



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

THIS IS THE BEGINNING OF MUR # 4132

DATE FILMED 3/19/96 CAMERA NO. 2

CAMERAMAN EES

96043724541

# National Republican Senatorial Committee

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

SENATOR PHIL GRAMM  
CHAIRMAN

WILLIAM D. HARRIS  
EXECUTIVE DIRECTOR

Nov 7 9 36 AM '94

November 3, 1994

MUR 4132

Lawrence M. Noble, Esq.  
General Counsel  
Federal Election Commission  
999 E street, N.W.  
Washington, D.C. 20463

Dear Mr. Noble:

The National Republican Senatorial Committee charges that the Ann Wynia for U.S. Senate Committee violated the Federal Election Campaign Act of 1971, as amended, ("FECA") 2 USC 431 *et seq.* by receiving prohibited in-kind contributions that are in excess of the legal limits violating 2 USC 441b(a) & (f), 11 CFR 114.2(c) and by failing to disclose the total amount of receipts and/or disbursements as required by 2 USC 434(b), 11 CFR 104.3(a) and/or 104.3(b). Federal Election Commission (FEC) regulations provide that a debt of over \$500 must be reported as of the date on which the debt is incurred. 11 CFR 104.11(b).

President Clinton was the main attraction for an Ann Wynia fundraiser on September 23, 1994. He traveled to Minnesota via Air Force One. There are substantial unreported costs associated with the fundraiser since the Pentagon estimates the hourly cost of operating Air Force one at \$25,767. All costs associated with Mr. Clinton's trip made on behalf of Ann Wynia should have been: (1) reimbursed or paid in advance - therefore being listed as a disbursement on the September or at least the Pre-general report; (2) recorded as a debt or obligation on the date it was incurred; or (3) handled as a reimbursement or debt through a coordinated expenditure by an appropriate party committee (i.e., Democratic National Committee, Democratic Senatorial Campaign Committee, or the Minnesota Democratic Committee). The expensive travel costs were not addressed as required by law.

The National Republican Senatorial Committee respectfully urges the Commission to conduct a prompt and thorough investigation into the allegations in this Complaint, and to declare that the Ann Wynia committee has violated the FECA and Commission regulations.

Sincerely,

*Edwina Rogers*

Edwina Rogers  
General Counsel

RONALD REAGAN REPUBLICAN CENTER  
425 SECOND STREET, N.E. • WASHINGTON, D.C. 20002 • (202) 675-6000

PAID FOR AND AUTHORIZED BY THE NATIONAL REPUBLICAN SENATORIAL COMMITTEE

96043724542

Nov 7 9 36 AM '94

BEFORE THE  
FEDERAL ELECTION COMMISSION  
Washington, D.C. 20463

**NATIONAL REPUBLICAN SENATORIAL COMMITTEE**  
Ronald Reagan Republican Center  
425 Second Street, N.E.  
Washington, D.C. 20002  
(202) 675-6000

**COMPLAINT**

v.

Complainant,

Ann Wynia for U.S. Senate  
1916 University Ave.  
St. Paul, Minnesota 55104

Respondent,

**COMPLAINT OF THE  
NATIONAL REPUBLICAN SENATORIAL COMMITTEE**

1. This complaint charges that the respondent violated the Federal Election Campaign Act of 1971, as amended, ("FECA") 2 USC 431 *et seq.*, by receiving prohibited in-kind contributions that are in excess of the legal limits violating 2 USC 441b(a) & (f), 11 CFR 114.2(c) and by failing to disclose the total amount of receipts and/or disbursements as required by 2 USC 434(b), 11 CFR 104.3(a) and/or 104.3(b). Federal Election Commission (FEC) regulations provide that debts of \$500 or less must be reported as of the time payment is made or not later than 60 days after such obligation is incurred, whichever comes first. A debt of over \$500 must be reported as of the date on which the debt is incurred. 11 CFR 104.11(b). President Clinton was the main attraction for an Ann Wynia fundraiser on September 23, 1994. All costs associated with Mr. Clinton's trip made on behalf of Ann Wynia should have been: (1) reimbursed or paid in advance - therefore being listed as a disbursement on the September or Pre-general report; (2) recorded as a debt or obligation on the date it was incurred; or (3) handled as a reimbursement or debt through a coordinated expenditure by an appropriate party committee (i.e., Democratic National Committee, Democratic Senatorial Campaign Committee, or the Minnesota Democratic Committee). The expensive travel costs were not addressed as required by law.

96043724543

## PARTIES

2. The complainant, the National Republican Senatorial Committee ("NRSC") is a "political committee" registered with the Federal Election Commission ("FEC") in accordance with the law and established by Republican Members of the United States Senate to support incumbent and non-incumbent Republican Senate candidates.
3. The respondent, Ann Wynia for U.S. Senate, is a principal campaign committee registered at the Federal Election Commission.

## APPLICABLE STATUTES AND REGULATIONS

4. Travel Expenses On Behalf Of A Federal Candidate Are Contributions. In defining the term *contribution*, the FECA uses the term *anything of value* to include all in-kind contributions. In addition, it considers the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services to be a contribution. In-kind contributions must be reported just as monetary contributions are reported to the FEC. 2 USC 431(8); 11 CFR 100.7(a)(1)(iii).
5. Reporting Requirements. The FECA requires principal campaign committees to disclose the total amount of receipts and disbursements for each reporting period and to itemize receipts and disbursements in excess of \$200. 2 USC 434(b); 11 CFR 104.3(a) and (b). The FEC regulations provide that an in-kind contribution shall be considered to be made on the date that the goods or services are provided by the contributor. 11 CFR 110.1(b)(6).
6. Debts And Obligations Must Be Reported. FEC regulations provide that debts of \$500 or less must be reported as of the time payment is made or not later than 60 days after such obligation is incurred, whichever comes first. A debt of over \$500 must be reported as of the date on which the debt is incurred (with certain exceptions not applicable here). 11 CFR 104.11(b).

## GROUND FOR COMPLAINT

### I. RECEIVING PROHIBITED IN-KIND CONTRIBUTIONS IN EXCESS OF LEGAL LIMITS

7. President Clinton was the main attraction at a \$100-a-person afternoon rally for Ann Wynia on September 23, 1994. This fundraiser was held in the state of Minnesota requiring substantial travel expenses for President Clinton and his political staff. An



Associated Press Writer wrote in a news article that President Clinton arrived in the Twin Cities aboard Air Force One around 11:35 a.m. for a visit that was intended to fire up support for Democratic candidates, particularly U.S. Senate nominee Ann Wynn. (See Exhibit 1 for September 24, 1994 article).

8. Since there is no record of reimbursement or outstanding obligation by the Ann Wynn for U.S. Senate committee the result is a contribution from Mr. Clinton and the U.S. Government which exceeds the legal limit of \$1,000. (Violating 2 USC 441b(a), 11 CFR 114.2(c)) Neither is there a record in the respondent's FEC reports of any direct or in-kind contribution for costs associated with Mr. Clinton's trip made on behalf of Ann Wynn. Other expenses for the September 23rd event are itemized by the respondent's FEC report for the time period in which they occurred. The Design Group was paid \$559.50 for event setup. The Minneapolis Convention Center was paid \$2,250 for rental of space. Your Insurance Agency was paid \$680.00 for event insurance. Kelber Catering was paid \$1,704.09 for catering services. (See Exhibit 2 for relevant FEC pages from the 8/25/94 - 9/30/94 report.) Additional information concerning FEC reporting requirements which have been violated are addressed below in part II of this complaint.

9. A contribution includes any direct or indirect payment, services, or anything of value to a federal political committee in connection with the election. 11 CFR 114.1(a)(1). The term anything of value includes all in-kind contributions such as mailings and travel costs. The provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution. 11 CFR 100.7(a)(1)(iii)(A). According to the Pentagon, the hourly cost of operating Air Force one is \$25,767. There are substantial costs associated with Mr. Clinton's travel on behalf of Ann Wynn.

## **II. FAILING TO DISCLOSE TOTAL AMOUNT OF DISBURSEMENTS AND OBLIGATIONS**

10. There is no indication in respondent's FEC reports of any direct or in-kind contributions or expenditures for the costs associated with Mr. Clinton's visit. The failure by respondent to disclose the total amount of receipts and disbursements for this event is a violation of 2 USC 434(b), 11 CFR 104.3 (a) and (b). Further, respondent's failure to list any debt with regard to this fundraiser constitutes a violation of 11 CFR 104.11(b). That regulation provides that debts of \$500 or less must be reported as of the time payment is made or not later than 60 days after such obligation is incurred, whichever comes first. A debt of over \$500 must be reported as of the date on which the debt is incurred (with certain exceptions not applicable here.)

**RELIEF**

11. The National Republican Senatorial Committee respectfully urges the Commission to conduct a prompt and thorough investigation into the allegations in this Complaint, and to declare that the Respondent has violated the FECA and Commission regulations.

Respectfully submitted,

*Edwina Rogers*

Edwina Rogers

General Counsel

National Republican Senatorial Committee

425 Second Street, N.E.

Washington, D.C. 20002

(202) 675-6073

Date: November 3, 1994

Subscribed and sworn before me this 4th day of November, 1994.

Notary Seal

*My commission expires  
February 14, 1995*

*Kathleen M. Rowan*

Signature of Notary

Clinton's Visit Makes Democrats Happy - And Republicans Too  
Eds: Recasts lead, subs 2nd graf to UPDATE with Clinton arrival;  
picks up 3rd graf: But voters...

pvestgrbjd

By AMY KUEBELBECK

Associated Press Writer

9/24/94  
Exhibit 1

ST. PAUL (AP) - The nation's No. 1 Democrat came to Minnesota today, making some Republicans about as happy as the Democrats.

President Clinton arrived in the Twin Cities aboard Air Force One around 11:35 a.m. for a visit that was intended to fire up support for Democratic candidates, particularly U.S. Senate nominee Ann Wynia.

But voters are not enamored with Clinton, whose approval level has been falling. A Wirthlin Group poll in August, before the Haiti crisis, put Clinton's approval rating at about 43 percent. In addition, midterm elections historically are tough for whichever party is in power. Voters who gave Democrats a chance in 1992 may be ready to toss some chances to the Republicans.

"The fact that Bill Clinton is not terribly popular among Americans at large or Minnesotans increases Republican fortunes," IR Party Chair Chris Georgakas said Friday. "Having him come to Minnesota at the very time when the popularity of his policies is at a very low ebb strengthens our hand."

U.S. Rep. Rod Grams, Wynia's Independent-Republican opponent, says he's delighted that Clinton is weighing in on Wynia's side. Grams has been trying all along to paint Wynia as a Clinton clone.

"Ann Wynia has tied herself directly to the tax-heavy, big-government-knows-best philosophy of Bill Clinton, Paul Wellstone and their liberal cronies," Grams campaign manager Dwight Tostenson said Friday. "That suits us just fine."

Even some Democrats campaigning around the country are distancing themselves from Clinton.

So who wants to be associated with a relatively unpopular president? Many candidates here plan to get as close as they can, getting campaign photographs and basking in the presidential aura.

Clinton was scheduled to speak at a \$1,000-a-plate luncheon in Minneapolis and was to be the main attraction at a \$100-a-person afternoon rally for Wynia. The visit, his third trip to the state in six months, was expected to raise about \$300,000.

"He's more popular here than elsewhere," said Wynia spokesman Kevin Chandler. "The man's the president of the United States. The fact is, to have the president of the United States come in is a real strong boost for any campaign. It signals the importance of the race."

Gubernatorial nominee John Marty planned to skip the luncheon, saying it conflicts with his principle of avoiding big-money contributions. He did plan to attend the less-expensive Wynia rally.

Independent-Republicans planned a \$1-a-person counter-rally before the Wynia gathering, featuring peanuts and soda pop. President Bush has raised money for them in years past, but now they can throw the charge of elitism at Democrats.

Wynia has had about a 2-to-1 fund-raising lead over Grams, but Grams picked up \$400,000 of his own last week from the Republican Senate Campaign Committee. He also took in another \$62,000 from a \$1,000-per-person breakfast fund-raiser and about \$20,000 from a fund-raiser featuring Marilyn Quayle, wife of the former vice president.

06043724547

Exhibit 2

# REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)

RECEIVED  
SECRETARY OF THE SENATE

USE FEC MAILING LABEL  
OR  
TYPE OR PRINT

1. NAME OF COMMITTEE (in full)

Ann Wyntia for U.S. Senate

ADDRESS (number and street) ☐ Check if different than previously reported

1916 University Ave.

CITY, STATE and ZIP CODE

St. Paul, Minnesota 55104

STATE/DISTRICT

Minnesota

2. FEC IDENTIFICATION NUMBER

000287382 DELIVERED ☐

3. IS THIS REPORT AN AMENDMENT?

☐ YES

☒ NO

## 4. TYPE OF REPORT

☐ April 15 Quarterly Report

☐ Twelfth day report preceding

(Type of Election)

☐ July 15 Quarterly Report

election on \_\_\_\_\_ in the State of \_\_\_\_\_

☒ October 15 Quarterly Report

☐ Thirtieth day report following the General Election on

☐ January 31 Year End Report

\_\_\_\_\_ in the State of \_\_\_\_\_

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

☐ Termination Report

Report contains:

☐ Primary Election

☐ General Election

☐ Special Election

☐ Runoff Election

## SUMMARY

	COLUMN A This Period	COLUMN B Year-to-Date
5. Covering Period: <u>8/25/94</u> through <u>9/30/94</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	500,341.52	1,16,965.03
(b) Total Contribution Refunds (from Line 20(d))	717.00	11,834.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	499,624.52	1,45,131.03
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	486,092.52	1,194,583.65
(b) Total Offsets to Operating Expenditures (from Line 18)	2,191.00	2,652.00
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	488,283.61	1,197,235.74
8. Cash on Hand at Close of Reporting Period (from Line 27)	395,768.12	
9. Debt and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		
10. Debt and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		

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

Signature of President/Treasurer

Edwin J. Seng

Signature of Treasurer

Edwin J. Seng

Date

10/15/94

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

FEC FORM 3  
(Revised 4-87)

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7100031175



# **DETAILED SUMMARY PAGE**

of Receipts and Disbursements  
(Page 2, FEC FORM 3)

Name of Committee (in full) <b>Myria for Senate</b>		Report Covering the Period From <b>06/25/94</b> To <b>06/30/94</b>	
<b>I. RECEIPTS</b>		<b>COLUMN A</b> Total This Period	<b>COLUMN B</b> Calendar Year-To-Date
<b>11. CONTRIBUTIONS (other than loans) FROM:</b>			
(a) Individuals/Persons Other Than Political Committees			
(i) Itemized (see Schedule A)		194,857.45	
(ii) Unitemized		166,434.50	
(iii) Total of contributions from individuals		361,291.95	1,165,361.20
(b) Political Party Committees		17,500.00	17,500.00
(c) Other Political Committees (such as PACs)		121,549.57	322,849.57
(d) The Candidate			1,274.26
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(i), (b), (c), and (d))		500,341.52	1,506,985.03
<b>12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES</b>			
<b>13. LOANS</b>			
(a) Made or Guaranteed by the Candidate			
(b) All Other Loans			
(c) TOTAL LOANS (add 13(a) and (b))			
<b>14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)</b>		2,191.09	2,652.09
<b>15. OTHER RECEIPTS (Dividends, Interest, etc.)</b>			
<b>16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)</b>		502,532.61	1,509,637.12
<b>II. DISBURSEMENTS</b>			
<b>17. OPERATING EXPENDITURES</b>		486,092.52	1,184,583.65
<b>18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES</b>			
<b>19. LOAN REPAYMENTS</b>			
(a) Of Loans Made or Guaranteed by the Candidate			
(b) Of All Other Loans			
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))			
<b>20. REFUNDS OF CONTRIBUTIONS TO</b>			
(a) Individuals/Persons Other Than Political Committees		717.00	11,834.00
(b) Political Party Committees			
(c) Other Political Committees (such as PACs)			
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))		717.00	11,834.00
<b>21. OTHER DISBURSEMENTS</b>		485,809.52	1,196,417.65
<b>22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)</b>			

## **III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	\$ 380,045.03
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)	\$ 502,532.61
25. SUBTOTAL (add Line 23 and Line 24)	\$ 882,577.64
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)	\$ 486,809.52
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)	\$ 395,768.12

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94030231576

**SCHEDULE B**
**ITEMIZED DISBURSEMENTS**

 Use separate schedules  
for each category of the  
Detailed Summary Page  
(SSS) on - 000000

 PAGE 3 OF 11  
FOR LINE NUMBER 17

**Operating Expenses**

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

**NAME OF COMMITTEE (in Full)**

Ann Wynia for U. S. Senate C00282384

<b>A. Full Name, Mailing Address and ZIP Code</b> Design Group 8616 Xylon Ave W Brooklyn Park, MN	<b>Purpose of Disbursement</b> Event setup Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 09/23/94 09/23/94	<b>Amount of Each Disbursement This Period</b> 559.50 11,050.00
<b>B. Full Name, Mailing Address and ZIP Code</b> Dudley Rigg's Theatre 2605 Hennepin Ave S Minneapolis, MN 55408-	<b>Purpose of Disbursement</b> Fundraiser Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement This Period</b> 250.00
<b>C. Full Name, Mailing Address and ZIP Code</b> Emily's List 1112 16th St NW, 0750 Washington, DC 20036-	<b>Purpose of Disbursement</b> Mailing costs Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 08/25/94	<b>Amount of Each Disbursement This Period</b> 3,600.00
<b>D. Full Name, Mailing Address and ZIP Code</b> PACS 408 Cedar Ave S Minneapolis, MN 55454-	<b>Purpose of Disbursement</b> Phoning Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 09/15/94 08/28/94	<b>Amount of Each Disbursement This Period</b> 482.40 1,443.90
<b>E. Full Name, Mailing Address and ZIP Code</b> Nancy Farnhar 101 Meadow Ln. S. Golden Valley, MN 55416-	<b>Purpose of Disbursement</b> Fundraising consulting Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 09/20/94 09/02/94	<b>Amount of Each Disbursement This Period</b> 2,500.00 1,375.00
<b>F. Full Name, Mailing Address and ZIP Code</b> Feldman Group 1001 Connecticut Ave NW, Ste 1016 Washington, DC 20036-	<b>Purpose of Disbursement</b> Polling Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 09/02/94 09/02/94 08/25/94	<b>Amount of Each Disbursement This Period</b> 10,000.00 9,500.00 8,095.33
<b>G. Full Name, Mailing Address and ZIP Code</b> Penn King Murphy Communications 1043 Cecil Pl NW Washington, DC 20007-	<b>Purpose of Disbursement</b> Media buy Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 08/25/94 09/05/94 09/05/94 09/10/94	<b>Amount of Each Disbursement This Period</b> 91,205.29 193,850.00 17,095.00 2,231.70
<b>H. Full Name, Mailing Address and ZIP Code</b> Flightline, Inc 22100 Hamburg Ave Lakeville, MN 55044-	<b>Purpose of Disbursement</b> Charter Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement This Period</b> 425.00
<b>I. Full Name, Mailing Address and ZIP Code</b> Jm - Ray 589 Hague St. Paul, MN 55104-	<b>Purpose of Disbursement</b> Payroll Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> 09/15/94 09/02/94	<b>Amount of Each Disbursement This Period</b> 408.02 408.02

SUBTOTAL of Disbursements This Page (for line)

354,601.14

TOTAL This Period (last page this line number only)

 960437224550  
94030231980

**SCHEDULE B**  
**Operating Expenses**

**ITEMIZED DISBURSEMENTS**

Use separate sheets for each category of the Detailed Disbursement Page (Schedule B - 1000)

PAGE 4 OF 11  
FOR LINE NUMBER 17

Any information reported here must be true and correct. It may not be used by any person for the purpose of soliciting contributions or for any other purpose, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Ann Wynn for U. S. Senate C00282384

<b>A. Full Name, Mailing Address and ZIP Code</b> Ed Gross 1414 S.E. 7th St. Minneapolis, MN 55414-	<b>Purpose of Disbursement</b> Targeting Consulting  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/01/94	<b>Amount of Each Disbursement This Period</b> 1,500.00
<b>B. Full Name, Mailing Address and ZIP Code</b> Michael Harting 2000 W. 7th St. 0211 St. Paul, MN 55116-	<b>Purpose of Disbursement</b> Payroll  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement This Period</b> 469.01 469.01
<b>C. Full Name, Mailing Address and ZIP Code</b> Impact Printing 1067 Rice Street St Paul, MN 55117-	<b>Purpose of Disbursement</b> Printing  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/09/94	<b>Amount of Each Disbursement This Period</b> 20,003.48
<b>D. Full Name, Mailing Address and ZIP Code</b> Steve Jewett Info Services 4022 Queen Ave Minneapolis, MN 55412-	<b>Purpose of Disbursement</b> Networking  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 08/28/94	<b>Amount of Each Disbursement This Period</b> 1,110.00
<b>E. Full Name, Mailing Address and ZIP Code</b> Kolber Catering 1301 2nd Ave S Minneapolis, MN 55403-	<b>Purpose of Disbursement</b> Catering  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/23/94	<b>Amount of Each Disbursement This Period</b> 1,704.09
<b>F. Full Name, Mailing Address and ZIP Code</b> Mike Kennedy 415 Western Av 8100 Faribault, MN 55021-	<b>Purpose of Disbursement</b> Payroll  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/01/94	<b>Amount of Each Disbursement This Period</b> 469.01
<b>G. Full Name, Mailing Address and ZIP Code</b> Linda S. 51 Snelling Ave S St Paul, MN 55105-	<b>Purpose of Disbursement</b> Copying  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/12/94	<b>Amount of Each Disbursement This Period</b> 566.58
<b>H. Full Name, Mailing Address and ZIP Code</b> Annika Field 511 Union Circle Dr 6201 Minnetonka, MN 55343-	<b>Purpose of Disbursement</b> Payroll  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement This Period</b> 326.32
<b>I. Full Name, Mailing Address and ZIP Code</b> Karin Larson 2111 S. Viking Dr. Little Canada, MN 55120-	<b>Purpose of Disbursement</b> Payroll  Disbursement For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date (month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement This Period</b> 784.37 784.37

SUBTOTAL of Disbursements This Page (optional)

28,186.23

TOTAL This Period (last page this line number only)

**SCHEDULE B**  
**Operating Expenses**

**ITEMIZED DISBURSEMENTS**

Use separate schedules  
for each category of the  
Budget (Summary Page  
002504 - 002505)

PAGE **1** OF **11**  
FOR LINE NUMBER  
**17**

Any information copied from such Reports and Statements may not be used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Ann Wynia for U. S. Senate C00262384

A. Full Name, Mailing Address and ZIP Code Minneapolis Convention Center 1301 2nd Ave S Minneapolis, MN 55403-	Purpose of Disbursement Rental Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/23/94	Amount of Each Disbursement (this Period) 2,250.00
B. Full Name, Mailing Address and ZIP Code Minnesota Department of Revenue St. Paul, MN	Purpose of Disbursement PAYROLL TAXES Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/15/94	Amount of Each Disbursement (this Period) 1,002.22
C. Full Name, Mailing Address and ZIP Code Hansen in the News One Bush St San Francisco, CA 94104-	Purpose of Disbursement Mailings lists Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/30/94	Amount of Each Disbursement (this Period) 834.95
D. Full Name, Mailing Address and ZIP Code Norwest Bank Minnesota, N.A. P.O. Box B 514 Minneapolis, MN 55475-0514	Purpose of Disbursement Account analysis charge Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/22/94	Amount of Each Disbursement (this Period) 84.00
E. Full Name, Mailing Address and ZIP Code same as above	Purpose of Disbursement Check order Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/30/94 09/01/94	Amount of Each Disbursement (this Period) 51.00 13.75
F. Full Name, Mailing Address and ZIP Code same as above	Purpose of Disbursement Payroll Taxes Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/15/94	Amount of Each Disbursement (this Period) 4,702.20
G. Full Name, Mailing Address and ZIP Code same as above	Purpose of Disbursement Service charge Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/30/94 09/03/94	Amount of Each Disbursement (this Period) 31.97 21.50
H. Full Name, Mailing Address and ZIP Code same as above	Purpose of Disbursement Wire Transfer Fee Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/31/94 09/31/94 09/31/94 09/31/94	Amount of Each Disbursement (this Period) 11.00 21.00 1.00 9.00
I. Full Name, Mailing Address and ZIP Code Box S.D. Box 5477 Minneapolis, MN 55403-	Purpose of Disbursement Travel Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 09/15/94	Amount of Each Disbursement (this Period) 220.00

SUBTOTAL of Disbursements This Period (optional)

9,635.64

TOTAL This Period (enter same for line number 00)

96043724552  
94020231903



**SCHEDULE B**  
**Operating Expenses**

**ITEMIZED DISBURSEMENTS**

(Use separate schedule)  
for each category of the  
Detailed Summary Page  
(Schedule B-100000)

PAGE **9** OF **11**  
FOR LINE NUMBER  
**17**

Any information copied from such Reports and Statements shall not be used by any person for the purpose of making contributions or for any other purpose, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Ann Wynia for U. S. Senate C00282384

<b>A. Full Name, Mailing Address and ZIP Code</b> Pamela Wetterlund 166 Summit Ave St. Paul, MN 55102-	<b>Purpose of Disbursement</b> Payroll Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement This Period</b> 819.61 819.61
<b>B. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Reimburse Gas/photos Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 08/26/94	<b>Amount of Each Disbursement This Period</b> 36.56
<b>C. Full Name, Mailing Address and ZIP Code</b> Xpedite Systems, Inc P.O. Box 23532 Newark, NJ 07189-	<b>Purpose of Disbursement</b> Faxing Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement This Period</b> 1,378.29
<b>D. Full Name, Mailing Address and ZIP Code</b> John Yewell 1672 Wellesley St. Paul, MN 55105-	<b>Purpose of Disbursement</b> Payroll Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement This Period</b> 605.99 605.99
<b>E. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Reimburse tape recorder Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 08/28/94	<b>Amount of Each Disbursement This Period</b> 80.44
<b>F. Full Name, Mailing Address and ZIP Code</b> Sheri Yeot 12100 Marion Ln. Minneapolis, MN 55305-	<b>Purpose of Disbursement</b> Payroll Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement This Period</b> 866.19 866.19
<b>G. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Reimburse Phone Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 09/03/94	<b>Amount of Each Disbursement This Period</b> 204.60
<b>H. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Reimburse Travel Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement This Period</b> 133.58
<b>I. Full Name, Mailing Address and ZIP Code</b> Youth Insurance Agency 5407 Exchange Blvd St. Louis Park, MN 55426-	<b>Purpose of Disbursement</b> Event Insurance Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	<b>Date (month, day, year)</b> 09/23/94	<b>Amount of Each Disbursement This Period</b> 600.00

SUBTOTAL of Disbursements This Period (optional)

7,109.05

TOTAL This Period (for optional use)



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

**November 15, 1994**

**Ms. Edwina Rogers  
National Republican Senatorial Committee  
Ronald Reagan Republican Center  
425 Second Street NE  
Washington, D.C. 20002**

**RE: MUR 4132**

**Dear Ms. Rogers:**

This letter acknowledges receipt on November 7, 1994, of your complaint which you filed on behalf of the National Republican Senatorial Committee 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 4132. 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. Taksar*

**Mary L. Taksar, Attorney  
Central Enforcement Docket**

**Enclosure  
Procedures**

96043724554



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

November 15, 1994

Ellen G. Sampson, Treasurer  
Wynia for Senate Committee  
P.O. Box 8228  
St. Paul, MN 55108

RE: MUR 4132

Dear Ms. Sampson:

The Federal Election Commission received a complaint which indicates that the Wynia for Senate 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 4132. 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.

26043724555

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

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

cc: Ann Louise Jobe Wynia

9 6 0 4 3 7 2 4 5 5 6





**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**November 15, 1994**

**The President  
The White House  
Washington, D.C. 20500**

**RE: MUR 4132**

**Dear Mr. President:**

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 4132. 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.

96043724557

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

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

cc: Abner Mikva, Esq.

96043724558



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**November 15, 1984**

**Janet Reno, Attorney General  
Department of Justice  
Office of the Attorney General  
Tenth Street and Constitution Avenue, N.W.  
Washington, D.C. 20530**

**RE:           MUR 4132**

**Dear Ms. Reno:**

**The Federal Election Commission received a complaint which indicates that the U.S. Government 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 4132. 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 U.S. Government 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.**

96043724559

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

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

96043724560



THE WHITE HOUSE

WASHINGTON

December 5, 1994

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Dec 5 3 57 PM '94

Lawrence Noble, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

RE: NUR 4132

Dear Mr. Noble:

This response is submitted on behalf of President Clinton. We are writing in response to a November 15, 1994, letter from Ms. Mary Taksar regarding a complaint filed with the Federal Election Commission (FEC) by the National Republican Senatorial Committee (Complainant or NRSC) against the Ann Wymia for U.S. Senate Committee (Wymia Campaign). Complainant alleges that the Wymia Campaign violated the Federal Election Campaign Act (the Act or FECA) by:

receiving prohibited in-kind contributions that are in excess of the legal limits violating 2 USC 441b(a) & (f), 11 CFR 114.2(c) and by failing to disclose the total amount of receipts and/or disbursements as required by 2 USC 434(b), 11 CFR 104.3(a) and/or 104.3(b).

Complaint at 1.

Complainant asserts that the hourly operating costs of Air Force I is \$25,767. *Id.* at 3. Complainant alleges that these "substantial travel expenses for President Clinton and his political staff" to attend the Wymia Campaign fundraiser in Minneapolis, Minnesota on September 23, 1994, "were not addressed as required by law." *Id.* at 2. The result, according to Complainant, was "a contribution from Mr. Clinton and the U.S. Government which exceeds the legal limit of \$1,000." *Id.* at 3. Since the Wymia Campaign did not disclose an expenditure of at least \$25,767, Complainant alleges that the Wymia Campaign received and failed to disclose a prohibited contribution in the amount by which the hourly operating costs of Air Force I exceeded \$1,000.

**I. Complainant Fails to State a Violation of FECA**

Complainant's allegations with respect to the President's travel to Minnesota do not state a violation of the Act. The President personally did not make any contribution, either in cash

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or in-kind, to the Wynia Campaign; moreover, the Federal government cannot make a contribution. It is well-established that "person" for the purposes of the term "contribution" does not include the Federal government (or any of its components). See, 2 U.S.C. § 431(11); 11 C.F.R. § 100.10. See also, H.R. Rep. No. 4221, 96th Cong., 1st. Sess. at 7-8 (1979) (definitions of "contribution" and "expenditure" were amended "to incorporate the Commission opinion that the use of appropriate (sic) funds of the Federal Government is not an expenditure"). Accordingly, any funds expended by the Federal government would not, for purposes of the Act, constitute a contribution.

## **II. Travel Costs Were Allocated on a Reasonable Basis, Consistent with Practice of Three Prior Administrations**

Even if the Federal government could make a contribution, which it cannot, the Wynia Campaign paid those costs reasonably attributable to the President's and his staff's travel to Minneapolis for the fundraiser. The FEC regulations provide "that the portion of the trip attributed to each candidate shall be allocated on a reasonable basis." 11 C.F.R. § 106.3(c)(1). For the past three administrations, Presidential (and accompanying staff) travel on behalf of a candidate for elected office has been allocated using the hard-time formula, which has been incorporated into the regulations implementing the Hatch Act Reform Amendments of 1993. See 5 C.F.R. § 734.503. Using this formula and the FEC method for allocating Presidential candidate travel, see 11 C.F.R. § 9034.7(b)(5)(i), a candidate must pay the airfare associated with each passenger -- including the President -- travelling on Air Force I for political or mixed (official and political) purposes. This approach ensures that travel (and all other) costs are allocated on a reasonable basis.

Prior to the President's travel, the Wynia Campaign entered into an agreement with the White House to pay those travel costs associated with the President's trip to Minneapolis, pursuant to the aforementioned approach. The Wynia Campaign has paid those travel costs as required. The NRSC has provided no evidence to the contrary.

## **III. NRSC's Complaint is Frivolous and Alleged in Bad Faith**

From its experience with Presidential travel during the past two administrations, the NRSC is intimately familiar with the method used to allocate costs for Presidential travel on behalf of other candidates. The NRSC's allegation that the Wynia Campaign has received a prohibited contribution in the amount of the hourly operating costs of Air Force I is completely inconsistent with the FEC's approach for allocating the costs of the use of government conveyance. In particular, for travel between cities with

regularly scheduled commercial service, the regulations have never required candidate campaigns to pay a charter rate or hourly cost of operation.

In view of the NRSC's knowledge of the aforementioned facts, we believe this complaint is not only frivolous, but is also alleged in bad faith. NRSC's allegations are not only inconsistent with more than twelve years of established practice for allocating Presidential travel on behalf of another candidate, it also is inconsistent with the approach outlined in the FEC regulations for Presidential candidate travel.

#### IV. Conclusion

In light of the failure by Complainant to state a violation of the Federal Election Campaign Act by the President, we request that your agency dismiss the President as a respondent in this matter (MUR 4132). Moreover, because of Complainant's bad faith in filing this complaint, we also seek whatever sanctions are available against Complainant.

Sincerely,



Cheryl Mills  
Associate Counsel to the President

96043724563



U.S. Department of Justice  
Civil Division

TCH:RRBrown  
145-0-4172

Washington, D.C. 20530

Telephone:  
(202) 514-5751

December 8, 1994

VIA HAND DELIVERY

Lawrence Noble, Esquire  
General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Attn: Mary L. Taksar, Esquire

RE: MATTER UNDER REVIEW (MUR) 4132

Dear Mr. Noble:

Enclosed please find a Statement of Designation of Counsel form signed by the Attorney General authorizing me to represent the United States Government in the above-captioned Matter Under Review. For the reasons stated below, the United States Government has not violated the Act and, therefore, no action should be taken against the United States Government in this matter.

By letter dated November 15, 1994 (and received by the Department of Justice on November 23, 1994), Ms. Mary Taksar of your staff wrote to the Attorney General regarding the complaint filed with the Federal Election Commission ("FEC") by the Republican Senatorial Campaign Committee. That complaint alleged that the travel expenses related to President Clinton's September 23, 1994 trip to Minnesota constituted an unreported in-kind contribution "from Mr. Clinton and the U.S. government" to the Ann Wynn for U.S. Senate committee, in violation of the Federal Election Campaign Act ("the Act").

In 1979, the statutory definitions of "contribution" and "person" contained in the Act were amended by the Federal Election Campaign Act Amendments of 1979, Pub. L. No. 96-187, to emphasize that the use of appropriated funds by the Federal Government does not constitute a "contribution" within the meaning of the Act. Specifically, the definition of "contribution" was narrowed by adding the phrase "by any person," see 2 U.S.C. § 431(8), to ensure that only a "person" can make a campaign contribution as defined in the Act. At the same time, the Act's definition of "person" was explicitly narrowed to provide that the "term [person] does not include the Federal

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FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

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Mr. Lawrence Noble  
December 8, 1994  
Page 2

Government or any authority of the Federal Government." See 2  
U.S.C. § 431(11).

Since only persons, as defined in the Act, may make campaign contributions, and the Federal Government is not a "person" within the meaning of the Act, the expenditure of appropriated funds by the United States Government cannot constitute a political campaign contribution within the meaning of the Act. See H. Rep. 96-422, 96th Cong., 1st Sess. at 7-8 (1979), reprinted in 1979 U.S.C.C.A.N. 2860, 2866 (explaining that the definitions of "contribution" and "person" within the Act were amended to "incorporate the [Federal Election] Commission opinion that the use of appropriated funds of the Federal Government is not a [campaign] contribution").

Therefore, since the United States Government cannot make a campaign contribution, as defined in the Act, it has not violated the Federal Election Campaign Act.

Respectfully submitted,



RICHARD R. BROWN  
Trial Attorney  
Federal Programs Branch  
Civil Division  
U.S. Department of Justice  
P.O. Box 883  
Washington, D.C. 20044

(202) 514-5751

Enclosure

96043724565

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4132

NAME OF COUNSEL: FRANK W. HUNGER  
Assistant Attorney General

JOHN A. ROGOVIN  
Deputy Assistant Attorney General

DENNIS G. LINDER  
Branch Director  
(202) 514-3314

THEODORE C. HIRT  
Assistant Branch Director  
(202) 514-4785

RICHARD R. BROWN (contact person)  
Trial Attorney  
(202) 514-5751

ADDRESS: U.S. Department of Justice  
Federal Program Branch  
P.O. Box 883  
Washington, D.C. 20044

TELEPHONE: (202) 514-5751

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

12/7/94  
Date

  
Signature

NAME: JANET RENO, Attorney General

ADDRESS: U.S. Department of Justice  
Office of the Attorney General  
10th Street & Constitution Ave., N.W.  
Washington, D.C. 20530

TELEPHONE: (202) 514-2001

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Dec 12 12 25 PM '94

Ellen G. Sampson  
44 South Deep Lake Road  
North Oaks, MN 55127  
December 8, 1994

Mary L. Taksar, Esq.  
Central Enforcement Docket  
Federal Elections Commission  
Washington, D.C. 20463

Re: MUR 4132

Dear Ms. Taksar:

Enclosed please find a letter that was inadvertently sent to the National Republican Senatorial Committee instead of the Federal Elections Commission. As I indicated in the enclosed letter to Ms. Rogers, I am gathering additional information and will respond as quickly as possible.

Very truly yours,



Ellen G. Sampson  
Treasurer, Wynia for Senate Campaign

EGS/kdb  
Enclosure

26043724567

Ellen G. Sampson  
44 South Deep Lake Road  
North Oaks, MN 55127  
612/335-1698

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL

DEC 12 12 25 PM '94

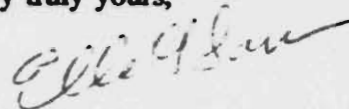
December 1, 1994

Edwina Rogers, General Counsel  
National Republican Senatorial Committee  
Ronald Regan Republican Center  
425 Second Street N.E.  
Washington, D.C. 20002

Dear Ms. Edwina:

As Treasurer for the Wynia for Senate Campaign, your November 3, 1994 letter was forwarded to me for a response. Unfortunately, I did not receive your letter until November 23, 1994. At this time, however, we believe that we have reported all contributions properly. I am in the process of gathering additional information and will provide you with a formal response within the next ten days.

Very truly yours,



Ellen G. Sampson  
Treasurer, Wynia for Senate

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Ellen G. Sampson  
44 South Deep Lake Road  
North Oaks, MN 55127  
December 15, 1994

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COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
DEC 22 12 53 PM '94

Mary L. Taksar, Esq.  
Central Enforcement Docket  
Federal Elections Commission  
Washington, D.C. 20463

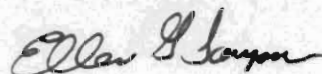
Re: MUR 4132

Dear Ms. Taksar:

The Wynia for Senate Committee has had the opportunity to explore the allegations made in the complaint of the National Republican Senatorial Committee. We have concluded that although our October report does identify the expenditures that the Wynia for Senate made directly to a variety of vendors regarding the President's visit, we did not report a debt of \$10,000 to the Minnesota Victory '94 Fund. Enclosed with this letter, please find both an amendment to our October 1994 report which includes a debt of \$10,000 to the Minnesota Victory '94 Fund and copies of the pages of the original report which show that other expenses were reported. We have subsequently paid the \$10,000 debt to the Minnesota Victory '94 Fund. The notice that the debt has been paid will be contained in the report which is due in January of 1995. For your information, however, we are enclosing a copy of that check.

We apologize for this unintentional oversight.

Very truly yours,



Ellen G. Sampson  
Treasurer, Wynia for Senate Campaign

EGS/kdb 247522

Enclosures

cc: Alva E. Smith, FEC  
Robin Jenkins, FEC  
Libby Keefe  
Beth Bernard  
Beth Lareau  
Ann Wynia

96013724569

# REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)

USE FEC MAILING LABEL  
OR  
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) <b>Wynia for Senate</b>		2. FEC IDENTIFICATION NUMBER <b>000282384</b>
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported. <b>1916 University Avenue</b>		3. IS THIS REPORT AN AMENDMENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CITY, STATE and ZIP CODE <b>St Paul, MN 55104</b>	STATE/DISTRICT <b>Minnesota</b>	

## 4. TYPE OF REPORT

- |  |  |
|--|--|
| <input type="checkbox"/> April 15 Quarterly Report<br><br><input type="checkbox"/> July 15 Quarterly Report<br><br><input checked="" type="checkbox"/> October 15 Quarterly Report<br><br><input type="checkbox"/> January 31 Year End Report<br><br><input type="checkbox"/> July 31 Mid-Year Report (Non-election Year Only) | <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election)<br>election on _____ in the State of _____<br><br><input type="checkbox"/> Thirtieth day report following the General Election on _____<br>in the State of _____<br><br><input type="checkbox"/> Termination Report |
|--|--|

This report contains activity for ☐ Primary Election ☐ General Election ☐ Special Election ☐ Runoff Election

## SUMMARY

5. Covering Period <u>8/25/94</u> through <u>9/30/94</u>	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	500,341.52	1,506,985.03
(b) Total Contribution Refunds (from Line 20(d))	717.00	11,834.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	499,624.52	1,495,151.03
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	486,092.52	1,184,583.65
(b) Total Offsets to Operating Expenditures (from Line 14)	2,191.09	2,652.09
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	483,901.43	1,181,931.56
8. Cash on Hand at Close of Reporting Period (from Line 27)	395,768.12	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-219-3420
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)	10,000.00	

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 <b>Ellen G. Sampson</b>		Date <b>12/18/94</b>
Signature of Treasurer <i>Ellen G. Sampson</i>		

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 3**  
(revised 4/87)

96043724510

**SCHEDULE D**  
(Revised 3/80)

**DEBTS AND OBLIGATIONS**  
**Excluding Loans**

Page 1 of 1 for  
LINE NUMBER 10  
(Use separate schedules  
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
WYNIA For Senate				
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Victory '94 592 Wacouta St. Paul MN 55101		10,000.00	- 0	10,000.00
Nature of Debt (Purpose): Presidential Visit				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional):				
2) TOTALS This Period (last page in this line only):				
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				

96043724571

**SCHEDULE B**
**ITEMIZED DISBURSEMENTS**

 Use separate schedule(s)  
for each category of the  
Detailed Summary Page  
(08/26/94 - 09/30/94)

 PAGE 3 OF 11  
FOR LINE NUMBER 17

**Operating Expenses**

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

**NAME OF COMMITTEE (In Full)**

Ann Wynia for U. S. Senate C00282384

<b>A. Full Name, Mailing Address and ZIP Code</b> Design Group 8616 Xylon Ave N Brooklyn Park, MN	<b>Purpose of Disbursement</b> Event setup  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/23/94 09/23/94	<b>Amount of Each Disbursement this Period</b> 559.50 11,050.00
<b>B. Full Name, Mailing Address and ZIP Code</b> Dudley Rigg's Theatre 2605 Hennepin Ave S Minneapolis, MN 55408-	<b>Purpose of Disbursement</b> Fundraiser  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement this Period</b> 250.00
<b>C. Full Name, Mailing Address and ZIP Code</b> Emily's List 1112 16th St NW, #750 Washington, DC 20036-	<b>Purpose of Disbursement</b> Mailing costs  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 08/25/94	<b>Amount of Each Disbursement this Period</b> 3,600.00
<b>D. Full Name, Mailing Address and ZIP Code</b> FACS 408 Cedar Ave S Minneapolis, MN 55454-	<b>Purpose of Disbursement</b> Phoning  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94 08/28/94	<b>Amount of Each Disbursement this Period</b> 482.40 1,443.90
<b>E. Full Name, Mailing Address and ZIP Code</b> Nancy Farnham 101 Meadow Ln. S. Golden Valley, MN 55416-	<b>Purpose of Disbursement</b> Fundraising consulting  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/20/94 09/01/94	<b>Amount of Each Disbursement this Period</b> 2,500.00 1,375.00
<b>F. Full Name, Mailing Address and ZIP Code</b> Feldman Group 1001 Connecticut Ave NW, Ste 1016 Washington, DC 20036-	<b>Purpose of Disbursement</b> Polling  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/02/94 09/01/94 08/25/94	<b>Amount of Each Disbursement this Period</b> 10,000.00 9,500.00 8,095.33
<b>G. Full Name, Mailing Address and ZIP Code</b> Fenn King Murphy Communications 1043 Cecil Pl NW Washington, DC 20007-	<b>Purpose of Disbursement</b> Media buy  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 08/25/94 09/05/94 09/05/94 09/10/94	<b>Amount of Each Disbursement this Period</b> 91,205.29 193,850.00 17,095.00 2,231.70
<b>H. Full Name, Mailing Address and ZIP Code</b> Flightline, Inc 22100 Hamburg Ave Lakeville, MN 55044-	<b>Purpose of Disbursement</b> Charter  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement this Period</b> 425.00
<b>I. Full Name, Mailing Address and ZIP Code</b> Joe Fox 969 Hague St. Paul, MN 55104-	<b>Purpose of Disbursement</b> Payroll  Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement this Period</b> 469.01 469.01

SUBTOTAL of Disbursements This Page (optional)

354,601.14

TOTAL This Period (last page this line number only)

96043724572



**SCHEDULE B**  
**Operating Expenses**

**ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page  
(08/25/94 - 09/30/94)

PAGE 4 OF 11  
FOR LINE NUMBER 17

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**NAME OF COMMITTEE (in Full)**

Ann Wynia for U. S. Senate C00282384

<b>A. Full Name, Mailing Address and ZIP Code</b> Ed Gross 1414 S.E. 7th St. Minneapolis, MN 55414-	<b>Purpose of Disbursement</b> Targeting Consulting Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/01/94	<b>Amount of Each Disbursement this Period</b> 1,500.00
<b>B. Full Name, Mailing Address and ZIP Code</b> Michael Hatting 2000 W. 7th St. #211 St. Paul, MN 55116-	<b>Purpose of Disbursement</b> Payroll Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement this Period</b> 469.01 469.01
<b>C. Full Name, Mailing Address and ZIP Code</b> Impact Printing 1067 Rice Street St Paul, MN 55117-	<b>Purpose of Disbursement</b> Printing Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/09/94	<b>Amount of Each Disbursement this Period</b> 20,003.48
<b>D. Full Name, Mailing Address and ZIP Code</b> Steve Jewett Info Services 4022 Queen Ave Winneapolis, MN 55412-	<b>Purpose of Disbursement</b> Networking Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 08/28/94	<b>Amount of Each Disbursement this Period</b> 1,110.00
<b>E. Full Name, Mailing Address and ZIP Code</b> Kelber Catering 1301 2nd Ave S Minneapolis, MN 55403-	<b>Purpose of Disbursement</b> Catering Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/23/94	<b>Amount of Each Disbursement this Period</b> 1,704.09
<b>F. Full Name, Mailing Address and ZIP Code</b> Mike Kennedy 415 Western Av #100 Faribault, MN 55021-	<b>Purpose of Disbursement</b> Payroll Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/01/94	<b>Amount of Each Disbursement this Period</b> 469.01
<b>G. Full Name, Mailing Address and ZIP Code</b> Kinko's 58 Snelling Ave S St Paul, MN 55105-	<b>Purpose of Disbursement</b> Copying Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/12/94	<b>Amount of Each Disbursement this Period</b> 566.58
<b>H. Full Name, Mailing Address and ZIP Code</b> Amalia Klein 5627 Green Circle Dr #201 Minnetonka, MN 55343-	<b>Purpose of Disbursement</b> Payroll Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement this Period</b> 326.31
<b>I. Full Name, Mailing Address and ZIP Code</b> Beth Lareau 135 E. Viking Dr. Little Canada, MN 55117-	<b>Purpose of Disbursement</b> Payroll Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94 09/01/94	<b>Amount of Each Disbursement this Period</b> 784.37 784.37

**SUBTOTAL** of Disbursements This Page (optional)

28,186.23

**TOTAL** This Period (last page this line number only)

96043724573

**SCHEDULE B**  
**Operating Expenses**

**ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page  
(08/25/94 - 09/30/94)

PAGE 6 OF 11  
FOR LINE NUMBER 17

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NAME OF COMMITTEE (in Full)

Ann Wynia for U. S. Senate C00282384

<b>A. Full Name, Mailing Address and ZIP Code</b> Minneapolis Convention Center 1301 2nd Ave S Minneapolis, MN 55403-	<b>Purpose of Disbursement</b> Rental Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/23/94	<b>Amount of Each Disbursement this Period</b> 2,250.00
<b>B. Full Name, Mailing Address and ZIP Code</b> Minnesota Department of Revenue St. Paul, MN	<b>Purpose of Disbursement</b> Payroll taxes Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement this Period</b> 1,002.22
<b>C. Full Name, Mailing Address and ZIP Code</b> Names in the News One Bush St San Francisco, CA 94104-	<b>Purpose of Disbursement</b> Mailing lists Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/30/94	<b>Amount of Each Disbursement this Period</b> 834.95
<b>D. Full Name, Mailing Address and ZIP Code</b> Norwest Bank Minnesota, N.A. P.O.Box B 514 Minneapolis, MN 55479-0514	<b>Purpose of Disbursement</b> Account analysis charge Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/22/94	<b>Amount of Each Disbursement this Period</b> 84.10
<b>E. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Check order Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/30/94 09/01/94	<b>Amount of Each Disbursement this Period</b> 51.00 13.75
<b>F. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Payroll Taxes Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement this Period</b> 4,702.20
<b>G. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Service charge Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 08/30/94 09/01/94	<b>Amount of Each Disbursement this Period</b> 39.97 13.50
<b>H. Full Name, Mailing Address and ZIP Code</b> same as above	<b>Purpose of Disbursement</b> Wire Transfer Fee Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 08/31/94 08/31/94 08/31/94 08/31/94	<b>Amount of Each Disbursement this Period</b> 15.00 15.00 9.00 9.00
<b>I. Full Name, Mailing Address and ZIP Code</b> NSP P.O.Box 9477 Minneapolis, MN 55484-	<b>Purpose of Disbursement</b> Utilities Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	<b>Date(month, day, year)</b> 09/15/94	<b>Amount of Each Disbursement this Period</b> 395.97



SUBTOTAL of Disbursements This Page (optional)

9,435.66

TOTAL This Period (last page this line number only)

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<b>WYNIA FOR SENATE</b> P.O. BOX 8228 ST. PAUL, MN 55105		<b>2280</b>
PAY TO THE ORDER OF <u>Victory 94</u>		<u>Dec 13</u> 19 <u>94</u> <b>11-1243</b>
<u>Ben Hougard and co/100</u>		<u>\$10,000.00</u>
 <b>IMM</b> MOUNTAIN VIEW 11220 West County Road E Arden Hills, MN 55112		<u>DOLLARS</u>
FOR <u>Account Bank Minneapolis, N.A.</u>		
		<b>1100228011 0910000191 3970271450</b>

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 25); 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).

9 6 0 4 3 7 2 4 5 7 7

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

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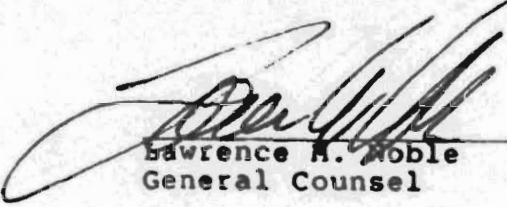
B. Take no action, close the file effective February 13, 1996, and approve the appropriate letter in the following matters:

- 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

9 6 0 4 3 7 2 4 5 7 9

Date

2/6/96

  
Lawrence H. 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)**

96043724580



Federal Election Commission  
Certification: Enforcement Priority  
March 6, 1996

Page 2

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)

9 6 0 4 3 7 2 4 5 8 1

Federal Election Commission  
Certification: Enforcement Priority  
March 5, 1996

Page 3

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

96043724582



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 7, 1996

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Craig Engel, General Counsel  
National Republican Senatorial Committee  
Ronald Reagan Republican Center  
425 Second Street, N.E.  
Washington, DC 20002

RE: MUR 4132

Dear Mr. Engel:

On November 7, 1994, the Federal Election Commission received the complaint on behalf of the National Republican Senatorial Committee 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 (x28)

Mary L. Taksar, Attorney  
Central Enforcement Docket

*Celebrating the Commission's 20th Anniversary*

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

9 6 0 4 3 7 2 4 5 8 3



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

Ellen G. Sampson, Treasurer  
Wynia for Senate Committee  
P.O. Box 8228  
St. Paul, MN 55108

RE: MUR 4132

Dear Ms. Sampson:

On November 15, 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 Wynia for Senate Committee 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 Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar (yes)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043724584





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

Cheryl Mills, Esquire  
Associate Counsel to the President  
White House Counsel's Office  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

RE: MUR 4132  
President William Jefferson Clinton

Dear Ms. Mills:

On November 15, 1994, the Federal Election Commission notified President Clinton 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 President Clinton. 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 Alva E. Smith at (202) 219-3400.

Sincerely,

*Mary L. Taksar* *yes*

Mary L. Taksar, Attorney  
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

Richard K. Brown  
Federal Programs Branch  
Civil Division  
U.S. Department of Justice  
P.O. Box 883  
Washington, DC 20044

RE: MUR 4132  
United States Government

Dear Mr. Brown:

On November 15, 1994, the Federal Election Commission notified Janet Reno, Attorney General, 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 the U.S. Government. 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 Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar (HES)

Mary L. Taksar, Attorney  
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4132

DATE FILMED 3/19/96 CAMERA NO. 2

CAMERAMAN EES

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