



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3144

DATE FILMED 7/6/92 CAMERA NO. 1

CAMERAMAN E.E.S.

92040904545



P.O. Box 1697, Boise, Idaho 83701
Telephone (208) 344-2170 Fax (208) 336-8669

06C8346
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

98 OCT 22 AM 9:26

October 18, 1990

MUR 3144

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

Dear Commissioners:

The Twilegar Senate Committee today files this complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("FECA"), 2 U.S.C. §§ 431 et seq., and the Federal Election Commission's ("FEC") Regulations, 11 C.F.R. §§ 100.1 et seq., by the Realtors Political Action Committee and/or the Larry Craig for U.S. Senate Committee ("Respondents").

In recent days, at least one mailing has been distributed in the state of Idaho promoting Larry Craig for the United States Senate. A copy of one of the brochures that have been distributed is attached to this complaint. In each of the brochures, Larry Craig's candidacy for the United States Senate is promoted with words that constitute express advocacy. The brochure includes a disclaimer which states that it is paid for by Realtors Political Action Committee.

Under the FECA and the Commission Regulations, any person who pays for a communication which expressly advocates the election or defeat of a clearly identified candidate must include on that communication a disclaimer which identifies who paid for and, where required, who authorized the communication. 2 U.S.C. § 441d; 11 C.F.R. § 110.11. Where the communication is paid for by someone other than a candidate but is authorized by the candidate, the disclaimer must state not only who paid for the mailing, but must also state that it was authorized by the candidate or the candidate's committee. On the other hand, where the communication is not authorized by a candidate, such as in the case of independent expenditures, the communication must state not only who paid for it, but also that it is "not authorized by any candidate for candidate's committee." 11 C.F.R. § 110.11(a) (1) (iii).

The Realtors' brochures contain neither an authorization statement nor a non-authorization statement. Regardless of whether these brochures were mailed as a contribution in-kind expenditure on his behalf, the disclaimer is inadequate and thus violates the law.

The lack of the authorization statement is not a technical violation of the FECA. It deliberately obscures the nature of the expenditure on behalf of a Senate candidate. The general public receiving these brochures will, no doubt, assume that they are done with the express authorization of the Craig campaign, since they are so favorable to his effort.

Paid for by the Senate Committee for Twilegar, Stan Johnson, Treasurer. Contributions to this committee are not tax deductible.

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
98 OCT 23 PM 1:09

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The scope of the distribution of the brochure indicates an amount spent clearly in excess of the contribution limits for the Realtors PAC. It is not surprising, however, that in view of the public's rejection of independent expenditures as a campaign finance law "loophole" and the cause of serious distortion in campaign dialogue, that the Realtors PAC would attempt to disguise the making of these expenditures on an "independent" basis.

The Commission must take immediate steps to:

- (1) prohibit any further distribution of these misleading and deceptive brochures;
- (2) investigate whether these brochures exceed the relevant contribution limits by not meeting the requirements of independent expenditures; and
- (3) assess any and all civil penalties required to remedy this violation of the law's disclosure requirements.

Very truly yours,

Jane A. Jeffries

Jane A. Jeffries
Deputy Campaign Manager

SUBSCRIBED AND SWORN TO BEFORE ME
this 18th day of October, 1990.

Susan A. Beckman
Notary Public
residing in Boise
My Commission Expires:

3-1-96

JJ:ns

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**CAP-DT S0PT
MPS ANN M ALLYN
6301 ROE AV
BOISE ID 83703

***R16



Fighting to Protect
Idaho's Future

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LARRY CRAIG

FOR
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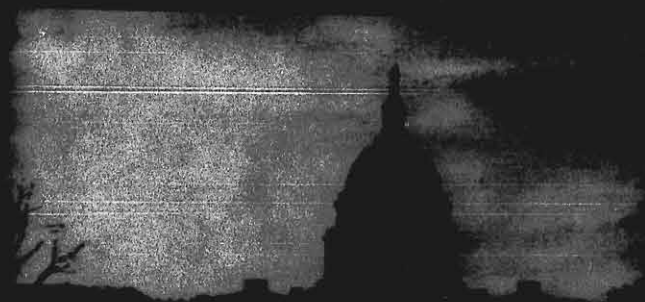
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TO PROTECT ALL
OF US AT HOME
IN IDAHO.

L A f u L M t h m O A i d e i n c b u p e n

A BALANCED FEDERAL BUDGET

Paying your way is a simple Idaho value that Larry Craig learned growing up on his parents' ranch. Larry Craig believes that government should work within its means. Not on our backs. That is why he founded *Congressional Leaders United for a Balanced Budget*, a bipartisan coalition to fight reckless government spending. It's just one of the many reasons Larry Craig is known in Washington DC. for his tireless fight for a balanced budget.

Larry Craig believes that a Constitutional Amendment will help force Congress to pass a fair and balanced budget. One which would improve America's ability to compete economically in the international arena. And at the same time, free up valuable dollars for investment in business right here in Idaho.

But Larry Craig does not believe the answer to balancing the budget is new taxes. In fact, Larry Craig has voted against numerous new taxes and has pledged to hold the line against runaway taxation.

RESPONSIBLE GOVERNMENT

Larry Craig has a simple vision of government—it should be responsible to the people. Serving their basic needs. And not a playground for politicians who have no respect for the people they serve.

It's simple Idaho values that make Larry Craig fight for responsible government.

Larry Craig's tough beliefs earned him a seat on the House Ethics Committee. The Committee that investigates Congress. The Committee that decides what is and is not acceptable congressional behavior—the difference between right and wrong. It takes strong character to look at a colleague and pass judgement. It's character Larry Craig learned growing up in Idaho.

Making government work for the people. It's a simple value. But important to the people of Idaho. And it's why the people of Idaho can rely on Larry Craig.

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value that Larry Craig
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GOVERNMENT

Government—it should be
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Larry Craig fight for

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people. It's a simple value. But
And it's why the people of

A SPECIAL KIND OF PERSON...

The kind of person we need involved in government. That's Larry Craig.

Larry Craig was born in Idaho. He grew up with basic Idaho values. Values he learned growing up on the family ranch. The ranch his grandfather homesteaded.

Larry Craig graduated from the University of Idaho and went on to become a State Senator. At the same time he was taking care of Idaho, he was taking care of his growing family. Larry Craig is committed to protecting the future of all of Idaho's citizens.

Then in 1980, the people of Idaho sent him to Washington as their Congressman. For ten years he has served Idaho with honor and distinction. Making Idaho proud.

A SPECIAL KIND OF SENATOR

The kind of Senator we can be proud of. A Senator who will fight for Idaho and protect our future. That's Larry Craig. He will take Idaho's values to the U.S. Senate and make government work for us.



LARRY CRAIG FOR
U.S. SENATE
FIGHTING TO PROTECT
IDAHO'S FUTURE

LARRY CRAIG

FOR
U.S.
SENATE



Larry Craig's battle to pass a Balanced Budget Constitutional Amendment is an example of his commitment to protect the future of all Americans from reckless government spending. Larry Craig has fought to preserve the integrity of the FHA Mortgage Insurance Program. The FHA Program is essential to thousands of people buying their first home. A home they might not otherwise afford without FHA insurance.

Owning your own home is a cherished right of many Americans. And affording that home is often a difficult task. Larry Craig is a leader, fighting to preserve the home mortgage interest tax deduction. This deduction allows millions of mostly middle income Americans to live in the home they worked so hard to buy. Federal Income Taxes are high enough, without having to pay even more to the Federal government on the money that pays your mortgage.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 25, 1990

Jane A. Jeffries
Deputy Campaign Manager
Senate Committee for Twilegar
P.O. Box 1697
Boise, ID 83701

RE: MUR 3144

Dear Ms. Jeffries:

This letter acknowledges receipt on October 23, 1990, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Realtors Political Action Committee and the Larry Craig for U.S. Senate Committee. 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 3144. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 25, 1990

**Benjamin F. Blair, Treasurer
Realtors Political Action Committee
430 N. Michigan Avenue
Chicago, IL 60611**

RE: MUR 3144

Dear Mr. Blair:

The Federal Election Commission received a complaint which alleges that the Realtors Political Action 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 3144. 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.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 25, 1990

Richard W. Jackson, Treasurer
Craig for U.S. Senate
P.O. Box 1693
1150 W. State Street
Boise, ID 83701

RE: MUR 3144

Dear Mr. Jackson:

The Federal Election Commission received a complaint which alleges that Craig for U.S. Senate 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 3144. 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.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

cc: Honorable Larry E. Craig

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Campaign
Co-Chairmen
Larry Kissler
Hon. Mark Rick
John Roeholt
Louise Shaddock

LARRY CRAIG
IDAHO'S SENATOR FOR THE 90'S

8612
Finance
Chairmen
John B. Fery
Roy Sigurdson

Campaign
Manager
Al Henderson

November 6, 1990

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 3144

Attn: Dawn Odrowski

Dear Mr. Noble,

I am in receipt of your letter of October 25, 1990 enclosing a complaint filed by the Twilegar Senate Committee against the Realtors Political Action Committee and/or the Larry Craig for U.S. Senate Committee.

We are surprised at the complaint. Under 109.1(a) "Independent expenditure" means a expenditure by a person for a communication which expressly advocates the election or defeat of a clearly identified candidate which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of such candidate.

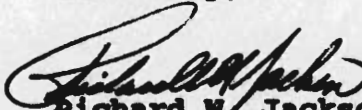
To the best of our knowledge, the photocopy enclosed in the complaint is an independent expenditure and mailing by the Realtors Political Action Committee. We did not cooperate, consent, request, nor suggest that the alleged brochure be mailed. We have no knowledge to whom it was mailed.

I checked with our campaign staff and found no knowledge or awareness of the mailing. The first and only copy of the brochure I have seen is the one with the complaint.

We would suggest that a factual independent expenditure occurred and we should not be involved. It appears that any response should be provided by the Realtors Political Action Committee and we would not be involved.

Should there be any additional issues which we need to address, we respectfully request the opportunity to do so.

Sincerely,


Richard W. Jackson
Treasurer

P.O. Box 2754 • Boise, Idaho 83701 • Phone: (208) 336-0559

Contributions to the Craig for U.S. Senate Committee are not deductible as charitable contributions for Federal Income Tax purposes.

Paid for by the Craig for U.S. Senate Committee

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
NOV 13 PM 2:42

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NATIONAL ASSOCIATION OF REALTORS®

REALTOR®

The Voice for Real Estate™

NATIONAL ASSOCIATION OF REALTORS®
430 N. Michigan Avenue
Chicago, Illinois 60611-4087

Office of the General Counsel
Telephone 312 329 8270

Fax 312 329 8576

TO CALL WRITER DIRECT:
312 329-8375

November 14, 1990

Ms. Lois G. Lerner
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

RE: MUR 3144 - REALTORS® Political Action Committee

Dear Ms. Lerner:

This letter is the response of Mr. Benjamin F. Blair and the REALTORS® Political Action Committee ("RPAC") to yours of October 25, 1990, received on October 31, 1990, regarding the above-referenced Matter Under Review. For the reasons set forth below, Mr. Blair and RPAC believe the Commission should not take action against them in this matter.

The complaint which generated this MUR asserts that RPAC has violated the Federal Election Campaign Act and Regulation thereunder by failing to indicate expressly that the independent expenditure mailing in support of Representative Larry Craig's candidacy for the United States Senate from Idaho was not authorized by Mr. Craig or his committee. The complaint acknowledges that the mailing includes a clear and conspicuous statement that it was "Paid for by REALTORS® Political Action Committee, 777 14th Street, Washington, D.C. 20005." The complaint asserts that the non-authorization notice is necessary, in part, because the mailing appears to have been authorized by Mr. Craig since it urges support for his candidacy.

This mailing was a part of a several-faceted independent expenditure in support of Mr. Craig, the expenses of which are disclosed in RPAC's monthly reports filed with the Commission. The development and distribution of these communications was planned and implemented without any arrangement, coordination, direction, cooperation with, or knowledge, suggestion or information from, Mr. Craig and his campaign agents. This piece was mailed to voters in Idaho on or about October 18, and no other copies or other mailings have been distributed since that time. Unfortunately, the non-authorization notice which is customarily included in independent expenditure communications of this type was inadvertently,



November 14, 1990

Page 2

accidentally and unintentionally omitted from this piece, although as noted above the "Paid for..." notice was included.

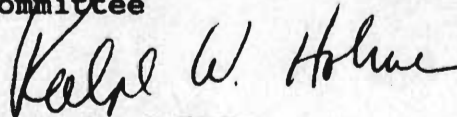
RPAC's independent expenditure in support of Mr. Craig also included a television ad, which does include a non-authorization notice of the type described in Section 110.11(a) of the Regulations. Thus, contrary to the allegations of the complaint, it is clear that RPAC did not attempt or intend to conceal its identity in making these independent expenditure communications, nor to portray them as authorized by Mr. Craig. The omission of an express non-authorization notice on the mailing was the result of a simple but regrettable oversight.

In light of the foregoing, RPAC respectfully requests that the Commission not find reason to believe a violation of the Act has occurred. In the alternative, if the Commission elects to construe as a possible violation of the Act RPAC's accidental omission of a complete non-authorization notice on the mail component of RPAC's independent expenditure communications supporting Mr. Craig, then RPAC requests that such violation be deemed minor and insubstantial, and not grounds for further investigation or action by the Commission and its staff.

In addition, as noted above, these activities of RPAC were conducted wholly independently of the Craig campaign. Although the complaint alleges generally that this activity may not have been conducted independently, it fails to even suggest any factual basis whatsoever for such allegations. RPAC therefore requests that this aspect of the complaint also be dismissed from further consideration by the Commission.

I would be happy to respond to any questions you may have or provide any further information relevant to this matter. Please do not hesitate to contact me.

For Mr. Benjamin F. Blair and
the REALTORS® Political Action
Committee



Ralph W. Holmen
Senior Counsel
NATIONAL ASSOCIATION OF REALTORS®

RWH/jbh

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3144

NAME OF COUNSEL: Ralph W. Holmen

ADDRESS: NATIONAL ASSOCIATION OF REALTORS

430 N. Michigan Avenue

Chicago, IL 60611-4087

TELEPHONE: 312 329-8375

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, IN THE MATTER NUMBERED MUR 3144 ONLY.

Date

11-7-90

Signature

Benjamin F. Blair
and

RESPONDENT'S NAME: REALTORS POLITICAL ACTION COMMITTEE

ADDRESS: 430 N. Michigan Avenue

Chicago, IL 60611-4087

HOME PHONE: _____

BUSINESS PHONE: 312 329-8233

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91 JAN 30 AM 10:58

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR # 3144
DATE COMPLAINT RECEIVED
BY OGC: October 23, 1990
DATE OF NOTIFICATION TO
RESPONDENTS: October 25, 1990
STAFF MEMBER: Dawn M. Odrowski

COMPLAINANT:

Jane A. Jeffries on behalf of the
Senate Committee for Twilegar

RESPONDENTS:

Craig for U.S. Senate committee and
Richard W. Jackson, as treasurer
Realtors Political Action Committee
and Thomas Jefferson III, as
treasurer

RELEVANT STATUTES:

2 U.S.C. § 441a(a)(2)
2 U.S.C. § 441d(a)(2) and (3)
11 C.F.R. § 110.11(a)(1)(ii) and
(iii)

INTERNAL REPORTS CHECKED:

Craig for U.S. Senate and Realtors
Political Action Committee reports

FEDERAL AGENCIES CHECKED:

None

I. GENERATION OF MATTER

On October 23, 1990 the Commission received a complaint from Jane A. Jeffries, Deputy Campaign Manager for the Senate Committee for Twilegar (the "Complainant"), concerning a brochure which was mailed to an unknown number of Idaho voters, supporting the election of Congressman Larry Craig,

1. At the time the complaint was filed, the treasurer of Craig for U.S. Senate was Benjamin F. Blair. On November 21, 1990, Craig for U.S. Senate sent the Commission notice that, effective immediately, Mr. Blair had been replaced as treasurer by Thomas Jefferson III.

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Mr. Twilegar's Republican opponent for the office of U.S. Senator from Idaho in the 1990 general election. Although the brochure contains a statement that it was paid for by the Realtors Political Action Committee ("RPAC"), the Complainant contends that RPAC and/or Larry Craig's authorized campaign committee, Craig for U.S. Senate (the "Craig Committee"), violated 2 U.S.C. § 441d(a)(2) or (3) by failing to include a disclaimer indicating whether or not the brochure was authorized by Mr. Craig, a former real estate salesman, or his authorized committee. The Complainant also asserts that the favorable nature of the brochure creates an impression that the brochure was authorized by Mr. Craig or the Craig Committee and suggests that if it was, based on the brochure's scope of distribution, RPAC's brochure payment would have exceeded its contribution limit in violation of 2 U.S.C. § 441a(a).

The Craig Committee and the RPAC filed responses to the complaint on November 13 and 15, 1990, respectively.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the "Act") requires that whenever any person makes an expenditure for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate through any direct mailing or any other type of general public political advertising, the communication must state who paid for it, and where required, who authorized it. 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). "Person" includes political committees. 2 U.S.C. § 431(11). If the

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communication is authorized by the candidate, the candidate's political committee or its agents, but paid for by others, it must clearly state that the communication is paid for by such other persons and authorized by such candidate, political committee or agent. 2 U.S.C. §§ 441d(a)(2) and 11 C.F.R. § 110.11(a)(1)(ii). Similarly, if the communication is not authorized by a candidate, a candidate's authorized political committee or its agents, but is paid for by others, it must clearly state that the communication is paid for by such other persons and that it is not authorized by any candidate or candidate's committee. 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

In his response to the complaint, Richard Jackson, treasurer of the Craig Committee, states that neither he nor the Craig campaign staff had knowledge or awareness of the brochure mailing and states that the only copy of the brochure he saw was the one attached to the complaint. Attachment 1. In his view, the RPAC payment was an independent expenditure.

RPAC, a separate segregated fund established and administered by the National Association of Realtors, states that the brochure mailing was part of a "several-faceted" independent expenditure in support of Mr. Craig which also included a television ad.² RPAC also asserts that the expenses associated with its independent expenditure efforts were

2. RPAC states "the development and distribution of these (independent expenditure) communications was planned and implemented without . . . cooperation with, or knowledge from Mr. Craig and his campaign agents." Attachment 2 at 2.

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disclosed in RPAC's monthly reports filed with the Commission. Attachment 2 at 1. Because RPAC maintains that its expenditure for the brochure mailing was independent, it admits that the brochure required a nonauthorization statement as part of the disclaimer and states that such a statement was unintentionally omitted. Attachment 2 at 1 and 2. As evidence of its inadvertent omission, RPAC offers an unsupported statement that the television ad included a nonauthorization statement. Attachment 2 at 2.

RPAC's brochure clearly advocates the election of Larry Craig to the U.S. Senate and contains a statement that it is paid for by RPAC. Attachment 3 at 6. RPAC admits, and its monthly reports confirm, that it paid for the brochure's mailing. Moreover, the brochure clearly omits a statement as to whether it was or was not authorized by Larry Craig, the Craig Committee or its agents. Consequently, RPAC violated either 2 U.S.C. § 441d(a)(2) or (3) by failing to include the appropriate authorization or nonauthorization statement in the brochure disclaimer.

Although RPAC contends that it paid for the brochure mailing and that the mailing was made without cooperation from Craig or the Craig Committee, RPAC's response and filed reports raise an issue as to whether it totally financed the brochure as its disclaimer implies or whether a third person may have been involved in the brochure's financing. RPAC's response repeatedly refers to its brochure expenditure as a "mailing" but does not expressly state whether it also paid for the brochure's

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design and printing. RPAC mentions development only in conjunction with the entire independent expenditure campaign, without specifying whether it developed both the brochure and television ad. Attachment 2 at 2. The Craig Committee response also describes RPAC's expenditure as a mailing. See Attachment 1.

Moreover, while RPAC states that the expenses of its entire independent expenditure project on behalf of Craig were disclosed in its monthly reports, no independent expenditure expenses relating to the printing or design of direct mail supporting Craig are disclosed in RPAC's reports covering the period of January 1, 1990 through November 26, 1990.³ RPAC's expenditures on behalf of Larry Craig during this period, and in fact during the entire 1989-90 election cycle, total \$108,003. This includes \$17,621 for a bulk mailing permit and postage, \$71,333 for production of "TV media" and \$19,050 for survey research.⁴ No expenses are listed for the design or printing of the brochure. In contrast, RPAC's independent expenditures on

3. Congressman Larry Craig filed a Statement of Candidacy for the Senate seat on January 29, 1990, the same day a Statement of Organization was filed creating the Craig for U.S. Senate committee.

4. The following five itemized independent expenditures are listed in RPAC's monthly reports in connection with Mr. Craig's campaign:

| | | |
|-------|--------------------------|---------------|
| 9/7 | Production of TV Media | \$ 15,000 |
| 9/13 | Bulk Rate Mailing Permit | 120 |
| 9/28 | Survey Research | 19,050 |
| 10/3 | Bulk Rate Postage | 17,500 |
| 10/10 | Production of TV Media | <u>56,333</u> |

\$108,003

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behalf of other candidates do show expenditures relating to the production of direct mail.⁵ Moreover, RPAC reports no outstanding debts relating to direct mail expenses in its Post-General Election Report filed on December 5, 1990.

The absence of information in RPAC's reports relating to brochure production may be explained by an error in characterizing an expenditure or in a failure to report an expenditure. If so, RPAC's failure to report that expenditure violated 2 U.S.C. § 434(b)(4)(E)(iii). On the other hand, the absence of information also raises the possibility that a third party was involved in financing the brochure. In that case, additional concerns arise about the accuracy of the brochure disclaimer. Moreover, if someone connected with the Craig Committee financed the brochure production, the independence of RPAC's expenditure could be compromised. This would result in an excessive contribution since RPAC had already contributed to the Craig Committee its \$5,000 contribution limit for both the primary and general elections.⁶ In addition, an authorization

5. For example, Schedule E of RPAC's 1990 Post-General Election Report, filed on December 5, contains five entries showing independent expenditures made for "production of direct mail communication" in support of five candidates other than Craig.

6. As a multicandidate committee, RPAC's per-election contribution limit is \$5,000. 2 U.S.C. § 441a(a)(2). RPAC made the following three contributions totaling \$5,000 to the Committee or its predecessor for the 1990 primary election: \$300 on June 28, 1989; \$1,000 on December 11, 1989 and \$3,700 on April 26, 1990. The first two contributions were made to Craig for Congress, the predecessor committee to Craig for U.S. Senate. Craig for U.S. Senate was created by an amended Statement of Organization filed by the Craig for Congress committee on January 29, 1990, the same day Craig filed a

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statement would have been necessary.

Based on RPAC's admission that it financed the brochure mailing, this Office recommends that the Commission find reason to believe that the Realtors Political Action Committee and Thomas Jefferson III, as treasurer, violated 2 U.S.C. § 441d(a) by failing to include the proper disclaimer on its brochure. Because further information is needed to determine whether RPAC paid for all costs associated with the brochure, this Office makes no recommendation concerning RPAC's making, and the Craig Committee's receipt of, an excessive contribution or RPAC's possible misreporting of expenditures, pending further investigation. For the same reason, no recommendation is made regarding a violation of 2 U.S.C. § 441d by the Craig Committee.

III. DISCOVERY PLAN

If the Commission finds reason to believe as recommended, this Office will request information from RPAC regarding payments relating to the brochure's printing and design costs.

IV. RECOMMENDATIONS

1. Find reason to believe the Realtors Political Action Committee, and Thomas Jefferson III, as treasurer, violated 2 U.S.C. § 441d(a).

(Footnote 6 continued from previous page)
statement of candidacy for the U.S. Senate seat. Reports for both Committees show that funds from the Craig for Congress committee were apparently transferred to the Craig for Senate committee since the total \$51,360.72 "cash on hand at end of reporting period" shown on the Congress committee's 1989 Year End Report appears as the total "cash on hand at beginning of reporting period" on the Senate Committee's first report, the 1990 April Quarterly Report.

RPAC also made the following three contributions totaling \$5,000 to the Committee for the 1990 general election: \$1,000 on July 13, 1990, \$200 on August 24, 1990 and \$3,800 on October 8, 1990.

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2. Approve the attached factual and legal analysis.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date 1/29/91

By:


Lois G. Herner
Associate General Counsel

Attachments

1. Response from Craig for U.S. Senate Committee and Richard W. Jackson as treasurer
2. Response from Realtors Political Action Committee
3. RPAC Brochure
4. Factual and Legal Analysis

92040904570

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Craig for U.S. Senate Committee
and Richard W. Jackson, as
treasurer;
Realtors Political Action
Committee and Thomas Jefferson
III, as treasurer.

MUR 3144

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission do hereby certify that on February 1, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3144:

1. Find reason to believe the Realtors Political Action Committee, and Thomas Jefferson III, as treasurer, violated 2 U.S.C. § 441d(a).
2. Approve the factual and legal analysis, as recommended in the General Counsel's Report dated January 29, 1991.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated January 29, 1991.

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

Attest:

2-1-91

Date

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

Received in the Secretariat: Wed., Jan. 30, 1991 10:58 p.m.
Circulated to the Commission: Wed., Jan. 30, 1991 4:00 p.m.
Deadline for vote: Fri., Jan. 1, 1991 4:00 p.m.

dr

92040904571



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 21, 1991

**Mr. Ralph Holmen
Senior Counsel
National Association of Realtors
430 N. Michigan Avenue
Chicago, IL 60611-4087**

**RE: MUR 3144
Realtors Political Action
Committee and Thomas
Jefferson, III, as
treasurer**

Dear Mr. Holmen:

On October 25, 1990, the Federal Election Commission notified your clients, Realtors Political Action Committee ("Committee") and its treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your clients, the Commission, on February 1, 1991, found that there is reason to believe the Committee and Thomas Jefferson III, as treasurer, violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and Mr. Jefferson, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed interrogatories and document request within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating

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Mr. Ralph Holmen
Page 2

that no further action should be taken against the Committee and Mr. Jefferson, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

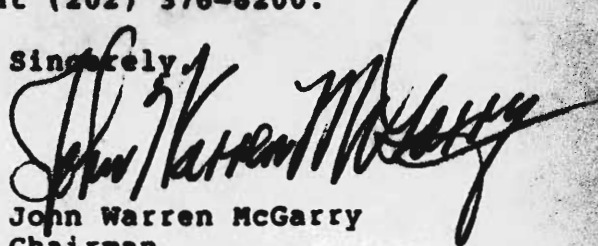
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

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 have any questions, please contact Dawn M. Odrowski, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


John Warren McGarry
Chairman

Enclosures
Interrogatories and Document Request
Factual & Legal Analysis

92040904573

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS: Realtors Political Action Committee **MUR:** 3144
and Thomas Jefferson III,
as treasurer¹

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The Federal Election Campaign Act of 1971, as amended (the "Act") requires that whenever any person makes an expenditure for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate through any direct mailing or any other type of general public political advertising, the communication must state who paid for it, and where required, who authorized it. 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). "Person" includes political committees. 2 U.S.C. § 431(11). If the communication is authorized by the candidate, the candidate's political committee or its agents, but paid for by others, it must clearly state that the communication is paid for by such other persons and authorized by such candidate, political committee or agent. 2 U.S.C. §§ 441d(a)(2) and 11 C.F.R. § 110.11(a)(1)(ii). Similarly, if the communication is not authorized by a candidate, a candidate's authorized political committee or its agents, but is paid for by others, it must clearly state that the communication is paid for by such other

1. At the time the complaint was filed, the treasurer of Craig for U.S. Senate was Benjamin F. Blair. On November 21, 1990, Craig for U.S. Senate sent the Commission notice that, effective immediately, Mr. Blair had been replaced as treasurer by Thomas Jefferson III.

persons and that it is not authorized by any candidate or candidate's committee. 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

The complaint filed in this matter concerns a brochure which was mailed to an unknown number of Idaho voters, supporting the election of Congressman Larry Craig, the Republican candidate for the office of U.S. Senator from Idaho in the 1990 general election. Although the brochure contains a statement that it was paid for by the Realtors Political Action Committee ("RPAC"), the complaint alleges, in part, that RPAC violated 2 U.S.C. § 441d(a)(2) or (3) by failing to include a disclaimer indicating whether or not the brochure was authorized by Mr. Craig, a former real estate salesman, or his authorized committee.

In its response to the complaint, RPAC and its treasurer state that the brochure mailing was part of a "several-faceted" independent expenditure in support of Mr. Craig which also included a television ad. RPAC also asserts that the expenses associated with its independent expenditure efforts were disclosed in RPAC's monthly reports filed with the Commission. Because RPAC maintains that its expenditure for the brochure mailing was independent, it admits that the brochure required a nonauthorization statement as part of the disclaimer and states that such a statement was unintentionally omitted. As evidence of its inadvertent omission, RPAC offers an unsupported statement that the television ad included a nonauthorization statement.

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RPAC's brochure clearly advocates the election of Larry Craig to the U.S. Senate and contains a statement that it is paid for by RPAC. RPAC admits, and its monthly reports confirm, that RPAC paid for the brochure's mailing.² Moreover, the brochure clearly omits a statement as to whether it was or was not authorized by Larry Craig, the Craig Committee or its agents. Consequently, RPAC should have included the appropriate authorization or nonauthorization statement in the brochure disclaimer.

Therefore, there is reason to believe that the Realtors Political Action Committee and Thomas Jefferson III, as treasurer, violated 2 U.S.C. § 441d(a) by failing to include an authorization or nonauthorization statement in its brochure disclaimer.

2. RPAC's reports, however, raise a question as to whether or not it totally financed the brochure since no expenditures relating to the design and printing of the brochure appear in RPAC's monthly reports filed between January through December 1990. The absence of such information raises the possibility that a third party may have been involved in financing the brochure which could compromise the independence of RPAC's expenditure if such a party were connected to the Craig Committee. It also raises additional disclaimer problems. Alternatively, a reporting violation may exist if RPAC paid for the brochure design and printing and failed to report those expenditures. 2 U.S.C. § 434(b)(4)(H)(iii).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) NUR 3144
)

INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS

TO: Realtors Political Action Committee ("RPAC")

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In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of

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telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

INTERROGATORIES

1. Identify all persons who financed the development and printing of the attached brochure. For each person, state the amount and purpose of each expenditure.
2. Identify all persons involved in developing the attached brochure including all persons involved in preparing its text and graphics and in its printing. Also identify the source of photographs used in the brochure.
3. Identify any person other than counsel who provided information, or consulted or assisted in any way in the preparation of answers to these questions and in the response to the document request.

DOCUMENT REQUEST

Produce all documents relating to the development, printing and distribution of the attached brochure, including but not limited to documents relating to costs of development, printing, and distribution and drafts of the brochure's text and graphic layouts.

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**NATIONAL ASSOCIATION
OF REALTORS®**

REALTOR®

The Voice for Real Estate™

06C 0430
NATIONAL ASSOCIATION OF REALTORS®
430 N. Michigan Avenue
Chicago, Illinois 60611-4087
Office of the General Counsel
Telephone 312 329 8270
Fax 312 329 8576

**TO CALL WRITER DIRECT:
312 329-8375**

March 18, 1991

Ms. Dawn Odrowski
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3144
REALTORS® Political Action Committee and
Thomas Jefferson, III, as Treasurer

Dear Ms. Odrowski:

This is in response to Chairman McGarry's letter dated February 21, 1991, which received on February 28, 1991.

I have enclosed herein responses to the Interrogatories included with Mr. McGarry's letter and also photocopies of the Documents requested. If you require any additional information or clarification regarding these responses or documents, I invite you to contact me at your convenience.

We have also carefully reviewed the Factual and Legal Analysis also enclosed with Mr. McGarry's letter. With respect to the violation which the Commission found reason to believe has occurred, as described in the last paragraph of the Factual and Legal Analysis, the REALTORS® Political Action Committee (RPAC) and Thomas Jefferson, III wish to pursue pre-probable cause conciliation.

We also note that footnote 2 of the Analysis raises the possibility that other violations may have occurred. We are confident that no other violations did, in fact, occur, and that the responses to the Interrogatories and the Documents included herewith demonstrate that fact. Nevertheless, the aforementioned request for pre-probable cause conciliation should not be deemed to extend to any other violations. In the unlikely event the Commission

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91 MAR 19 PM 4:43

RECEIVED
FEDERAL ELECTION COMMISSION
PLAN ROOM

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

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March 18, 1991

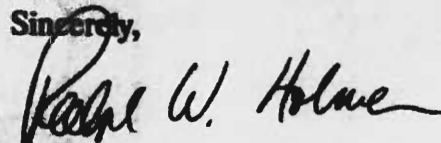
Page 2

should find reason to believe that other violations did occur, RPAC and Mr. Jefferson will at that time consider whether pre-probable cause conciliation with respect to those alleged violations is appropriate, based on the factual and legal analysis of those other violations.

Finally, we call to your attention that footnote 1 of the Analysis incorrectly references Mr. Benjamin F. Blair as the treasurer of Craig for U.S. Senate, and references Mr. Blair's replacement on November 21, 1990 by Mr. Jefferson. Mr. Blair was treasurer of RPAC, not Craig for U.S. Senate, until November 21, 1990, and was replaced in that position by Mr. Jefferson on that date. We respectfully suggest the Analysis be corrected to delete reference to Craig for U.S. Senate and insert the REALTORS® Political Action Committee.

Please do not hesitate to contact me if you have any questions or wish to discuss the foregoing or the enclosures in any respect.

Sincerely,



Ralph W. Holmen

RWH/jbh

Enclosures

cc: Mr. Thomas Jefferson

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 3144

ANSWERS TO INTERROGATORIES AND
PRODUCTION OF DOCUMENTS

Answers to Interrogatories

1. Identify all persons who financed the development and printing of the attached brochure. For each person, state the amount and purpose of each expenditure.

The REALTORS® Political Action Committee (RPAC), 777 14th Street, N.W., Washington, D.C., 20005, (202) 383-1101, financed the development and printing of the referenced brochure in its entirety. The Chairman of RPAC is Mr. John White, whose business address is Coldwell Banker/Harley Snyder, 407 E. Lincolnway, P.O. Box 152, Valparaiso, Indiana, 46383, (219) 464-3531. The Director of RPAC is Ms. Desiree Anderson, whose business address is 777 14th Street, N.W., Washington, D.C., 20005, (202) 383-1101. No agent has been designated by RPAC to receive service of process.

The amount and purpose of RPAC's expenditures in connection with the development and printing of the brochure are as follows:

| | |
|-------------|---|
| \$ 120.00 | paid to the U.S. Postmaster on September 13, 1990 for bulk rate mailing permit fee. |
| \$17,500.00 | paid to the U.S. Postmaster on October 3, 1990 for postage. |
| \$21,016.55 | paid on October 10, 1990 to McInturff/Gaylord Companies for development and production of the brochure. |
| \$ 5,316.60 | paid on October 10, 1990 to McInturff/Gaylord Companies for the list of names and addresses to whom the brochure would be mailed. |

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\$ 1,360.43 paid on December 20, 1990 to McInturff/Gaylord Companies for production of the brochure.

2. Identify all persons involved in developing the attached brochure including all persons involved in preparing its text and graphics and in its printing. Also identify the source of the photographs used in the brochure.

- A. McInturff/Gaylord Companies, Inc., Mr. William D. McInturff, 7700 Leesburg Pike, North Building, Falls Church, Virginia, 22043, (703) 790-5669, was retained by RPAC as consultant to manage the production and distribution of the brochure on behalf of RPAC.
- B. David Welch Associates Communications Specialists, Mr. Dan Hazelwood, Senior Vice President, 4001 N. Ninth Street, Suite 226, Arlington, Virginia, 22203, (703) 243-9595, was retained by McInturff/Gaylord to draft the brochure text, design the brochure graphics, arrange for printing of the brochure, affix mailing labels to copies of the brochure and deliver such copies to the post office for mailing.
- C. AV Associates, Mr. Victor Ajlouny, 3440 Sierra Rd., San Jose, California, 95132, (408) 292-3976, was hired by David Welch Associates to provide printing services for production of the brochure, and also to apply mailing labels and deliver the completed brochures to the post office for mailing.
- D. Mr. Jim Davison, currently employed by In Focus, 2700 Prosperity Ave., Fairfax, Virginia, 22031, (703) 204-0100, a free-lance photographer, provided the photographs used in the brochure to David Welch Associates.
- E. The following employees of the NATIONAL ASSOCIATION OF REALTORS®, 777 14th Street, N.W., Washington, D.C., 20005, (202) 383-1000, the connected organization of RPAC, reviewed and approved the text and design of the brochure prior to mailing:

Stephen D. Driesler, Senior Vice President

Doug Thompson, Division Vice President

Desiree Anderson, Director, RPAC

Lisa Friday, Director, Political Programs

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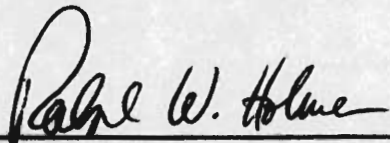
3. Identify any person other than counsel who provided information, or consulted or assisted in any way in the preparation of answers to these questions and in the response to the document request.

Susan Losczyk, RPAC Accounting Manager
NATIONAL ASSOCIATION OF REALTORS®
430 North Michigan Avenue
Chicago, Illinois 60611
(312) 329-8233

Lisa Friday, Director, Political Programs
NATIONAL ASSOCIATION OF REALTORS®
777 14th Street, N.W.
Washington, D.C. 20005
(202) 383-1270

Production of Documents

Photocopies of all documents described in the Request for Production are enclosed herewith.

 3/18/91
Ralph W. Holmen
Attorney for REALTORS® Political
Action Committee and Thomas Jefferson III

NATIONAL ASSOCIATION OF REALTORS®
430 North Michigan Avenue
Chicago, Illinois
(312) 329-8375

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SEP-11-98 TUE 12:59 DAY D WELCH 1800.
Welch Associates
NG-001
11 x 17 3/3 Ctd.
folded to 11 x 8.66

COVER:

Address

indicia

Photo: Larry Craig

Head:

Larry Craig
Fighting to Protect Idaho's Future

INSIDE PANEL FOLDED IN ON RIGHT:

Head:

For Ten Years, Larry Craig
Has Been Working Here...

Photo:

U.S. Capitol

Bottom:

To Protect All of us
at Home in Idaho.

FULL INSIDE LEFT PANEL:

Picture of the State of Idaho
wrapped into it as a logo:

Larry Craig
for
U.S. Senate

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CENTER PANEL:

Sub-Head:

A Balanced Federal Budget

Paying your way is a simple Idaho value that Larry Craig learned growing up on his parents' ranch. Larry Craig believes that government should work within its means. Not on our backs. That is why he founded Congressional Leaders United for a Balanced Budget, a bipartisan coalition to fight reckless government spending. It's just one of the many reasons Larry Craig is known in Washington D.C. for his tireless fight for a balanced budget.

Larry Craig believes that a Constitutional Amendment will help force Congress to pass a fair and balanced budget. One which would improve America's ability to compete economically in the international arena. And at the same time, free up valuable dollars for investment in business right here in Idaho.

But Larry Craig does not believe the answer to balancing the budget is new taxes. In fact, Larry Craig has voted against numerous new taxes and has pledged to hold the line against runaway taxation.

Sub-Head:

Responsible Government

Larry Craig has a simple vision of government -- it should be responsible to the people. Serving their basic needs. And not a playground for politicians who have no respect for the people they serve.

It's simple Idaho values that make Larry Craig fight for responsible government. He voted for the disclosure of political campaign contributions, so the voters could learn all the facts.

Larry Craig's tough beliefs earned him a seat on the House Ethics Committee. The Committee that investigates Congress. The Committee that decides what is and is not acceptable congressional behavior -- the difference between right and wrong. It takes strong character to look at a colleague and pass judgement. Its character Larry Craig learned growing up in Idaho.

Making government work for the people. Its a simple value. But important to the people of Idaho. And its why the people of Idaho can rely on Larry Craig.

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RIGHT PANEL:**Sub-Head:****A Special Kind of Person...**

The kind of person we need involved in government. That's Larry Craig.

Larry Craig was born in Idaho. He grew up with basic Idaho values. Values he learned growing up on the family ranch. The ranch his grandfather homesteaded.

Larry Craig graduated from the University of Idaho and went on to become a State Senator. At the same time he was taking care of Idaho, he was taking care of his growing family. Larry Craig is committed to protecting the future of all of Idaho's citizens.

Then in 1980, the people of Idaho sent him to Washington as their Congressman. For ten years he has served Idaho with honor and distinction. Making Idaho proud.

Sub-Head:**A Special Kind of Senator**

The kind of Senator we can be proud of. A Senator who will fight for Idaho and protect our future. That's Larry Craig. He will take Idaho's values to the U.S. Senate and make government work for us.

Photo: Larry Craig**Bottom Head:**

Larry Craig for U.S. Senate
Fighting to Protect Idaho's Future

BACK CENTER PANEL (same logo only smaller):

Larry Craig
for U.S. Senate

Larry Craig is

Larry Craig's constant battle to pass a Balanced Budget Constitutional Amendment is an example of his commitment to protect the future of all Americans from reckless government spending. ~~The Realtors are working with Congress to help preserve the integrity of the FHA fund. The FHA fund supports thousands of people buying their first home. A home they might not otherwise afford without help from the FHA fund.~~

~~The Realtors Political Action Committee is honored to be able to support leaders like Larry Craig who have a strong and serious commitment to the future of our nation. That is why the Realtors Political Action Committee is proud to pay for this brochure.~~

Paid for by Realtors Political Action Committee

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Revised
this FP and
insert in the
place.

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NOTE
D.W.A.
MARKS
10/1/00

Correct
prior to print
T. Gandy

W. H.
12/1/00



Fighting tooth

Handwritten marks: several circles and a heart shape.

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aying your way is a simple Idaho value that Larry Craig learned growing up on his parents' ranch. Larry Craig believes that government should work within its means. Not on our backs. That is why he founded *Congressional Leaders United for a Balanced Budget*, a bipartisan coalition to fight reckless government spending. It's just one of the many reasons Larry Craig is known in Washington DC. for his tireless fight for a balanced budget.

Larry Craig believes that a Constitutional Amendment will help force Congress to pass a fair and balanced budget. One which would improve America's ability to compete economically in the international arena. And at the same time, free up valuable dollars for investment in business right here in Idaho.

But Larry Craig does not believe the answer to balancing the budget is new taxes. In fact, Larry Craig has voted against numerous new taxes and has pledged to hold the line against runaway taxation.

RESPONSIBLE GOVERNMENT

Larry Craig has a simple vision of government—it should be responsible to the people. Serving their basic needs. And not a playground for politicians who have no respect for the people they serve.

It's simple Idaho values that make Larry Craig fight for responsible government.

Larry Craig's tough beliefs earned him a seat on the House Ethics Committee. The Committee that investigates Congress. The Committee that decides what is and is not acceptable congressional behavior—the difference between right and wrong. It takes strong character to look at a colleague and pass judgement. It's character Larry Craig learned growing up in Idaho.

Making government work for the people. It's a simple value. But important to the people of Idaho. And it's why the people of Idaho can rely on Larry Craig.

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A SPECIAL KIND OF SENATOR

*BROKEN
LISTED*

0 he kind of person we need involved in government. That's Larry Craig.

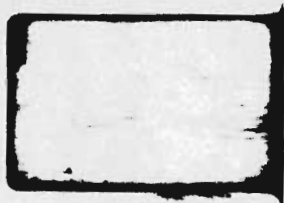
Larry Craig was born in Idaho. He grew up with basic Idaho values. Values he learned growing up on the family ranch. The ranch his grandfather homesteaded.

Larry Craig graduated from the University of Idaho and went on to become a State Senator. At the same time he was taking care of Idaho, he was taking care of his growing family. Larry Craig is committed to protecting the future of all of Idaho's citizens.

Then in 1980, the people of Idaho sent him to Washington as their Congressman. For ten years he has served Idaho with honor and distinction. Making Idaho proud.

A SPECIAL KIND OF SENATOR

he kind of Senator we can be proud of. A Senator who will fight for Idaho and protect our future. That's Larry Craig. He will take Idaho's values to the U.S. Senate and make government work for us.



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TO PROCEED
IN 1972



FOR
U.S.
SENATE

9 2 0 4 0 9 0 4 5 9 3

Larry Craig's battle to pass a Balanced Budget Constitutional Amendment is an example of his commitment to protect the future of all Americans from reckless government spending. Larry Craig has fought to preserve the integrity of the FHA Mortgage Insurance Program. The FHA Program is essential to thousands of people buying their first home. A home they might not otherwise afford without FHA insurance.



Owning your own home is a cherished right of many Americans. And affording that home is often a difficult task. Larry Craig is a leader, fighting to preserve the home mortgage interest tax deduction. This deduction allows millions of mostly middle income Americans to live in the home they worked so hard to buy. Federal Income Taxes are high enough, without having to pay even more to the Federal government on the money that pays your mortgage.

David Welch Associates

COMMUNICATIONS SPECIALISTS

MEMORANDUM

TO: Lisa Friday
Director Political Programs
National Association of Realtors
777 14th Street NW
Washington, D.C. 20005

FR: Dan Hazelwood

DT: September 17, 1990

RE: NS-001 Idaho piece

Attached you will find revised copy and a thumbnail sketch of the piece. With your approval, I would like to go to type-setting at 10:00 am tomorrow morning.

I placed the section on the Realtors on the back panel. Bill McInturff asked me to give you a brief explanation as to why. Research has shown that there tend to be 3 types of readers of political mail: readers, scanners and breezers. Readers will read everything no matter where it is on the piece. Scanners will glance through the piece and pick out the easier graphically or syntactically interesting sections to read. Finally, the breezers glance at the piece. They will most likely look at the front and glance at the inside. They will tend to choose the outside of piece to read, unless they have a strong motivation to study everything. In which case they are no longer breezers, but readers. Having the FHA and mortgage interest sections on the back, make it available to all 3 categories of mail recipients.

Also please note, the piece for seniors (Colorado) will feature these two issues as central to the piece.

If I can answer any more questions, please do not hesitate to ask.

92040304594

Welch Associates
NG-001
11 x 17 3/3 Ctd.
folded to 11 x 5.66

COVER:

Address needed

indicia needed

Photo: Larry Craig

Head:

Larry Craig
Fighting to Protect Idaho's Future

INSIDE PANEL FOLDED IN ON RIGHT:

Head:

For Ten Years, Larry Craig
Has Been Working Here...

Photo: U.S. Capitol

Bottom:

To Protect All of us
at Home in Idaho.

FULL INSIDE LEFT PANEL:

Picture of the State of Idaho
wrapped into it as a logo:

Larry Craig
for
U.S. Senate

92040904595

CENTER PANEL:

Sub-Head:

A Balanced Federal Budget

Paying your way is a simple Idaho value that Larry Craig learned growing up on his parents' ranch. Larry Craig believes that government should work within its means. Not on our backs. That is why he founded Congressional Leaders United for a Balanced Budget, a bipartisan coalition to fight reckless government spending. It's just one of the many reasons Larry Craig is known in Washington D.C. for his tireless fight for a balanced budget.

Larry Craig believes that a Constitutional Amendment will help force Congress to pass a fair and balanced budget. One which would improve America's ability to compete economically in the international arena. And at the same time, free up valuable dollars for investment in business right here in Idaho.

But Larry Craig does not believe the answer to balancing the budget is new taxes. In fact, Larry Craig has voted against numerous new taxes and has pledged to hold the line against runaway taxation.

Sub-Head:

Responsible Government

Larry Craig has a simple vision of government -- it should be responsible to the people. Serving their basic needs. And not a playground for politicians who have no respect for the people they serve.

It's simple Idaho values that make Larry Craig fight for responsible government.

Larry Craig's tough beliefs earned him a seat on the House Ethics Committee. The Committee that investigates Congress. The Committee that decides what is and is not acceptable congressional behavior -- the difference between right and wrong. It takes strong character to look at a colleague and pass judgement. Its character Larry Craig learned growing up in Idaho.

Making government work for the people. Its a simple value. But important to the people of Idaho. And its why the people of Idaho can rely on Larry Craig.

92040904596

RIGHT PANEL:

Sub-Head:

A Special Kind of Person...

The kind of person we need involved in government. That's Larry Craig.

Larry Craig was born in Idaho. He grew up with basic Idaho values. Values he learned growing up on the family ranch. The ranch his grandfather homesteaded.

Larry Craig graduated from the University of Idaho and went on to become a State Senator. At the same time he was taking care of Idaho, he was taking care of his growing family. Larry Craig is committed to protecting the future of all of Idaho's citizens.

Then in 1980, the people of Idaho sent him to Washington as their Congressman. For ten years he has served Idaho with honor and distinction. Making Idaho proud.

Sub-Head:

A Special Kind of Senator

The kind of Senator we can be proud of. A Senator who will fight for Idaho and protect our future. That's Larry Craig. He will take Idaho's values to the U.S. Senate and make government work for us.

Photo: Larry Craig

Bottom Head:

**Larry Craig for U.S. Senate
Fighting to Protect Idaho's Future**

92040904597

BACK CENTER PANEL (same logo only smaller):
Larry Craig
for U.S. Senate

Larry Craig's constant battle to pass a Balanced Budget Constitutional Amendment is an example of his commitment to protect the future of all Americans from reckless government spending. Many in Congress are working to preserve the integrity of the FHA fund. The FHA fund supports thousands of people buying their first home. A home they might not otherwise afford without help from the FHA fund.

Owning your own home, is a cherished right of many Americans. And maintaining that home is often a difficult task. Larry Craig and other members of congress are fighting to preserve the home mortgage interest tax deduction. This deduction allows millions of mostly middle income Americans to live in the home they worked so hard to buy. Local property taxes are bad enough, without having to pay the Federal government taxes on the money that pays your mortgage.

The Realtors Political Action Committee is honored to be able to support leaders like Larry Craig who have a strong and serious commitment to the future of our nation. That is why the Realtors Political Action Committee is proud to pay for this brochure.

Paid for by Realtors Political Action Committee

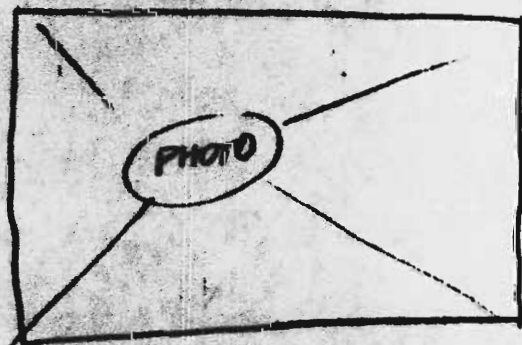
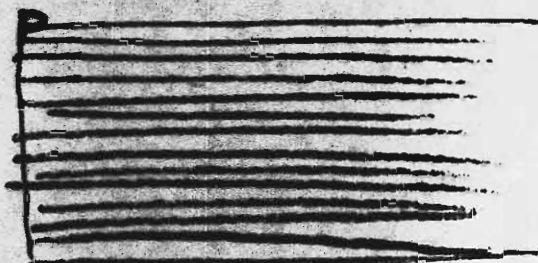
92040904598

92040904599

Obviously,
Not
to Scale

LARRY CRAIG
FOR
U.S. SENATE

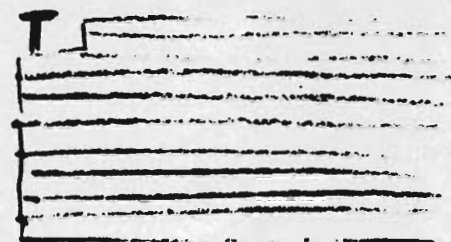
A BALANCED
FEDERAL BUDGET



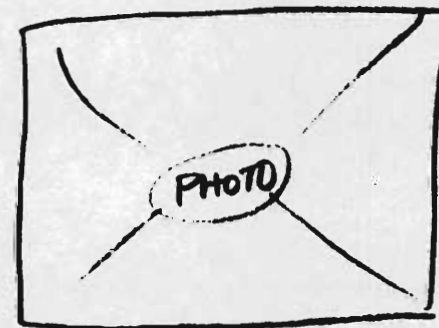
RESPONSIBLE GOVERNMENT



A SPECIAL KIND
OF PERSON...



A SPECIAL KIND
OF SENATOR

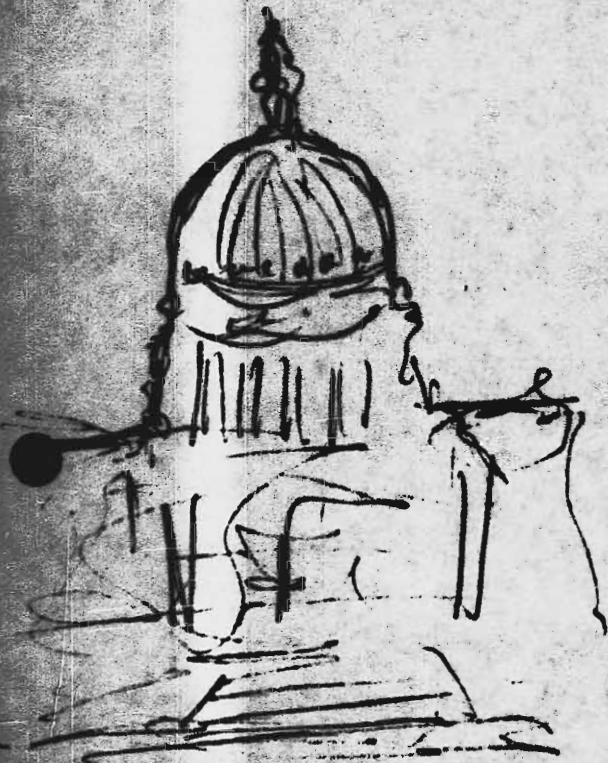


LARRY CRAIG FOR
U.S. SENATE

ighting to Protect Idaho's Future

9 2 0 4 0 9 0 4 6 0 0

FOR TEN YEARS,
LARRY CRAIG HAS
BEEN WORKING HERE...



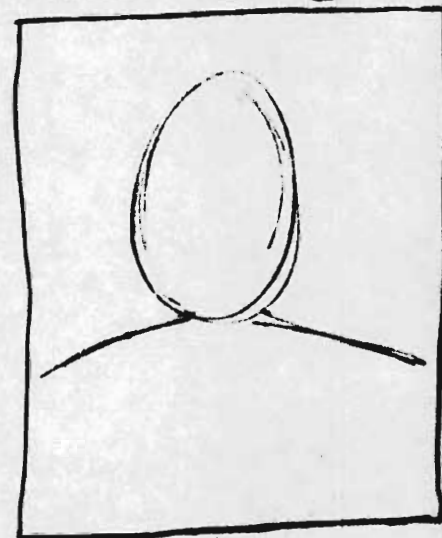
TO PROTECT ALL OF US
HERE IN IDAHO.

LARRY
CRAIG
FOR U.S. SENATE



LABEL AREA

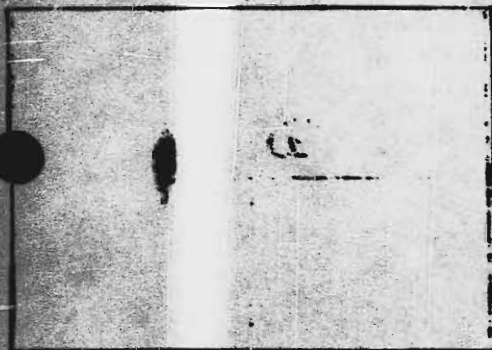
LARRY
CRAIG



Fighting To Protect
Idaho's Future

9 2 0 4 0 9 0 4 6 0 1

FOR TEN YEARS,
LARRY CRAIG
HAS BEEN
WORKING
HERE...



TO PROTECT ALL
OF US AT HOME
IN IDAHO.



Larry Craig's battle to pass a Balanced Budget Constitutional Amendment is an example of his commitment to protect the future of all Americans from endless government spending. Larry Craig has fought to preserve the integrity of the FHA Mortgage Insurance Program. The FHA Program is essential to thousands of people buying their first home. A home they might not otherwise afford without FHA insurance.

Owning your own home is a cherished right of every American. And affording that home is often a difficult task. Larry Craig is a leader, fighting to preserve the home mortgage interest tax deduction. This deduction allows millions of hardworking middle income Americans to live in the home they worked so hard to buy. Federal income taxes are high enough, without having to pay even more to the Federal government on the money that pays your mortgage.

LARRY
CRAIG

Fighting to Protect
Idaho's Future

LARRY CRAIG

FOR U.S. SENATE

FPO

A BALANCED FEDERAL BUDGET

Paying your way is a simple Idaho value that Larry Craig learned growing up on his parents' ranch. Larry Craig believes that government should work within its means. Not on our backs. That's why he founded Congressional Lambda United for a Balanced Budget, a bipartisan coalition to fight reckless government spending. It's just one of the many reasons Larry Craig is known in Washington, D.C. for his steady fight for a balanced budget.

Larry Craig believes that a Constitutional Amendment will help force Congress to pass a fair and balanced budget. One which would improve America's ability to compete economically in the international arena. And at the same time, free up valuable dollars for investment in business right here in Idaho.

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RESPONSIBLE GOVERNMENT

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Then in 1980, the people of Idaho sent him to Washington as their Congressman. For ten years he has served Idaho with honor and distinction. Making Idaho proud.

A SPECIAL KIND OF SENATOR

The kind of Senator we can be proud of. A Senator who will fight for Idaho and protect our future. That's Larry Craig. He will take Idaho's values to the U.S. Senate and make government work for us.

LARRY CRAIG FOR
U.S. SENATE
FIGHTING TO PROTECT
IDAHO'S FUTURE

9 2 0 4 0 9 0 4 6 0 3

R.P.A.C.
439 N. MICHIGAN AVE.
CHICAGO, IL 60611

DETACH BEFORE CASHING
THIS CHECK IS IN PAYMENT OF THE ITEMS LISTED BELOW. IF INCORRECT, PLEASE RETURN WITH YOUR NOTATIONS.

| VOICE DATE | INVOICE NUMBER | AMOUNT | ITEM DESCRIPTION |
|------------|----------------|------------------|---------------------------------------|
| 9/10/90 | 901EG01 | 120.00 127.00 | IF BULK RATE PERMIT (C-1) ** TOTAL |

REALTORS® POLITICAL ACTION COMMITTEE
R.P.A.C.

439 N. MICHIGAN AVE.
CHICAGO, IL 60611

008881 ²⁻⁷⁷/₇₁₀

AMERICAN NATIONAL BANK AND TRUST
COMPANY OF CHICAGO

DATE
9/13/90

AMOUNT
*****120.00

US POSTMASTER
1745 STOLT ST. 707
DENVER

CC 83266-9651

DIVISION ACCOUNT

[Handwritten signature]
[Handwritten signature]

008881 00710007700 00269425

CO

92040904604

U.S. Postmaster

DATE

9/10/90

ADDRESS

1745 Stout Ste. 700

CITY

DENVER

STATE

CO

ZIP CODE

80206-9051

___ 3 PER CO-OP AGREE

OVERGOAL REFUND

REFUND-MONIES BEYOND TIME

REFUND-CORP CONTRIB

☒ IE Bulk RatePermit (CO)

08- 200.471

\$120.00

Return check to
Jane Chundry

\$120.00

REQUESTED BY

LISA A. Friday

DEPARTMENT/AFFILIATE

SPAC
MANAGER/WR

APPROVED BY

JF Jankin

DISTRIBUTION: WHITE & CANARY - TO ACCOUNTING DEPT. & PER - ORIGINATOR'S FILE COPY.

92040904605

REALTORS® POLITICAL ACTION COMMITTEE
R.P.A.C.
438 N. MICHIGAN AVE.
CHICAGO, IL 60611

DETACH BEFORE CASHING

THIS CHECK IS IN PAYMENT OF THE ITEMS LISTED BELOW. IF INCORRECT, PLEASE RETURN WITH YOUR NOTATIONS.

| INVOICE DATE | INVOICE NUMBER | AMOUNT | ITEM DESCRIPTION |
|--------------|----------------|-------------|-----------------------------|
| 10/01/90 | 963262 | \$17,500.00 | POSTAGE ID SERVICE, IE RACE |

REALTORS® POLITICAL ACTION COMMITTEE
R.P.A.C.
438 N. MICHIGAN AVE.
CHICAGO, IL 60611

000172 ²⁷/₁₁₀

AMERICAN NATIONAL BANK AND TRUST
COMPANY OF CHICAGO

DATE
10/03/90

AMOUNT
*****17,500.00

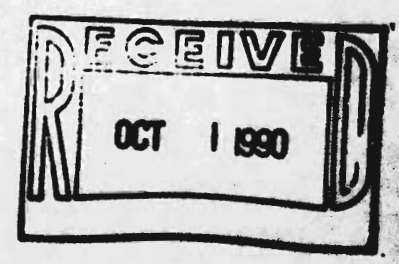
US POSTMASTER

DIVISION ACCOUNT

cf

NON-NEGOTIABLE

⑈000172⑈ ⑆071000770⑆ 00269425⑈



REALTORS® POLITICAL ACTION COMMITTEE

89/33

CHECK REQUISITION

DATE 10/1/90

90 IEG 02



PAYABLE TO:

U.S. Postmaster

CITY

Boise

ADDRESS

770 S. 13th St.

ACCOUNT TO BE CHARGED

ZIP CODE

83708-9651

EXPLANATION

ENTERED 10/2/90

BY.....

200-471

\$17,500

- ☐ PER CO-OP AGREE
- ☐ OVERSICL REFUND
- ☐ REFUND-MONIES BEYOND TERM
- ☐ REFUND-COOP CONTRIB
- ☐ Postage ID Senate
- ☐ IE RACE

Fed X to Address ON MAIL



\$17,500

DEPARTMENT/AFFILIATION
RPAC

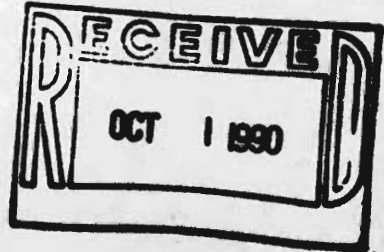
REQUESTED BY

Janie Hunsicker

DISTRIBUTION: WHITE & CANARY - TO ACCOUNTING DEPT. - PINK - ORIGINATOR'S FILE

92040904607

90 OCT -2 10:10:48



From: Friday, Lisa (LFRIDAY)
To: JSaunders
Date: Monday, October 1, 1990 10:30 am
Subject: Direct Mail Postage Fee

10:30:30

The postage fee for the independent expenditure direct mail piece in the Idaho senate race is estimated at \$17,500.00. This amount should cover a mailing to approximately 150,000 targeted households statewide.

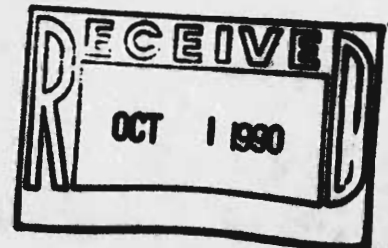
The postage fee should be made out to the U.S. Postmaster and sent federal express to the attention of Dan Jackson with the law firm in Boise, Idaho that was used to open the bulk rate mail permit. The address is as follows:

Moffatt, Thomas, Barrett, Rock & Fields
934 W. Jefferson
Boise, Idaho 83701 SB 852,
Attn: Dan Jackson
ph: 208/345-2000

Note: The SPAC bulk rate permit No. is (654) for this account.

92040904608

RECEIVED
OCT-2 10:30:48



October 3, 1990

Realtor's Political Action Committee
Attn: Jane Saunders
777 14th Street NW
9th Floor
Washington, DC. 20005

Invoice for Following Expenditures

| | | |
|---|------------|---------------------|
| <u>Idaho</u> - Media Production | | \$30,000.00 |
| Mail Production | | 21,016.85 |
| Tape Acquisition | - | <u>3,316.60</u> |
| Total Idaho | | \$56,333.45✓ |
| <u>Florida 18</u> - RDS-Lehtinen-Bio Piece | Approx Qty | |
| | 29,000 | \$ 7,515.20 |
| RDS-Lehtinen-Drugs/Crime | Approx Qty | |
| | 25,500 | 6,099.51 |
| Tape Acquisition | Approx Qty | |
| | 45,799 | <u>2,714.92</u> |
| Total FL 18 | | \$16,329.63✓ |
| <u>Missouri 2</u> - Buechner Bio-Approx Qty 72,000 | | \$10,810.80 |
| Buechner Seniors-Approx Qty 27,000 | | <u>4,579.68</u> |
| Total Missouri | | \$15,390.48✓ |
| <u>Colorado-U.S. Senate</u> - Tape Acquisition Approx Qty 321,716 | | \$13,865.06 |
| Total Colorado | | \$13,865.06✓ |
| Total Due | | <u>\$101,918.62</u> |

92040904609

VENDOR NO: _____

Regulation - complete shaded areas

REQUEST DATE: 10/3/93

P. O. NUMBER

VENDOR
 The McInturff/Gaylord
 COMPANIES, INC.
 Escrow Account
 7700 Leesburg Pike

Note/Att'n: North Bldg.
Order Placed with: FALLS CHURCH VA
Date Placed: 2 20 63

PHONE NO:

SHIP VIA: T A U R C O I *

TERMS:

ORDER TYPE: N Q S SALES TAX: Y N

1990

S 1 430 N. Michigan Ave., Chicago, IL 60611-4087

N 2 WAREHOUSE 1455 Greenleaf Ave., Elk Grove, IL 60007-4472

1 3 777-14th Street, N.W. Washington, D.C. 20005-3271

P 4 OTHER:

BILL TO: 1 2 4

(same as above)

CONFIRMING Y N

FOR: SF OF LN SO

☐ Prepaid ☐ Collect ☐ Other

circumstances.

CAPITAL: Y N INVENTORY: Y N

RECEIVING REPORT: Y N

N.A.R. INTERNAL

CHARGE ACCOUNT NUMBER 02

| LN | ITEM NUMBER | DESCRIPTION | QTY | QUANTITY | DELIVERY DATE | UNIT PRICE | TOTAL |
|----|-------------|------------------------|-----|----------|------------------|---------------|-------|
| | - | BOR | | | | | |
| | | IE's as follows | | | | | |
| | | ED - Media | | | | 36,333.45 | ✓ |
| | | FL-18 Bio/crine piece | | | | | |
| | | Tape | | | | 16,329.63 | ✓ |
| | | MO-2 Bio/saniers piece | | | | 15,380.48 | ✓ |
| | | CO Senate - tape | | | | 13,165.06 | ✓ |

SPECIAL INSTRUCTIONS
IN 4873

| | | | | | |
|------|---|---|---|---|----|
| Code | 1 | 2 | 3 | 4 | 5 |
| | 6 | 7 | 8 | 9 | 10 |

PLANNED FOR THE FUTURE

PLANNER CODE:**BUYER CODE:**

SALES TAX

PO TOTAL

101 918.42

To: Sue Lescyk

From: Doug Thompson 

Subject: Independent Expenditure Invoice

Date: October 9, 1990

This is to request a wire transfer of funds in the amount of \$101,918.62 to McInturf/Gaylord Companies, Inc. on Wednesday, October 10, 1990. This payment is for their services on behalf of the RPAC Independent Expenditures program. The request for a wire service is due to extremely time sensitive political media buys.

The information you require for the wire transfer is as follows:

Account Name: McInturf-Gaylord Companies, Inc./Escrow Account

Account #: 0716-5528

Bank: First American Bank of Virginia, McLean, Virginia

ABA#: -056004341

Routing #: same as ABA#.

92040904611

PAYABLE TO: The McInturff/Gaylord Companies, Inc./Treasury Account

DATE 10/9/90

ADDRESS 7700 Leesburg Pike, North Building Falls Church

STATE VA ZIP CODE 22043

EXPENSE

EXPENSE PLANIFICATION ACCOUNT

0000000000

4 PER CO-OP LOANS

OVERSICOL REFUND

REFUND-MONIES BEYOND TIME

REFUND-CORP CONTRIB

I.E. Idaho - Media Production

FL-18 Bio Piece, Drugs/Crime

MD-3 Bio piece

CO Senate Tape Acquisition

05-200.471

\$101,918.62

Funds to be wire transferred
on Wed 10-10-90 (per attached
memo request)

TOTAL \$101,918.62

REQUESTED BY

Jane Saunders

DEPARTMENT/AFFILIATE

FINANCE/HR

APPROVED BY

10-9-90

DISTRIBUTION: WHITE & SARANTY - TO ACCOUNTING DEPT. & FILE - ORIGINAL TO FILE DEPT.

92040904612

9 2 0 4 0 9 0 4 6 1 3

DATE: 10/10/90**WIR INVESTMENT ACTIVITY SHEET**

| Affiliate | Co. | Description of Investment | Principal | Maturity | Yield | Amount Paid | Amount Received | Total | Brokerage |
|-----------|-----|---------------------------|-----------|----------|-------|-------------|-----------------|--------------|-----------|
| RPAC | DS | | | | | | | \$101,918.62 | |

Account: 269425
 Settlement Date: 10/10/90

Buy ☐ Sell ☐ Maturity ☐

WIRE INSTRUCTIONS:

Wire \$101,918.62 to First American Bank of Virginia (McLean VA) to
 account of Marketing/Export Companies Inc./New York. Acct # 0716-5528
 (See E-mail memo)

Confirmation: _____

NOTES:

| Account | Description | Price | Yield | Amount | Maturity | Amount | Brokerage | Fee |
|-----------------------------|-------------|-------|-------|--------|----------|--------|-----------|-----|
| <input type="checkbox"/> 1. | | | | | | | | |
| <input type="checkbox"/> 2. | | | | | | | | |
| <input type="checkbox"/> 3. | | | | | | | | |

AUTHORIZED TO PURCHASE ABOVE SECURITIES:

CC: Dale Stinson, Senior Vice President and Controller
 Marcia Liberty, Division Vice President Finance Management
 John Pierpoint, Director of Internal Audit
 Rhonda Bacci, Director of Financial Reporting

See Lesseyk, RPAC/Cash Control
 Debbie Finkle, Cashier
[Signature], Originator

10/10/90
 confirmed
 by Koko at 11:35am
 SL

Rohli
 11/19

(1010527)

The McInturff/Gaylord Companies, Inc.

October 15, 1990

Reuter's Political Action Committee
Attn: Jane Saunders
777 14th Street NW
9th Floor
Washington, DC. 20005

Print-Mail Production

Invoice for Following Expenditures

| | |
|-----------------------------|---------------------|
| Idaho - Balance due | \$ 0.00 |
| New Hampshire - Balance due | \$7,000.00 |
| Colorado - Balance due | \$6,325.00 |
| Missouri 2 - Balance due | \$6,542.00 |
| Florida 12 - Balance due | \$22,000.00 |
| Total Due | \$141,782.00 |

Please make check payable to:
McInturff/Gaylord Companies Inc. - Escrow

Bill = \$152,536⁰⁰
3834/00 FL
Per final letter from 12-16-90 from
McInturff/Gaylord. The \$3834.00
amount expected 5/8 for Craig
Am. and corrected
in that amount
report.



NATIONAL ASSOCIATION
OF REALTORS®

The Voice for Real Estate™

08C 1379
NATIONAL ASSOCIATION OF REALTORS®
430 N. Michigan Avenue
Chicago, Illinois 60611-4087

Office of the General Counsel
Telephone 312 329 8270

Fax 312 329 8576

TO CALL WRITER DIRECT:
312 329-8375

May 23, 1991

Ms. Dawn Odrowski
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3144
REALTORS® Political Action Committee and
Thomas Jefferson III as Treasurer

Dear Ms. Odrowski:

In accordance with our telephone conversation, enclosed herein please find documentation relative to the payment for a bulk rate mailing permit in connection with the independent expenditure conducted by the REALTORS® Political Action Committee in Idaho in 1990.

Please do not hesitate to contact me if you need any further information in this regard.

Sincerely,

Ralph W. Holmen

RWH/jbh
Enclosure

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 MAY 31 PM 2:09

RECEIVED
FEDERAL ELECTION COMMISSION
91 MAY 31 AM 10:44



R.P.A.C.
430 N. MICHIGAN AVE.
CHICAGO, IL 60611

DETACH BEFORE CASHING
THIS CHECK IS IN PAYMENT OF THE ITEMS LISTED BELOW. IF INCORRECT, PLEASE RETURN WITH YOUR NOTATIONS.

| INVOICE DATE | INVOICE NUMBER | AMOUNT | ITEM DESCRIPTION |
|--------------|----------------|------------------|--------------------------------------|
| 9/10/90 | 9-15001 | 120.00 120.00 | BULK RATE PERMIT IL (10) ** TOTAL |

008882 377
710

REALTORS® POLITICAL ACTION COMMITTEE
R.P.A.C.
430 N. MICHIGAN AVE.
CHICAGO, IL 60611

008882 377
710

AMERICAN NATIONAL BANK AND TRUST
COMPANY OF CHICAGO

DATE
9/13/90

AMOUNT
*****120.00

US POSTAL SERVICE
770 S 13TH ST
BOISE

IC 83705-9051

DIVISION ACCOUNT

NON-NEGOTIABLE

⑈008882⑈ ⑆071000770⑆ 00269425⑈

92040904617

REALTOR®

CHECK REQUISITION

DATE

9/10/90

PAYABLE TO:

U. S. Postal Service

ADDRESS

770 S. 13th St.

CITY

Boise

STATE

ID

83708-9051

ZIP CODE

ACCOUNT ID

☐

PER CO-OP AGREE

☐

OVERSEAS REFUND

☐

REFUND-MONIES BEYOND TIME

☐

REFUND-CORP CONTRIB

ENTERED

9/10/90

BY.....

05- 200.471

Return check
JANE SAUNDERS

SEP 12 AM 10:28

RECEIVED
RECEIVED

\$100.00

TOTAL



SEP 12 1990

REQUESTED BY

LISA A Friday

DEPARTMENT/AFFILIATE

RMC
FEDERAL/NAR

APPROVED BY

[Signature]

DISTRIBUTION: WHITE & CANARY - TO ACCOUNTING DEPT. - PINK - ORIGINATOR'S FILE COPY

920090426

STEPHEN WINCHELL & ASSOCIATES, INC.

1616 L STREET N.W. • SUITE 340 • WASHINGTON, D.C. 20036 • 202/466-4242 • FAX (202) 466-4917.

1124 Pacific
OMANNUS109

To: Lisa Friday
From: Allison Flaum
Date: August 26, 1990
Re: Bulk Rate Permits

A. Flaum

US Postmaster

Info. 402 1348-2864

As we discussed on the phone today, you are going to have someone file postal form 3601 with the post offices in Florida and Missouri to obtain bulk mail permits. Please be sure they have the necessary \$120.

The address in Florida is - 1100 Kings Road
Office #2, First Floor
Jacksonville, FL 32203

US Postmaster

Info. 904/355-7511

Missouri - Mail Requirements
1720 Market Street
Room 1011
St. Louis, MO 63155

US Postmaster

Info. 314/426-4166

Once we have obtained the bulk mail permits but before our mail will be accepted, form 4401 will need to be submitted to the different bulk mail centers. I am having these forms forwarded to us.

As you requested, I followed up on Colorado and Idaho. Both of these post offices allow form 3601 to be submitted by mail with the fees if you don't have a contact in the area. The completed forms and fees should be sent to -

Denver - Mail Requirements Office
1745 Stout
Suite 700
Denver, CO 80266-9651
Attn: Betty Miller

US Postmaster

Info. 303/297-6016

Boise - Bulk Mail Acceptance Unit
770 S. 13th Street
Boise, ID 83708-9651
Attn: Lance Sullivan

US Postal Service

Info. 208/383-4261

Again, if you have any questions or comments, please don't hesitate to call.

cc: D. Bufkin
M. Gaylord
B. McInturff



2040904619



**NATIONAL ASSOCIATION
OF REALTORS®**

REALTOR®

The Voice for Real Estate™

08C 3003
NATIONAL ASSOCIATION OF REALTORS®
430 N. Michigan Avenue
Chicago, Illinois 60611-4007
Office of the General Counsel
Telephone 312 329 8270
Fax 312 329 8578

**TO CALL WRITER DIRECT:
312 329-8375**

October 10, 1991

Ms. Dawn Odrowski
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

**RE: MUR 3144
REALTORS® Political Action Committee and Thomas
Jefferson III as Treasurer**

Dear Ms. Odrowski:

Pursuant to our telephone conversation, set forth below is a recap of the expenditures of the REALTORS® Political Action Committee to support the candidacy of Larry Craig for the Senate in 1990:

1. September 7, 1990:

\$15,000 paid to McInturff/Gaylord for media production and fees for the television spot supporting Mr. Craig. This payment was made as a part of a total payment of \$50,000 to the firm, which included expenditures made in connection with other elections. Documentation of this payment is enclosed.

2. September 13, 1990:

\$120 paid to the U.S. Postmaster for a bulk mailing permit.

91 OCT 22 PM 3:08
91 OCT 21 PM 12:28
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
WASHINGTON, D.C. 20463



October 10, 1991

Page 2

3. July 18, 1990 and July 27, 1990:

A total of \$19,050 paid to America Viewpoint, Inc. for survey research attendant to determining whether an independent expenditure in support of Mr. Craig should be undertaken. This amount was initially reported on line 27 but later transferred to Schedule E when it was determined to make an expenditure on Mr. Craig's behalf. The research was used in conducting both the television and mail components of the expenditure.

4. October 3, 1990:

Payment of \$17,500 to the U.S. Postmaster, as a deposit for the estimated postage to be incurred in mailing the brochure supporting Mr. Craig. The total postage expense which was actually incurred, however, was \$14,407.34, and RPAC received a refund of \$3,092.66 from the Postmaster on March 13, 1991.

5. October 10, 1990:

\$56,333.45 paid to McInturff/Gaylord. This payment was made as part of a wire transfer of \$101,918.62 to the firm, which included payment for expenses attributable to other elections. Of the amount allocable to support for Mr. Craig, \$30,000 was for media (television airtime) costs, \$21,016.85 was for costs of production of the brochure in support of Mr. Craig, and \$5,316.00 was for acquisition of a list of addresses to whom the brochure supporting Mr. Craig would be mailed.

6. In addition, the December 18, 1990 invoice of McInturff/Gaylord shows a total expense of \$72,093.88 attributable to Mr. Craig. That statement also shows, incorrectly, a total of \$67,499.45 paid by RPAC to date; the amount actually paid by RPAC as of that date should have been the sum of the \$15,000 and \$56,333.45 payments indicated in (1) and (5) above, or \$71,333.45.

The additional balance due as of that date, \$1,360.43, was not actually disbursed to McInturff/Gaylord but rather paid by reducing by that amount the refund of overpayments made by RPAC to McInturff/Gaylord attributable to expenses for other elections. This balance due was solely for expenses related to the production and distribution of the brochure supporting Mr. Craig.

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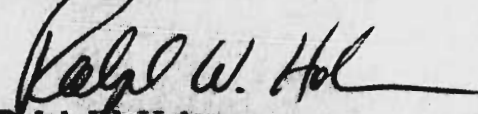
October 10, 1991

Page 3

The above figures total \$106,271.22, \$45,000 of which is attributable solely to production and broadcast of television ads supporting Mr. Craig, \$42,221.22 attributable to production and mailing of the brochures supporting Mr. Craig, and \$19,050 for research used in conjunction with both the television ads and brochures.

I trust the foregoing clarifies the remaining questions in this matter, but I invite you to contact me again if I can provide any additional information.

Sincerely,


Ralph W. Holmen

RWH/jbh

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RECEIVED
F.E.C.
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION MAR 10 AM 10:11

In the Matter of

Realtors Political Action Committee
and Thomas Jefferson, III, as
treasurer; and
Craig for U.S. Senate and Richard W.
Jackson, as treasurer

SENSITIVE

MUR 3144

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter arose from a complaint filed by Jane Jeffries, which alleged that a brochure financed by the Realtors Political Action Committee ("RPAC") advocating the election of Larry Craig for U.S. Senate in Idaho did not contain the requisite disclaimer stating whether or not the brochure had been authorized by Mr. Craig or his authorized committee, Craig for U.S. Senate ("the Craig Committee") as required under 2 U.S.C. § 441d(a). On February 1, 1991, the Commission found reason to believe that RPAC and Thomas Jefferson, III, as treasurer, violated 2 U.S.C. § 441d(a). Because RPAC's reports raised the possibility that it had not paid for all costs associated with the brochure, this Office served interrogatories and document requests on RPAC eliciting information regarding the production and distribution costs.

In response to the Commission's reason to believe finding, RPAC has requested to enter into conciliation prior to a finding of probable cause to believe. Attachment 1 at 1. Moreover, RPAC has submitted initial and supplemental responses to discovery propounded by this Office. See Attachment 1 at 1, 39

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and 43. Based on an analysis of these responses and for the reasons discussed in this Report, this Office recommends:

(1) that the Commission find reason to believe that RPAC and its treasurer violated 2 U.S.C. § 434(b)(6)(B)(iii) for improperly reporting its expenditures relating to the brochure supporting Larry Craig; (2) that the Commission enter into conciliation with RPAC and its treasurer prior to a finding of probable cause to believe in connection with both the new violation and the Section 441d(a) violation;¹ and (3) that the Commission find no reason to believe that the Craig Committee violated 2 U.S.C. § 441d(a).

II. FACTUAL AND LEGAL ANALYSIS

A. Disclaimer Violation

The Federal Election Campaign Act of 1971, as amended (the "Act") requires that whenever any person makes an expenditure for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate through any direct mailing or any other type of general public political advertising, the communication must state who paid for it, and where required, who authorized it. 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). If a communication is not authorized by a candidate, a candidate's authorized political committee or its agents, it shall clearly

1. This Office advised RPAC's counsel that it intended to recommend that the Commission make an additional reason to believe finding in connection with the reporting of the its expenditures for the brochure. RPAC agreed in a phone conversation to extend its request for pre-probable cause conciliation to any such finding by the Commission.

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state the name of the person who paid for it and state that it is not authorized by a candidate or candidate's committee.

2 U.S.C. § 441d(a)(3).

The brochure supporting Larry Craig ("the Craig brochure") contained a statement that it was paid for by RPAC but did not specify whether it was authorized by the candidate. RPAC's discovery responses have confirmed that the Craig brochure was an independent expenditure by RPAC in support of Mr. Craig and that all costs associated with it, including development, production and distribution costs, were paid by RPAC. Specifically, RPAC's interrogatory responses indicate that it contracted with a consultant, McInturff & Gaylord Companies, Inc. of Falls Church, Virginia, ("McInturff") to oversee the production and distribution of the Craig brochure. Attachment 1 at 4. McInturff in turn contracted with another vendor, David Welch Associates Communication Specialists, to draft the text, design the graphics, arrange for printing and prepare the brochure for mailing. Welch retained a third vendor to print and deliver the brochure to the Post Office and a free-lance photographer provided photos used in the brochure. Id. All payments relating to the brochure's development, production and distribution were made to McInturff by RPAC.

Based on the foregoing, it appears that RPAC alone was responsible for the development, production and distribution of the Craig brochure and fully financed it. Therefore, this Office recommends that the Commission find no reason to believe

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that the Craig Committee and Richard W. Jackson, as treasurer, violated 2 U.S.C. § 441d(a).

B. Reporting Violation

Unauthorized political committees must disclose the name and address of each person who receives any disbursement during the reporting period in an aggregate amount in excess of \$200 within the calendar year in connection with an independent expenditure by the reporting committee, together with the date, amount and purpose of any such independent expenditure . . .

2 U.S.C. § 434(b)(6)(B)(iii). "Purpose" means a brief statement or description of why the disbursement was made. 11 C.F.R. § 104.3(b)(3)(i)(A).

Although RPAC's discovery responses show that it did indeed pay for development and production of the Craig brochure as well as for its distribution, the production costs were improperly reported in RPAC's 1990 Pre-General report. Specifically, RPAC states in its October 1991 supplemental response that \$51,746.22 of its total \$106,271.22 independent expenditure in support of Craig was attributable to the production and distribution of the Craig brochure. Attachment 1 at 12. The brochure costs consisted of the following:

| <u>Description of Expenditure</u> | <u>Amount</u> | <u>Date of Payment</u> |
|-----------------------------------|--------------------|------------------------|
| Bulk Mail Permit | \$ 120 | 9/7/90 |
| Postage (Estimated) | 17,500 | 10/3/90 |
| Refund from Post Office | (3,092.66) | 3/13/91 |
| Total Postage | <u>\$14,407.34</u> | |

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| <u>Description of Expenditure</u> | <u>Amount</u> | <u>Date of Payment</u> |
|---------------------------------------|-----------------|-----------------------------------|
| Brochure production | \$21,016.85 | 10/10/90 |
| | <u>1,360.43</u> | 12/20/90 |
| | \$22,377.28 | |
| List Acquisition | 5,316.60 | 10/10/90 |
| Survey Research/ Feasibility Study | <u>9,525</u> | 7/18/90 & 7/27/90 ² |
| Total Brochure Cost | \$51,746.22 | |

RPAC's October 10, 1990 payments of \$21,016.85 for brochure production and \$5,316.60 for list acquisition were reported in RPAC's 1990 Pre-General report as part of a \$56,333.45 expenditure to McInturff for "production of TV media communication." In fact, only \$30,000 of that October 10 expenditure was attributable to TV ads and \$26,333 was for the production and distribution of the Craig brochure. Therefore, this Office recommends that the Commission find reason to believe that RPAC violated 2 U.S.C. § 434(b)(6)(B)(iii).

III. DISCUSSION OF CONCILIATION AGREEMENT

2. The total cost for survey research was \$19,050. RPAC originally reported this cost in its August 1990 monthly report as two disbursements of \$16,700 and \$2,350 made on these dates in July. RPAC later determined it would undertake an independent expenditure on behalf of Craig and used this research in both its television ad and the brochure. Consequently, these costs were transferred to Schedule E of the October 1990 monthly report where they were reported as an independent expenditure made on September 29, 1990, in support of Larry Craig.

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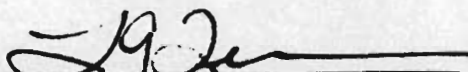
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IV. RECOMMENDATIONS

1. Find no reason to believe that Craig for U.S. Senate and Richard W. Jackson, as treasurer, violated 2 U.S.C § 441d and close the file as it pertains to them.
2. Find reason to believe that Realtors Political Action Committee, and Thomas Jefferson, III, as treasurer, violated 2 U.S.C. § 434(b)(6)(B)(iii).
3. Approve the attached factual and legal analysis.
4. Enter into conciliation with the Realtors Political Action Committee, and Thomas Jefferson, III, as treasurer, prior to a finding of probable cause to believe.
5. Approve the attached proposed conciliation agreement.
6. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

3-9-92
Date

By: 
Lois G. Lerner
Associate General Counsel

Attachments

1. RPAC's request for pre-probable cause conciliation and Discovery Responses
2. Proposed Conciliation Agreement
3. Factual and Legal Analysis for reporting violation

Staff Assigned: Dawn Odrowski



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE H. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. ENNS /DONNA ROACH
COMMISSION SECRETARY

DATE: MARCH 11, 1992

SUBJECT: HUR 3144 - GENERAL COUNSEL'S REPORT
DATED MARCH 9, 1992

The above-captioned document was circulated to the
Commission on TUESDAY, MARCH 10, 1992 at 4:00 p.m..

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

| | |
|-----------------------|------------|
| Commissioner Aikens | _____ |
| Commissioner Elliott | <u>XXX</u> |
| Commissioner McDonald | _____ |
| Commissioner McGarry | _____ |
| Commissioner Potter | _____ |
| Commissioner Thomas | _____ |

This matter will be placed on the meeting agenda
for WEDNESDAY, MARCH 25, 1992.

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

92040204629

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3144
Realtors Political Action Committee)
and Thomas Jefferson, III, as)
treasurer; and)
Craig for U.S. Senate and Richard)
W. Jackson, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on March 25, 1992, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 3144:

1. Find no reason to believe that Craig for U.S. Senate and Richard W. Jackson, as treasurer, violated 2 U.S.C. § 441d and close the file as it pertains to them.
2. Find reason to believe that Realtors Political Action Committee, and Thomas Jefferson, III, as treasurer, violated 2 U.S.C. § 434(b)(6)(B)(iii), but take no further action with respect to this violation.
3. Approve the appropriate factual and legal analysis.

(continued)

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4. Enter into conciliation with the Realtors Political Action Committee and Thomas Jefferson, III, as treasurer, prior to a finding of probable cause to believe.
5. Approve an appropriate conciliation agreement pursuant to the actions noted above and the meeting discussion.
6. Approve appropriate letters pursuant to the actions noted above and the meeting discussion.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Potter was not present.

Attest:

3/27/92
Date

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

92040904631



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 9, 1992

Richard W. Jackson, Treasurer
Craig for U.S. Senate
P.O. Box 1693
1150 W. State Street
Boise, ID 83701

RE: MUR 3144
Craig for U.S. Senate and
Richard W. Jackson, as
treasurer

Dear Mr. Jackson:

On October 25, 1990, the Federal Election Commission notified Craig for U.S. Senate ("Committee") and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On March 25, 1992, the Commission found, on the basis of the information in the complaint, and information provided by you and others, that there is no reason to believe the Committee and you, as treasurer, violated 2 U.S.C. § 441d. Accordingly, the Commission closed its file in this matter as it pertains to the Committee and you, as treasurer.

This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted


92040904632

Richard W. Jackson, Treasurer
Page 2

to the Commission. Receipt of the waiver will be acknowledged
in writing by the Commission.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

92040904633



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 9, 1992

Mr. Ralph Holmen
Senior Counsel
National Association of Realtors
430 N. Michigan Ave.
Chicago, IL 60611-4087

RE: MUR 3144
Realtors Political Action
Committee and Thomas
Jefferson, III, as
treasurer

Dear Mr. Holmen:

On February 1, 1991, the Federal Election Commission found reason to believe that your clients, Realtors Political Action Committee ("RPAC") and Thomas Jefferson, III, as treasurer, violated 2 U.S.C. § 441d. At your request, on March 25, 1992, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

On that same date, the Commission also found that RPAC and its treasurer violated 2 U.S.C. § 434(b)(6)(B)(iii). However, after considering the circumstances of this matter, the Commission also determined to take no further action with respect to that violation. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Also enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to 30 days, you should respond to this notification as soon as possible.

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Ralph Holmen, Esq.
Page 2

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Dawn M. Odrowski, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures
Factual & Legal Analysis
Conciliation Agreement

92040904635

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

NUR: 3144

RESPONDENTS: Realtors Political Action Committee
and Thomas Jefferson, III,
as treasurer

9 2 0 4 0 9 0 4 6 3 6
The Federal Election Campaign Act of 1971, as amended, requires that unauthorized political committees disclose the name and address of each person who receives any disbursement during the reporting period in an aggregate amount in excess of \$200 within the calendar year in connection with an independent expenditure by the reporting committee, together with the date, amount and purpose of any such independent expenditure and a statement which indicates whether such independent expenditure is in support of, or in opposition to, a candidate, the name and office of such candidate and a sworn certification whether such expenditure is made in cooperation with any candidate or any authorized committee or its agent. 2 U.S.C.

§ 434(b)(6)(B)(iii). "Purpose" means a brief statement or description of why the disbursement was made. 11 C.F.R.

§ 104.3(b)(3)(i)(A).

In its 1990 Pre-General Report, Realtors Political Action Committee ("RPAC") reported a \$56,333.45 payment made to the McInturff/Gaylord Companies, Inc. on October 10, 1990, in connection with an independent expenditure in support of Larry Craig's election to the U.S. Senate in Idaho. RPAC listed the purpose of the expenditure as "production of TV media

communication." In fact, almost half of this amount, \$26,333.45 was used for the production and distribution of a brochure supporting Senator Craig's election and not for RPAC's television campaign in support of Craig. Accordingly, there is reason to believe that RPAC violated 2 U.S.C. § 434(b)(6)(B)(iii) by incorrectly reporting the purpose of the \$56,333.45 expenditure made on October 10, 1990.

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NATIONAL ASSOCIATION
OF REALTORS[®] COMMISSION
OFFICE

92 MAY 12 PM 3:34
The Voice for Real Estate[™]

NATIONAL ASSOCIATION OF REALTORS[®]
430 N. Michigan Avenue
Chicago, Illinois 60611-4087
Office of the General Counsel
Telephone 312 329 8270
Fax 312 329 8576

TO CALL WRITER DIRECT:
312 329-8375

May 12, 1992

Ms. Dawn Odrowski
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3144 - REALTORS[®] Political Action Committee and
Thomas Jefferson III, as Treasurer

Dear Ms. Odrowski

In connection with resolution of the above-referenced MUR, please find enclosed the following:

1. The proposed Conciliation Agreement, which I have executed on behalf of both Respondents;
2. A check in the amount of \$4,000, payable to the United States Treasury;
3. An Amendment to RPAC's Pre-General Election Report, for the period 10/1/90 to 10/17/90. This Amendment changes only the first item of page 3 of 3 of Schedule E of the original report, and divides the \$56,333.45 expenditure there reported into two expenditures of \$30,000 and \$26,333.45, as shown.

On behalf of RPAC and Mr. Jefferson, we are pleased we could resolve this matter in a mutually acceptable fashion. Please feel free to call if you have any questions or comments regarding the enclosures, or care to discuss this matter in any respect whatsoever.

Sincerely,

Ralph W. Holmen

Ralph W. Holmen

RWH/jbh
Enclosures



REALTORS® POLITICAL ACTION COMMITTEE

R.P.A.C.

430 N. MICHIGAN AVE.
CHICAGO, IL 60611

DETACH BEFORE CASHING

THIS CHECK IS IN PAYMENT OF THE ITEMS LISTED BELOW. IF INCORRECT, PLEASE RETURN WITH YOUR NOTATIONS.

| VOICE DATE | INVOICE NUMBER | AMOUNT | ITEM DESCRIPTION |
|------------|----------------|------------|------------------|
| 5/06/92 | 50692 | \$4,000.00 | MUR 3144 PENALTY |

92 MAY 15 AM 11:02

000289 2.77
710

REALTORS® POLITICAL ACTION COMMITTEE

R.P.A.C.

430 N. MICHIGAN AVE.
CHICAGO, IL 60611

AMERICAN NATIONAL BANK AND TRUST
COMPANY OF CHICAGO

DATE
05/11/92

AMOUNT
*****4000.00

DIVISION ACCOUNT

US TREASURY

WASHINGTON DC 20006

⑈000289⑈ ⑆071000770⑆ 00269425⑈

92040904639

REPORT OF RECEIPTS AND DISBURSEMENTS

AMENDED REPORT PRE-GENERAL
REPORT 10/01/90 to 10/17/90

For Other Than An Authorized Committee

(Summary Page)

USE FEC MAILING LABEL
OR
TYPE OR PRINT

C 00030718 112991
THOMAS JEFFERSON III
REALTORS POLITICAL ACTION COMM
ITTEE
430 NORTH MICHIGAN AVE
CHICAGO IL 60611

orted

2. FEC IDENTIFICATION NUMBER

C 000 30718

3. This committee qualified as a multicandidate
committee DURING THIS Reporting Period on
(date).

4. TYPE OF REPORT

(a) ☐ April 15 Quarterly Report

☐ July 15 Quarterly Report

☐ October 15 Quarterly Report

☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-election Year Only)

☐ Termination Report

Monthly Report Due On:

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

☒ Twelfth day report preceding GENERAL

(Type of Election)

election on 11/6/90 in the State of ILLINOIS

☐ Thirtieth day report following the General Election on
in the State of

(b) Is this Report an Amendment? ☒ YES ☐ NO

SUMMARY

| 5. Covering Period | 10-01-90 through 10-17-90 | COLUMN A This Period | COLUMN B Calendar Year-to-Date |
|--|---------------------------|-------------------------|-----------------------------------|
| 6. (a) Cash on Hand January 1, 19 <u>90</u> | | | \$ 2,206,215.32 |
| (b) Cash on Hand at Beginning of Reporting Period | | \$ 1,821,665.37 | |
| (c) Total Receipts (from Line 19) | | \$ 117,664.86 | \$ 2,294,238.95 |
| (d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) | | \$ 1,939,330.23 | \$ 4,500,454.27 |
| 7. Total Disbursements (from Line 30) | | \$ 1,348,829.29 | \$ 3,909,953.33 |
| 8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) | | \$ 590,500.94 | \$ 590,500.94 |
| 9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) | | \$ | |
| 10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) | | \$ 177,577.00 | |

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

Type or Print Name of Treasurer

WALTER WITEK JR., ASSISTANT TREASURER

Signature of Treasurer

Walter Witek Jr.

Date

May 12, 1992

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

FEC FORM 3X

(revised 1/1/91)

92040204640

| NAME OF COMMITTEE REALTORS® POLITICAL ACTION COMMITTEE | | REPORT COVERING PERIOD FROM 10-01-90 TO 10-17-90 | |
|--|--|---|---------------------------|
| | | COLUMN A Total This Period | COLUMN B Calendar Year |
| I. Receipts | | | |
| 11. Contributions (other than loans) From: | | | |
| a. Individual/Persons Other Than Political Committees | | | |
| i. Itemized (use Schedule A) | | 11,788.40 | 170,448.47 |
| ii. Unitemized | | 105,876.46 | 1,661,018.78 |
| iii. Total | (add i and ii) > | 117,664.86 | 1,831,467.25 |
| b. Political Party Committees | | | |
| c. Other Political Committees (such as PACs) | | | |
| d. Total Contributions | (add a ii, b and c) > | 117,664.86 | 1,831,467.25 |
| 12. Transfers From Affiliated/Other Party Committees | | | 300,000.00 |
| 13. All Loans Received | | | |
| 14. Loan Repayments Received | | | |
| 15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) | | | 1,145.00 |
| 16. Refunds of Contributions Made to Federal Candidates and Other Political Committees | | | 2,826.99 |
| 17. Other Federal Receipts (Dividends, Interest, etc.) | | | 158,799.75 |
| 18. Transfers from Nonfederal Account for Joint Activity | | | |
| 19. Total Receipts | (add 11d, 12, 13, 14, 15, 16, 17, and 18) > | 117,664.86 | 2,294,238.95 |
| 20. Total Federal Receipts | (subtract line 15 from line 19) > | 117,664.86 | 2,294,238.95 |
| II. Disbursements | | | |
| 21. Operating Expenditures: | | | |
| a. Shared Federal/Non-Federal Activity (from Schedule H4) | | | |
| i. Federal Share | | | |
| ii. Non-Federal Share | | | |
| b. Other Federal Operating Expenditures | | | 47,176.00 |
| c. Total Operating Expenditures | (Add a i, a ii, and b) > | | |
| 22. Transfers to Affiliated/Other Party Committees | | 8,122.94 | 239,328.84 |
| 23. Contributions to Federal Candidates/Committees and Other Political Committees | | 972,564.60 | 2,738,149.37 |
| 24. Independent Expenditures (use Schedule E) | | 367,620.97 | 778,705.84 |
| 25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F) .. | | | |
| 26. Loan Repayments Made | | | |
| 27. Loans Made | | | |
| 28. Refunds of Contributions To: | | | |
| a. Individuals/Persons Other Than Political Committees | | | |
| b. Political Party Committees | | | |
| c. Other Political Committees (such as PACs) | | | |
| d. Total Contribution Refunds | (Add a, b and c) > | | |
| 29. Other Disbursements | | 520.78 | 106,593.28 |
| 30. Total Disbursements | (add 21c, 22, 23, 24, 25, 26, 27, 28d, and 29) > | 1,348,829.29 | 3,909,953.33 |
| 31. Total Federal Disbursements | (subtract line 21 a ii from line 30) > | 1,348,829.29 | 3,909,953.33 |
| III. Net Contributions/Operating Expenditures | | | |
| 32. Total Contributions (other than loans)(from line 11d) | | 117,664.86 | 1,831,467.25 |
| 33. Total Contribution Refunds (from line 28d) | | --- | --- |
| 34. Net Contributions (other than loans)(subtract line 33 from 32) | | 117,664.86 | 1,831,467.25 |
| 35. Total Federal Operating Expenditures | (add 21 a i and 21 b) > | --- | 47,176.00 |
| 36. Offsets to Operating Expenditures (from line 15) | | --- | 1,145.00 |
| 37. Net Operating Expenditures | (subtract line 35 from 36) > | --- | 46,031.00 |

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ITEMIZED INDEPENDENT EXPENDITURES

(See Reverse Side for Instructions)

| | | | | |
|--|--|-------------------------|--------------------------------|---|
| Name of Committee (in Full) REALTORS® POLITICAL ACTION COMMITTEE | | | I.D. No. C 000 30718 | |
| Full Name, Mailing Address & ZIP Code of Each Payee | Purpose of Expenditure | Date (month, day, year) | Amount | Name of Federal Candidate supported or opposed by the expenditure & office sought |
| THE MCINTURFF/GAYLORD COMPANIES INC 7700 LEESBURG PIKE NORTH BUILDING FALLS CHURCH VA 22043 | PRODUCTION OF TV MEDIA COMMUNICATION | 10/10/90 | 30,000.00 | Larry Craig R, SENATE, ID 1990 GENERAL <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose |
| THE MCINTURFF/GAYLORD COMPANIES INC 7700 LEESBURG PIKE NORTH BUILDING FALLS CHURCH VA 22043 | PRODUCTION OF DIRECT MAIL BROCHURE COMMUNICATION | 10/10/90 | 26,333.45 | Larry Craig R, SENATE, ID 1990 GENERAL <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose |
| | | | | <input type="checkbox"/> Support <input type="checkbox"/> Oppose |
| | | | | <input type="checkbox"/> Support <input type="checkbox"/> Oppose |
| | | | | <input type="checkbox"/> Support <input type="checkbox"/> Oppose |
| | | | | <input type="checkbox"/> Support <input type="checkbox"/> Oppose |
| (a) SUBTOTAL of Itemized Independent Expenditures | | | \$ 56,333.45 | |
| (b) SUBTOTAL of Unitemized Independent Expenditures | | | \$ | |
| (c) TOTAL Independent Expenditures | | | | \$ 56,333.45 |

Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, concert with, or at the request or suggestion of any candidate or any authorized committee or agent of such candidate or authorized committee. Furthermore, these expenditures did not involve the financing of dissemination, distribution, or republication in whole or in part of any campaign materials prepared by the candidate, his campaign committee, or their agent.

Walter J. Wittich
Signature

5-18-92
Date

Subscribed and sworn to before me this 12 day of

MAY 19 92

My Commission expires:

John M. Wu
NOTARY PUBLIC
My Commission Expires September 30, 1993

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4/10/31

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Realtors Political Action Committee
and Thomas Jefferson, III, as
treasurer

SENSITIVE

NUR 3144

GENERAL COUNSEL'S REPORT

I. DISCUSSION

Attached is a conciliation agreement which has been signed by Ralph Holman, counsel for Realtors Political Action Committee ("RPAC") and Thomas Jefferson, III, as treasurer (collectively "Respondents"). Attachment 1.

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Accordingly, this Office recommends that the Commission accept the attached conciliation agreement and close the file in this matter.


II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Realtors Political Action Committee and Thomas Jefferson, III, as treasurer.
2. Close the file.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

5-19-92
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachment

1. Conciliation Agreement
2. Civil penalty check
3. Amended 1990 Pre-General Report

Staff assigned: Dawn M. Odrowski

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Realtors Political Action Committee
and Thomas Jefferson, III, as
treasurer.

)
)
) MUR 3144
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 26, 1992, the Commission decided by a vote of 6-0 to take the following actions in MUR 3144:

1. Accept the conciliation agreement with Realtors Political Action Committee and Thomas Jefferson, III, as treasurer, as recommended in the General Counsel's Report dated May 19, 1992.
2. Close the file.

(continued)

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3. Approve the appropriate letters, as recommended in the General Counsel's Report dated May 19, 1992.

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

Attest:

5-26-92
Date

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

| | | |
|-------------------------------|---------------------|------------|
| Received in the Secretariat: | Wed., May 20, 1992 | 10:31 a.m. |
| Circulated to the Commission: | Wed., May 20, 1992 | 4:00 p.m. |
| Deadline for vote: | Tues., May 26, 1992 | 4:00 p.m. |

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1992

Richard W. Jackson, Treasurer
Craig for U.S. Senate
P. O. Box 1693
1150 W. State Street
Boise, Idaho 83701

RE: MUR 3144
Craig for U.S. Senate and
Richard W. Jackson, as
treasurer

Dear Mr. Jackson:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dawn M. Odrowski", is written above the typed name.

Dawn M. Odrowski
Attorney

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 10, 1992

Mr. Ralph Holmen
Senior Counsel
National Association of Realtors
430 N. Michigan Avenue
Chicago, Illinois 60611-4087

RE: MUR 3144
Realtors Political Action
Committee and
Thomas Jefferson, III, as
treasurer

Dear Mr. Holmen:

On May 26, 1992, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of Realtors Political Action Committee and Thomas Jefferson, III, as treasurer, in settlement of a violation of 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 219-3400.

Sincerely,

[Handwritten signature]
Dawn M. Odrowski
Attorney

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1992

RECEIVED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Jane A. Jeffries
Deputy Campaign Manager
The Twilegar Senate Committee
P. O. Box 1697
Boise, Idaho 83701

RE: MUR 3144

Dear Ms. Jeffries:

This is in reference to the complaint you filed with the Federal Election Commission on October 22, 1990, concerning the Realtors Political Action Committee ("RPAC") and Craig for U.S. Senate ("Craig Committee") (collectively, "Respondents").

On February 1, 1991, the Federal Election Commission found that there was reason to believe that RPAC and Thomas Jefferson, III, its treasurer violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and conducted an investigation in this matter.

Subsequently, on March 25, 1992, the Commission found that on the basis of the information provided in your complaint and information provided by Respondents, there was no reason to believe the Craig Committee and its treasurer, Richard W. Jackson, violated 2 U.S.C. § 441d and closed the file as it pertained to them. On the same date, the Commission also found reason to believe that RPAC and its treasurer violated 2 U.S.C. § 434(b)(6)(B)(iii) but decided to take to further action with respect to this violation. Thereafter, on May 26, 1992, the Commission accepted a signed conciliation agreement from RPAC and its treasurer with respect to the 2 U.S.C. 441d(a) violation. Accordingly, the Commission closed the entire file in this matter on May 26, 1992. Copies of the conciliation agreement with RPAC and the General Counsel's Report discussing the action taken with respect to the Craig Committee are enclosed for your information.

With respect to the dismissal of the matter as it pertains to the Craig Committee, the Act allows a complainant to seek judicial

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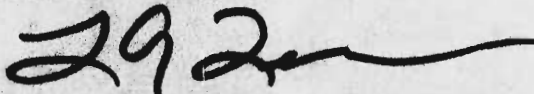
Ms. Jane A. Jeffries
Page 2

review of the Commission's dismissal of this action. See 2 U.S.C.
§ 437g(a)(8).

If you have any questions, please contact, Dawn M. Odrowski,
the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures
General Counsel's Report
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Realtors Political Action Committee) MUR 3144
and)
Thomas Jefferson, III, as treasurer)

92 MAY 15 AM 11:02

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Jane Jeffries. The Federal Election Commission ("Commission") found reason to believe that Realtors Political Action Committee and Thomas Jefferson, III, as treasurer ("Respondents"), violated 2 U.S.C. § 441d(a).

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

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

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

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Realtors Political Action Committee ("RPAC") is a

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political committee within the meaning of 2 U.S.C. § 431(4).

2. Thomas Jefferson, III, is the treasurer of RPAC.

3. The Federal Election Campaign Act of 1971, as amended (the "Act") requires that whenever any person makes an expenditure for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate through any direct mailing or any other type of general public political advertising, the communication must state who paid for it, and where required, who authorized it. 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). If the communication is not authorized by a candidate, a candidate's authorized political committee or its agents, it shall clearly state the name of the person who paid for it and that it is not authorized by any candidate or candidate's committee. 2 U.S.C. § 441d(a)(3).

4. Respondents conducted an independent expenditure campaign in support of the 1990 election of Larry Craig for the U.S. Senate in Idaho. As part of its independent expenditure campaign, Respondents developed, distributed, and financed a brochure supporting the election of Senator Craig which was mailed to Idaho voters on or about October 18, 1990. Although the brochure contained a statement that it was paid for by RPAC, Respondents failed to include a statement that it was not authorized by Senator Craig or his committee, Craig for U.S. Senate.

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V. Respondents failed to include an appropriate disclaimer on the brochure it produced, distributed and financed in support of Senator Craig in violation of 2 U.S.C. § 441d(a).

VI. 1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Four Thousand dollars (\$4,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Respondents will amend Schedule E of their 1990 Pre-General Report to show that \$26,333.45 of the \$56,333.45 expenditure RPAC made on October 10, 1990, to McInturff/Gaylord Companies, Inc., in support of Larry Craig, was for production of the brochure.

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

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

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

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:

L.G. Derner
Lois G. Derner
Associate General Counsel

Date

6/10/92

FOR THE RESPONDENTS:

Ralph W. Holmen
(Name) RALPH W. HOLMEN
(Position) Counsel of Record
to Respondents

Date

May 12, 1992

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3144

DATE FILMED 7/4/92 CAMERA NO. 1

CAMERAMAN E.E.S.

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