



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4565

DATE FILMED 3/10/98 CAMERA NO. 2

CAMERAMAN SES

98043862107



GEORGIA REPUBLICANS

ORIGINAL

RUSSELL K. (RUSTY) PAUL
Chairman

October 31, 1996

The Honorable Lee Ann Elliott
Chairwoman
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

MUR 4565

Nov 4 10 42 AM '96

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Commission:

The Georgia Republican Party hereby makes the following complaints of federal election law violations against Mr. David Bell, Democratic Candidate for the U.S. House of Representatives for the Tenth Congressional District of Georgia, and Bell for Congress.

Throughout this 1996 election, has engaged in an advertising campaign designed to confuse both voters and the FEC as to as to who sponsors the ads. The ALF-CIO has spent over \$100,000 advertising for Mr. Bell in Georgia, including using Mr. Bell's name and picture in their television ads. These ads closely mirror Mr. Bell's own television ads, yet Bell for Congress denies any coordination between themselves and the ALF-CIO.

These complaints are fully outlined in *National Republican Congressional Committee vs. Federal Election Commission, Case Number 1:96CVO2295, U.S. District Court for the District of Columbia.*

Mr. Bell's campaign has continued this effort to deceive the public concerning sponsorship of his ads. His campaign has paid for and published newspaper advertising in the *Ogelthorpe Echo*, the *Metropolitan Spirit*, the *Augusta Focus*, the *Monticello News*, the *Metro Courier*, and others in which there is no disclaimer as to who paid for the ad, in direct violation of **2 U.S.C. Section 441(a) (1).**

Bell for Congress has also designed their television commercials in such a way as to deceive the public as to the sponsor. The 60-second commercials begin with an attack on Congressman Norwood, nearly identical in both text and appearance to the AFL-CIO campaign. The commercial ends with no disclaimer, and the screen fades to black for several second before a second begins featuring Mr. bell that ends with the proper disclaimer.

The Bell campaign is actually running two separate commercials back-to-back. One attacks Congressman Norwood with no disclaimer, while the second attempts to circumvent the law by using a disclaimer. This action clearly is a second violation of **2 U.S.C. Section 441(a) (1)**, and is also a violation of **Joint Public Notice of FCC and**

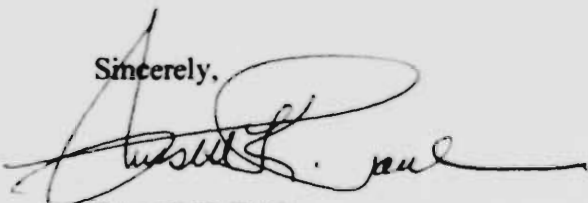
FEC, 69 F.C.C. 2d 1129 (1978), which calls for the ad to clearly identify that it is paid for by the candidate.

With only days left before the election, drastic and prompt action is needed if these illegal actions by the Bell campaign are to be Counted.

We ask that you issue an immediate cease and desist order on all Bell for Congress television advertising until disclaimers have been added both the beginning and end of each commercial order to clearly identify Bell for Congress as sponsors of the ad. We ask that you order Bell for Congress to immediately place in all newspapers in which this printed ad has appeared without a proper disclaimer, in issues which appear before the November 5 election...

Thank you for your prompt attention to this matter.

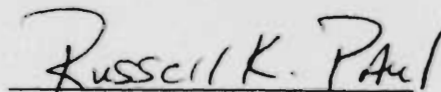
Sincerely,



Russell K. Paul
Chairman
Georgia Republican Party

VERIFICATION

The undersigned swears that the statements in this letter are based on the sources indicated, and, as such, are true and correct to the best of his information and belief.



State of Georgia)
) ss

Subscribed and sworn before
me this 3/day of October, 1996



Notary Public

My Commission Expires 4-17-98

Attachments:

Violations By Count

Newspaper Ad Examples: The Ogelthorpe Echo, October 24, 1996

93043362102

Attachments:

Violations By Count

Newspaper Ad Examples: The Ogelthorpe Echo, October 24, 1996

The Metro Courier, October 23, 1996

Video Tape: WAGT-TV 26, Augusta, Georgia, example of Bell commercial fade-to-black on Clean Water Act

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Violations By Count

(a) - 2 U.S.C. Section 441d (a) (1)

(b) - Joint Public Notice of FEC and FCC, 69 F.C.C. 2d 1129 (1978)

1. Bell for Congress Crime Ad WJBF-TV Augusta (a) (b)
2. Bell for Congress Crime Ad WRDW-TV Augusta (a) (b)
3. Bell for Congress Crime Ad WAGT-TV Augusta (a) (b)
4. Bell for Congress Crime Ad WFXG-TV Augusta (a) (b)
5. Bell for Congress Crime Ad WMAZ-TV Macon (a) (b)
6. Bell for Congress Crime Ad WGXA-TV Macon (a) (b)
7. Bell for Congress Crime Ad WMGT-TV Macon (a) (b)
8. Bell for Congress Crime Ad WPGA-TV Perry (a) (b)
9. Bell for Congress Clean Water Ad WJBF-TV Augusta (a) (b)
10. Bell for Congress Clean Water Ad WRDW-TV Augusta (a) (b)
11. Bell for Congress Clean Water Ad WAGT-TV Augusta (a) (b)
12. Bell for Congress Clean Water Ad WFXG-TV Augusta (a) (b)
13. Bell for Congress Clean Water Ad WMAZ-TV Macon (a) (b)
14. Bell for Congress Clean Water Ad WGXA-TV Macon (a) (b)
15. Bell for Congress Clean Water Ad WMGT-TV Macon (a) (b)
16. Bell for Congress Clean Water Ad WPGA-TV Perry (a) (b)
17. Bell for Congress Print Ad Ogelthorpe Echo (a)
18. Bell for Congress Print Ad Metropolitan Spirit (a)
19. Bell for Congress Print Ad Augusta Focus (a)
21. Bell for Congress Print Ad Metro Courier (a)
22. Bell for Congress Print Ad Monticello News (a)

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BELL

FOR CONGRESS

David Bell isn't a politician. He's a family man, a church deacon, and a good neighbor who graduated from The Citadel and served his country. Like us, David Bell was raised to do what's right. He thinks it's time someone raised the moral character of Congress and forced it to do what's right for our families.



David Bell wants a balanced budget that works for our families. David Bell wants a balanced budget, but one that doesn't balance the books on the backs of our children, seniors, and hard working families.

David Bell will fight for seniors. David Bell will keep our commitment to seniors by protecting Social Security and Medicare. Before there was a Contract with America, there was a different kind of contract—one that said honor thy father and thy mother.

David Bell will get tough on crime. David Bell remembers when people didn't have to live in fear, that's why he'll support real crime fighting legislation. He wants tough penalties, including the death penalty. And, he wants to crack down on violent juvenile criminals.

David Bell wants to protect our way of life. Generations of families have enjoyed hunting, fishing, and the natural beauty of our community. David Bell wants to preserve our environment by fighting for clean air and clean water, to ensure that pollution never destroys our natural heritage.

David Bell wants to do what's right
for our families.

93043862112

BELL

FOR CONGRESS

David Bell isn't a politician. He's a family man, a church deacon, and a good neighbor who graduated from The Citadel and served his country. Like us, David Bell was raised to do what's right. He thinks it's time someone raised the moral character of Congress and forced it to do what's right for our families.



David Bell wants a balanced budget that works for our families. David Bell wants a balanced budget, but one that doesn't balance the books on the backs of our children, seniors, and hard working families.

David Bell will fight for seniors. David Bell will keep our commitment to seniors by protecting Social Security and Medicare. Before there was a Contract with America, there was a different kind of contract—one that said honor thy father and thy mother.

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David Bell wants to do what's right
for our families.



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 12, 1996

Russell Paul
Georgia Republican Party
5600 Roswell Road Suite 200 East
Atlanta, GA 30342

RE: MUR 4565

Dear Mr. Paul:

This letter acknowledges receipt on November 4, 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.

Your letter seeks injunctive relief to prevent the respondents from continuing to engage in the allegedly improper activity. 2 U.S.C. § 437g(a)(6) provides that the Commission may seek such relief at the end of the administrative enforcement process. Accordingly, the Commission will not grant your request for injunctive relief at this time.

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 4565. 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 cursive script, appearing to read "Colleen T. Sealander".

Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosure
Procedures

9 8 0 4 3 8 6 2 1 1 4



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 12, 1996

Nancy Shaefer, Treasurer
Bell for Congress
PO Box 31256
Augusta, GA 30903

RE: MUR 4565

Dear Ms. Shaefer:

The Federal Election Commission received a complaint which indicates that Bell 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 4565. 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.

The complainant seeks injunctive relief to prevent the Committee and you, as treasurer, from continuing to engage in the allegedly improper activity. 2 U.S.C. § 437g(a)(6) provides that the Commission may seek such relief at the end of the administrative enforcement process. Accordingly, the Commission will not grant the complainant's request for injunctive relief at this time. The Commission will proceed with the processing of the remainder of the complaint pursuant to 2 U.S.C. § 437g(a).

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 Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in cursive script, appearing to read "Colleen T. Sealander".

Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

9 8 0 4 3 8 6 2 1 1 6



FEDERAL ELECTION COMMISSION

Washington, DC 20463

November 12, 1996

David Bell
717 Somerset Way
Augusta, GA 30909

RE: MUR 4565

Dear Mr. Bell:

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 4565. 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.

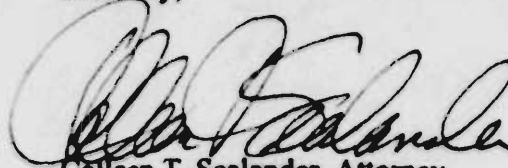
The complainant seeks injunctive relief to prevent you from continuing to engage in the allegedly improper activity. 2 U.S.C. § 437g(a)(6) provides that the Commission may seek such relief at the end of the administrative enforcement process. Accordingly, the Commission will not grant the complainant's request for injunctive relief at this time. The Commission will proceed with the processing of the remainder of the complaint pursuant to 2 U.S.C. § 437g(a).

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.

98043862117

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,

A handwritten signature in dark ink, appearing to read 'Colleen T. Sealander', written over a horizontal line.

Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

9 3 0 4 3 8 6 2 1 1 3



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 12, 1996

Margaret McCormick, Esq.
AFL-CIO
815 16th Street, NW
Washington, DC 20006

RE: MUR 4565

Dear Ms. McCormick:

The Federal Election Commission received a complaint which indicates that the AFL-CIO and Richard L. Trumka, 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 4565. 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 AFL-CIO and Richard L. Trumka, 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.

The complainant seeks injunctive relief to prevent the AFL-CIO and Richard L. Trumka, as treasurer, from continuing to engage in the allegedly improper activity. 2 U.S.C. § 437g(a)(6) provides that the Commission may seek such relief at the end of the administrative enforcement process. Accordingly, the Commission will not grant the complainant's request for injunctive relief at this time. The Commission will proceed with the processing of the remainder of the complaint pursuant to 2 U.S.C. § 437g(a).

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.

93043362119

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,

A handwritten signature in dark ink, appearing to read 'Colleen T. Sealander', written in a cursive style.

Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

9 8 0 4 3 3 6 2 1 2 0

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000

JOHN J. SWEENEY PRESIDENT

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Vincent R. Lombardo
John T. Joyce
Jay Mazur
George J. Kourilas
Michael Sacco
Gloria T. Johnson
J. Randolph Babbitt
Pat Friend
Sumi Haru
Leon Lynch
Arthur Moore
Jake West

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Moe Biler
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Carolyn Forrest
Sonny Hall
William Lucy
A.L. "Mike" Monroe
Robert E. Wages

November 13, 1996

Ms. Colleen T. Sealander
Federal Election Commission
Office of the General Counsel
Central Enforcement Docket
999 E Street, N.W.
Washington, DC 20563

RE: MUR 4565

Dear Ms. Sealander:

I hereby request an extension of time in which to file a response on behalf of the AFL-CIO and Richard L. Trumka to the complaint in the above-referenced matter. Due to other pending matters, I will be unable to prepare an adequate response in this matter without additional time.

The AFL-CIO and Richard L. Trumka received the complaint in this matter today, November 13, 1996. This extension request is for 30 days from November 28, 1996 to and including December 30, 1996.

Please let me know as soon as possible if this request is granted.

Sincerely,

Peggy McCormick
Margaret E. McCormick

MEC/aab

NOV 13 5 01 PM '96

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

November 15, 1996

Margaret E. McCormick, Associate General Counsel
AFL-CIO
815 16th Street, NW
Washington, DC 20006

RE: MUR 4565
AFL-CIO, Richard L. Trumka,
Treasurer

Dear Ms. McCormick:

This is in response to your letter dated November 13, 1996 which we received on that same day requesting an extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on December 28, 1996.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Morrison", is written over the typed name.

Erik Morrison, Paralegal
Central Enforcement Docket

93043862192

LAW OFFICES OF
DAVID B. BELL

BELL & BELL ASSOCIATES

619 GREENE STREET

POST OFFICE BOX 1011

AUGUSTA, GEORGIA 30903-1011

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

DEC 2 2 28 PM '96

November 27, 1996

HARRY H. BELL, JR.
(1911-1991)

JOHN C. BELL
(1916-1987)

AREA CODE 706
TELEPHONE 724-1882
FAX 722-8507

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Colleen T. Sealander
Attorney at Law
Central Enforcement Docket
Federal Election Committee
999 E Street, N.W.
Washington, DC 20463

Re: Bell for Congress
MUR4565

Dear Ms. Sealander:

Please permit me to respond to the FEC complaint of Russell K. Paul, Chairman of the Georgia Republican Party, dated October 31, 1996. It was filed against me, individually, and Bell for Congress.

As I understand it, Mr. Paul's letter sets forth three separate complaints. I will address each allegation.

AFL-CIO ALLEGATION

Mr. Paul's first allegation is to refer the FEC to a lawsuit filed by the NRCC against the FEC in an action known as Case No. 1:96CV02295. A copy of that lawsuit was not attached to Mr. Paul's complaint. Mr. Paul alleges that my campaign "has engaged in an advertising campaign designed to confuse both voters and the FEC as to who sponsors the ads." The allegation is not accurate and has no basis. All of my TV ads had the appropriate disclaimer and no TV station would have run the ads without the appropriate disclaimer. Furthermore, no one from my campaign, and to my knowledge none of my consultants, ever had any discussions with anyone at the AFL-CIO about the substance or context of any of my commercials or their commercials. I know that our commercials were produced independent of any contact with anyone outside of our immediate campaign staff and team. My campaign did not coordinate any commercials with the AFL-CIO. In fact, the AFL ads probably had the effect of hurting my campaign.

Ms. Colleen Sealander
Page 2
November 27, 1996

NEWSPAPER ADS

The second allegation that Mr. Paul sets forth is that our campaign ran newspaper ads in five (5) newspapers without printing the appropriate disclosure. The letter states that examples from the Oglethorpe Echo and the Metro Courier are attached. A copy of the ad from the Oglethorpe Echo is attached. There is no ad attached from the Metro Courier.

My campaign did not pay for the newspaper ad in the Oglethorpe Echo. It was paid for by Hamilton McWhorter of Atlanta. A letter from the Oglethorpe Echo, Inc., confirming that purchase, is attached hereto as Exhibit "A." I had no consultation as to the ad in the Oglethorpe Echo. I did not know of it and I did not approve it in advance. The ad merely prints one of my hand-outs.

The Georgia Republican Party's complaint against me refers to an ad in the Metropolitan Spirit. A copy of the ad from the Metropolitan Spirit is attached hereto as Exhibit "B." It was paid for by my campaign, has a picture of Senator Nunn standing beside me, and discloses that it was paid for by "Bell for Congress" and discloses the name of my treasurer.

As to the Metro Courier Newspaper, my campaign did purchase an ad in that newspaper for its October 30 - November 5, 1996 edition. The ad that was purchased for that edition did disclose that it was paid for by "Bell for Congress." A copy of the Metro Courier ad is attached as Exhibit "C."

My campaign did run an ad in the Augusta Focus. A copy of that ad is attached. It discloses that it was paid for by "Bell for Congress." A copy of the Augusta Focus is attached as Exhibit "D."

The final ad referred to in Mr. Paul's letter ran in the Monticello News. It was not paid for by my campaign. Rather, a group in Monticello, independent of my campaign, ran an ad in their hometown newspaper. A copy of the letter explaining who paid for the ad is attached as Exhibit "E." I had no consultation as to the ad in the Monticello News. I did not know of it and I did not approve it in advance. Furthermore, I did not authorize a group known as "Friends of Bell." I had no knowledge of their existence. It was an ad hoc group. The ad merely prints one of my hand-outs.

Ms. Colleen Sealander

Page 3

November 27, 1996

DISCLAIMER

The third allegation is that my TV commercials failed to contain a television disclaimer. That is not correct. All of my TV commercials contained a disclaimer. Had they not, then the TV stations would not have run them.

Mr. Paul's letter refers to my TV commercials as being 60 seconds in length. They were not. My campaign did not produce, nor did it purchase, any 60 second commercials.

The truth is that all of our TV commercials contained an appropriate disclaimer. In fact, the commercial that Rusty Paul sent with his FEC complaint did, in fact, contain an appropriate disclaimer. The submitted commercial is 30 seconds in length and discloses that it was paid for by "Bell for Congress."

If the FEC needs copies of all of my ads, then I will provide a copy. They all contain an appropriate FEC disclosure.

For the reasons set forth herein, the Rusty Paul complaint against Bell for Congress should be dismissed. There is no factual basis for any of the allegations.

I am,

Sincerely,



David B. Bell

DBB:gw

98043982105



THE OGLETHORPE ECHO, INC.

Established in 1874 - The Legal Organ of Oglethorpe County

Ralph B. Maxwell, Sr.
Owner

Ross Norton
Editor

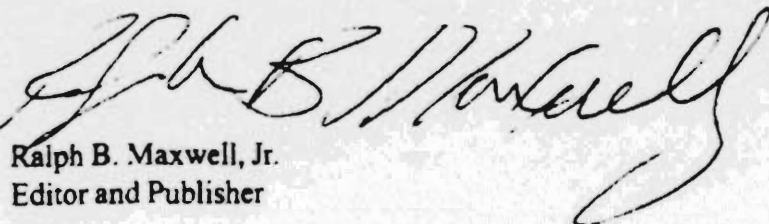
Ralph B. Maxwell, Jr.
Publisher

Brenda Norman
Office Manager

November 22, 1996

To Whom It May Concern:

I hereby swear and affirm that a political advertising for David Bell in his 10th District Congressional race that appeared in **The Oglethorpe Echo** on Thursday, October 24 was paid for by Hamilton McWhorter of Atlanta, Ga.


Ralph B. Maxwell, Jr.
Editor and Publisher

EXHIBIT

"A"

THE METROPOLITAN

Spirit

Arts, Issues, & Entertainment

**FAX
COVER SHEET**DATE: 11/22/96TO: Busic Bell

COMPANY: _____

FAX #: 733-9018

TELEPHONE #: _____

FROM: "The Spirit"SUBJECT: David Bell Related AdNOTE: _____

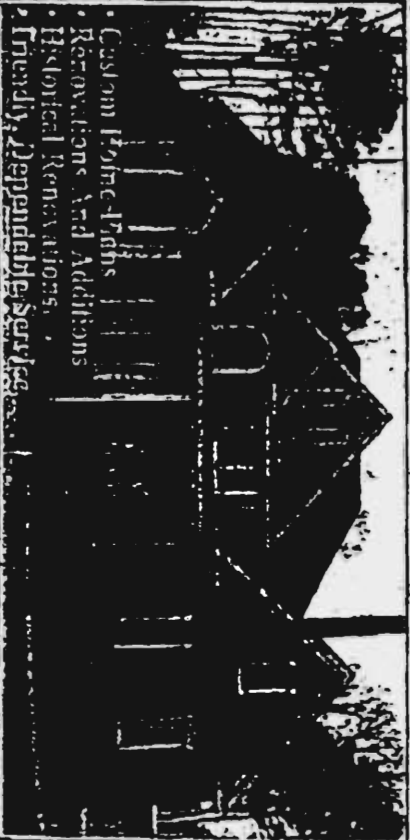
_____NUMBER OF PAGES (Including Cover Sheet) 2IF YOU DO NOT RECEIVE THE COMPLETE FAX TRANSMISSION,
PLEASE CONTACT Harry V. Gray AT (706) 738-1142Post Office Box 3809 / 825 Russell Street / Augusta, GA
(706) 738-1142 / FAX (706) 733-6663

EXHIBIT

"B"

98043862127

START PLANNING YOUR DREAM HOME TODAY.



• Custom Floor Plans
• Renovations And Additions
• Historical Renovations
• Friendly, Dependable Service



Builder's Plan Service, Inc.
112-A Shaw Street • 706-860-5058

41 years
of design
experience

ATTENTION HOME OWNERS!
consolidate all your debts with



When will South Carolina repeal its antiquated blue laws so we can shop when we please? Think of the tax money the state is losing by its out-dated rules.

I think Rob Duke's honesty is refreshing.

I am curious as to how the FBI can afford an office in the South Trust Bank across from the Radisson - at the taxpayers' expense. They don't belong there in the first place. They should be out working the streets and not sitting in an office doing nothing.

To the person who wanted to know if it was a southern thing to leave children in cars on a dark street unattended: No, it's a stupid thing! Leave your small children and Lakota alone.

NEWS & NEWS

employees (give us raises instead, please). The cost of having those stupid cars run and mailed has got to be something! And it ever dawn on those stupid administrators that there might be some employees who not celebrate birthdays. Hello?

Today, we see the tobacco companies begin to back away from cancer. Tomorrow, we see the pharmaceuticals of sugar because we're obese. Where does it end?

To the winner who complained about the weight of the 120s at Channel Z: Get a life!

I am really surprised that local musicians do not go out, when not performing themselves, to listen to good musicians from out of town who visit this area. On a recent Monday night, I listened to a band from Washington D.C. playing at the Garage and they were absolutely incredible. Get off your butt local musicians, and support those who perform.

**GEORGIA VALUES
GEORGIA'S FUTURE
DAVID BELL
FOR CONGRESS**

VOTE NOVEMBER 5 • PUNCH 36

PAID FOR BY THE BELL FOR CONGRESS CAMPAIGN, TREASURER

BELL

FOR CONGRESS

DEMOCRAT

David Bell isn't a politician. He's a family man, a church deacon, and a good neighbor who graduated from The Citadel and served his country. Like us, David Bell was raised to do what's right. He thinks it's time someone raised the moral character of Congress and forced it to do what's right for our families.



David Bell wants a balanced budget that works for our families. David Bell wants a balanced budget, but one that doesn't balance the books on the backs of our children, seniors, and hard working families.

David Bell will fight for seniors. David Bell will keep our commitment to seniors by protecting Social Security and Medicare. Before there was a Contract with America, there was a different kind of contract—one that said honor thy father and thy mother.

David Bell favors an increase to the minimum wage. David Bell believes that hard working men and women deserve a raise. He favors an increase because it's the right signal for working men and women.

David Bell wants to protect our way of life. Generations of families have enjoyed hunting, fishing, and the natural beauty of our community. David Bell wants to preserve our environment by fighting for clean air and clean water, to ensure that pollution never destroys our natural heritage.

David Bell wants to do what's right
for our families.

PAID FOR BY THE COMMITTEE TO ELECT DAVID BELL

The Metro Courier, October 30, 1994, Page 5

EXHIBIT

"C"

We've
got news
for you.

Augusta FOCUS

Metro Augusta's Finest Weekly Newspaper

50 cents

Date: 11/22

Time: 1:00

Facsimile Cover Sheet

To: Ms. Bell

From: Dot I Eaf

Re: Bell for Congress Ads -

Total # of pages: 2

Notes: Ms Bell

This is the ad which ran
twice in the Augusta Focus at a
cost of \$256.41 ea. Thanks
Dot

Please notify us immediately if
not arrive correct

EXHIBIT

Transmission did
not arrive correct

"D"

BELL

FOR CONGRESS

David Bell isn't a politician. He's a family man, a church deacon, and a good neighbor who graduated from The Citadel and served his country. Like us, David Bell was raised to do what's right. He thinks it's time someone raised the moral character of Congress and forced it to do what's right for our families.



David Bell wants a balanced budget that works for our families. David Bell wants a balanced budget, but one that doesn't balance the books on the backs of our children, seniors, and hard working families.

David Bell will fight for seniors. David Bell will keep our commitment to seniors by protecting Social Security and Medicare. Before there was a Contract with America, there was a different kind of contract—one that said honor thy father and thy mother.

David Bell favors an increase to the minimum wage. David Bell believes that hard working men and women deserve a raise. He favors an increase because it's the right signal for working men and women.

David Bell wants to protect our way of life. Generations of families have enjoyed hunting, fishing, and the natural beauty of our community. David Bell wants to preserve our environment by fighting for clean air and clean water, to ensure that pollution never destroys our natural heritage.

Democrat David Bell wants to do
what's right for our families.

Vote For David Bell on Nov. 5

Paid For By Bell For Congress

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11/22/96

To Whom It May Concern

The Monticello News ran an ad

on Oct. 24 and Oct. 31 for

Bell for Congress. This ad

was paid for by Friends for Bell.

We received the money from

Sue Schuessler of Jasper County.

**If any more information is needed
please contact The Monticello News**

at 706-468-6511 or P.O. Box 30,

Monticello, Ga. 31064

Sincerely,

Jenny Phillips

Jenny Phillips

Advertising Manager



American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000

JOHN J. SWEENEY
PRESIDENT

Albert Shanker
Vincent P. Sombrotto
John T. Joyce
Jay Mazur
George J. Kourpias
Michael Sacco
Gloria T. Johnson
J. Randolph Babbitt
Pat Friend
Sumi Haru
Leon Lynch
Arthur Moore
Jake West

RICHARD L. TRUMKA
SECRETARY-TREASURER

Edward T. Hanley
Gerald W. McEntee
Morton Bahr
Lenore Miller
John N. Sturdivant
Ron Carey
Douglas H. Donly
Clayola Brown
Michael Goodwin
Carroll Haynes
Doug McCarron
Arturo S. Rodriguez
Alfred K. Whitehead

LINDA CHAVEZ-THOMPSON
EXECUTIVE VICE PRESIDENT

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Marvin J. Boede
Gene Upshaw
Moe Biler
James J. Norton
Frank Hurt
Stephen P. Yokich
Carolyn Forrest
Sonny Hall
William Lucy
A.L. "Mike" Monroe
Robert E. Wages

December 30, 1996

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

Attention: Colleen T. Sealander, Esq.

Re: MUR 4565

Dear Mr. Noble:

This constitutes the response of the American Federation of Labor - Congress of Industrial Organizations ("AFL-CIO") and AFL-CIO Secretary-Treasurer Richard L. Trumka to the complaint in the above-referenced matter filed by the Georgia Republican Party on November 4, 1996. For the reasons set forth below, the Commission should take no action against respondents and the complaint should be dismissed.¹

¹ Section 437g requires the Commission to notify persons alleged to have violated the Act "within 5 days after receipt of the complaint." 2 U.S.C. §437g(a). Despite that requirement, the Commission did not notify respondents about this complaint until November 12, 1996. See Attachment A. The complaint should therefore be dismissed for improper service.

Discussion

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1. The first sentence of the second paragraph of the complaint alleges that an unnamed party "has engaged in an advertising campaign designed to confuse both voters and the FEC as to who sponsors the ads." Assuming that this sentence refers to an AFL-CIO advertising campaign, and assuming further that this allegation intends to suggest that the AFL-CIO failed to include appropriate disclaimers in its advertising, there is no basis for finding reason-to-believe against the AFL-CIO. The only advertisements run by the AFL-CIO in the 10th District of Georgia during 1996 were the legislative issue ads identified as "People," "Wither," and "Edith," and the ~~five~~⁴ voter guides identified as "Retire," "Medicare," "Taxes," "~~Homes~~" and "Kids." See Declaration of Denise Mitchell, ¶s 4,5 (hereinafter "Mitchell Dec....") Scripts for these advertisements have been included in the AFL-CIO's responses

Each advertisement clearly stated that the ads were paid for by the AFL-CIO. Moreover, because the ads did not expressly advocate the election of Mr. Bell or the defeat of his opponent, Mr. Norwood, no disclaimer was required to be included under 2 U.S.C. § 441d(a).

2. The complaint also alleges that the "AFL-CIO has spent

Lawrence N. Noble, Esq.
General Counsel
December 30, 1996
Page 3

9 8 0 4 3 8 6 2 1 3 5
over \$100,000 advertising for Mr. Bell in Georgia, including using Mr. Bell's name and picture in their television ads." The AFL-CIO's issues advertisements did not, however, support Mr. Bell or oppose Mr. Norwood, and therefore there was no limit on the amount that could be spent for these advertisements. Furthermore, none of the AFL-CIO's advertisements used a picture of Mr. Bell or Mr. Norwood. See Mitchell Dec. ¶s 4,5 . Finally, Mr. Bell's name did not appear in any of the legislative issues ads run by the AFL-CIO, id. ; while Mr. Norwood's and Mr. Bell's names both appeared in the voter guides, this is expressly permitted by 11 C.F.R. § 114.4(c)(5) .

3. The complaint also alleges that the AFL-CIO's advertisements "closely mirror Mr. Bell's own television ads...." The AFL-CIO's issues advertisements and voter guides were prepared without any coordination with David Bell, his authorized campaign committee, or any representative or agent of the candidate or committee. See Mitchell Dec. ¶ 7. If there is any similarity between the AFL-CIO's ads and the ads of the candidate, this is entirely a matter of coincidence.

4. Finally, the complaint states: "These complaints are fully outlined in National Republican Congressional Committee vs. Federal Election Commission, Case Number 1:96CV02295, U.S. District

Lawrence N. Noble, Esq.
General Counsel
December 30, 1996
Page 4

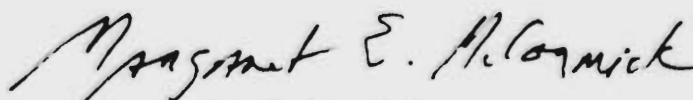
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Court for the District of Columbia." It is not clear to what "complaints" this sentence refers. However, we have reviewed the complaint in the NRCC case dated October 3, 1996, to which the AFL-CIO is not a party, and we have found only one allegation pertaining to David Bell or his opponent. Paragraph 6 of the complaint alleges that the AFL-CIO has provided "coordinated expenditures," including "coordinated training sessions" to a number of Democratic candidates including Mr. Bell. We have already responded to a similar allegation involving an educational seminar conducted by the AFL-CIO in our responses

which
are hereby incorporated by reference to the extent necessary. Apart from this allegation, the complaint in this matter and the civil complaint to which it refers are both far too general and vague to permit a response to be filed. See 11 C.F.R. § 111.4(d)(3).

Conclusion

For the foregoing reasons,, the Commission should take no further action in this matter and should dismiss the complaint.

Respectfully submitted,



Margaret E. McCormick
Counsel for Respondents

A.



FEDERAL ELECTION COMMISSION

Washington, DC 20463

November 12, 1996

Margaret McCormick, Esq.
AFL-CIO
815 16th Street, NW
Washington, DC 20006

RE: MUR 4565

Dear Ms. McCormick:

The Federal Election Commission received a complaint which indicates that the AFL-CIO and Richard L. Trumka, 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 4565. 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 AFL-CIO and Richard L. Trumka, 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.

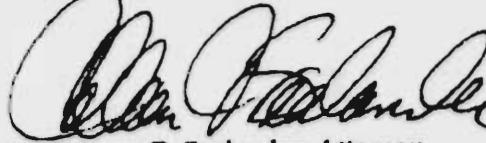
The complainant seeks injunctive relief to prevent the AFL-CIO and Richard L. Trumka, as treasurer, from continuing to engage in the allegedly improper activity. 2 U.S.C. § 437g(a)(6) provides that the Commission may seek such relief at the end of the administrative enforcement process. Accordingly, the Commission will not grant the complainant's request for injunctive relief at this time. The Commission will proceed with the processing of the remainder of the complaint pursuant to 2 U.S.C. § 437g(a).

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

93043362173

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 AFL-CIO)
)

MUR 4565

DECLARATION OF DENISE MITCHELL

1. My name is Denise Mitchell. I am the Special Assistant for Public Affairs to AFL-CIO President John J. Sweeney. I was appointed to this position on November 1, 1995.

2. As the Special Assistant to the President for Public Affairs, I have the primary responsibility for overseeing all public relations activities of the AFL-CIO including all AFL-CIO use of broadcast and print media.

3. I am responsible for making the operational decisions as to both the substance and the method of communication of the AFL-CIO's message to union members and to the general public. I make the strategic and logistical decisions regarding our media buys, and, within policy guidelines, I also make the editorial decisions regarding the contents of our communications.

4. Between May 1, 1996, and the end of August, 1996, the AFL-CIO aired three television advertisements in the 10th Congressional District of Georgia. Scripts for these advertisements, which were entitled "People," "Edith," and "Wither," are attached to this Declaration. The ads focused on legislative issues being

DEC 30 3 35 PM '96
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

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considered by the United States Congress. The "People" ad ran immediately prior to the date on which the U.S. House of Representatives voted for an increase in the minimum wage. The "Wither" ad was run as part of the AFL-CIO's continuing legislative effort to prevent the Republican-controlled 104th Congress from making federal budget cuts in the Medicare and Medicaid program. The "Edith" was run in the midst of an AFL-CIO legislative effort to get the Congress to consider a House bill that would protect workers' pensions. None of these advertisements included a picture of Rep. Norwood or his Democratic opponent, David Bell. None of these advertisements mentioned Mr. Bell by name.

5. During October 1996, the AFL-CIO ran ⁴~~five~~ television voter guides in media markets serving the 10th District of Georgia which compared the positions of Rep. Norwood and Mr. Bell on a number of campaign issues. Scripts for these ads, which were entitled "Kids," "Retire," "Medicare," "Taxes," ~~and "Homes,"~~ were the same as the AFL-CIO ran in connection with the races in other Congressional districts throughout the country, including the races in the 9th District of Texas and the 2nd District of North Carolina

No changes were made in the content of the advertisement specific to the candidates in the 10th District of Georgia.

6. Although the voter guides referred to in paragraph 5 included the names of Rep. Norwood and Mr. Bell they did not

include photographs of either candidate. The voter guides were prepared without contacting any of the candidates involved. All information relied upon in preparing the advertisements was obtained from public sources, including the Congressional Record, news articles, etc. The written voter guide which was sent to members of the public who responded to the 800-number in the guides also was prepared without contacting any of the candidates involved. All information relied upon in preparing the voter guide was obtained from public sources, including the Congressional Record, news articles, etc.

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7. The complaint in this matter alleges that the AFL-CIO's advertisements closely mirror the television advertisements run by Mr. Bell. I have never seen Mr. Bell's advertisements, either before they ran or since. The AFL-CIO's advertisements and voter guides were prepared without any coordination with Mr. Bell, his authorized campaign committee, or any representative or agent of Mr. Bell or his campaign. If there is any similarity between the AFL-CIO's ads and the ads of the candidate, this is entirely a matter of coincidence.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 30th day of December, 1996.

Denise Mitchell
Denise Mitchell

AFL-CIO TV-01
:30 TV Spot on Wither
Charlie Norwood

DATE: July 3, 1996

TITLE: "Wither"

VIDEO

White on Black CG: A senior citizen on Medicare

Elderly woman in interview.

White on Black CG: Newt Gingrich on Medicare.

Type fades into video of Gingrich. Lower Third CG: Washington, D.C. October 24, 1995

CG: Congressman Norwood voted \$270 Billion in Medicare Cuts.

CG: Call Congressman Norwood.
(Number)

Photage of elderly woman.

AUDIO

"When you're older, and you're sick, Medicare is more than health care...it's peace of mind."

"Now we don't get rid of it in round one because we don't think that's politically smart and we don't think that's the right way to go through a transition. But we believe it's going to wither on the vine."

V.O.: Last year, Congressman Charlie Norwood voted with Newt Gingrich to cut Medicare, and give new tax breaks to the wealthy.

Now comes another vote. They're after Medicare again.

"Wither on the vine." SFX reverb

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AFL-CIO GA-10
:30 TV Spot on Pensions
Charles Norwood

DATE: August 2, 1996

TITLE: "Edith" AFL-GA-10

VIDEO

Full Screen CG: Retirement Funds
at Risk

Edith Thomson on camera
Disclaimer: PAID FOR BY THE MEN
AND WOMEN OF THE AFL-CIO

B-Roll of Edith's retirement fund
documents

CG: Norwood voted to make it
easier to raid pensions.
House Vote #1743; 10/26/95
Chicago Tribune story with headline
that reads, "An unconscionable raid on
pensions" Chicago Tribune,
October 3, 1995

CG: Call Congressman Norwood
1-800-765-4440

Edith Thomson, on camera

AUDIO

"I worked at the company for forty-one
years.

And when they went broke, they had used
my retirement money already, so there was
nothing left.

The company just stole the money."

A law is pending in Congress to protect
401K retirement funds.

But, last year, Congressman Charles
Norwood voted to make it easier for
corporations to raid other pensions,
without notifying workers.

Tell Norwood to put the law on our side.

"It should be illegal to do something like
that."

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AFL-CIO
TV 50
"People - Chrysler"
FINAL RECORDED SCRIPT

VIDEO

Graph.
Bottom line, horizontal, labeled "Minimum
Wage." \$4.25 floats across the screen

Top line, rising, labeled "Corporate Profits."

Add top line label "Congressional Pay"

Photo of Member. Stack vote dates.
CG: Blocked Minimum Wage

CG: Rep. Dick Chrysler
CG: Voted to cut Medicare and college loans

Cut to Gary Cease, letterboxed, CG "Call Rep.
Chrysler," phone number.

Working shots.
CG: Call Rep. Dick Chrysler
It's time to raise the minimum wage
1-800-765-4440

AUDIO

ANNCR: In 1991, the minimum wage was
four-twenty-five an hour.

Since then, corporate profits and executive
salaries have skyrocketed...

Congress gave itself a thirty percent pay raise...

But our Congressman voted five times to block
a minimum wage increase.

And that's after he voted to cut Medicare and
college loans, all to give a big tax break to the
rich.

GARY CEASE: That's just wrong. Our
Congressman should stop playing political
games and start voting for working families for
a change.

ANNCR: Let's tell Congressman Chrysler...

Raise the minimum wage...

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Script for "Kids"

AFL-CIO :30 spot on education

GA-10

Visual

Collage of families

CG: What's Important to America's Families?

woman, in front of playground

Freeze on woman

CG: Issue: Education

picture of students in classroom

CG: David Bell

Opposes cuts in college loans

Source: The Macon Telegraph 2/27/96;

Project Vote-Smart National Political Awareness Test

Picture of capitol rotunda

CG: Congressman Norwood

Voted to cut college loans and wants to eliminate the Department of Education.

Source: HR 2491 10/26/95; HR 1883, introduced 6/16/95

Collage of working people

CG: Voter Information for

Working Families

1-888-235-2463

CG: Paid for by the men and women of the AFL-CIO

Audio

What's important to America's families?

"You can't do anything without an education these days, but how do you pay for it? That's what I worry about."

And where do the candidates stand?

David Bell, opposes cuts in college loans, and wants to maintain federal education funding.

Congressman Charlie Norwood voted to cut college loans by ten billion dollars...and wants to eliminate the Department of Education.

When it comes to education, there is a difference.

Call and find out.

93043362145

Script for "Medicare"

AFL-TV-36

AFL-CIO :30 TV spot on Medicare

September 28, 1996

GA-10

Visual

Collage of families
CG: What's Important to America's
Families?
Elderly woman, interview style
Freeze on man
CG: Issue: Medicare

Picture of capitol rotunda
CG: Congressman Norwood
Voted to cut Medicare funding by \$270
billion...
Source: HR 2491, 11/17/95

CG: ...and cause premiums to double.
Source: Congressional Budget Office
Analysis of HR 2491, 11/16/95

Picture of invalid having blood pressure
taken
CG: David Bell
Opposes the \$270 billion Medicare cuts.
Source: Macon Telegraph 7/27/96
Dublin Courier Herald, 3/15/96

Collage of working people
CG: Voter Information for
Working Families
1-888-235-2463
CG: Paid for by the men and women of
the AFL-CIO

Audio

What's important to America's
families?

"I'm very concerned about
Medicare. I just can't afford to pay any
more."

Where do the candidates stand?
Congressman Charlie Norwood voted to
cut Medicare funding by two hundred and
seventy billion dollars.

According to the Congressional
Budget Office, the plan would have
caused Medicare premiums to double.

David Bell, opposes those
Medicare cuts.

When it comes to Medicare, there
is a difference.

Call and find out.

93043862146

Script for "Retire"

AFL-CIO :30 TV spot on pensions

GA-10

Audio

Collage of families

CG: What's Important to America's Families?

middle-aged man, interview style

Freeze on man

CG: Issue: Pension security

Picture of capitol rotunda

CG: Congressman Norwood

Voted to make it easier for corporations to
raid employee pension funds.

Source: HR 2491 10/26/95

Picture of welder

CG: David Bell

Opposes making it easier to raid
employee pension funds.

Source: Macon Telegraph 7/27/96

Collage of working people

CG: Voter Information for

Working Families

1-888-235-2463

CG: Paid for by the men and women of
the AFL-CIO

Visual

What's important to America's
families?

"My pension is very important
because it will provide a significant
amount of my income when I retire."

And where do the candidates
stand? Congressman Charlie Norwood
voted to make it easier for corporations to
raid employee pension funds.

David Bell opposes that plan. He
supports new safeguards to protect
employee pension funds.

When it comes to your pension,
there is a difference.

Call and find out.

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AFL-CIO

AFL-TV-40

"Taxes" Norwood GA-10

October 4, 1996

30 for TV

Collage of families
CG: What's Important to America's
Families?

woman, interview style

Freeze on woman
CG: Issue: Taxes

Picture of capitol rotunda
CG: Congressman Norwood
Voted to preserve law allowing
millionaires to avoid taxes by renouncing
citizenship
Source: HR 831, 3/28/95

Picture of tax forms
CG: David Bell
Supports tax relief targeted to working
families, not the wealthy.
Source: Atlanta Journal and Constitution,
8/31/96; Project Vote-Smart National
Political Awareness Test

Collage of working people
CG: Voter Information for
Working Families
1-888-235-2463
CG: Paid for by the men and women of
the AFL-CIO

What's important to America's
families?

"Taxes. I don't mind paying my
own fair share, but I want everybody else
to pay theirs, too."

And where do the candidates
stand?

Congressman Charlie Norwood
voted to preserve a tax loophole that's
allowed millionaires to avoid taxes by
renouncing their citizenship, while
continuing to do business here.

David Bell says tax relief should
be targeted to working families, not the
wealthy.

When it comes to taxes, there is a
difference.

Call and find out.

93043862143

STATEMENT OF DESIGNATION OF COUNSEL

MUR

4565 (

JUL 21 1 22 PM '97

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

NAME OF COUNSEL: Michael B. Trister

FIRM: Lichtman, Trister, Singer & Ross

ADDRESS: 1666 Connecticut Avenue, N.W., Suite 500

Washington, DC 20009

TELEPHONE: (202) 328-1666

FAX: (202) 328-9162

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.

7/18/97
Date

John J. Rooney
Signature

RESPONDENT'S NAME: AFL-CIO

ADDRESS: 815 16TH ST, N.W.
WASHINGTON DC 20006

TELEPHONE: HOME () _____

BUSINESS: () _____

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
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)

CASE CLOSURES UNDER
ENFORCEMENT PRIORITY

FEB 11 3 10 PM '03

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 cases permits the

Commission to focus its limited resources on more important cases presently

93043962150

pending before it. Based upon this review, we have identified 16 cases that do not warrant further action relative to other pending matters.¹ The attachment 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 means to identify those cases which 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.

¹ These cases are: MUR 4631 (*Perot/McClure*), MUR 4661 (*Cox and Amplicon, Inc.*), MUR 4667 (*Specter & Greenwood*), MUR 4668 (*Schakowsky for Congress*), MUR 4672 (*Friends of John O'Toole*), MUR 4673 (*Papan for Assembly*), MUR 4676 (*Warren County Democratic Committee*), MUR 4677 (*Patrick Kennedy*), MUR 4681 (*Jack Block*), MUR 4683 (*Janice Schakowsky for Congress*), MUR 4684 (*Spartanburg County Republicans*), MUR 4694 (*Jan Schakowsky for Congress*), MUR 4695 (*Schakowsky for Congress*), MUR 4696 (*Janice Schakowsky for Congress*), MUR 4703 (*Dumont Institute / Robert M. Gee*), and Pre-MUR 356 (*Pritzker for Congress*).

We have identified cases which have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We recommend 27 of these cases be closed.³ Nine of these cases were part of the so-called "Major 96" cases that have not been able to be activated due to a lack of resources to effectively pursue them in a timely fashion.⁴ Since the time period rendering them stale has now passed, we recommend their closure at this time.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective February 24, 1998. Closing

³ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4355 (Aqua-Leisure Industries, Inc.), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Boschunz), MUR 4509 (Wellstone for Senate), MUR 4565 (Bell for Congress), MUR 4570 (Congresswoman Andrea Seastrom), MUR 4571 (Subert for Congress Committee), MUR 4572 (Friends of Dick B. Durbin), MUR 4575 (Dana Corrington), MUR 4585 (Hughes for Congress Committee), MUR 4589 (Congressman Bart Gordon), MUR 4592 (Iowa Public Television), MUR 4593 (Public Interest Institute), MUR 4599 (Bruce W. Hapenour), MUR 4601 (Oklahoma Nation of Oklahoma), MUR 4602 (WFSB-TV Channel 3), MUR 4604 (Dana Corrington), MUR 4605 (Christian Coalition), Pre-MUR 346 (Coalition of Politically Active Christians), RAD 96NF-09 (O'Sullivan for Congress), RAD 96L-12 (Alaska Democratic Party), and RAD 97NF-02 (Zien for Congress).

⁴ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Boschunz), MUR 4509 (Wellstone for Senate), and MUR 4565 (Bell for Congress).

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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 February 24, 1998, and approve the appropriate letters in the following matters:

- | | | |
|----------------|----------------|----------------|
| 1. RAD 96NF-09 | 3. RAD 97NF-02 | 5. Pre-MUR 356 |
| 2. RAD 96L-12 | 4. Pre-MUR 346 | |

B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | | |
|--------------|--------------|--------------|
| 1. MUR 4350 | 14. MUR 4575 | 27. MUR 4668 |
| 2. MUR 4355 | 15. MUR 4585 | 28. MUR 4672 |
| 3. MUR 4372 | 16. MUR 4589 | 29. MUR 4673 |
| 4. MUR 4394 | 17. MUR 4592 | 30. MUR 4676 |
| 5. MUR 4472 | 18. MUR 4593 | 31. MUR 4677 |
| 6. MUR 4483 | 19. MUR 4599 | 32. MUR 4681 |
| 7. MUR 4504 | 20. MUR 4601 | 33. MUR 4683 |
| 8. MUR 4507 | 21. MUR 4602 | 34. MUR 4684 |
| 9. MUR 4509 | 22. MUR 4604 | 35. MUR 4694 |
| 10. MUR 4565 | 23. MUR 4605 | 36. MUR 4695 |
| 11. MUR 4570 | 24. MUR 4631 | 37. MUR 4696 |
| 12. MUR 4571 | 25. MUR 4661 | 38. MUR 4703 |
| 13. MUR 4572 | 26. MUR 4667 | |

2/24/98
Date

Lawrence M. Noble
General Counsel

23043862153



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM MARJORIE W. EMMONS/LISA R. DAVIS
COMMISSION SECRETARY

DATE FEBRUARY 19, 1998

SUBJECT Case Closures Under Enforcement Priority. General
Counsel's Report dated February 11, 1998.

The above-captioned document was circulated to the Commission
on Thursday, February 12, 1998

Objection(s) have been received from the Commissioner(s) as
indicated by the name(s) checked below

Commissioner Aikens	—
Commissioner Elliott	—
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	—
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for

Tuesday, February 24, 1998

Please notify us who will represent your Division before the Commission on this
matter.

AGENDA DOCUMENT NO. X98-13

93043862154

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Agenda Document
Case Closures Under) No. X98-13
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 24, 1998, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X98-13:

1. Failed in a vote of 3-2 to pass a motion to approve the General Counsel's recommendations, subject to amendment of the closing date in recommendation A to read March 2, 1998, and subject to deletion of those cases listed in footnote 4 on Page 3 of the staff report.

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

2. Decided by a vote of 5-0 to

- A. Decline to open a MUR, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | |
|----------------|----------------|
| 1. RAD 96NF-09 | 4. Pre-MUR 346 |
| 2. RAD 96L-12 | 5. Pre-MUR 356 |
| 3. RAD 97NF-02 | |

(continued)

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B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

1. MUR 4350	20. MUR 4601
2. MUR 4355	21. MUR 4602
3. MUR 4372	22. MUR 4604
4. MUR 4394	23. MUR 4605
5. MUR 4472	24. MUR 4631
6. MUR 4483	25. MUR 4661
7. MUR 4504	26. MUR 4667
8. MUR 4507	27. MUR 4668
9. MUR 4509	28. MUR 4672
10. MUR 4565	29. MUR 4673
11. MUR 4570	30. MUR 4676
12. MUR 4571	31. MUR 4677
13. MUR 4572	32. MUR 4681
14. MUR 4575	33. MUR 4683
15. MUR 4585	34. MUR 4684
16. MUR 4589	35. MUR 4694
17. MUR 4592	36. MUR 4695
18. MUR 4593	37. MUR 4696
19. MUR 4599	38. MUR 4703

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

Attest:

2-25-98
Date

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

93043862156



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

March 2, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Russell Paul
Georgia Republican Party
5600 Roswell Road Suite 200 East
Atlanta, GA 30342

RE: MUR 4565

Dear Mr. Paul

On November 4, 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 exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 2, 1998. 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)(4)(B).

Sincerely,

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

F. Andrew Tufley
Supervisory Attorney
Central Enforcement Docket

98043362157



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 2, 1998

Nancy Shaefer, Treasurer
Bell for Congress
P.O. Box 31256
Augusta, GA 30903

RE: MUR 4565

Dear Ms. Shaefer:

On November 12, 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 Bell 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 this matter on March 2, 1998.

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 H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley", is written over a horizontal line.

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

98043362158



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 2, 1998

David Bell, Esq.
717 Somerset Way
Augusta, GA 30909

RE: MUR 4565

Dear Mr. Bell:

On November 12, 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 this matter on March 2, 1998.

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 H. Boyd on our toll-free number, (800) 424-9530. Our local number is (202) 694-1650.

Sincerely,

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

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

98043862152



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 2, 1998

Margaret McCormick, Esq.
AFL-CIO
815 16th Street, NW
Washington, DC 20006

RE: MUR 4565
AFL-CIO and Richard L. Trumka, Treasurer

Dear Ms. McCormick:

On November 12, 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 AFL-CIO and Richard L. Trumka, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 2, 1998.

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 H. Boyt on our toll-free number, (800) 424-9530. Our local number is (202) 694-1650.

Sincerely,

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

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE END OF MUR # 4565
DATE FILMED 3/11/98 CAMERA NO. 2
CAMERAMAN SES

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