



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4572

DATE FILMED 9-23-97 CAMERA NO. 4

CAMERAMAN LMH

97043834185



National Republican Congressional Committee

Bill Paxton, M.C.  
Chairman

Maria Cino  
Executive Director

ORIGINAL

October 15, 1996

BEFORE THE FEDERAL ELECTION COMMISSION

FRIENDS OF LANE EVANS COMMITTEE

MUR # 4512

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
OCT 15 12 34 PM '96

COMPLAINT

The NRCC, by and through its Executive Director, Maria Cino, brings this complaint pursuant to 2 U.S.C. § 437g(a)(1) (1994). The N.R.C.C. is located at 320 First Street, S.E., Washington, D.C. 20003.

**I. SUMMARY**

*Why did Congressman Lane Evans increase the official (taxpayer-paid) salary of an employee whose official duties clearly decreased?* In investigating the answer to this question, the Commission will find that Friends of Lane Evans (1) made obvious campaign use of official resources (his district director) in direct violation of House Ethics Rules and federal election laws and (2) failed to report these illegal contributions in contravention of public disclosure requirements. Evans' use of taxpayer funds to finance his reelection efforts -- specifically giving a 14% pay increase to a district office employee who then spent parts of 19 of the next 26 weeks on the road, performing significant campaign travel and activities -- was blatantly unlawful.

**II. FACTS**

1. Friends of Evans Committee is the principal campaign committee of Illinois Congressman Lane Evans.
2. Philip Hare is Congressman Evans' official District Representative. Mr. Hare concurrently works for the Evans for Congress Campaign committee, which regularly reimburses him for campaign-related travel, meals and lodging.
3. Mr. Hare received \$29,449.98 in Congressional Salary for official work performed during the first half of 1995. *See Clerk of the House Reports, Congressman Evans' Disbursements from his Official Allowance (Exhs. 1 & 2)*

320 First Street, S.E.  
Washington, D.C. 20003  
(202) 479-7020

4. Mr. Hare received \$33,700.02 in Congressional Salary for official work performed during the first half of 1996. *See Clerk of the House Reports, Congressman Evans' Disbursements from his Official Allowance (Exh. 3).* This represents a 14.44% increase over the same period in 1995.
5. Mr. Hare was not reimbursed from the Evans for Congress Committee for any campaign-related travel or meals during the first half of 1995.
6. Mr. Hare was reimbursed by the Evans for Congress Committee for significant campaign-related travel and meals during the first half of 1996, including:

<u>DATE of REIMBURSEMENT for CAMPAIGN ACTIVITY</u>	<u>AMOUNT of REIMBURSEMENT for CAMPAIGN ACTIVITY</u>	<u>CAMPAIGN REIMBURSEMENT of FEDERAL TREASURY ?????</u>
Wednesday, 1/24/96	\$247.00	Never
Thursday, 2/8/96	\$48.13	Never
Friday, 2/16/96	\$115.62	Never
Friday, 2/23/96	\$153.52	Never
Monday, 4/1/96	\$108.89	Never
Monday, 4/8/96	\$8.80	Never
Saturday, 4/13/96	\$113.02	Never
Thursday, 4/18/96	\$52.90	Never
Tuesday, 4/23/96	\$69.03	Never
Friday, 4/26/96	\$89.45	Never
Thursday, 5/2/96	\$87.62	Never
Monday, 5/6/96	\$50.40	Never
Monday, 5/13/96	\$147.39	Never
Thursday, 5/16/96	\$49.20	Never
Thursday, 6/6/96	\$76.75	Never
Wednesday, 6/12/96	\$31.00	Never
Friday, 6/14/96	\$100.84	Never
Thursday, 6/20/96	\$90.96	Never
Tuesday, 6/25/96	\$347.97	Never

*See Evans FEC Reports filed 3/6/96 & 7/11/96 respectively (Exhs. 5 & 6). In summary, Evans for Congress reimbursed Philip Hare for campaign-related travel, meals or lodging a total of 19 times in 26 weeks, obviously not for weekends alone (since reimbursements came on every day of the week and sometimes twice in the same week).*

7. The Evans for Congress campaign does not ever report reimbursing the federal treasury for the salary paid to Mr. Hare out of the U.S. Treasury during his frequent campaign excursions.

### **III. DISCUSSION**

It is beyond dispute that Mr. Evans' use of official resources for campaign activities violates strict Ethics Rules promulgated by the House Committee on Standards of Official Conduct. *See House Ethics Manual*, pp. 280-285 (note Example 12, p. 285, explaining that campaign volunteers "may not stay late at the congressional office and make [campaign] calls from there. "). Barring reimbursement of the federal treasury by Congressman Evans, the unethical actions related herein can and will be subject of a future complaint before that Committee.

Mr. Evans' actions also violate Federal Election laws on two counts -- failure to report and prohibited source contributions -- and are therefore properly submitted to the Commission for investigation.

First, goods and services provided to a federal campaign must be reported as contributions received. 2 U.S.C. § 434(b)(3)(1996). The Evans for Congress Committee never reports the campaign's receipt of paid "volunteer" time, i.e., Mr. Hare's official salary while on campaign travel / business. Likewise, Evans for Congress does not report reimbursing the U.S. Treasury for the campaign's use of this resource. Such reporting omissions violate federal law unless the Evans Committee is ready to aver that each of Mr. Evans' 19 travel reimbursements -- some coming twice in a single week -- were for weekend and/or off-hour travel, an assertion which would defy common sense.

Second, federal campaigns may not avail themselves of taxpayer funds, nor may Congressmen tap federal treasuries to fund their reelection efforts. In the words of the United States District Court for the District of Columbia in Common Cause v. Bolger, 574 F. Supp. 672 (D.D.C. 1982), *aff'd*, 461 U.S. 911 (1983):

It is clear from the record that Congress has recognized the basic principle that government funds should not be spent to help incumbents gain reelection.

Mr. Evans' contributions to his own campaign made out of his Official Member's Allowance -- to wit, official salary payments to an employee conducting campaign business -- are unlawful and must be discouraged. When on campaign business, Mr. Hare may be paid from campaign funds or may volunteer, but no Treasury dollars should finance the Evans campaign. The Commission should investigate this violation and determine (1) the activities for which Mr. Hare received campaign reimbursements, (2) the value of the missed work, (3) how many other similar transgressions have occurred in Mr. Evans' various taxpayer-funded offices and (4) whether these violations were knowing and willful.

As it investigates, the Commission should keep in mind that Mr. Hare would have made a prohibited contribution if these reimbursements were not travel-related. *See U.S. Criminal Code*, 18 U.S.C § 603 and 11 C.F.R. § 100.7(a)(1) (1996). And the campaign



would have violated federal election law if the reimbursements were not campaign-related.  
See Personal Use Prohibition, 2 U.S.C. 439(a) (1996).

**IV. PRAYER FOR RELIEF**

The Commission should investigate the campaign practices of the Lane Evans for Congress Campaign. The candidate may not supplement campaign resources with taxpayer moneys, granting itself unreported and illegal contributions through Mr. Evans' violations of House Ethics rules. *Mr. Evans must explain why he increased the official salary of an employee who concurrently performed less official work.* The Commission should impose all penalties permitted and appropriate under law and should take all other reasonable actions under 2 U.S.C. § 437g(a) to deter future violations of the law by the Evans Committee.

Respectfully Submitted,

*Maria Cifio*

Maria Cifio  
Executive Director

District of Columbia

Signed and sworn to before me this 14 th day of Oct, 1996.

*M. D. Acton*  
\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_



M. D. Acton  
Notary Public, District of Columbia  
My Commission Expires July 14, 1999

97043634182

# STATEMENT OF DISBURSEMENTS

Date	Voucher No.	Payee	Service dates	Description	(b) Amount
<b>LBJ INTERNS, MEMBERS CLERK HIRE AND OFFICIAL EXPENSES OF MEMBERS—Con.</b>					
<b>OFFICE OF THE NON. ANNA G ESHOO—Con.</b>					
03-31	5090980969	(DISTRICT OFFICE TELEPHONE EQUIP CHG)	02/01/95-02/28/95		49 50
03-31	5090980970	(DISTRICT OFFICE TELEPHONE TOLLS CHG)	02/01/95-02/28/95		990.81
<b>EXPENDITURES FOR 1ST QUARTER</b>					
<b>SALARIES</b>					
<b>MEMBERS CLERK HIRE</b>					142,815.74
<b>EXPENSES</b>					
<b>OFFICIAL EXPENSES OF MEMBERS</b>					76,394.62
<b>TOTAL</b>					<u>219,210.36</u>

## OFFICE OF THE NON. LANE EVANS SALARIES

→ HARE, PHILIP G ..... 01/01/95-03/31/95

9 7 0 4 3 8 3 4 1 9 0

EXH. 2

## STATEMENT OF DISBURSEMENTS

Voucher No.	Payee	Service dates	Description	(\$ Amount)
-------------	-------	---------------	-------------	-------------

EXPENDITURES FOR 2ND QUARTER  
SALARIES

MEMBERS CLERK HIRE .....	137,099.07
EXPENSES	
OFFICIAL EXPENSES OF MEMBERS .....	65,889.73
<b>TOTAL</b>	<b>202,988.80</b>

OFFICE OF THE HON. LANE EVANS  
SALARIES

→ HARE, PHILIP G ..... 04/01/95-06/30/95

1 6 1 4 8 8 4 0 7 9

EXH 13

Page 041

041

OFFICIAL EXPENSES OF MEMBERS  
PERSONNEL COMPENSATION

→ HARE, PHILIP G ..... 01/01/96 03/31/96 DISTRICT REPRESENTATIVE .....

9 7 0 4 3 8 3 4 1 9 2



EXH. 4

PRINTING OF LEAF FORMS

FINISHED REIMBURSEMENTS

PAGE 2 OF 3

FOR LINE 8 17

PERIOD 01/01/96 TO 01/31/96

NAME AND ADDRESS

PURPOSE OF STATEMENT

DATE

AMOUNT

ELECTION

William Scott

Meals/Travel/Lodge

01/26/96

\$ 347.00

Primary-96

3007 25th St

Meals/Travel/Lodge

02/08/96

\$ 40.13

Primary-96

Meals/Travel/Lodge

02/16/96

\$ 115.02

Primary-96

Rock Island

IL 61201

Meals/Travel/Lodge

02/23/96

\$ 153.95

Primary-96

Iowa Illinois Gas &amp; Elec. Co.

Office Expense

01/12/96

\$ 149.69

Primary-96

716 17th Street

Office Expense

02/16/96

\$ 40.75

Primary-96

Office Expense

02/16/96

\$ 96.00

General-1996

Moline

IL 61205

Eric Salton

SALARY

02/16/96

\$ 109.61

Primary-96

24500 1st Ave. N.

SALARY

02/28/96

\$ 201.90

Primary-96

Milledale

IL 61267

O'Malia's Supper Club

Event Expense

02/06/96

\$ 775.00

Primary-96

Jennie O'Malia

3700 Blackhawk Rd.

Rock Island

IL 61201

Office Exp

6215 27th St.

01/12/96

\$ 99.00

Primary-96

02/26/96

\$ 153.95

Primary-96

50212

## Operating Expenditures

For line number: 17

Any info. copied from reports or Statements may not be sold or used by any person for purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from comm.

EXH-5

Full Name of Committee: Friends of Lane Evans C000000000

A. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	06/06/96	\$76.75
Rock Island, IL 61201	MEALS/TRAVEL	06/12/96	\$31.00

Disburs for: G

B. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	06/14/96	\$100.84
Rock Island, IL 61201	MEALS/TRAVEL	06/20/96	\$90.96

Disburs for: G

C. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	06/25/96	\$347.97
Rock Island, IL 61201			

Disburs for: G

D. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Knights of Columbus			
420 23rd Street	OFFICE EXPENSE	04/03/96	\$13.50
Rock Island, IL 61201			

Disburs for: G

E. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
AT&T			
P. O. Box 27-680	OFFICE EXPENSE	04/19/96	\$86.68
Kansas City, MO 64180-0680	OFFICE EXPENSE	05/20/96	\$114.52

Disburs for: G

F. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Quad-City Press			
Kathy Feller	PRINTING	04/08/96	\$960.00
1325 - 15th Street	PRINTING	05/20/96	\$610.50
Moline, IL 61265			

Disburs for: G

SUBTOTAL of Disbursements This Page .....	\$2432.72
TOTAL This Period .....	\$14289.50

97040334

Any info. copied from reports or Statements may not be sold or used by any person for purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from comm.

Full Name of Committee: Friends of Lane Evans C00000000

A. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	04/01/96	\$108.89
Rock Island, IL 61201	REIMBURSEMENT	04/01/96	\$8.80

Disburs for: G

B. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	04/08/96	\$113.02
Rock Island, IL 61201	MEALS/TRAVEL	04/13/96	\$52.90

Disburs for: G

C. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	04/18/96	\$69.03
Rock Island, IL 61201	MEALS/TRAVEL	04/23/96	\$89.45

Disburs for: G

D. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	04/26/96	\$77.08
Rock Island, IL 61201	MEALS/TRAVEL	05/02/96	\$87.62

Disburs for: G

E. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	05/06/96	\$50.40
Rock Island, IL 61201	MEALS/TRAVEL	05/13/96	\$147.39

Disburs for: G

F. Full Name, Address, Zipcode	Purpose of Disbursement	Date	Disburse
Philip Hare			
3007 25th Avenue	MEALS/TRAVEL	05/16/96	\$49.20
Rock Island, IL 61201	MEALS/TRAVEL	05/22/96	\$186.45

Disburs for: G

SUBTOTAL of Disbursements This Page .....	\$1040.23
TOTAL This Period .....	\$11856.78



**FEDERAL ELECTION COMMISSION**

Washington, DC 20463

October 21, 1996

Maria Cino, Executive Director  
National Republican Congressional Committee  
320 First Street, SE  
Washington, DC 20003

RE: MUR 4512

Dear Ms. Cino:

This letter acknowledges receipt on October 15, 1996, of the complaint you filed alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) 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 4512. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in dark ink, appearing to read "Colleen T. Sealander", is written over a circular embossed seal.

Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

9704334196





**FEDERAL ELECTION COMMISSION**

Washington, DC 20463

October 21, 1996

The Honorable Lane Allen Evans  
1516 - 37th Street  
Rock Island, IL 61201

RE: MUR 4512

Dear Representative Evans:

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 4512. 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.

9704334197

If you have any questions, please contact Alva E. Smith at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

97043834198



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

October 21, 1996

Samuel M. Gilman, Treasurer  
Friends of Lane Evans Committee  
PO Box 5263  
1800 - 3rd Avenue Roo  
Rock Island, IL 61204

RE: MUR 4512

Dear Mr. Gilman:

The Federal Election Commission received a complaint which indicates that the Friends of Lane Evans 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 4512. 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.

9704034199

If you have any questions, please contact Alva E. Smith at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

9704334200





**FEDERAL ELECTION COMMISSION**

Washington, DC 20463

October 21, 1996

Philip Hare  
3007 25th Avenue  
Rock Island, IL 61201

RE: MUR 4512

Dear Mr. Hare:

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 4512. 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.

97043834201

If you have any questions, please contact Alva E. Smith at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in dark ink, appearing to read "Colleen T. Sealander", is written over a circular embossed or stamped seal.

Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

910434202



National Republican Congressional Committee

Bill Paxton, M.C.  
Chairman

Maria Cino  
Executive Director

ORIGINAL

Oct 23 2 10 PM '96

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

re: FRIENDS OF LANE EVANS COMMITTEE COMPLAINT filed October 15, 1996

SUPPLEMENT

MUR 4512

The NRCC, by and through its Executive Director, Maria Cino, brings this supplemental complaint pursuant to 2 U.S.C. § 437g(a)(1) (1996). The N.R.C.C. is located at 320 First Street, S.E., Washington, D.C. 20003.

In addition to misusing the services of a federal employee for campaign purposes, Congressman Lane Evans has unlawfully directed candidate questionnaires to his Congressional office. The attached September 12 letter from the Congressman on his official letterhead specifically requests that future campaign questionnaires also be sent to the Congressional office.

Goods and services provided to a federal campaign must be reported as contributions received. 2 U.S.C. § 434(b)(3) (1996). The Evans for Congress Committee never reports the campaign's receipt of office space and clerical help from the Congressional Office, nor does it report reimbursing the U.S. Treasury.

Further, federal campaigns may not avail themselves of taxpayer funds, nor may Congressmen tap federal treasuries to fund their reelection efforts. Again, as the United States District Court for the District of Columbia stated in Common Cause v. Bolger, 574 F. Supp. 672 (D.D.C. 1982), aff'd, 461 U.S. 911 (1983):

It is clear from the record that Congress has recognized the basic principle that government funds should not be spent to help incumbents gain reelection.

Congressman Evans has himself defined the questionnaire at issue as a "candidate questionnaire." He should therefore have known better than to use official resources to answer it. The Commission should consider this violation in addition to the prior-reported misuse of official funds, just as the House Ethics Committee will consider these abuses (under its own rules) in December.

District of Columbia

Signed and sworn to before me  
this 13 th day of Oct, 1996.

Respectfully Submitted,

*Maria Cino*  
Maria Cino  
Executive Director

320 First Street, S.E.  
Washington, D.C. 20003  
(202) 479-7020

*m d [signature]*  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

M. D. Acton  
Notary Public, District of Columbia  
My Commission Expires July 14, 1999

LANE EVANS

11TH DISTRICT ILLINOIS

COMMITTEE

HOUSE COMMITTEE ON  
NATIONAL SECURITY

HOUSE COMMITTEE ON  
VETERANS' AFFAIRS

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1317**

WASHINGTON D.C.  
20515-1317  
U.S. HOUSE OF REPRESENTATIVES  
11TH DISTRICT  
VETERANS' AFFAIRS  
SUBCOMMITTEE ON  
VETERANS' BENEFITS  
1100 LONGWORTH BUILDING  
WASHINGTON, D.C. 20515-1317

September 12, 1996

Mr. Richard Chapman, President  
Illinois Community Action Agency President  
Two Rivers Regional Council of Public Officials  
Franklin Square, Fourth & State Streets  
Quincy, Illinois 62301-4188

Dear Mr. Chapman:

I have enclosed a completed candidate questionnaire for your use. I appreciate your giving me the opportunity to respond to issues of interest to your organization.

So that I am able to respond to your questionnaires promptly in the future, please send them to 2335 Rayburn HOB, Washington, DC 20515. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



LANE EVANS  
Member of Congress

97043039204



Congressman Lane Evans

## TWO RIVERS POSITION PAPER

I am a proud recipient of the Illinois Community Action Agency Legislature of the Year Award for my work on behalf of the citizens that Two Rivers and other organizations serve

### o U.S. Department of Commerce Economic Development Administration

I strongly believe that the Economic Development Administration (EDA) has been an invaluable resource to communities throughout Illinois. EDA programs greatly benefit Two Rivers. Two Rivers receives an annual grant for economic development activities from the EDA. In addition Two Rivers received a \$500,000 EDA grant to create a Revolving Loan Fund Program assist area businesses with recovery from the 1993 flood and to foster business growth and expansion. I have fought several efforts to eliminate the Department of Commerce and reduce funding for the EDA. In addition, on May 23, 1996, I initiated a letter to Secretary Kantor urging him not to close the district EDA office located in Springfield, Illinois. I will continue to support this agency and ensure that it can continue to spur economic development and job creation in Illinois and throughout the country.

### o The US Department of Agriculture Rural Development Funds

I have been a strong supporter of the Department of Agriculture Rural Development Programs. The Rural Development programs help finance the planning and building of better rural community facilities for health care, public safety and public services. Loans and grants available under the program have assisted communities with the development of water and waste disposal facilities. I have worked to obtain essential funds for Illinois during my tenure in Congress. I will continue to support programs that assist our rural communities improve their standard of living. I have strongly supported Adams County's application requesting funding under the Rural Technology and Cooperative Development Program to fund the Adams County Geographical Information System (GIS). The GIS will greatly improve economic development efforts and existing farming operation through accurate base mapping. I look forward to working with Adams County to secure federal funding for this project.

### o U.S. Department of Labor Job Training Partnership Act (JTPA)

I have been a strong supporter of JTPA, which has successfully assisted individuals facing serious barriers to employment. The program has provided valuable opportunities for youth, seniors, veterans and the homeless. I will continue to support JTPA so that America's men and women receive effective, efficient, and successful job training assistance.

97043634205

o HUD: the Home Program/Weatherization Program

As a member of Congress, I have worked to ensure that lower income families have the federal assistance they need in regards to improved housing. The Home/Weatherization program has been a very effective in ensuring that these families save precious funding to raise themselves out of poverty. In 1993, I worked to secure \$301, 478 for Illinoisans whose property had been destroyed by torrential rains and flooding. This program, and others like it, have my support now and in the years to come.

o HUD: Community Assistance Development Program (CDAP)

I have fought hard to preserve important programs and funds in the VA HUD appropriation. Programs, such as CDAP, are essential in making much needed improvements to infrastructure. I will continue to fight for this funding in the next Congress.

o Community Service Block Grant (CSBG)

The CSBG program has been an effective project in providing a range of services for low and moderate income people. The program's emergency assistance program has been an invaluable service for the most vulnerable in our society. Throughout the appropriations process, I will work to ensure that this program has sufficient funding to meet its needs.

o Department of Energy/Department of Health and Human Services  
Low Income Home Energy Assistance (LIHEAP)

As a Member of Congress, I have been a strong supporter for this program which has helped millions of low-income and elderly Americans with their utility bills. LIHEAP has been particularly important in Illinois, where winters and summers can be very harsh. I will continue to work to increase funding for this important program.

o US Department of Transportation (ISTEA)

I support the Intermodal Surface Transportation Efficiency Act (ISTEA) and have worked closely with the Illinois Department of Transportation to secure funding for Illinois. In 1993, I worked to secure a \$1.42 million federal grant from U.S. DOT to the Adams County Highway Department to upgrade the Canton Meyer Ferry's access road and approach and to purchase a new ferry. The ferry is a vital link for the community, farmers and businesses. It will help the Ursa Farmers Cooperative with its grain hauling operation.

Last year, I led the charge to secure \$4.9 million in federal demonstration funds for the Quincy/Macomb corridor. I will be seeking an additional \$5.0 million in FY 1994 for the project. I am also requesting federal funding to continue the four lane development on US 336.

9704339206

with construction of an additional 4.4 miles from Illinois 61 at Mendon to South of Lorraine.

This year, I fought to guarantee \$ 1,050,042 in discretionary grant funds from the Federal Aviation Administration to reconstruct the runway at Quincy Municipal Airport

You can count on my continued support when Congress undertakes reauthorization of ISTEA next year

97043634207



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 28, 1996


Maria Cino, Executive Director  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, D.C. 20003

RE: MUR 4512

Dear Ms. Cino:

This letter acknowledges receipt on October 23, 1996, of the amendment to the complaint you filed on October 15, 1996. The respondents will be sent copies of the amendment. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,



Colleen T. Sealander, Attorney  
Central Enforcement Docket

97043034200





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 28, 1996

The Honorable Lane Allen Evans  
1516 - 37th Street  
Rock Island, Illinois 61201

RE: MUR 4512

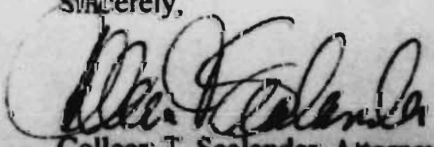
Dear Representative Evans:

On October 21, 1996, you were notified that the Federal Election Commission received a complaint from the National Republican Congressional Committee alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On October 23, 1996, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information. As this new information is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact me at (202) 219-3400

Sincerely,

  
Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 28, 1996

Samuel M. Gilman, Treasurer  
Friends of Lane Evans Committee  
P.O. Box 5263  
Rock Island, Illinois 61204

RE: MUR 4512


Dear Mr. Gilman:

On October 21, 1996, you were notified that the Federal Election Commission received a complaint from the National Republican Congressional Committee alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On October 23, 1996, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information. As this new information is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact me at (202) 219-3400

Sincerely,

  
Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 28, 1996

Philip Hare  
3007 25th Avenue  
Rock Island, Illinois 61201

RE: MUR 4512

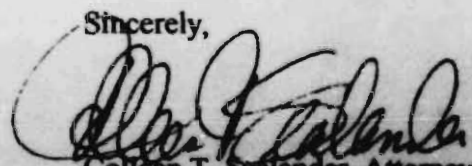
Dear Mr. Hare:

On October 21, 1996, you were notified that the Federal Election Commission received a complaint from the National Republican Congressional Committee alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On October 23, 1996, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information. As this new information is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact me at (202) 219-3400

Sincerely,

  
Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. WASHINGTON, D.C. 20005-2011  
TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

JUDITH L. CORLEY  
(202) 434-1622

November 25, 1996

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
NOV 25 12 18 PM '96

Colleen T. Sealander, Esq.  
Central Enforcement Docket  
Office of the General Counsel  
Federal Election Commission  
6th Floor  
999 E Street, N.W.  
Washington, D.C. 20463

**Re: MUR 4512 - Friends of Lane Evans Committee**

Dear Ms. Sealander:

This letter is in response to the complaint filed against the Friends of Lane Evans Committee by the National Republican Congressional Committee ("NRCC") on October 15, 1996. The Federal Election Commission designated the complaint as MUR 4512.<sup>1</sup> This complaint is without merit and should be dismissed.

Philip Hare is Congressman Evans' official District Representative and is paid from the federal treasury as a congressional employee. During the recent election, Mr. Hare also performed volunteer work for the Friends of Lane Evans Committee. Congressman Evans' campaign committee did not pay Mr. Hare for services rendered at any time.

In its complaint, the NRCC alleges that Mr. Hare's employment by the House of Representatives and simultaneous volunteer work violates federal campaign laws. In fact, if a violation was found to have occurred, the proper jurisdictional authority would be the House Committee on Standards of Official Conduct rather than the

---

<sup>1</sup> Enclosed are designations of counsel in this matter for Congressman Lane Evans, Friends of Lane Evans and Philip C. Hare.



Colleen T. Sealander, Esq.  
November 25, 1996  
Page 2

Federal Election Commission. But in this case, no violation has occurred of either the campaign laws or the House Ethics rules.

Congress has stated, "[a]s long as employees complete those official duties required by the member for which the employees are compensated from public funds, they are generally free to engage in personal, campaign, or other nonofficial activities." *See House Ethics Manual*, p. 200. Congressional employees are free to engage in campaign activities in any free time after their official duties are complete. Further, FEC regulations provide that "the value of services provided without compensation by an individual on behalf of a candidate or political committee is not a contribution." 11 CFR § 100.7(b)(3). Mr. Hare volunteered for the Friends of Lane Evans Committee on his free time and in no way did his volunteer activities infringe on his official duties as Congressman Evans' employee.

Mr. Hare did receive a raise in his Congressional salary in 1996. However, this raise was not intended as compensation for his work on the campaign. All of Congressman Evans' congressional staff received a salary increase at the same time. This increase was completely unrelated to the campaign and was not a use of taxpayer funds to finance the Congressman's reelection efforts.

The complaint also attempts to argue that the Friends of Lane Evans Committee violated FEC regulations by making non-travel related reimbursements to Mr. Hare. In fact, all reimbursements made by Congressman Evans' campaign committee to Mr. Hare were for campaign-related travel and meals and were made in a timely matter, as required by FEC regulations. 11 CFR § 100.7(b)(8).

A supplement to the complaint, submitted by the NRCC, alleges that Congressman Evans directed candidate questionnaires to his Congressional office and, therefore, used congressional resources for campaign purposes. Congressman Evans did complete a questionnaire for the Two Rivers Regional Council of Public Officials on September 12, 1996 (copy attached). A cursory review of the questionnaire, however, will reveal that it had nothing to do with Congressman Evans' campaign. The letter was simply a constituent group's request for information on issues of interest from their Congressman. In addition, the request was not sent to Congressman Evans' campaign office, but was received by his congressional office. The purpose of the letter was to ask the sender to use the Congressman's correct congressional office address (2335 Rayburn House Office building) in the future. The

Colleen T. Sealander, Esq.

November 25, 1996

Page 3

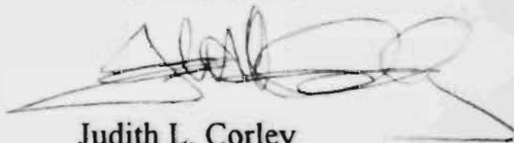
original questionnaire was directed to the Congressman at 1121 Longworth House Office Building.

Congressman Evans did send out the completed questionnaire with a cover letter referring to it as a "candidate questionnaire." The use of "candidate" was a mistake. Steps have been taken to insure that this mistake will not occur in the future.

The Friends of Lane Evans Committee has not supplemented campaign resources with taxpayer moneys. Mr. Hare volunteered for the Evans Committee after his official duties as a federal employee were complete. All reimbursements made to Mr. Hare from the Evans Committee were for legitimate campaign travel expenses incurred while volunteering on the campaign. Additionally, the questionnaire completed by Congressman Evans was not a candidate questionnaire, but simply a constituent group's request for information from their Representative.

The Friends of Lane Evans Committee has not violated FEC regulations in any way and will continue to adhere to these regulations in the future. This complaint should, therefore, be dismissed.

Very truly yours,



Judith L. Corley  
Counsel to Respondents

Enclosure

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4512

NAME OF COUNSEL: JUDITH L. CORLEY

FIRM: PERKINS COIE

ADDRESS: 607 14<sup>th</sup> ST, N.W.

WASHINGTON, DC 20005

TELEPHONE: (202) 628-6600

FAX: (202) 434-1690

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.

11/7/00  
Date

Lane Evans  
Signature

RESPONDENT'S NAME: LANE EVANS

ADDRESS: 1516 37<sup>th</sup> STREET

ROCK ISLAND, IL 61201

TELEPHONE: HOME

BUSINESS (309) 788-5263

97043034215

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4512

NAME OF COUNSEL: JUDITH L. CORLEY

FIRM: PERKINS COIE

ADDRESS: 607 14<sup>TH</sup> ST, NW

WASHINGTON, DC 20005

TELEPHONE: (202) 628-6600

FAX: (202) 434-1690

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.

11/4/96  
Date

Eric Nelson  
Signature

RESPONDENT'S NAME: ERIC NELSON (FRIENDS OF LAKE ERIE COMMITTEE)

ADDRESS: 1800 - 3RD AVENUE

Rm. 308

ROCK ISLAND, IL 61201

TELEPHONE: HOME( )

BUSINESS(309) 788-5263

97043634216



STATEMENT OF DESIGNATION OF COUNSEL

MUR 4512

NAME OF COUNSEL: JUDITH L. CORLEY

FIRM: PERKINS COIE

ADDRESS: 607 14<sup>th</sup> St NW

WASHINGTON DC 20005

TELEPHONE: (202) 628-6600

FAX: (202) 434-1690

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.

11-8-96  
Date

Philip J. Hane  
Signature

RESPONDENT'S NAME: Lane Evans

ADDRESS: 150 37<sup>th</sup> STREET

Rock Island IL 61201

TELEPHONE: HOME(

BUSINESS (309) 793 5760

97043834217

"Celebrating Over 20 Years of Service"



A Community Action Member

August 23, 1996

The Honorable Lane H. Evans  
House of Representatives  
1121 Longworth Office Building  
Washington, DC 20515



Community Development  
through  
Regional Cooperation

Re: Your position on matters effecting the Two Rivers Region

Dear Mr. Evans:

Two Rivers Regional Council of Public Officials as you know is an Agency that serves a six County area in West Central Illinois as a Federally designated Economic Development District through EDA and as a Regional Planning Council. The organization also serves as the local Community Action Agency and jobs training administrator for the four counties of Adams, Brown, Pike, and Schuyler. The Board of Directors of our agency is comprised of the Chief elected officials of the aforementioned Counties and their principal municipalities.

Since our organization is involved in a number of activities that originate from the Federal Government we would like to know what your position is on those activities that impact this region. Our Board of Directors would like to know your position on these matters. They would like a written statement from you so that it can be available at their September 12, 1996 Governing Board meeting. The following is a list of those programs that this agency administers either in a direct fashion via the Federal Government or an indirect fashion funded through the State or other Political Sub-Divisions.

● US Department of Commerce EDA

Two Rivers Council is a Federally approved Economic Development District and has been able to provide assistance to local governments and private sector through use of these funds.

*Rural Development*

● The US Department of Agriculture Rural Development Funds

These funds have allowed for the improvement of antiquated infrastructure and assisted in the rehabilitation of the housing stock for lower income within the region. Also, Rural Development funds have assisted us in developing the Regional Solid Waste Plan as well as provide financial assistance for our developing GIS System.

*Ellen McMahon  
720-1255  
5579*

● US Department of Labor Job Training Partnership Act (JTPA)

While this program is currently in a state of flux it has been extremely beneficial to a number of key industries within our region. There still appears to be a need for

**TWO RIVERS REGIONAL COUNCIL OF PUBLIC OFFICIALS**

Providing the best for Western Illinois  
Franklin Square, Fourth & State Streets  
Quincy, Illinois 62301-4188

(217) 224-8171 TTY# (217) 224-9509 FAX# (217) 224-9148

97043834210

Page 3

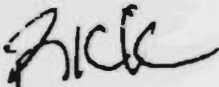
August 22, 1996

● **US Department of Transportation ISTEA**

We recently have received funding via the Illinois Department of Transportation for a demonstration project to establish a Teen Court. Funding for this program is due in part to the changes at the Federal level through the creation of the ISTEA program.

The activities listed above are but a few of the primary Federal sources that have been accessed by our Council. Hopefully this provides to you some idea of how Federal funds are used within this region. We have appreciated our working relationship in the past with yourself and your staff. It would be helpful if we could know your position with respect to the above mentioned Federal programs so that this information could be provided to our Governing Board at the September 12, 1996 meeting.

Sincerely,



Richard Chapman  
Executive Director

RC/sj

970433-4219

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
)  
)  
)

ENFORCEMENT PRIORITY

AUG 14 4 20 PM '97

**SENSITIVE**

AUG 19 1997

**EXECUTIVE SESSION  
SUBMITTED LATE**

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

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

II. CASES RECOMMENDED FOR CLOSURE.

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

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

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified 34 cases which do not warrant further action relative to other pending matters.<sup>1</sup>

<sup>1</sup> These cases are: MUR 4470 (Ward for Congress); MUR 4478 (Citizens for Tom Reynolds); MUR 4492 (Friends of Ken Poston); MUR 4498 (Darryl Roberts for Congress); MUR 4506 (The Hon. Ted Little); MUR 4512 (Friends of Lane Evans); MUR 4517 (Unknown Respondent); MUR 4518 (Kansans for Rathbun); MUR 4520 (Larry Lerner for

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Attachment 1 to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

### B. Stale Cases

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

---

Congress); MUR 4522 (*Republican Party of Bexar County*); MUR 4523 (*Cong. Andrea Seastrand*); MUR 4524 (*Danny Covington Campaign Fund Committee*); MUR 4526 (*Hoeffell for Congress*); MUR 4528 (*Pete King for Congress*); MUR 4529 (*Pete King for Congress*); MUR 4532 (*Citizen's Committee for Gilman for Congress*); MUR 4535 (*Visclosky for Congress*); MUR 4537 (*Di Nicola for Congress*); MUR 4541 (*Ross Perot*); MUR 4548 (*Blagojevich for Congress*); MUR 4550 (*Friends of Wamp for Congress*); MUR 4551 (*John N. Hostettler*); MUR 4557 (*De La Rosa for Congress*); MUR 4559 (*Bill Baker for Congress*); MUR 4560 (*George Stuart Jr. for Congress*); MUR 4562 (*Wayne E. Schile*); MUR 4566 (*Al Gore*); MUR 4574 (*Danny Covington Campaign Fund Committee*); MUR 4576 (*Volunteers for Shimkus*); MUR 4579 (*New Zion Baptist Church*); MUR 4580 (*Friends of Mike Forbes*); MUR 4584 (*Bill Baker for Congress*); MUR 4588 (*Navarro for Congress*); and MUR 4613 (*Guy Kelley for Congress*).

2

The U.S. District Court for the District of Columbia, however, held in *Democratic Senatorial Campaign Committee v. FEC*, Civil Action No. 95-0349 (D.D.C. April 17, 1996) that 24 months was too long a time in which to hold a case in an inactive status.

970433421

Twenty one cases have remained on the Central Enforcement Docket for a sufficient period of time to render them stale, all of which are recommended for closure in this Report.<sup>4</sup> This group includes four MURs that became stale several months ago, but were held pending criminal prosecution by the Department of Justice.<sup>5</sup> DOJ obtained convictions in the two criminal cases related to these four MURs (*U.S. v. Jay Kim* and *U.S. v. Dynamic Energy Resources*) based upon guilty pleas by the key defendants, who are also the principal respondents in our pending matters. Pursuit of civil enforcement action in view of the satisfactory results obtained in the criminal cases would not be the most effective use of the Commission's scarce resources at this time.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective August 29, 1997. Closing these cases as

3

<sup>4</sup> These cases are: MUR 4274 (GOPAC); MUR 4358 (Miller for Senate); MUR 4361 (ABC-TV); MUR 4368 (Citizens Business Bank); MUR 4380 (AFGE Local 2391 PAC); MUR 4385 (Dial for Congress); MUR 4386 (Zimmer for Senate); MUR 4396 (ABC); MUR 4404 (Friends of Steve Stockman); MUR 4410 (30th Legislative District); MUR 4417 (Our Choice II); MUR 4422 (Desana for Congress Committee); and Pre-MUR 336 (Park National Bank & Trust).

<sup>5</sup> These cases are: MUR 3796 (Jay Kim for Congress); MUR 3798 (Jay Kim); MUR 4275 (Jay Kim); and MUR 4356 (Dynamic Energy Resources). In dismissing the Jay Kim cases, we also recommend closing Pre-MUR 352, which is the transmittal of the guilty plea agreement and related documentation in the criminal case against Congressman Kim forwarded by United States Attorney's office.

970433422

of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

### III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective August 29, 1997, and approve the appropriate letters in the following matters:

Pre-MUR 336

Pre-MUR 352

B. Take no action, close the file effective August 29, 1997, and approve the appropriate letters in the following matters:

MUR 3796	MUR 4396	MUR 4522	MUR 4559
MUR 3798	MUR 4404	MUR 4523	MUR 4560
MUR 4274	MUR 4410	MUR 4524	MUR 4562
MUR 4275	MUR 4417	MUR 4526	MUR 4566
	MUR 4422	MUR 4528	MUR 4574
MUR 4356	MUR 4470	MUR 4529	MUR 4576
MUR 4358	MUR 4478	MUR 4532	MUR 4579
MUR 4361	MUR 4492	MUR 4535	MUR 4580
MUR 4368	MUR 4498	MUR 4537	MUR 4584
	MUR 4506	MUR 4541	MUR 4588
MUR 4380	MUR 4512	MUR 4548	MUR 4613
MUR 4385	MUR 4517	MUR 4550	
MUR 4386	MUR 4518	MUR 4551	
	MUR 4520	MUR 4557	

8/14/97

Date

*Lawrence M. Noble (7/2)*

Lawrence M. Noble  
General Counsel

Attachment:

Case Summaries

97043834223

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Enforcement Priority ) Agenda Document No. X97-55

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on August 19, 1997, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions with respect to Agenda Document No. X97-55:

- A. Decline to open a MUR, close the file effective August 29, 1997, and approve the appropriate letters in the following matters:

1. Pre-MUR 336. 2. Pre-MUR 352.

- B. Take no action, close the file effective August 29, 1997, and approve the appropriate letters in the following matters:

1. MUR 3796. 2. MUR 3798. 3. MUR 4274.  
4. MUR 4275. 5. MUR 4356. 6. MUR 4358.  
7. MUR 4361. 8. MUR 4368. 9. MUR 4380.  
10. MUR 4385. 11. MUR 4386. 12. MUR 4396.  
13. MUR 4404. 14. MUR 4410. 15. MUR 4417.  
16. MUR 4422. 17. MUR 4470. 18. MUR 4478.

(continued)

97043834224



Federal Election Commission  
Certification: Enforcement Priority  
August 19, 1997

Page 2

19. MUR 4492.      20. MUR 4498.      21. MUR 4506.  
22. MUR 4512.      23. MUR 4517.      24. MUR 4518.  
25. MUR 4520.      26. MUR 4522.      27. MUR 4523.  
28. MUR 4524.      29. MUR 4526.      30. MUR 4528  
31. MUR 4529.      32. MUR 4532.      33. MUR 4535.  
34. MUR 4537.      35. MUR 4541.      36. MUR 4548  
37. MUR 4550.      38. MUR 4551.      39. MUR 4557.  
40. MUR 4559.      41. MUR 4560.      42. MUR 4562.  
43. MUR 4566.      44. MUR 4574.      45. MUR 4576.  
46. MUR 4579.      47. MUR 4580.      48. MUR 4584.  
49. MUR 4588.      50. MUR 4613.

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

Attest:

8-21-97  
Date

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

9704334225



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 29, 1997

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ted Manuss, Executive Director  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, D.C. 20003

RE: MUR 4512

Dear Mr. Manuss:

On October 15, 1997, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on August 29, 1997. This matter will become part of the public record within 30 days.

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

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

97043034226

97043034227

**MUR 4512**

**FRIENDS OF LANE EVANS**

Maria Cino, former Executive Director for the National Republican Congressional Committee, alleges that Congressman Lane Evans made campaign use of official resources and then failed to report the prohibited source of these contributions. Specifically, Ms. Cino alleges that the congressman increased the salary of his district director, Philip Hare, by 14% at a time when his official duties decreased and campaign activities increased. She also alleges that the Friends of Lane Evans ("the Committee") did not reimburse Mr. Hare for any campaign-related travel or meals and failed to report this as a contribution in kind. Likewise, she asserts that the Committee did not report reimbursing the U.S. Treasury for the salary paid to Mr. Hare for the use of his time for campaign purposes. In an amendment to the complaint, Ms. Cino further alleged that Congressman Evans again used official resources to answer a "candidate questionnaire" by directing future questionnaires to be sent to his Congressional office in Washington, DC.

Respondents deny that Congressman Evans or the Committee improperly used government resources for electoral purposes, or failed to report contributions in kind such as use of office space or the services of Mr. Hare to support the campaign. Congressman Lane further responds that Mr. Hare's 1996 salary increase was received at the same time as all other staff increases. Review of the supporting data submitted with the complaint does appear to demonstrate that the staff members all received pay raises of approximately 7%-9%; Mr. Hare's increase of approximately 12.6% seems to be somewhat more than the average. Mr. Hare maintains that he volunteered for the Evans Committee after his official duties as a federal employee were completed. Congressman Evans states that his characterization of the "candidate questionnaire" was in error, and was not a candidate questionnaire, but a constituent group request for information from their Representative. Congressman Evans use of "candidate" was in error.

This matter is less significant relative to other matters pending before the Commission, and there is no indication of any serious intent to violate the FECA.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 29, 1997

Philip Hare  
30007 25th Avenue  
Rock Island, IL 61201

RE: MUR 4512

Dear Mr. Hare:

On October 21, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 29, 1997.

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

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

Sincerely,

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

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

97043634228



**MUR 4512**  
**FRIENDS OF LANE EVANS**

Maria Cino, former Executive Director for the National Republican Congressional Committee, alleges that Congressman Lane Evans made campaign use of official resources and then failed to report the prohibited source of these contributions. Specifically, Ms. Cino alleges that the congressman increased the salary of his district director, Philip Hare, by 14% at a time when his official duties decreased and campaign activities increased. She also alleges that the Friends of Lane Evans ("the Committee") did not reimburse Mr. Hare for any campaign-related travel or meals and failed to report this as a contribution in kind. Likewise, she asserts that the Committee did not report reimbursing the U.S. Treasury for the salary paid to Mr. Hare for the use of his time for campaign purposes. In an amendment to the complaint, Ms. Cino further alleged that Congressman Evans again used official resources to answer a "candidate questionnaire" by directing future questionnaires to be sent to his Congressional office in Washington, DC.

Respondents deny that Congressman Evans or the Committee improperly used government resources for electoral purposes, or failed to report contributions in kind such as use of office space or the services of Mr. Hare to support the campaign. Congressman Lane further responds that Mr. Hare's 1996 salary increase was received at the same time as all other staff increases. Review of the supporting data submitted with the complaint does appear to demonstrate that the staff members all received pay raises of approximately 7%-9%; Mr. Hare's increase of approximately 12.6% seems to be somewhat more than the average. Mr. Hare maintains that he volunteered for the Evans Committee after his official duties as a federal employee were completed. Congressman Evans states that his characterization of the "candidate questionnaire" was in error, and was not a candidate questionnaire, but a constituent group request for information from their Representative. Congressman Evans use of "candidate" was in error.

This matter is less significant relative to other matters pending before the Commission, and there is no indication of any serious intent to violate the FECA.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 29, 1997

Judith L. Corley, Esquire  
PERKINS COIE  
607 Fourteenth Street, N.W.  
Washington, D.C. 20005-2011

RE: MUR 4512  
Friends of Lane Evans Committee, Samuel M. Gilman, Treasurer, and  
The Honorable Lane Evans

Dear Ms. Corley:

On October 21, 1996, the Federal Election Commission notified your clients of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on August 29, 1997.

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

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

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

9704334230

MUR 4512

**FRIENDS OF LANE EVANS**

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4512

DATE FILMED 9-23-97 CAMERA NO. 4

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