FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE BEGINNING OF MUR # 3688

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN MC

93040992629

Evan J. Wallach
300 South Fourth Street, Suite 1700
Las Vegas, Nevada 89101

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL COPY ROOM
Oct 31 10 30 AM '92

MUR 3688

92 NOV -2 PM 4:18
RECEIVED
FEDERAL ELECTION COMMISSION

October 28, 1992

VIA CERTIFIED MAIL

Mr. Lawrence Noble
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Noble:

I am writing this letter as a formal complaint to the FEC regarding the enclosed document, which was mailed to Nevada voters under United States Postal Service Bulk Mail Permit No. 517. As you can see, the document represents an apparent independent expenditure against United States Senator Harry Reid, who is currently campaigning for reelection.

The document is deficient under FEC regulations because it fails, pursuant to 11 CFR §110.11 (iii), to "...clearly state that the communication has been paid for by [an identified person not connected with a registered committee]", or to identify the person or persons. In addition, I believe the mailer, which was received in the United States mail this date, represents a violation of 11 CFR 109.2(b) since it appears to represent what may be an expenditure in excess of $1000, and I can find no record that expenditure has been reported to the FEC within 24 hours.

I have, this date, filed a Freedom of Information Act request with the United States Postal Service to identify the holder of Bulk Mail Permit No. 517. When that information is received I will supplement this complaint. I request, however, that the FEC not wait to take action but that it attempt to determine:

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92 NOV -2 PM 4:0
FEDERAL ELECTION COMMISSION
RECEIVED

1. The identity of the person or persons holding Bulk Mail Permit No. 517;

2. The identity of the person or persons who paid for the production and/or mailing of the enclosed document; and

3. Whether that person or persons complied with the 24 hour reporting requirements for pieces mailed less than 20 days before a federal election.

It may assist you in your investigation to know that one of the individuals listed in the list of persons in the enclosed mailer itself (but not listed as a person who paid for the mailer) is Lucille Lusk, a former Republican candidate for the United States House of Representatives, and a present or former official of the Republican Party in Nevada. I believe that if Ms. Lusk was involved in the production, distribution or planning of the enclosed document, as a matter of law her involvement represents actual or imputed participation by the Republican Party of Nevada and may constitute a further violation by the Republican Party. I also believe that, given Ms. Lusk's prior involvement in federal election campaigns, if she participated in such activity, any violation represented herein would have had to be knowing and willful.

Further evidence of knowing and willful violations of the law would be indicated if, as I believe, the Layne Rushforth listed in the enclosed document is indeed the Layne T. Rushforth who is a member of the State Bar of Nevada, and who would presumably be familiar with the law governing such conduct.

I would appreciate it if you would take whatever action you can to immediately pursue all available remedies to the fullest extent of the law. If I may provide any further information or be of any assistance in your investigation, please do not hesitate to contact me.

9304092631

Would you be so kind as to send me a file-stamped copy of this complaint, with its MUR number, after it has been filed.

Sincerely,

Evan J. Wallach

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

Evan Wallach, being first duly sworn, deposes and states that:

1. The above stated facts are made by him of his own personal knowledge, except for those matters stated upon information and belief, which he well and truly believes; and

2. That he is personally aware that the above-stated Complaint is made under penalty of perjury, and subject to the provisions of Section 1001 of Title 18, United States Code.

Evan J. Wallach

Subscribed and sworn to before me this 28th day of October, 1992.

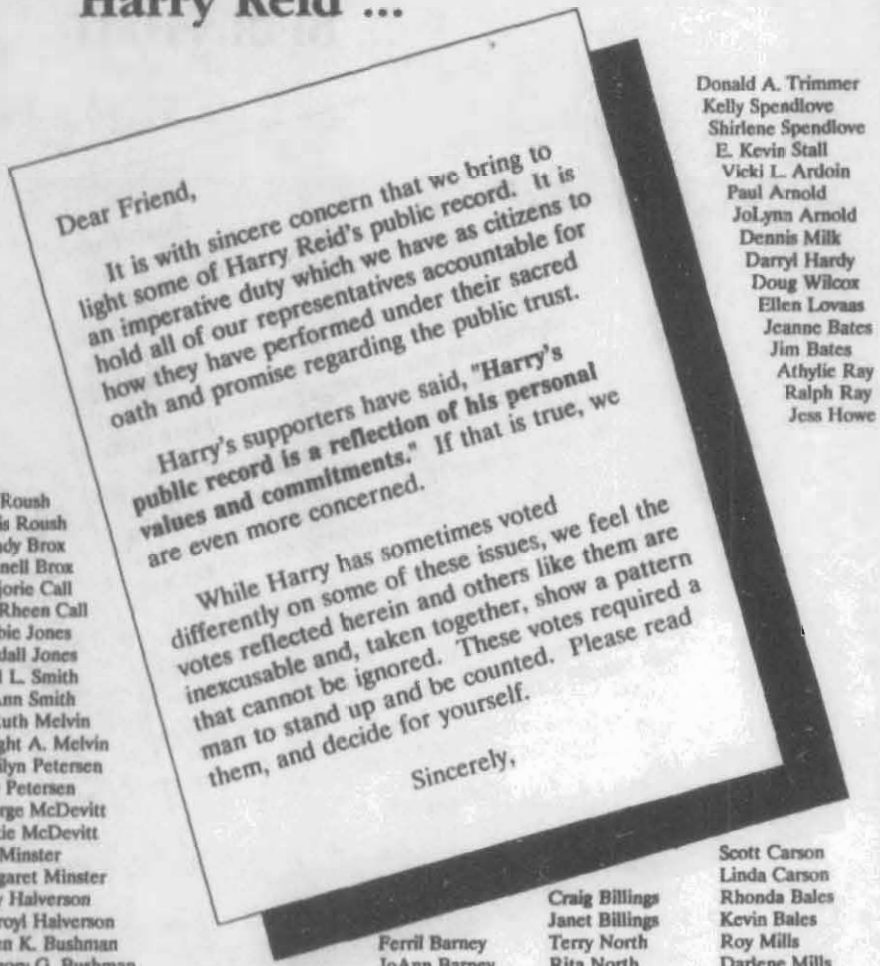
NOTARY PUBLIC

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BRETT SEARS
My Appointment Expires Mar. 19, 1996

9304099263 2

Inside ... A sampling of Harry's public record shows

Why I Am NOT Supporting Harry Reid ...



Dear Friend,

It is with sincere concern that we bring to light some of Harry Reid's public record. It is an imperative duty which we have as citizens to hold all of our representatives accountable for how they have performed under their sacred oath and promise regarding the public trust.

Harry's supporters have said, **"Harry's public record is a reflection of his personal values and commitments."** If that is true, we are even more concerned.

While Harry has sometimes voted differently on some of these issues, we feel the votes reflected herein and others like them are inexcusable and, taken together, show a pattern that cannot be ignored. These votes required a man to stand up and be counted. Please read them, and decide for yourself.

Sincerely,

Bill Roush
Doris Roush
Wendy Brox
Donnell Brox
Marjorie Call
Dr. Rheen Call
Bobbie Jones
Kendall Jones
Basil L. Smith
C. Ann Smith
B. Ruth Melvin
Dwight A. Melvin
Marilyn Petersen
Joey Petersen
George McDevitt
Vickie McDevitt
Jim Minster
Margaret Minster
Gary Halverson
Cheroyl Halverson
Karen K. Bushman
Gregory G. Bushman
LaRayn Sorenson
Mary Lou Jones
Dr. Gerald W. Jones

Janine Hardy
Brenda Gover
Harry Britton

Ferril Barney
JoAnn Barney
Craig Jensen
Kristine Jensen
Jan Webster

Craig Billings
Janet Billings
Terry North
Rita North
Marge Compton

Scott Carson
Linda Carson
Rhonda Bales
Kevin Bales
Roy Mills
Darlene Mills
Darlene Jones

Donald A. Trimmer
Kelly Spendlove
Shirlene Spendlove
E. Kevin Stall
Vicki L. Ardoin
Paul Arnold
JoLynn Arnold
Dennis Milk
Darryl Hardy
Doug Wilcox
Ellen Lovaas
Jeanne Bates
Jim Bates
Athylie Ray
Ralph Ray
Jess Howe

Names continued on back...

Bonnie Cole
Michelle Carter
Jerry Bergemeyer
Lou Epton
Henry Gillins
Dan Williams
Mary Berry
Christy Hardy
Phillip Hardy
Christopher Horne
Rachel Hubbard
Warren Stephens
Bob Lewis
Vivian Lewis
Janice Ray
P[illegible]y
J[illegible]. Green
Bi[illegible]inkle
Jeffrey B. Green
Mike Bergemeyer
K Diane Bergemeyer
Sharon Scott
Dave Carlton
Vivian Lewis
Lorcena Pedersen

Larry Lusk
Christy Lusk
Greg Anderson
Dianne Anderson
Kurtis Hansen
Marvo Hansen
Becky Maddox
Chris Smith
Linda Smith
Denise Horne
Donovan Bagshaw
DeVonne Bagshaw
Dennis Dalton
Barbara Dalton
Barry Ford
Larry Robb
Kathy Robb
Joe Burt
Sharon Burt
Belmont Anderson
Kathy Anderson
Brian Barney
Laura Barney
Kelly Thomas
Leslie Thomas

Anna Marie Robison
Shelley Whittle
Jeff Whittle
DeCall Thomas
Betty Tyree
Lionel Tyree
Joseph Thiriot
Raymond S. Herbert
Caroline Gubler
Darrel Gubler
Adele Dodge
Meldon Dodge
Tryn Paxton
Robert Paxton
Deanna Bryant
Gene Bryant
Grace Cox
Owen Cox
Pat Lowe
Jack Lowe
Sandra Taylor
Lavier Taylor
Patricia Wilson
Barbie Banda
Louie Banda

Carol Paul
Gary Ekins
Linda Ekins
Tim Fichter
Joe Jolley
Paul Clarke
Dixie Clarke
Jim Turner
LoRene Turner
Leland Pace
JoAnn Pace
Dennis
Fotheringham
Rick Bailey
Jean Cornwall
Mike Halverson
Sandra Halverson
Danny Isgrig
Durel Lee
Grant Farrar
Danielle Farrar
Robert Bagshaw
Myrna Bagshaw
Tye Halverson
Becky Halverson

Paid for by concerned citizens.

Chuck Horne
Jan Horne
Don Petersen
Nell H. Petersen
Virgil Slade
Mell Slade
Lee Robison
Mary Kaye Robison
Bill Brady
Gary Hutchison
B.J. Hutchison
Jerry Lusk
Lucille Lusk
Layne Rushforth
Sharon Rushforth
Carol T. Carlson
Carol Lynn Badouin
Teresia Avila
Jeanette Clark
Lorraine Bailey
Dan Bailey
Ina Wagner
Woodrow Wagner Jr.
Pat Whittle
Bill Whittle

Rod Jean
300 S 4th St #1700
Las Vegas, NV 89101

BLK MAIL
U.S. POSTAGE

9 3 0 4 0 9 9 2 6 3 3

THE CONGRESSIONAL QUARTERLY SHOWS ...

ABORTION & RELATED FUNDING

HR 2508. Conference Report to authorize $25 billion for foreign economic and military assistance. The conference report would provide funds for the United Nations Population Fund. [CQ #219, 1991] **A yes vote supported funding for UNFPA, which gives money to China with it's forced abortion and sterilization policy.** Harry Reid voted YES. Similar vote CQ #270, 1990.

HR 5600. Motion to suspend the rules and pass the bill to authorize $906.5 million for fiscal 1985-87 for preventive health services block grants, family planning and adolescent family life programs. [CQ #201, 1984] **A yes vote supported this funding, much of which goes to Planned Parenthood and similar clinics.** Harry Reid voted YES.

TAX-PAID ABORTION COUNSELING
"Gag Rule"

HR 2707. Adoption of the conference report to provide additional funds in new budget authority for the Labor, HHS and Education departments. The measure would block enforcement of the administration rule (known as the "gag rule") barring abortion counseling in federally funded family planning clinics. [CQ #246, 1991] **A yes vote supported the use of tax money for abortion counseling.** Harry Reid voted YES. Also voted to override veto.

TAX FUNDED ART--OBSCENITY

HR 5769. Amendment to prohibit the NEA from using federal funds to promote, distribute, disseminate or produce materials that depict or describe, in a patently offensive way, sexual or excretory activities or organs. [CQ #307, 1990] **A no vote allowed continued use of tax money for this type of art.** Harry Reid voted NO. Similar vote CQ #241, 1991.

HR 3072. Motion to table (kill) the amendment to instruct the Senate conferees on the fiscal 1990 Interior Department appropriations bill (HR 2788) to insist on a Senate-passed provision barring the use of federal funds for artworks deemed "obscene or indecent." [CQ #316, 1989] **A yes vote allowed continued use of tax funds for obscene art.** Harry Reid voted YES. Similar votes CQ #11 and #242, 1989

SUPREME COURT NOMINATIONS

Confirmation of David H. Souter to the U.S. Supreme Court. [CQ #259, 1990] **Testimony in the Senate hearings disclosed that Souter, as a member of the board of Trustees of Concord Hospital, voted to initiate a policy of performing abortions at that hospital.** Harry Reid voted FOR Souter.

Confirmation of Clarence Thomas to the U.S. Supreme Court. **Thomas is a "natural law" advocate, which encompasses the inalienable right to life.** Harry Reid voted AGAINST Thomas.

> *"He therefore is the truest friend of the liberty of his country who tries most to promote its virtue, and who ... will not suffer a man to be chosen into any office of power and trust who is not a wise man."* Samuel Adams

CONSTITUTIONAL ISSUES

S 1241. Passage of the crime bill to impose a waiting period for handguns, ban some assault weapons, broaden the federal death penalty, restrict death row inmate appeals, authorize funds to hire 10,000 new local law enforcement officers, etc. [CQ #125, 1991] **A yes vote imposed a waiting period for handgun purchases and banned some semi-automatic weapons.** Harry Reid voted YES.

S 1204. Motion to table (kill) the amendment to ensure that no agency regulations would take effect until they were certified by the attorney general to be in compliance with procedures that assess the impact and attempt to minimize the taking of private property in the course of federal regulatory activity. [CQ #91, 1991] **A yes vote allowed the continuation of federal regulations that may result in the taking of private property.** Harry Reid voted YES.

RELIGIOUS LIBERTY

S 2. Amendment to express the sense of the Senate that the Supreme Court should reverse it's earlier rulings prohibiting voluntary school prayer. [CQ #4, 1992] **A no vote opposed voluntary school prayer.** Reid voted NO.

HR 5345. Motion to suspend the rules and pass the bill to allow student religious groups to meet in public secondary schools during non-class hours if other groups do so. [CQ #129, 1984] **A no vote denied student religious groups the use of school facilities.** Harry Reid voted NO.

HOMOSEXUALITY

S 1430. Motion to table (kill) the Kennedy amendment to the Armstrong amendment to the D.C. code to allow organizations to bar or restrict homosexuals from coaching, teaching or serving as role models to minors (only if) charged with or convicted of a sexual offense involving a minor, or if the parent of the minor objects. [CQ #23, 1988] **A no vote allowed D.C. to force organizations such as Big Brothers to accept homosexuals as adult leaders, unless they have been charged or convicted of sexual offense involving a minor, or the parent of the minor objects.** Harry Reid voted NO.

HR 5311. Motion to table (kill) the amendment to allow organizations in D.C. to bar homosexual and bisexual persons from participating in programs involving juveniles under the age of 18. [CQ #234, 1990] **A yes vote would have allowed D.C. to force organizations such as Scouts to admit homosexuals.** Harry Reid voted YES.

PLAYBOY

HR 2942. Amendment to cut $103,000 from the Library of Congress' program for Braille reproductions of magazines for the blind (to eliminate funding for Braille issues of *Playboy* magazine.) [CQ #221, 1983] **A no vote allowed continued use of tax funds for Playboy in Braille.** Harry Reid voted NO.

SPENDING

HR 5518. Passage of the bill to provide $13.5 billion in new budget authority for the Dept. of Transportation and related agencies in fiscal 1993. [CQ #131, 1992] **A yes vote approved $548,637,431. more than the administration requested.** Harry Reid voted YES.

HR 2907. Passage of the bill to appropriate $15,056,250,000 in fiscal 1988 for the Treasury Dept., Executive Office of the President, U.S. Postal Service independent agencies. [CQ #272, 1987] **A yes vote approved $450,399,000 more than the president requested.** Harry Reid voted YES.

HR 4637. Fiscal 1989 Foreign Aid Appropriations. **A yes vote supported $14,307,988,307 for foreign aid.** Harry Reid voted YES.

FETAL TISSUE RESEARCH

HR 2507. Passage of the bill to reauthorize and amend the programs of the National Institutes of Health including funds for the National Cancer Institute and the Heart, Lung and Blood Institute. The bill would lift the ban on fetal tissue transplant research, including fetal tissue obtained from induced abortions. [CQ #66, 1992] **A yes vote supported use of fetal tissue from induced abortions.** Harry Reid voted YES. Similar vote CQ #115, 1992. Also CQ #61, 1992, voted against motion to allow use of tissue from miscarriages only.

CLEAN NEEDLES

S 1220. Amendment to prohibit funds authorized under the AIDS research bill from being used to provide hypodermic needles or syringes to drug addicts. [CQ #112, 1988] **A no vote allowed tax funds to be used for needles and syringes for drug addicts.** Harry Reid voted NO. Similar vote CQ #111, 1988.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1992

Evan J. Wallach
300 South Fourth Street, Suite 1700
Las Vegas, NV 89101

RE: MUR 3688

Dear Mr. Wallach:

This letter acknowledges receipt on November 2, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Nevada State Republican Campaign Committee and Bob Beers, as treasurer, Lucille Lusk, Layne T. Rushforth, and the Nevada Coalition of Conservative Citizens. 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 3688. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure
Procedures

9304099235

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1992

Bob Beers, Treasurer
Nevada State Republican Campaign Committee
7310 W. Smoke Ranch Road, STE S
Las Vegas, NV 89128

RE: MUR 3688

Dear Mr. Beers:

The Federal Election Commission received a complaint which indicates that the Nevada State Republican Campaign Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3688. Please refer to this number in all future correspondence.

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

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

93040992636

If you have any questions, please contact Holly Baker, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

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

9304099226637

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1992

Lucille Lusk
6624 Celeste Ave.
Las Vegas, NV 89107

RE: MUR 3688

Dear Ms. Lusk:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3688. 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.

9304099263 8

If you have any questions, please contact Holly Baker, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

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

9304099226 39

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

November 8, 1992

Layne T. Rushforth
530 S. Las Vegas Blvd.
Las Vegas, NV 89101

RE: MUR 3688

Dear Mr. Rushforth:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3688. 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 Holly Baker, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

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

9304099264 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1992

Nevada Coalition of Conservative Citizens
President
c/o Lucille Lusk
6624 Celeste Avenue
Las Vegas, NV 89107

RE: MUR 3688

Dear Sir:

The Federal Election Commission received a complaint which indicates that the Nevada Coalition of Conservative Citizens 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 3688. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Nevada Coalition of Conservative Citizens 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 Holly Baker, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

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

93040992643

Nevada Coalition of Conservative Citizens

6624 Celeste Avenue
Las Vegas, Nevada 89107
(702) 870-6858 FAX 878-8804

November 18, 1992

Jonathan A. Bernstein
Assistant General Counsel
Federal Election Commission
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION RECEIVED
92 NOV 23 PM 3:16

Re: MUR 3688

Dear Mr. Bernstein:

NCCC gave permission to Chuck Horne to utilize it's bulk mail permit for a mailing disclosing information on Senator Harry Reid's voting record. It is our understanding that it was paid for by small contributions from the private citizens whose names were printed on it.

NCCC had no expenditure at all for the mailer (although one person erroneously sent a check for $35 to us, which we deposited and wrote a check to Mr. Horne in that amount.) A check of our bank records would show that we did not pay for the postage, printing or any other expense related to the mailer.

Feel free to make any investigation of this matter public.

Yours truly,

Lucille Lusk
Chairman

cc: Chuck Horne

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FEDERAL ELECTION
COMMISSION
MAIN COPY ROOM
Nov 23 12 17 PM '92

November 17, 1992

Jonathan A. Bernstein
Assistant General Counsel
Federal Election Commission
Washington, D.C. 20463

92 NOV 23 PM 3: 08

Re: MUR 3688

Dear Mr. Bernstein:

My husband and I each contributed $10 for our signature on the mailer referenced in MUR 3688, and later contributed an additional $50. It is our understanding that it was paid for by small contributions from private citizens.

I have no connection of any kind with the Republican Party, and I doubt they even knew about this mailer.

Please do make your investigation of this matter public.

Yours truly,

Lucille Lusk

Lucille Lusk
6624 Celeste Ave
Las Vegas, NV 89107
(702) 870-9557

cc: Chuck Horne

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06CT719

Wilson, Beers & Edwards

Business Computer Specialists

7310 Smoke Ranch Road, Suite S Las Vegas, NV 89128 (702) 228-2983

November 22, 1992

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIN COPY ROOM
Nov 27 9 21 AM '92

Holly Baker
Federal Election Commission
999 E. St., NW
Washington, DC 20463

Dear Ms. Baker:

On behalf of the Nevada State Republican Campaign Committee,I would like to request a fifteen day extension of the time we have to respond to your letter of November 6, 1992, notifying us we have been named as a participant in MUR 3688.

The reason is that Brian McKay, our state party chairman, left for two weeks vacation on November 9, 1992, and will be unavailable to help prepare our formal response until his return.

I would like to make the following points to assist the commission's early resolution of this MUR.

92 NOV 27 AM 10: 14

We do not hold, nor do we know who holds, bulk mail permit number 517. We do not know the identity of the person or persons who paid for the production and/or mailing of the document enclosed with Mr. Wallach's complaint, nor did we pay for it.

Neither Lucille Lusk nor Layne Rushforth are officials of our committee. I have only been involved with the committee personally for the past two election cycles, and during that time, neither individual has even been active in the party.

I anticipate that upon Mr. McKay's return, you will receive a notarized copy of the above facts, but we would still like an extension granted.

Finally, we would like to request copies of the Nevada State Democrat Party's Form 3X for both the third quarter and the pre-general election short period be sent to us, care of our committee's address.

Sincerely,

WILSON, BEERS & EDWARDS
Bob Beers, CPA

Printed on Recycled Paper

9304099226446

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 1, 1992

Bob Beers, Treasurer
Nevada State Republican Campaign Committee
7310 W. Smoke Ranch Road, Suite S
Las Vegas, NV 89128

RE: MUR 3688
Nevada State Republican Cmte

Dear Mr. Beers:

This is in response to your letter dated November 22, 1992, which we received on November 27, 1992, requesting an extension of fifteen days to respond to the complaint in MUR 3688. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on December 9, 1992.

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

Sincerely,

Holly Baker

Holly Baker
Attorney

9304099226 47

GCC 779

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW
1700 VALLEY BANK PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888
FAX (702) 383-8845

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL COPY
DEC 4 10 05 AM '92

SAMUEL S. LIONEL (1923-1987)
GRANT SAWYER
JON R. COLLINS
STEVE MORRIS
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
RICHARD G. CAMPBELL
DAVID N. FREDERICK
ANDREW S. BRIGNONE
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
CHARLES H. McCREA, JR.
MARK A. SOLOMON
RODNEY M. JEAN
BERT M. GOLDWATER

EVAN J. WALLACH
HARVEY WHITTEMORE
TODD TOUTON
DAVID WHITTEMORE
M. KRISTINA PICKERING
CAM FERENBACH
GREG L. JENSEN
LYNDA S. MABRY
MARK H. GOLDSTEIN
ANTHONY N. CABOT
KIRBY J. SMITH
PAUL D. BANCROFT
BRIAN McKAY
COLLEEN A. DOLAN
JENNIFER A. SMITH
JOHN R. BAILEY
KRISTIN BURT McMILLAN

ROBERT J. DELUCCI
MARC H. RUBINSTEIN
GARY W. DUHON
MARK A. SOLOMON
GREGORY D. HARRISON
LAUREL E. DAVIS
GORDON H. WARREN
LOUIS E. GARFINKEL
DONALD L. SODERBERG
DEBORAH L. EARL
CARL D. SAVELY
LAYNE J. BUTT
ELLEN WHITTEMORE

RORY J. REID
MARK LEMMONS
STEPHEN M. SANVILLE
PAUL E. LARSEN
PAT LUNDVALL
CRAIG S. NEWMAN
C. EDWARD GERDES JR.
DAN R. REASER
CHRISTOPHER R. HOOPER
SUVINDER S. AHLUWALIA
PAMELA O. ROBERTS
THOMAS J. REICH
MADELENE C. AMENDOLA

OF COUNSEL
ROBERT M. BUCKALEW

December 1, 1992

WRITER'S DIRECT DIAL NUMBER
(702) 383-8832

Jonathan A. Bernstein, Esq.
Assistant General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3688

Dear Mr. Bernstein:

Enclosed please find a copy of a letter I received this date in response to the Freedom of Information Act request I filed with the United States Post Office on October 29, 1992. In your letter of November 6 you asked that if I received any additional information I forward it to the office of the General Counsel. Accordingly, I am enclosing this letter. It is not sworn because this is the form in which I received the response. I do believe, however, that it will lead you to admissible information relating to the person or persons responsible for the illegal mailing of which I initially complained.

Please note that I have been orally informed that Ms. Lusk signed for Bulk Permit No. 517 on behalf of the Nevada Coalition of Concerned Citizens and that she is the individual holder of the bulk permit at issue. As I stated in my letter, which became MUR 3688, Ms. Lusk has been both a party official and a Federal candidate, and I believe she has more than sufficient knowledge of laws governing Federal elections to create scienter in relation to the conduct about which I complained.

92 DEC -4 PM 12:
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

93040992648

If you have any questions or comments, please feel free to contact me.

Sincerely,

Evan Wallach

Evan J. Wallach

EJW:bas
Enclosure

P30409926449

November 29, 1992

Mr. Evan Wallach
Lionel, Sawyer & Collins
300 S Fourth St Ste 1700
Las Vegas, NV 89101

Dear Mr. Wallach

The permit holder for permit imprint #517 has agreed to full disclosure of information pertaining to their bulk mailing activities.

Please contact Ms. Lucille Lusk at the following address:

Nevada Coalition of Conservative Citizens
6624 Celeste Avenue
Las Vegas, NV. 89107

Ms. Lusk can be reached at 870-6858.

If I can be of any further assistance, please contact me at 361-9288.

Sincerely

Dee Dee Terrano

Dee Dee Terrano
Manager, Mailing Requirements (Acting)
U.S. Postal Service

930409926550

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 8, 1992

Evan J. Wallach
Lionel Sawyer & Collins
1700 Valley Bank Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

RE: MUR 3688

Dear Mr. Wallach:

This letter acknowledges receipt on December 4, 1992, of the supplement to the complaint you filed on November 2, 1992, against Lucille Lusk, the Nevada State Republican Campaign Committee, Layne Rushforth, and the Nevada Coalition of Conservative Citizens. The respondents will be sent copies of the supplement. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,

Holly Baker

Holly Baker
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 8, 1992

Bob Beers, Treasurer
Nevada State Republican Campaign Committee
7310 W. Smoke Ranch Road, STE S
Las Vegas, NV 89128

RE: MUR 3688
State Republican Cmte

Dear Mr. Beers:

On November 6, 1992, you were notified that the Federal Election Commission received a complaint from Evan Wallach alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 4, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Holly Baker

Holly Baker
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 8, 1992

Lucille Lusk
6624 Celeste Ave.
Las Vegas, NV 89107

RE: MUR 3688
Lucille Lusk

Dear Ms. Lusk:

On November 6, 1992, you were notified that the Federal Election Commission received a complaint from Evan Wallach alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 4, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Holly Baker

Holly Baker
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 8, 1992

Layne T. Rushforth
530 S. Las Vegas Blvd.
Las Vegas, NV 89101

RE: MUR 3688
Layne Rushforth

Dear Mr. Rushforth:

On November 6, 1992, you were notified that the Federal Election Commission received a complaint from Evan Wallach alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 4, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Holly Baker

Holly Baker
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 8, 1992

Lucille Lusk, Chair
Nevada Coalition of Conservative Citizens
6624 Celeste Ave.
Las Vegas, NV 89107

RE: MUR 3688
Coalition

Dear Ms. Lusk:

On November 6, 1992, you were notified that the Federal Election Commission received a complaint from Evan Wallach alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 4, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Holly Baker

Holly Baker
Attorney

Enclosure

9304099265 5

Wilson, Beers & Edwards
Business Computer Specialists

7310 Smoke Ranch Road, Suite S Las Vegas, NV 89128 (702) 228-2983

December 9, 1992

Holly Baker
Federal Election Commission
999 E. St., NW
Washington, DC 20463

Dear Ms. Baker:

Thank you for granting the Nevada State Republican Central Committee our requested extension regarding MUR 3688. We believe our committee should be dropped as a respondent to this MUR.

We had no knowledge of this mailing prior to receiving a copy of it from your office. I spoke to Lucille Lusk about this matter. She informed me that she is not, and has not in this just-past election cycle, been a member of the Nevada Republican Party. Additionally, Layne Rushforth was an Independent American candidate for county commission during the last election. Accordingly, we can find no connection between our committee and Mr. Wallach's alleged violations.

Please let me know if I can answer any further questions regarding this issue.

My last letter's closing paragraph requested a copy of the Nevada Democrat Party's most recent Form 3X. I appreciate your rapid response, directing me to the appropriate section in your organization. I must confess that my request had alterior motives: the Nevada Democrats have not filed a 3X for the past several quarters, and I was attempting to subtly highlight our committment to compliance, particularly compared to those who instigated MUR 3688. I should probably bag the subtlety and stick with my natural tactlessness in future correspondence.

Please contact me should the Commission require additional information from us regarding this MUR.

Sincerely,

WILSON, BEERS & EDWARDS
Bob Beers, CPA

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIN COPY ROOM
Dec 14 11 32 AM '92

RECEIVED
FEDERAL ELECTION
COMMISSION
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Printed on
Recycled Paper

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BECKLEY, SINGLETON, DE LANOY, JEMISON & LIST, CHTD.

A PROFESSIONAL LAW CORPORATION

530 LAS VEGAS BOULEVARD SOUTH
LAS VEGAS, NEVADA 89101-6515
(702) 385-3373
FACSIMILE (702) 385-9447

DRAKE DE LANOY
REX A. JEMISON
ROBERT LIST
MARK C. SCOTT, JR.
J. MITCHELL COBEAGA
H. ROGER McPIKE
ROBERT F. SAINT-AUBIN
BRUCE A. LESLIE
ROLAND K. MARTIN, JR.
DANIEL F. POLSENBERG
ROBERT AARON CALLAWAY
STEPHEN S. KENT
CAROL R. DAVIS
ELIZABETH GOFF GONZALEZ
RANDAL A. DeSHAZER
PHILIP M. HYMANSON

LAYNE T. RUSHFORTH
N. PATRICK FLANAGAN, III
ROBERT A. NERSESIAN
THOMAS HUGH PETERSON, III
M. CELESTE LUCE
TAMELA L. KAHLE
J. KENNETH CREIGHTON
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LARRY JORDAN WEINSTEEN
IMANUEL B. ARIN
CRAIG A. MUELLER
THEODORE PARKER, III
LISA E. ANDERSON
S. DON BENNION, JR.
RYAN W. BIGGAR
TRACEY BRICE

W. BRUCE BECKLEY (1915-1986)
RENE C. ARCENEAUX (1947-1990)

OF COUNSEL
WILLIAM SINGLETON
RICHARD G. CAMPBELL, JR.
JACK C. CHERRY

RENO OFFICE
100 WEST LIBERTY STREET
SUITE 700
RENO, NEVADA 89501
(702) 323-8866
FACSIMILE (702) 323-5523

Trust and Estate Department
Layne T. Rushforth
Direct Phone: (702) 474-2629
Direct Fax: (702) 385-6742

RECEIVED
FEDERAL ELECTION
COMMISSION
DEC 21 PM 3:47

November 17, 1992

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL COPY ROOM
DEC 21 1 43 PM '92

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

RE: MUR 3688

Dear General Counsel:

I am sending this letter as a response to the former complaint filed by Evan J. Wallach in this matter. I respectfully state that:

1. I am neither a registered Republican or Democratic, but rather I am registered in the State of Nevada as a member of the "Independent American Party of Nevada".

2. To my knowledge, the mailer was prepared and sponsored independent of any political party or any particular candidate's campaign.

3. It was asked that each person whose name was to appear on the ad contribute $10.00. I contributed a total of $20.00 on behalf of my wife and myself. On information and belief, each person whose name appeared in the mailer made a similar contribution. I am sure that there were others who may have made more significant contributions, but I know of no one who made a contribution whose name did not appear in the mailer itself.

4. I am an attorney and I practice primarily in the area of trusts and estates. No portion of my practice relates to compliance with the Federal election laws.

5. Lucille Lusk was a former candidate for the United States House of Representatives, and I personally conferred with her in regard to the preparation of the mailer. In her efforts to assist with the preparation of the mailer, she never

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once indicated to me that she was acting in any capacity other than as an individual concerned citizen. There was never any reference to the Republican Party or to any organized political party with respect to this particular mailer.

6. No one that I know who was involved in the preparation of the mailer is familiar with the Federal Election laws, and no one knowingly or willfully violated any of those laws. All those who were involved, insofar as was known to me, were extremely concerned that everything in the mailer be completely true and accurate, and I was asked to review the Congressional Quarterly to verify that the votes represented in the mailer as having been made by Harry Reid were completely true and accurate.

7. I have no personal knowledge relating to the cost of the mailing or the source of its financing except as outlined herein. In fact, the only knowledge I have is that I paid $20.00. I have no knowledge with respect to contributions that may have been made by other persons, although I can only assume that the other persons whose names were on the mailer also made similar contributions.

I am more than happy to discuss this matter with anyone from your office. I have already spoken to Holly Baker, who was very informative and very helpful. I can assure you that any violation of the Federal Election laws was inadvertent and unintentional, that once apprised of the law it will never be violated again, and because no particular group or entity was involved, any further action on the part of the Commission would be really unnecessary.

Respectfully,

BECKLEY, SINGLETON, DeLANOY,
JEMISON & LIST, CHARTERED

Layne T. Rushforth

LAYNE T. RUSHFORTH

LTR:pf

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STATE OF NEVADA }
} ss.
COUNTY OF CLARK }

LAYNE T. RUSHFORTH, being first duly sworn, certifies and declares that:

1. The foregoing letter is hereby submitted as a response to a formal complaint filed by Evan J. Wallach, which has been designated as MUR 3688.

2. I am personally aware of the contents of the foregoing letter and I hereby declare under penalties of perjury that the facts contained therein to be true of my own knowledge except for those matters stated upon information and belief, which I believe to be true.

Layne T. Rushforth
LAYNE T. RUSHFORTH

Subscribed and sworn to before me this 17th day of November, 1992.

JOANNE McCLAIN
Notary Public - Nevada
Clark County
My appt. exp. Apr. 24, 1994

Joanne McClain
NOTARY PUBLIC

2304099226559

MUR # 3688

ADDITIONAL DOCUMENTS WILL BE ADDED TO THIS FILE AS THEY BECOME AVAILABLE. PLEASE CHECK FOR ADDITIONAL MICROFILM LOCATIONS.

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE End of MUR# 3688

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN MC

93040992661

FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

✓ Microfilm

_____ Public Recds

_____ Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3688.

12/10/93

> 3004335446

THE READER IS REFERRED TO ADDITIONAL MICROFILM LOCATIONS

FOR THE FOLLOWING DOCUMENTS PERTINENT TO THIS CASE

1. Memo, General Counsel to the Commission, dated September 22, 1992, Subject: Priority System Report. See Reel 354, pages 1590-94.

2. Memo, General Counsel to the Commission, dated April 14, 1993, Subject: Enforcement Priority System. See Reel 354, pages 1595-1620.

3. Certification of Commission vote, dated April 28, 1993. See Reel 354, pages 1621-22.

4. General Counsel's Report, In the Matter of Enforcement Priority, dated December 3, 1993. See Reel 354, pages 1623-1740.

5. Certification of Commission vote, dated December 9, 1993. See Reel 354, pages 1741-1746.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Evan J. Wallach
300 South Fourth Street
Suite 1700
Las Vegas, NV 89101

RE: MUR 3688

Dear Mr. Wallach:

On November 2, 1992, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Nevada State Republican Campaign Committee and Bob Beers, as treasurer; Lucille Lusk; Nevada Coalition of Conservative Citizens; and Layne T. Rushforth. See attached narrative. Accordingly, the Commission closed its file in this matter. This matter will become part of the public record within 30 days.

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

Sincerely,

Holly Baker

Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: DEC 09 1993

2304354548

MUR 3688
NEVADA COALITION OF CONSERVATIVE CITIZENS

This matter involves a mailer, in the form of a letter signed by 185 individuals, expressly advocating the defeat of Senator Harry Reid, and bearing the notice "Paid for by concerned citizens." Complainant alleges that the mailer involves violations of the disclaimer and independent expenditure reporting provisions. Complainant further alleges that because Lucille Lusk, Chairman of Nevada Coalition of Conservative Citizens, whose bulk permit was used to send the mailer, is a Republican, participation of the Republican Party in the mailer can be imputed. Lucille Lusk admits that the Nevada Coalition allowed a person to use its bulk mail permit to send the mailer, and denies that the Republican Party had any involvement with the mailer. The Nevada State Republican Campaign Committee denies any involvement with the mailer. It appears that the Nevada Coalition of Conservative Citizens may be responsible for the mailer and that the group may have made expenditures sufficient to trigger political committee status.

The case involves no indication of any serious intent by Respondents to violate the FECA, and only a limited amount of money is involved.

2304354349

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 1 1993

Bob Beers, Treasurer
Nevada State Republican Campaign Committee
7310 W. Smoke Ranch Road, Suite S
Las Vegas, NV 89128

RE: MUR 3688
Nevada State Republican Campaign
Committee and Bob Beers, as treasurer

Dear Mr. Beers:

On November 6, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Nevada State Republican Campaign Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter.

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

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

Sincerely,

Holly J. Baker

Holly J. Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: DEC 0 9 1993

2304354350

MUR 3688
NEVADA COALITION OF CONSERVATIVE CITIZENS

This matter involves a mailer, in the form of a letter signed by 185 individuals, expressly advocating the defeat of Senator Harry Reid, and bearing the notice "Paid for by concerned citizens." Complainant alleges that the mailer involves violations of the disclaimer and independent expenditure reporting provisions. Complainant further alleges that because Lucille Lusk, Chairman of Nevada Coalition of Conservative Citizens, whose bulk permit was used to send the mailer, is a Republican, participation of the Republican Party in the mailer can be imputed. Lucille Lusk admits that the Nevada Coalition allowed a person to use its bulk mail permit to send the mailer, and denies that the Republican Party had any involvement with the mailer. The Nevada State Republican Campaign Committee denies any involvement with the mailer. It appears that the Nevada Coalition of Conservative Citizens may be responsible for the mailer and that the group may have made expenditures sufficient to trigger political committee status.

The case involves no indication of any serious intent by Respondents to violate the FECA, and only a limited amount of money is involved.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Lucille Lusk, Chairman
Nevada Coalition of Conservative Citizens
6624 Celeste Ave.
Las Vegas, NV 89107

RE: MUR 3688
Nevada Coalition of Conservative Citizens and Lucille Lusk, as chairman

Dear Ms. Lusk:

On November 6, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Nevada Coalition of Conservative Citizens and you, as chairman. See attached narrative. Accordingly, the Commission closed its file in this matter.

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

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

Sincerely,

Holly J. Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: DEC 09 1993

2304354552

MUR 3688
NEVADA COALITION OF CONSERVATIVE CITIZENS

This matter involves a mailer, in the form of a letter signed by 185 individuals, expressly advocating the defeat of Senator Harry Reid, and bearing the notice "Paid for by concerned citizens." Complainant alleges that the mailer involves violations of the disclaimer and independent expenditure reporting provisions. Complainant further alleges that because Lucille Lusk, Chairman of Nevada Coalition of Conservative Citizens, whose bulk permit was used to send the mailer, is a Republican, participation of the Republican Party in the mailer can be imputed. Lucille Lusk admits that the Nevada Coalition allowed a person to use its bulk mail permit to send the mailer, and denies that the Republican Party had any involvement with the mailer. The Nevada State Republican Campaign Committee denies any involvement with the mailer. It appears that the Nevada Coalition of Conservative Citizens may be responsible for the mailer and that the group may have made expenditures sufficient to trigger political committee status.

The case involves no indication of any serious intent by Respondents to violate the FECA, and only a limited amount of money is involved.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Lucille Lusk
6624 Celeste Ave.
Las Vegas, NV 89107

RE: MUR 3688
Lucille Lusk

Dear Ms. Lusk:

On November 6, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

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

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

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

Sincerely,

Holly J. Baker

Holly J. Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: DEC 09 1993

2304354554

MUR 3688
NEVADA COALITION OF CONSERVATIVE CITIZENS

This matter involves a mailer, in the form of a letter signed by 185 individuals, expressly advocating the defeat of Senator Harry Reid, and bearing the notice "Paid for by concerned citizens." Complainant alleges that the mailer involves violations of the disclaimer and independent expenditure reporting provisions. Complainant further alleges that because Lucille Lusk, Chairman of Nevada Coalition of Conservative Citizens, whose bulk permit was used to send the mailer, is a Republican, participation of the Republican Party in the mailer can be imputed. Lucille Lusk admits that the Nevada Coalition allowed a person to use its bulk mail permit to send the mailer, and denies that the Republican Party had any involvement with the mailer. The Nevada State Republican Campaign Committee denies any involvement with the mailer. It appears that the Nevada Coalition of Conservative Citizens may be responsible for the mailer and that the group may have made expenditures sufficient to trigger political committee status.

The case involves no indication of any serious intent by Respondents to violate the FECA, and only a limited amount of money is involved.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Layne T. Rushforth
530 S. Las Vegas Blvd.
Las Vegas, NV 89101

RE: MUR 3668
Layne T. Rushforth

Dear Mr. Rushforth:

On November 6, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

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

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

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

Sincerely,

Holly J. Baker

Holly J. Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: DEC 07 1993

2304335556

MUR 3688
NEVADA COALITION OF CONSERVATIVE CITIZENS

This matter involves a mailer, in the form of a letter signed by 185 individuals, expressly advocating the defeat of Senator Harry Reid, and bearing the notice "Paid for by concerned citizens." Complainant alleges that the mailer involves violations of the disclaimer and independent expenditure reporting provisions. Complainant further alleges that because Lucille Lusk, Chairman of Nevada Coalition of Conservative Citizens, whose bulk permit was used to send the mailer, is a Republican, participation of the Republican Party in the mailer can be imputed. Lucille Lusk admits that the Nevada Coalition allowed a person to use its bulk mail permit to send the mailer, and denies that the Republican Party had any involvement with the mailer. The Nevada State Republican Campaign Committee denies any involvement with the mailer. It appears that the Nevada Coalition of Conservative Citizens may be responsible for the mailer and that the group may have made expenditures sufficient to trigger political committee status.

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