simply because it was not necessary. (But see footnote 1 above.) Rather, Stewart and Sandra each had signature authority on a joint checking account (the "Joint Account") with the same financial institution. Each month, funds were automatically transferred from the Domestic Account into the Joint Account. In addition, Sandra regularly requested that the administrators of the Domestic Account transfer funds from the Domestic Account into the Joint Account.

¹ Since December 1995 when we first brought this issue to the attention of the Federal Election Commission, Stewart Bainum, Jr. has been added as a signatory on the new account which serves as the successor to the Domestic Account.

² Although a \$1,000 refund to Stewart Bainum, Jr. from the Albert R. Wynn for Congress should be obtained to avoid an excessive contribution by Stewart Bainum, Jr., no such refund has been obtained due to confusion resulting from the letter sent to the campaign. That letter mistakenly requested a redesignation of the contribution.

Tamara Kapper, Esq.
July 24, 1996
Page 3

The funds held in the Domestic Account constituted the "personal funds" of both of the Bainums. Even though the Domestic Account was titled in Stewart's name alone, under Maryland law, Sandra Bainum had a legal right of access to and control over the funds in the Domestic Account, as well as an equitable interest in such funds. Specifically, Maryland law defines marital property as "property, however titled, acquired by one or both parties during the marriage." Md. Code Ann., Fam. Law § 8-201(e) (1993) (emphasis added).

I trust that this information adequately answers your questions. Should you have further questions or desire any additional information, please contact me at the number above. Although I mentioned that I will be out of the office during the next two weeks, please leave a message with my office if I can be of further assistance during that time.

I look forward to the Commission's response.

Sincerely,

R. Todd Johnson/due

R. Todd Johnson

cc: Stewart Bainum, Jr.

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

RECEIVED
FEDERAL ELECTION COMMISSION
SEP 13 11 26 AM '95

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

PRE-MUR: 325

DATE OF SUA SPONTE SUBMISSION:

12/21/95

DATE ACTIVATED: 3/8/96

STAFF MEMBER: Tamara Kapper

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Stewart Bainum, Jr.

Atkins for Congress and Alan Solomont, as treasurer

Hattery for Congress and Terrence McPherson, as treasurer

Tsongas Committee, Inc. and S. George Kokinos, as treasurer

Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)

2 U.S.C. § 441a(a)(3)

2 U.S.C. § 441a(f)

2 U.S.C. § 441f

11 C.F.R. § 103.3(b)(2)

11 C.F.R. § 110.1(i)(2)

11 C.F.R. § 110.4(b)(1)(iii)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of the General Counsel received a *sua sponte* submission from

Stewart Bainum, Jr. and Sandra Bainum on December 22, 1995, regarding four (4) contributions

totaling \$4,000 that were made to four (4) Federal campaign committees in the name of their

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infant son, Bradford Bainum, during calendar years 1992 and 1993.¹ Along with the *sua sponte* submission, counsel for Mr. and Mrs. Bainum submitted a list of all the contributions that the Bainums had made during calendar years 1991 through 1994. After further discussions with staff from this Office, counsel for the Bainums submitted additional information regarding the ownership of the bank account from which the prohibited contributions were made.

Attachment 1.

Included in this additional information is an assertion by counsel that it was Mr. Bainum, not his wife, that requested the checks be drawn in the name of Bradford Bainum. Accordingly, this report analyzes the information currently available, and recommends that the Commission make reason to believe findings against Mr. Bainum ("Respondent") and enter into preprobable cause conciliation, and make reason to believe findings against the recipient committees for the receipt of contributions in the name of another.

II. FACTUAL AND LEGAL ANALYSIS

A. The Law

The Federal Election Campaign Act of 1971, as amended, (the "Act") limits contributions by an individual to a Federal candidate and his or her authorized political committees to \$1,000 per election. 2 U.S.C. § 441a(a)(1)(A). Conversely, authorized political committees are prohibited from knowingly accepting any contribution from any individual which exceeds \$1,000 per election. 2 U.S.C. § 441a(f). In any calendar year, individual contributors also have an annual limit of \$25,000. 2 U.S.C. § 441a(a)(3). Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person or knowingly accept a

¹ All of the contributions were designated for elections relating to the 1992 calendar year.

contribution made by one person in the name of another person. Further, no person shall knowingly help or assist any person in making a contribution in the name of another. 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(iii). The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i).

Minor children (under the age of 18) may make contributions to any candidate or political committee which do not exceed the limitations set forth in 2 U.S.C. § 441a(a)(1)(A) if: (1) the decision to contribute is made knowingly and voluntarily by the minor child; (2) the funds, goods, or services contributed are owned or controlled exclusively by the minor child, such as income earned by the child, the proceeds of a trust for which the child is a beneficiary, or a savings account opened and maintained exclusively in the child's name; and (3) the contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual. 11 C.F.R. § 110.1(i)(2).

The treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of illegality. 11 C.F.R. § 103.3(b). Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited, it did not appear to be made in the name of another, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution to the contributor within

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thirty (30) days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to make the refund, the political committee shall make the refund from the next funds it receives. Id.

The Commission has issued several Advisory Opinions ("AO") regarding the subject of proper disposition of newly discovered unlawful contributions. Most recently, in AO 1995-19 a political action committee received and deposited contributions that did not originally present genuine questions as to their legality. However, based on evidence not available at the time in which the contributions were received and deposited, the treasurer discovered that the contributions were possibly made in the name of another. The Commission advised the treasurer that the contributions must be refunded to the contributors within 30 days of the discovery of the illegality. The Commission further advised the treasurer that if the committee did not have sufficient funds to refund the contributions at the time in which the illegality was discovered, then it must make the refunds from the next funds it received. See also, AO's 1991-39, 1989-5, and 1984-52.

B. Factual Analysis

On December 21, 1995, counsel for Stewart Bainum, Jr. and Sandra Bainum submitted a letter informing this Office that a violation of the Act may have occurred when contributions were made to Federal committees in the name of the Bainum's infant son, Bradford Bainum. Specifically, the contributions in Bradford's name were made on January 15, 1992, March 2, 1992, February 11, 1993, and July 14, 1993. Along with the *sua sponte* submission were copies of letters signed by either Mr. or Mrs. Bainum requesting that the recipient Federal committees either refund, reattribute and/or redesignate the contributions they received from

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Bradford Bainum. According to Commission indices and information supplied by counsel, Mr. and Mrs. Bainum made numerous contributions to multiple Federal committees during calendar years 1991 through 1994, however, this matter focuses on the contributions that Stewart Bainum, Jr. made to four (4) specific Federal committees in connection with the 1992 primary and general election campaigns.² The Federal committees are as follows: 1) the Tsongas Committee, Inc. and S. George Kokinos, as treasurer, ("Tsongas Committee"); 2) Atkins for Congress and Alan Solomont, as treasurer, ("Atkins Committee"); 3) Hattery for Congress and Terrence McPherson, as treasurer, ("Hattery Committee"); and 4) Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, ("Wynn Committee").

According to documents supplied by counsel, Stewart and Sandra Bainum shared two (2) joint checking accounts. Attachment 1. The account that was used to make the contributions at issue was their Domestic Account. *Id.*, page 1. Counsel contends that the primary source of funds deposited into the Domestic Account was from Mr. Bainum's salary, bonuses, and dividends and distributions from personal investments. *Id.* Counsel also states that while Mr. Bainum and his wife shared joint control over the bank account that was used to make political contributions, neither of them had signature authority and the contribution checks were signed by a third party. Counsel concedes that Mr. Bainum "...requested the checks in question

² A preliminary review of the Commission's indices indicate that during calendar year 1994, Stewart Bainum, Sr., Respondent Stewart Bainum's father, may have exceeded the contribution limitations of 2 U.S.C. § 441a(a)(3) by approximately \$3,000. However, this Office makes no recommendation regarding this violation by Stewart Bainum, Sr. because of the apparent limited amount in excess and because further investigation of this apparent violation would require extensive additional staff resources.

[be] drawn as contributions from the Domestic Account in the name of Bradford Bainum."³ *Id.*, page 2. Consequently, the funds in the account were owned and controlled by Mr. Bainum and his wife, not their son. Therefore, the contributions from Bradford Bainum did not come from funds owned or controlled exclusively by him or from a bank account opened and maintained exclusively in his name.

According to copies of the checks supplied by the Respondent, all of the checks have Mr. Bainum's name imprinted on them. However, it appears that when a contribution was made from this account and attributed to someone other than Mr. Bainum, that person's name was hand-typed on the check. For example, the contributions that were made in Bradford's name from this account had his name hand-typed on the top of the actual check.

The following chart summarizes the contributions made by Mr. Bainum to the four (4) Federal committees:

<u>CONTRIBUTOR</u>	<u>RECIPIENT</u>	<u>DATE</u>	<u>AMOUNT</u>
Bainum, Bradford	Tsongas (P)	1/15/92	\$1,000
Bainum, Stewart	Tsongas (P)	1/15/92	\$1,000
Bainum, Bradford	Wynn (P)	3/2/92	\$1,000
Bainum, Stewart	Wynn (P)	3/2/92	\$500⁴
Bainum, Stewart	Wynn (P)	1/22/92	\$500
Bainum, Stewart	Wynn (P)	10/25/91	\$500

³ In light of this admission, this Office makes no recommendations regarding Sandra Bainum.

⁴ This contribution appears to be excessive. On December 20, 1995, Mr. Bainum submitted a written request to the Wynn Committee that the contribution be redesignated for the general election campaign. To date, the Commission's indices indicate that the committee has not remedied the contribution. This report contains the appropriate recommendations regarding this violation.

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<u>CONTRIBUTOR</u>	<u>RECIPIENT</u>	<u>DATE</u>	<u>AMOUNT</u>
Bainum, Bradford	Hattery (G)	7/14/93	\$1,000 ⁵
Bainum, Stewart	Hattery (G)	5/6/92	\$1,000
Bainum, Bradford	Atkins (G)	2/11/93	\$1,000 ⁶
Bainum Stewart	Atkins (G)	9/11/92	\$1,000
Bainum, Stewart	Atkins (P)	11/21/91	\$1,000

As the above chart demonstrates, in all four (4) cases where contributions were made in the name of Bradford Bainum, Mr. Bainum had "maxed out" in his contributions to the Federal committees; the Tsongas primary election campaign, the Wynn primary campaign, the Hattery general election campaign, and the Atkins general and primary election campaigns.

In the *sua sponte* submission, Mr. and Mrs. Bainum provided copies of redesignation/retribution/refund letters that they assert were sent to the relevant committees seeking remedies for the checks that were "mistakenly" sent or "mistakenly" designated as contributions from their infant son. However, the requests are between two and three years after the original dates that the contributions were made. The date on the letters, December 20, 1995, coincides with the filing of the *sua sponte* submission. In the letters from Mr. Bainum, he requests full refunds of the \$1,000 contributions made by Bradford Bainum to the Hattery Committee and the Tsongas Committee. In the letters from Mrs. Bainum, she requests that the Wynn Committee reattribute to her and redesignate to the 1992 general election

⁵ This contribution was designated for debt retirement for the 1992 general election.

⁶ Respondents indicate that the committee applied this contribution to debt retirement for the 1992 general election campaign.

campaign the \$1,000 contribution from Bradford, and in her letter to the Atkins Committee she requests that the \$1,000 contribution from Bradford be reattributed to her.⁷

C. Legal Analysis

1. Stewart Bainum, Jr.

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Recently in MUR 4255, the Commission found reason to believe that the parents of two (2) minor children violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to a Federal committee. These contributions were not considered to be in the name of another because the contributions were made from the children's own bank accounts. After further investigation, however, the Commission determined to take no further action against Respondents because they voluntarily sought and received refunds of their contributions

The present case is distinguishable from the above mentioned case because the contributions made in Bradford Bainum's name were not made from his own bank account or from funds owned or controlled exclusively by him. Mr. Bainum acknowledges that he made contributions in the name of his infant son from a bank account that was owned and controlled by him and his wife, not their infant son.

We also note that Mr. Bainum has had prior experience with the Federal Election Campaign Act of 1971, as amended.⁸

⁷ Since all of the contributions by Bradford Bainum were prohibited, redesignation and/or reattribution are not appropriate remedies. See discussion at page 10.

⁸ Mr. Bainum was a congressional candidate in Maryland's 8th Congressional District in the 1986 election year.

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Based on the foregoing, this Office recommends that the Commission find reason to believe that Stewart Bainum, Jr. violated 2 U.S.C. § 441f by making contributions in the name of another. Further, because the contributions given in Bradford Bainum's name were contributed to four Federal campaign committees to which Mr. Bainum had already reached his personal contribution limit, this Office also recommends that the Commission find reason to believe that Mr. Bainum violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions totaling \$4,500.⁹

2. Recipient Committees

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Attached to the *sua sponte* submission are letters from Mr. or Mrs. Bainum dated December 20, 1995, that were apparently sent to the Wynn Committee, the Tsongas Committee, the Atkins Committee and the Hattery Committee requesting that the contributions from their son either be refunded, redesignated and/or reattributed. In the letters, Mr. or Mrs. Bainum request a remedy, state that the checks were "mistakenly" sent or "mistakenly" designated as a contribution from their infant son, and request assistance in correcting this mistake. According to disclosure reports on file with the Commission, the recipient committees have not disclosed any remedies for the prohibited contributions as requested by the Bainums.¹⁰

⁹ Included in the \$4,500 amount is the \$4,000 in contributions made in the name of Bradford and the \$500 excessive contribution made by Mr. Bainum to the Wynn Committee.

¹⁰ Neither the Atkins Committee or the Hattery Committee are currently filing reports with the Commission. The last disclosure report filed by the Atkins Committee was the 1993 Year End Report covering July 1, 1993 through December 31, 1993. The last disclosure report filed by the Hattery Committee was the 1994 Year End Report covering July 1 through December 31, 1994. Neither of the committees have officially terminated with the Commission. Commission indices indicate that as of December 31, 1993, the Atkins Committees disclosed outstanding debts totaling \$19,087. Similarly, as of December 31, 1994, the Hattery Committee disclosed outstanding debts totaling \$54,404. According to the Reports Analysis Division ("RAD"), Atkins and Hattery ran for Federal office in the 1991-1992 election cycle.

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Since the contributions were made in the name of another and thus prohibited, in order to properly remedy the prohibited contributions, the recipient committees were required to refund the contributions rather than redesignate and/or reattribute them. 11 C.F.R. § 103.3(b)(2). It appears that the Wynn and Tsongas committees failed to remedy the prohibited contributions after notification by the Bainums.¹¹ It is unclear whether the other two committees (Atkins and Hattery) remedied the prohibited contributions because they have ceased to file reports with the Commission. Accordingly, and in order to allow the recipient committees the opportunity to respond, this Office recommends that the Commission find reason to believe that Atkins for Congress Committee and Alan Solomont, as treasurer; Hattery for Congress and Terrence McPherson, as treasurer; Tsongas Committee, Inc. and S. George Kokinos, as treasurer; and Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, violated 2 U.S.C. § 441f for the knowing receipt of contributions in the name of another.¹²

In addition, the Wynn Committee received an excessive contribution totaling \$500 from Stewart Bainum, Jr. in connection with the 1992 primary election campaign in violation of

¹¹ Respondent confirms that he has not received a refund from the Wynn Committee even though it is currently disclosing a cash-on-hand. In fact, neither the Wynn nor Tsongas committees have amended their reports to show they redesignated or reattributed the contributions made in the name of Bradford Bainum.

¹² Since the letters submitted by the Bainums indicate that the contributions from Bradford were improper, the recipient committees' failure to refund these contributions may give rise to a knowing and willful violation. This Office will make no recommendation as to a knowing and willful violation by the committees until they have responded to the Commission's findings.

2 U.S.C. § 441a(f). Accordingly, this Office recommends that Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, violated 2 U.S.C. § 441a(f).

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Stewart Bainum, Jr. violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f and enter into conciliation prior to a finding of probable cause to believe.
3. Find reason to believe that Atkins for Congress and Alan Solomont, as treasurer, violated 2 U.S.C. § 441f.

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4. Find reason to believe that Hattery for Congress and Terrence McPherson, as treasurer, violated 2 U.S.C. § 441f.
5. Find reason to believe that Tsongas Committee, Inc. and S. George Kokinos, as treasurer, violated 2 U.S.C. § 441f.
6. Find reason to believe that Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, violated 2 U.S.C. §§ 441a(f) and 441f.
7. Approve the attached proposed Factual and Legal Analyses, conciliation agreement and the appropriate letters.

Lawrence M. Noble
General Counsel

9704374542
Date

9/12/96

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Supplemental Response, dated 7/24/96
2. Proposed Factual and Legal Analyses (5)
3. Proposed Conciliation Agreement (1)




FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

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

DATE: SEPTEMBER 17, 1996

SUBJECT: Pre-MUR 325 - FIRST GENERAL COUNSEL'S REPORT
DATED SEPTEMBER 12, 1996.

Attached is a copy of Commissioner McDonald's
vote sheet with comments regarding the above-captioned
matter.

Attachment:
Copy of Vote Sheet

97043774543



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Friday, September 13, 1996 2:00

BALLOT DEADLINE: Wednesday, September 18, 1996 4:00

COMMISSIONER: AIKENS, ELLIOTT, McDONALD, McGARRY, THOMAS

SUBJECT: Pre-MUR 325 - First General Counsel's Report
dated September 12, 1996.

(☒)

I approve the recommendation(s)

()

I object to the recommendation(s)

COMMENTS:

Frances Glaydoying is recused
in this matter.

DATE: 9-12-96

SIGNATURE: Danny McDonald

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
SEP 17 10 56 AM '96


97043174514



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA DAVIS 
COMMISSION SECRETARY

DATE: SEPTEMBER 17, 1996

SUBJECT: Pre-MUR 325 - First General Counsel's Report
dated September 12, 1996.

The above-captioned document was circulated to the Commission
on Friday, September 13, 1996 at 2:00 p.m.

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

Commissioner Aikens	—
Commissioner Elliott	XXX
Commissioner McDonald	—
Commissioner McGarry	—
Commissioner Thomas	—

This matter will be placed on the meeting agenda for
Wednesday, September 25, 1996.

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Stewart Bainum, Jr.;
Atkins for Congress and Alan
Solomont, as treasurer;
Hattery for Congress and
Terrence McPherson, as treasurer;
Tsongas Committee, Inc. and
S. George Kokinos, as treasurer;
Re-Elect Albert Wynn to Congress
and Delphine Hall-Anderson, as
treasurer

Pre-MUR 325

MUR 4484

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session on
September 25, 1996, do hereby certify that the Commission
decided by a vote of 4-1 to take the following actions
with respect to Pre-MUR 325:

1. Open a MUR.
2. Find reason to believe that Stewart Bainum, Jr. violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f and enter into conciliation prior to a finding of probable cause to believe.
3. Find reason to believe that Atkins for Congress and Alan Solomont, as treasurer, violated 2 U.S.C. § 441f.

(continued)

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Federal Election Commission
Certification for Pre-MUR 325
September 25, 1996

Page 2

4. Find reason to believe that Hattery for Congress and Terrence McPherson, as treasurer, violated 2 U.S.C. § 441f.
5. Find reason to believe that Tsongas Committee, Inc. and S. George Kokinos, as treasurer, violated 2 U.S.C. § 441f.
6. Find reason to believe that Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, violated 2 U.S.C. §§ 441a(f) and 441f.
7. Approve the proposed Factual and Legal Analyses, conciliation agreement, and the appropriate letters as recommended in the General Counsel's September 12, 1996 report.

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

Attest:

9-26-96
Date

Marjorie W. Emons
Marjorie W. Emons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

October 9, 1996

R. Todd Johnson, Esquire
Jones, Day, Reavis & Pogue
1450 G Street, N.W.
Washington, D.C. 20005-2088

RE: MUR 4484
Stewart Bainum, Jr.

Dear Mr. Johnson:

On September 25, 1996, the Federal Election Commission found that there is reason to believe your client, Stewart Bainum, Jr., violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

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

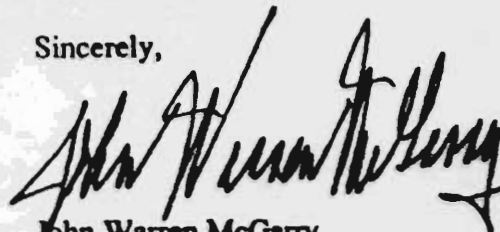
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Mr. Johnson, Esq.
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,



John Warren McGarry
Vice Chairman

Enclosures
Factual and Legal Analysis
Procedures
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Stewart Bainum, Jr.

MUR: 4484

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This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). On December 22, 1995, the Commission received a *sua sponte* submission filed by counsel representing Stewart Bainum, Jr. and Sandra Bainum. According to the submission, Mr. Bainum made four (4) contributions totaling \$4,000 in the name of his infant son, Bradford Bainum, to four (4) Federal candidate campaign committees in connection with elections that took place during the 1991-1992 election cycle.

The Federal Election Campaign Act of 1971, as amended, (the "Act") defines the term "contribution" as any gift, subscription, loan advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i). Contributions by an individual to a Federal candidate and his or her authorized political committees are limited to \$1,000 per election. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another or knowingly accept a contribution made by one person in the name of another person.

Minor children (under the age of 18) may make contributions to any candidate or political committee which do not exceed the limitations set forth in 2 U.S.C. § 441a(a)(1)(A) if: (i) the decision to contribute is made knowingly and voluntarily by the minor child; (2) the funds, goods, or services contributed are owned or controlled exclusively by the minor child, such as

income earned by the child, the proceeds of a trust for which the child is a beneficiary, or a savings account opened and maintained exclusively in the child's name; and (3) the contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is in any other way controlled by another individual. 11 C.F.R. § 110.1(i)(2).

A. CONTRIBUTIONS IN THE NAME OF ANOTHER

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According to documents attached to the sua sponte submission, Mr. Bainum made four (4) contributions to four (4) Federal candidate campaign committees in the name of his infant son during calendar years 1992 and 1993. Specifically, on January 15, 1992, Mr. Bainum made a \$1,000 contribution to Tsongas Committee, Inc. and S. George Kokinos, as treasurer, ("Tsongas Committee") for the 1992 primary election campaign in Bradford's name; on March 2, 1992, Mr. Bainum made a \$1,000 contribution to Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, ("Wynn Committee") for the primary election campaign in Bradford's name; on February 11, 1993, Mr. Bainum made a \$1,000 contribution to Atkins for Congress and Alan Solomont, as treasurer, ("Atkins Committee") for debt retirement in connection with the 1992 general election campaign in Bradford's name; and on July 14, 1993, Mr. Bainum made a \$1,000 contribution to Hattery for Congress and Terrence McPherson, as treasurer, ("Hattery Committee") for debt retirement in connection with the 1992 general election campaign in Bradford's name.

Stewart Bainum, Jr. acknowledges that the above mentioned contributions were made in the name of another. The contributions made in the name of Bradford Bainum were not made from Bradford's own bank account or from funds owned or controlled exclusively by him. Instead, the funds were drawn, at Mr. Bainum's request, from a bank account that was owned

and controlled by Mr. and Mrs. Bainum. Pursuant to 2 U.S.C. § 441f it is unlawful for any person to make a contribution in the name of another person. Therefore, there is reason to believe that Stewart Bainum, Jr. violated 2 U.S.C. § 441f.

B. EXCESSIVE CONTRIBUTIONS

Mr. Bainum made three (3) contributions totaling \$1,500 to the Wynn Committee in connection with the 1992 primary election campaign. According to the sua sponte submission, Mr. Bainum made a \$500 contribution to the Wynn Committee on October 25, 1991; a \$500 contribution on January 22, 1992; and a \$500 contribution on March 2, 1992. Pursuant to 2 U.S.C. § 441a(f), individuals are limited to contributing \$1,000 per election to Federal candidates and their principal campaign committees. Therefore, there is reason to believe that Stewart Bainum, Jr. violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 9, 1996

Delphine Hall-Anderson
Re-Elect Albert Wynn to Congress
P.O. Box 5323
Capital Heights, MD 20791

RE: MUR 4484
Re-Elect Albert Wynn to Congress
and Delphine Hall-Anderson, as
treasurer

Dear Ms. Hall-Anderson:

On September 25, 1996, the Federal Election Commission found that there is reason to believe Re-Elect Albert Wynn to Congress ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 441a(f) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Please be advised that when a treasurer receives and deposits a contribution that does not appear to be from a prohibited source but later discovers that the contribution is illegal based on new information not available to the political committee at the time of receipt and deposit, the contribution must be refunded to the contributor within thirty (30) days of the discovery of the illegality. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to refund the contribution at the time the illegality is discovered, it must make a refund from the next funds it receives. *Id.* See also Advisory Opinions 1995-19, 1991-39, 1989-5 and 1984-52. Until such time that a refund of the illegal contribution can be made to the contributor, the contribution should be disclosed on the committees' reports as a debt owed by the committee until the debt is extinguished. See 2 U.S.C. § 434(b)(8).

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause

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Ms. Hall-Anderson

Page 2

conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.


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

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

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

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,


John Warren McGarry
Vice Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

cc: Honorable Albert Wynn

97043174554

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Re-Elect Albert Wynn to Congress and
Delphine Hall-Anderson, as treasurer

MUR: 4484

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). On December 22, 1995, the Commission received a *sua sponte* submission filed by counsel representing Stewart Bainum, Jr. and Sandra Bainum. In this submission, counsel discloses *inter alia*, that on March 2, 1992, Mr. Bainum made a contribution in the name of his infant son, Bradford Bainum, totaling \$1,000 to Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, ("Wynn Committee").

The Federal Election Campaign Act of 1971, as amended, (the "Act") defines the term "contribution" as any gift, subscription, loan advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i). No political committee authorized by a candidate shall knowingly accept any contribution from an individual that exceeds \$1,000 the per election. 2 U.S.C. § 441a(f). Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another or knowingly accept a contribution made by one person in the name of another person.

Minor children (under the age of 18) may make contributions to any candidate or political committee which do not exceed the limitations set forth in 2 U.S.C. § 441a(a)(1)(A) if: (1) the decision to contribute is made knowingly and voluntarily by the minor child; (2) the funds,

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goods, or services contributed are owned or controlled exclusively by the minor child, such as income earned by the child, proceeds of a trust for which the child is a beneficiary, or a savings account opened and maintained exclusively in the child's name; and (3) the contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual. 11 C.F.R. § 110.1(i)(2).

The treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of illegality. 11 C.F.R. § 103.3(b).

Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited, it did not appear to be made in the name of another, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution to the contributor within thirty (30) days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to make the refund, the political committee shall make the refund from the next funds it receives. *Id.*

The Federal Election Commission (the "Commission") has issued several Advisory Opinions ("AO") regarding the subject of proper disposition of newly discovered unlawful contributions. Most recently, in AO 1995-19 a political action committee received and deposited contributions that did not originally present genuine questions as to their legality. However, based on evidence not available at the time in which the contributions were received and

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deposited, the treasurer discovered that the contributions were possibly made in the name of another. The Commission advised the treasurer that the contributions must be refunded to the contributors within 30 days of the discovery of the illegality. The Commission further advised the treasurer that if the committee did not have sufficient funds to refund the contributions at the time in which the illegality was discovered, then it must make the refunds from the next funds it received. See also AO's 1991-39, 1989-5, and 1984-52.

A. RECEIPT OF EXCESSIVE CONTRIBUTION

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The Wynn Committee received three (3) contributions totaling \$1,500 from Stewart Bainum, Jr. in connection with the 1992 primary election campaign. According to Commission indices, the Wynn Committee received \$500 on October 25, 1991; \$500 on January 22, 1992; and \$500 on March 2, 1992, from Stewart Bainum, Jr. Pursuant to 2 U.S.C. § 441a(f), contributions from individuals to principal campaign committees are limited to \$1,000 per election. On December 20, 1995, Stewart Bainum, Jr. sent the Wynn Committee a letter requesting that the March 2, 1992, contribution from him be redesignated for the general election campaign. To date, the Wynn Committee has not remedied the excessive portion of this contribution.

Accordingly, the Wynn Committee accepted a \$500 excessive contribution from an individual. Therefore, there is reason to believe that the Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, violated 2 U.S.C. § 441a(f).

B. RECEIPT OF CONTRIBUTION IN THE NAME OF ANOTHER

As discussed above, Stewart Bainum, Jr. made three contributions totaling \$1,500 to the Wynn Committee in connection with 1992 general election campaign. On March 2, 1992,

Mr. Bainum made a \$1,000 contribution, in the name of Bradford, to the Wynn Committee to retire debt from the 1992 general election campaign. On December 20, 1995, Sandra Bainum sent the Wynn Committee a letter regarding the March 2, 1992¹ contribution and stated that "The check was mistakenly designated as a contribution from my infant son." She also stated that she would appreciate assistance in correcting this "mistake." Pursuant to 11 C.F.R. § 103.3(b)(2), if a treasurer later determines that a contribution is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution within 30 days of the date on which the illegality was discovered or at such time that sufficient funds are available. To date, the Wynn Committee has not refunded the \$1,000 contribution made in the name of Bradford Bainum.

Accordingly, the Wynn Committee accepted a \$1,000 contribution in the name of another. Therefore, there is reason to believe that Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, violated 2 U.S.C. § 441f.

¹ The actual letter from Sandra Bainum references a March 3, 1992 contribution from Bradford, but according to Commission indices the contribution was received by the Wynn Committee on March 2, 1992.



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

October 9, 1996

S. George Kokinos, Treasurer
Tsongas Committee, Inc.
220 Broadway - Suite 104
Lynnfield, MA 01940

RE: MUR 4484
Tsongas Committee, Inc. and
S. George Kokinos, as treasurer

Dear Mr. Kokinos:

On September 25, 1996, the Federal Election Commission found that there is reason to believe Tsongas Committee, Inc. ("Committee") and you, as treasurer, violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Please be advised that when a treasurer receives and deposits a contribution that does not appear to be from a prohibited source but later discovers that the contribution is illegal based on new information not available to the political committee at the time of receipt and deposit, the contribution must be refunded to the contributor within thirty (30) days of the discovery of the illegality. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to refund the contribution at the time the illegality is discovered, it must make a refund from the next funds it receives. *Id.* See also Advisory Opinions 1995-19, 1991-39, 1989-5 and 1984-52. Until such time that a refund of the illegal contribution can be made to the contributor, the contribution should be disclosed on the committees' reports as a debt owed by the committee until the debt is extinguished. See 2 U.S.C. § 434(b)(8).

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause

97043774559

Mr. Kokinos

Page 2

conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

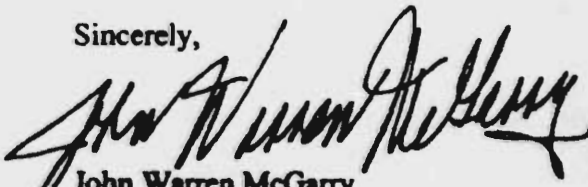
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 219- 3690.

Sincerely,



John Warren McGarry
Vice Chairman

Enclosures

Factual and Legal Analysis

Procedures

Designation of Counsel Form

cc: Paul Tsongas

97043774560

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Tsongas Committee, Inc. and
S. George Kokinos, as treasurer

MUR: 4484

97043774561
This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). On December 22, 1995, the Commission received a *sua sponte* submission filed by counsel representing Stewart Bainum, Jr. and Sandra Bainum. In this submission, counsel discloses *inter alia*, that on January 15, 1992, Mr. Bainum made a contribution in the name of his infant son, Bradford Bainum, totaling \$1,000 to Tsongas Committee, Inc. and S. George Kokinos, as treasurer, ("Tsongas Committee").

The Federal Election Campaign Act of 1971, as amended, (the "Act") defines the term "contribution" as any gift, subscription, loan advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i). Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another or knowingly accept a contribution made by one person in the name of another person.

Minor children (under the age of 18) may make contributions to any candidate or political committee which do not exceed the limitations set forth in 2 U.S.C. § 441a(a)(1)(A) if: (1) the decision to contribute is made knowingly and voluntarily by the minor child; (2) the funds, goods, or services contributed are owned or controlled exclusively by the minor child, such as

income earned by the child, the proceeds of a trust for which the child is a beneficiary, or a savings account opened and maintained exclusively in the child's name; and (3) the contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual. 11 C.F.R. § 110.1(i)(2).

The treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of illegality. 11 C.F.R. § 103.3(b).

Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited, it did not appear to be made in the name of another, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution to the contributor within thirty (30) days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to make the refund, the political committee shall make the refund from the next funds it receives. Id.

The Federal Election Commission (the "Commission") has issued several Advisory Opinions ("AO") regarding the subject of proper disposition of newly discovered unlawful contributions. Most recently, in AO 1995-19 a political action committee received and deposited contributions that did not originally present genuine questions as to their legality. However, based on evidence not available at the time in which the contributions were received and deposited, the treasurer discovered that the contributions were possibly made in the name of

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another. The Commission advised the treasurer that the contributions must be refunded to the contributors within 30 days of the discovery of the illegality. The Commission further advised the treasurer that if the committee did not have sufficient funds to refund the contributions at the time in which the illegality was discovered, then it must make the refunds from the next funds it received. See also AO's 1991-39, 1989-5, and 1984-52.

On January 15, 1992, Stewart Bainum, Jr. made a \$1,000 contribution to the Tsongas Committee in connection with 1992 primary election campaign. On that same date, Mr. Bainum made a \$1,000 contribution, in the name of Bradford, to the Tsongas Committee in connection with the same election. On December 20, 1995, Stewart Bainum, Jr. sent a letter to the Tsongas Committee regarding the January 15, 1992 contribution and stated that "The check was mistakenly sent as a contribution from my infant son." Mr Bainum also stated that he would appreciate assistance in correcting this "mistake." Pursuant to 11 C.F.R. § 103.3(b)(2), if a treasurer later determines that a contribution is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution within 30 days of the date on which the illegality was discovered or at such time that sufficient funds are available. To date, the Tsongas Committee has not refunded the \$1,000 contribution made in the name of Bradford Bainum.

Accordingly, the Tsongas Committee accepted a \$1,000 contribution in the name of another. Therefore, there is reason to believe that Tsongas Committee, Inc. and S. George Kokinos, as treasurer, violated 2 U.S.C. § 441f.

9704317453



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 9, 1996

Alan Solomont, Treasurer
Atkins for Congress
P.O. Box 487
Concord, MA 01742

RE: MUR 4484
Atkins for Congress and
Alan Solomont, as treasurer

Dear Mr. Solomont:

On September 25, 1996, the Federal Election Commission found that there is reason to believe Atkins for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Please be advised that when a treasurer receives and deposits a contribution that does not appear to be from a prohibited source but later discovers that the contribution is illegal based on new information not available to the political committee at the time of receipt and deposit, the contribution must be refunded to the contributor within thirty (30) days of the discovery of the illegality. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to refund the contribution at the time the illegality is discovered, it must make the refund from the next funds it receives. *Id.* See also Advisory Opinions 1995-19, 1991-39, 1989-5 and 1984-52. Until such time that a refund of the illegal contribution can be made to the contributor, the contribution should be disclosed on the committees' reports as a debt owed by the committee until the debt is extinguished. See 2 U.S.C. § 434(b)(8).

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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Mr. Solomont
Page 2

pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

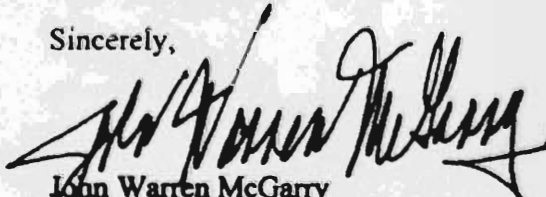
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 219- 3690.

Sincerely,



John Warren McGarry
Vice Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

cc: Chester Atkins

97043774565

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Atkins for Congress and
Alan Solomont, as treasurer

MUR: 4484

9704377456
This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). On December 22, 1995, the Commission received a *sua sponte* submission filed by counsel representing Stewart Bainum, Jr. and Sandra Bainum. In this submission, counsel discloses *inter alia*, that on February 11, 1993, Mr. Bainum made a contribution in the name of his infant son, Bradford Bainum, totaling \$1,000 to Atkins for Congress and Alan Solomont, as treasurer, ("Atkins Committee").

The Federal Election Campaign Act of 1971, as amended, (the "Act") defines the term "contribution" as any gift, subscription, loan advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i). Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another or knowingly accept a contribution made by one person in the name of another person.

Minor children (under the age of 18) may make contributions to any candidate or political committee which do not exceed the limitations set forth in 2 U.S.C. § 441a(a)(1)(A) if: (1) the decision to contribute is made knowingly and voluntarily by the minor child; (2) the funds, good, or services contributed are owned or controlled exclusively by the minor child, such as income

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earned by the child, the proceeds of a trust for which the child is a beneficiary, or a savings account opened and maintained exclusively in the child's name; and (3) the contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual. 11 C.F.R. § 110.1(i)(2).

The treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of illegality. 11 C.F.R. § 103.3(b). Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited, it did not appear to be made in the name of another, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution to the contributor within thirty (30) days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to make the refund, the political committee shall make the refund from the next funds it receives. Id.

The Federal Election Commission (the "Commission") has issued several Advisory Opinions ("AO") regarding the subject of proper disposition of newly discovered unlawful contributions. Most recently, in AO 1995-19 a political action committee received and deposited contributions that did not originally present genuine questions as to their legality. However, based on evidence not available at the time in which the contributions were received and deposited, the treasurer discovered that the contributions were possibly made in the name of

another. The Commission advised the treasurer that the contributions must be refunded to the contributors within 30 days of the discovery of the illegality. The Commission further advised the treasurer that if the committee did not have sufficient funds to refund the contributions at the time in which the illegality was discovered, then it must make the refunds from the next funds it received. See also AO's 1991-39, 1989-5, and 1984-52.

On February 11, 1993, Stewart Bainum, Jr. made a \$1,000 contribution to the Atkins Committee in connection with the 1992 general election campaign. On that same date, Mr. Bainum made a \$1,000 contribution, in the name of Bradford, to the Atkins Committee to retire debt from the 1992 general election campaign. On December 20, 1995, Sandra Bainum sent the Atkins Committee a letter regarding the February 11, 1993, contribution and stated that "...[it] should be corrected to reflect it as a contribution from me. The check was mistakenly designated as a contribution from my infant son." Pursuant to 11 C.F.R. § 103.3(b)(2), if a treasurer later determines that the contribution is illegal based on new evidence available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution within 30 days of the date on which the illegality was discovered or at such time that sufficient funds are available. To date, the Atkins Committee has not refunded the \$1,000 contribution made in the name of Bradford Bainum.

Accordingly, the Atkins Committee accepted a \$1,000 contribution in the name of another. Therefore, there is reason to believe that Atkins for Congress and Alan Solomont, as treasurer, violated 2 U.S.C. § 441f.

9704317458



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 9, 1996

Terrence McPherson, Treasurer
Hattery for Congress
7101 Woodville Road
Mount Airy, MD 21771

RE: MUR 4484
Hattery for Congress and
Terrence McPherson, as treasurer

Dear Mr. McPherson:

On September 25, 1996, the Federal Election Commission found that there is reason to believe Hattery for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Please be advised that when a treasurer receives and deposits a contribution that does not appear to be from a prohibited source but later discovers that the contribution is illegal based on new information not available to the political committee at the time of receipt and deposit, the contribution must be refunded to the contributor within thirty (30) days of the discovery of the illegality. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to refund the contribution at the time the illegality is discovered, it must make a refund from the next funds it receives. *Id.* See also Advisory Opinions 1995-19, 1991-39, 1989-5 and 1984-52. Until such time that a refund of the illegal contribution can be made to the contributor, the contribution should be disclosed on the committees' reports as a debt owed by the committee until the debt is extinguished. See 2 U.S.C. § 434(b)(8).

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause

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Mr. McPherson

Page 2

conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

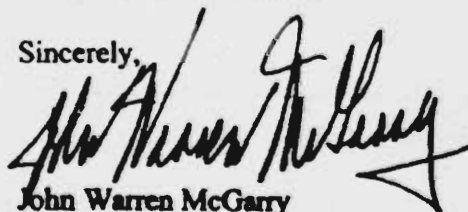
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,



John Warren McGarry
Vice Chairman

Enclosures

Factual and Legal Analysis

Procedures

Designation of Counsel Form

cc: Thomas Hattery

9704317457C

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Hattery for Congress and
Terrence McPherson, as treasurer

MUR: 4484

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This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). On December 22, 1995, the Commission received a *sua sponte* submission filed by counsel representing Stewart Bainum, Jr. and Sandra Bainum. In this submission, counsel discloses *inter alia*, that on July 14, 1993, Mr. Bainum made a contribution in the name of his infant son, Bradford Bainum, totaling \$1,000 to Hattery for Congress and Terrence McPherson, as treasurer, ("Hattery Committee").

The Federal Election Campaign Act of 1971, as amended, (the "Act") defines the term "contribution" as any gift, subscription, loan advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i). Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another or knowingly accept a contribution made by one person in the name of another person.

Minor children (under the age of 18) may make contributions to any candidate or political committee which do not exceed the limitations set forth in 2 U.S.C. § 431a(a)(1)(A) if: (1) the decision to contribute is made knowingly and voluntarily by the minor child; (2) the funds, goods, or services contributed are owned or controlled exclusively by the minor child, such as

income earned by the child, the proceeds of a trust for which the child is a beneficiary, or a savings account opened and maintained exclusively in the child's name; and (3) the contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any way controlled by another individual. 11 C.F.R. § 110.2(i)(2).

The treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of illegality. 11 C.F.R. § 103.3(b). Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited, it did not appear to be made in the name of another, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution to the contributor within thirty (30) days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to make the refund, the political committee shall make the refund from the next funds it receives. Id.

The Federal Election Commission (the "Commission") has issued several Advisory Opinions ("AO") regarding the subject of proper disposition of newly discovered unlawful contributions. Most recently, in AO 1995-19 a political action committee received and deposited contributions that did not originally present genuine questions as to their legality. However, based on evidence not available at the time in which the contributions were received and deposited, the treasurer discovered that the contributions were possibly made in the name of

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another. The Commission advised the treasurer that the contributions must be refunded to the contributors within 30 days of the discovery of the illegality. The Commission further advised the treasurer that if the committee did not have sufficient funds to refund the contributions at the time in which the illegality was discovered, then it must make the refunds from the next funds it received. See also AO's 1991-39, 1989-5, and 1984-52.

On May 6, 1992, Stewart Bainum, Jr. made a \$1,000 contribution to the Hattery Committee in connection with the 1992 general election campaign. On July 14, 1993, Mr. Bainum made a \$1,000 contribution, in the name of Bradford, to the Hattery Committee designated to retire debt from the 1992 general election campaign. On December 20, 1995, Stewart Bainum, Jr. sent the Hattery Committee a letter regarding the July 14, 1993 contribution and stated that the "The check was mistakenly sent as a contribution from my infant son." Mr. Bainum also stated that he would appreciate assistance in correcting this "mistake." Pursuant to 11 C.F.R. § 103.3(b)(2), if a treasurer later determines that a contribution is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution within 30 days of the date on which the illegality was discovered or at such time that sufficient funds are available. To date, the Hattery Committee has not refunded the \$1,000 contribution made in the name of Bradford Bainum.

Accordingly, the Hattery Committee accepted a \$1,000 contribution in the name of another. Therefore, there is reason to believe that Hattery for Congress and Terrence McPherson, as treasurer, violated 2 U.S.C. § 441f.

WYNN FOR CONGRESS

"Progressive Leadership, Hard Work, Common Sense"

P. O. Box 3323
Capitol Heights, MD 20791-5323
301-356-7788
301-356-7787 - Fax
e-mail: 30

September 29, 1996

Mr. Stewart Bainum, Jr.
10750 Columbia Pike
Silver Spring, MD 20901

Dear Mr. Bainum:

I am in receipt of your letter dated September 10, 1996 and enclosed herewith is our check in the amount of \$1,000 refunding your contribution which was previously designated for the 1992 general election in the name of Bradford Bainum.

We appreciate your continued support both financially and otherwise to the congressman's re-election efforts.


Sincerely,

Stephane Hall-Ander

Delphine Hall-Anderson
Campaign Treasurer

Enclosure

cc: James Ballentine

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WYNN FOR CONGRESS			
P.O. BOX 5325			
CAPITAL HEIGHTS, MD. 20745			
PAID TO THE ORDER		9/29/96	
Stewart Brannan		\$1,500.00	
One Thousand & no/100			
Industrial Bank NA			
WASHINGTON, D.C. 20011			
Deposited 1996		Stephen J. R...	
1001027 10540009592		06333631	

WYNN FOR CONGRESS

"Progressive Leadership, Hard Work, Common Sense"

P. O. Box 5323
Capitol Heights, MD 20791-5323
301-336-7788
301-336-7787 - Fax

12

OCT 30 8 50 AM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

October 16, 1996

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

Attn: Tamara Kapper

Re: MUR 4484
Re-Elect Albert Wynn to Congress
and Delphine Hall-Anderson, as treasurer

Dear Ms. Kapper:

I am in receipt of your letter including the factual and legal analysis dated October 9, 1996.

First, I would like to bring to your attention that I was not the treasurer of record on March 2, 1992 and therefore not aware of any possible illegal contribution until I received a letter from Mr. Stewart Bainum, Jr., dated September 10, 1996. Your factual and legal analysis indicates that a letter was sent to my attention dated December 20, 1995, however, I did not receive such a letter, nor did Mr. Bainum make any mention of a previous letter in his most recent correspondence (see attachment A). Immediately upon notification of the incorrectly designated contribution in the name of Mr. Bainum's son, Bradford, Mr. Bainum was refunded \$1,000 (see attachment B). This refund is reflected in our most recent Report of Receipts and Disbursements dated October 15, 1996.

Additionally, after receiving your October 9, 1996 letter, Mr. Bainum was refunded the "excessive \$500 contribution". (Attachment C) The refund was sent on the first business day following the discovery, after communicating with the Commission's information office on the best way to handle such a situation.

The above facts are true to the best of my knowledge. I was not aware of any excessive contributions until notified by your office nor of any contribution made in the name of another until I received Mr. Bainum's September 10, 1996 letter. I, on behalf of the

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Committee to Re Elect Albert Wynn to Congress ("committee"), acted expeditiously in an attempt to rectify this matter. I contacted the information office on October 15, 1996 to ascertain the correct resolution of the excessive contribution and was informed that it should be refunded. The excessive contribution was therefore refunded on October 15, 1996. Likewise upon notification from Mr. Bainum regarding the contribution designated in the name of his son, a refund was made in a timely manner. Therefore, it is my opinion that appropriate actions were taken within thirty (30) days of the discovery of any possible illegality. The committee apparently at the time of receipt of the contribution did not feel it was from a prohibited source, discovering only recently of the illegality (on or about September 15, 1996, the date of receipt of Mr. Bainum's letter). The committee was not aware of the excessive contribution until October 11, 1996, the date of receipt of the Commission's letter. The committee has acted expeditiously and responsively to refund these contributions to the contributor according to 11 C.F.R. Section 103.3(b)(2).

Please contact me if your require additional information.

Sincerely,

Delphine Hall-Anderson

Delphine Hall-Anderson
Campaign Treasurer

cc: Albert R. Wynn

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Attachment A

STEWART BAINUM, JR

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
OCT 30 8 50 AM '96

September 10, 1996

Re-Elect Albert Wynn to Congress
Delphine Hall-Anderson, Treasurer
P.O. Box 5323
Capitol Heights, Maryland 20791

Dear Al:

Please note that the \$1,000 contribution towards your 1992 primary election and reported by your committee in its 1992 April Quarterly Report with the Federal Election Commission as received from Bradford Bainum on March 3, 1992, should have been noted as a contribution from me for your general election campaign. The check was mistakenly designated as a contribution from my infant son. In fact, the contribution was from me. After reviewing my contributions to your committee for the 1992 general election, I must regretfully request a refund of \$1,000, because I'm over the limit.

Best regards,


Stewart Bainum, Jr.

cc: James Ballentine

WYNN FOR CONGRESS

"Progressive Leadership, Hard Work, Common Sense"

P. O. Box 5324
Capitol Heights, MD 20791-5323
301-336-7788
301-336-7787 - Fax
e-32

September 29, 1996

Mr. Stewart Bainum, Jr.
10750 Columbia Pike
Silver Spring, MD 20901

Dear Mr. Bainum:

I am in receipt of your letter dated September 10, 1996 and enclosed herewith is our check in the amount of \$1,000 refunding your contribution which was previously designated for the 1992 general election in the name of Bradford Bainum.

We appreciate your continued support both financially and otherwise to the congressman's re-election efforts.

Sincerely,

Delphine Hall-Anderson
Delphine Hall-Anderson
Campaign Treasurer

Enclosure

cc: James Ballentine ✓

97043174578

Attachment C
WYNN FOR CONGRESS

"Progressive Leadership, Hard Work, Common Sense"

P. O. Box 5424
Capitol Heights, MD 20791-5424
301-546-7788
301-546-7787 Fax

• 62-52

October 15, 1996

Mr. Stewart Bainum, Jr.
10750 Columbia Pike
Silver Spring, MD 20901

Dear Mr. Bainum:

I am in receipt of a letter from the Federal Elections Commission, dated October 9, 1996, informing me and the Committee that on March 2, 1992 you contributed \$500 which was an excessive contribution. As you may know, I was not the Treasurer during that period and therefore was unaware of this oversight. I was also informed that you sent, to my attention, a letter requesting that this amount be re-designated toward the general election in 1992. However, I never received your letter and therefore, no re-designation was ever made. Therefore, after contacting the Federal Election Commission today and in light of the fact that it is now more than four (4) years after the fact, the Committee to Re-Elect Albert R. Wynn cannot re-designate this excessive contribution, therefore, please find enclosed a check in the amount of \$500, refunding this 1992 primary election contribution overpayment.

Additionally, on September 29, 1996, I also refunded a contribution to you that was mistakenly designated in the name of your son, Bradford Bainum, in the amount of \$1,000. If you have not received this check, please contact me at (301) 567-2151.

As always, we appreciate your continued support for the campaign. If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

Delphine Hall-Anderson

Delphine Hall-Anderson
Campaign Treasurer

Enclosure

cc: James Ballantine

97043174579

1028

WYNN FOR CONGRESS

P.O. BOX 5323
CAPITAL HEIGHTS MD 20743

DATE 10/15/96

11-957
540



Pay to the order of

Stewart Barnum, Jr.

\$ 500.00

Five Hundred & no/100

THREE 11



INDUSTRIAL BANK NA

WASHINGTON, D.C. 20011

Refund of 3/2/92 excessive
contribution

⑈001028⑈ ⑈054000959⑈

Telephone Hall - Order
0833363⑈

97043774580

TSONGAS COMMITTEE, INC.
220 BROADWAY, # 104
LYNNFIELD, MA 01940

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Nov 6 11 38 AM '96

October 31, 1996

Tamara Kapper
Federal Election Commission
Washington, DC 20463

Re: MUR 4484
Tsongas Committee, Inc. and
S. George Kokinos, as Treasurer

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Nov 6 12 32 PM '96

Dear Ms. Kapper:

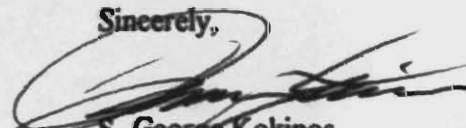
Enclosed please find an amended report for the period ended September 30, 1996.

As per our recent conversation the Tsongas Committee at this time does not have the funds to repay Mr. Bainum.

This Amendment is to correct the debts and obligations to properly reflect the amount due Mr. Stewart Bainum.

If any additional information is needed please contact me.

Sincerely,



S. George Kokinos

SGK/ld
Enclosure

97043774591

REPORT OF RECEIPTS AND DISBURSEMENTS
BY AN AUTHORIZED COMMITTEE OF A CANDIDATE
FOR THE OFFICE OF PRESIDENT OR VICE PRESIDENT

RECEIVED
FEDERAL ELECTION
COMMISSION
WASHINGTON, D.C.

Nov 6 11 38 AM '96

USE FEC MAILING LABEL OR TYPE OR PRINT

C00250951 00/00 092696 N

S GEORGE KOKINOS
TSONGAS COMMITTEE INC

220 BROADWAY - SUITE 104
LYNNFIELD MA 01940

2. IDENTIFICATION NUMBER

3. IS THIS REPORT OF RECEIPTS AND DISBURSEMENTS FOR:

☒ Primary

4. TYPE OF REPORT (Check here ☐ if this is a Termination Report.)

(a) "X" appropriate box and complete, if applicable.

☐ April 15 Quarterly Report

☐ July 15 Quarterly Report

☒ October 15 Quarterly Report

☐ January 31 Year End Report

Monthly Report Due on:

☐ February 20 ☐ June 20 ☐ October 20
☐ March 20 ☐ July 20 ☐ November 20
☐ April 20 ☐ August 20 ☐ December 20
☐ May 20 ☐ September 20 ☐ January 31

☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election on _____

(b) Is this Report an Amendment? ☒ Yes ☐ No

5 COVERING PERIOD

FROM
July 1, 1996

THROUGH
September 30, 1996

SUMMARY

6. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD	11,122.37
7. TOTAL RECEIPTS THIS PERIOD (From Line 22, Column A, Page 2)	-0-
8. SUBTOTAL (Lines 6 and 7)	11,122.37
9. TOTAL DISBURSEMENTS THIS PERIOD (From Line 30, Column A, Page 2)	-0-
10. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 9 from 8)	11,122.37
11. DEBTS AND OBLIGATIONS OWED TO THE COMMITTEE (Itemize All on Schedule C-P or Schedule D-P)	-0-
12. DEBTS AND OBLIGATIONS OWED BY THE COMMITTEE (Itemize All on Schedule C-P or Schedule D-P)	306,735.98
13. EXPENDITURES SUBJECT TO LIMITATION	

NET YEAR-TO-DATE
CONTRIBUTIONS AND
EXPENDITURES

14. NET CONTRIBUTIONS (Other than Loans) (Subtract Line 28d, Column D from 17e, Column B, Page 2)	462.85
15. NET OPERATING EXPENDITURES (Subtract Line 20a, Column B from 23, Column 3, Page 2)	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

TYPE OR PRINT NAME OF TREASURER
George Kokinos

SIGNATURE OF TREASURER

DATE
Oct. 31, 1996

For further information, contact:

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463
Toll Free 800-424-9530
Local 202-219-3420

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3P are obsolete and should no longer be used.

FEC FORM 3P, Page 1 (5/95)

FESAN041

97043774532

ASSETS AND LIABILITIES EXCLUDING LOANS

Use this form to report all assets and liabilities of the organization, excluding loans, at the end of the reporting period.

Page 2

Line Number

2

NAME OF COMMITTEE (in Full)	OUTSTANDING BALANCE BEGINNING THIS PERIOD	DATE AND AMOUNT INCURRED THIS PERIOD	PAYMENT THIS PERIOD	OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Seongas Committee, Inc.				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor John Webb 1314 Texas Avenue San Antonio, TX	836.14			836.14
Nature of Debt (Purpose): Travel				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Laser Printing, Inc. 1406 NW White Road San Antonio, TX	1,423.80			1,423.80
Nature of Debt (Purpose): Equipment Rental				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Accrued Staff Payroll	18,300.00			18,300.00
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor S. George Kokinos 220 Broadway - Ste. 104 Lynnfield, MA 01940	10,200.00	945.00		11,145.00
Nature of Debt (Purpose): Accounting				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Cidaker, Ryan & Leonard P/R Connecticut Ave., NW Washington, DC	30,332.89			30,332.89
Nature of Debt (Purpose): Legal				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor U.S. Treasury	64,163.00			64,163.00
Disputed				
Nature of Debt (Purpose): Excessive Contributions				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				
3) TOTAL OUTSTANDING LOANS (from Schedule G (last page only))				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				

97043774533

DEBT AND OBLIGATIONS
EXCLUDING LOANS

Leave blank and
attach separate
sheet for each category
of the detailed
summary page.

PAGE 3 OF 5
NUMBER 12

NAME OF COMMITTEE (in Full)	OUTSTANDING BALANCE BEGINNING THIS PERIOD	DATE AND AMOUNT INCURRED THIS PERIOD	PAYMENT THIS PERIOD	OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
TSOXGAS COMMITTEE, INC.				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Foley, Hoag & Elliot One Post Office Square Boston, MA 02109	58,000.00			58,000.00
Nature of Debt (Purpose): Legal				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Hogan & Hartson Columbia Square 555 Thirteenth Street W Washington, DC 20004-1109	1,141.00			1,141.00
Nature of Debt (Purpose): Legal				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor All Safe Archives P.O. Box 491 Somerville, MA 02145				-0-
Nature of Debt (Purpose): Security				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor Deschamps Printing Co. Box 127 Salem, MA 01970	937.25			937.25
Nature of Debt (Purpose): Printing				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor P.L. Lowry & Associates 10 Park Plaza, Ste. 230 Boston, MA	558.45			558.45
Nature of Debt (Purpose): Computer Services				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor U.S. Treasury	10,567.00			10,567.00
Nature of Debt (Purpose): Non qualified campaign expense				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule D-P (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				

Supreme Election Commission
888 E Street, N.W., 7th Floor
Washington, D.C. 20463

DEBTS AND OBLIGATIONS
EXCLUDING LOANS

List all debts
scheduled for
each category
of the detailed
summary page.

PAGE 2 OF 100
LINE NUMBER 12

NAME OF COMMITTEE (in Full)	OUTSTANDING BALANCE BEGINNING THIS PERIOD	DATE AND AMOUNT INCURRED THIS PERIOD	PAYMENT THIS PERIOD	OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Tsongas Committee, Inc.				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Nynex Mobile Communications 600 Unicorn Park Woburn, MA 01801	13,975.45			13,975.45
Nature of Debt (Purpose): Telephone				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor New England Telephone 158 Franklin Street Boston, MA 02107	12,319.49			12,319.49
Nature of Debt (Purpose): Telephone				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Pitney Bowes 1601 Trapelo Road Waltham, MA	226.26			226.26
Nature of Debt (Purpose): Equipment Rent				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor David Tartavitz 4417 A North Oakland WI	930.00			930.00
Nature of Debt (Purpose): Travel				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Eidolon 55th Street New York, NY	120.00			120.00
Nature of Debt (Purpose): Direct Mail				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor Harrison & Goldberg Massachusetts Avenue Cambridge, MA 02138	6,000.00			6,000.00
Nature of Debt (Purpose): Consulting/Poling				
TOTALS This Period This Page (optional)				
TOTAL This Period (last page this line only)				
TOTAL OUTSTANDING LOANS from Schedule CP last page only				
CP 1 and 21 end carry forward to appropriate line of Summary Page last page only				

SCHEDULE D-P

Federal Election Commission
925 E Street, N.W.
Washington, D.C. 20463

**DEBTS AND OBLIGATIONS
EXCLUDING LOANS**

Use separate
schedule for
each category
of the enclosed
summary page.

PAGE 1 OF 1

LINE NUMBER

12

NAME OF COMMITTEE (in Full)	OUTSTANDING BALANCE BEGINNING THIS PERIOD	DATE AND AMOUNT INCURRED THIS PERIOD	PAYMENT THIS PERIOD	OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Trongas Committee, Inc.				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor AT&T Processing Center Pittsburg, PA 15286	489.40			489.40
Feature of Debt (Purpose): Telephone				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor East Western Town House Sioux Falls, SD	591.50			591.50
Feature of Debt (Purpose): Logging				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Boston Office Equipment 70 Flagship Drive No. Andover, MA 01845	238.94			238.94
Feature of Debt (Purpose): Equipment Rental				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor Compuserve Dept. L-777 Columbus, OH 43200	541.11			541.11
Feature of Debt (Purpose): Press				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Metromedia Paping Box 13693 Philadelphia, PA	2,726.30			2,726.30
Feature of Debt (Purpose): Equipment Rental				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor Mid America Box 3460 Omaha, NE	250.00			250.00
Feature of Debt (Purpose): Telephone				
TOTAL This Period (The Page optional)				
TOTAL This Period (Last page this line only)				
TOTAL OUTSTANDING LOANS (from Schedule D-P last page only)				
TOTAL (Lines 21 and 31 and carry forward to appropriate line of Summary Page (last page only))				

SCHEDULE C-P

Federal Election Commission
999 F Street, N.W.
Washington, D.C. 20463

LOANS

Loan amounts
scheduled for
each category
of the detailed
summary page

PAGE

2

OF LOAN CATEGORIES

2

LINE NUMBER

12

NAME OF COMMITTEE (in full)

THOMAS COMMITTEE, INC.

NAME OF LOAN SOURCE (OR RECIPIENT)

Paul E. Thomas

ADDRESS (Number and Street)

c/o Thomas Committee, Inc.

CITY, STATE, ZIP CODE

Litchfield, MA 01540

ORIGINAL AMOUNT
OF LOAN

5,000.00

CUMULATIVE
PAYMENT TO DATE

BALANCE
OUTSTANDING

5,000.00

TYPE OF ELECTION

☒ Primary

☐ General

☐ Other (specify)

TERMS

DATE INCURRED
11/1/94

DATE DUE

INTEREST RATE (in APR)

SECURED

☐ Yes ☐ No

LIST ALL ENDORSERS OR GUARANTORS (if any)

NAME

ADDRESS (Number and Street)

CITY, STATE, ZIP CODE

NAME OF EMPLOYER

OCCUPATION

AMT. OUTSTANDING

NAME

ADDRESS (Number and Street)

CITY, STATE, ZIP CODE

NAME OF EMPLOYER

OCCUPATION

AMT. OUTSTANDING

NAME

ADDRESS (Number and Street)

CITY, STATE, ZIP CODE

NAME OF EMPLOYER

OCCUPATION

AMT. OUTSTANDING

NAME OF LOAN SOURCE (OR RECIPIENT)

ADDRESS (Number and Street)

CITY, STATE, ZIP CODE

ORIGINAL AMOUNT
OF LOAN

CUMULATIVE
PAYMENT TO DATE

BALANCE
OUTSTANDING

TYPE OF ELECTION

☐ Primary

☐ General

☐ Other (specify)

TERMS

DATE INCURRED

DATE DUE

INTEREST RATE (in APR)

SECURED

☐ Yes ☐ No

LIST ALL ENDORSERS OR GUARANTORS (if any)

NAME

ADDRESS (Number and Street)

CITY, STATE, ZIP CODE

NAME OF EMPLOYER

OCCUPATION

AMT. OUTSTANDING

NAME

ADDRESS (Number and Street)

CITY, STATE, ZIP CODE

NAME OF EMPLOYER

OCCUPATION

AMT. OUTSTANDING

NAME

ADDRESS (Number and Street)

CITY, STATE, ZIP CODE

NAME OF EMPLOYER

OCCUPATION

AMT. OUTSTANDING

outstanding balance only to Line 3, Schedule D-P, for this line.
Schedule D-P, carry forward to appropriate line of Summary.

ORIGINAL AMOUNT
OF LOAN

CUMULATIVE
PAYMENT TO DATE

BALANCE
OUTSTANDING

TOTALS THIS PERIOD THIS PAGE (optional)

5,000.00

5,000.00

ALSO THIS PERIOD (last page in this line only)

55,000.00

5,000.00

50,000.00

SCHEDULE C-P

Federal Election Commission
935 E Street, N.W.
Washington, D.C. 20463

LOANS

Use separate
statements for
each category
of the detailed
summary above

LINE NUMBER

12

NAME OF COMMITTEE IN FULL

Tsongas Committee, Inc.

NAME OF LOAN SOURCE (OR RECIPIENT) Paul E. Tsongas	ORIGINAL AMOUNT OF LOAN 25,000.00	CUMULATIVE PAYMENT TO DATE 5,000.00	PAID BY OUTSTANDING
ADDRESS (Number and Street) c/o Tsongas Committee			
CITY, STATE, ZIP CODE Boston, MA 02116	TYPE OF ELECTION <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General		
TERMS <input checked="" type="checkbox"/> DATE INCURRED 9/2/91	DATE DUE	INTEREST RATE (% APR) SECURED <input type="checkbox"/> Yes <input type="checkbox"/> No	

LIST ALL ENDORSERS OR GUARANTORS (if any)

NAME	ADDRESS (Number and Street)	CITY, STATE, ZIP CODE
NAME OF EMPLOYER	OCCUPATION	AMOUNT OUTSTANDING
NAME	ADDRESS (Number and Street)	CITY, STATE, ZIP CODE
NAME OF EMPLOYER	OCCUPATION	AMOUNT OUTSTANDING
NAME	ADDRESS (Number and Street)	CITY, STATE, ZIP CODE
NAME OF EMPLOYER	OCCUPATION	AMOUNT OUTSTANDING

NAME OF LOAN SOURCE (OR RECIPIENT) Paul E. Tsongas	ORIGINAL AMOUNT OF LOAN 25,000.00	CUMULATIVE PAYMENT TO DATE 0
ADDRESS (Number and Street) c/o Tsongas Committee, Inc.		
CITY, STATE, ZIP CODE Boston, MA 02116	TYPE OF ELECTION <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General	
TERMS <input checked="" type="checkbox"/> DATE INCURRED 10/31/91	DATE DUE	INTEREST RATE (% APR) SECURED <input type="checkbox"/> Yes <input type="checkbox"/> No

LIST ALL ENDORSERS OR GUARANTORS (if any)

NAME	ADDRESS (Number and Street)	CITY, STATE, ZIP CODE
NAME OF EMPLOYER	OCCUPATION	AMOUNT OUTSTANDING
NAME	ADDRESS (Number and Street)	CITY, STATE, ZIP CODE
NAME OF EMPLOYER	OCCUPATION	AMOUNT OUTSTANDING
NAME	ADDRESS (Number and Street)	CITY, STATE, ZIP CODE
NAME OF EMPLOYER	OCCUPATION	AMOUNT OUTSTANDING

Carry outstanding balance only to Line 2, Schedule D-P, for this line.
Line Schedule D-P, carry forward to appropriate line of Summary.

TOTALS THIS PERIOD THIS PAGE (optional)	ORIGINAL AMOUNT OF LOAN	CUMULATIVE PAYMENT TO DATE	OUTSTANDING
TOTALS THIS PERIOD (last page in this line only)			

DETAILED SUMMARY OF RECEIPTS AND DISBURSEMENTS

(Page 2, FEC FORM 3P)

NAME OF COMMITTEE (in Full) Tsongas Committee, Inc.		REPORT COVERING THE PERIOD From 7-1-96 Through 9-30-96	
		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
I. RECEIPTS			
16. FEDERAL FUNDS (Itemize on Schedule A-2)			16
17. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			17(a)
(b) Political Party Committees			17(b)
(c) Other Political Committees			17(c)
(d) The Candidate			17(d)
(e) TOTAL CONTRIBUTIONS (other than loans) (Add 17(a), 17(b), 17(c) and 17(d))			17(e)
18. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES			18
19. LOANS RECEIVED:			
(a) Loans Received From or Guaranteed by Candidate			19(a)
(b) Other Loans			19(b)
(c) TOTAL LOANS (Add 19(a) and 19(b))			19(c)
20. OFFSETS TO EXPENDITURES (Refunds, Rebates, etc.):			
(a) Operating			20(a)
(b) Fundraising			20(b)
(c) Legal and Accounting			20(c)
(d) TOTAL OFFSETS TO EXPENDITURES (Add 20(a), 20(b) and 20(c))			20(d)
21. OTHER RECEIPTS (Dividends, Interest, etc.)			21
22. TOTAL RECEIPTS (Add 16, 17(e), 18, 19(c), 20(d) and 21)		-0-	-0-
II. DISBURSEMENTS			
23. OPERATING EXPENDITURES			462.85
24. TRANSFERS TO OTHER AUTHORIZED COMMITTEES			
25. FUNDRAISING DISBURSEMENTS			
26. EXEMPT LEGAL AND ACCOUNTING DISBURSEMENTS			
27. LOAN REPAYMENTS MADE:			
(a) Repayments of Loans made or Guaranteed by Candidate			27(a)
(b) Other Repayments			27(b)
(c) TOTAL LOAN REPAYMENTS MADE (Add 27(a) and 27(b))			27(c)
28. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			28(a)
(b) Political Party Committees			28(b)
(c) Other Political Committees			28(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 28(a), 28(b) and 28(c))			28(d)
29. OTHER DISBURSEMENTS			
30. TOTAL DISBURSEMENTS (Add 23, 24, 25, 26, 27(c), 28(d) and 29)		-0-	462.85
III. CONTRIBUTED ITEMS (Stock, Art Objects, Etc.)			
31. ITEMS ON HAND TO BE LIQUIDATED (Attach List)			

DEBTS AND OBLIGATIONS
INCLUDING LOANS

1. In which
category
of the Official
Summary does
this debt fall?

PAGE 5
LINE NUMBER

2

NAME OF COMMITTEE in Full	OUTSTANDING BALANCE BEGINNING THIS PERIOD	DATE AND AMOUNT INCURRED THIS PERIOD	PAYMENT THIS PERIOD	OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Tsongas Committee, Inc.				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor E.S. Secret Service	4,471.00			4,471.00 *
Nature of Debt (Purpose): * DISPUTED				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Various Press Organizations Per Federal Election Commission Audit Report * DISPUTED	15,262.00			15,262.00 *
Nature of Debt (Purpose): * DISPUTED				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Stewart Bainum, Jr. 10750 Columbia Pike Silver Spring, Maryland 20901	-0-	1,000.00	-0-	1,000.00
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (Optional)				256,735.98
2) TOTAL This Period (last page this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule CP (last page only)				50,000.00
4) ADD 2) and 3) and carry forward to corresponding line of Summary Page (last page only)				306,735.98

7043774500

Tom Hattery
7101 Woodville Road
Mt. Airy, MD 21771

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Nov 25 10 04 AM '96

November 21, 1996

Ms. Tamara Kapper
The Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

RE: Hattery for Congress

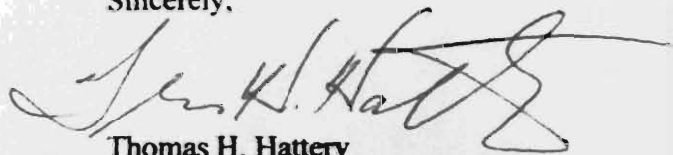
MUR: 4484

Dear Ms. Kapper:

Per our recent telephone conversation I am returning the contribution from Bradford Bainum in the amount of \$1,000. Enclosed, as you requested, is a photocopy of the check which I am posting today at the same time I post this letter to you.

Thank you for your assistance in this matter.

Sincerely,



Thomas H. Hattery

Enclosure
photocopy of check

97043774501

HATTERY FOR CONGRESS

1367



PAY
TO THE
ORDER OF Bradford Bainum

One thousand and no/100

DOLLARS

\$1,000⁰⁰

11/19 1996

66-2601
650

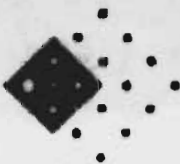
FARMERS AND
MERCHANTS
NATIONAL BANK
F&M
MADISON, MISSOURI

FOR RETURN OF CONTRIBUTION

⑆001367⑆ ⑆055000262⑆ 244 404⑈E⑈

John R. Kluge

2 6 5 4 7 1 3 4 0 7 6



A-D-S Ventures

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

DEC 23 11 48 AM '96

We've moved!!

Our new address is:

Concord, MA 01742-3303

Tel 508-369-1900

Fax 508-369-1010

23 December 1996

Ms. Tamara Kapper
Federal Election Commission
999 E St. NW
Washington, DC 20463

Dear Ms. Kapper:

This letter is to acknowledge that my committee, the Atkins for Congress Committee, did receive in Feb. 1993 a contribution from Bradford Bainum. We were not aware when we received the contribution that Bradford Bainum was a minor child (under the age of 18). The Atkins for Congress Committee has been inactive since 1993 and there is presently no money in the accounts. When the Committee files with the FEC, it is our intention to list a \$1000 debt to Mr. Bradford Bainum on the Committee accounts.

Sincerely,

Chester G. Atkins

CGA/ltd

97043774593

JONES, DAY, REAVIS & POGUE

ATLANTA
BRUSSELS
CHICAGO
CLEVELAND
COLUMBUS
DALLAS
FRANKFURT
GENEVA
HONG KONG

IRVINE
LONDON
LOS ANGELES
NEW YORK
PARIS
PITTSBURGH
RIYADH
TAIPEI
TOKYO

METROPOLITAN SQUARE
1450 G STREET, N.W.
WASHINGTON, D.C. 20005-2088

TELEPHONE: 202-879-3939
TELEX: DOMESTIC 892410
TELEX: INTERNATIONAL 64363
CABLE: ATTORNEYS WASHINGTON
FACSIMILE: 202-737-2832
WRITER'S DIRECT NUMBER:

(202) 879-4640

November 21, 1996

Tamara Kapper, Esq.
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

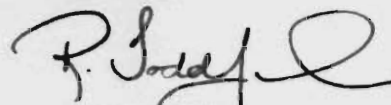
Re: MUR 4484

Dear Tammy:

I am enclosing two originally executed Conciliation Agreements and a check in the amount of \$4,000 payable to the Federal Election Commission relating to the above matter. I would appreciate a telephone call alerting me when the Conciliation Agreement is accepted by the Commissioners. If approved, please return one originally executed copy of the Conciliation Agreement for my files.

I appreciate your assistance in this matter. Please give me a call if I can be of further assistance.

Sincerely,


R. Todd Johnson

Enclosures

cc: Stewart Bainum, Jr.

97043774594



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 21, 1996

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
NOV 22 10 10 AM '96

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown *ldb* Disbursing Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from **Stewart Bainum, Jr.**, check number **10392**, dated **November 4, 1996**, for the amount of **\$4,000.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

=====

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursing Technician

FROM: OGC Docket *Byaa*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$4,000.00, the MUR/Case number is 4484 and in the name of Stewart Bainum, Jr.. Place this deposit in the account indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Amita Alexander
Signature

11-22-96
Date

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STEWART BARNUM, JR.
OPERATING ACCOUNT

MO.	DAY	YR.
11	04	96

No. 10392

88-380
500

PAY EXACTLY ****4,000***

TO THE ORDER OF:

FEDERAL ELECTION COMMISSION

DOLLARS AND 00 CENTS \$ 4,000.00

Two Signatures Required Over \$5,000

Mary C. Acker

FIRST UNION NATIONAL BANK OF MARYLAND

NOT VALID AFTER 180 DAYS

BEFORE THE FEDERAL ELECTION

FEB 7 4 02 PM '97

In the Matter of)
 Stewart Bainum, Jr.)
 Atkins for Congress and)
 Alan Solomont, as treasurer)
 Hattery for Congress and)
 Terrence McPherson, as treasurer)
 Tsongas Committee, Inc. and)
 S. George Kokinos, as treasurer)
 Re-Elect Albert Wynn to Congress and)
 Delphine Hall-Anderson, as treasurer)

MUR 4484

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 25, 1996, the Federal Election Commission ("the Commission") found reason to believe that Stewart Bainum, Jr. violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f by making four (4) contributions -- \$1,000 each -- to four (4) Federal campaign committees in the name of his infant son during calendar years 1992 and 1993, and by making excessive contributions to those same Federal candidate committees in excess of his personal contribution limitation. The Commission also determined to enter into preprobable cause conciliation with Mr. Bainum and approved an agreement

On that same date, the Commission also found reason to believe that three (3) of the recipient committees, Atkins for Congress and Alan Solomont, as treasurer, ("Atkins Committee"); Hattery for Congress and Terrence McPherson, as treasurer, ("Hattery Committee"); and Tsongas Committee, Inc. and S. George Kokinos, as treasurer, ("Tsongas Committee") violated 2 U.S.C. § 441f by receiving contributions in the name of another and failing to remedy these prohibited contributions from

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Mr. Bainum after being notified of their illegal nature. Lastly, the Commission found reason to believe that Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, ("Wynn Committee") violated 2 U.S.C. §§ 441a(f) and 441f by accepting an excessive contribution from Mr. Bainum, and by receiving a contribution in the name of another and failing to remedy it after being notified of its illegal nature, respectively.

In addition, all four of the respondent committees have submitted written responses to the Commission's findings and this Office recommends that the Commission take no further action against them and close the file.

II. ANALYSIS

A. Stewart Bainum, Jr.

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Therefore, based on the

foregoing reasons and in the interest of settling this matter, this Office recommends that the Commission accept the attached conciliation agreement with Stewart Bainum, Jr.

B. Recipient Committees

1. The Wynn Committee

On October 30, 1996, the Wynn Committee submitted a response to the Commission's reason to believe findings along with copies of correspondence they had with Mr. Bainum. Attachment 2. The current treasurer of the Wynn Committee, Delphine Hall-Anderson, asserts that she was not the treasurer of record at the time in which the illegal contribution was received by the Wynn Committee and was "therefore not aware of any possible illegal contribution until I received a letter from Mr. Stewart Bainum, Jr., dated September 10, 1996."¹ *Id.* She also contends that she did not receive the first letter dated December 20, 1995, notifying her of the illegal contribution, which Mr. Bainum allegedly sent to the Wynn Committee at the same time that he filed the *sua sponte* submission with the Commission that generated this matter. In any case, Ms. Hall-Anderson asserts that "[i]mmediately upon notification of the incorrectly designated contribution (sic) in the name of Mr. Bainum's son, Bradford, Mr. Bainum was refunded \$1,000." *Id.* The Wynn Committee did not submit a copy of the \$1,000 refund check with their response, but they did submit a copy of the letter they sent to Mr. Bainum regarding this refund.² In addition, the Wynn Committee's

¹ According to Commission records Charles E. Moulden was the treasurer of the Wynn Committee from July 30, 1991 to August 5, 1993.

² Mr. Bainum submitted a copy of the letter and the \$1,000 refund check that he received from the Wynn Committee. The check was dated September 29, 1996. Attachment 3.

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1996 October Quarterly Report discloses that the \$1,000 contribution from Bradford Bainum was refunded to Mr. Bainum on September 29, 1996.

Mr. Bainum also made a \$500 excessive contribution to the Wynn Committee in his own name that was separate from the prohibited contribution he made in Bradford's name. With regard to this excessive contribution, Ms. Hall-Anderson contends that "after receiving your [the Commission's] October 9, 1996 letter, Mr. Bainum was refunded the 'excessive \$500 contribution'." *Id.* Along with their response, the Wynn Committee also submitted a copy of the \$500 refund check it sent to Mr. Bainum on October 15, 1996 and copies of the schedule B from their 1996 October Quarterly and 12 Day Pre-General Reports. *Id.*, at 6-8. The Wynn Committee's 12 Day Pre-General Report, confirms that a \$500 refund to was made to Mr. Bainum on October 15, 1996.

Lastly, the Wynn Committee argues that since they have refunded the prohibited and excessive contributions from Mr. Bainum within thirty (30) days of the discovery of the illegality, that they have complied with the law. Pursuant to the Commission's regulations at Section 103.3(b)(2), the treasurer of a political committee is required upon discovery of the illegality of a contribution to make a refund of the contribution within 30 days or, if sufficient funds are not available, to make a refund from the next available funds received. *See* 11 C.F.R. § 103.3(b)(2).

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2. The Hattery Committee

On October 31, 1996, Thomas Hattery, on behalf of the Hattery Committee, contacted staff from this Office upon receiving the Commission's reason to believe notification letter. Mr. Hattery indicated that he was unaware of the prohibited nature of the \$1,000 contribution from Bradford Bainum until he received the Commission's letter. He also stated that he did not receive Mr. Bainum's December 20, 1995 letter regarding the illegal contribution, and noted that he would now send Mr. Bainum a full refund. On November 21, 1996, Mr. Hattery submitted a copy of the \$1,000 refund check sent to Mr. Bainum on November 19, 1996. Attachment 4.

3. The Tsongas Committee

On October 17, 1996, the treasurer of the Tsongas Committee, S. George Kokinos, contacted staff from this Office by telephone after receiving the Commission's reason to believe notification letter. Mr. Kokinos indicated that he was unaware that the contribution from Bradford Bainum was from a prohibited source. He asserts that the Tsongas Committee currently has many outstanding debts and very little money. He also stated that he would refund the \$1,000 contribution to Mr. Bainum if sufficient funds were available. However, on November 6, 1996, the Tsongas Committee submitted a written response asserting that they do not have sufficient funds to repay Mr. Bainum at this time, but provided an amended 1996 October Quarterly Report disclosing a \$1,000 debt owed to Mr. Bainum. Attachment 5.

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4. The Atkins Committee

On December 23, 1996, Mr. Atkins submitted a response indicating that his principal campaign committee, the Atkins Committee, received a contribution from Bradford Bainum in February 1993, but the Committee was not aware of the prohibited nature of the contribution. Attachment 6. Mr. Atkins stated that he would refund the contribution as soon as possible, but since the Atkins Committee had been inactive since 1993, it consequently has no money in its account. Meanwhile, Mr. Atkins asserts that the Atkins Committee plans to list the \$1,000 refund as a debt owed to Mr. Bainum. *Id.*³

5. Conclusion

As discussed above, each of the respondent committees have attempted to correct the violations at issue. The Wynn and Hattery committees have refunded the illegal \$1,000 contributions made in the name of Bradford Bainum to Mr. Bainum. Based on their current financial situations, the Tsongas and Atkins committees are unable to refund the illegal \$1,000 contributions but intend to report them as an outstanding debt on their

³ The last report filed by the Atkins Committee was the 1993 Year End Report which disclosed a total of \$23 in cash-on-hand and \$19,087 in outstanding debts owed by the committee.

disclosure reports. In fact, the Tsongas Committee has already amended their 1996 October Quarterly Report to disclose a \$1,000 debt owed to Mr. Bainum.⁴ Further, while the Wynn Committee initially failed to refund the \$500 excessive contribution from Mr. Bainum, they ultimately did refund the excessive contribution to him --albeit late.

In light of the foregoing, the limited amount of money involved and in the interest of closing this matter, this Office recommends that the Commission take no further action against Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer, Hattery for Congress and Terrence McPherson, as treasurer, Tsongas Committee, Inc. and S. George Kokinos, as treasurer, and Atkins for Congress and Alan Solomont, as treasurer. This Office also recommends that the Commission close the file in this matter.

III. RECOMMENDATIONS

1. Accept the conciliation counterproposal submitted by Stewart Bainum, Jr.
2. Take no further action against the Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer.
3. Take no further action against the Tsongas Committee, Inc. and S. George Kokinos, as treasurer.
4. Take no further action against Hattery for Congress and Terrence McPherson, as treasurer.
5. Take no further action against Atkins for Congress and Alan Solomont, as treasurer.

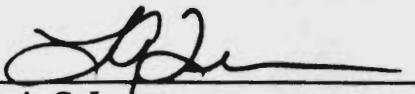
⁴ The Atkins Committee has not been filing reports with the Commission since January 1994. However, in a telephone conversation with staff from this Office Mr. Atkins stated that the Atkins Committee intended to file a report disclosing the debt to Mr. Bainum. In this Office's letter to the Atkins Committee notifying them of any Commission action, this Office will remind them of their obligation to file reports to disclose this outstanding debt.

6. Close the file.
7. Send the appropriate letters.

Lawrence M. Noble
General Counsel

2/7/97

Date

BY: 

Lois G. Lerner
Associate General Counsel

97043774605

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Stewart Bainum, Jr.;)

Atkins for Congress and Alan)

Solomont, as treasurer;)

Hattery for Congress and Terrence)

McPherson, as treasurer;)

Tsongas Committee, Inc. and)

S. George Kokinos, as treasurer;)

Re-Elect Albert Wynn to Congress and)

Delphine Hall-Anderson, as treasurer.)

MUR 4484

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 13, 1997, the Commission decided by a vote of 5-0 to take the following actions in MUR 4484:

1. Accept the conciliation counterproposal submitted by Stewart Bainum, Jr., as recommended in the General Counsel's Report dated February 7, 1997.
2. Take no further action against the Re-Elect Albert Wynn to Congress and Delphine Hall-Anderson, as treasurer.
3. Take no further action against the Tsongas Committee, Inc. and S. George Kokinos, as treasurer.

(continued)

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4. Take no further action against Hattery for Congress and Terrence McPherson, as treasurer.
5. Take no further action against Atkins for Congress and Alan Solomont, as treasurer.
6. Close the file.
7. Send the appropriate letters, as recommended in the General Counsel's Report dated February 7, 1997.

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

Attest:

2-14-97
Date

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

Received in the Secretariat: Fri., Feb. 07, 1997 4:01 p.m.
Circulated to the Commission: Mon., Feb. 10, 1997 11:00 a.m.
Deadline for vote: Thurs., Feb. 13, 1997 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 20, 1997

R. Todd Johnson, Esquire
Jones, Day, Reavis & Pogue
1450 G Street, N.W.
Washington D.C. 20005-2088

RE: MUR 4484

Dear Mr. Johnson:

On February 13, 1997, the Federal Election Commission accepted the signed conciliation agreement and civil penalty that you submitted on behalf of your client, Stewart Bainum, Jr., in settlement of violations of 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

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

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Tamara K. Kapper
Paralegal Specialist

Enclosure:
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)

)

MUR 4484

Stewart Bainum, Jr.

)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), as a result of a *sua sponte* submission by Stewart Bainum, Jr. ("Respondent"), and pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Respondent violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Stewart Bainum, Jr. is an individual.

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Sub

2. The Federal Election Campaign Act of 1971, as amended, ("the Act") defines the term "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i).

3. Contributions by an individual to a Federal candidate and his or her authorized political committees are limited to \$1,000 per election. 2 U.S.C. § 441a(a)(1)(A).

4. Pursuant to 2 U.S.C. § 441f, it is unlawful for any person to make a contribution in the name of another person.

5. Minor children (under the age of 18) may make contributions to any candidate or political committee which do not exceed the limitations set forth in 2 U.S.C. § 441a(a)(1)(A) if: (1) the decision to contribute is made knowingly and voluntarily by the minor child; (2) the funds, goods, or services contributed are owned or controlled exclusively by the minor child, such as income earned by the child, the proceeds of a trust for which the child is a beneficiary, or a savings account opened and maintained exclusively in the child's name; and (3) the contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual. 11 C.F.R. § 110.1(f)(2).

6. During calendar years 1992 and 1993, Respondent made four (4) contributions totaling \$4,000 to four (4) Federal candidate campaign committees in the name of his infant son, Bradford. These contributions were not made from Bradford Bainum's own bank account or from funds owned or controlled exclusively by him.

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7. The contributions made in the name of Bradford Bainum were made from a bank account that was owned and controlled by the Respondent and his wife. Respondent requested that the contribution checks be drawn from this account in the name of Bradford Bainum.

8. On January 15, 1992, Respondent made two (2) contributions totaling \$2,000 to the Tsongas Committee, Inc. for the 1992 primary election campaign. One of the contributions, totaling \$1,000, was in the name of his infant son, Bradford.

9. Respondent made three (3) \$500 contributions to Re-Elect Albert Wynn to Congress for the 1992 primary election campaign on December 25, 1991, January 22, 1992, and March 2, 1992, respectively. In addition, on March 2, 1992, Respondent made a \$1,000 contribution to Re-Elect Albert Wynn to Congress in the name of his infant son, Bradford, in connection with the 1992 primary election campaign.

10. On May 6, 1992, Respondent made a \$1,000 contribution to Hattery for Congress for the 1992 general election campaign. On July 14, 1993, Respondent made another \$1,000 contribution to Hattery for Congress in the name of his infant son, Bradford, for debt retirement in connection with the 1992 general election campaign.

11. On September 11, 1992, Respondent made a \$1,000 contribution to Atkins for Congress for the 1992 general election campaign. On February 11, 1993, Respondent made another \$1,000 contribution to Atkins for Congress in the name of his son, Bradford, for debt retirement in connection with the 1992 general election campaign.

12. In late 1995, upon reading in The Washington Post that the contributions in the name of his son, Bradford, were in violation of the Act, Respondent wrote to each of the campaigns to request refunds, redesignations and/or reattributions and, on December 22, 1995, then filed a

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sua sponte submission with the Commission setting forth the facts detailed in paragraphs 6 through 11 above.

13. On or about October 8, 1996 and on or about October 19, 1996, Respondent received refunds of \$1,000 and \$500, respectively, from the Wynn for Congress Committee.

V. 1. Respondent made four (4) contributions totaling \$4,000 to four (4) Federal candidate committees in the name of another, in violation of 2 U.S.C. § 441f.

2. Because the contributions given in Bradford Bainum's name were contributed to four (4) Federal candidate committees to which the Respondent had already reached his personal contribution limit, Respondent also made excessive contributions totaling \$4,000 to four (4) Federal candidate committees, in violation of 2 U.S.C. § 441a(a)(1)(A).

3. Respondent made an excessive contribution to the Wynn Committee totaling \$500, in violation of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of four thousand dollars (\$4,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

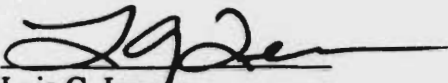
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IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

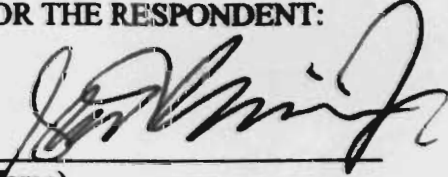
X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:  2/20/97
Lois G. Lerner Date
Associate General Counsel

FOR THE RESPONDENT:

 November 21, 1996
(Name) Date
(Position)

97043774613



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 20, 1997

Delphine Hall-Anderson, Treasurer
Re-Elect Albert Wynn to Congress
P.O. Box 5323
Capital Heights, MD 20791-5323

RE: MUR 4484

Dear Ms. Hall-Anderson:

On October 9, 1996, Re-Elect Albert Wynn to Congress and you, as treasurer, ("Wynn Committee") were notified that the Federal Election Commission found reason to believe that the Wynn Committee violated 2 U.S.C. §§ 441a(f) and 441f. On October 16, 1996, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of the matter, the Commission determined on February 13, 1997, to take no further action against the Wynn Committee and closed the file in this matter.

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

The Commission reminds you that accepting contributions in excess of \$1,000 per election from individuals is a violation of 2 U.S.C. § 441a(f), and upon discovery that a contribution is made in the name of another, failing to promptly remedy the contribution is a violation of 2 U.S.C. § 441f. The Wynn Committee should take steps to ensure that these activities do not occur in the future.

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

Sincerely,

Tamara K. Kapper
Paralegal Specialist

cc: Honorable Albert Wynn

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 20, 1997

S. George Kokinos, Treasurer
Tsongas Committee, Inc.
220 Broadway, #104
Lynnfield, MA 01940

RE: MUR 4484

Dear Mr. Kokinos:

On October 9, 1996, Tsongas Committee, Inc. and you, as treasurer, ("Tsongas Committee") were notified that the Federal Election Commission found reason to believe that the Tsongas Committee violated 2 U.S.C. § 441f. On October 31, 1996, you submitted a response to the Commission's reason to believe finding. After considering the circumstances of the matter, the Commission determined on February 13, 1997, to take no further action against the Tsongas Committee and closed the file in this matter.

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

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

Sincerely,

Tamara K. Kapper
Paralegal Specialist

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 20, 1997

**Alan Solomont, Treasurer
Atkins for Congress
P.O. Box 487
Concord, MA 01742**

RE: MUR 4484

Dear Mr. Solomont:

On October 9, 1996, Atkins for Congress and you, as treasurer, ("Atkins Committee") were notified that the Federal Election Commission found reason to believe that the Atkins Committee violated 2 U.S.C. § 441f. On December 23, 1996, Chester Atkins submitted a response to the Commission's reason to believe finding. After considering the circumstances of the matter, the Commission determined on February 13, 1997, to take no further action against the Atkins Committee and closed the file in this matter.

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

The Commission reminds the Atkins Committee that upon discovery that a contribution is made in the name of another, failing to promptly remedy the contribution is a violation of 2 U.S.C. § 441f. In addition, pursuant to 2 U.S.C. § 434(a)(1) each treasurer of a political committee is required to file regular reports of receipts and disbursements.

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

Sincerely,

**Tamara K. Kapper
Paralegal Specialist**

cc: Chester Atkins

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 20, 1997

Terrence McPherson, Treasurer
Hattery for Congress
7101 Woodville Road
Mount Airy, MD 21771

RE: MUR 4484

Dear Mr. McPherson:

On October 9, 1996, Hattery for Congress and you, as treasurer, ("Hattery Committee") were notified that the Federal Election Commission found reason to believe that the Hattery Committee violated 2 U.S.C. § 441f. On November 21, 1996, Thomas Hattery submitted a response to the Commission's reason to believe finding. After considering the circumstances of the matter, the Commission determined on February 13, 1997, to take no further action against the Hattery Committee and closed the file in this matter.

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

The Commission reminds the Hattery Committee that upon discovery that a contribution is made in the name of another, failing to promptly remedy the contribution is a violation of 2 U.S.C. § 441f.

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

Sincerely,

Tamara K. Kapper
Paralegal Specialist

cc: Thomas Hattery

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4454-Merged w/122-Mur 325

DATE FILMED 2-24-67 CAMERA NO. 4

CAMERAMAN JMP

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