

THIS IS THE BEGINNING OF MUR # 4057

96043723754

REGISTRATION  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

SEP 16 1 00 PM '94

Orig  
JEAN L. SMITH  
13612 Ryan Road  
Santa Fe, TX 77510  
Galveston, County, Texas  
Phone: 409/ 925-7701

September 12, 1994

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

MUR 4057

SUBJECT: Federal Election Violations

Re: STEVE STOCKMAN  
U.S. Congressional Candidate

This is the third election year Stockman signs have appeared on utility poles in Galveston county along highways 6, 146, 517, 646, 1266, 2004, and 3436 to name a few. These signs state: STOCKMAN for U.S. Congress. The same type signs were used in 1990, 1992 and now in 1994 in flagrant disregard of Federal Election regulations.

The signs do not identify who paid for the Stockman signs, or if the signs were authorized by Stockman or a Stockman committee. Please note the attached photograph of a Stockman sign taken on September 7, 1994 in Galveston County, Texas.

Respectfully,

*Jean L. Smith*  
JEAN L. SMITH

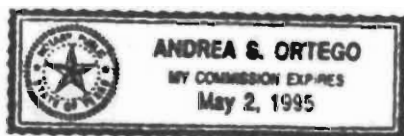


Signed and sworn before me September 12, 1994

My commission expires

*May 2, 1995*

*Andrea S. Ortego*





**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

SEPTEMBER 21, 1994

Jean L. Smith  
13612 Ryan Road  
Santa Fe, TX 77510

RE: MUR 4057

Dear Ms. Smith:

This letter acknowledges receipt on September 16, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4057. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Takkar*

Mary L. Takkar, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

96043723756



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

SEPTEMBER 21, 1994

John Hart, Treasurer  
Friends of Steve Stockman  
P.O. Box 57135  
Webster, TX 77598

RE: MUR 4057

Dear Mr. Hart:

The Federal Election Commission received a complaint which indicates that Friends of Steve Stockman ("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 4057. 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.

96043723757

John Hart, Treasurer  
Friends of Steve Stockman  
Page 2

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

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

96043723758





**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

SEPTEMBER 21, 1994

**Stephen E. Stockman, Treasurer  
Stockman for Congress  
P.O. Box 57135  
Webster, TX 77598**

**RE: MUR 4057**

**Dear Mr. Stockman:**

The Federal Election Commission received a complaint which indicates that Stockman for Congress ("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 4057. 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.

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96043723759

Stephen E. Stockman, Treasurer  
Stockman for Congress  
Page 2

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

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

96043723760

October 6, 1994

Federal Election Commission  
Washington D.C. 20463  
202/219-3400

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

OCT 11 2 59 PM '94

Re: MUR 4057

Enclosed you will find one of our signs for Stockman for Congress/Friends of Steve Stockman. You will notice that we do have a disclaimer. This complaint is a vain attempt by Mr. Clifford/Mr. Brooks to derail our campaign right before Texas early voting begins October 19 1994.

If you have any further questions please do not hesitate to call or write.

P.O. Box 57135  
Webster TX 77598  
713/996.6900

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*Now More than ever...*

**Stockman**

**U.S. Congress**



BEFORE THE FEDERAL ELECTION COMMISSION

FEB 6 12 10 PM '96

In the Matter of

)  
) Enforcement Priority  
)

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. INTRODUCTION**

This report is the General Counsel's Report to recommend that the Commission no longer pursue the identified lower priority and stale cases under the Enforcement Priority System.

**II. CASES RECOMMENDED FOR CLOSING**

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

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 10 cases which do not warrant further pursuit relative to the other pending cases.<sup>1</sup> A short description of each case and the factors leading to assignment of a relatively

1. These matters are: MUR 4165 (Attachment 2); MUR 4187 (Attachment 3); MUR 4188 (Attachment 4); MUR 4199 (Attachment 5); MUR 4211 (Attachment 6); MUR 4212 (Attachment 7); MUR 4216 (Attachment 8); MUR 4224 (Attachment 9); MUR 4243 (Attachment 10); MUR 4245 (Attachment 11).

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low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 2-11. As the Commission requested, this Office has attached the responses to the complaints for the externally-generated matters and the referrals for matters referred by the Reports Analysis Division in instances where this information was not previously circulated. See Attachments 2-11.

#### B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 33 cases that

do not  
warrant further investment of significant Commission resources.<sup>2</sup>

2. These matters are: PM 308 (Attachment 12); RAD 94L-29 (Attachment 13); RAD 94L-34 (Attachment 14); RAD 94NF-10 (Attachment 15); RAD 94NF-13 (Attachment 16); MUR 4027 (Attachment 17); MUR 4028 (Attachment 18); MUR 4033 (Attachment 19); MUR 4042 (Attachment 20); MUR 4045 (Attachment 21); MUR 4047 (Attachment 22); MUR 4049 (Attachment 23); MUR 4057 (Attachment 24); MUR 4059 (Attachment 25); MUR 4062 (Attachment 26); MUR 4065 (Attachment 27); MUR 4066 (Attachment 28); MUR 4067 (Attachment 29); MUR 4069 (Attachment 30); MUR 4070 (Attachment 31); MUR 4077 (Attachment 32); MUR 4079 (Attachment 33); MUR 4086 (Attachment 34); MUR 4089 (Attachment 35); MUR 4095 (Attachment 36); MUR 4099 (Attachment 37); MUR 4102 (Attachment 38); MUR 4104 (Attachment 39); MUR 4111 (Attachment 40); MUR 4113 (Attachment 41); MUR 4117 (Attachment 42); MUR 4127 (Attachment 43); and MUR 4132 (Attachment 44).

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Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. As the Commission requested, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are attached to the report in instances where this information was not previously circulated. See Attachments 12-44.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below in Section III.A and III.B effective February 13, 1996. By closing the cases effective February 13, 1996, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record.

### III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective February 13, 1996 in the following matters:

- 1) PM 308
- 2) RAD 94L-29
- 3) RAD 94L-34
- 4) RAD 94NF-10
- 5) RAD 94NF-13

9 6 0 4 3 7 2 3 7 6 5



B. Take no action, close the file effective February 11, 1996, and approve the appropriate letter in the following matters:

- 1) MUR 4027
- 2) MUR 4028
- 3) MUR 4033
- 4) MUR 4042
- 5) MUR 4045
- 6) MUR 4047
- 7) MUR 4049
- 8) MUR 4057
- 9) MUR 4059
- 10) MUR 4062
- 11) MUR 4065
- 12) MUR 4066
- 13) MUR 4067
- 14) MUR 4069
- 15) MUR 4070
- 16) MUR 4077
- 17) MUR 4079
- 18) MUR 4086
- 19) MUR 4089
- 20) MUR 4095
- 21) MUR 4099
- 22) MUR 4102
- 23) MUR 4104
- 24) MUR 4111
- 25) MUR 4113
- 26) MUR 4117
- 27) MUR 4127
- 28) MUR 4132
- 29) MUR 4165
- 30) MUR 4187
- 31) MUR 4188
- 32) MUR 4199
- 33) MUR 4211
- 34) MUR 4212
- 35) MUR 4216
- 36) MUR 4224
- 37) MUR 4243
- 38) MUR 4245

Date

2/6/96

Lawrence M. Noble  
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Enforcement Priority ) Agenda Document #X96-13

CORRECTED CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission, do hereby certify that the Commission decided by votes of 4-0 to take the following action in the above-captioned matter:

A. Decline to open a MUR and close the file effective March 5, 1996, in the following matters:

- 1) PM 308
- 2) RAD 94L-29
- 3) RAD 94L-34
- 4) RAD 94NF-10
- 5) RAD 94NF-13

B. Take no action, close the file effective March 5, 1996, and approve appropriate letter in the following matters:

- 1) MUR 4027
- 2) MUR 4028
- 3) MUR 4033
- 4) MUR 4042
- 5) MUR 4045
- 6) MUR 4047
- 7) MUR 4049
- 8) MUR 4057
- 9) MUR 4059

(continued)

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Federal Election Commission  
Certification: Enforcement Priority  
March 6, 1996

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10) MUR 4062  
11) MUR 4065  
12) MUR 4066  
13) MUR 4067  
14) MUR 4069  
15) MUR 4070  
16) MUR 4077  
17) MUR 4079  
18) MUR 4086  
19) MUR 4089  
20) MUR 4095  
21) MUR 4099  
22) MUR 4102  
23) MUR 4104  
24) MUR 4111  
25) MUR 4113  
26) MUR 4117  
27) MUR 4127  
28) MUR 4132  
29) MUR 4165  
30) MUR 4187  
31) MUR 4188  
32) MUR 4199  
33) MUR 4211  
34) MUR 4212  
35) MUR 4216  
36) MUR 4224  
37) MUR 4243  
38) MUR 4245

(continued)

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Federal Election Commission  
Certification: Enforcement Priority  
March 5, 1996

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Commissioners Aikens, Elliott, McDonald, and Thomas  
voted affirmatively on the above-noted decisions.  
Commissioner McGarry was not present.

Attest:

3/7/96  
Date

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

96043723769



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 7, 1996

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Jean L. Smith  
13612 Ryan Road  
Santa Fe, TX 77510

RE: MUR 4057

Dear Ms. Smith:

On September 16, 1994, the Federal Election Commission received the complaint you filed alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996. 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,

*Mary L. Taksar* (7BAE)

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043723770



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

John Hart, Treasurer  
Friends of Steve Stockman  
3323 Richmond Avenue, Suite A  
Houston, TX 77098

RE: MUR 4057

Dear Mr. Hart:

On September 21, 1994, 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 exercised its prosecutorial discretion to take no action against Friends of Steve Stockman and you, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

*Mary L. Taksar (JBH)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

9604372371



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 7, 1996

Stephen E. Stockman, Treasurer  
Stockman for Congress  
P.O. Box 57135  
Webster, TX 77598

RE: MUR 4057

Dear Mr. Stockman:

On September 21, 1994, 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 exercised its prosecutorial discretion to take no action against Stockman for Congress and you, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

*Mary L. Taksar (JBT)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

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THIS IS THE END OF MUR # 4057

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4057

DATE FILMED 3/18/96 CAMERA NO. 2

CAMERAMAN MRS

96043723774



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4059

DATE FILMED 3/18/76 CAMERA NO. 2

CAMERAMAN MRS

96043723775