

JUL 22 9 17 AM '97

**ABB Daimler-Benz  
Transportation USA  
Employees' Political Fund**

Identification Number: C00255356

Reference: Year End Report (11/26/96 - 12/31/96)

July 17, 1997

Federal Election Commission  
999 E Street, NW  
Washington DC 20463

Dear Scott Francis,

As per our conversation of July 16, 1997, enclosed are copies of:

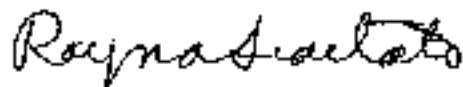
1. Our discovery letter to Friends of Senator D'Amato Committee
2. Our letter to Timothy Jenkins, Attorney at Law
3. Refund check from the Friends of Senator D'Amato Committee

Our committee made an excessive contribution of \$1,000 to Friends of Senator D'Amato. Upon discovery of the error, on May 13, 1997, we immediately contacted the committee and requested a refund check. The check was received by us on May 20, 1997. Attachments offer further explanation both from our committee and Senator D'Amato's committee.

Your further instructions are to report the refund amount on our next report (6/30/97) on Schedule A, line 16. I will follow your instructions.

I apologize for any inconvenience I may have caused you.

Sincerely,



Rayna Scarlato, Treasurer

Cc: Denise Digiacomo, Tim Stanny

Attachments

m.pacfed

RECEIVED

JUL 07 1997

RQ-2 FINANCIAL STATEMENTS



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Rayna Scarlato, Treasurer  
ABB Daimler-Benz Transportation  
USA Employee's Political Fund  
1501 Lebanon Church Road  
Pittsburgh, PA 15236

JUL - 2 1997

Identification Number: C00255356

Reference: Year End Report (11/26/96-12/31/96)

Dear Ms. Scarlato:

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

-Schedule B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) precludes a multicandidate committee from making a contribution to a candidate for federal office in excess of \$5,000 per election.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have made an excessive contribution, you should notify the recipient and request a refund of the amount in excess of \$5,000 and/or notify the recipient in writing of your redesignation of the contribution. In the best interest of your committee, all refunds and redesignations should be made within sixty days of the treasurer's receipt of the contribution(s).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the candidate(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on

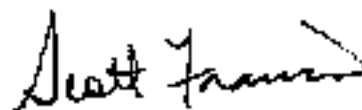
*might  
got a  
\$1000  
refund  
check  
dated  
5/14/97  
from  
D'Amato.*

Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.2(b)

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Scott Francis  
Reports Analyst  
Reports Analysis Division

268

per Scott 7/16/97  
4:45pm

1. report on Schedule A

send 16 on meth  
report (6/30/97).

2. Send cover letter, with copy of our letter, their check & their letter, to Scott explaining what occurred.

Transmitted Via Facsimile

May 13, 1997

Friends of Senator D'Amato  
Mineola, New York 11501

Attention: Natalie Krous

Re: Political Contribution

Dear Ms. Krous:

As we discussed by phone this afternoon, during a review conducted this morning of campaign contributions made by the ABB Daimler-Benz Transportation USA Employees' Political Fund, it was discovered that contributions in excess of the \$5,000 allowed per election appear to have been inadvertently made to Friends of Senator D'Amato.

The first contribution was made by check dated December 27, 1995 by the AEG Transportation Systems, Inc. Associates Political Fund. In 1996, the Fund was renamed the ABB Daimler-Benz Transportation USA Employees' Political Fund, and a check was issued in our new name to the Friends of Senator D'Amato on December 6, 1996 in the amount of \$5,000. As I stated over the phone, the excessive contribution of \$1,000 was done inadvertently and we request that you immediately refund the \$1,000 in a check payable to our Fund which should be sent to the attention of our Fund Treasurer, Ms. Rayna Scarlato, c/o ABB Daimler-Benz Transportation USA Employees' Political Fund, 1501 Lebanon Church Road, Pittsburgh, PA 15236.

Of course, if your records indicate differently than I have set forth in this letter, please contact me at (412) - 655 - 5403.

Your understanding in this matter is appreciated. We apologize for any inconvenience.

Very truly yours,



B. Timothy Stanny  
Attorney

7/2/97  
They didn't  
discover the error  
because we gave  
the second contribution  
under our new name.

# ADtranz

ABB Daimler-Benz Transportation

1501 Lebanon Church Road  
Pittsburgh, PA 15296-1481  
USA  
Phone: (412) 866-6700

May 23, 1997

Mr. Timothy Jenkins  
Attorney at Law  
O'Connor & Hannon  
Suite 800  
1919 Pennsylvania Ave., N.W.  
Washington, DC 20006-3483

Dear Tim:

As you know, the AEG Transportation Systems, Inc. Associates Political Fund made a contribution by check dated Dec. 27, 1995 to Friends of Senator D'Amato for \$1,000, with a notation on the memo line: "1988 election". A second contribution for \$5,000 by check dated December 6, 1996 was made to the Friends of Senator D'Amato by the renamed ABB Daimler-Benz Transportation USA Employees' Political Fund. No notations are on the memo line of that check.

As you know, when the excessive contribution of \$1,000 was discovered on May 13, 1997, I immediately contacted the office for the Friends of Senator D'Amato, verified the transactions, and sent the letter requesting a refund of \$1,000, a copy of which is enclosed. (Apparently, the Senator's Committee did not pick up the excessive amount because of the name change.) We have now received the refund of \$1,000, as you can see in the enclosed copy of the check.

I had planned on bringing this matter to the attention of the FEC in our next report. You indicated that you believe it would be better to send a letter immediately recounting the oversight. Please provide me with a copy of the letter.

If I can answer any other questions, please contact me.

Sincerely,



B. Timothy Stanny  
Corporate Counsel

Enclosures

Rayna Scarlato

w/o enclosures

Peter Stetler

w/o enclosures

Transmitted Via Facsimile

May 13, 1997

Friends of Senator D'Amato  
Mincola, New York 11501

Attention: Natalie Krous

Re: Political Contribution

Dear Ms. Krous:

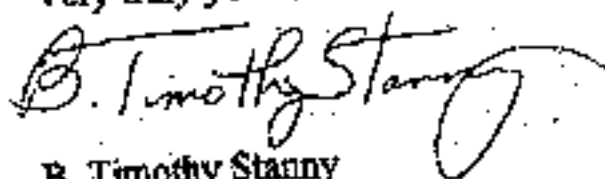
As we discussed by phone this afternoon, during a review conducted this morning of campaign contributions made by the ABB Daimler-Benz Transportation USA Employees' Political Fund, it was discovered that contributions in excess of the \$5,000 allowed per election appear to have been inadvertently made to Friends of Senator D'Amato.

The first contribution was made by check dated December 27, 1995 by the AEG Transportation Systems, Inc. Associates Political Fund. In 1996, the Fund was renamed the ABB Daimler-Benz Transportation USA Employees' Political Fund, and a check was issued in our new name to the Friends of Senator D'Amato on December 6, 1996 in the amount of \$5,000. As I stated over the phone, the excessive contribution of \$1,000 was done inadvertently and we request that you immediately refund the \$1,000 in a check payable to our Fund which should be sent to the attention of our Fund Treasurer, Ms. Rayna Scariato, c/o ABB Daimler-Benz Transportation USA Employees' Political Fund, 1501 Lebanon Church Road, Pittsburgh, PA 15236.

Of course, if your records indicate differently than I have set forth in this letter, please contact me at (412) - 655 - 5403.

Your understanding in this matter is appreciated. We apologize for any inconvenience.

Very truly yours,



B. Timothy Stanny  
Attorney

Tim

9/20/97

2559

1-2-210 - B4B

CHECK AMOUNT

\$ 1000.00



EXPLANATION	AMOUNT

DOLLARS

CHECK NUMBER

2559

PAY AMOUNT OF One thousand 00/100

TO THE ORDER OF ABS Dumber Bus Transportation Washing DC Fund

FRIENDS OF SENATOR D'AMATO

THE CHASE MANHATTAN BANK  
MINEOLA, NY 11501

*Spade Schwaner*

⑈002559⑈ ⑈02100002⑈ ⑈8931⑈ ⑈04⑈ ⑈8⑈

DATE

5-14-97

112011



# ADtranz

ABB Daimler-Benz Transportation

1501 Lebanon Church Road  
Pittsburgh, PA 15205-1491  
USA  
Phone: (412) 655-5700

June 4, 1997

Mr. Timothy Jenkins  
Attorney at Law  
O'Connor & Hamon  
Suite 800  
1919 Pennsylvania Ave., N.W.  
Washington, D.C. 20006-3483

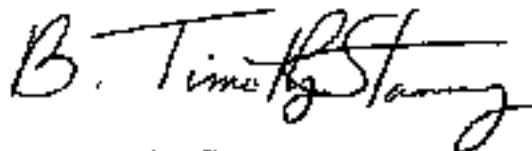
Dear Tim:

Let me correct my letter to you of May 23, 1997 re: donations to Friends of Senator D'Amato. The contributions in question were as follows:

- 1) AEG Transportation Systems, Inc. Associates Political Fund check dated December 27, 1995 to Friends of Senator D'Amato for \$1,000 and with notation "1998 election".
- 2) ABB Daimler-Benz Transportation USA Employees' Political Fund check dated December 6, 1996 to Friends of Senator D'Amato for \$5,000 and with notation "Primary".

Copies of the checks are included. Of course, it was the notation "Primary" on the second check that inadvertently created the problem of an excessive contribution with regard to the 1998 primary election and led to our request of the refund of \$1,000 from D'Amato. In my letter of May 23, 1997 to you, I incorrectly stated that the second check contained no notation on the memo line.

Sincerely,



B. Timothy Stanny  
Corporate Counsel

cc. Rayna Scarlato ✓



*disbursement*

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**ABB DAIMLER-BENZ TRANSPORTATION USA**  
EMPLOYEES' POLITICAL FUND  
1801 LEBANON CHURCH RD  
PITTSBURGH, PA 15236-1481

DATE

December 6, 1996

PAY TO THE ORDER OF

Friends of Senator D'Amato

\$ 5,000.00

Five thousand and 00/100

DOLLARS



**Mellon Bank**

Mellon Bank, N.A.  
Member FDIC  
Pittsburgh, PA

FOR Primary

⑆000706⑆ ⑆043000251⑆

102044770

Treasurer

**AEG TS TRANSPORTATION SYSTEMS, INC.**

ASSOCIATION OF POLITICAL FUNDS  
1528 LEXINGTON CHURCH RD  
PITTSBURGH, PA 15206-1491

December 27 1992

\$ 1,000.00

TO THE ORDER OF Friends of Senator D'Amato

One thousand dollars and no/100



**Mellon Bank**  
Member FDIC

FOR 1998 election

⑆000429⑆ ⑆043000281⑆

102

*Raymond A. ...*

AEG TS, INC. ASS. POL. FUND

AEG Transportation Systems Inc.  
Associates Political Fund

Friends of Senator A'AMATO  
Attention: Natalie Krouse  
PO Box 1000  
Minneapolis, NY 11501

Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE  
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

Hand Delivered

DATE OF RECEIPT

*7-22-97*

First Class Mail

POSTMARKED

Registered/Certified Mail

POSTMARKED

No Postmark

Postmark Illegible

Received from the House Office of Records  
and Registration

DATE OF RECEIPT

Received from the Senate Office of Public  
Records

DATE OF RECEIPT

Other (Specify):

POSTMARKED

and/or DATE OF RECEIPT

*JMW*

PREPARER

*7-22-97*

DATE PREPARED