



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

THIS IS THE BEGINNING OF MUR # 4556

DATE FILMED 1/16/98 CAMERA NO. 2

CAMERAMAN EES

980438550/1



**National Republican Congressional Committee**

Bill Paxon, M.C.  
Chairman

Maria Cino  
Executive Director

**ORIGINAL**

October 30, 1996

**BEFORE THE FEDERAL ELECTIONS COMMITTEE**

JIM WIGGINS FOR CONGRESS

MUR #

4556

Oct 30 5 22 PM '96

FEDERAL ELECTION  
COMMISSION  
OFFICE OF SECRETARY

**COMPLAINT**

The National Republican Congressional Committee ("N.R.C.C."), by and through its Executive Director, Maria Cino, brings this complaint pursuant to 2 U.S.C. sec. 437g(a)(1). The N.R.C.C. is located at 320 First Street, S.E., Washington, D.C. 20003.

**I. SUMMARY**

Jim Wiggins for Congress has been making personal use of campaign funds. Specifically, 29 cents of each dollar spent by the Committee in the months of July, August and September went to candidate Jim Wiggins' own account, personally enriching him. Furthermore, the Committee failed to account for an over-\$20,000 debt (for a car for Mr. Wiggins) that disappeared between reports -- this debt was neither reported outstanding nor reported repaid. The Wiggins' Committee early issuance of runner-up prizes for its candidate is neither lawful nor seemly.

**II. FACTS & VIOLATIONS OF LAW**

According to the Wiggins for Congress Committee's own report, candidate Jim Wiggins drew a "salary" for his efforts in running for Congress. Specifically, Wiggins personally pocketed \$18,900 during the third quarter -- 29 cents of each dollar spent by his Committee.

When promulgating its latest personal use rules, the Commission did not specifically rule regarding candidate "salaries." But prior Commission precedent clearly frowns upon such personal enrichment by candidates. *See FEC Advisory Opinion 1987-1 (A principal campaign committee may not use excess campaign funds to reimburse the candidate for wages not earned during the campaign).* And even the new rules do not permit candidates to pocket 29% of their total expenses -- liberal allies of Mr. Wiggins such as Massachusetts Senator Ted Kennedy would pocket hundreds of thousands of dollars thereby.

Wiggins for Congress also failed to report an outstanding debt that may itself represent further personal use. Wiggins for Congress reports campaign debt of \$23,781.15 on its July 15, 1996 report (from the prior purchase of a car for Mr. Wiggins), yet no debt whatsoever on its subsequent report. This debt is never reported as being paid off through any disbursements by the campaign. Campaign debts cannot disappear, even if paid by the candidate.

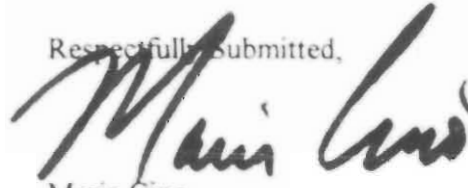
320 First Street, S.E.  
Washington, D.C. 20003  
(202) 479-7020

9 3 0 4 7 8 5 5 0 / 3

**III. PRAYER FOR RELIEF**

The Commission should investigate the Jim Wiggins for Congress Committee and the obvious personal use it is making of its funds. Certainly a candidate's skimming 29 cents from each dollar spent for personal enrichment violates federal law under 2 U.S.C. sec. 439a. In addition, the Commission should investigate where the \$20,000 automobile loan went and how it disappeared from Wiggins' FEC reports without ever having been reported repaid. The Commission should take all necessary and appropriate measures to ensure that the Wiggins Committee corrects the deficiencies in its report, returns Committee funds put to improper personal use, and complies with federal law in the future

Respectfully Submitted,



Maria Cino  
Executive Director

DISTRICT of COLUMBIA

Sworn and subscribed to before  
me this 20th day of October, 1996



NOTARY PUBLIC

My commission expires:

Notary Public, District of Columbia  
My Commission Expires July 14, 1999

**SCHEDULE C**

**ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page

PAGE 8 OF 8  
FOR LINE NUMBER 7

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

NAME OF COMMITTEE (in Full)

JIM WIGGINS CONGRESS

A. Full Name, Mailing Address and ZIP Code WHEELER D. ... MR. & SECOND ... SUPERSTON, IA	Code 18	Purpose of Disbursement ADVERTISING Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 9-20-96	Amount of Each Disbursement This Period 49.14
B. Full Name, Mailing Address and ZIP Code WHI. FIELDS RES	Code WRANT	Purpose of Disbursement RECEPTION FEE Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 8-9-96 8-20-96	Amount of Each Disbursement This Period 50.00 330.00
C. Full Name, Mailing Address and ZIP Code WHOLESALE BUILDERS SUPPLY		Purpose of Disbursement SIGN SUPPLIES Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 9-3-96	Amount of Each Disbursement This Period 143.81
D. Full Name, Mailing Address and ZIP Code JIM WIGGINS 302 EVERGREEN CIR EASTMAN, GA 31023		Purpose of Disbursement SALARY & EXPENSES Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 7-1-96 7-11-96 7-14-96	Amount of Each Disbursement This Period 5400.00 651.77 2700.00
E. Full Name, Mailing Address and ZIP Code JIM WIGGINS 302 EVERGREEN CIR EASTMAN, GA 31023		Purpose of Disbursement SALARY & EXPENSES Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 8-1-96 8-8-96 8-15-96	Amount of Each Disbursement This Period 2700.00 685.94 2700.00
F. Full Name, Mailing Address and ZIP Code JIM WIGGINS 302 EVERGREEN CIR EASTMAN, GA 31023		Purpose of Disbursement SALARY & EXPENSES Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 9-3-96 9-3-96 9-18-96	Amount of Each Disbursement This Period 52.97 2700.00 2700.00
G. Full Name, Mailing Address and ZIP Code WUFF RADIO		Purpose of Disbursement ADVERTISING Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 9-19-96	Amount of Each Disbursement This Period 50.00
H. Full Name, Mailing Address and ZIP Code		Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code		Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Period (optional)

20,913.43

TOTAL This Period (see page this number only)

44,171.42

# REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)

RECEIVED  
FEDERAL ELECTION COMMISSION  
PUBLIC DISCLOSURE DIVISION

96 JUL 18 PM 12:38

USE FEC MAILING LABEL  
OR  
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) <b>JIM WIGGINS FOR CONGRESS</b>		2. FEC IDENTIFICATION NUMBER <b>C00318873</b>
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported <b>302 EVERGREEN CIRCLE</b>		
CITY, STATE and ZIP CODE <b>EASTMAN, GA 31023</b>	STATE/DISTRICT <b>8 - GA</b>	
3. IS THIS REPORT AN AMENDMENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

## 4. TYPE OF REPORT

- |   |  |
|---|--|
| <input type="checkbox"/> April 15 Quarterly Report                        | <input type="checkbox"/> 12-Day Pre-Election Report for the _____ (Type of Election)<br>election on _____ in the State of _____  |
| <input checked="" type="checkbox"/> July 15 Quarterly Report              | <input type="checkbox"/> 30-Day Post-Election Report for the _____ (Type of Election)<br>election on _____ in the State of _____ |
| <input type="checkbox"/> October 15 Quarterly Report                      | <input type="checkbox"/> Termination Report  |
| <input type="checkbox"/> January 31 Year End Report                       |  |
| <input type="checkbox"/> July 31 Mid-Year Report (Non-election Year Only) |  |

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

## SUMMARY

5	Covering Period <b>20 JUNE 96</b> through <b>30 JUNE 96</b>	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6	Net Contributions (other than loans)		
(a)	Total Contributions (other than loans) (from Line 11(e))	13,128.81	35,858.81
(b)	Total Contribution Refunds (from Line 20(d))	-0-	-0-
(c)	Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	13,128.81	35,858.81
7	Net Operating Expenditures		
(a)	Total Operating Expenditures (from Line 17)	1,300.52	13,212.47
(b)	Total Offsets to Operating Expenditures (from Line 14)	-0-	-0-
(c)	Net Operating Expenditures (subtract Line 7(b) from 7(a))	1,300.52	13,212.47
8	Cash on Hand at Close of Reporting Period (from Line 27)	26,162.44	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-219-3420
9	Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	-0-	
10	Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	23,781.15	

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

Type or Print Name of Treasurer <b>H. E. AARDIN</b>	Date <b>7-15-96</b>
Signature of Treasurer <i>[Signature]</i>	

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

FEC FORM 3  
(revised 4/87)

## REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

Oct 19 8 14 AM '96

USE FEC MAILING LABEL  
OR  
TYPE OR PRINT

1. NAME OF COMMITTEE (In full) <b>JIM WIGGINS FOR CONGRESS</b>		2. FEC IDENTIFICATION NUMBER <b>C00318873</b>
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported. <b>302 EVERGREEN CIRCLE</b>		
CITY, STATE and ZIP CODE <b>EASTMAN, GA 31023</b>	STATE/DISTRICT <b>GA-8<sup>H</sup></b>	3. IS THIS REPORT AN AMENDMENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

## 4. TYPE OF REPORT

- ☐ April 15 Quarterly Report
- ☐ July 15 Quarterly Report
- ☒ October 15 Quarterly Report
- ☐ January 31 Year End Report
- ☐ July 31 Mid-Year Report (Non-election Year Only)
- ☐ 12-Day Pre-Election Report for the \_\_\_\_\_ (Type of Election)  
election on \_\_\_\_\_ in the State of \_\_\_\_\_
- ☐ 30-Day Post-Election Report for the \_\_\_\_\_ (Type of Election)  
election on \_\_\_\_\_ in the State of \_\_\_\_\_
- ☐ Termination Report

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

## SUMMARY

5. Covering Period <u>7/1/96</u> through <u>9/30/96</u>	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	125,673.00	161,531.81
(b) Total Contribution Refunds (from Line 20(d))	- 0 -	- 0 -
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	125,673.00	161,531.81
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	64,171.42	77,383.89
(b) Total Offsets to Operating Expenditures (from Line 14)	- 0 -	- 0 -
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	64,171.42	77,383.89
8. Cash on Hand at Close of Reporting Period (from Line 27)	87,664.02	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	- 0 -	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	- 0 -	

For further information  
contact:  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Toll Free 800-424-9530  
Local 202-218-3420

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

Type or Print Name of Treasurer

Signature of Treasurer

Date

10/15/96

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

FEC FORM 3

(revised 4/87)

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NAME OF COMMITTEE (in Full)

JIM WIGGINS FOR CONGRESS COMMITTEE

<p>A. Full Name, Mailing Address and ZIP Code Thomas W. Malone Two Ravinia Dr, Suite 300 Atlanta, GA 30346</p>	<p>Name of Employer  Occupation Attorney</p>	<p>Date (month, day, year) 8-20-96</p>	<p>Amount of Each Receipt this Period 1000.00</p>
<p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Aggregate Year-to-Date &gt; \$ 1000.00</p>		
<p>B. Full Name, Mailing Address and ZIP Code F. Page Newton 6120 Broad Branch Rd, NW Washington, DC 20015</p>	<p>Name of Employer  Occupation Attorney</p>	<p>Date (month, day, year) 9-27-96</p>	<p>Amount of Each Receipt this Period 200.00</p>
<p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Aggregate Year-to-Date &gt; \$ 200.00</p>		
<p>C. Full Name, Mailing Address and ZIP Code Samuel W. Oates P.O. Box 20 Columbus, GA 31902</p>	<p>Name of Employer  Occupation Attorney</p>	<p>Date (month, day, year) 9-26-96</p>	<p>Amount of Each Receipt this Period 2000.00</p>
<p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Aggregate Year-to-Date &gt; \$ 2000.00</p>		
<p>D. Full Name, Mailing Address and ZIP Code Mrs. Samuel W. Oates, Jr. PO Box 20 Columbus, GA</p>	<p>Name of Employer  Occupation homemaker</p>	<p>Date (month, day, year) 8-15-96</p>	<p>Amount of Each Receipt this Period 1000.00</p>
<p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Aggregate Year-to-Date &gt; \$ 1000.00</p>		
<p>E. Full Name, Mailing Address and ZIP Code Page Pate 6156 Brookwood Valley Circle Atlanta, GA 30309</p>	<p>Name of Employer  Occupation Attorney</p>	<p>Date (month, day, year) 7-13-96</p>	<p>Amount of Each Receipt this Period 650.00</p>
<p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Aggregate Year-to-Date &gt; \$ 650.00</p>		
<p>F. Full Name, Mailing Address and ZIP Code Mrs. C. Neal Pope 3171 Habersham Rd, NW Atlanta, GA 30305</p>	<p>Name of Employer  Occupation homemaker</p>	<p>Date (month, day, year) 9-26-96 7-8-96</p>	<p>Amount of Each Receipt this Period 500.00 500.00</p>
<p>Receipt For: <input checked="" type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Aggregate Year-to-Date &gt; \$ 1000.00</p>		
<p>G. Full Name, Mailing Address and ZIP Code Bobby Ross 1021 Ranch Rd, 6205, Ste D Austin, TX 78734</p>	<p>Name of Employer  Occupation Best Effort</p>	<p>Date (month, day, year) 9-17-95</p>	<p>Amount of Each Receipt this Period 500.00</p>
<p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Aggregate Year-to-Date &gt; \$ 500.00</p>		

SUBTOTAL of Receipts This Page (optional)

6350

TOTAL This Period (last page this line number only)



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

**LOANS**

 Page 1 of 1  
 LINE NUMBER 13  
 (Use separate schedule  
 for each numbered line)

Name of Committee (in Full)

**JIM WIGGINS for CONGRESS**

A. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
<b>JAMES WIGGINS</b> <b>302 EVERGREEN CIRCLE</b> <b>EASTMAN, GA 31023</b>		4941.66	-0-	4941.66
Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): Terms: Date Incurred <u>26 Apr 96</u> Date Due _____ Interest Rate <u>0</u> % (apr) Secured _____				
List All Endorsers or Guarantors (if any) to Item A				
1. Full Name, Mailing Address and ZIP Code		Name of Employer		
		Occupation		
		Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code		Name of Employer		
		Occupation		
		Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code		Name of Employer		
		Occupation		
		Amount Guaranteed Outstanding: \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
<b>FORD MOTOR CREDIT CO.</b> <b>5400 RIVERSIDE DR SUITE 201</b> <b>P.O. BOX 7187 MACON, GA 31298-9990</b>		19,265.05	425.56	18,839.49
Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): Terms: Date Incurred <u>3 MAY 96</u> Date Due _____ Interest Rate <u>29</u> % (apr) Secured _____				
List All Endorsers or Guarantors (if any) to Item B				
1. Full Name, Mailing Address and ZIP Code		Name of Employer		
<b>JAMES WIGGINS</b> <b>302 EVERGREEN CIRCLE</b> <b>EASTMAN, GA 31023</b>		SELF		
		Occupation		
		CANDIDATE		
		Amount Guaranteed Outstanding: \$		
		\$ 18,839.49		
2. Full Name, Mailing Address and ZIP Code		Name of Employer		
		Occupation		
		Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code		Name of Employer		
		Occupation		
		Amount Guaranteed Outstanding: \$		

SUBTOTALS This Period This Page (optional)

23,781.15

TOTALS This Period (last page in this line only)

23,781.15

Carry outstanding balances only to LINE 3, Schedule D, for this Sec. If no Schedule D, carry forward to appropriate line of Summary.

2304855078



SCHEDULE B

ITEMIZED DISBURSEMENTS

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE 1 OF 1  
FOR LINE NUMBER 21

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

NAME OF COMMITTEE (in Full)

JIM WIGGINS FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code WAY BROTHERS FORD 530 BROAD STREET HAWKINSVILLE, GA. 31036	Purpose of Disbursement Purchase Automobile Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 5-3-96	Amount of Each Disbursement This Period 20,265.05
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

20,265.05

TOTAL This Period (last page this line number only)

20,265.05



FEDERAL ELECTION COMMISSION

Washington, DC 20463

November 5, 1996

Maria Cino, Executive Director  
National Republican Congressional Committee  
320 First Street, SE  
Washington, DC 20003

RE: MUR 4556

Dear Ms. Cino:

This letter acknowledges receipt on October 30, 1996, of the complaint you filed 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 4556. 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,

A handwritten signature in dark ink, appearing to read "Colleen T. Sealander".

Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure  
Procedures



FEDERAL ELECTION COMMISSION

Washington, DC 20463

November 5, 1996

James Lamar Wiggins  
302 Evergreen Circle  
Eastman, GA 31023

RE: MUR 4556

Dear Mr. Wiggins:

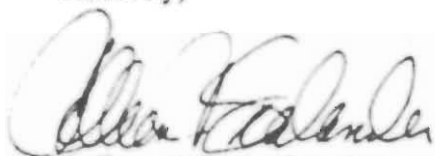
The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4556. Please refer to this number in all future correspondence.

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.

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,



Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

2

2030478550



FEDERAL ELECTION COMMISSION

Washington, DC 20463

November 5, 1996

H.E. Hardin, Treasurer  
Jim Wiggins for Congress  
302 Evergreen Circle  
Eastman, GA 31023

RE: MUR 4556

Dear H.E. Hardin:

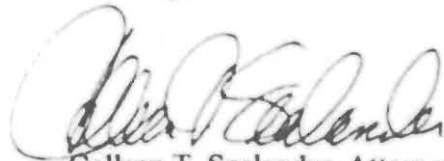
The Federal Election Commission received a complaint which indicates that Jim Wiggins for Congress ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4556. Please 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.

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,



Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

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BEFORE THE FEDERAL ELECTIONS COMMITTEE

JIM WIGGINS FOR CONGRESS )

MUR #4556 )

NOV 22 2 41 PM '96

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

RESPONSE TO COMPLAINT

I. STATEMENT OF FACTS

The, Candidate Jim Wiggins drew a salary paid out of campaign funds as did other members at the campaign staff. Said salary was properly reported to the FEC and constitutes no violation of any law, regulation or policy.

A 1996 Ford Taurus was purchased for the use of the campaign. This vehicle was dedicated exclusively to campaign related tasks and was never utilized for personal use. All related expenditures were properly reported to the FEC and no laws, regulations or policies were violated.

II. ARGUMENT

The FEC has no rule prohibiting a candidate from drawing a salary paid out of campaign funds. Nor should there be a prohibition. Campaigning for high public office is more than a full time job. This candidate averaged working ten hours a day for six days a week for the first four months of the campaign and increased that to seven days a week for the last two months. There was no time available for this candidate to work in any other meaningful wage related activity.

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Fewer than one in ten American families could survive six months without income from the primary provider. Certainly, this candidate's family did not fall within that elite ten percent. A rule against salaries would effectively mean that ninety percent of Americans could 1) not seek public office or 2) they must cheat.

This candidate could have cheated. It would have been possible to structure a sham law practice financed by consulting fees from politically friendly sources. Such a subversive scheme would have the additional benefit of evading FEC rules regarding corporations, limitations of donations, etc. But it would have been wrong because the real nature of the "fees" would have been political contributions.

This candidate decided to play by the rules and maintain his reputation for integrity. He resigned from his position as United States Attorney for the Middle District of Georgia. He gave up that salary and benefits for a lesser salary with no benefits as a candidate for Congress. However, this sacrifice was not made without reservation. This candidate literally waited until the last minute of the last hour of the last day to qualify. Only when it became an established fact that no other person would offer and provide voters a choice did Jim Wiggins resign his presidential appointment to run for Congress.

It should also be noted that this candidate never attempted to conceal or disguise the fact that he was drawing a salary. He voluntarily discussed the salary in all his early speeches and on many public appearances thereafter. After the first FEC reports

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were filed in June 1996 the incumbents campaign staff faxed edited copies of the Jim Wiggins for Congress FEC reports to every newspaper, radio and television station in the district. Several media representatives contacted this candidate for comments on the matter. One television station, WMAZ Channel 13, Macon, Georgia, stated that they had contacted the Federal Election Commission and that they had been told that salaries were not illegal. The station aired an interview with this candidate regarding the salary and the automobile.

At least one statewide political publication featured a story about the salary and the car. In his report, Bill Shipp characterized the expenditures as legal but politically risky. Thereafter every single contributor to the Jim Wiggins campaign listed in the primary FEC report received a copy of Shipp's article via U.S. mail in an unmarked envelope with no return address.

Finally, in the last days of the campaign, every television viewer in the eighth district was treated to a commercial produced by Chambliss for Congress, which suggested that the purchase of the car and the salary were illegal and the Jim Wiggins and his family were celebrating their ill gotten gains with champagne toasts.

It should be noted that no supporter or contributor ever expressed a complaint or reservation about the salary. This candidate made an early policy decision that any request for refunds on contributions would be granted. No refunds were requested. The campaign did receive some inquiries related to the automobile. Without variation the callers wanted to know the make

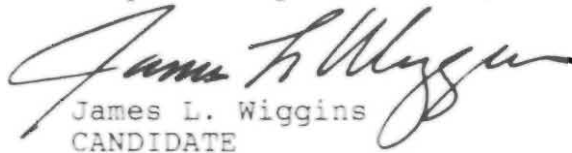
and model of the car. All were apparently satisfied when they learned that the vehicle in question was a four-door Ford Taurus. One can infer that these individuals would have disapproved of a purchase of a luxury car.

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Actually, this candidate attempted to lease a vehicle for the use of the campaign. However, the best estimate for use was 1,000 miles per week. The quoted lease rates for this mileage requirement exceeded two thousand dollars per month or more than \$12,000 for the duration of the campaign. Ford Motor Company was offering a special deal on the purchase of new Taurus's. With a \$1,000 down payment the principle balance was financed at 2.9% APR or \$425.00 per month. By purchasing the car rather than leasing it, the campaign saved over \$8,000.00. The car was used exclusively for campaign related travel. The mileage estimate proved to be amazing accurate. At the end of the campaign the odometer showed a reading of over 23,000 miles. The car will now be sold. Even if the market value of the car falls below the \$18,562.81 balance shown on Schedule D of our FEC report, the net savings to the campaign will be substantial and travel expenses will have been minimized in compliance with this Commissions stated objectives.

In summary, the allegations of violations made by Ms Cino of the N.R.C.C. are politically motivated and have no merit whatsoever. The suggestion that anyone would resign a position such as U.S. Attorney in order to enrich themselves as a political candidate is patently absurd. Although Mr. Chambliss, Ms. Cino and

the N.R.C.C. have known about the car and the salary for months they waited until the close of the campaign to file a complaint. The press release announcing the filing of this complaint was coordinated with the premier Mr. Chambliss's negative advertisements on the same subject . The sad fact is that such tactics work. Polls taken during the last full week before the election showed an even race, even though we had been outspent by a ratio of over 4 to 1. After eight days of a saturation TV campaign falsely accusing this candidate of illegal conduct, Mr. Chambliss prevailed with 52.6% of the votes. Small wonder so many Americans have lost faith in the electoral process.

Respectfully submitted,

  
James L. Wiggins  
CANDIDATE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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ENFORCEMENT PRIORITY

May 10 10 01 AM '97  
**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

This is the first Enforcement Priority Report that reflects the impact of the 1996 election cycle cases on the Commission's enforcement workload. We have identified cases that are stale which are recommended for dismissal at this time. This is the highest number of cases identified as stale in a single report, and the highest number of stale cases recommended for closure at one time, since the inception of EPS in 1993.

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## II. CASES RECOMMENDED FOR CLOSURE.

### A. Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission

EPS was created to identify pending cases which, due to the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria, resulting in a numerical rating for each case.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified cases that do not warrant further action relative to other pending matters.<sup>3</sup> Attachment I to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

### B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the

<sup>3</sup> These cases are:

RAD 97L-10 (*Citizens for Randy Borow*); RAD 97L-16 (*Republican State Central Committee of South Dakota*); Pre-MUR 347 (*Producers Lloyds Insurance Company*); Pre-MUR 348 (*Peoples National Bank of Commerce*); Pre-MUR 349 (*Trump Plaza*); Pre-MUR 350 (*Citibank, N.A.*); Pre-MUR 355 (*Feingold Senate Committee*); MUR 4494 (*Georgianna Lincoln*);

MUR 4586 (*Friends of Zach Wamp*); MUR 4590 (*Oklahoma Education Association*); MUR 4600 (*San Diego Police Officers Assoc.*); MUR 4612 (*Teresa Doggett for Congress*); MUR 4615 (*Catholic Democrats for Christian Values*); MUR 4616 (*American Legislative Exchange Council*); MUR 4620 (*Eastern Connecticut Chamber of Commerce*); MUR 4622 (*Telles for Mayor*); MUR 4628 (*Gutknecht for Congress*); MUR 4629 (*Janice Schakowsky*); MUR 4636 (*IBEW Local 505*); MUR 4637 (*Dettman for Congress*); MUR 4639 (*Larson for Congress*); MUR 4641 (*Becker for Congress*); MUR 4644 (*Detroit City Council*); MUR 4651 (*Mike Ryan*); MUR 4653 (*Pritzker for Congress*); MUR 4656 (*H. Carroll for Congress*); and MUR 4657 (*Buchanan for President*).

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means to identify those cases which, though earning a higher rating when received, remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We are recommending the closure of cases based on staleness.<sup>6</sup>

\* These cases are: MUR 4283 (*Chenoweth for Congress*); MUR 4341 (*Juan Soliz for Congress*); MUR 4402 (*U.S. Representative Helen Chenoweth*); MUR 4435 (*Lincoln for Congress*); MUR 4439 (*UAW*); MUR 4442 (*Lipinski for Congress*); MUR 4444 (*Roberts for Congress*); MUR 4445 (*Randy Tate for Congress*); MUR 4446 (*Clinton/Gore '96 Primary*); MUR 4447 (*Random House, Inc.*); MUR 4449 (*Clinton Administration*); MUR 4453 (*Mike Ward for Congress*); MUR 4454 (*Ralph Nader*); MUR 4459 (*Clinton/Gore '96*); MUR 4474 (*Saltn for Senate*); MUR 4477 (*BBDO-New York*); MUR 4481 (*Diamond Bar Caucus*); MUR 4485 (*Perot '92 Petition Committee*); MUR 4486 (*Bunda for Congress*); MUR 4495 (*Pennsylvania PACE for Federal Elections*); MUR 4496 (*Norwood for Congress*); MUR 4497 (*Pease for Congress*); MUR 4510 (*Stabenow for Congress*); MUR 4511 (*Bob Coffin for Congress*); MUR 4514 (*Friends for Franks*); MUR 4515 (*Clinton Investigative Commission*); MUR 4521 (*WMAL 630 AM*); MUR 4525 (*Senator Larry Pressler*); MUR 4527 (*Brennan for Senate*); MUR 4536 (*Signature Properties, Inc.*); MUR 4540 (*Tim Johnson for SD*); MUR 4542 (*Dan Fries for Congress*); MUR 4552 (*Charles W. Norwood*); MUR 4554 (*John Byron for Congress*); MUR 4556 (*Jim Wiggins for Congress*); MUR 4561 (*Jay Hoffman for Congress*); MUR 4564 (*National Republican Congressional Committee*); MUR 4567 (*DNC Services Corp.*); MUR 4569 (*McGovern Committee*); RAD 96L-11 (*New York Republican County Committee*); Pre-MUR 343 (*NRSC*); and Pre-MUR 312 (*Joseph Demio*). The Demio case involves fundraising related to former Congresswoman Mary Rose Oaker's 1992 congressional campaign. It was held as a courtesy to the Department of Justice pending resolution of a parallel criminal matter in the District Court for the District of Columbia. Mr. Demio recently entered into a plea agreement with the Department of Justice (on which we were not consulted) in which he agreed, among other things, to waive the statute of limitations regarding civil violations of the FECA. Considering the age of the case and activity, the fact that DOJ has not formally referred this matter to us, and the Commission's continuing resource constraints, dismissal is the appropriate disposition of this matter.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective November 17, 1997. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

### III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

RAD 96L-11

Pre-MUR 312

Pre-MUR 349

Pre-MUR 343

Pre-MUR 350

RAD 97L-10

Pre-MUR 347

Pre-MUR 355

RAD 97L-16

Pre-MUR 348

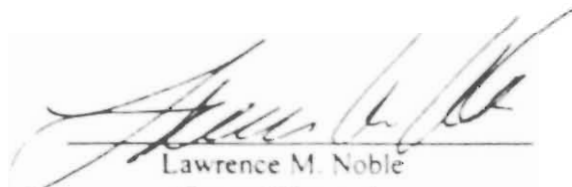
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B. Take no action, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

MUR 4283	MUR 4495	
MUR 4341	MUR 4496	MUR 4569
MUR 4402	MUR 4497	MUR 4586
MUR 4435	MUR 4510	MUR 4590
MUR 4439	MUR 4511	MUR 4600
MUR 4442	MUR 4514	MUR 4612
MUR 4444	MUR 4515	MUR 4615
MUR 4445		MUR 4616
MUR 4446	MUR 4521	MUR 4620
MUR 4447	MUR 4525	MUR 4622
MUR 4449	MUR 4527	MUR 4628
MUR 4453	MUR 4536	MUR 4629
MUR 4454	MUR 4540	MUR 4636
MUR 4459	MUR 4542	MUR 4637
MUR 4474	MUR 4552	MUR 4639
MUR 4477	MUR 4554	MUR 4641
MUR 4481	MUR 4556	MUR 4644
MUR 4485	MUR 4561	MUR 4651
MUR 4486		MUR 4653
	MUR 4564	MUR 4656
MUR 4494	MUR 4567	MUR 4657

Date

7/97

  
Lawrence M. Noble  
General Counsel

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In the Matter of )  
 )  
Enforcement Priority )      Agenda Document No. X97-77

**CERTIFICATION**

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 2, 1997, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X97-77:

1. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- |    |             |     |             |
|----|-------------|-----|-------------|
| 1. | RAD 96L-11  | 7.  | Pre-MUR 347 |
|    |             | 8.  | Pre-MUR 348 |
| 3. | RAD 97L-10  | 9.  | Pre-MUR 349 |
| 4. | RAD 97L-16  | 10. | Pre-MUR 350 |
| 5. | Pre-MUR 312 | 11. | Pre-MUR 355 |
| 6. | Pre-MUR 343 |     |             |

B. Take no action, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- |    |          |     |          |
|----|----------|-----|----------|
| 1. | MUR 4283 | 6.  | MUR 4442 |
| 2. | MUR 4341 | 7.  | MUR 4444 |
| 3. | MUR 4402 | 8.  | MUR 4445 |
| 4. | MUR 4435 | 9.  | MUR 4446 |
| 5. | MUR 4439 | 10. | MUR 4447 |

(continued)

Federal Election Commission  
Certification: Agenda Document  
No. X97-77  
December 2, 1997

Page 2

11.	MUR 4449	36.	MUR 4556
12.	MUR 4453	37.	MUR 4561
13.	MUR 4454	38.	MUR 4564
14.	MUR 4459	39.	MUR 4567
15.	MUR 4474	40.	MUR 4569
16.	MUR 4477	41.	MUR 4586
17.	MUR 4481	42.	MUR 4590
18.	MUR 4485	43.	MUR 4600
19.	MUR 4486	44.	MUR 4612
20.	MUR 4494	45.	MUR 4615
21.	MUR 4495	46.	MUR 4616
22.	MUR 4496	47.	MUR 4620
23.	MUR 4497	48.	MUR 4622
24.	MUR 4510	49.	MUR 4628
25.	MUR 4511	50.	MUR 4629
26.	MUR 4514	51.	MUR 4636
27.	MUR 4515	52.	MUR 4637
28.	MUR 4521	53.	MUR 4639
29.	MUR 4525	54.	MUR 4641
30.	MUR 4527	55.	MUR 4644
31.	MUR 4536	56.	MUR 4651
32.	MUR 4540	57.	MUR 4653
33.	MUR 4542	58.	MUR 4656
34.	MUR 4552	59.	MUR 4657
35.	MUR 4554		

Commissioners Aikens, Elliott, McDonald, McGarry,  
and Thomas voted affirmatively for the decision.

Attest:

12-4-97  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 15, 1997

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ted Maness, Executive Director  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, D.C. 20003

RE: MUR 4556

Dear Mr. Maness:

On October 30, 1996, the Federal Election Commission received the complaint filed by Maria Cino 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 December 15, 1997. 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,

A handwritten signature in dark ink, appearing to read "F. Andrew Turley", is written over a rectangular area.

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 15, 1997

James Lamar Wiggins  
301 Evergreen Circle  
Eastman, GA 31023

RE: MUR 4556

Dear Mr. Wiggins:

On November 5, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against you. 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 the matter on December 15, 1997.

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 on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

A handwritten signature in dark ink, appearing to read "F. Andrew Turley".

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 15, 1997

H.E. Hardin, Treasurer  
Jim Wiggins for Congress  
301 Evergreen Circle  
Eastman, GA 31023

RE: MUR 4556

Dear H.E. Hardin:

On November 5, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against Jim Wiggins for Congress and you, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in the matter on December 15, 1997.

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 on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

A handwritten signature in dark ink, appearing to read "F. Andrew Turley", is written over a rectangular stamp area.

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4556

DATE FILMED 1/16/78 CAMERA NO. 2

CAMERAMAN SES

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