



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4559

DATE FILMED 9-23-97 CAMERA NO. 4

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Office of General Counsel  
Federal Election Commission  
999 E St. N. W.  
Washington D.C. 20004

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

OCT 31 3 24 PM '96

RE: 10th Congressional District of California

MUR 4559

Dear General Counsel:

I am filing a complaint and notifying the Commission of Congressman, Bill Baker's failure to comply with Part 110.11 Vol. 11 (revised 1/1/96) Code of Federal Campaign Regulations. Bill Baker's bill-board sized campaign signs do not display the required disclaimer that identifies the source of campaign funds.

Thank you for your immediate attention to this flagrant violation of Federal Campaign Regulations.

Sincerely,

*Terryl T. Foch*  
Terryl T. Foch  
152 Castleford Circle  
Danville, CA 94526

10/30/96

Subscribed and sworn to before me this

30 day of October 1996

*Melanie Wendell*

Notary Public in and for the  
County of Contra Costa, State of California



9104333239



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

November 5, 1996

Terryl T. Foch  
152 Castleford Circle  
Danville, CA 94526

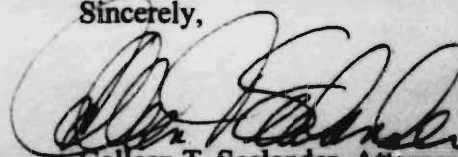
RE: MUR 4559

Dear Mr. Foch:

This letter acknowledges receipt on October 31, 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 4559. 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,

  
Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

97043835240



**FEDERAL ELECTION COMMISSION**

Washington, DC 20463

November 5, 1996

Dan E. Cold, Treasurer  
Bill Baker for Congress  
PO Box 4544  
Walnut Creek, CA 94596

RE: MUR 4559

Dear Mr. Cold:

The Federal Election Commission received a complaint which indicates that Bill Baker 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 4559. Please refer to this number in all future correspondence.

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

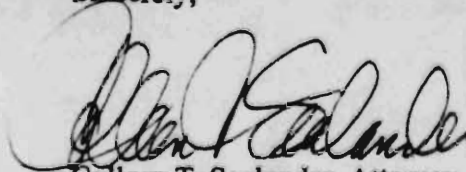
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed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

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If you have any questions, please contact Erik Morrison 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

cc: Bill Baker

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November 25, 1996



RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Nov 32 9 35 AM '96

**CONGRESSMAN BILL BAKER**

Colleen T. Sealander, Attorney  
Central Enforcement Docket  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

RE: MUR 4559

Dear Ms. Sealander:

The Bill Baker Campaign for Congress is in receipt of your letter dated November 5, 1996. Our campaign inadvertently printed, without the disclaimer, the signs referred to in the complaint. There was no attempt to hide the fact that the Baker campaign had paid for the signs. In fact, if we had been contacted we would most certainly have indicated that they were paid for by the Baker Campaign for Congress.

The signs were placed on private property (with permission of the property owner) beginning approximately two weeks before election. They were removed promptly beginning on November 6. The signs were pasted on wood and put into place by volunteers and the cost of the signs and the wood was duly reported. One paid campaign worker was the coordinator of the sign program (in addition to other duties) and his salary was duly reported. Enclosed you will find copies of the relevant pages from our report covering the period 7/1/96 through 9/30/96 and from our report covering the period 10/1/96 through 11/25/96.

Approximately 200 signs were placed. However, some signs were replacement signs for signs that were stolen, disfigured or broken. Because Bill Baker was not re-elected to Congress we have not recapped the entire sign program. Therefore, a more accurate number of sign locations is not available. By the time that your letter was received after election day, all of the signs had been removed and consequently, no action regarding the disclaimer could be taken.

It is our hope that you will see this as an honest mistake which was brought to our attention at a time too late to take corrective action.

It is our hope that this explanation will be sufficient to clarify the sign activity of Bill Baker for Congress. We will not be hiring counsel and ask that no further action be taken in this matter.

Sincerely,

Dan E. Cold, Treasurer

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## Operating Expenditures

Any information 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)

Bill Baker For Congress C00254599

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
John T. Barr P.O. Box 45909 Los Angeles, CA 90045	lease	9/13/96	\$1,407.08
	Disbursement For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
John Goerl 296 Livorna Heights Road Alamo, CA 94507	Reimbursement	9/4/96	\$400.00
	Disbursement For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
John Goerl 296 Livorna Heights Road Alamo, CA 94507	reimbursement	7/1/96 9/29/96	\$654.25 \$56.10
	Disbursement For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
John Goerl 296 Livorna Heights Road Alamo, CA 94507	reimbursement for postage	7/9/96	\$320.00
	Disbursement For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Jean Meredith 241 Shady Glen Road Walnut Creek, CA 94596	reimbursement	8/19/96	\$150.17
	Disbursement For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Alex Dehler 295 Calle La Mesa Moraga, CA 94556	salary	9/29/96 8/30/96	\$1,831.00 \$1,831.00
	Disbursement For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Cory Pickett 1480 Pine Tree Drive Alamo, CA 94507	salary	8/29/96 9/29/96	\$818.36 \$818.36
	Disbursement For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
	Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		

SUBTOTAL of Disbursements This Page (optional) ..... \$8286.32

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



## SCHEDULE B

## ITEMIZED DISBURSEMENTS

Page 6 of 13  
For Line Number 17

## Operating Expenditures

Any information 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)

Bill Baker For Congress C00254599

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Office Depot P.O. Box 29136 Atlanta, GA 30359	office supplies	7/16/96	\$186.86
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):	9/29/96	\$5.49
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Office Depot P.O. Box 29136 Atlanta, GA 30359	supplies	8/20/96	\$328.99
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Outdoor Posters, Inc. <i>Purchased 250-4x8 signs (paper)</i> 2890 Vassar Street Reno, NV 89502	signs	9/19/96	\$2,200.00
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Pacific Bell Payment Center Sacramento, CA 95887	Installation deposit	9/6/96	\$2,236.00
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Pacific Bell Payment Center Sacramento, CA 95887	Installation, Antioch and Pleasanton	9/24/96	\$1,157.25
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Pacific Bell Payment Center Sacramento, CA 95887	telephone service	9/11/96	\$236.74
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):		
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Pacific Bell Payment Center Sacramento, CA 95887	telephone services	7/10/96	\$413.85
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):	8/7/96	\$331.58
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Petty Cash P.O. Box 4544 Walnut Creek, CA 94596	misc campaign items	7/27/96	\$85.00
	Disbursement For: [ ] Primary [X] General [ ] Other (specify):		

SUBTOTAL of Disbursements This Page (optional) .....\$7,181.76

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



## SCHEDULE B

## EMIZED DISBURSEMENTS

Page      of       
For Line Number 17

## Operating Expenditures

Any information 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)

Bill Baker For Congress C00254599

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement this period
Bruce Christiansen 5019 Alhambra Valley Road Martinez, CA 94553	Reimbursement for sign materials Disbursement For: [ ] Primary [X] General [ ] Other (specify):	10/21/96	\$1,512.13
Ralph H. Cross/ 2365 Dapplegray Lane Walnut Creek, CA 94596	Purpose of Disbursement for services Disbursement For: [ ] Primary [X] General [ ] Other (specify):	11/5/96	\$1,000.00
Steve Forbes 2943 Waterford Court Vienna, VA 22181	Purpose of Disbursement Reimbursement for travel expenses Disbursement For: [ ] Primary [X] General [ ] Other (specify):	11/5/96	\$617.25
John Goerl 296 Livorna Heights Road Alamo, CA 94507	Purpose of Disbursement Reimbursement for postage Disbursement For: [ ] Primary [X] General [ ] Other (specify):	10/17/96	\$27.93
Ann Jordan 3100 Sombrero Circle San Ramon, CA 94583	Purpose of Disbursement professional services Disbursement For: [ ] Primary [X] General [ ] Other (specify):	11/5/96	\$4,000.00
Jerry Kaldem 700 Senca Court Danville, CA 94526	Purpose of Disbursement Reimbursement for postage Disbursement For: [ ] Primary [X] General [ ] Other (specify):	10/28/96	\$512.00
John Mc Donagi P.O. Box 278 Mokelumne Hill, CA 95245	Purpose of Disbursement materials for signs Disbursement For: [ ] Primary [X] General [ ] Other (specify):	11/4/96	\$129.65
Jean Meredith 261 Shady Glen Road Walnut Creek, CA 94596	Purpose of Disbursement Reimbursement Disbursement For: [ ] Primary [ ] General [ ] Other (specify):	11/9/96	\$211.75

SUBTOTAL of Disbursements This Page (optional) .....\$8,410.71

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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ENFORCEMENT PRIORITY

**SENSITIVE**

AUG 19 1997

**EXECUTIVE SESSION  
SUBMITTED LATE**

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.

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 length of their pendency in inactive status or 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 which results in a numerical rating of 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 34 cases which do not warrant further action relative to other pending matters.<sup>1</sup>

<sup>1</sup> These cases are: MUR 4470 (Ward for Congress); MUR 4478 (Citizens for Tom Reynolds); MUR 4492 (Friends of Ken Poston); MUR 4498 (Darryl Roberts for Congress); MUR 4506 (The Hon. Ted Little); MUR 4512 (Friends of Lane Evans); MUR 4517 (Unknown Respondent); MUR 4518 (Kansans for Rathbun); MUR 4520 (Larry Lerner for

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Attachment 1 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 distant in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more remote and consequently more difficult to develop. 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 these facts, EPS also provides us with the means to identify those cases which, though earning a higher rating when received, remained unassigned due to a lack of 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.

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Congress); MUR 4522 (*Republican Party of Bexar County*); MUR 4523 (*Cong. Andrea Seastrand*); MUR 4524 (*Danny Covington Campaign Fund Committee*); MUR 4526 (*Hoeffell for Congress*); MUR 4528 (*Pete King for Congress*); MUR 4529 (*Pete King for Congress*); MUR 4532 (*Citizen's Committee for Gilman for Congress*); MUR 4535 (*Visclosky for Congress*); MUR 4537 (*Di Nicola for Congress*); MUR 4541 (*Ross Perot*); MUR 4548 (*Blagojevich for Congress*); MUR 4550 (*Friends of Wamp for Congress*); MUR 4551 (*John N. Hostettler*); MUR 4557 (*De La Rosa for Congress*); MUR 4559 (*Bill Baker for Congress*); MUR 4560 (*George Stuart Jr. for Congress*); MUR 4562 (*Wayne E. Schile*); MUR 4566 (*Al Gore*); MUR 4574 (*Danny Covington Campaign Fund Committee*); MUR 4576 (*Volunteers for Shimkus*); MUR 4579 (*New Zion Baptist Church*); MUR 4580 (*Friends of Mike Forbes*); MUR 4584 (*Bill Baker for Congress*); MUR 4588 (*Navarro for Congress*); and MUR 4613 (*Gary Kelley for Congress*).

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The U.S. District Court for the District of Columbia, however, held in *Democratic Senatorial Campaign Committee v. FEC*, Civil Action No. 95-0349 (D.D.C. April 17, 1996) that 24 months was too long a time in which to hold a case in an inactive status.

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Twenty one cases have remained on the Central Enforcement Docket for a sufficient period of time to render them stale, all of which are recommended for closure in this Report.<sup>4</sup> This group includes four MURs that became stale several months ago, but were held pending criminal prosecution by the Department of Justice.<sup>5</sup> DOJ obtained convictions in the two criminal cases related to these four MURs (*U.S. v. Jay Kim* and *U.S. v. Dynamic Energy Resources*) based upon guilty pleas by the key defendants, who are also the principal respondents in our pending matters. Pursuit of civil enforcement action in view of the satisfactory results obtained in the criminal cases would not be the most effective use of the Commission's scarce resources at this time.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective August 29, 1997. Closing these cases as

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<sup>4</sup> These cases are: MUR 4274 (GOPAC); MUR 4358 (Miller for Senate); MUR 4361 (ABC-TV); MUR 4368 (Citizens Business Bank); MUR 4380 (AFGE Local 2391 PAC); MUR 4385 (Dial for Congress); MUR 4386 (Zimmer for Senate); MUR 4396 (ABC); MUR 4404 (Friends of Steve Stockman); MUR 4410 (39th Legislative District); MUR 4417 (Our Choice II); MUR 4422 (Desana for Congress Committee); and Pre-MUR 336 (Park National Bank & Trust).

<sup>5</sup> These cases are: MUR 3796 (Jay Kim for Congress); MUR 3798 (Jay Kim); MUR 4275 (Jay Kim); and MUR 4356 (Dynamic Energy Resources). In dismissing the Jay Kim cases, we also recommend closing Pre-MUR 351, which is the transmittal of the guilty plea agreement and related documentation in the criminal case against Congressman Kim forwarded by United States Attorney's office.

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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 August 29, 1997, and approve the appropriate letters in the following matters:

Pre-MUR 336

Pre-MUR 352

B. Take no action, close the file effective August 29, 1997, and approve the appropriate letters in the following matters:

MUR 3796	MUR 4396	MUR 4522	MUR 4559
MUR 3798	MUR 4404	MUR 4523	MUR 4560
MUR 4274	MUR 4410	MUR 4524	MUR 4562
MUR 4275	MUR 4417	MUR 4526	MUR 4566
	MUR 4422	MUR 4528	MUR 4574
MUR 4356	MUR 4470	MUR 4529	MUR 4576
MUR 4358	MUR 4478	MUR 4532	MUR 4579
MUR 4361	MUR 4492	MUR 4535	MUR 4580
MUR 4368	MUR 4498	MUR 4537	MUR 4584
	MUR 4506	MUR 4541	MUR 4588
MUR 4380	MUR 4512	MUR 4548	MUR 4613
MUR 4385	MUR 4517	MUR 4550	
MUR 4386	MUR 4518	MUR 4551	
	MUR 4520	MUR 4557	

8/14/97  
Date

Lawrence M. Noble (2/2)  
Lawrence M. Noble  
General Counsel

Attachment:  
Case Summaries

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In the Matter of )  
 ) Agenda Document No. X97-55  
Enforcement Priority )

**CERTIFICATION**

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on August 19, 1997, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions with respect to Agenda Document No. X97-55:

- A. Decline to open a MUR, close the file effective August 29, 1997, and approve the appropriate letters in the following matters:
1. Pre-MUR 336. 2. Pre-MUR 352.
- B. Take no action, close the file effective August 29, 1997, and approve the appropriate letters in the following matters:
1. MUR 3796. 2. MUR 3798. 3. MUR 4274.  
4. MUR 4275. 5. MUR 4356. 6. MUR 4358.  
7. MUR 4361. 8. MUR 4368. 9. MUR 4380.  
10. MUR 4385. 11. MUR 4386. 12. MUR 4396.  
13. MUR 4404. 14. MUR 4410. 15. MUR 4417.  
16. MUR 4422. 17. MUR 4470. 18. MUR 4478.

(continued)

Federal Election Commission  
Certification: Enforcement Priority  
August 19, 1997

Page 2

19. MUR 4492.	20. MUR 4498.	21. MUR 4506.
22. MUR 4512.	23. MUR 4517.	24. MUR 4518.
25. MUR 4520.	26. MUR 4522.	27. MUR 4523.
28. MUR 4524.	29. MUR 4526.	30. MUR 4528.
31. MUR 4529.	32. MUR 4532.	33. MUR 4535.
34. MUR 4537.	35. MUR 4541.	36. MUR 4548.
37. MUR 4550.	38. MUR 4551.	39. MUR 4557.
40. MUR 4559.	41. MUR 4560.	42. MUR 4562.
43. MUR 4566.	44. MUR 4574.	45. MUR 4576.
46. MUR 4579.	47. MUR 4580.	48. MUR 4584.
49. MUR 4588.	50. MUR 4613.	

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

Attest:

8-21-97  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 29, 1997

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Terryl T. Foch  
152 Castleford Circle  
Danville, CA 94526

RE: MUR 4559

Dear Mr. Foch:

On October 31, 1996, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act")

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on August 29, 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. § 437g(a)(8).

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment:  
Narrative

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**MUR 4559**

**BILL BAKER FOR CONGRESS**

Terryl T. Foch alleges that Bill Baker's billboard-sized campaign signs lack the appropriate disclaimer identifying the source of campaign funds.

Bill Baker Campaign for Congress (the "Committee") responds that the signs were paid for by the Committee but inadvertently printed without the disclaimers. The Committee further states that it had not received the complaint until after the election, which prevented them from taking corrective action.

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 29, 1997

Dan E. Cold, Treasurer  
Bill Baker for Congress  
P.O. Box 4544  
Walnut Creek, CA 94596

RE: MUR 4559

Dear Mr. Cold:

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 has determined to exercise its prosecutorial discretion and to take no action against Bill Baker for Congress and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on August 29, 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 Jennifer Henry on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

cc: Bill Baker

**MUR 4559**

**BILL BAKER FOR CONGRESS**

Terryl T. Foch alleges that Bill Baker's billboard-sized campaign signs lack the appropriate disclaimer identifying the source of campaign funds.

Bill Baker Campaign for Congress (the "Committee") responds that the signs were paid for by the Committee but inadvertently printed without the disclaimers. The Committee further states that it had not received the complaint until after the election, which prevented them from taking corrective action.

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4559

DATE FILMED 9-23-97 CAMERA NO. 4

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