



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2785

DATE FILMED 6/15/88 CAMERA NO. 9

CAMERAMAN AS

89040752335

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM 06C-#1022

SNEAD AND PROMIS  
ATTORNEYS AT LAW  
2000 GAYLORD STREET, SUITE 100  
DENVER, COLORADO 80205-5622

88 NOV 14 AM 10:29

*Mon 2785*

MAXWELL A. SNEAD JR.  
VICTORIA G. PROMIS

(303) 322-2255

November 8, 1988

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

Dear Sir or Madame:

This law firm represents the Schroeder for Congress Committee, Inc., identification number H.R.-017426. Pursuant to the instructions contained in 11 C.F.R. 111.4, the Committee has prepared a complaint for processing. The complaint, submitted in three executed copies, is enclosed.

Sincerely,



Victoria G. Promis

VGP/sp

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CC-4 HJ 91 NOV 88  
NOV 14 PM 4:30

807054

## COMPLAINT

Pursuant to the provisions of 2 U.S.C. 437g and of 11 C.F.R. 111.4, the following complaint is hereby submitted to the General Counsel of the Federal Election Commission for violations of the Federal Election Campaign Act and regulations thereunder:

1. Complainant: Schroeder for Congress Committee, Inc.  
2000 Gaylord Street  
Denver, Colorado 80205.
2. Respondent: Citizens for a Responsible Congress  
Address Unknown.
3. Date: November 7, 1988
4. Facts:

Complainant is the authorized campaign committee of Patricia Schroeder, Democratic candidate for reelection to the U. S. House of Representatives from Colorado's First Congressional District. Citizens for a Responsible Congress, the Respondent, has paid for a campaign flyer expressly advocating the defeat of Rep. Schroeder. Rep. Schroeder is clearly identified in the flyer by name and by picture. This flyer also expressly advocates the election of Rep. Schroeder's Republican opponent, Joy Wood. Ms. Wood is clearly identified in the flyer by name and by picture. The flyer was brought to the attention of the Complainant by Rick Taylor, Democratic committeeman for precinct number 233B in Denver, Colorado. Mr. Taylor lives at 559 South Bryant Street, Denver, Colorado 80219. Mr. Taylor has advised the Complainant that one flyer was delivered to his home and that a second flyer was placed upon his car windshield while it was parked in a grocery store parking lot at Alameda Avenue and Zuni Street in Denver. He received these flyers on the weekend of November 5 and November 6, 1988. A copy of the flyer is attached hereto as Exhibit A.

2 U.S.C. 441d and 11 C.F.R. 110.11 require any communication which expressly advocates the election or defeat of a clearly identified candidate to contain a disclaimer which shall appear and be presented in a clear and conspicuous manner to give the reader notice of the identity of persons who paid for and who authorized the communication. The flyer paid for by the Respondent contains no authorization statement. It is impossible for

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Complainant to determine whether or not the flyer was authorized by Joy Wood, her authorized campaign committee or an agent of either. The improper notice constitutes a violation of the Federal Election Campaign Act and the regulations thereunder.

It is the opinion and belief of the Complainant that the cost of preparation of the flyer exceeds \$250.00. If the Respondent is operating without authorization from Joy Wood, her authorized campaign committee or an agent of either and if the Respondent has paid more than \$250.00 in the preparation of the flyer, Respondent must comply with 2 U.S.C. 434(c) and 11 C.F.R. 109, including reporting of independent expenditures to the Federal Election Commission. Complainant has not been able to locate any such report for Respondent. It is Complainant's opinion and belief that a second violation may exist in Respondent's failure to comply with federal law regarding the reporting of independent expenditures.

I declare under penalties of perjury that I have examined this Complaint and that, to the best of my knowledge, the information contained herein is true and correct.

SCHROEDER FOR CONGRESS COMMITTEE, INC.  
Complainant

By: Victoria G. Promis  
Treasurer

STATE OF COLORADO )  
 ) ss.  
City and County of Denver )

The foregoing Complaint was subscribed and sworn to before me this 7th day of November, 1988 by Victoria G. Promis, Treasurer of the Schroeder for Congress Committee, Inc.

Witness my hand and official seal.

My Commission expires: December 1, 1990.

[Seal]

Maxwell A. Sneed  
Notary Public

**THERE IS A MAJOR  
DIFFERENCE  
BETWEEN  
JOY WOOD  
AND  
PAT SCHROEDER  
ON  
ISSUES IMPORTANT  
TO  
YOU, YOUR CHILDREN  
AND  
YOUR COUNTRY!**

**FOR MORE DETAILS SEE INSIDE.**



**PAT SCHROEDER  
DEMOCRAT**

# SCORECARD 88



**JOY WOOD  
REPUBLICAN**

**PAT SCHROEDER STARTS TALKING LIKE A CONSERVATIVE  
WHEN ELECTION TIME COMES AROUND**

**NOTHING COULD BE FURTHER FROM THE TRUTH!**

**PAT SCHROEDER CONSISTENTLY VOTES WITH THE LEFTIST LIBERALS ON  
SUCH ISSUES AS:**

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OPPOSES	AID TO THE FREEDOM FIGHTERS	SUPPORTS
OPPOSES	PLEDGE NOT TO RAISE TAXES	SUPPORTS
OPPOSES	S D I (DEFENSE AGAINST NUCLEAR ATTACK)	SUPPORTS
OPPOSES	DEFENDING AMERICA WITH B1 BOMBER, MX , STEALTH	SUPPORTS
OPPOSES	VOLUNTARY PRAYER OR SILENCE IN PUBLIC SCHOOLS	SUPPORTS
OPPOSES	PARENTAL CHOICE IN EDUCATION	SUPPORTS
OPPOSES	A BALANCED BUDGET AMENDMENT	SUPPORTS
SUPPORTS	EXORBITANT PAY INCREASES FOR CONGRESS	OPPOSES
SUPPORTS	TAXPAYER FUNDING OF ABORTION	OPPOSES
SUPPORTS	LEFTIST LIBERAL A C L U	OPPOSES
SUPPC RTS	HOMOSEXUAL BILL OF RIGHTS, N.O.W., E.R.A.	OPPOSES
SUPPORTS	C.I.S.P.E.S. (COMMUNIST GUERRILLAS IN EL SALVADOR	OPPOSES

**PAT IS ON THE NATIONAL LAWYER'S GUILD'S HONORARY COMMITTEE,  
WITH U.S. COMMUNIST PARTY LEADER ANGELA DAVIS.**

According to a C.I.A. study, "this is one of the most useful communist front organizations at the service of the Soviet Union Communist Party."

A memorandum by Pat, written in her own handwriting, states:  
"IF YOU CAN AFFORD A GIFT OF \$200.00 OR MORE, AND WANT  
A TAX DEDUCTION. PLEASE JOIN ME AS A SPONSOR OF THE  
NICARAGUAN NETWORK."

Pat condemned Colonel North for supporting the freedom fighters...  
HOW DO YOU LIKE THAT FOR HYPOCRISY?

**PAT SCHROEDER VOTED TO GIVE AWAY OUR PANAMA CANAL**

UNDER CARTER'S ADMINISTRATION THIS ACTION SET IN MOTION  
NORIEGA'S DICTATORSHIP

**PAT SCHROEDER'S SO-CALLED FACT-FINDING TRIP.**

SHE AND HER HUSBAND WENT TO EUROPE THIS YEAR ON AN  
AIR FORCE JET, COSTING US TAXPAYERS

**\$25,000**

**PAT AGREED WITH JANE FONDA**

**PAT DID NOT SUPPORT OUR MEN IN VIETNAM**

**PAT DOESN'T LIVE HERE ANY MORE!**

- NOR DOES SHE LIVE IN WASHINGTON D.C.
- NOR DID HER CHILDREN GO TO PUBLIC SCHOOLS IN WASHINGTON
- PAT LIVES IN PLUSH VIRGINIA
- PAT'S CHILDREN ATTENDED EXCLUSIVE PRIVATE SCHOOLS

**PAT SCHROEDER'S IMAGE AS A REPRESENTATIVE OF DENVER,  
AND HER SARCASTIC WIT IS DISTASTEFUL:**

- DRESSING AS A RABBIT IN A FOREIGN COUNTRY
- WRAPPING HERSELF IN OUR FLAG TO GET NOTORIETY
- TELLING RACIST JOKES ABOUT BLACKS AND POSTAL WORKERS
- GETTING HERSELF ARRESTED, BREAKING OUR LAWS
- CRYING BECAUSE SHE COULD NOT RUN FOR PRESIDENT

**DO WE WANT A REPRESENTATIVE  
WHO BEHAVES LIKE THIS?**

**THE PEOPLE OF COLORADO AND THE UNITED STATES CANNOT AFFORD  
TWO MORE YEARS OF PAT SCHROEDER AND THE LIBERAL CONGRESS!**

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**JOY WOOD**

**ABOUT JOY...**

**PERSONAL**

Denver native, Married to Clinton Wood, Denver native, Vietnam veteran and businessman, Mother of four children

**EDUCATION**

Graduate of Denver South High School, Graduate of University of Northern Colorado, Graduate of Columbia University

**ACTIVITIES**

Taught in three Illinois colleges, Member of five Denver Public School committees, Active in church, civic and political organizations

**JOY WOOD believes THOMAS JEFFERSON:**

*"Freedom is not just for our country, not just for some people, but for all people and all times. The God who gave us life gave us liberty."  
"The price of Freedom is constant vigilance."*

- **WILL** 1. Work for better business opportunity in Denver through sound federal budgets, no tax increases, reduced federal interference in small business.
- **WILL** 2. Work to lower crime rates through increased federal restrictions on illegal drugs and enforcement of pornography statutes.
- **WILL** 3. Work for Denver schools and teachers in securing budgeted education funds for federally mandated rulings here, instead of bureaucracies elsewhere.
- **WILL** 4. Work for a progressive national defense posture with enhanced missions for Colorado facilities.
- **WILL** 5. Work to repeal 1987 legislation that began numbering and taxing children and raised congressional salaries.
- **WILL** 6. Represent you and Denver with dignity and honor.
- **WILL** 7. Not break the laws of our land.
- **WILL** 8. Respect our flag and what it stands for because of her love for America. She will not use the flag disrespectfully for notoriety.

Joy would have called for an investigation of treason into Jane Fonda's trip to Hanoi, which gave comfort and support to our enemy, as our brave men were being imprisoned, tortured and killed, trying to save the Vietnamese people from Communist enslavement and death.

**Joy's husband served the cause of freedom in Vietnam,**

**What can we do for our country?**

**What can we do for ourselves and the freedom of our children?**

**THIS TIME VOTE ALL-REPUBLICAN!**

PAID FOR BY CITIZENS FOR A RESPONSIBLE CONGRESS.

All Information herein was taken from newspaper articles

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FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

November 21, 1988

Victoria G. Promis, Treasurer  
Schroeder For Congress  
Committee, Inc.  
2000 Gaylord Street  
Denver, CO 80205

RE: MUR 2785

Dear Ms. Promis:

This letter acknowledges receipt on November 14, 1988, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by Joy Wood For Congress and Linda Harrison, as treasurer, and Citizens For A Responsible Congress. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 2785. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints. If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble  
General Counsel

By:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
Procedures

89040752343



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

November 21, 1988

Linda Harrison, Treasurer  
Joy Wood For Congress  
6562 E. Cornell Avenue  
Denver, CO 80224

RE: MUR 2785  
Joy Wood For Congress  
and Linda Harrison, as  
treasurer

Dear Ms. Harrison:

The Federal Election Commission received a complaint which alleges that Joy Wood For Congress and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2785. Please refer to this number in all future correspondence.

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

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

89040752344

If you have any questions, please contact Phillip Wise, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble  
General Counsel



By: Lois G. Lerner  
Associate General Counsel

Enclosures

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

cc: Ms. Joy Wood  
6562 E. Cornell Avenue  
Denver, CO 80224

89040752345



# JOY WOOD for Congress

Linda Harrison, Treasurer

6562 E. Cornell  
Denver, CO 80224  
303-753-9149  
Nov. 26, 1988

RE MUR 2785  
Joy Wood for Congress

Dear Sirs,

Please find enclosed the only piece of literature authorized and paid for by this campaign in the 1988 season.

All newspaper ads carried the same disclaimer with address and phone number. No TV or radio was produced by this campaign.

This campaign believes it operated within the spirit and the letter of the law.

Thank you for your consideration.

Sincerely,

*Joy Wood*

Joy Wood  
Republican Candidate 1988  
US Congress Colorado District 1

P.S. Please note our change of treasurer on 11-6-88 to Ken Glover. These organization papers were filed.

88 NOV 30 PM 2:24

RECEIVED  
FEDERAL ELECTION COMMISSION

88 NOV 30 PM 1:24

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

**Why  
Is  
JOY  
WOOD  
Running  
For  
Congress?**

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89940752348



**JOY WOOD believes THOMAS JEFFERSON:**

"Freedom is not just for our country, not just for some people, but for all people and all times. The God who gave us life gave us liberty."

## **JOY WOOD WILL WORK FOR DENVER**

1. She will work for better business opportunity in Denver through sound federal budgets, no tax increases, reduced federal interference in small business.
2. She will work for lowered Denver crime rates through increased federal restrictions on illegal drugs and enforcement of pornography statutes.
3. She will work for Denver schools and teachers in securing budgeted education funds for federally mandated rulings here instead of bureaucracies elsewhere.
4. She will work for a progressive national defense posture with enhanced missions for Colorado facilities.
5. She will work to repeal 1987 legislation that began numbering and taxing children and raised congressional salaries with no regard for Denver's economy.

Paid for by Joy Wood for Congress, Linda Harrison, Treasurer.  
753-9149 P.O. Box 22531 Denver, CO 80222

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## Dear Denver Voter:

*I believe Denver deserves and needs a change. Denver has changed a lot since the early 1970's, and it needs a U.S. Representative who reflects those changes.*

*As a Denver native, the wife of a businessman, and the mother of four children in the Denver Public Schools, I pledge to work for Denver-first.*

*Denver needs someone who will build a positive business reputation for our community. We need someone who will attract jobs to Denver. We need someone who will back the President as he seeks a strong defense for our country. We need a representative who will work to shut off the flow of illegal drugs to this country, and get criminals off the street. And we need someone in Congress who will provide leadership to solve the tough issues facing Denver, from air pollution to transportation to water.*

*If you're ready for a change, when you step into the voting booth November 8, remember, Joy Wood, for Congress, for Denver.*

Sincerely,

Joy Wood

## ABOUT JOY...

### PERSONAL

Denver native

Married to Clinton Wood, Denver native, Viet Nam veteran and businessman

Mother of four children

### EDUCATION

Graduate of Denver South High School

Graduate of the University of Northern Colorado

Graduate of Columbia University

### ACTIVITIES

Taught in three Illinois colleges

Member of five Denver Public School committees

Active in church, civic and political organizations

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SCHROEDER FOR CONGRESS COMMITTEE, INC. 88 DEC 12 AM 9:50

2000 Gaylord Street  
Denver, Colorado 80205

December 5, 1988

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

88 DEC 12 PM 3:06

Dear Sir or Madame:

On November 8, 1988, the Schroeder for Congress Committee, Inc. filed a complaint with you against Citizens for a Responsible Congress, Respondent. This matter currently is under investigation by you under number MUR 2785. In the complaint, the Schroeder Committee stated that it was unaware of the address of the Respondent. Since filing the complaint, we have received information identifying a contact person for the Respondent as Pauline MacPherson. Ms. MacPherson's address is 1621 South Tennyson Street, Denver, Colorado 80219. Please include this information with the complaint filed by the Schroeder Committee.

Sincerely,

*Victoria G. Promis*  
Victoria G. Promis  
Treasurer

VGP/sp

STATE OF COLORADO

City and County of Denver

)  
) ss.  
)

The foregoing letter was subscribed and sworn to before me this 5th day of December, 1988 by Victoria G. Promis, Treasurer of the Schroeder for Congress Committee, Inc.

Witness my hand and official seal.

My commission expires: December 1, 1990.

[Seal]

*Maxwell A. Sneed*  
Notary Public

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**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

December 23, 1988

Citizens For A Responsible  
Congress  
1621 S. Tennyson Street  
Denver, CO 80219  
Attn: Paulina MacPherson

RE: MUR 2785  
Citizens For A  
Responsible Congress

Dear Ms. MacPherson:

The Federal Election Commission received a complaint which alleges that the Citizens For A Responsible Congress ("Committee") may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2785. Please refer to this number in all future correspondence.

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

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

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If you have any questions, please contact Phillip Wise, the staff member assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble  
General Counsel

  
By: Lois G. Lerner  
Associate General Counsel

Enclosures

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

89040752353

FEDER

RECEIVED

COMMISSION

RECEIVED

FEDERAL ELECTION COMMISSION

900037

06C 1511

89 JAN -6 PM 2:10

89 JAN -6 AM 9:02, 1988

## Federal Election Commission

Dear Mr Nobel &amp; Mr. Lerner,

In response to your letter I received concerning matter ~~HHS 2705~~. I would like to state my opinion. The group identifying themselves as Citizens For a Responsible Congress did not violate any laws of the FEC act 1971.

Information given to this group was that if costs did not exceed \$250.00 then no registration with the FEC was necessary. This information was given by the FEC by phone conversation in Mid Oct. To my knowledge expenses were minimal and all distributions were volunteer by Denver Citizens who wanted to see a more Responsible Congress

Thank You,

Mrs. MacPherson

934-0685

89040752354

RECEIVED  
FEDERAL ELECTION COMMISSION

89 MAY 17 PM 12:42

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

**FIRST GENERAL COUNSEL'S REPORT**

**SENSITIVE**

**EXECUTIVE SESSION**

**MAY 23 1989**

MUR 2785  
DATE COMPLAINT RECEIVED  
BY OGC: November 14, 1988  
DATE OF NOTIFICATION TO  
RESPONDENT: November 21, 1988  
STAFF MEMBER: Phillip L. Wise

COMPLAINANTS: Schroeder for Congress Committee,  
Inc. and Victoria G. Promis, as  
treasurer

RESPONDENTS: Joy Wood for Congress and Ken  
Glover, as treasurer

Citizens for a Responsible Congress  
and its treasurer

RELEVANT STATUTES: 2 U.S.C. § 431(17)  
2 U.S.C. § 434(c)  
2 U.S.C. § 441d

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

On November 14, 1988, the Schroeder for Congress Committee, Inc. by its treasurer, filed this complaint against the Citizens for a Responsible Congress ("Citizens"). The complaint alleges that Citizens paid for a campaign flyer that expressly advocated the defeat of Representative Schroeder and expressly advocated the election of Joy Wood but that the flyer did not contain a statement whether or not it was authorized by Joy Wood or any other candidate as required by 2 U.S.C. § 441d and that Citizens did not file any report of its independent expenditures as required by 2 U.S.C. § 434(c). See Attachment 1.

89040752355

On November 14, 1988, when the complaint was filed, the complainant was unable to furnish an address for Citizens. Citizens was not registered with the Commission; therefore, a staff member from this Office telephoned the Election Officer at Colorado's Office of the Secretary of State to obtain an address for Citizens. This staff member was informed that Citizens was not registered in Colorado. Since no address was available for Citizens this Office was unable, for a period of time, to give notice to this respondent.

Based on the facts (1) that the Wood Committee was referred to in the complaint, (2) that the Committee was registered with the Commission, and (3) that the investigation might reveal possible violations by the Wood Committee, this Office gave notice to the Wood Committee as a respondent.

The Wood Committee furnished a copy of the only flyer allegedly authorized by it, and, as that flyer is different from the flyer presented by the complainant, there is no evidence which connects the Wood Committee with the flyer which is the subject of the complaint. The only flyer allegedly authorized by Joy Wood clearly states that the communication has been paid for by the Wood Committee. See Attachment 2. Thus, there appears to have been no violation of the Act or the Commission's Regulations by the Wood Committee in reference to this complaint.

On December 12, 1988, the complainant filed additional information containing the name and address of a contact person for Citizens (Pauline MacPherson, 1621 South Tennyson Street, Denver, Colorado 80219). Notice was then mailed to this

83040752356

address. See Attachment 3. On January 6, 1989, Ms. McPherson filed a response to the complaint. See Attachment 4.

## II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that every person (other than a political committee) who makes independent expenditures that aggregate in excess of \$250 in a calendar year shall file a report containing certain information with the Commission. 2 U.S.C. § 434(c). The Act defines "independent expenditure" to mean an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestions of, any candidate, or any authorized committee or agent of such candidate. 2 U.S.C. § 431(17).

The Act further provides that whenever any person makes any expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, such communication shall contain a disclaimer identifying who paid for the communication and whether or not it was authorized by any candidate or authorized political committee of a candidate. 2 U.S.C. § 441d.

The flyer that is the subject of this complaint clearly identified Pat Schroeder and Joy Wood, Democratic and Republican

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candidates respectively for the House of Representatives in the First Congressional District of Colorado in 1988. A substantial portion of the flyer is devoted to comparing Pat Schroeder's and Joy Wood's positions on a number of issues, criticizing Pat Schroeder's record, and praising Joy Wood's platform. It specifically states:

Do we want a representative who behaves like this?

The people of Colorado and the United States cannot afford two more years of Pat Schroeder and the Liberal Congress!

....

What can we do for our country?

What can we do for ourselves and the freedom of our children?

This Time vote all-Republican!

Thus, the flyer expressly advocated the defeat of Pat Schroeder and the election of Joy Wood.

The complaint states that one flyer was delivered to an individual's home and another placed on the windshield of his car at a grocery store parking lot on the weekend of November 5-6, 1988. Therefore, the flyer was apparently distributed through a means of general public political advertising. The flyer stated: "Paid for by Citizens for a Responsible Congress." It did not state whether or not it was authorized by Joy Wood or her committee, as required by 2 U.S.C. § 441d.

The response further states:

"Information given to this group was that if costs did not exceed \$250.00 then no registration with the FEC was necessary. This information was given by the FEC by phone conversation in Mid Oct. To my knowledge expenses were minimal and all distributions were volunteer by Denver citizens who wanted to see a more Responsible Congress."

89040752358

Thus, it does not appear that Citizens expended more than \$250 for the flyer. Therefore, it does not appear it was required to file any report with the Commission pursuant to 2 U.S.C. § 434(c).

Accordingly, this Office recommends that the Commission find reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 441d and take no further action. We also recommend the Commission find no reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 434(c).

### III. RECOMMENDATIONS

1. Find no reason to believe that Joy Wood for Congress and Ken Glover, as treasurer, violated any provision of the Act or the Commission's Regulations in reference to this complaint filed by the Schroeder for Congress Committee, Inc.
2. Find reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 441d and take no further action.
3. Find no reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 434(c).
4. Approve the attached letters (3).
5. Close the file.

Lawrence M. Noble  
General Counsel

May 16, 1989  
Date

BY:

George F. Riskel  
Acting Associate General Counsel

#### Attachments

1. Complaint
2. Response by Wood Committee
3. Amendment to Complaint
4. Response by Citizens
5. Proposed letters (3)

9 5 3 2 7 5 4 0 7 3 0 4 0 3 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Joy Wood for Congress and  
Ken Glover, as treasurer

Citizens for a Responsible Congress  
and its treasurer

MUR 2785

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission Executive Session of May 23, 1989, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to the above-captioned matter:

1. Find no reason to believe that Joy Wood for Congress and Ken Glover, as treasurer, violated any provision of the Act or the Commission's Regulations in reference to this complaint filed by the Schroeder for Congress Committee, Inc.
2. Find reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 441d and take no further action.
3. Find no reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 434(c).
4. Approve the letters (3) recommended in the General Counsel's report dated May 16, 1989.
5. Close the file as recommended in the General Counsel's report dated May 16, 1989.

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

May 24, 1989  
Date

Hilda Arnold  
Hilda Arnold  
Administrative Assistant

89040752360



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 31, 1989

Ken Glover, Treasurer  
Joy Wood For Congress  
6562 E. Cornell Avenue  
Denver, Colorado 80224

RE: MUR 2785  
Joy Wood For Congress and  
Ken Glover, as treasurer

Dear Mr. Glover:

On November 21, 1988, the Federal Election Commission notified Joy Wood For Congress ("Committee") and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On May 23, 1989, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Joy Wood For Congress and you, as treasurer, violated any statute within the Commission's jurisdiction. Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in dark ink, appearing to be "L. G. Lerner", written over a horizontal line.

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 31, 1989

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Victoria G. Promis, Treasurer  
Schroeder For Congress Committee, Inc.  
2000 Gaylord Street  
Denver, Colorado 80205

RE: MUR 2785

Dear Ms. Promis:

This is in reference to the complaint you filed with the Federal Election Commission on November 14, 1988, concerning Citizens For A Responsible Congress and its treasurer.

Based on that complaint, on May 23, 1989, the Commission found that there was reason to believe Citizens For A Responsible Congress and its treasurer violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission determined to take no further action against Citizens For A Responsible Congress and its treasurer. On that same date, the Commission determined that there was no reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 434(c). Finally, on May 23, 1989, the Commission found that on the basis of the information provided in your complaint, and information provided by Joy Wood For Congress and Ken Glover, as treasurer, there is no reason to believe Joy Wood For Congress and Ken Glover, as treasurer, violated any statute within the Commission's jurisdiction. Accordingly, on May 23, 1989, the Commission closed the file in this matter. The Federal Election Campaign Act of 1971, as amended ("the Act") allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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Victoria G. Promis, Treasurer  
Page 2

If you have any questions, please contact Phillip L. Wise,  
the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 31, 1989

Pauline MacPherson  
Citizens For A Responsible  
Congress  
1621 S. Tennyson Street  
Denver, Colorado 80219

RE: MUR 2785  
Citizens For A Responsible  
Congress and its treasurer

Dear Ms. MacPherson:

On December 23, 1988, the Federal Election Commission notified Citizens for a Responsible Congress and its treasurer of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On May 23, 1989, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Citizens for a Responsible Congress and its treasurer violated 2 U.S.C. § 434(c). On that same date, the Federal Election Commission found reason to believe that Citizens For A Responsible Congress and its treasurer violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file.

The Commission reminds you that failure to place a disclaimer on communication identifying who paid for communications expressly advocating the defeat or election of a clearly identified candidate, and whether or not it was authorized by a candidate or candidate's political committee, appears to be a violation of 2 U.S.C. § 441d. You should take immediate steps to insure that this activity does not occur in the future.

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Pauline MacPherson  
Page 2

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Please send such materials to the General Counsel's Office.

If you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lee Ann Elliott  
Vice Chairman

Enclosure  
General Counsel's Report

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2785

DATE FILMED 6/15/89 CAMERA NO. 4

CAMERAMAN AS

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