



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3514

DATE FILMED \_\_\_\_\_ CAMERA NO. \_\_\_\_\_

CAMERAMAN \_\_\_\_\_

93040930144

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

MAY 1 10 58 AM '92

411 North "I" St.,  
Aberdeen, Wash.  
April 27, 1992

MUR 3514

Office of General Counsel,  
Federal Election Commission,  
Washington, D.C. 20463

Ladies and Gentlemen:

As stated in my letter of April 7, 1992, I believe that M.C. Rod Chandler, who is a candidate (I believe because of his campaign literature, which was mailed to me) for the United States Senate from the State of Washington, has violated various laws of the United States. Besides violation of felony laws, which may not be in your jurisdiction, there could be a violation of one or more of the election laws, which are in your jurisdiction.

Following your instructions, I submit my affidavit on this issue.

STATE OF WASHINGTON     )  
                                      ) SS.  
COUNTY OF GRAYS HARBOR )

I, Stanley J. Trohimovich, first being duly sworn, upon oath, depose and say:

1. That, on April 7, 1992, I wrote a letter to the United States Attorney at Seattle. A copy of this letter is attached as Exhibit # 1. All factual statements made in the April 7 letter are true and correct. The fact that Chandler's March 25 letter uses his address as a M.C. led to my conclusion that his "Senate Campaign" "is being run out of his Congressional Office."
2. I attach a copy of Chandler's March 25, 1992 as Exhibit # 2.
3. I attach a copy of the face of the envelope, which transmitted the March 25, 1992 letter, as Exhibit # 3.
4. I have had no communication from the United States Attorney as a result of my April 7 letter.

Dated: April 27, 1992.

*Stanley J. Trohimovich*  
Stanley J. Trohimovich

SUBSCRIBED AND SWORN to before me on this 27th day of April, 1992. Notary Public in and for the State of Washington residing in Aberdeen.

*Shirley M. [Signature]*

The foregoing matters present my entire information, which leads me to conclude that Rod Chandler has violated our felony and election laws.

If you require further information, I will try to cooperate.

Very truly yours,  
*Stanley J. Trohimovich*  
Stanley J. Trohimovich

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
MAY - 1 PM 3:28

93040930145

411 North 1<sup>st</sup> St.,  
Aberdeen, Wash.  
April 7, 1992

The Incumbent,  
United States Attorney,  
3600 SeaFirst Fifth Avenue Plaza Bldg.,  
Seattle, Wash.

Dear Sir:

Acting under authority of and fulfilling my obligation under 18 U.S.C. §§ 4 and 1512-1515, I bring the following facts to your attention.

Approximately 4 weeks ago, I received some campaign material by mail, which included a request for funds, from the Chandler for Senate Campaign. A postage-prepaid, self-addressed reply envelope was included.

I chose not to make any contribution at that time, but I did ask for information. My request was placed in the envelope provided and mailed. To this point, other than my ink, only Chandler campaign material was used.

Last week, I received the March 25, 1992 letter from Representative Chandler (copy attached) in the envelope (copy attached), which was identified as containing a "Public Document" and "Official Business" with publicly-paid postage. The envelope aroused my curiosity because I do not live in Chandler's district. My interest increased, when I read the first sentence of the letter.

You may recall from the foregoing statements that I made no indication of initiating any contact with Rod Chandler as a Member of Congress. I did ask for information from Candidate for Senate Chandler. This set of facts proves the falsity of the first sentence of the March 25 Chandler letter.

Apparently the Senate Campaign by Mr. Chandler is being run out of his Congressional Office. I believe that there has been a violation of one or more of the felony laws of the United States and this belief forces me to write.

Please contact me, if you require more information.

Very truly yours,

*Stanley J. Trochimovich*  
Stanley J. Trochimovich

cc. The Daily World, Aberdeen  
The Seattle Times  
The Seattle P-I  
The Tacoma News Tribune  
The Thorsness for Senate Campaign, Renton  
Rush Limbaugh, New York City

92 MAY -1 PM 28

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

93040930146

ROD CHANDLER  
EIGHTH DISTRICT, WASHINGTON  
COMMITTEES:  
WAYS AND MEANS  
PORT OFFICE AND CIVIL SERVICE  
223 CANNON BUILDING  
WASHINGTON, DC 20515-4708  
(202) 225-7781

EXHIBIT 2

DISTRICT OFFICE  
50 118TH AVENUE SE.  
SUITE 201  
BELLEVUE, WA 98004  
(206) 563-0116

# Congress of the United States

House of Representatives

Washington, DC 20515-4708

March 25, 1992

Mr. Stanley Trohimovich  
411 N. I Street  
Aberdeen, WA 98520

Dear Mr. Trohimovich:

Thank you for contacting me regarding the issue of abortion.

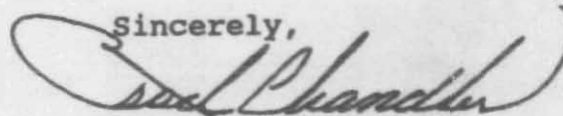
Abortion is perhaps the single most difficult issue I have faced as a Congressman. I strongly believe women have the right to decide the type of medical treatment they receive. At the same time, I cannot ignore the reality that an unborn fetus, with all its human characteristics, is not really distinguishable from a living, though not yet fully developed, human being. Personally, I would counsel against abortions in cases where any reasonable option exists.

I also believe that individuals and families will always reach the best decision on issues of deeply held moral conviction. For that reason, it would be a mistake to reverse the landmark Supreme Court ruling in Roe v. Wade or to otherwise outlaw abortion. While I am "personally" opposed to abortion, I do not believe that my views should hinder the rights of women to choose for themselves.

At the same time, I do support federal funding for abortion only in cases of rape, incest, or when pregnancy presents a threat to the mother's life. Victims of heinous crimes such as rape and incest should not be denied necessary medical attention. To do otherwise would impose further hardship on those who have already suffered too much.

I should also note that I am opposed to the recent Supreme Court ruling in Rust v. Sullivan which would prevent counselors from mentioning abortion as an option for pregnant women. This is often referred to as the "gag rule". Like many, I am concerned that counseling that fails to include all options - even abortion - is not effective or fair. For this reason, I have continued to support efforts to reverse this overly restrictive decision.

Sincerely,



ROD CHANDLER  
Member of Congress

RDC/k1

92 MAY -  
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OFFICE OF GENERAL COUNSEL

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**U.S. HOUSE OF REPRESENTATIVES**

**WASHINGTON, DC 20515-4708**

**PUBLIC DOCUMENT**

**OFFICIAL BUSINESS**

**Address Correction Requested**

**Do Not Forward**

*Paul Chandler* M.C.

ENCLOSURE # 3





FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

May 5, 1992

Stanley J. Trohimovich  
411 North "I" Street  
Aberdeen, Washington 98520

RE: MUR 3514

Dear Mr. Trohimovich:

This letter acknowledges receipt on May 1, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Rod Chandler, Chandler '92 for Senate Exploratory Committee and Gary W. Sergeant, as treasurer. 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 3514. 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.

Sincerely,

*Teresa A. Hennessy*

Teresa A. Hennessy  
Assistant General Counsel

Enclosure  
Procedures

93040930149



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 5, 1992

Chandler '92 For Senate Exploratory Committee  
Gary W. Sergeant, Treasurer  
223 Cannon House Office Building  
Washington, DC 20515-4708

RE: MUR 3514

Dear Mr. Sergeant:

The Federal Election Commission received a complaint which indicates that the Chandler '92 For Senate Exploratory Committee ("Committee") 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 3514. 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 and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

93040930150

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Teresa A. Hennessy*

Teresa A. Hennessy  
Assistant General Counsel

Enclosures

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

cc: The Honorable Rod Chandler

93040930151





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 5, 1992

The Honorable Rod Chandler  
House of Representatives  
223 Cannon House Office Building  
Washington, DC 20515-4708

RE: MUR 3514

Dear Mr. Chandler:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3514. 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 in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

23040930152

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Teresa A. Hennessy*

Teresa A. Hennessy  
Assistant General Counsel

Enclosures

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

93040930153

LANE  
POWELL  
SPEARS  
LUBERSKY

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

MAY 18 10 01 AM '92

May 15, 1992

92 MAY 18 PM 3:38

Grant S. Degginger  
(206) 223-7390

Law Offices

1420 Fifth Ave.  
Suite 4100  
Seattle, WA  
98101-2338

(206) 223-7000

Telex: 32-8808

Facsimile:

(206) 223-7107

A Partnership

Including

Professional

Corporations

Mary Ann Bumgarner, Esq.  
Office of the General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3514 - Congressman Rod Chandler

Dear Ms. Bumgarner:

We are writing in response to Teresa Hennessey's May 5, 1992, letter to Congressman Chandler regarding a complaint submitted by Stanley Trohimovich. We have enclosed a Statement of Designation of Counsel signed by Congressman Chandler.

We understand that Ms. Hennessey's May 5, 1992, letter also was sent to Gary Sergeant, Treasurer of the Chandler '92 for Senate Exploratory Committee. We would appreciate your advising us as to whether a separate Statement of Designation of Counsel form needs to be returned with Mr. Sergeant's signature. We are preparing a response to the documentation that was transmitted and we will provide it to you under separate cover.

In the meantime, I would appreciate your calling me so that we can discuss the designation of counsel question regarding Mr. Sergeant and briefly discuss the procedures in handling this complaint.

Very truly yours,

LANE POWELL SPEARS LUBERSKY

  
Grant S. Degginger

GSD:mlo

Enclosure

cc: The Hon. Rod Chandler  
Gary Sargent

Anchorage, AK  
Los Angeles, CA  
Mount Vernon, WA  
Olympia, WA  
Portland, OR  
Seattle, WA

London, England  
Taipei, Taiwan  
Tokyo, Japan

107,332.001  
J:\DG1\GSD\12390GSD.LTR

STATEMENT OF DESIGNATION OF COUNSELMUR 3514NAME OF COUNSEL: Grant S. DeggingerADDRESS: Lane Powell Spears Lubersky1420 Fifth Ave., Ste. 4100Seattle, WA 98101-2338TELEPHONE: (206) 223-7390 FAX: 206/223-7107


92 MAY 18 PM 3:38

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FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

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

May 15, 1992

Date

  
Signature

RESPONDENT'S NAME:

Rod Chandler

ADDRESS:

P.O. Box 5755Bellevue, Washington98006

HOME PHONE:

644-2360

BUSINESS PHONE:

454-1166

93040930155



LANE  
POWELL  
SPEARS  
LUBERSKY

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

MAY 26 1 37 PM '92

May 19, 1992

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
92 MAY 26 PM 3:40

Grant S. Degginger  
(206) 223-7390

Law Offices

1420 Fifth Ave.  
Suite 4100  
Seattle, WA  
98101-2338

(206) 223-7000

Telex: 32-8808

Facsimile:

(206) 223-7107

A Partnership  
Including  
Professional  
Corporations

Mary Ann Bumgarner, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 "E" Street N.W.  
Washington, D.C. 20463

Re: MUR 3514 - Chandler '92 for Senate Exploratory Committee  
Congressman Rod Chandler

Dear Ms. Bumgarner:

We are writing on behalf of the Chandler '92 Committee and Representative Rod Chandler in response to Teresa Hennessey's May 5, 1992, letter regarding a complaint which the FEC received from Mr. Stanley Trohimovich. Neither the Campaign nor Congressman Chandler believe that there have been any violations of the Federal Election Act, other statutes, or applicable House rules.

We understand that in early March, Mr. Trohimovich sent a written request for Congressman Chandler's position on abortion. The inquiry was received by the Senate campaign. The inquiry was written on a reply card which was prepared, mailed and paid for by the campaign.

Because Mr. Trohimovich wrote a specific request for information directed to Mr. Chandler regarding an issue which Congressman Chandler frequently addresses and votes on in the course of his duties, a member of the campaign staff transmitted Mr. Trohimovich's information request to the Congressional office (via stamped mail) for a response. On or about March 25, 1992, Congressman Chandler wrote to Mr. Trohimovich describing his position on abortion. The letter to Mr. Trohimovich was individually addressed and was not part of any mass mailing. See Affidavit of Judith Butler.

Our reading of Mr. Trohimovich's complaint suggests he is trying to raise two issues. First, he appears to be questioning whether the letter to him was a permissible use of the Frank. Second, he is attempting to suggest that Congressman Chandler

Anchorage, AK  
Los Angeles, CA  
Mount Vernon, WA  
Olympia, WA  
Portland, OR  
Seattle, WA

London, England  
Taipei, Taiwan  
Tokyo, Japan

Mary Ann Bumgarner, Esq.  
May 19, 1992  
Page 2

is running his Senate campaign out of his congressional office. We will respond to both suggestions.

The Franking statute broadly describes the scope of material which can be transmitted via the frank.

"It is the intent of the Congress that such official business, activities, and duties cover all matters which directly or indirectly pertain to the legislative process or to any congressional representative functions generally, or to the functioning, working, or operating of the Congress and the performance of official duties and connection therewith, . . .

39 U.S.C. § 3210(a)(2).

Correspondence describing official positions taken by a member of Congress as well as positions on proposed or pending legislation clearly is frankable. 39 U.S.C. 3210(a)(3)(B). Mr. Chandler's staff reasonably concluded that what was sought by Mr. Trohimovich was Congressman Chandler's official public position on abortion. Since his inquiry was transmitted from the campaign office to the congressional office outside of a franked envelope and not at government expense, we believe that the actions taken were consistent with the Franking Statute and the Federal Election Act.

Mr. Trohimovich's second suggestion, that the Senate campaign is being run from the congressional office, is simply erroneous. For months, the campaign has been paying rent for office space in Bellevue, Washington. The campaign has several full-time staff members who are paid through campaign funds. Every effort is being made to fully comply with the Federal Election Act and House rules.

Mr. Trohimovich's letter does not cite any specific section of the Federal Election Act which he alleges has been violated. Our review of the Act leads us to conclude that there has been no violation.

We noted that Ms. Hennessey's May 5, 1992, letter to the Congressman and to the campaign were sent to the congressional office in Washington, D.C. The campaign's mailing address is P.O. Box 5755, Bellevue, Washington 98006. Also, we note that the letter was sent to the Chandler '92 for Senate Exploratory Committee. The official campaign committee is known as Chandler '92. Attached to the accompanying Affidavit of

93040930157

Mary Ann Bumgarner, Esq.  
May 19, 1992  
Page 3

Judith Butler are copies of letters to the FEC and the Secretary of the Senate which amended Mr. Chandler's statement of candidacy. The letters contain the Committee's correct name and address.

Finally, Gary Sergeant, the Treasurer of Chandler '92 and the Exploratory Committee, was sent a copy of Ms. Hennessey's May 5, 1992, letter. Mr. Sergeant currently is in Hawaii, so we have been unable to obtain his signature on a Designation of Counsel form. We will transmit a fully executed Designation of Counsel form when Mr. Sergeant return to Seattle.

If you have any questions regarding the information contained in this response, do not hesitate to give me a call at 206-223-7390.

Very truly yours,

LANE POWELL SPEARS LUBERSKY



Grant S. Degginger

GSD:mlo

cc: The Honorable Rod Chandler  
Gary Sergeant  
Judith Butler

MUR 3514

AFFIDAVIT OF JUDITH BUTLER

STATE OF WASHINGTON )  
                              ) ss.  
COUNTY OF KING )

Judith Butler being first duly sworn on oath deposes and states:

1. I am the Campaign Manager for the Chandler '92 for United States Senate Campaign. I have held this position since February 1, 1992. I make the following states based upon my personal knowledge.

2. I have reviewed the information request which Mr. Trohimovich transmitted to the campaign office as well as his letter to the Office of General Counsel and the U.S. Attorney.

3. When we received Mr. Trohimovich's letter at the campaign office, we had some difficulty understanding precisely his request. We interpreted his letter as requesting the Congressman's official position on abortion. His information request was returned on a form which had been sent to him via the campaign and paid for by the campaign. Based upon prior consultations with staff of the House Committee on Standards of Official Conduct, we understood that such referrals to the congressional office for an official response were procedurally appropriate.

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OFFICE OF GENERAL COUNSEL

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4. We transmitted Mr. Trohimovich's request for information on the Congressman's official position on abortion to the congressional office. This request was transmitted via stamped mail and not through a franked envelope.

5. Since February 15, 1992, the Chandler '92 campaign has been paying rent for office space at 11661 S.E. First Street, Bellevue, Washington. Prior to that date, the campaign rented space at a different location for a number of months. We currently have a paid staff of approximately eight people. Substantial effort is made to delineate between campaign and official activities. Any suggestion that the campaign is being run out of the congressional office is simply erroneous.

6. I have also reviewed the letter to Mr. Sergeant and to Congressman Chandler from the Federal Election Commission. The one letter was addressed to the former Exploratory Committee and delivered to the congressional office. On or about October 18, 1991, an amendment to the Exploratory Committee's statement of organization was filed. The amendment changed the name of the committee to Chandler '92. The correspondence reflecting this change is attached as Exhibits 1-3 of this Affidavit. The correspondence also provided the campaign's Bellevue, Washington, mailing address. Chandler '92, Volunteers for Chandler, and the Exploratory Committee never used the congressional office as a campaign address.

7. On April 14, 1992, I filed a termination report for Volunteers for Chandler. A copy of the transmittal letter is attached as Exhibit 4.

Judy Butler  
Judy Butler

Subscribed and sworn to before me on May 20 1992



Lynnette Weiner  
NOTARY PUBLIC for the State of  
Washington, residing  
at Belleview

My appointment expires:

6-15-94

93040930161

# CHANDLER '92

FOR • UNITED • STATES • SENATE

October 18, 1991

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

To whom it may concern:


Enclosed is a copy of the Statement of Organization I filed earlier this year on behalf of the Chandler '92 for Senate Exploratory Committee. Listed below, organized by the corresponding number on the statement, are amendments to that document. The information on the statement which follows numbers not listed below remains unchanged.

## Statement of Organization

1a. Name of Committee:	Chandler '92	
1b. Address:	P.O. Box 5755	
1c. City, State, Zip:	Bellevue, WA 98006	
3. Identification Number:	C00251991	
4. Is this statement an amendment:	Yes	
5b. Office Sought:	U.S. Senate	
8. Treasurer Name	Mailing Address	Title
Gary W. Sergeant	POB 5755, Bellevue, WA, 98006	Treasurer
Sidney K. Pepple	" " " " "	Asst Treas.

Please let me know if you need any additional information about these amendments.

Sincerely,

  
GARY W. SERGEANT  
Treasurer, Chandler '92

CC: Public Disclosure Commission  
403 Evergreen Plaza; MS-FJ42  
Olympia, WA 98504-3342

92 MAY 26 PM 3:41

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FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

93040930162

# CHANDLER 92

FOR • UNITED • STATES • SENATE

October 18, 1991

Secretary of the Senate  
Office of Public Records  
232 Hart Senate Office Building  
Washington, DC 20510-7116

Dear Secretary of the Senate:

Enclosed is a copy of the Statement of Candidacy I filed earlier this year, declaring the formation of a Senate Exploratory Committee. At this time, I want to amend that report, and formally declare my candidacy for the U.S. Senate.

Listed below, organized by the corresponding number on the statement, are amendments to that document. The information on the statement which follows numbers not listed below remains unchanged.

## Statement of Candidacy

- 2. Identification Number: C00251991
- 4. Office Sought: U.S. Senate
- 6a. Name of Committee: Chandler 92
- 7. Designation of Other Authorized Committees:
  - a. Name of Committee: Volunteers For Chandler
  - b. Address: P.O. Box 5755
  - c. City, State, Zip: Bellevue, WA 98006

Please let me know if you need any additional information about these amendments.

Sincerely,

ROD CHANDLER  
Member of Congress

CC: Public Disclosure Commission  
403 Evergreen Plaza; MS-FJ42  
Olympia, WA 98504-3342

93040930163



October 18, 1991

Secretary of the Senate  
Office of Public Records  
232 Hart Senate Office Building  
Washington, DC 20510-7116

Dear Secretary of the Senate:

Enclosed is a copy of the Statement of Candidacy I filed earlier this year, declaring the formation of a Senate Exploratory Committee. At this time, I want to amend that report, and formally declare my candidacy for the U.S. Senate.

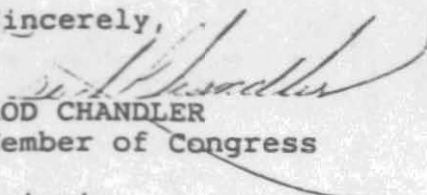
Listed below, organized by the corresponding number on the statement, are amendments to that document. The information on the statement which follows numbers not listed below remains unchanged.

Statement of Candidacy

2. Identification Number: C00251991  
4. Office Sought: U.S. Senate  
6a. Name of Committee: Chandler 92  
7. Designation of Other Authorized Committees:  
a. Name of Committee: Volunteers For Chandler  
b. Address: P.O. Box 5755  
c. City, State, Zip: Bellevue, WA 98006

Please let me know if you need any additional information about these amendments.

Sincerely,

  
ROD CHANDLER  
Member of Congress

CC: Public Disclosure Commission  
403 Evergreen Plaza; MS-FJ42  
Olympia, WA 98504-3342

93040930164

# ROD CHANDLER

UNITED STATES CONGRESS

April 14, 1992

Mr. Donnald K. Anderson  
Clerk of the House  
Office of Records and Registration  
Longworth HOB  
Washington, D.C. 20515

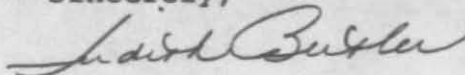
APR 16 1992

Dear Mr. Anderson:

Enclosed is the Termination Report of Receipts and Disbursements for Congressman Rod Chandler's campaign, Volunteers For Chandler (I.D. 099155)

Should you have questions regarding this matter, feel free to contact me at (206) 454-1166.

Sincerely,



Judith Butler  
Campaign Manager

cc: Public Disclosure Commission  
403 Evergreen Plaza; MS-FJ42  
Olympia, WA 98504-3342

P.O. Box 5755, Bellevue, Washington 98006

Paid for and authorized by Volunteers for Chandler, Republican Gary Sergeant, Treasurer.

EXHIBIT 4

93040930165

LANE  
POWELL  
SPEARS  
LUBERSKY

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FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

JUN 25 11 37 AM '92

June 19, 1992

Grant S. Degginger  
(206) 223-7390

Law Offices

1420 Fifth Ave.  
Suite 4100  
Seattle, WA  
98101-2338

(206) 223-7000

Telex: 32-8808

Facsimile:

(206) 223-7107

A Partnership  
Including  
Professional  
Corporations

Mary Ann Bumgarner, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 "E" Street NW  
Washington, DC 20463

Re: MUR 3514  
Chandler '92

Dear Ms. Bumgarner:

Further to our May 19, 1992, letter to you regarding the referenced matter, we are forwarding the Statement of Designation of Counsel executed by Gary Sergeant, the Treasurer of Chandler '92 and the Exploratory Committee. Mr. Sergeant was out of town at the time our response was due.

If you have any questions, do not hesitate to give me a call at 206/223-7390.

Very truly yours,

LANE POWELL SPEARS LUBERSKY

  
Grant S. Degginger

GSD:mlo

Enclosure

cc: The Hon. Rod Chandler  
Gary Sergeant  
Judith Butler

J:\DC1\GSD\12505GSD.LTR

Anchorage, AK  
Los Angeles, CA  
Mount Vernon, WA  
Olympia, WA  
Portland, OR  
Seattle, WA

London, England  
Taipei, Taiwan  
Tokyo, Japan

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
92 JUN 26 AM 10:16

MAY-12-92 TUE 11:09

STATEMENT OF DESIGNATION OF COUNSEL

P. 12

JUN 18 1992

MUR 3514  
NAME OF COUNSEL:  
ADDRESS:

TELEPHONE:

Grant S. Degginger  
Lane Powell Spears Lubersky  
1440 Fifth Ave., Suite 4100  
Seattle, WA 98101-4338

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

4/1/92  
Date

X *[Signature]*  
Signature

RESPONDENT'S NAME:  
ADDRESS:

HOME PHONE:  
BUSINESS PHONE:

Gary Sergeant  
510 Overlake Drive East  
Bellevue, WA 98004  
(206) 454-6002  
(206) 525-3030

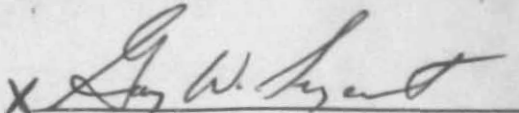


JUN 18 1992

STATEMENT OF DESIGNATION OF COUNSELMUR 3514NAME OF COUNSEL: Grant S. DeggingerADDRESS: Lane Powell Spears Lubersky1440 Fifth Ave., Suite 4100Seattle, WA 98101-2338

TELEPHONE: \_\_\_\_\_

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

6/1/92  
DateX   
SignatureRESPONDENT'S NAME: Gary SergeantADDRESS: 510 Overlake Drive East  
Bellevue, WA 98004HOME PHONE: (206) 454-6002BUSINESS PHONE: (206) 525-3030

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RECEIVED  
F.E.C.  
SECRETARIAT

92 DEC 15 PM 4:22

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

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

MUR: 3514  
DATE COMPLAINT RECEIVED  
BY OGC: 05-4-92  
DATE OF NOTIFICATION TO  
RESPONDENTS: 05-5-92  
STAFF MEMBER: MARY ANN BUMGARNER

COMPLAINANT: Stanley J. Trohimovich

RESPONDENTS: Chandler '92 and Gary W. Sergeant, as treasurer  
Congressman Rod Chandler

RELEVANT STATUTES: 2 U.S.C. § 431(8)(A)  
2 U.S.C. § 431(11)  
2 U.S.C. § 441(a)(1)(A)  
2 U.S.C. § 441a(f)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

This matter was generated by a complaint from Stanley J. Trohimovich ("complainant") alleging that Congressman Rod Chandler and Chandler '92 and Gary W. Sergeant, as treasurer, violated "one or more of the felony laws of the United States" and possibly the Federal Election Campaign Act of 1971, as amended (the "Act"). Attachment 1.

Specifically, complainant asserts that Congressman Chandler, a member of the House of Representatives from the eighth Congressional district in Washington, ran his Senate campaign from his Congressional office. This Office notified Congressman Chandler and the Chandler '92 committee and Gary W.

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Sergeant, as treasurer, of the complaint in this matter. A response has been received from counsel representing both respondents. Attachment 2.

## II. FACTUAL AND LEGAL ANALYSIS

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The Act provides that the term "contribution" includes anything of value made "by any person" for the purpose of influencing any election for Federal office, or payment "by any person" of compensation for the personal services of another person that are rendered to a political committee. 2 U.S.C. § 431(8)(A). Contributions from persons are limited to \$1,000 per election to any candidate and the candidate's authorized political committee. 2 U.S.C. § 441a(a)(1)(A). The Act also provides that candidates and their committees may not knowingly accept any contributions prohibited by section 441a. 2 U.S.C. § 441a(f). However, the Act further states that, for the purposes of the Act, the term "person" does not include the Federal Government or any authority of the Federal Government." 2 U.S.C. § 431(11).

To support the allegation that Congressman Chandler's Senate campaign was run from his Congressional office, complainant refers to the circumstances surrounding a request for information he mailed to the Congressman's campaign office. According to complainant, he received "some campaign material by mail" from the Chandler campaign committee. This material included a request for funds and a self-addressed stamped envelope. Complainant states that he did not make a contribution to the Chandler campaign committee, but instead

mailed a request for information to the campaign in the self-addressed stamped envelope. According to complainant, he received a letter from Congressman Chandler addressing his inquiry. This letter was identified as containing a "Public Document" and "Official Business" and was mailed with "publicly-paid postage" from the Congressman's Congressional office. Complainant argues that he did not initiate any contact with Congressman Chandler as a Member of Congress, but rather as a candidate only.<sup>1</sup> Attachment 1 at 2. The complaint thus suggests that a violation of the Act has occurred.

Based on the available evidence, it does not appear that Congressman Chandler was running his Senate campaign from his Congressional office. In the response from counsel for Congressman Chandler and the committee, counsel states that for months the campaign committee has been paying rent for office space in Bellevue, Washington and has several full-time staff members who are paid through campaign funds. Attachment 2 at 2-3. On October 18, 1991, the treasurer of the campaign committee filed a statement of candidacy listing its address in Washington state. Attachment 2 at 7. Counsel acknowledges

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1. Another potential issue raised by complainant was whether a franked envelope was used improperly. The Commission does not have jurisdiction over this issue. The House Commission on Congressional Mailing Standards normally would have jurisdiction over abuses of the franking privilege. See 2 U.S.C. § 501(e) and 39 U.S.C. § 3201(4). The House Committee on Standards of Official Conduct and the Committee on House Administration would have jurisdiction to enforce 31 U.S.C. § 1301(a), prohibiting the use of official resources for campaign or political activities. See also, Congressional Handbook of the U.S. House of Representatives, Sept. 1985 at 2.1.

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that the campaign committee received a written inquiry from complainant regarding Congressman Chandler's stand on the issue of abortion. However, since this inquiry concerned an issue often addressed by the Congressman, a member of the campaign transmitted complainant's information request to the Congressional office (via stamped mail) for a response.

Attachment 2 at 1. Therefore, this Office has concluded that the allegations made by complainant are inaccurate.<sup>2</sup>

In light of the foregoing, this Office recommends that the Commission find no reason to believe that any violation of the Act has occurred and close the case.

### III. RECOMMENDATIONS

1. Find no reason to believe Congressman Rod Chandler violated any provision of the Act on the basis of the complaint filed in MUR 3514.
2. Find no reason to believe Chandler '92 and Gary W. Sergeant, as treasurer, violated any provision of the Act on the basis of the complaint filed in MUR 3514.

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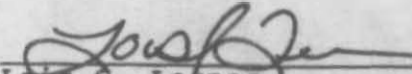
2. Even if the allegations in the complaint were accurate, such activity would not have constituted an in-kind contribution to the Chandler '92 campaign committee under the Act. Although the federal government pays Congressman Chandler's salary and provides him with office space and a staff, the federal government is not a "person" under the Act. Thus, the federal government, by definition, cannot make a "contribution" of Congressman Chandler's salary, office space or staff. See MUR 1821 (pay and benefits received by Congressional staff members from the federal government do not constitute reportable contributions since the federal government is not a "person" under the Act); see also MUR 3490 (use of rooms at the Old Executive Office Building and food and refreshments provided by the White House to Citizens for Arlen Specter do not constitute a contribution by a person since the federal government is not a "person" under the Act).

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3. Approve the appropriate letters.
4. Close the file.

Lawrence M. Noble  
General Counsel

12/15/92  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

1. Complaint
2. Response dated May 19, 1992

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

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

DATE: DECEMBER 21, 1992

SUBJECT: MUR 3514 - FIRST GENERAL COUNSEL'S REPORT  
DATED DECEMBER 15, 1992.

The above-captioned document was circulated to the  
Commission on Wednesday, December 16, 1992 at 11:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner McDonald	XXX
Commissioner McGarry	_____
Commissioner Potter	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda  
for Tuesday, January 5, 1993.

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
F.E.C.  
SECRETARIAT

92DEC 23 AM 11:05

MEMORANDUM

TO: Marjorie W. Emmons  
Commission Secretary

FROM: Danny L. McDonald *DLM/sh*  
Commissioner

RE: MUR 3514

DATE: December 28, 1992

I would like to withdraw my objection to MUR 3514  
and cast my vote in the affirmative.

Thank you for your attention in this matter.

93040930174



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Chandler '92 and Gary W. Sergeant, ) MUR 3514  
as treasurer; )  
Congressman Rod Chandler. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 28, 1992, the Commission decided by a vote of 5-0 to take the following actions in MUR 3514:

1. Find no reason to believe Congressman Rod Chandler violated any provision of the Act on the basis of the complaint filed in MUR 3514.
2. Find no reason to believe Chandler '92 and Gary W. Sergeant, as treasurer, violated any provision of the Act on the basis of the complaint filed in MUR 3514.

(Continued)

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3. Approve the appropriate letters, as recommended in the General Counsel's Report dated December 15, 1992.
4. Close the file.

Commissioners Aikens, Elliott, McDonald, Potter, and Thomas voted affirmatively for the decision; Commissioner McGarry did not cast a vote.

Attest:

12-28-92  
Date

Delores Hardy  
for Marjorie W. Emmons  
Secretary of the Commission

Received in the Secretariat:	Tues., Dec. 15, 1992	4:22 p.m.
Circulated to the Commission:	Wed., Dec. 16, 1992	11:00 a.m.
Deadline for vote:	Mon., Dec. 21, 1992	4:00 p.m.
Objection received:	Mon., Dec. 21, 1992	3:50 p.m.
Placed on the agenda for:	Tues., Jan. 5, 1993	
Objection Withdrawn:	Mon., Dec. 28, 1992	11:06 a.m.

dr

93040930176



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 19, 1993

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Stanley J. Trohimovich  
411 North "I" Street  
Aberdeen, Washington 98520

RE: MUR 3514

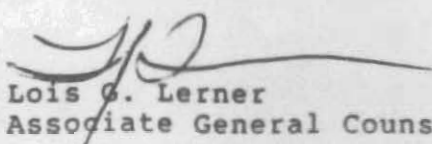
Dear Mr. Trohimovich:

On December 28, 1992, the Federal Election Commission reviewed the allegations of your complaint dated April 27, 1992, and found that on the basis of the information provided in your complaint and information provided by Rod Chandler and Chandler '92 and Gary W. Sergeant, as treasurer, that there is no reason to believe Mr. Chandler or Chandler '92 and its treasurer violated any provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Accordingly, on December 28, 1992, the Commission closed the file in this matter.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
First General Counsel's Report

93040930177



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 19, 1993

Grant S. Degginger, Esquire  
Lane Powell Spears Lubersky  
1420 Fifth Avenue  
Suite 4100  
Seattle, Washington 98101-2338

RE: MUR 3514  
Chandler '92 and Gary W.  
Sergeant, as treasurer

Dear Mr. Degginger:

On May 5, 1992, the Federal Election Commission notified your client, Chandler '92 and Gary W. Sergeant, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 28, 1992, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe Chandler '92 and Gary W. Sergeant, as treasurer, violated any provision of the Act. Accordingly, the Commission closed its 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.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
First General Counsel's Report

93040930178





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 19, 1993

Grant S. Degginger, Esquire  
Lane Powell Spears Lubersky  
1420 Fifth Avenue  
Suite 4100  
Seattle, Washington 98101-2338

RE: MUR 3514  
Rod Chandler

Dear Mr. Degginger:

On May 5, 1992, the Federal Election Commission notified your client, Rod Chandler, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 28, 1992, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe Rod Chandler violated any provision of the Act. Accordingly, the Commission closed its 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.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
First General Counsel's Report

93040930179



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3514

DATE FILMED \_\_\_\_\_ CAMERA NO. \_\_\_\_\_

CAMERAMAN \_\_\_\_\_

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