



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 440

DATE FILMED 11/9/95 CAMERA NO. 2

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Nov 9 11 06 AM '94

FEDERAL ELECTION COMMISSION

William D. White, et al.  
complainant,

vs.

Center for National Independence  
and Politics,  
Project Vote Smart,  
Richard Kimball,  
Adelaide Elm,  
Kevin Comtois,  
KDKA-AM 1020,  
Matt Nelco,  
Fred Honsberger,  
John Cigna,  
KDKA-TV,

respondents.

MUR

MUR 4140

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
NOV 9 11 46 AM '94

COMPLAINT

The organization known as "Project Vote Smart", reputed to be under the direction of the "Center for National Independence and Politics", operates an 800 telephone number (800-622-7627) that advertises itself as offering information on all candidates for Federal office in each State. This includes the response of a candidate to an issues questionnaire prepared by Project Vote Smart. They also mail out a booklet called "Voter Self-defense Manual" that is reputed to include candidate information.

An attempt to contact management of this 800 number was unsuccessful on November 3, 1994. I was assured that a Mr. Comtois would contact me the following morning at 8 AM.

Mr. Comtois, Director of the Boston, Mass. location for the 800 number, did not return White's call. In a conversation initiated by White at approximately 9 AM on the morning of November 4, 1994, the following information was provided by Mr. Comtois.

1. The 800 number was operating during the 1992 U.S. Senate election in Pennsylvania.

2. White was not sent a questionnaire for the 1992 election cycle nor listed on the database as a candidate.

3. White was not sent a questionnaire for the 1994 election cycle nor included on the database as a candidate.

4. White would be included in the database immediately, but there were no questions asked from the issues questionnaire.

5. Mr. Comtois denied contacting the Federal Election Commission for candidate information, and refused to do so, instead suggesting that he might consider such activity in the future.

6. Mr. Comtois claimed that independent and write-in candidates were included in the database.

A call to the 800 number approximately an hour later found that White was not included on the database.

A call to the 800 number at approximately 6 PM November 4, 1994 found that White was not included on the database. White requested to speak to Mr. Comtois, but he refused to take the call.

A phone call to the 800 at 10:45 AM on Saturday, November 5, 1994 found that White was still not included on the database. The assistant director, Alise, contacted Mr. Comtois, who called me at home, claiming that I would not be placed on the database until Monday, the day before the election, and only my address would be included. I was not allowed to provide any responses to their issues questionnaire. Mr. Comtois refused to place me in

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communication with his superiors (Richard Kimball) at the Center for National Independence and Politics in Oregon (129 NW 4th Street, suite 204, Corvallis, Oregon, 97330). A phone call to this location (503-754-2746) revealed an answering machine stating that no one was available until Monday.

A phone call to the 800 number at 12:30 PM found that White was still not mentioned as a candidate, although, upon further questioning, the intern noticed a piece of paper taped to his computer terminal with White's information on it. He stated that his attention was fixed on the computer terminal and he paid no attention to the piece of paper that had been provided an hour and a half earlier. Alise was out to lunch.

A call to the 800 number at 1:15 PM, still no mention of White, different intern, when reminded, suddenly noticed note taped to her terminal which she didn't read. Alise still out to lunch.

Call to the 800 number @ 13:52, White still not on the database, call passed to Adelaide Elm, who claimed to be a Board member. She refused to place me in contact with Richard Kimball, refused to take any action, and refused to place any additional information concerning White on the notes placed on the terminals. She refused to discuss the situation further, denying that she was censoring me. She refused to include the comment by White that he had filed a motion in Federal Court to stop the U.S. Senate election due to, among other things, exactly the kind of censorship she was engaging in.

A phone call to the 800 number @ 14:12 - finally White was identified as a candidate, but no information, other than his being a write-in, incorrect address and correct phone number, was provided.

A person identifying himself as Richard Kimball called at approximately 14:30. This person made numerous disparaging remarks concerning White's campaign efforts, claimed that White treated his telephone interns rudely and abusively, stated that he would remove White's name from the database and that it would never be given out, claimed that I had called one of their interns incompetent three times, called me a liar when I unequivocally denied rudeness or name calling of their interns and hung up when I told him not to call me a liar.

He had also claimed that inclusion of write-in candidates was a "courtesy". Quite clearly, the decision of who is or is not included in the candidate database reflects the political views of Mr. Kimball, and other policy makers within these organizations, and these organizations cannot claim to be non-partisan when they include or exclude candidates based on personal bias.

A call to the 800 number at 18:03 - the person speaking did not identify Bill White as a candidate in the Pennsylvania U.S. Senate race, and when specifically asked if Bill White was listed by a note at the terminal, he said "I've heard of Bill White, but he's not in the database". It would appear that Mr. Kimball made good on his threat.

Mr. Comtois refused to update the database until Monday. He refused to comment on how many people would receive the incorrect information. Also, he refused to include any information other than my address, censoring my responses to their issues questionnaire. This is not non-partisan election activity, as the Project selects what topics to include, and selects what responses it will disseminate to the public, over the protests of the candidate. In addition to selecting answers provided on the questionnaire, each candidate may also make a comment in their own words that responds to the question. White is denied all opportunity to be included. This is simply partisan censorship.

Further investigation revealed that this organization claims 501(c)(3) tax exempt status, is a membership organization of approximately 35,000 dues paying members, and approximately half of its operating funds come from a \$35 annual dues, with the other half derived from private foundations (the Carnegie

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foundation and the Ford foundation were mentioned) for an estimated annual budget of approximately 2 1/2 Million dollars. Further, the Board of Directors was composed of "Congressmen". Their identity was otherwise unknown.

These organizations cannot claim an exemption from contribution reporting or limits, as it provides its partisan, political disinformation to the general public, not its own membership. Likewise, treasury funds of this organization are used to support these partisan, political activities, not the funds from a separate, segregated fund registered with the Federal Election Commission. The organization appears to be under the control of elected officials, possibly members of Congress. If this is the case, the elected public officials serving on the Board of Directors may be in violation of State and Federal laws or regulations that prohibit holding other office while in public office. This issue should be immediately referred to the Justice Department for further investigation of conflict of interest and election fraud.

The Project Vote Smart organization is not registered with the Federal Election Commission.

The Project Vote Smart organization has supported the campaigns of Arlen Specter, Lynn Yeakel and John Perry in the 1992 Pennsylvania U.S. Senate election by acknowledging their candidacies and publicizing these candidates' views, and by failing to afford White an opportunity to respond to its questionnaire for inclusion in its database.

The Project Vote Smart organization has supported the campaigns of Ernsberger, Blough, Santorum and Wofford in the 1994 Pennsylvania U.S. Senate election by acknowledging their candidacies and publicizing these candidates' views, and by failing and refusing to afford White an opportunity to respond to its questionnaire for inclusion in its database.

The Project Vote Smart organization, and its parent organization, do not appear to be entitled to a tax-exempt status, as they support the candidacy of those candidates that they choose to include in their database, and oppose by omission those candidates they choose not to include in their database. Also, the organizations appear to be under partisan control by elected officials. It should be noted that Mr. Comtois appears to be deliberately negligent in refusing to contact the FEC for information, and in failing to place White's information in their database in a timely manner as promised. Mr. Kimball appears to be vehemently opposed to independent and write-in candidates, and also refused to contact the Federal Election Commission to identify candidates. Mr. Kimball and Mr. Comtois were both informed that candidates for Federal office were required to form a principal campaign committee and register with the FEC. Quite obviously these persons are operating their organization with a reckless disregard for the truth.

The magnitude of the expenditures made on behalf of their chosen candidates is sufficient to require registration of their organization with the Federal Election Commission and reporting of their partisan political activity to the Federal Election Commission.

This matter should also be referred to the Internal Revenue Service for review of the tax-exempt status afforded this partisan, political organization.

The extent of the political activities of this organization should be investigated to determine how much money is spent on non-exempt or prohibited activities.

In particular, White wishes to know how many telephone calls were received from Pennsylvania concerning the 1992 and 1994 U.S. Senate elections in order to determine the amount of support given to the candidates favored with inclusion in the database. Also, who initiated the KDKA radio interview?



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Fred Honsberger, an on-air personality with KDKA-AM 1020, interviewed a person with Project Vote Smart on November 3, 1994 between 5-5:30 PM where the database was represented to include all candidates. Mr. Honsberger, who scheduled, then cancelled, an interview with White in the 1991 election (when he realized White was an independent), asked questions concerning the responses of only Wofford and Santorum to the issues questionnaire. Mr. Honsberger did not ask for the responses of White, Blough or Ernsberger, unfairly publicizing the candidates he supports in the elections.

When calling the database and asking for a listing of candidates, Santorum, then Wofford are given first then, after hesitation, Blough and Ernsberger are also given.

It appears that the database is deliberately biased in favor of particular candidates, and the publicizing of the database is designed to promote candidates that have preferential listing in the database.

Matt Nelco, current radio news director at KDKA, is well aware of White's candidacy, and has refused to make any mention of White's candidacy or provide any coverage of White's candidacy. News coverage of the U.S. Senate race, as well as entertainment programming on KDKA, always focus on Wofford or Santorum, passing mention, if at all, of Blough or Ernsberger, and White is never mentioned.

Morning entertainment programming on the John Cigna show has included discussion of offering to solicit support for Santorum, even if such activity is illegal.

In essence, KDKA radio AND television refuse to acknowledge White as a candidate, barely mention Blough or Ernsberger, and provide copious popularization of Wofford and Santorum.

White was informed by a knowledgeable employee of KDKA that White would not receive "free" news coverage because it would "invalidate" the time paid for by the other candidates.

Candidate advertisements (primarily Wofford and Santorum) frequently appear during the news programming. In essence, the wealthy candidates are purchasing sponsorship of the news programming. The so-called news programming deliberately censors White, Blough and Ernsberger out of U.S. Senate coverage, deceiving the electorate and defaming the omitted candidates.

This type of behavior of KDKA is distinctly fraudulent and is an excessive and prohibited contribution to the Wofford and Santorum campaigns.

The news programming is not entitled to a news exemption due to the fact that Wofford and Santorum purchase sponsorship of the news broadcasts.

Further, KDKA has a vested interest in providing complementary publicizing (of immense value) of Wofford and Santorum as these two candidates invest substantial sums of money in the stations for advertising purposes.

KDKA was provided this biased and deceptive publicity for the Republican and Democrat candidates in the 1991, 1992, and now the 1994 election cycles, censoring White in each election.

This behavior by KDKA is effectively a misrepresentation of campaign authority, as KDKA purports to be an independent, commercial broadcaster without political affiliations, but, in reality, acts as a publicity outlet on behalf of the Republican and Democrat candidates (currently Wofford and Santorum).

KDKA was requested, thru the Pennsylvania association of Broadcasters, to provide access to its facilities per 47 USC 5312

1. See MUR 3612 & MUR 3714. Provision of production services by non-exempt organization violates 2 USC 5441 prohibition of corporate contributions. Even if allowed, contribution exceeds limitations.

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& §315, but neither KDKA or the PAB responded to the certified mail request.

Also, programming director Greg Jena of KDKA radio has failed to return numerous phone calls by White requesting appearances on the various talk shows on KDKA.

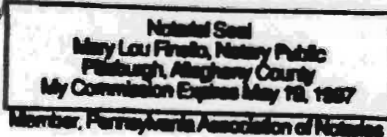
White has personally delivered numerous press releases to KDKA radio and TV, particularly during this last election cycle. Matt Nelco, radio news director and the TV news director (name unavailable at this time) both denied receiving any press releases, and continue to omit White from any news coverage of the U.S. Senate race.

I swear that the foregoing is true and correct to the best of my knowledge, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

*William D. White*  
William D. White  
November 4, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 7th day of November, 1994.

*Mary Lou Finello*



**PRESS RELEASE 94-46**

from

Bill White for U.S. Senate campaign HQ

FEC # CC00442525

1-800-424-9530

November 3, 1994 - Harris Wofford conspired to commit election fraud with the Federal Election Commission. My complaint about that in Federal Court? Ignored by the Court. My complaint to the Justice Dept.? Ignored. My complaint to the State? Ignored. Bend over folks, they're doing it to us again on election day!

November 3, 1994 - The Federal Communications Commission conspired with WQED & WQEX to keep me off the air. Why? Because Elsie Hillman, the republican power broker that controls QED Communications, doesn't want anyone who's not rich to get elected.

**PRESS RELEASE 94-47**

from

Bill White for U.S. Senate campaign HQ

FEC # CC00442525

1-800-424-9530

November 3, 1994 - Harris Wofford was fraudulently elected in 1991, Arlen Specter was fraudulently elected in 1992. The election next week is another fraud, because We, The People, are having Republicans and Democrats shoved down our throats!

I've run for the U.S. Senate three times now, AND I'M STILL NOT ALLOWED ON TV TO ADDRESS YOU, THE VOTERS! The Incumbent Party has a stranglehold on the elections and the government. Help me break it. Call the news source you use most and DEMAND to know about my Court cases. Call the Commissioner of Elections in Harrisburg and DEMAND that the election be Stopped. They will ignore you, but don't give up. DEMAND A FREE AND FAIR ELECTION!

**PRESS RELEASE 94-45**

from

Bill White for U.S. Senate campaign HQ

FEC # CC00442525

1-800-424-9530

November 3, 1994 - I've filed a Motion in Federal Court to stop the U.S. Senate election. Did you know? No, because the Incumbent Party controls the news media and the Courts.

Do you know anything about me? How about Diane Blough? Donald Ernsberger?

We're having the Republicans and Democrats shoved down our throats...Again!

PLEASE, call the local news stations and demand to know what's going on.

PLEASE, call the election bureau and demand that the election be stopped.

We're being screwed, and we have to take a stand. It's Us against Them. PLEASE, help me get our government back.

95043693604



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

November 16, 1994

William D. White  
16 E. Manilla Ave.  
Pittsburgh, PA 15220

RE: MUR 4140

Dear Mr. White:

This letter acknowledges receipt on November 9, 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 4140. 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

95043693605





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 16, 1994

Judith M. McVerry, Treasurer  
Santorum '94  
340 East Main Street  
Carnegie, PA 15106

RE: MUR 4140

Dear Ms. McVerry:

The Federal Election Commission received a complaint which indicates that Santorum '94 ("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 4140. 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.

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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: Richard John Santorum

95043693607



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**November 16, 1994**

**John D. Sheridan, Treasurer  
Citizens for Senator Wofford  
3905 N. Front Street  
Harrisburg, PA 17110**

**RE: MUR 4140**

**Dear Mr. Sheridan:**

The Federal Election Commission received a complaint which indicates that Citizens for Senator Wofford ("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 4140. 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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95043693608

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: Harris L. Wofford

95043693609





**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*November 16, 1994*

John Cigna  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222

**RE: MUR 4140**

Dear Mr. Cigna:

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 4140. 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.

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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 S. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693611



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

November 16, 1994

Fred Honsberger  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222

RE: MUR 4140

Dear Mr. Honsberger:

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 4140. 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.

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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

95043693613





**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

*November 16, 1994*

**Matt Nelco  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222**

**RE: MUR 4140**

**Dear Mr. Nelco:**

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 4140. 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.

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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

95043693615



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

*November 16, 1994*

**Joe Berwanger, General Manager  
KDKA-TV  
1 Gateway Center  
Pittsburgh, PA 15222**

**RE: MUR 4140**

**Dear Mr. Berwanger:**

The Federal Election Commission received a complaint which indicates that KDKA-TV 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 4140. 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 KDKA-TV in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

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If you have any questions, please contact 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

95043693617





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

November 16, 1994

Ted Jordan, General Manager  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222

RE: MUR 4140

Dear Mr. Jordan:

The Federal Election Commission received a complaint which indicates that KDKA-AM 1020 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 4140. 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 KDKA-AM 1020 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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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

95043693619



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**November 16, 1994**

**Kevin Comtois  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330**

**RE: MUR 4140**

**Dear Mr. Comtois:**

**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 4140. 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.**

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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

95043693621



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

November 16, 1994

Adelaide Elm  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Ms. Elm:

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 4140. Please refer to this number in all future correspondence.

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

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

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If you have any questions, please contact 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

9 5 0 4 3 6 9 3 6 2 3



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*November 16, 1994*

**Richard Kimball  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330**

**RE: MUR 4140**

**Dear Mr. Kimball:**

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 4140. 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.

95043693624

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

9 5 0 4 3 6 9 3 6 2 5



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*November 18, 1994*

Executive Director  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Center for National Independence and Politics and Project Vote Smart 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 4140. 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 Center for National Independence and Politics and Project Vote Smart 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.

95043693626

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

950436936627

# U.S. SENATE SANTORUM

*Join the Fight!*

November 27, 1994

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

RE: MUR 4140

Dear Counsel,

Please accept this letter as a formal reponse to the complaint filed by William D. White (hereafter "Complainant"). Please also accept this letter as a formal request that no action be taken against Santorum '94 on the above referenced complaint in accordance with 2 U.S.C. 437g(a)(1).

First, Santorum '94 (hereafter "Committee") is not a named party to this complaint. The complaint names several respondents including the Center for National Independence and Politics, Project Vote Smart, Richard Kimball, Adelaide Elm, Kevin Comtois, KDKA-AM 1020, Matt Nelco, Fred Honsberger, John Cigna, and KDKA-TV. However, the complaint fails to name Santorum '94 as a party. Mr. White merely mentions the name Santorum '94 in the body of the complaint to show the alleged wrongful activity of the above named respondents, not any wrongful conduct by Santorum '94. Since the complainant has neither named nor alleged any wrongful conduct by Santorum '94 I ask that no action against Santorum '94 be taken on this complaint.

As to each specific allegation:

- 1) I have no knowledge with regard to this allegation.
- 2) I have no knowledge as to the dealings between the complainant and respondents in this matter.
- 3) I have no knowledge as to the dealings between the complainant and respondents in this matter.
- 4) I have no knowledge as to the dealings between the complainant and respondents in this matter.
- 5) I have no knowledge as to the dealings between the complainant and respondents in this matter.
- 6) The Santorum '94 Committee has not received any contributions from any parties named in this matter. The Santorum '94 Committee nor I have any further information with regard to this allegation.


Dec 1 11 45 AM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

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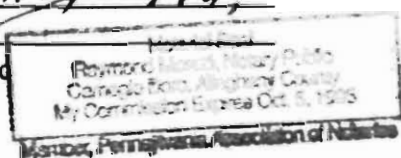


The complaint filed by William D. White is completely devoid of any reasonable basis to take action against the Santorum '94 Campaign Committee or me. Therefore, the Santorum '94 Campaign Committee and I formally request that this matter be dismissed. If you have any questions or need any additional information please contact me. Thank you for your time and consideration of this matter.

  
Judith M. McVerry, Treasurer

Sworn to me this  
30th day of November, 1994

notary public



95043693629

**STATEMENT OF DESIGNATION OF COUNSEL**

**NR** 4140

**NAME OF COUNSEL:** JOEL P. FISHBEIN, JR.

**ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TELEPHONE:** 202-675-6081

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
NOV 22 11 10 AM '94

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

11-22-94  
**Date**

Judith M. McVerry  
**Signature**

**RESPONDENT'S NAME:** JUDITH M. McVERRY

**ADDRESS:** SANTORUM 94  
340 E. MAIN ST  
CARNEGIE, PA 15106

**HOME PHONE:** 412-461-9073

**BUSINESS PHONE:** 412-429-9460

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Dec 8 12 05 PM '94

FEDERAL ELECTION COMMISSION

MUR 4140

William D. White, et al.  
complainant,  
vs.

Center for National Independence  
and Politics,  
Project Vote Smart,  
Richard Kimball,  
Adelaide Elm,  
Kevin Comtois,  
Jim Leach,  
William Clinger,  
David Boren,  
Ronald Dellums,  
Esteban Torres,  
Nancy Johnson,  
Max Baucus,  
Barry Goldwater,  
George McGovern,  
Geraldine Ferraro,  
William Proxmire,  
Claudine Schneider,  
Edward Brooke,  
Morris Udall,  
Bill Frenzel,  
Jimmy Carter,  
Gerald Ford,  
Mary Dent,  
Peggy Lampl,  
Irene Natividad,  
Richard Kleindienst,  
KDKA-AM 1020,  
Matt Nelco,  
Fred Honsberger,  
John Cigna,  
KDKA-TV,  
respondents.

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
Dec 8 1 44 PM '94

ADDENDUM

Additional information has now become available.

The following, currently serving members of congress, referred to as "Founders", are listed on the Project Vote Smart correspondence:

1. Jim Leach, U.S. Representative, Republican, Iowa.
2. William Clinger, U.S. Representative, Republican, Pennsylvania.
3. David Boren, U.S. Senator, Democrat, Oklahoma.
4. Ronald Dellums, U.S. Representative, Democrat, California.
5. Esteban Torres, U.S. Representative, Democrat, California.
6. Nancy Johnson, U.S. Representative, Republican, Connecticut.
7. Max Baucus, U.S. Senator, Democrat, Montana.

Further, there are several former members of congress listed:

8. Barry Goldwater, Fmr. U.S. Senator, Republican.
9. George McGovern, Fmr. U.S. Senator, Democrat.
10. Geraldine Ferraro, Fmr. U.S. Representative,
11. William Proxmire, Fmr. U.S. Senator, Republican.
12. Claudine Schneider, Fmr. U.S. Representative.
13. Edward Brooke, Fmr. U.S. Senator.

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14. Morris Udall, Fmr. U.S. Representative, Democrat.  
15. Bill Frenzel, Fmr. U.S. Representative.

and former Presidents:

16. Jimmy Carter, Democrat.  
17. Gerald Ford, Republican.

and other political persons;

18. Mary Dent, Fmr. Co-Chair, National Republican Party.  
19. Peggy Lampl, Fmr. Executive Director, League of Women Voters.  
20. Harry Pachon, National Association of Latino Elected & Appointed Officials.  
21. Sonia Jarvis, Executive Director, National Coalition on Black Voter Participation.  
22. Irene Natividad, Fmr. President, National Women's Political Caucus.  
23. Richard Kleindienst, Fmr. U.S. Attorney General.  
24. Warren Rustand, Fmr. Appointments Secretary to President Gerald Ford.  
25. Lewis Tambs, Fmr. U.S. Ambassador.  
26. John Echobawk, Native American Rights Fund.  
27. Henry Kenski, Political Consultant.  
28. Andrew Hernandez, President, South-West Voter Registration Project.  
29. Marianne Jennings, Professor of Business Law.  
30. Richard Kimball, President, Project Vote Smart

As is obvious from this listing, the Project Vote Smart and the Center for Independence in Politics is under the control of the Republican and Democrat parties through representation of their interests by some of their most notorious adherents. The "Founders" are apparently highly partisan in their political views, and the majority are Republicans and Democrats.

These two groups (PVS & CNIP) collect in excess of \$1,000,000 in dues from their membership and are clearly political committees.<sup>3</sup> The PVS effort is geared towards influencing Federal elections.<sup>4</sup>

2. "With funds provided by Project Vote Smart members, our volunteers and students are gathering the facts on our elected officials and those who seek our support during elections." VSDM, p.iii [emphasis added]

3. 2 USCS §431 (d) "political committee" means any committee, club, association, or other group of persons which receives contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000.

4. "Project Vote Smart's volunteers and students are forcing them [candidates], with or without their help, to fill out a detailed resume."

"...you will find their [volunteers] work powerful and effective. It will enable you to supervise those you hired [candidates] to represent you on the concerns you feel are important."

"During elections we will even interview the candidates for you, with questions that are issue-oriented and afford no "wiggle room"."

The following individuals are identified as additional respondents to this complaint:

Jim Leach,	U.S. Representative,	C00083709
William Clinger,	U.S. Representative,	C00194217, C00165431
David Boren,	U.S. Senator,	C00085522
Ronald Dellums,	U.S. Representative,	C00026328
Esteban Torres,	U.S. Representative,	C00150383
Nancy Johnson,	U.S. Representative,	C00145607
Max Baucus,	U.S. Senator,	C00209668

The complaint against these individuals is that they have failed to register PVS/CNIP (a political committee they established) with the FEC, that they have failed to report contributions received from, or expenditures made by, these political committees on their behalf, and that the violations of FECA by these persons was willful and knowing, as each has established a principal campaign committee in accordance with FECA, thereby demonstrating that they are knowledgeable about their reporting requirements under FECA.

Barry Goldwater,	Fmr. U.S. Senator,
George McGovern,	Fmr. U.S. Senator,
Geraldine Ferraro,	Fmr. U.S. Representative,
William Proxmire,	Fmr. U.S. Senator,
Claudine Schneider,	Fmr. U.S. Representative,
Edward Brooke,	Fmr. U.S. Senator,
Morris Udall,	Fmr. U.S. Representative,
Bill Frenzel,	Fmr. U.S. Representative,
Jimmy Carter,	Fmr. U.S. President,
Gerald Ford,	Fmr. U.S. President,
Mary Dent,	Fmr. Co-Chair, National Republican Party,
Peggy Lampl,	Fmr. Executive Director, League of Women Voters.

Irene Natividad,	Fmr. President, National Women's Political Caucus,
Richard Kleindienst,	Fmr. U.S. Attorney General.

The complaint against these persons is that they knowingly and willfully participated in the scheme to establish political committees in violation of, or circumventing FECA's reporting requirements.

In terms of the Federal Election Campaign Act, PVS and CNIP are clearly multi-candidate committees, claiming to support over 2000 candidates," and, in the case of the seven currently serving members of congress listed in the "Voter's Self-Defense Manual, 1994 Election Edition" published by PVS/CNIP, are authorized committees of these candidates. I.e., these candidates founded, co-operated in providing information and direct the activities of PVS/CNIP. The support provided for these candidates is not an independent expenditure per 11 CFR \$109.1(a), instead being contributions as defined in 11 CFR \$109.1(b)(4)(i)(A) and \$109.1(c). The dissemination of the campaign platforms of these candidates (The National Political Awareness Test or NPAT) by PVS/CNIP is clearly a contribution or expenditure as defined by \$109.1(d)(1).

The refusal of the PVS/CNIP to allow White to participate in the NPAT interviews clearly demonstrates that their expenditures are made solely for the candidates that they support." PVS/CNIP

5. "PVS interviews, reviews and collects information on over 2,000 candidates." Voter's Self-Defense Manual 1994 Election Edition (VSDM), p.69.

6. "Project Vote Smart interns and volunteers interview all candidates for federal office." Inside cover, VSDM.

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documents on this subject are misleading and deceptive, if not outright lies." Mr. Kimball, President of PVS, was vehement in his refusal to allow White the same opportunity to participate as is afforded to Republican and Democrat candidates.

Partisan, political committees are not entitled to tax-exempt status, nor are they permitted to operate without reporting their financial activities to the FEC.

The Federal Election Commission should specifically investigate the employment or volunteer status of the numerous current and former "interns" referred to by PVS/CNIP, as the restrictions of 18 USC §599, §600, §601, §602 or §603 may apply if an intern or volunteer was coerced, promised or in any way induced, to contribute to the activities of PVS/CNIP by promises of employment or favors or penalties involving U.S. Treasury funds. (For example, was an intern subsequently hired onto the staff of a member of congress, or promises made to secure employment with the government?) Also to be investigated is the award of scholarships by PVS/CNIP as an inducement or reward to persons in return for their contributions to PVS/CNIP. Although the enforcement of Title 18 is not within the Commissions' jurisdiction, the Commission should determine the amount and status of all contributions and expenditures made by PVS/CNIP (including wages, salaries and scholarships paid), and refer violations to the United States Attorney per 2 USC §437g(a)(5)(C).

PVS/CNIP also provides additional contributions to their favored candidates by providing the following database services to disseminate their candidates' campaign information:

Internet access via "gopher.gopher.neu.edu"  
Bulletin Board access via 503-737-3777 (14.4K N81)

PVS/CNIP also provides several research services to journalists, identified as:

Reporter's Resource Center (research provided by PVS/CNIP)  
Reporter's Source Book (listing of PVS/CNIP selected "experts")  
Tomorrow's News (newsletter composed by PVS/CNIP)

The information available to journalists thru these services is controlled by PVS/CNIP, employing the same political litmus test applied to inclusion of candidates in the publicly accessible database.

PVS/CNIS is a dues paying, membership organization of approximately 35,000 members. General membership dues are \$35, and all members receive "issue updates, vote-tracking of their delegation, newsletters and more."

7. "During election years all candidates, whether they be presidential incumbents returning for reelection or little-known independent candidates on the ballot for the House of Representatives, are researched with equal vigilance by our students and volunteers." VSDM, p.69.

8. "Hundreds of student interns from throughout the country work and study at Project Vote Smart. Students working on the project, often with our scholarship assistance, have a unique opportunity to examine the often harsh realities of today's political arena." Inside cover, VSDM.

9. "Project Vote Smart is proud to announce its National Internship Program. Open to students around the nation, PVS provides an opportunity for students to work and study within its organization." Inside back cover, VSDM.

10. VSDM, p.70.



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The "more" includes waiver of charges for the Reporter's Source Book and Tomorrow's News publications. Solicitation for provision of Special Services and ways non-members can help the organization include requesting PVS videotapes, PVS posters, PVS brochures, and PVS bumper stickers. Also, non-members are solicited to "sponsor a PVS founder to speak in my community."


The organization is a trade organization representing the interests of its Founders, as there is no apparent mechanism for the general membership to exert any control over the activities of the Founders. The solicitation for membership makes no mention of any by-laws, constitution, charter or other organizational guide, nor are any member's rights mentioned.

The founders appear to be a self-perpetuating group, membership criteria based on political partisanship. Membership would also appear to be restricted to only Republicans and Democrats. In particular, the term "political enemy" is extremely subjective, but infers that only Republicans and Democrats (regarding themselves as political enemies) can qualify as Founding Board members. This criteria is inherently bi-partisan, not "non-partisan", as it automatically excludes independents (no political enemies) and third-party adherents. It is also secretive and confusing. Who was the political enemy of Lewis Tambs, Former U.S. Ambassador, when he joined the Founders Board? Also to be inferred by this pairing of Founders Board members is that Richard Kimball, PVS President, represents a political extreme, opposite to that of his "political enemy". As President, he wields more power than his political opposite, allowing his partisan, political viewpoint to prevail.


Regardless of what constitutes a political enemy, Founders Board members are clearly and deliberately partisan in character and operate their organization accordingly. PVS/CNIP is not entitled to tax exempt status nor is it exempt from FECA.

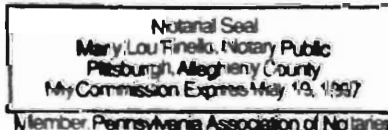
The FEC should determine if the membership of PVA/CNIP has been, or should be informed of this complaint, and if the dues paying members are responsible for the actions of the Founders that they empowered with their contributions.

I swear that the foregoing is true and correct to the best of my knowledge, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

  
William D. White  
December 2, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 2nd day of December, 1994.





11. "In order to join our Founding Board, they must join with a political enemy. Members include Gerald Ford and Jimmy Carter, George McGovern and Barry Goldwater, etc.", VSDM, p.69.

12. "The organization is non-partisan and non-profit." VSDM, p.69.



**FEDERAL ELECTION COMMISSION**

WASHINGTON, DC 20463

December 21, 1994

William D. White  
16 E. Manilla Ave.  
Pittsburgh, PA 15220

RE: MUR 4140

Dear Mr. White:

This letter acknowledges receipt on December 8, 1994, of the supplement and amendment to the complaint you filed on December 2, 1994. The respondent(s) will be sent copies of the amendment. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,

Mary L. Taksar (H22)

Mary L. Taksar, Attorney  
Central Enforcement Docket

95043693666



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

December 21, 1994

John D. Sheridan, Treasurer  
Citizens for Senator Wofford  
3905 N. Front Street  
Harrisburg, PA 17110

RE: MUR 4140

Dear Mr. Sheridan:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar* (HLS)  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

cc: Harris L. Wofford

95043693637



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, DC 20463

December 21, 1994

Joel P. Fishbein, Jr.  
c/o Judith M. McVerry, Treasurer  
Santorum '94  
340 East Main Street  
Carnegie, PA 15106

RE: MUR 4140

Dear Mr. Fishbein:

On November 16, 1994, your clients were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time they were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (H2)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

cc: Richard John Santorum

95043693638



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

December 21, 1994

Joel P. Fishbein, Jr.  
c/o Judith M. McVerry, Treasurer  
Santorum '94  
340 East Main Street  
Carnegie, PA 15106

RE: MUR 4140

Dear Mr. Fishbein:

On November 16, 1994, your clients were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time they were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (H)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693639



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

December 21, 1994

John D. Sheridan, Treasurer  
Citizens for Senator Wofford  
3905 N. Front Street  
Harrisburg, PA 17110

RE: MUR 4140

Dear Mr. Sheridan:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (H2)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693640





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

December 21, 1994

John Cigna  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222

RE: MUR 4140

Dear Mr. Cigna:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar* (425)  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693641



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20461

December 21, 1994

Fred Honsberger  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222

RE: MUR 4140

Dear Mr. Honsberger:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar* (HLS)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693642



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, DC 20461

*December 21, 1994*

Matt Nelco  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222

RE: MUR 4140

Dear Mr. Nelco:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (423)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693643



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

December 21, 1994

Joe Berwanger, General Manager  
KDRA-TV  
1 Gateway Center  
Pittsburgh, PA 15222

RE: MUR 4140

Dear Mr. Berwanger:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (428)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693644



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

December 21, 1994

Ted Jordan, General Manager  
KDKA-AM 1020  
1 Gateway Center  
Pittsburgh, PA 15222

RE: MUR 4140

Dear Mr. Jordan:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (HES)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693645



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

December 21, 1994

Kevin Comtois  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Mr. Comtois:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (H)*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693646





**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20461

December 21, 1994

Adelaide Elm  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Ms. Elm:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar* (122)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693647



**FEDERAL ELECTION COMMISSION**

WASHINGTON, DC 20463

December 21, 1994

Richard Kimball  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Mr. Kimball:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar* (422)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693648



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, DC 20461

December 21, 1994

Executive Director  
Center for National Independence and Politics  
129 NW 4th Street  
Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Sir or Madam:

On November 16, 1994, you were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 8, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

*Mary L. Taksar (723)*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

95043693649



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

December 22, 1994

John Eveleth, Treasurer  
Re-Elect Nancy Johnson to Congress Committee  
P.O. Box 1986  
New Britain, CT 06050

RE: MUR 4140

Dear Mr. Eveleth:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that Re-Elect Nancy Johnson to Congress Committee ("Committee") and you, as treasurer, may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

95043693650

John Eveleth, Treasurer  
Page 2

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 (H23)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

cc: The Honorable Nancy Lee Johnson

95043693651



**FEDERAL ELECTION COMMISSION**

WASHINGTON DC 20461

*December 22, 1994*

Martha Sheehy, Treasurer  
Friends of Max Baucus  
Box 586  
Helena, MT 59624

RE: MUR 4140

Dear Ms. Sheehy:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that Friends of Max Baucus ("Committee") and you, as treasurer, may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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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95043693652



Martha Sheehy, Treasurer  
Page 2

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: The Honorable Max S. Baucus

95043693653



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20461

December 22, 1994

The Honorable Barry M. Goldwater  
6250 N. Hogahn Drive  
Scottsdale, AZ 82253

RE: MUR 4140

Dear Mr. Goldwater:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

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95043693654

The Honorable Barry M. Goldwater  
Page 2

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 (H23)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693655



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

December 22, 1994

The Honorable Geraldine Ferraro  
218 Lafayette Street  
New York, New York 10012

RE: MUR 4140

Dear Ms. Ferraro:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

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95043693656

The Honorable Geraldine Ferraro  
Page 2

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 (#28)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693657



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*December 22, 1994*

The Honorable William Proxmire  
3091 Ordway Street, N.W.  
Washington, D.C. 20008

RE: MUR 4140

Dear Mr. Proxmire:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. Please refer to this number in all future correspondence.

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95043693658



The Honorable William Proxmire  
Page 2

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 (#28)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693659



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20561

December 22, 1994

The Honorable Claudine Schneider  
641 Acker Place, N.E.  
Washington, D.C. 20002

RE: MUR 4140

Dear Ms. Schneider:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

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95043693660

The Honorable Claudine Schneider  
Page 2

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 (108)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693661



**FEDERAL ELECTION COMMISSION**

WASHINGTON, DC 20463

*December 22, 1994*

The Honorable Edward Brooke  
Rt. 8, Box 270  
Warrenton, VA 22186

RE: MUR 4140

Dear Mr. Brooke:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. Please refer to this number in all future correspondence.

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95043693662

The Honorable Edward Brooke  
Page 2

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 (H2)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693663



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

December 22, 1994

The Honorable Jimmy Carter  
Carter Center  
One Copenhill Avenue  
Atlanta, GA 30307

RE: MUR 4140

Dear Mr. Carter:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. Please refer to this number in all future correspondence.

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95043693664



The Honorable Jimmy Carter  
Page 2

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* (yes)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693665



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*December 22, 1994*

The Honorable Gerald Ford  
P.O. Box 927  
Rancho Mirage, CA 92270

RE: MUR 4140

Dear Mr. Ford:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. Please refer to this number in all future correspondence.

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95043693666

The Honorable Gerald Ford  
Page 2

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 (H28)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693667



**FEDERAL ELECTION COMMISSION**

WASHINGTON, DC 20461

*December 22, 1994*

Mary Dent Crisp  
National Republican Coalition for Choice  
709 Second Street, N.E.  
Suite 100  
Washington, D.C. 20002-4307

RE: MUR 4140

Dear Ms. Crisp:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

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95043693668

Mary Dent Crisp  
Page 2

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* (188)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693669



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

December 22, 1994

Peggy Lampl  
2500 Q Street, N.W.  
Washington, D.C. 20007

RE: MUR 4140

Dear Ms. Lampl:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. Please refer to this number in all future correspondence.

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95043693670



Peggy Lamp  
Page 2

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 (HRS)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693671



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*December 22, 1994*

Irene Natividad  
1000 16th Street, N.W.  
Suite 810  
Washington, D.C. 20006

RE: MUR 4140

Dear Ms. Natividad:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. Please refer to this number in all future correspondence.

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95043693672

Irene Matividad  
Page 2

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 (yes)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693613



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*December 22, 1994*

Richard Kleindienst  
3773 East Broadway  
Tucson, AZ 85716-5476

RE: MUR 4140

Dear Mr. Kleindienst:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. Please refer to this number in all future correspondence.

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95043693614

Richard Kleindienst  
Page 2

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 (res)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693675



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 22, 1994

The Honorable George McGovern  
4012 Linnean Avenue, N.W.  
Washington, D.C. 20008

RE: MUR 4140

Dear Mr. McGovern:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

95043693676



The Honorable George McGovern  
Page 2

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 (yes)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693677



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

December 22, 1994

The Honorable Morris Udall  
1812 South 24th Street  
Arlington, VA 22202

RE: MUR 4140

Dear Mr. Udall:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that you may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

95043693678

The Honorable Morris Udall  
Page 2

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* (428)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

95043693679



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, DC 20461

December 22, 1994

John L. Jarzab, Treasurer  
Friends of Congressman Bill Clinger  
P.O. Box 631  
Warren, PA 16365

RE: MUR 4140

Dear Mr. Jarzab:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that Friends of Congressman Bill Clinger ("Committee") and you, as treasurer, may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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.

95043693680

John L. Jarsab, Treasurer  
Page 2

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 (HES)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

cc: The Honorable William F. Clinger

95043693681



**FEDERAL ELECTION COMMISSION**

WASHINGTON, DC 20541

*December 22, 1994*

Charles W. Brooke, Treasurer  
Iowans for Jim Leach  
P.O. Box 1088  
Bettendorf, IA 52722

RE: MUR 4140

Dear Mr. Brooke:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that Iowans for Jim Leach ("Committee") and you, as treasurer, may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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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95043693632



Charles W. Brooke, Treasurer  
Page 2

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 (HES)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

cc: The Honorable Jim Leach

95043693683



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

*December 22, 1994*

J. Ann Dubler, Treasurer  
Oklahomans for Boren  
P.O. Box 419  
Seminole, OK 74868

RE: MUR 4140

Dear Ms. Dubler:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that Oklahomans for Boren ("Committee") and you, as treasurer, may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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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95043693684

J. Ann Dubler, Treasurer  
Page 2

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 (HLS)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

cc: David L. Boren

95043693685



**FEDERAL ELECTION COMMISSION**  
WASHINGTON D.C. 20461

December 22, 1994

Ralph J. Grant, Treasurer  
Committee for Congressman Ronald V. Dellums  
1407 Webster Street, #207  
Oakland, CA 94604

RE: MUR 4140

Dear Mr. Grant:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that the Committee for Congressman Ronald V. Dellums ("Committee") and you, as treasurer, may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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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95043693686

Ralph J. Grant, Treasurer  
Page 2

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 (TS)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

cc: The Honorable Ronald V. Dellums

95043693687



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20461

*December 22, 1994*

Sharon J. Salcido, Treasurer  
Committee to Re-Elect Esteban E. Torres to Congress  
41 Rainbow Ridge Road  
Pomona, CA 91766

RE: MUR 4140

Dear Ms. Salcido:

On November 9, 1994, the Federal Election Commission ("the Commission") received a complaint from William D. White alleging violation of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission received an amendment to that complaint on December 8, 1994, which indicates that the Committee to Re-Elect Esteban E. Torres to Congress ("Committee") and you, as treasurer, may have violated the Act. A copy of the original complaint and amendment is enclosed. We have numbered this matter MUR 4140. 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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95043693688



Sharon J. Salcido, Treasurer  
Page 2

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 (Hes)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

cc: The Honorable Estaban Edward Torres

95043693689

STEPHEN A. HILDEBRANDT  
Chief Counsel



WESTINGHOUSE BROADCASTING COMPANY, INC.  
1025 CONNECTICUT AVENUE, N.W., SUITE 808  
WASHINGTON, D.C. 20036-5405 (202) 857-5155

December 20, 1994

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
DEC 22 12 54 PM '94

Mary L. Taksar, Attorney  
Central Enforcement Docket  
General Counsels Office  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 4140

Dear Ms. Taksar:

I am Chief Counsel and Assistant Secretary of Westinghouse Broadcasting Company, Inc., the employer of all of the individuals named in complaint MUR 4140 Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, and Joe Berwanger. All of the aforementioned individuals, with the exception of Mr. Berwanger, are employees of radio station KDKA-AM, Pittsburgh, PA. Mr. Berwanger has been transferred to another Westinghouse unit and is no longer General Manager of KDKA-TV. Furthermore, he was not responsible for the station at the time of the incidents stated in the Complaint. As Chief Counsel and Assistant Secretary of Westinghouse, I am authorized to make this response on behalf of all named individuals, and on behalf of KDKA-AM and KDKA-TV.

At the outset, it is difficult to determine what aspects of federal election law Mr. White is alleging that KDKA or its employees violated. Mr. White appears to be upset simply because he did not receive the kind of news coverage that he wanted from our stations. As the Commission is well aware, there is no FEC or other legal requirement that mandate radio or television stations to provide coverage to candidates in their news or news interview programs. Indeed any such requirement would be a clear violation of the First Amendment. Still, this is exactly what Mr. White appears to be arguing.

KDKA radio and television provided extensive coverage of many political races of importance to their listeners and viewers in the Pittsburgh area. Decisions as to which races and which candidates to cover were made solely by the programming and news departments and were based on their journalistic judgment of new worthiness. In the case of the Pennsylvania Senatorial campaign, KDKA concentrated its news coverage on Messers

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Wofford and Santorum because these were the candidates that were of interest to their listeners and viewers. This news judgment of KDKA management was confirmed by the final vote counts for candidates in Alleghany County where the vast majority of KDKA listeners and viewers are located. Those vote counts were 227,014 for Wofford, 204,831 for Santorum and 3 votes for Mr. White. Let me now turn to the individual situations as set forth in the complaint.

1. Fred Honsberger's interview with project vote SMART was based solely on his journalistic judgment concerning the newsworthy issues raised by the database. The interview had nothing to do with support for Mr. Wofford or Mr. Santorum.
2. Matt Nelco is not currently nor ever has been radio news director at KDKA. Rather, he is a news writer at the station. Any news copy he may have written concerning the senatorial campaign was based solely on journalistic judgment.
3. John Cigna is the host of a morning news and information program on KDKA radio. During the campaign, the program included numerous discussions concerning the candidates. Mr. Cigna never offered to solicit support for Santorum as part of his program.
4. No one at KDKA has any knowledge of any discussion concerning "free" news coverage for White and its relation to time paid for by other candidates. This allegation by White makes no sense since news coverage is never paid for, but based solely on KDKA journalistic judgment. Some candidates choose to purchase advertising time on KDKA. The acceptance of such advertising is made by the station sales department and is totally independent of any news coverage decisions.
5. The allegation that candidates Wofford and Santorum purchase news coverage by purchasing advertising time on the station is ludicrous and contrary to fact. Again, decisions as to news coverage of candidates are made by the news department based on journalistic considerations. Decisions on selling time to candidates are made by the sales department based on sales considerations and federal law requiring the station to give "reasonable access" to federal candidates. All federal candidates who wanted to purchase time on the station were offered such time and given "reasonable access."

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6. No time was contributed to the Wofford and Santorum campaigns by KDKA radio or television. These campaigns purchased time on the station at rates determined by federal law. News coverage could not be purchased for all the reasons noted above. As to whether KDKA has a "vested interest" in providing complimentary publicity to Wofford and Santorum, we repeat again that decisions concerning coverage of these candidates was, and is, made on a journalistic basis and might be positive or negative depending on whether the newsworthy situation was positive or negative.
7. Greg Jenna is not program director of KDKA. He is the producer of the Fred Honsberger program. Decisions not to include White on this program were made, as stated above, by KDKA news management for journalistic reasons.

In sum, complaints of disappointed candidates concerning lack of coverage in bonafide news cast and news interview situations are simply not cognizable under the law. Similarly the Commission should not recognize claims that bonafide news coverage of candidates is in some way an improper or illegal contribution to their campaigns. Television and radio stations provide an enormous service to the citizens of the United States by providing coverage of candidates. It would be a public policy mistake to determine that such coverage was a contribution. In addition, the First Amendment would absolutely prohibit any attempt to restrict bonafide news gathering organizations from reporting the news as they see fit. Simply put, Mr. White has no cause of action based on news organizations just doing their job.

If you have any further questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Stephen A. Hildebrandt  
Chief Counsel and Assistant Secretary

95043693692

WILLIAM PROXMIRE

2007 ORINWAY ST. N.W.

WASHINGTON, D.C. 20006

WEDNESDAY DECEMBER 28, 1994

RE: MUR 4140

ATTORNEY GENERAL

FEDERAL ELECTION COMMISSION

1300 K ST. NW.

WASHINGTON, D.C.

DEAR ATTORNEY TINKER:

THIS IS IN RESPONSE TO YOUR LETTER OF DECEMBER 22ND 1994 (RE:MUR 4140), (I.e. the complaint from William White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended).

I HAVE BEEN LISTED AS A "FOUNDER" OF THE CENTER FOR NATIONAL INDEPENDENCE IN POLITICS ON THE SCHEDULE OF THE CENTER, ALONG WITH 7 MEMBERS AND 8 FORMER MEMBERS OF CONGRESS. (INCIDENTALLY THE COMPLAINANT LABELS ME AS REPUBLICAN. I AM IN FACT A DEMOCRAT.)

I HAVE HAD NO CONNECTION WITH THE CENTER FOR NATIONAL INDEPENDENCE IN POLITICS OTHER THAN THE AFOREMENTIONED LISTING. I HAVE RECEIVED NO COMPENSATION FROM THE CENTER. I HAVE HAD NO VOTE OR VOICE IN ITS POLICIES.

AS I UNDERSTAND IT, THE CENTER'S SINGLE MISSION IS TO INFORM AMERICA'S VOTERS AND THE PRESS ON WHERE MEMBERS OF CONGRESS AND THOSE RUNNING FOR CONGRESS STAND ON LEGISLATION. IN MY VIEW IT HAS DONE AN EXCELLENT, OBJECTIVE, BI-PARTISAN JOB OF SECURING AND DISPENSING THIS INFORMATION WITHOUT FEAR OR FAVOR.

UNFORTUNATELY IN OUR POLITICAL SYSTEM MANY CANDIDATES FOR CONGRESS OFTEN MISREPRESENT THEIR OPPONENT. RICHARD KIMBALL WHO IS THE PRESIDING OFFICIAL OF THE CENTER HAS WORKED HARD AND EFFECTIVELY TO COUNTERACT THIS BY SEEKING OUT THE POSITION OF THOSE RUNNING FOR ELECTION TO OUR CONGRESS AND WIDELY DISPENSING THIS INFORMATION TO THE AMERICAN PRESS.

THE MOST URGENT NEED OF OUR DEMOCRACY TODAY IS TO PROVIDE THE PERTINENT, OBJECTIVELY BI-PARTISAN TRUTH TO OUR AMERICAN VOTER.

IT WOULD BE A TRAGIC LOSS TO OUR DEMOCRACY IF LAW SUITS OF THIS KIND SILENCED THE CENTER'S VOICE.

Sincerely,

William Proxmire

P.S. AS YOU CAN SEE FROM THE MISERABLE TYPING JOB ABOVE I CAN NO MORE AFFORD A TYPIST THAN I CAN AFFORD ALANZTER TO REPRESENT ME AS YOU SUGGEST IN YOUR LETTER OF DECEMBER 22ND.

Dec 30 11 33 AM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL



**STATEMENT OF DESIGNATION OF COUNSEL**

**NR** 4140

**NAME OF COUNSEL:** WILLIAM SCHWETZER, ESQ

**ADDRESS:** Bethesda + Hartsdale  
1050 CONN AV NW  
Washington DC 20036

**TELEPHONE:** 202 861 1531

Jan 5 12 30 PM '95

RECEIVED  
 FEDERAL ELECTION  
 COMMISSION  
 OFFICE OF CLERK

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

12-29-94  
**Date**

WE Frenzel  
**Signature** WE FRENZEL

**RESPONDENT'S NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

W. E. Frenzel  
 6310 Stoneham Lane  
 McLean, VA 22101

**HOME PHONE:** \_\_\_\_\_

**BUSINESS PHONE:** \_\_\_\_\_

202 797-6086  
FAX 797 6144

Re: Ye lte  
 OF 12/22/94  
 MUC4140

95043693694





## HONORARY CO-FOUNDERS

**Jimmy Carter**

Former U.S. President

**Gerald Ford**

Former U.S. President

## FOUNDERS

**Barry Goldwater**

Former U.S. Senator

**George McGovern**

Former U.S. Senator

**William Proxmire**

Former U.S. Senator

**Jim Leach**

U.S. Congressman

**Peggy Lampl**

Former Executive Director

League of Women Voters

**David Boren**

U.S. Senator

**Irene Natividad**

Former Pres. National

Women's Political Caucus

**Richard Kleindienst**

U.S. Attorney General

**Warren Rudstam**

Appointments Secretary to

President Gerald Ford

**Lewis Tambor**

U.S. Ambassador

**Esteban Torres**

U.S. Congressman

**John Echolaw**

National American Rights Fund

**Claudine Schneider**

Former U.S. Congresswoman

**Marianne Jennings**

Professor of Business Law

**Henry Kenski**

Political Consultant

**Kenneth Adelman**

Director U.S. Arms Control

& Disarmament Agency

**Nancy Johnson**

U.S. Congresswoman

**Ronald Dellums**

U.S. Congressman

**Harry Pachon**

Natl. Assoc. of Latino

Business & App. Officials

**Edward Brooke**

Former U.S. Senator

**Adelaide Elm**

Archivist and Historian

**Charles Mathias**

Former U.S. Senator

**William Clinger**

U.S. Congressman

**Donald Shropshire**

President, C.E.O. T.M.C.

**Morris Udall**

Former U.S. Representative

**Newt Gingrich**

U.S. Congressman

**Sonia Jarvis**

Exec. Dir. Nat'l. Coalition

on Black Voter Participation

**Thomas Chandler**

Attorney

**Jon Trachta**

Attorney

**William Clements**

Pres. Golden Eagle Club

**Geraldine Ferraro**

Former U.S. Congresswoman

**Andrew Hernandez**

President, South West Legal

Registration Project

**Frank Moss**

Former U.S. Senator

**Mary Dent Crisp**

Former Co-Chair

Natl. Republican Party

**Bill Frenzel**

Former U.S. Representative

**Susan Brandes**

Commanding Officer

**Richard Kimball**

Director of CNIP

# PROJECT VOTE SMART

January 2, 1995

Mary Taksar  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

MUR 4140

Dear Ms. Taksar:

I received your letter dated December 21, 1994 and have been asked to respond by one of our members who also received a similar letter.

Project Vote Smart is an educational facility affiliated with a number of universities. It is our primary task to collect factual information on candidates for federal office and disseminate that information to the general public at their request. The work is done primarily by community volunteers and student interns.

All candidates are covered in our research regardless of their political affiliation. In the last election we collected information on the roughly 2000 candidates of whom we were aware.

A number of rules have been self-imposed by the volunteers and interns to protect Project Vote Smart's independence and insure total non-partisanship:

1. All candidates are covered with equal diligence. As a result we have covered candidates representing over 100 different political parties, some in prison, some living in foreign lands and even the Lord God Almighty (the name of a congressional candidate listed on the 1992 Nevada ballot).

2. No contributions are accepted from any PAC, corporation, labor union or other interest that lobbies local, state or federal government. This requirement excludes most of the funding available to quasi-public groups like the American Red Cross or PBS.

3. The organization is supported by citizens and operated by volunteers and students. Over 90% of our staff are unpaid and those that are paid receive a starting wage of \$5.54 per hour.

4. Members wishing to join Project Vote Smart's board who were known prominently from their political activities are not allowed to do so without being paired with someone of similar prominence and countering political ideology. Board members have, as both a consequence and a coincidence, represented Libertarians, the Green Party, Independents (including myself) and individuals as philosophically, culturally and ethnically diverse as Newt Gingrich, Ron Dellums and Ginger Rogers (yes, it is she).

Mr. White was not covered in our database because we had never heard of Mr. White. In the over 3,000,000 registered inquiries we

129 NW 4th Street, #204 • Corvallis OR 97330

(503) 754-2746 • FAX (503) 754-2747

PROJECT VOTE SMART/Center for National Independence in Politics

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JAN 6 2 59 PM '95

have handled at Project Vote Smart, precisely zero citizens were in any way interested in who Mr. White was or what he thought.

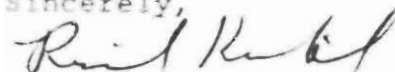
Our only knowledge of Mr. White came in the closing days of the 1994 election, when our volunteers and interns suddenly began complaining of abusive calls to our 1-800 Research Hotline by Mr. White. As Mr. White's behavior was abusive and offensive to our young high school and college students, a supervisor posted warning notes on all of our computer research stations. The calls continued to come into our Boston office during the weekend prior to the November election. Mr. White's rude condescending behavior only increased as staff attempted to accommodate his demands.

Two days prior to the election I was called at my Oregon home and informed of Mr. White's disruptive activities which had continued over the weekend. The staff and students who had already been putting in 16 hour days and who had decided to work straight through the weekend to assist citizens looking for information were very upset. I called Mr. White in an effort to resolve his problem. Continuing his abusive behavior, Mr. White felt that the people working at Project Vote Smart were incompetent liars.

I informed him that was not true and ended the conversation.

Thank you for your time.

Sincerely,



Richard Kimball  
Board President

P.S. To further assist you I have enclosed a brochure which summarizes Project Vote Smart activities

95043693666



# It's time to check up on the hired help!

## Voter's Self-Defense System

### Voter Research Hotline: 1-800-622-SMART

Our volunteer researchers are well-trained and can tell you what your representatives are doing to you or for you.

- their voting records in 14 key issue areas
- their past campaign position statements
- over 70 contributions to local organizations that have rated their performance
- who has paid for their campaign
- their telephone records and mailing addresses
- biographical details of their service in Congress
- and more!

Toll-free to all citizens.

### Voter's Self-Defense Manual and U.S. Government: Owner's Manual

These manuals are available free to members, schools, and libraries or at cost (\$2.50) to the general public. They contain key issue statements from the League of Women Voters along with your candidate's record of elected officials.

- biographical background
- campaign finances
- performance evaluation of 20 competing issues to conservative special interests
- position statements
- local election offices
- addresses and phone numbers
- committee assignments

Over 200 high school and college interns work and study at Project Vote Smart. We have an extensive program for elementary and secondary schools, including of educational materials, Campaign Issues and Teacher/Student Study Guides. These materials provide public education programs and are available free to supporting schools and organizations.

Project Vote Smart trains and equips thousands of volunteers to help citizens understand about 1,000 candidates for federal office during the 2000 election. These volunteers, working 64 by hour team, are able to tell you exactly what the candidate said during the election campaign and what they have done since.

Research studies are provided for journalists and other media outlets by elected officials or candidates. The Project Vote Smart database provides a wealth of information about candidates and their records. The Project Vote Smart database is available to all citizens through the Project Vote Smart website.

### PLEASE HELP IF YOU CAN

As a member of Project Vote Smart, you will receive both our Voter's Self-Defense Manual and U.S. Government: Owner's Manual, as well as regular newsletter updates on your congressional delegation's performance.

Project Vote Smart Center for National Elections & Politics  
120 N.W. 45 Street, Suite 400 - Coral Gables, FL 33134  
(305) 224-4700 • FAX (305) 224-4707

### CUT OUT AND MAIL IN

- ☐ General \$35 ☐ Sustaining \$250
- ☐ Supporting \$100 ☐ Other \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_

(We prefer cash payment, Project Vote Smart does not accept credit cards for our donations.)

☐ I do not want to become a member but have ordered \$25.00 in materials including copies for my U.S. Government class.

## PROJECT VOTE SMART

**In 1992, more than four hundred people volunteered in a small town in western Oregon. Month after month, they labored to assemble an enormous system of hand-drawn maps on more than 1,500 folded conditions who wanted to represent**

When it was over, two million Americans had experienced the power of democracy's most powerful political weapon. Restoring the candidate's ability to communicate with voters, a source of accurate information had been put directly into the hands of THE PEOPLE.

**We must continue to provide for ourselves a selective, ready, and trusted source of information to which every American can turn in confidence. We must shield the independence from political manipulation and special interests that the system provides. Join with us to ensure the future of democracy by becoming a member of the most unique political organization ever initiated by the American people — Project Vote Smart.**

To insure our independence and integrity, Project Vote Smart is operated by over 400 student interns and volunteers. In addition, and at great financial risk, we have refused all financial assistance from organizations that lobby, i.e., business, unions, political parties, social interest groups, and PACs. Membership dues from individuals constitute our base of support.

Right now, as you read this letter, our students and volunteers are hard on the trail of the 103rd Congress, tracking their votes so citizens can see precisely what is being done to them or for them, and compare that to their candidate positions during the campaign. This information is available right now over our toll-free Voter Research Hotline. Call us and try it out. Our researchers NEVER ask for contributions – they are simply there to help you.

In addition to the services for the general public, our Project Vote Smart members get regular newsletters, free editions of both the *Plow's Self-Defense Manual* and our newest publication the *U.S. Government: Owner's Manual*, as well as special access to the Reporter's Resource Center.

As you review the descriptions of Project Vote Smart's programs, and perhaps try the system out for yourself, we urge you to bear in mind one simple fact: the system, designed and maintained year-round for all Americans, is enormously complex and expensive. It requires sophisticated computer and telecommunications technology, equipment and expertise, regular maintenance of a database that must be updated with the current information from many other sources, space to house the whole project, and many other operational expenses.

Although 29,328 individual citizens from every state in the union have shipped in to help, it isn't nearly enough to purchase the computers, programs, telephones, and other equipment our students and volunteers need to reach the over 200 million Americans who don't yet know us exist.

Please become a member if you can, BUT EVEN IF YOU CAN'T, do not hesitate to use Project Vote Smart services when you need help.

"A popular government, without popular education, or the means of acquiring it, springs to evil or crumbles—a people who seek to be free are government and are themselves with the power which knowledge gives."

**James Madison**  
 President of the United States

*It's time to check up  
on the hired help!*



Max Baucus  
United States Senator  
Washington, D.C. 20510

FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

JAN 9 9 13 PM '95

January 4, 1995

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JAN 9 9 50 AM '95

Ms. Mary L. Taksar, Attorney  
Central Enforcement Docket  
999 E Street, NW  
Federal Election Commission  
Washington, DC 20463

Dear Ms. Taksar:

I am in receipt of your letter to the Friends of Max Baucus regarding FEC Case MUR 4140.

The underlying complaint appears to involve my status as a founding board member of "Project Vote Smart." While I was a founding board member, I left the advisory board of this organization well over a year ago. Since that time, neither I nor any member of my staff has had any direct involvement with Project Vote Smart. It is, however, my understanding that Project Vote Smart is a non-partisan organization engaged in the lawful and Constitutional activity of providing objective information about candidates to elective office. I have not been involved in, nor do I have any knowledge of, any partisan political activities being conducted by Project Vote Smart.

Thank you for your considerations. I hope this response resolves the FEC's concerns. If I can provide any further information, please call Mark Smith in my office at 202/224-2651.

Sincerely,

Max Baucus

95043693699

# Oklahomans for Boren

P.O. Box 419  
Seminole, OK 74868

FEDERAL  
ELECTION  
COMMISSION  
MAIL ROOM  
Jan 9 8 48 PM '95

Melvin Moran  
Chairman

January 4, 1995

Ms. Mary L. Taksar, Attorney  
Central Enforcement Docket  
Federal Election Commission  
999 E Street, N.W.  
Washington, D. C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
Jan 9 9 58 AM '95

RE: MUR 4140

Dear Ms. Taksar:

I am in receipt of your letter of December 22, 1994, which I received on December 30, 1994.

I wish to reply to the allegation of Mr. William D. White as follows:  
I am the treasurer of Oklahomans for Boren and reply in behalf of myself and in behalf of Oklahomans for Boren. Neither I nor Oklahomans for Boren has violated the Federal Election Campaign Act of 1971 for the following reasons:

First, there has never been any communication or contact between myself or Oklahomans for Boren and an organization known as the Center for National Independence in Politics, Project Vote Smart, or any other entities named in Mr. White's complaint.

Second, Oklahomans for Boren has received no funds, assistance, information or any other materials from those listed as respondents in Mr. White's complaints nor have I received any funds, assistance or information from them.

Third, I have not and Oklahomans for Boren has not contributed any funds, assistance, information or help of any kind to The Center for National Independence and Politics or Project Vote Smart. Those organizations in no way have ever exerted any influence, direction or control of the operations of Oklahomans for Boren and Oklahomans for Boren has never exerted any influence or direction or control over the Center for National Independence and Politics or Project Vote Smart.

Ms. Taksar  
Page Two  
January 4, 1995

Fourth, it is totally inappropriate to name me or Oklahomans for Boren as a respondent on any matter involving the Center for National Independence and Politics or Project Vote Smart because we are completely separate and independent entities with no relationship with those organizations of a financial, informational, coordinating nature or any other relationship of any kind.

Respectfully submitted,

*J. Ann Dubler*

J. Ann Dubler, Treasurer  
Oklahomans for Boren

Subscribed and sworn to before me this 4th day of January, 1995.

*Peggy Marie Ward*  
\_\_\_\_\_  
Notary Public

95043693701





# *The University of Oklahoma*

## OFFICE OF THE PRESIDENT

The OU Norman Campus • The OU Health Sciences Center, Oklahoma City  
The OU Health Sciences Center, Tulsa Campus • The OU Programs at The University Center at Tulsa

January 4, 1995

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JAN 10 9 33 AM '95

Ms. Mary Taksar, Attorney  
Federal Election Commission  
999 E Street, N.W.  
Washington, D. C. 20463

RE: MUR 4140

Dear Ms. Taksar:

I have just learned as of December 30, 1994, that I have been named as a respondent in a complaint filed with the FEC against The Center for National Independence and Politics and Project Vote Smart because I was once listed among an honorary group known on the letterhead and some materials of the organization as "Founders".

I would respectfully submit that my name should be removed as a respondent for the following reasons:

First, my only connection with the organizations named was to allow my name to be used in an honorary capacity along with that of many distinguished Americans from many points of view across the political spectrum to encourage citizens to learn more about elections. It was never indicated to me in any way that these organizations would favor or oppose any particular candidate, party or movement.

Second, I in no way whatsoever participated in the operation of these organizations or in the setting of their policies of operation.

Third, I have no knowledge whatsoever of any actions they have taken or not taken in regard to William S. White.

Fourth, as a member of the Democratic Party, I have never received any communication whatsoever from my party in regard to the policies, actions, or operations of Project Vote Smart.

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Ms. Taksar  
Page Two  
January 4, 1995

or of the Center for National Independence and Politics.

Fifth, I have never assisted these organizations financially, either personally or through my campaign committee or by seeking funds for them through others.

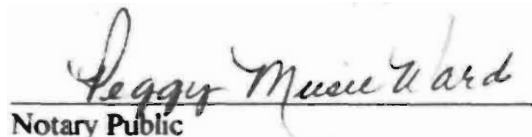
Sixth, in conclusion, I have never actively participated in these organizations or exercised any element of control or direction over them in any way and therefore should be deleted as a respondent.

Respectfully submitted,



DAVID L. BOREN, President  
University of Oklahoma

Subscribed and sworn to before me this 4th day of January, 1995.

  
Notary Public

95043693703

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

THE MCPHERSON BUILDING

901 FIFTEENTH STREET, N.W., SUITE 1100

WASHINGTON, D.C. 20005-2327

(202) 682-3500

FACSIMILE

(202) 682-3580

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JAN 11 11 41 AM '95

18<sup>TH</sup> FLOOR  
NINE QUEEN'S ROAD CENTRAL  
HONG KONG  
(852) 845-8989

SCITE TOWER SUITE 708  
22 JIANGUOMENWAI DAJIE  
BEIJING  
PEOPLES REPUBLIC OF CHINA  
(8611) 512-4755

FACSIMILE

NEW YORK (212) 636-8689  
WASHINGTON (202) 682-3580  
LOS ANGELES (310) 788-1200  
HONG KONG (852) 845-3682  
BEIJING (8611) 512-4760

425 PARK AVENUE  
NEW YORK, NY 10022-3598  
(212) 836-8000  
999 AVENUE OF THE STARS  
SUITE 1800  
LOS ANGELES, CA 90067-6048  
(310) 788-1000

WRITERS DIRECT DIAL NUMBER

(202) 682-3530

January 10, 1995

Ms. Mary L. Taksar  
Attorney  
Central Enforcement Docket  
Federal Election Commission  
Washington, D.C. 20463

Re: MUIR 4140

Dear Ms. Taksar:

I am herewith filing a Response to your letter dated December 22, 1994 and attached documents to former President Jimmy Carter. I also enclose President Carter's Statement of Designation of Counsel.

Thank you for your attention to this matter.

Sincerely,

Terrence B. Adamson

Enclosures

cc: President Jimmy Carter  
Attn: Dr. John Hardman/Ms. Faye Dill

**STATEMENT OF DESIGNATION OF COUNSEL**

NR 4140

NAME OF COUNSEL: TERENCE B. ADAMSON

ADDRESS: KAYE, SCHOLER, FISHER, HAYS & HANDLER

Suite 1100, 901 15th Street N.W.

Washington, D.C. 20005

TELEPHONE:

202/692-3530

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

Date

1/9/95

Signature

*Terence B. Adamson*

RESPONDENT'S NAME:

Jimmy Carter

ADDRESS:

One Coppenhill

Carter Center, Inc.

Atlanta, Georgia 30307

BORN PLACE:

N/A

BUSINESS PHONE:

404/331-3900

95043693705

FEDERAL ELECTION COMMISSION

William D. White, et al.,  
Complainant,  
v.

Center for National Independence  
and Politics, et al.,  
Respondent.

MUIR 4140

RESPONSE OF JIMMY CARTER

Former President Jimmy Carter responds to the Complaint of Mr. William D. White, as follows:

1. Former President Carter agreed in 1990 to serve as "Honorary Co-Founder" of the Center for National Independence in Politics (hereinafter "Center") in response to a bipartisan request from a number of present and former public officials, who stated that they served as members of the Center's Board of Directors. A copy of the original letter of invitation is attached hereto as Exhibit A. Former President Carter is not a member of the Board of Directors of the Center and has no voting rights with respect to the Center. He is not an officer of the Center. As explicit in the title, former President Carter serves merely as an Honorary Co-Founder of the Center, and has no actual involvement, knowledge, or authority concerning the Center's governing decisions or activities beyond that described in the Center's original letter of invitation to him to serve as Honorary Co-Founder. He does not and has never had any knowledge, involvement, or authority for any of the specific matters alleged in Mr. White's Complaint. He explicitly

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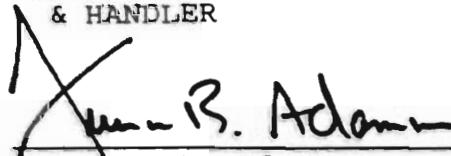
made no commitment to involvement in the governance or activities of the Center beyond generally supporting the description of the Center's goals of voter education when he agreed by letter on March 30, 1990 to serve as Honorary Co-Founder of the Center, a copy of which is attached hereto as Exhibit B.

Accordingly, Respondent respectfully requests that as to Respondent, no action should be taken in this matter.

Respectfully submitted,

For: KAYE, SCHOLER, FIERMAN, HAYS  
& HANDLER

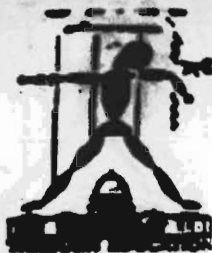
By:

  
Terrence B. Adamson  
Counsel for Respondent  
Jimmy Carter

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER  
901 15th Street, N.W.  
Suite 1100  
Washington, D.C. 20005  
(202) 682-3530 (telephone)  
(202) 683-3580 (telecopier)

95043693707

# INDEPENDENCE IN POLITICS



## FOUNDERS

William French  
 U.S. Senator  
 Barry Goldwater  
 U.S. Senator  
 David Evans  
 U.S. Senator  
 Michael Dukakis  
 U.S. Attorney General  
 Jesse Allen  
 Marvin Cohen  
 Chief Civil Liberties Board  
 Carter Allen  
 Stewart Udell  
 Secretary of the Interior  
 Jesse Allen  
 Warren Hearnes  
 Appointments Secretary to  
 President Gerald Ford  
 Lewis Tinkle  
 U.S. Ambassador  
 Eugene Allen  
 William Mahoney  
 U.S. Ambassador  
 Kenneth Allen  
 Maritime Foundings  
 Professor of Southern Law  
 John Leelan  
 State Attorney General  
 Paul Bender  
 Penn. State University  
 College of Law  
 Paul Hanes  
 Penn. University of Arizona  
 College of Law  
 Dr. Henry Kowitz  
 Political Consultant  
 Walter Mondale  
 U.S. Vice President  
 Philip Robbins  
 Chairman Trial Lawyers PAC  
 John Long  
 President John F. Long Realty  
 Dr. Margaret Kanaki  
 President  
 Opinion and Political Research  
 Adelaide Elm  
 Architects and Museum  
 Charles Mathias  
 U.S. Senator  
 George McGovern  
 U.S. Senator  
 William Clinger  
 U.S. Congressman  
 Jack Kieve  
 President Pension Toyota  
 Donald Shivershire  
 President C.E.O. / T.M.C.  
 Tom Pappas  
 Chief, State Rep. Party  
 Morris Udall  
 U.S. Congressman  
 Frank Lewis  
 Attorney  
 Max Baucus  
 U.S. Senator  
 Thomas Chandler  
 Attorney  
 John Truchta  
 Attorney  
 William Clements  
 Pres. Golden Eagle Dist.  
 Jim Leach  
 U.S. Congressman  
 Richard Marshall  
 Director of CNIP

President Jimmy Carter  
 The Presidential Center  
 One Copenhill  
 Atlanta, GA 30307

Dear President Carter:

We are writing you to ask that you serve as an honorary co-founder, with former President Ford, of a non-partisan political education center called the Center For National Independence in Politics. President Ford is receiving an identical letter. The Center is devoted to the research and dissemination of information to aid voters in their effort to understand the issues faced by Congress and the positions taken on those issues by their local candidates for federal office. The Center does not advocate any cause nor lobby for legislation; its sole purpose is to develop a trusted, non-partisan source of issue information to which voters can turn confidently when frustrated by the confusion of modern day campaigns.

Your involvement would not involve any commitment of time, only your support of the Center's goals.

The Center is currently promoting four different projects:

1. The creation of the National Political Awareness Test. This test is designed to give voters a chance to compare their stands on major issues to be faced by the incoming Congress with those of their local candidates for Congress.
2. A 15-month detailed study of Congress, examining shifts which have occurred in political priorities since 1950 that might correlate with the new dependencies on large political contributions.
3. The publication of the Voters' Self-Defense Manual: a pamphlet of practical suggestions on how to get at the issues and other information important to the voter during a political campaign.
4. The creation of local forums sponsoring Lincoln-Douglas style issue debates between articulate spokespersons on opposing sides of major issues facing the Congress and the nation.



Your support of these efforts would be greatly appreciated  
by all of us on the Center's board.

Sincerely,

*Bill Brock*  
Hon. William Brock

*Barry Goldwater*  
Hon. Barry Goldwater

*Bill D. Boren*  
Hon. David Boren

*Jim Leach*  
Hon. Jim Leach

*Bill Clinger*  
Hon. William Clinger

*Mo Udall*  
Hon. Morris Udall

cc. Stewart Eizenstat  
Marvin Cohen

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JIMMY CARTER

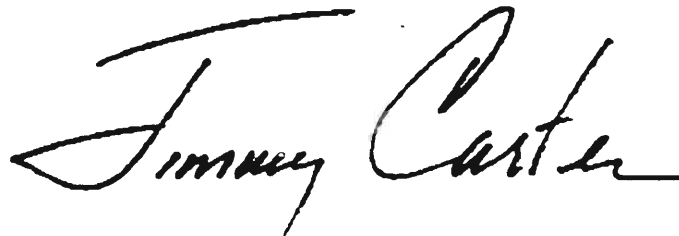
March 30, 1990

To Senator Bill Proxmire

Thank you for the letter I received from you and your colleagues inviting me to lend my name to the Center for National Independence in Politics. I fully endorse the goals of the Center and, although I cannot commit to active participation, I will be glad to serve as an honorary co-founder.

Please extend my thanks and warm best wishes to the Founders. I look forward to reports on the progress and activities of the Center for National Independence in Politics.

Sincerely,



The Honorable  
Senator William Proxmire  
Center for National  
Independence in Politics  
734 East University Boulevard  
Tucson, Arizona 85719

cc: Stu Eizenstat

95043693710

★ ★ ★ ★ ★

**Torres**

★ ★ ★ ★ ★

Congressman Esteban E. Torres  
Thirty-fourth District, California

January 12, 1995

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JAN 17 1 01 PM '95

Mary L. Taksar  
Attorney  
Central Enforcement Docket  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 4140

Dear Ms. Taksar:

I serve as the Treasurer for the Committee to Re-elect Esteban E. Torres to Congress, ("Committee"), Federal Election Commission ("Commission") identification number C00150383. Recently, the Committee received notice that it and I had been named in the above-entitled matter.

The complaint, filed by Mr. William D. White, alleges, in pertinent part, that the Committee had "failed to register PVS/CNIP (a political committee they established) with the FEC, that they have failed to report contributions received from, or expenditures made by, these political committees on their behalf and that the violations of FECA by these persons was willful and knowing, as each has established a principal campaign committee in accordance with FECA, thereby demonstrating that they are knowledgeable about their reporting requirements under FECA."

In response, neither the Committee nor I established "PVS/CNIP." Additionally, the Committee has not received any contributions from, or expenditures made by PVS/CNIP on the Committee's behalf which, under the Federal Election Campaign Act of 1971, as amended ("Act"), would require the Committee to report the contributions or expenditures to the Commission. Please refer to the Committee's reports, as filed with the Commission, for the period in question.

Neither the Committee nor I willfully and knowingly violated any provision of the Act. Respectfully, I request that the Commission dismiss the Committee and me from this matter and that no further action be taken against the Committee and me.

Sincerely,

*Sharon J. Salcido*  
Sharon J. Salcido  
Treasurer

cc: Congressman Esteban E. Torres



## HONORARY CO-FOUNDERS

**Jimmy Carter**  
Former U.S. President  
**Gerald Ford**  
Former U.S. President

## FOUNDERS

**Barry Goldwater**  
Former U.S. Senator  
**George McGovern**  
Former U.S. Senator  
**Mary Dent Crisp**  
Former Co-Chair  
Nat'l Republican Party  
**Geraldine Ferraro**  
Former U.S. Representative  
**William Proxmire**  
Former U.S. Senator  
**Jim Leach**  
U.S. Representative  
**Peggy Lampi**  
Former Exec. Director  
League of Women Voters  
**Claudine Schneider**  
Former U.S. Representative  
**William Clinger**  
U.S. Representative  
**Edward Brooke**  
Former U.S. Senator  
**David Boren**  
U.S. Senator  
**Harry Pachon**  
President  
The Tomas Rivera Center  
**Michael Dukakis**  
Former Governor of Massachusetts  
**Sonia Jarvis**  
Exec. Dir. Nat'l Coalition  
on Black Voter Participation  
**Bill Frenzel**  
Former U.S. Representative  
**Ronald Dellums**  
U.S. Representative  
**Irene Natividad**  
Former Pres. National  
Women's Political Caucus  
**Richard Kleindienst**  
Former U.S. Attorney General  
**Warren Rustand**  
Former Appointments Secretary  
to President Gerald Ford  
**Lewis Tambis**  
Former U.S. Ambassador  
**Esteban Torres**  
U.S. Representative  
**John Echolaw**  
Native American Rights Fund  
**Mananne Jennings**  
Professor of Business Law  
**Henry Kinski**  
Political Consultant  
**Nancy Johnson**  
U.S. Representative  
**Andrew Hernandez**  
President, South-West Voter  
Registration Project  
**Bill Clements**  
Pres. Golden Eagle Distributing  
**Thomas Chandler**  
Attorney  
**Kenneth Adelman**  
Director, U.S. Arms Control &  
Disarmament Agency - Reagan Admin  
**Frank Moss**  
Former U.S. Senator  
**Jon Trachta**  
Attorney  
**Richard Kimball**  
Project Vote Smart Board President  
(Partial Listing)

# PROJECT VOTE SMART

January 12, 1995

**Mary L. Taksar**  
**Alva E. Smith**  
**Federal Election Commission**  
999 E. Street NW  
Washington, D.C. 20463

RE: MUR 4140

Dear Ms. Taksar & Ms. Smith:

I am responding to an addendum to a complaint that was originally mailed on December 21, 1994. The first copy of the complaint was mailed on November 16, 1994. My name was listed in both complaints.

I am writing this letter as an employee of the Center for National Independence in Politics (or Project Vote Smart) and as a taxpaying American citizen.. I am angered and frustrated by the waste of taxpayers money used to facilitate the ego's of people who have nothing better to do than make ridiculous charges and accusations with absolutely no proof or even common sense to back it up.

As the Director of the *National Political Awareness Test* (NPAT) in 1994, I was in charge of contacting all congressional and Gubernatorial candidates who were on the general election ballot. We received the names, addresses and phone numbers of candidates from many different sources including, Secretary of State offices, State Parties, National Parties, Local Election Offices, Regional Parties, and Regional Election Offices. Through all these sources we were able to obtain the names of over two thousand candidates on the general election ballot on November 8, 1994. I personally supervised all five contacts to the candidates (and did most of the phone calls myself). These contacts were made to all candidates of all parties: Republican, Democratic, Independent, Socialist Worker, Libertarian, Natural Law Party, Fascist as well as non-aligned candidates. As a matter of fact, we also included write-in candidates in our database when we were informed of their campaign (most of the time it was the write-in candidate themselves that contacted us because they read about us in the newspaper.)

The name of William White was never provided to us as a candidate for public office. William White never contacted our office until the weekend before the Tuesday election. If he was listed on the general election ballot, or if he had contacted us at least two or three weeks before the November 8th election we would have asked him to complete the National Political Awareness Test, biographical questionnaire and included his information with all the other candidates. The fact remains that William White contacted me four (4) days

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COUNSEL

JAN 17 1 07 PM '95





# PROJECT VOTE SMART

MUR 4140 Pg2

## HONORARY CO-FOUNDERS

**Jimmy Carter**  
Former U.S. President  
**Gerald Ford**  
Former U.S. President

## FOUNDERS

Barry Goldwater  
Former U.S. Senator  
George McGovern  
Former U.S. Senator  
Mary Dent Crisp  
Former Co-Chair  
Nat'l Republican Party  
Geraldine Ferraro  
Former U.S. Representative  
William Proxmire  
Former U.S. Senator  
Jim Leach  
U.S. Representative  
Peggy Lampl  
Former Exec. Director  
League of Women Voters  
Claudine Schneider  
Former U.S. Representative  
William Cinger  
U.S. Representative  
Edward Brooke  
Former U.S. Senator  
David Boren  
U.S. Senator  
Harry Pachon  
President  
The Tomas Rivera Center  
Michael Dukakis  
Former Governor of Massachusetts  
Sonia Jarvis  
Exec. Dir. Nat'l Coalition  
on Black Voter Participation  
Bill Frenzel  
Former U.S. Representative  
Ronald Dellums  
U.S. Representative  
Irene Natividad  
Former Pres. National  
Women's Political Caucus  
Richard Kleindienst  
Former U.S. Attorney General  
Warren Rustand  
Former Appointments Secretary  
to President Gerald Ford  
Lewis Tambis  
Former U.S. Ambassador  
Esteban Torres  
U.S. Representative  
John Echolaw  
Native American Rights Fund  
Mananne Jennings  
Professor of Business Law  
Henry Kenski  
Political Consultant  
Nancy Johnson  
U.S. Representative  
Andrew Hernandez  
President South-West Voter  
Registration Project  
Bill Clements  
Pres. Golden Eagle Distributing  
Thomas Chandler  
Attorney  
Kenneth Adelman  
Director U.S. Arms Control &  
Disarmament Agency - Reagan Admin.  
Frank Moss  
Former U.S. Senator  
Jon Trachta  
Attorney  
Richard Kimball  
Project Vote Smart Board President  
(Partial Listing)

before the election, long past the deadline for all other candidates (which was October 25).

The complaint filed by William White has absolutely no merit. He has no complaint. He expected special treatment to be included in the database while it was past the deadline for all other candidates (AND FOUR DAYS BEFORE THE ELECTION!!!!) Because my attempts to accommodate his request were not enough for him, he decided to waste taxpayers money by filing a complaint against an organization that has no money, no political agenda, and provides all our information free to the public.

The crime, however, is not that this sad and pitiful man has decided to complain about an organization that goes out of its way to include ALL, let me repeat, ALL candidates in its national database of information, the crime is that the Federal Election Commission wastes time and taxpayer money by mailing copies of this complaint to all the names listed in the complaint regardless of how frivolous or baseless the complaint. If someone in the FEC read this persons complaint, they would have seen that his argument states that since we are supplying information about all the candidate on the ballot (and write-in candidates if they contact us in time) then we are guilty of supporting their candidacy. How can we be guilty of supporting a candidate when we provide free, factual, non-biased, and non-partisan information about all the candidates going for the same job. Instead of putting it aside filing it as an obvious case of "no basis for complaint," the FEC has perpetuated this man's empty allegations by forwarding his unfounded charges to parties that are not directly involved in the complaint, and wasting their time in the process.

I am angry as a employee of CNIP because I finally found a job where my skills can be used to help people, and the FEC allows groundless allegations to disrupt my performance.

I am angry as an American citizen because the FEC is wasting taxpayers money just to satisfy the whim of a pitiful and frustrated man.

If there are any questions please call me at 617-373-5032.

Sincerely,

  
Kevin Comtois

Director, National Political Awareness Test  
Project Vote Smart



MARY DENT CRISP  
APARTMENT 319 • 2555 PENNSYLVANIA AVENUE, N.W. • WASHINGTON, D.C. 20037

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

FEB 10 10 11 AM '95

February 7, 1995

Office of the General Counsel  
Attn: Mary L. Taksar  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 4140

Dear Ms Taksar:

This is in response to your letter of December 22, 1994, which I received on December 29, 1995. It was sent to a two-year old out-of-date address. Meanwhile, I have been in Arizona tending to family matters. Please send future correspondence to: 2300 M Street, N.W., Suite 800. Washington, D.C. 20037.

The Complaint you enclosed is totally frivolous. The Center and its Project Vote Smart are legitimate bi-partisan information activities, which do not in any way attempt to influence elections. Mr. White appears to just be a disgruntled losing candidate.

Please dismiss this complaint.

Sincerely,

Mary Dent Crisp

Mary Dent Crisp

95043693714

Re-elect Congresswoman Nancy Johnson



# Johnson

Re-elect Nancy Johnson to Congress Committee  
P.O. Box 1986, New Britain, CT 06050

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
MAR 11 11 41 AM '95

March 8, 1995

Ms. Mary L. Taksar, Attorney  
Central Enforcement Docket  
Federal Election Commission  
999 E. Street, N.W.  
Washington, DC 20453

RE: MUR 4140

Dear Ms. Taksar:

I had received your letter dated December 22, 1994 and was informed by Mr. Richard Kimball, Board President of Project Vote Smart that he had responded for the organization in a letter dated January 2, 1995.

As Mr. Kimball stated, Project Vote Smart is an educational facility affiliated with a number of universities. It is their primary task to collect factual information on candidates for federal office and disseminate that information to the general public at their request. The work is done primarily by community volunteers and student interns and all candidates are covered with equal diligence.

Project Vote Smart has covered candidates representing over 100 different political parties and no contributions are accepted from any PAC, corporation, labor union or other interest that lobbies local, state or federal government. The organization is supported by citizens with over 90% of the staff being unpaid and those that are paid receive a starting wage of \$5.54 per hour.

Even though Mr. Kimball had responded on organizational letterhead, after careful review of the situation, I felt it was in our committee's best interest that we also respond for the record. I hope our delay has not caused any inconvenience and I thank you for your cooperation in this matter.

Sincerely,

John Eveleth, Treasurer  
Nancy Johnson to Congress Committee

JE:jah



BEFORE THE FEDERAL ELECTION COMMISSION  
DEC 2 10 52 AM '95

In the Matter of

)  
) Enforcement Priority  
)

GENERAL COUNSEL'S REPORT

**SENSITIVE**

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 34 cases which do not warrant further pursuit relative to the other pending cases.<sup>1</sup> A short description of

1. These matters are: PM 309 (Attachment 1); RAD 95L-12 (Attachment 2); MUR 4118 (Attachment 3); MUR 4119 (Attachment 4); MUR 4120 (Attachment 5); MUR 4122 (Attachment 6); MUR 4123 (Attachment 7); MUR 4124 (Attachment 8); MUR 4125 (Attachment 9); MUR 4126 (Attachment 10); MUR 4130 (Attachment 11); MUR 4133 (Attachment 12); MUR 4134 (Attachment 13); MUR 4135 (Attachment 14); MUR 4136 (Attachment 15); MUR 4137

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each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-34. As the Commission requested, this Office has attached the responses to the complaints for the externally-generated matters and the referral for the matter referred by the Reports Analysis Division because this information was not previously circulated to the Commission. See Attachments 1-34.

#### 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 11 cases that

do not

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(Footnote 1 continued from previous page)  
(Attachment 16); MUR 4138 (Attachment 17); MUR 4140  
(Attachment 18); MUR 4142 (Attachment 19); MUR 4143  
(Attachment 20); MUR 4144 (Attachment 21); MUR 4145  
(Attachment 22); MUR 4148 (Attachment 23); MUR 4149  
(Attachment 24); MUR 4153 (Attachment 25); MUR 4155  
(Attachment 26); MUR 4158 (Attachment 27); MUR 4163  
(Attachment 28); MUR 4164 (Attachment 29); MUR 4169  
(Attachment 30); MUR 4179 (Attachment 31); MUR 4195  
(Attachment 32); MUR 4196 (Attachment 33); and MUR 4205  
(Attachment 34).

warrant further investment of significant Commission resources.<sup>2</sup> 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, in matters in which the Commission has made no findings, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are attached to the report because this information was not previously circulated to the Commission. See Attachments 35-45. For cases in which the Commission has already made findings and for which each Commissioner's office has an existing file, this Office has attached the most recent General Counsel's Report.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective October 16, 1995. By closing the cases effective October 16, 1995, 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.

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2. These matters are: PM 250 (Attachment 35); PM 272 (Attachment 36); MUR 3188 (Attachment 37); MUR 3554 (Attachment 38); MUR 3623 (Attachment 39); MUR 3988 (Attachment 40); MUR 3996 (Attachment 41); MUR 4001 (Attachment 42); MUR 4007 (Attachment 43); MUR 4007 (Attachment 43); MUR 4008 (Attachment 44); and MUR 4018 (Attachment 45).

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### III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective October 16, 1995 in the following matters:

- 1) PM 309
- 2) RAD 95L-12
- 3) PM 250
- 4) PM 272

B. Take no action, close the file effective October 16, 1995, and approve the appropriate letter in the following matters:

- 1) MUR 3554
- 2) MUR 3623
- 3) MUR 3988
- 4) MUR 3996
- 5) MUR 4001
- 6) MUR 4007
- 7) MUR 4008
- 8) MUR 4018
- 9) MUR 4118
- 10) MUR 4119
- 11) MUR 4120
- 12) MUR 4122
- 13) MUR 4123
- 14) MUR 4124
- 15) MUR 4125
- 16) MUR 4126
- 17) MUR 4130
- 18) MUR 4133
- 19) MUR 4134
- 20) MUR 4135
- 21) MUR 4136
- 22) MUR 4137
- 23) MUR 4138
- 24) MUR 4140
- 25) MUR 4142
- 26) MUR 4143
- 27) MUR 4144
- 28) MUR 4145
- 29) MUR 4148
- 30) MUR 4149

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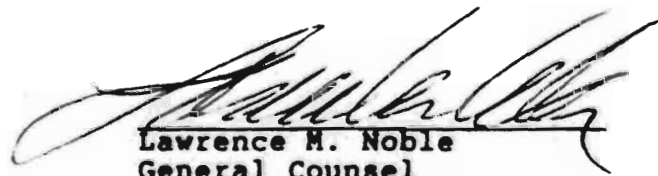
- 31) MUR 4153
- 32) MUR 4155
- 33) MUR 4158
- 34) MUR 4163
- 35) MUR 4164
- 36) MUR 4169
- 37) MUR 4179
- 38) MUR 4195
- 39) MUR 4196
- 40) MUR 4205

C. Take no further action, close the file effective October 16, 1995 and approve the appropriate letter in MUR 3188.

Date

9/29/95

Lawrence M. Noble  
General Counsel



95043693720

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of  
Enforcement Priority

)  
)  
)

Agenda Document #X95-85

**CERTIFICATION**

I, Marjorie W. Emmons, recording secretary for the  
Federal Election Commission executive session on  
October 17, 1995, do hereby certify that the Commission  
decided by votes of 5-0 to take the following actions:

- A. Decline to open a MUR and close the file  
effective October 17, 1995 in the following  
matters:
- 1) PM 309
  - 2) RAD 95L-12
  - 3) PM 250
  - 4) PM 272
- B. Take no action, close the file effective  
October 17, 1995, and approve the appropriate  
letter in the following matters:
- 1) MUR 3554
  - 2) MUR 3623
  - 3) MUR 3988
  - 4) MUR 3996
  - 5) MUR 4001
  - 6) MUR 4007
  - 7) MUR 4008
  - 8) MUR 4018
  - 9) MUR 4118

(continued)

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**Federal Election Commission  
Certification: Enforcement Priority  
October 17, 1995**

**Page 2**

9 5 0 4 3 6 9 3 7 2 2  
10) MUR 4119  
11) MUR 4120  
12) MUR 4122  
13) MUR 4123  
14) MUR 4124  
15) MUR 4125  
16) MUR 4126  
17) MUR 4130  
18) MUR 4133  
19) MUR 4134  
20) MUR 4135  
21) MUR 4136  
22) MUR 4137  
23) MUR 4138  
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27) MUR 4144  
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29) MUR 4148  
30) MUR 4149  
31) MUR 4153  
32) MUR 4155  
33) MUR 4158  
34) MUR 4163  
35) MUR 4164  
36) MUR 4169  
37) MUR 4179  
38) MUR 4195  
39) MUR 4196  
40) MUR 4205

- C. Take no further action, close the file effective October 17, 1995 and approve the appropriate letter in MUR 3188.

(continued)

Federal Election Commission  
Certification: Enforcement Priority  
October 17, 1995

Page 3

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

Attest:

10-20-95  
Date

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

95043693723



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

William D. White  
16 E. Manilla Avenue  
Pittsburgh, PA 15220

RE: MUR 4140

Dear Mr. White:

On November 9, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995. 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 (428)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693724

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MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

9 5 0 4 3 6 9 3 7 2 6

MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Mary Dent Crisp  
2300 M Street, N.W.  
Suite 800  
Washington, D.C. 20037

RE: MUR 4140

Dear Ms. Crisp:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (H2S)*

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693727



9 5 0 4 3 6 9 3 7 2 8

MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

95043893729  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

James P. Molloy, Treasurer  
Friends of Max Baucus  
P.O. Box 586  
Helena, MT 59624

RE: MUR 4140

Dear Mr. Molloy:

On December 22, 1994, the Federal Election Commission notified Martha Shesby, former treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Friends of Max Baucus and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (423)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

*Celebrating the Commission's 20th Anniversary*

YESTERDAY TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043693730

95043893731  
NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

95043893732  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

John Eveleth, Treasurer  
Re-Elect Nancy Johnson to Congress Committee  
P.O. Box 1986  
New Britain, CT 06050

RE: MUR 4140

Dear Mr. Eveleth:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against Re-Elect Nancy Johnson to Congress Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (H28)

Mary L. Taksar  
Attorney

Attachment  
Narrative

*Celebrating the Commission's 20th Anniversary*

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043693733



9 5 0 4 3 8 9 3 7 3 4

NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

95043893735

**MUR 4140 (cont'd)**

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

Kevin Comtois, Director  
National Political Awareness Test  
Project Vote Smart/Center for National  
Independence in Politics  
129 NW 4th Street, Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Mr. Comtois:

On November 16, 1994, the Federal Election Commission notified the Executive Director of Center for National Independence in Politics and you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Center for National Independence in Politics/Project Vote Smart and you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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* (RS)  
Mary L. Taksar  
Attorney

Attachment

95043693736

9 5 0 4 3 6 9 3 7 3 7

MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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9 5 0 4 3 6 9 3 7 3 8  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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This matter is less significant relative to other matters pending before the Commission.





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

Stephen A. Hildebrandt, Chief Counsel  
Westinghouse Broadcasting Company, Inc.  
1025 Connecticut Ave., NW, Suite 506  
Washington, D.C. 20036-5405

RE: MUR 4140  
KDKA-AM, KDKA-TV, Matt Nelco, Fred Honsberger, and  
John Cigna

Dear Mr. Hildebrandt:

On November 16, 1994, the Federal Election Commission notified your clients of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (srs)*

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693739



95043693740

**NUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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9 5 0 4 3 8 9 3 7 4 1  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

Adelaide Elm  
Center for National Independence and Politics  
129 NW 4th Street, Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Ms. Elm:

On November 16, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Sincerely,

*Mary L. Taksar (x28)*

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693742

9 5 0 4 3 8 9 3 7 4 3  
NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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95043893744  
MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

John D. Sheridan, Treasurer  
Citizens for Senator Wofford  
3905 N. Front Street  
Harrisburg, PA 17110

RE: MUR 4140

Dear Mr. Sheridan:

On November 16, 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 has determined to exercise its prosecutorial discretion and to take no action against Citizens for Senator Wofford and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Attachment  
Narrative

95043693745



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NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

95043893747  
MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

Judith M. McVerry, Treasurer  
Santorum '94  
340 East Main Street  
Carnegie, PA 15106

RE: MUR 4140

Dear Ms. McVerry:

On November 16, 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 has determined to exercise its prosecutorial discretion and to take no action against Santorum '94 and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (xrs)*  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693748

95043693749

**NUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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95043693750  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

Richard Kimball  
Center for National Independence and Politics  
129 NW 4th Street, Suite 204  
Corvallis, OR 97330

RE: MUR 4140

Dear Mr. Kimball:

On November 19, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (#28)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693751



95043693752

NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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95043693753  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

The Honorable Edward Brooke  
Rt. 8, Box 270  
Warrenton, VA 22186

RE: MUR 4140

Dear Mr. Brooke:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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* (HRS)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693754

95043693755

NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

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MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

The Honorable Morris Udall  
1812 South 24th Street  
Arlington, VA 22202

RE: MUR 4140

Dear Mr. Udall:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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* (428)

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693757



95043693758

MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

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MUR 4140 (cont'd)

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In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

The Honorable Claudine Schneider  
641 Acker Place, N.E.  
Washington, D.C. 20002

RE: MUR 4140

Dear Mr. Schneider:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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* (423)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043893700

95043893701

**MUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

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MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

The Honorable Barry M. Goldwater  
6250 N. Hogahn Drive  
Scottsdale, AZ 82253

RE: MUR 4140

Dear Mr. Goldwater:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (HRS)*

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693763



95043693764  
NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

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NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

The Honorable Geraldine Ferraro  
218 LaFayette Street  
New York, NY 10012

RE: MUR 4140

Dear Ms. Ferraro:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Attachment  
Narrative

95043693766

95043693707

**MUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

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95043693768  
MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

William Schweitzer, Esq.  
Baker & Hostellin  
1050 Conn. Avenue, N.W.  
Washington, D.C. 20036

RE: MUR 4140  
The Honorable William Frenzel

Dear Mr. Schweitzer:

On December 22, 1994, the Federal Election Commission notified your client of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your client. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Sincerely,

*Mary L. Taksar* (HES)

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693769



95043693710

**MUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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NUR 4140 (cont'd)

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In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

Charles W. Brooke, Treasurer  
Iowans for Jim Leach  
P.O. Box 1088  
Bettendorf, IA 52722

RE: MUR 4140

Dear Mr. Brooke:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against Iowans for Jim Leach and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (s)

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693712

95043693773

**MUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

95043693774  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

The Honorable Gerald Ford  
P.O. Box 927  
Rancho Mirage, CA 92270

RE: MUR 4140

Dear Mr. Ford:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Attachment  
Narrative

95043693775



9 5 0 4 3 6 9 3 7 7 6

**MUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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95043693717  
MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Melco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Peggy Lampl  
2500 Q Street, N.W.  
Washington, D.C. 20007

RE: MUR 4140

Dear Ms. Lampl:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (x28)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043893718

9 5 0 4 3 8 9 3 7 1 9

**MUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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9 5 0 4 3 6 9 3 7 2 0  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Irene Natividad  
1000 16th Street, N.W.  
Suite 810  
Washington, D.C. 20006

RE: MUR 4140

Dear Ms. Natividad:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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* (x28)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693781



95043693782

MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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95043693783  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Richard Kleindienst  
3773 East Broadway  
Tucson, AZ 85716-5476

RE: MUR 4140

Dear Mr. Kleindienst:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (423)*  
Mary L. Taksar  
Attorney

Attachment  
Narrative

*Celebrating the Commission's 20th Anniversary*

YESTERDAY TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043693784

95043693785

NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

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95043693786  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

The Honorable George McGovern  
4012 Linnean Avenue, N.W.  
Washington, D.C. 20008

RE: MUR 4140

Dear Mr. McGovern:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Sincerely,

Mary L. Taksar (HRS)

Mary L. Taksar  
Attorney

Attachment  
Narrative

Celebrating the Commission's 20th Anniversary

YESTERDAY TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043693787



95043693738  
MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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95043693789  
MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

The Honorable William Proxmire  
3091 Ordway Street, N.W.  
Washington, D.C. 20008

RE: MUR 4140

Dear Mr. Proxmire:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Sincerely,

*Mary L. Taksar (res)*  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693790

95043693791

MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

95043893792

**MUR 4140 (cont'd)**

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

John L. Jarzab, Treasurer  
Friends of Congressman Bill Clinger  
P.O. Box 631  
Warren, PA 16365

RE: MUR 4140

Dear Mr. Jarzab:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against Friends of Congressman Bill Clinger and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (x28)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043893793



95043893794

NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

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NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

J. Ann Dubler, Treasurer  
Oklahomans for Boren  
P.O. Box 419  
Seminole, OK 74868

RE: MUR 4140

Dear Ms. Dubler:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against Oklahomans for Boren and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (trs)*  
Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693796

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NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

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**MUR 4140 (cont'd)**

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

Several member of the Board of Directors respond that they serve in an honorary capacity and are not involved in policy decisions and receive no compensation.

This matter is less significant relative to other matters pending before the Commission.





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Ralph J. Grant, Treasurer  
Committee for Congressman Ronald V. Dellums  
P.O. Box 29164  
Oakland, CA 94604

RE: MUR 4140

Dear Mr. Grant:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against the Committee for Congressman Ronald V. Dellums and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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*

Mary L. Taksar  
Attorney

Attachment  
Narrative

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MUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

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MUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 23, 1995

Sharon J. Salcido, Treasurer  
Committee to Re-Elect Congressman Esteban E. Torres  
P.O. Box 4425  
West Covina, CA 91791

RE: MUR 4140

Dear Ms. Salcido:

On December 22, 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 has determined to exercise its prosecutorial discretion and to take no action against the Committee to Re-Elect Congressman Esteban E. Torres and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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 (428)*

Mary L. Taksar  
Attorney

Attachment  
Narrative

95043693802

95043303

NUR 4140

CENTER FOR NATIONAL INDEPENDENCE AND POLITICS

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

Kevin Comtois responding for CNIP, PVS, and himself states that CNIP/PVS provides free factual, non-biased, and non-partisan information about all candidates. He explains that CNIP/PVS contacts all Congressional and Gubernatorial candidates affiliated with all parties who were on the general election ballot and also write-in candidates when CNIP/PVS is informed of the candidate's campaign in order to have them complete a questionnaire. Mr. Comtois indicates that if Mr. White were on the general election ballot or if Mr. White had contacted him two or three weeks before the election rather than four days before the election, he would have asked Mr. White to complete the questionnaire so that Mr. White could have been included in the database.

Mr. Richard Kimball, the President of the Board of Directors of PVS responds that PVS is an educational facility affiliated with a number of universities whose task it is to collect factual information on candidates for federal office and disseminate that information to the general public at their request. Mr. Kimball states that all candidates are covered in PVS research regardless of affiliation. He notes that the organization is supported by citizens and operated by volunteers and students. According to Mr. Kimball, Mr. White was not included in the database because PVS had never heard of him and no one had ever inquired about him.

95043893304

NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Honsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

In response to the complaint, the Santorum '94 Committee states that it has no knowledge of the dealings between the complainant and other respondents, it did not receive any contributions from any parties named in the complaint, and it has no information with regard to the allegations. The Committee to Re-elect Torres to Congress states that it is not connected to PVS/CNIP and that it has not received any contributions from or expenditures made by PVS/CNIP. The Johnson for Congress Committee states that PVS's primary task is to collect factual information on candidates for federal office and to disseminate that information to the general public at their request. The Johnson Committee states that PVS receives no contributions from PACs, corporations, labor unions or other interests that lobby local, state or federal government.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Terrence B. Adamson, Esq.  
Kaye, Scholer, Fierman, Hays & Handler  
901 Fifteenth Street, N.W.  
Suite 1100  
Washington, D.C. 20005-2327

RE: MUR 4140  
The Honorable Jimmy Carter

Dear Mr. Adamson:

On December 22, 1994, the Federal Election Commission notified your client of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your client. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

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

Attachment  
Narrative

95043893805



95043693306

**MUR 4140**

**CENTER FOR NATIONAL INDEPENDENCE AND POLITICS**

William White filed a complaint alleging that Project Vote Smart ("PVS") which is under the direction of the Center for National Independence and Politics ("CNIP") operates a toll-free telephone number that enables callers to obtain information on candidates and that during the 1992 and 1994 elections, PVS failed to give Mr. White exposure equal to that of other candidates because he was an independent and write-in candidate. The complaint also alleges that PVS is a membership organization that should register and report with the Commission. The complaint further alleges that KDKA radio and television refused to acknowledge his candidacy and that by focusing on the Wofford and Santorum candidacies, KDKA made excessive and prohibited contributions to the Wofford and Santorum campaigns. Mr. White filed an amendment to the complaint in which he alleges that by failing to register with and report to the Commission, the individuals that formed PVS and CNIP as well as the board members have knowingly and willfully participated in a scheme to circumvent the reporting requirements.

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95043693307  
NUR 4140 (cont'd)

Stephen Hildebrandt filed a response on behalf of Ted Jordan, Fred Monsberger, John Cigna, Matt Nelco, KDKA-AM, KDKA-TV, and Joe Berwanger, former General Manager of KDKA-TV who was no longer in charge of the station at the time of the allegations. The response states that KDKA radio and television provided extensive coverage for many political races and its decision to concentrate on Messrs. Wofford and Santorum was a judgment of KDKA management as was the decision not to include Mr. White. Respondents state that there is no legal requirement that mandates radio or television stations to provide coverage to candidates in their news or news interview programs.

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This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4140

DATE FILMED 11/6/95 CAMERA NO. 2

CAMERAMAN ESS

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