



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4175

DATE FILMED 10-9-96 CAMERA NO. 2

CAMERAMAN Jm U

26043745031

December 30, 1994

Federal Election Commission  
999 E Street NW  
Washington, D.C. 20463

JAN 4 1 03 PM '95  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF THE  
SECRETARY

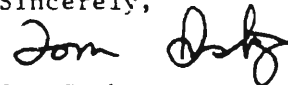
Dear Commissioners,

I am a member of the National Association of Realtors and I received the enclosed political advertisement the day before the last election.

My concern is that the ad does not correctly state who paid for the ad. It was not paid for by the National Association of Realtors, but by RPAC-PAF (see enclosures). In addition, the ad makes reference to "Minnesota Realtors for Ann Wynia" & "Realtors for Wynia Committee", although no one seems to know who is a member of this committee.

I believe that this is deceptive advertising and I would like to file a formal complaint against RPAC-PAF.

Sincerely,



Tom Inskip  
5104 26th Ave. S.  
Minneapolis, MN 55417

Enc.  
C.C. Realtors

674502



for Ann Wynia

5750 Lincoln Drive, Edina, MN 55436

3 P.M. 1994

NOV

P.M.

1994



MINNEAPOLIS MN 553

Remember to vote  
on Tuesday,  
November 8th!!

Support  
Ann Wynia  
U.S. Senate

"I share Minnesotans

strong commitment  
to home ownership.

I believe we should  
make housing  
more affordable  
and provide

more opportunities for

people to live in stable and  
supportive communities." —Ann Wynia

MP255928529335587  
T INSKIP  
ECINA RLTY INC  
5309 LYNDALE AVE SO  
MINNEAPOLIS MN 55417



Paid for by the National Association of REALTORS® and not authorized by any candidate or committee. All members of the REALTORS® for Wynia Committee are members of the National Association of REALTORS®. REALTOR® is a registered membership word which may be used only by real estate professionals who are members of the National Association of REALTORS® and subscribe to its strict code of ethics.





# NATIONAL ASSOCIATION OF REALTORS®

*The Voice for Real Estate®*

NATIONAL ASSOCIATION OF REALTORS®  
1300 K Street, N.W.  
Washington, D.C. 20001-4507

Political and State Affairs  
202-383-1085

December 27, 1994

Mr. Tom Inskip  
5104 26th Avenue South  
Minneapolis, Minnesota 55417

Dear Mr. Inskip:

Thank you for your recent correspondence concerning the Opportunity Race mailing that you received during the November elections. The Opportunity Race program was started several years ago to increase the REALTORS® involvement in the electoral process.

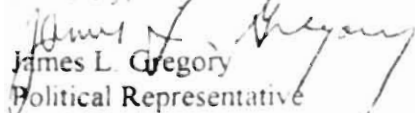
The realization has been made by the volunteer committees that to be an effective force on Capitol Hill the REALTORS® must be active in their home areas. The intent of the Opportunity Race program is to channel REALTOR® grassroots assistance to those federal candidates who are strong supporters of the real estate industry. This support may be as simple as educating REALTORS® about a candidate's voting record on real estate issues to promote REALTOR® support on election day, or it may be as involved as encouraging REALTORS® to directly impact the election by volunteering their efforts to the candidate's campaign. These activities may include both educational and advocacy efforts to encourage REALTORS® to support candidates that, in turn, support the real estate industry. It is important to remember that these activities are conducted within the organization and are not directed towards the general public.

Funding for the Opportunity Race program is provided by the RPAC Political Advocacy Fund (PAF). PAF is funded through voluntary corporate contributions from REALTOR® firms and are forwarded by the state associations with the knowledge that they are used for activities like the Opportunity Race program. Please be assured that no dues dollars are used for these programs.

The decisions on when to conduct an Opportunity Race are made in a non-partisan manner. Additionally, each request is reviewed and approved by the respective state's RPAC Trustees and the National RPAC Trustees.

Again, thank you for your correspondence and I hope that this information is helpful.

Sincerely,

  
James L. Gregory  
Political Representative





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20460

January 10, 1995

Tom Inskip  
5104 26th Avenue S.  
Minneapolis, MN 55417

Dear Mr. Inskip:

5  
This is to acknowledge receipt on January 4, 1995, of your letter dated December 30, 1994. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter did not contain a notarization on your signature and was not properly sworn to.

0 3 0 4 / 4 5 0  
In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this \_\_\_\_ day of \_\_\_\_, 19\_\_." A statement by the notary that the complaint was sworn to and subscribed before him/her also will be sufficient. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

Page 2  
Tom Inskip

If you have any questions concerning this matter, please  
contact me at (202) 219-3410.

Sincerely,

  
Retha Dixon  
Docket Chief

Enclosure

cc: National Association of Realtors

06043745036

January 14, 1995

JAN 23 9 12 AM '95

Federal Election Commission  
Washington, DC

MUR 4175

Corrected Complaint

Dear Commissioners,

I am a member of the National Association of Realtors and I received the enclosed political advertisement the day before the last election.

I believe that this advertisement violates the law and I ask that you investigate the following:

1. The advertisement falsely states that it was paid for by the National Association of Realtors. The advertisement was actually paid for by the RPAC Political Advocacy Fund.(enclosures)
2. The advertisement also mentions the "Realtors for Wynia Committee" and "Minnesota Realtors for Ann Wynia", however I have been unable to locate anyone who is a member of either of these groups. It is interesting to note that "Minnesota Realtors for Ann Wynia" lists its return address as 5750 Lincoln Drive, Edina, MN; which also happens to be the address of the Minnesota Association of Realtors.

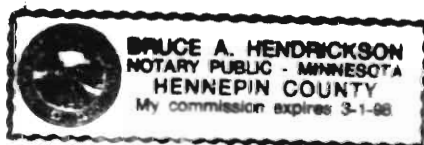
Thank you for considering my complaint.

Sincerely,

*Thomas P. Inskip*

Thomas P. Inskip  
5104 26th Ave. S.  
Minneapolis, MN 55417

Subscribed and sworn to before me  
on this 16 day of Jan, 1995.



*Bruce A. Hendrickson*



Minnesota REALTORS®

for Ann Wynia

5750 Lincoln Drive, Suite 100, Minneapolis, MN 55436



PM 1994

NOV

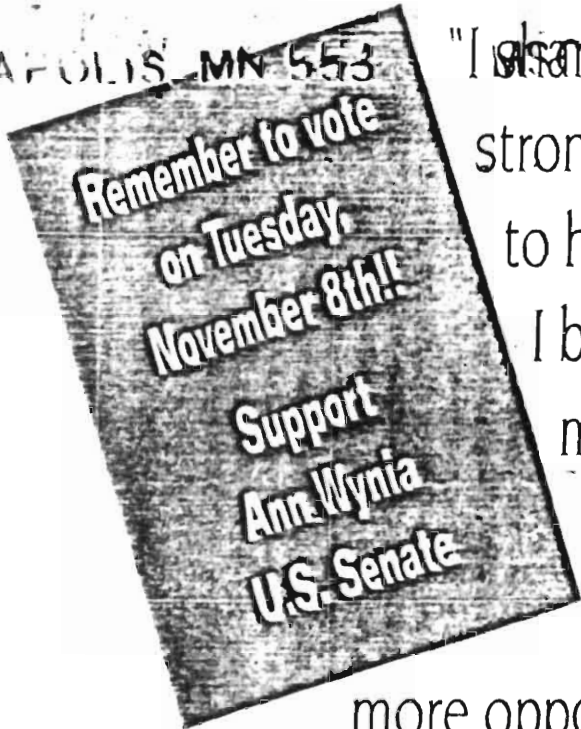
PM

1994

MINNEAPOLIS MN 553

MINNEAPOLIS MN 553 MINNEAPOLIS MN 553

MSC



strong commitment  
to home ownership.

I believe we should  
make housing  
more affordable  
and provide

more opportunities for

people to live in stable and  
supportive communities." —Ann Wynia

MP255928529335587  
T INSKIP  
ECINA RLTY INC  
5309 LYNDAL AVE SO  
MINNEAPOLIS MN 55419



REALTOR

Paid for by the National Association of REALTORS® and not authorized by any candidate or committee. All members of the REALTORS® for Wynia Committee are members of the National Association of REALTORS®. REALTOR® is a registered membership word which may be used only by real estate professionals who are members of the National Association of REALTORS® and subscribe to its strict code of ethics.







# NATIONAL ASSOCIATION OF REALTORS®

*The Voice for Real Estate®*

NATIONAL ASSOCIATION OF REALTORS®  
700 E Street, N.W.  
Washington, D.C. 20001-4507

Political and State Affairs  
202-383-1095

December 27, 1994

Mr. Tom Inskip  
5104 26th Avenue South  
Minneapolis, Minnesota 55417

Dear Mr. Inskip:

Thank you for your recent correspondence concerning the Opportunity Race mailing that you received during the November elections. The Opportunity Race program was started several years ago to increase the REALTORS® involvement in the electoral process.

The realization has been made by the volunteer committees that to be an effective force on Capitol Hill the REALTORS® must be active in their home areas. The intent of the Opportunity Race program is to channel REALTOR® grassroots assistance to those federal candidates who are strong supporters of the real estate industry. This support may be as simple as educating REALTORS® about a candidate's voting record on real estate issues to promote REALTOR® support on election day, or it may be as involved as encouraging REALTORS® to directly impact the election by volunteering their efforts to the candidate's campaign. These activities may include both educational and advocacy efforts to encourage REALTORS® to support candidates that, in turn, support the real estate industry. It is important to remember that these activities are conducted within the organization and are not directed towards the general public.

**Funding for the Opportunity Race program is provided by the RPAC Political Advocacy Fund (PAF).** PAF is funded through voluntary corporate contributions from REALTOR® firms and are forwarded by the state associations with the knowledge that they are used for activities like the Opportunity Race program. Please be assured that no dues dollars are used for these programs.

The decisions on when to conduct an Opportunity Race are made in a non-partisan manner. Additionally, each request is reviewed and approved by the respective state's RPAC Trustees and the National RPAC Trustees.

Again, thank you for your correspondence and I hope that this information is helpful.

Sincerely,

  
James L. Gregory  
Political Representative





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20460

January 26, 1995

Thomas P. Inskip  
5104 26th Ave. S.  
Minneapolis, MN 55417

RE: MUR 4175

Dear Mr. Inskip:

This letter acknowledges receipt on January 23, 1995, 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 4175. 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, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

9604374500



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 26, 1995

Treasurer  
Minnesota REALTORS for Ann Wynia  
5750 Lincoln Drive  
Edina, MN 55436

RE: MUR 4175

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Minnesota REALTORS for Ann Wynia 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 4175. 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 Minnesota REALTORS for Ann Wynia 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.

96042745041

If you have any questions, please contact me 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

9604374502



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 26, 1995

Bud Smith, Executive Vice President  
National Association of Realtors  
700 Eleventh Street, N.W.  
Washington, DC 20001

RE: MUR 4175

Dear Mr. Smith:

The Federal Election Commission received a complaint which indicates that the National Association of Realtors 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 4175. 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 National Association of Realtors 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.

96043745043

If you have any questions, please contact me 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

96043745044



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 26, 1995,

Treasurer  
RPAC Political Advocacy Fund  
c/o National Association of Realtors  
700 Eleventh Street, N.W.  
Washington, DC 20001

RE: MUR 4175

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the RPAC Political Advocacy Fund 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 4175. 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 RPAC Political Advocacy Fund 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.

96043745045

If you have any questions, please contact me 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

0604745046



**THOMSEN & NYBECK, P.A.**  
ATTORNEYS AT LAW

Suite 600, Edinborough Corporate Center East  
3300 Edinborough Way • Edina, MN 55435-5962

(612) 835-7000 • FAX: (612) 835-9450

GORDON V. JOHNSON  
JOHN K. BOUQUET  
JAMES VAN VALKENBURG  
MARK G. OHNSTADT

DONALD D. SMITH  
MARSH J. HALBERG  
WILLIAM E. SJÖHOLM  
THOMAS R. KELLEY

DENNIS M. PATRICK  
DAVID J. MCGEE  
BECKY TOEVS ROONEY

OF COUNSEL  
JACK W. CARLSON  
HELGE THOMSEN, Retired  
GLENN G. NYBECK, Retired

February 13, 1995

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

RE: MUR 4175

Dear Ms. Taksar:

This letter is submitted in response to your letter dated January 26, 1995 addressed to Minnesota REALTORS® for Ann Wynia, 5750 Lincoln Drive, Edina, MN 55436.

We represent the Minnesota Association of REALTORS® ("MAR") whose offices are located at 5750 Lincoln Drive, Edina, MN 55436. The MAR did not pay any expenses related to the mailing in question. The only function performed by the MAR staff with respect to the mailing was delivery of that mailing to the post office, which involved a nominal amount of time. Such a nominal amount of time is well below the \$2000 threshold for making a "Corporate Communication Costs" report filing, (Form 7) with the FEC.

The mailing references the REALTORS® for Ann Wynia Committee and bears the return address identification of "Minnesota REALTORS® for Ann Wynia" using the MAR's address. There is no independent committee or separate entity formed which operates under the name "REALTORS® for Ann Wynia" or "Minnesota REALTORS® for Ann Wynia". There are a number of Minnesota REALTORS® who did in fact support the campaign of Ann Wynia and they are referred to generically by the aforementioned phrases.

Because there was no such entity formed, for convenience and ease of reference, the MAR's address was used as a return address on the mailing.

I trust this provides you with the information needed to conclude that no violation of the Federal Election Campaign Act of 1971 occurred. If you have any questions, please call me at the above telephone number.

FEB 14 1 17 PM '95

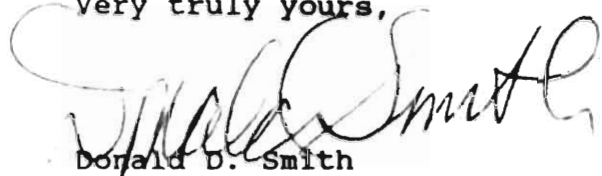
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1450

Mary L. Taksar, Attorney  
Central Enforcement Docket  
Page 2  
February 13, 1995

Finally, I am enclosing a Statement of Designation of Counsel, designating the undersigned as counsel in this matter for the Minnesota Association of REALTORS®.

Very truly yours,



Donald D. Smith

DDS:jmr

Enc.

cc: Minnesota Association of REALTORS®

101 / 450 8

**STATEMENT OF DESIGNATION OF COUNSEL**RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

FEB 14 1 19 PM '95

**MUR** 4175  
**NAME OF COUNSEL:** Donald D. Smith  
**ADDRESS:** Thomsen & Nybeck, P.A.  
3300 Edinborough Way, Suite 600  
Edina, MN 55435  
**TELEPHONE:** (612) 835-7000

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.

13 FEB. '95  
Date

James Mahe  
Signature  
Executive Vice President

**RESPONDENT'S NAME:** Minnesota Association of Realtors  
**ADDRESS:** 5750 Lincoln Drive  
Edina, MN 55436  
**HOME PHONE:** NA  
**BUSINESS PHONE:** 612 935-8313

9604374509



NATIONAL ASSOCIATION  
OF REALTORS®

REALTOR®

*The Voice for Real Estate®*

NATIONAL ASSOCIATION OF REALTORS®  
130 North Michigan Avenue  
Chicago, Illinois 60611-4087

Legal Affairs  
Telephone 312 329 8270

Fax 312 329 8256

Legal Affairs Facsimile: 312/329-8256

Writer's Direct Number: 312/329-8271

February 13, 1995

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

Re MUR 4175

Dear Ms. Taksar:

This letter is submitted in response to yours dated January 26, 1995 (received on January 31, 1995) on behalf of the NATIONAL ASSOCIATION OF REALTORS® and the "RPAC Political Advocacy Fund" and the "Treasurer" thereof (but see discussion below). Enclosed is a Statement of Designation of Counsel designating the undersigned as counsel in this matter for the named parties. For the reasons set forth below, no violation of the Federal Election Campaign Act of 1971, as amended, occurred in connection with the activities described in the complaint, and no further action is warranted in this matter.

Initially I wish to address the identity of the parties to whom your letter is directed. The NATIONAL ASSOCIATION OF REALTORS® ("NAR") is an incorporated trade association whose members include individuals engaged in all aspects of the real estate business. Also designated as members are approximately 1800 State or local Associations or Boards of REALTORS®, most of whom are also incorporated. Included in the latter group is the Minnesota Association of REALTORS® ("MAR"), located at 5750 Lincoln Drive, Edina, Minnesota 55436. All members of MAR are also members of NAR.

The REALTORS® Political Action Committee is the separate segregated fund of the NATIONAL ASSOCIATION OF REALTORS®, registered with the Commission as a multi-candidate political committee, FEC Identification Number C000 30718. The Committee is informally known and referred to among the members and staff of NAR, as well as in the PAC community in general, as "RPAC."

The "RPAC Political Advocacy Fund" is not an independent entity or organization at all, and in fact that name is a misnomer, albeit an innocuous one. Because the operation of RPAC is one of the dominant political activities of NAR, certain political activities lawfully conducted by



NAR, rather than by RPAC, are nevertheless loosely referred to by NAR members and staff as "RPAC" activities. Of particular relevance to this matter are partisan communication activities conducted from time to time by NAR, as permitted under 2 U.S.C. 431(9)(B)(iii) and 441b(b)(2), and 11 C.F.R. 114.3. Because of the inherently political nature of such activities, and specifically because they involve efforts related to the election of candidates for Federal office, however, they are at times referred to as "RPAC" activities even though all expenditures incurred in making such communications are paid from funds of NAR. Accordingly, the "Political Advocacy Fund" is, as noted above, not an independent organization or entity in any respect, but merely an internal program name given to certain activities conducted by the NATIONAL ASSOCIATION OF REALTORS®, rather than RPAC. None of the expenditures of that program are made from funds of RPAC, but all are instead made entirely from monies collected by NAR for that and other political purposes.

The particular communication complained about here is one such partisan communication made by NAR. This communication was distributed by NAR only to members of NAR (who, in this case, are also members of MAR). As expressly indicated in the communication itself, the expenses of production and distribution of the communication were paid virtually exclusively by the NATIONAL ASSOCIATION OF REALTORS®.<sup>1</sup> The only exception to NAR's payment of all such expenses is the fact that an MAR employee delivered the printed, sorted, sealed and postage-bearing letters to the post office for mailing. MAR's expenses in doing so were well below the \$2,000 threshold for making a "Corporate Communication Costs" report filing (Form 7) with the FEC. NAR's expenses in making this communication, on the other hand, were duly reported to the FEC on NAR's Year-End Report of Communication Costs (see copy of relevant pages enclosed). As a result, we believe it is clear that this communication and NAR's distribution, financing and reporting of it, as well as MAR's limited involvement, complied in all respects with the Act and Regulations.

Finally, we note that the written communication at issue references the "REALTORS® for Ann Wynia Committee" and bears the return address identification of "Minnesota REALTORS® for Ann Wynia," using the address of MAR. There is, in fact, no such independent committee or entity as the "REALTORS® for Ann Wynia Committee" or "Minnesota REALTORS® for Ann Wynia." Those references are intended merely to indicate to the recipients of this communication (who, as indicated above, were all members of NAR and MAR) that Ms. Wynia's candidacy was supported by a sufficient number of members of the associations to warrant such a communication on her behalf. A group of members of MAR considered her credentials for election to the Senate, and determined that her election would serve the interests of MAR and the membership. Accordingly, NAR and MAR implemented support of her election by distributing this communication to association members.<sup>2</sup>

Note that NAR has chosen to identify itself as the sponsor of this communication despite the fact that it is limited in distribution to NAR members only and thus is not a "general public (political) advertising" to which the requirement of 2 U.S.C. section 441d(a) or 11 C.F.R. 110.11(6) apply.

Because no "REALTORS® for Ann Wynia" or "Minnesota REALTORS® for Ann Wynia"

I trust the foregoing is adequate to allow you to confirm that no violation of the Act took place, and to promptly dismiss this matter without further action. If you have questions or comments, please call me at (312) 329-8375.

Very truly yours,

Kahn W. Hol

**Ralph Holmen**  
**Senior Counsel**

RWK:kcy

committees exist, and because NAR as sponsor of this communication activity is not a political committee, 11 C.F.R. section 102.14 does not apply to prohibit the use of the candidate's name in connection with this communication to members of NAR.



# NATIONAL ASSOCIATION OF REALTORS

*The Voice for Real Estate®*

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

Finance & Tax Management Division  
Telephone 312 329 8242

Fax 312 329 3299

January 17, 1995

Federal Election Commission  
Reports and Analysis Division  
999 E. Street, NW  
Washington, DC 20463

Subject: Report of Communication Costs by Corporations and Membership  
Organizations  
NATIONAL ASSOCIATION OF REALTORS® ID# C 7000 2563

Gentlemen,

Enclosed you will find a copy of our January 31 Year-End report for communication costs covering the period of October 20 through December 31, 1994.

Please be advised of our new reporting address in connection with reports filed for Communication Costs by Corporations and Membership Organizations:

NATIONAL ASSOCIATION OF REALTORS®  
700 Eleventh Street, NW  
Washington, DC 20001

If you have any questions, please contact us at the address above.

Sincerely,

Dale Colby  
Treasurer

Encl.

JAN 25 3 57 PM '95  
RECEIVED  
DIRECTOR



# REPORT OF COMMUNICATION COSTS BY CORPORATIONS AND MEMBERSHIP ORGANIZATIONS

(See reverse side for instructions.)

<b>1. (a) NAME OF ORGANIZATION</b> <p style="text-align: center;"><b>NATIONAL ASSOCIATION OF REALTORS</b></p>	<b>2. IDENTIFICATION NUMBER (Assigned by FEC)</b> <p style="text-align: center;"><b>C 7000 2563</b></p>
<b>(b) ADDRESS (Number and Street)</b> <p style="text-align: center;"><b>700 ELEVENTH STREET, NW</b></p>	<b>3. TYPE OF ORGANIZATION (Check Appropriate Box)</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Corporation  <input type="checkbox"/> Labor Organization  <input type="checkbox"/> Membership Organization         </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Trade Association  <input type="checkbox"/> Cooperative  <input type="checkbox"/> Corporation without capital stock         </div> </div>
<b>(c) CITY, STATE AND ZIP CODE</b> <p style="text-align: center;"><b>WASHINGTON, DC 20001</b></p>	

**4. TYPE OF REPORT (Check One):**

☐ April 15 Quarterly Report     
 ☐ July 15 Quarterly Report     
 ☐ October 15 Quarterly Report

☐ 12 Day Pre-General Election Report held on \_\_\_\_\_ in the State of \_\_\_\_\_  
 (date)

☒ January 31 Year End Report

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

**5. THIS REPORT COVERS THE PERIOD** 10/20/94 **THROUGH** 12/31/94

**SUMMARY OF COMMUNICATION COSTS**

Type of Communication	Class or Category Communicated With	Date(s) of Communication	Check One		Identify Candidate, Office Sought, District and State, and Whether for Primary or General Election	Cost of Communication (Per Candidate)
			Support	Oppose		
<input checked="" type="checkbox"/> Direct Mail	<input type="checkbox"/> Executive/ Administrative Personnel	11/2	X		OLYMPIA SNOWE (R-ME-SENATE/OPEN SEAT) 1994 GENERAL ELECTION	\$12,668.57
<input type="checkbox"/> Telephone						
<input type="checkbox"/> Telegram	<input type="checkbox"/> Stockholders					
<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Members					
(Specify)						
<input checked="" type="checkbox"/> Direct Mail	<input type="checkbox"/> Executive/ Administrative Personnel	11/4	X		ANN WYNIA (D-MN-SENATE/OPEN SEAT) 1994 GENERAL ELECTION	\$14,099.06
<input type="checkbox"/> Telephone						
<input type="checkbox"/> Telegram	<input type="checkbox"/> Stockholders					
<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Members					
(Specify)						

(NOTE: For additional communications, attach separate sheets containing the same information as above.)

**TOTAL COMMUNICATION COSTS FOR THIS PERIOD** \$ PAGE 2 OF 11

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

Type or Print Name

Signature and Title of Person Designated to Sign This Report

Date

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

**WHERE TO FILE**

Federal Election Commission  
1325 K Street, N.W.

**FOR FURTHER INFORMATION CONTACT:**

Federal Election Commission  
Toll Free: 800-424-9530



**STATEMENT OF DESIGNATION OF COUNSEL**

**MUR** 4175

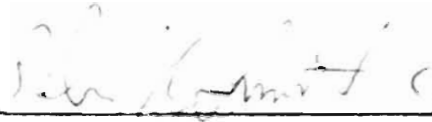
**NAME OF COUNSEL:** Ralph W. Holmen

**ADDRESS:** 430 N. Michigan Avenue  
Chicago, Illinois 60611

**TELEPHONE:** (312) 329-8375

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

Feb. 13, 1995  
**Date**

  
**Signature** Bud Smith  
Executive Vice President

**RESPONDENT'S NAME:** NATIONAL ASSOCIATION OF REALTORS+

**ADDRESS:** 430 N. Michigan Avenue  
Chicago, Illinois 60611

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

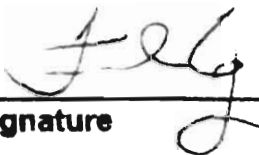
**BUSINESS PHONE:** (312) 329-8200

2694 / 4505

**STATEMENT OF DESIGNATION OF COUNSEL****MUR**      **4175****NAME OF COUNSEL:**      Ralph W. Holmen**ADDRESS:**              430 N. Michigan Avenue  
Chicago, IL 60611**TELEPHONE:**            312/329-8375

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

2-12-95  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature

**RESPONDENT'S NAME:** Treasurer  
RPAC Political Advocacy Fund  
c/o NATIONAL ASSOCIATION OF REALTORS®

**ADDRESS:**              700 Eleventh Street, N.W.  
Washington, DC 20001

**BUSINESS PHONE:**      202/383/1000

304 / 450 - 6



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 18, 1996

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

RE: MUR 4175

Dear Ms. Sampson

You requested on your 1995 Year End Report that the Federal Election Commission permit the Wynia for Senate Committee ("Committee") to terminate pursuant to 2 U.S.C. § 433(d) and Section 102.3 of the Commission's Regulations. Because of the ongoing enforcement matter involving your Committee, this request has been denied. Therefore, you are reminded that the Committee must continue to file all the required reports with the Commission until such time as the enforcement matter has been closed as to the Committee.

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

cc: Reports Analysis Division

96043 / 45037

**BEFORE THE FEDERAL ELECTION COMMISSION**

AUG 14 4 57 PM '96

In the Matter of

)  
)  
)  
Enforcement Priority

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. INTRODUCTION**

In accordance with the objectives of the Enforcement Priority System ("EPS") adopted by the Commission in May 1993, the Office of the General Counsel has periodically recommended that the Commission not pursue cases that are stale or that, in comparison to other pending matters, do not appear to warrant the use of the Commission's limited resources. This General Counsel's Report recommends the Commission not pursue 43 cases that fall within these categories.

**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 Commission 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.

96042745068

Having evaluated incoming matters, this Office has identified 24 cases which do not warrant further pursuit relative to other pending matters.<sup>1</sup> A short description of 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. Attachments 1-24. As the Commission has previously requested, we have also attached responses and referral materials where that information has not been circulated previously to the Commission. Attachment 25.

### B. Stale Cases

Investigations are severely impeded and require relatively greater resources when the activity, and the evidence of the activity, are old. Accordingly, the Office of the 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 19 cases that

this Office believes are now too old to warrant the use of the Commission's resources

<sup>1</sup> These matters are: MUR 4227 (Wellstone for Senate) (Attachment 1); MUR 4273 (Jesse Wineberry) (Attachment 2); MUR 4290 (Lincoln Club of Riverside County) (Attachment 3); MUR 4292 (Congressman Ron Packard) (Attachment 4); MUR 4293 (Willie Colon for Congress) (Attachment 5); MUR 4294 (Alan Keyes for President '96) (Attachment 6); MUR 4299 (UAW-V-CAP) (Attachment 7); MUR 4312 (Sonoma County Republicans) (Attachment 8); MUR 4316 (Ross Perot) (Attachment 9); MUR 4318 (Patrick Combs for Congress) (Attachment 10); MUR 4324 (Buchanan for President) (Attachment 11); MUR 4325 (Dan Garstecki for Congress '96) (Attachment 12); MUR 4329 (Golden Door) (Attachment 13); MUR 4330 (Trice Harvey) (Attachment 14); MUR 4333 (WSB-TV) (Attachment 15); MUR 4334 (Cox Communications) (Attachment 16); MUR 4336 (WSB-TV) (Attachment 17); MUR 4339 (WSB-TV) (Attachment 18); MUR 4348 (Soglin for Congress) (Attachment 19); MUR 4359 (Francis Thompson for Congress) (Attachment 20); MUR 4360 (Wesland Committee) (Attachment 21); MUR 4363 (WSB-TV) (Attachment 22); MUR 4364 (Friends of Jimmy Blake) (Attachment 23) and Pre-MUR 328 (Department of the Interior) (Attachment 24).

Because our recommendation not to pursue these cases is based on their staleness, this Office has not prepared separate narratives for these cases. we have attached responses and referral materials in those instances where the information was not previously circulated. Attachments 26-45.

This Office recommends the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective September 3, 1996. By closing the cases effective that day, CED and the Legal Review Team each will have the necessary time to prepare closing letters and case files for the public record.

96040 / 45000

### III. RECOMMENDATIONS

A. Decline to open a MUR, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

- 1) Pre-MUR 293
- 2) Pre-MUR 311
- 3) Pre-MUR 328
- 4) RAD Referral 95L-03
- 5) RAD Referral 95L-11
- 6) RAD Referral 95L-16
- 7) RAD Referral 95L-22
- 8) RAD Referral 95NF-21

B. Take no action, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

- 1) MUR 4061
- 2) MUR 4074
- 3) MUR 4101
- 4) MUR 4146
- 5) MUR 4151
- 6) MUR 4175
- 7) MUR 4180
- 8) MUR 4184
- 9) MUR 4198
- 10) MUR 4201
- 11) MUR 4227
- 12) MUR 4232
- 13) MUR 4273
- 14) MUR 4290
- 15) MUR 4292
- 16) MUR 4293
- 17) MUR 4294
- 18) MUR 4299
- 19) MUR 4312
- 20) MUR 4316
- 21) MUR 4318
- 22) MUR 4324
- 23) MUR 4325
- 24) MUR 4329
- 25) MUR 4330
- 26) MUR 4333
- 27) MUR 4334

9 3 0 4 3 7 4 5 0 6 1

- 28) MUR 4336
- 29) MUR 4339
- 30) MUR 4348
- 31) MUR 4359
- 32) MUR 4360
- 33) MUR 4363
- 34) MUR 4364

C. Take no further action, close the file effective September 3, 1996, and approve the appropriate letters in MUR 3826.

Date

8/14/96

Lawrence M. Noble  
General Counsel

96042745062



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Enforcement Priority. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 21, 1996, the Commission took the following actions on the General Counsel's August 14, 1996 report on the above-captioned matter:

1. Decided by a vote of 5-0:

A. Decline to open a MUR, close the file effective September 3, 1996, and approve the appropriate letters in each of the following matters:

- 1) Pre-MUR 293
- 2) Pre-MUR 311
- 3) Pre-MUR 328
- 4) RAD Referral 95L-03
- 5) RAD Referral 95L-11
- 6) RAD Referral 95L-16
- 7) RAD Referral 95L-22
- 8) RAD Referral 95NP-21

B. Take no action, close the file effective September 3, 1996, and approve the appropriate letters in each of the following matters:

- 1) MUR 4061
- 2) MUR 4074
- 3) MUR 4101
- 4) MUR 4146
- 5) MUR 4151
- 6) MUR 4175
- 7) MUR 4180
- 8) MUR 4184
- 9) MUR 4198

(continued)

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Federal Election Commission  
Certification for Enforcement  
Priority  
August 23, 1996

Page 2

- 10) MUR 4227
- 11) MUR 4232
- 12) MUR 4273
- 13) MUR 4290
- 14) MUR 4292
- 15) MUR 4293
- 16) MUR 4294
- 17) MUR 4299
- 18) MUR 4312
- 19) MUR 4316
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- 21) MUR 4324
- 22) MUR 4325
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- 25) MUR 4333
- 26) MUR 4334
- 27) MUR 4336
- 28) MUR 4339
- 29) MUR 4348
- 30) MUR 4359
- 31) MUR 4360
- 32) MUR 4363
- 33) MUR 4364

Commissioners Aikens, Elliott, McDonald,  
McGarry, and Thomas voted affirmatively with  
respect to each of the above-noted matters.

Attest:

8-26-96  
Date

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

Received in the Secretariat: Wed., Aug. 14, 1996 4:56 p.m.  
Circulated to the Commission: Fri., Aug. 16, 1996 12:00 p.m.  
Deadline for vote: Wed., Aug. 21, 1996 4:00 p.m.

bjr

9604374504



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

SEP 13 1996

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Thomas P. Inskip  
5104 26th Avenue S.  
Minneapolis, MN 55417

RE: MUR 4175

Dear Mr. Inskip:

On January 23, 1995, 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 exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on September 3, 1996. This matter will become part of the public record within 30 days.

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

Sincerely,

Colleen T. Sealander, Attorney  
Central Enforcement Docket



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Donald D. Smith  
THUMSEN & NYBECK, P.A.  
3300 Edinborough Way, Suite 600  
Edina, MN 55435

SEP 13 1996

RE: MUR 4175  
Minnesota Realtors for Ann Wynia

Dear Mr. Smith:

On January 26, 1995, the Federal Election Commission notified your client, Minnesota Realtors for Ann Wynia, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against Minnesota Realtors for Ann Wynia. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on September 3, 1996.

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

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400

Sincerely,

Colleen T. Sealander, Attorney  
Central Enforcement Docket



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

SEP 13 1996

Ralph W. Holmen  
430 N. Michigan Avenue  
Chicago, Illinois 60611

RE: MUR 4175

National Association of Realtors, RPAC Political Advocacy Fund and its treasurer

Dear Mr. Holmen:

On January 26, 1995, the Federal Election Commission notified your clients, National Association of Realtors, RPAC Political Advocacy Fund and its 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 exercised its prosecutorial discretion to take no action against your clients. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on September 3, 1996.

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

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Colleen T. Sealander, Attorney  
Central Enforcement Docket



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

THIS IS THE END OF MUR # ~~4451~~ 4175

DATE FILMED 10-9-96 CAMERA NO. 2

CAMERAMAN JMN

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