

- 1) Addresses of respondents sent by JL to docket
- 2) 12 Day Report
- 3) Conciliation Correspondence and other conciliation matters
- 4) Routing slips
- 5) Objection memo
- 6) ~~Commission~~ tally sheet

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552 (b):

- | | | | |
|-------------------------------------|---|--------------------------|--|
| <input type="checkbox"/> | (1) Classified Information | <input type="checkbox"/> | (6) Personal privacy. |
| <input checked="" type="checkbox"/> | (2) Internal rules and practices | <input type="checkbox"/> | (7) Investigatory files |
| <input checked="" type="checkbox"/> | (3) Exempted by other statute | <input type="checkbox"/> | (8) Banking Information |
| <input type="checkbox"/> | (4) Trade secrets and commercial or financial information | <input type="checkbox"/> | (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> | (5) Internal Documents | | |

Signed Jonathan M. Levin
 Date 4/4/83

83040394737



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 29, 1983

John DiLorenzo, Jr., Esquire
Suite 580
The Landing
5200 S.W. Macadam Avenue
Portland, Oregon 97201

Re: MUR 1495

Dear Mr. DiLorenzo:

This is in reference to the complaint your client, the Moshofsky for Congress Committee, filed with the Commission on October 20, 1982, concerning the copying by the Reelect Les AuCoin Committee of contributor information from the Moshofsky FEC reports.

After conducting an investigation in this matter, the Commission determined there was reason to believe that the Reelect Les AuCoin Committee violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended. On March 24, 1983, a conciliation agreement signed by respondent's counsel was accepted by the Commission, thereby concluding the matter. A copy of this agreement is enclosed for your information.

The file number in this matter is MUR 1495. If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4529.

Sincerely,

Charles N. Steele
General Counsel

A handwritten signature in cursive script, appearing to read "Kenneth A. Gross".

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

83040394738



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 29, 1983

Richard M. Botteri, Esquire
33 N.W. First Avenue
Portland, Oregon 97209

Re: MUR 1495

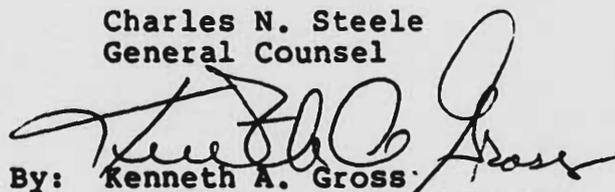
Dear Mr. Botteri:

On March 24, 1983, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within 30 days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1495
the Reelect Les AuCoin Committee)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn and notarized complaint by Gordon Jacobson, Treasurer of the Moshofsky for Congress Committee. An investigation has been conducted, and reason to believe has been found that the Reelect Les AuCoin Committee ("Respondent") violated 2 U.S.C. § 438(a) (4) by soliciting contributions from a pseudonym that was obtained from the FEC reports of Moshofsky for Congress Committee. In addition, the Commission found no reason to believe Congressman Les AuCoin himself violated 2 U.S.C. § 438(a) (4) and the matter is closed as to him.

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a) (4) (A) (i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

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IV. The pertinent facts in this matter are as follows:

1. Respondent, the Reelect Les AuCoin Committee, is the principal campaign committee of Congressman Les AuCoin.

2. Respondent has stated that, for purposes of sending a fundraising letter, respondent's staff obtained names of potential contributors from a variety of permissible sources including respondent's own lists of previous contributors, business directories, and state political contribution reports. However, respondent also used one impermissible source: reports filed with the Federal Election Commission by the Moshofsky for Congress Committee.

3. Respondent has stated that its campaign manager discovered the improper use prior to sending the fund raising letter and attempted to purge all the names of persons that were obtained exclusively from the Moshofsky reports.

4. On or about October 13, 1982, a fundraising letter was sent by the Reelect Les AuCoin Committee to the pseudonym "George Hogan" as listed on the FEC report filed by the Moshofsky for Congress Committee. The

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letter was received at the residence of a Moshofsky campaign worker. The respondent contends that the sending of this letter was inadvertent.

WHEREFORE, Respondent agrees:

V. Respondent violated 2 U.S.C. § 438(a)(4) which prohibits a political committee from soliciting contributions from individuals whose names were copies from financial reports filed pursuant to 2 U.S.C. § 434.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two hundred and fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

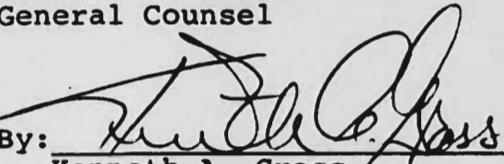
IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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X. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

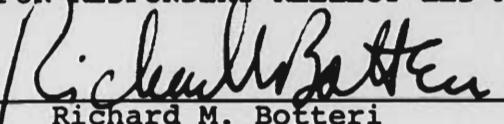
FOR THE COMMISSION:

Charles M. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

March 28, 1983
Date

FOR RESPONDENT REELECT LES AUCOIN COMMITTEE:


Richard M. Botteri
Counsel

FEB. 16, 1983
Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The Reelect Les AuCoin Committee) MUR 1495

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on March 24, 1983, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 1495:

1. Approve the conciliation agreement attached to the General Counsel's March 11, 1983 report on MUR 1495.
2. Close the file
3. Approve the letters attached to the General Counsel's March 11, 1983 report.

Commissioners Aikens, Elliott, McDonald, McGarry, and Reiche voted affirmatively for the decision. Commissioner Harris was not present at the time of the vote.

Attest:

3/25/83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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REELECT LES AU COIN COMMITTEE

11001 SW FIFTH AVE., SUITE 2000

PORTLAND, OREGON 97204



OREGON BANK

WILLAMETTE CENTER BRANCH
817 S.W. GALESON ST.
PORTLAND, OREGON 97204

2952

24-16
1230

PAY Two Hundred Fifty and 00/100 dollars

Treasurer of the United States

TO THE ORDER OF

DATE

AMOUNT

2/23/83

\$250.00

Clinton W. Cook

1 - p. 5

83040394743

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1495
Congressman Les AuCoin)
Re-elect Les AuCoin Committee)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on January 11, 1983, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1495:

1. Find reason to believe that the Re-elect Les AuCoin Committee violated 2 U.S.C. §438(a)(4).
2. Approve the proposed conciliation agreement attached to the General Counsel's report dated December 22, 1982.
3. Find no reason to believe that Congressman Les AuCoin violated 2 U.S.C. §438(a)(4).
4. Approve the letter attached to the General Counsel's report dated December 22, 1982.

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

Attest:

Jan 11, 1983
Date

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

33040394746

December 22, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1495

Please have the attached First General Counsel's
Report distributed to the Commission on a 88 hour tally
basis as a sensitive matter. Thank you.

Attachment

cc: Felton

83040594717

SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 DEC 22 A 9: 12

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 12-22-82

MUR #1495
DATE COMPLAINT RECEIVED
BY OGC Oct. 22, 1982
DATE OF NOTIFICATION TO
RESPONDENT Oct. 26, 1982
STAFF MEMBER Felton

COMPLAINANT'S NAME: Gordon Jacobson, Treasurer
Moshofsky for Congress Committee

RESPONDENTS' NAMES: Congressman Les AuCoin
Re-elect Les AuCoin Committee

RELEVANT STATUTE: 2 U.S.C. § 438(a)(4)

INTERNAL REPORTS CHECKED: RAD Pseudonym Lists

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On October 22, 1982, the Office of General Counsel received a complaint from Gordon Jacobson, treasurer of the Moshofsky for Congress Committee, alleging that the respondent Committee obtained names from the Moshofsky Committee's FEC reports and used these reports to solicit contributions in violation of 2 U.S.C. § 438(a)(4).

FACTUAL AND LEGAL ANALYSIS

According to the complaint and accompanying affidavit, the Moshofsky Committee submitted to the Reports Analysis Division on July 14, 1982, a letter and report displaying a pseudonymous listing. The report listed the name "George Hogan" as the

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pseudonym, and the address was that of a Moshofsky campaign worker. The complainant stated he was informed that a contribution solicitation letter from the Reelect Les AuCoin Committee, dated October 1, 1982, was addressed to the pseudonym, "George Hogan," and was received at the address listed on the FEC report, that of a Moshofsky campaign worker.

The respondent Committee sent a letter to the Commission regarding this matter before the complaint reached this office. (See Attachment 1). The letter stated that Congressman AuCoin has insisted on strict compliance with the Act, and that, if the Commission determines that a violation has occurred, the Committee is prepared to enter into informal conciliation.

In response to notification from the Commission of the complaint, affidavits were submitted by Congressman Les AuCoin and John Robert Crane, the campaign manager of the Reelect Les AuCoin Committee. (See Attachment 2). Mr. Crane maintains that in preparation for sending a fundraising letter two volunteers were instructed to consult directories of corporate officers and directors on file in the Portland, Oregon public library and to prepare lists of names of persons connected with major corporations doing business in the Portland area. Mr. Crane states that during the development of this list it was discovered that a campaign staffer assigned to the project had consulted Moshofsky Committee reports filed with the FEC. Before the fundraising letter was sent, an attempt was made to purge from

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the mailing list the names and addresses of all persons obtained exclusively from the Moshofsky reports. Mr. Crane believed at the time that all the names obtained from the Moshofsky report were removed.

After receiving this complaint, Mr. Crane states he again reviewed their files and found the pseudonym "George Hogan" which appears in the Moshofsky Committee's FEC report. He admits that the failure to purge this pseudonym was an oversight on his part.

Congressman AuCoin states he was not aware at the time that an error had been discovered in compiling the mailing list. Further, he was not aware that an attempt had been made to correct this error. The Congressman maintains he would have ordered that any use of the names from any Moshofsky Committee's FEC reports not be used.

Section 438(a)(4) of Title 2, United States Code, prohibits the sale or use by any person of information copied from reports filed with the Commission for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of a political committee to solicit contributions from such committee. This section further provides that a political committee may submit 10 pseudonyms on each report filed in order to protect against the illegal use of names and addresses of contributors.

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Mr. Crane, the campaign manager of the Reelect Les AuCoin Committee admits that a campaign staffer did use the Moshofsky reports filed with the FEC in compiling a mailing list for a fundraising letter. There is no evidence indicating that other persons exclusively on the Moshofsky Committee's FEC report received the fundraising letter from the Reelect Les AuCoin Committee. Further, it appears that Congressman AuCoin was unaware of this violation and the attempt by the Reelect Committee to rectify the violation.

Based upon the foregoing analysis, there appears to be no need to investigate this matter further. Therefore, the General Counsel recommends that the Commission find reason to believe that the Reelect Les AuCoin Committee violated 2 U.S.C. § 438(a)(4) and that it approve the attached proposed conciliation agreement.

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The General Counsel also recommends that the Commission find no reason to believe that Congressman Les AuCoin, personally violated 2 U.S.C. § 438(a)(4).

Recommendations

1. Find reason to believe that the Reelect Les AuCoin Committee violated 2 U.S.C. § 438(a)(4).
2. Approve the attached proposed conciliation agreement.
3. Find no reason to believe that Congressman Les AuCoin violated 2 U.S.C. § 438(a)(4).
4. Approve the attached letter.

November 21, 1982
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

- 1 - letter of 10/20/82 from the Committee
- 2 - affidavits of Crane and AuCoin
- 3 - proposed conciliation agreement for the Committee
- 4 - proposed letter

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203778

AuCoin

UNITED STATES REPRESENTATIVE

20625 P2:12

RE-ELECT LES AU COIN COMMITTEE • 5319 S.W. WESTGATE DR., SUITE 222 • PORTLAND, OREGON 97221

October 20, 1982

2:23

JAMES M. SUMNER
chairman

CLINT COOK
treasurer

PHONE 297-8866

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: Complaint of Moshofsky for Congress Committee
and complaint against Moshofsky Committee

Gentlemen:

The Reelect Les AuCoin Committee has received notice that the Moshofsky for Congress Committee has or may file a complaint with the FEC alleging that our committee violated FEC regulation Sec. 104.15 prohibiting use of contribution and expenditure reports for the purpose of soliciting contributions from persons other than political committees. The complaint relates to a recent mailing we sent soliciting funds for our committee.

As of yet we have not received a copy of the complaint from the FEC and have learned of the nature of the complaint only through press reports. Nevertheless, we are undertaking to prepare a full response to any complaint which is actually filed. I can state categorically that Congressman AuCoin has made known his insistence on strict compliance with the provisions of the Act. If a mistake occurred it was not a willful known violation of the Act by our committee. If the FEC determines that a violation occurred, our committee is prepared to enter into the informal conciliation and conference procedure provided by Sec. 309 (4) (A) of the Act.

Attachment I Page 1 of 4

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We believe that it is important that as the Federal Election Commission consider the complaint of the Moshofsky for Congress Committee that it also consider the following matter which we submit to you pursuant to the complaint procedure provided in Sec. 309 (a) (1) of the Act. We bring this matter to your attention not only so that the particular violation in question can be cured, but so that the people of the First Congressional District of Oregon have full opportunity to review the campaign ethics and standards of the candidates running for office.

Attached to this letter as Exhibit A is a photocopy of a letter sent in September of 1982 by Jack H. Burns, finance chairman of "Citizens for Moshofsky." Mr. Burns is a stockholder and officer in an Oregon corporation known as Burns Bros. Inc. located in Portland, Oregon. The enclosed letter was sent to potential contributors to the Moshofsky campaign soliciting their contribution. It was sent on corporation letterhead provided by the corporation. It apparently was prepared by a corporate employee and the postage was paid by the corporation. Notations on the original letter which would identify the individual who provided the letter to our committee have been deleted on your copy to protect the identity of the course of the letter.

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The preparation and mailing of this letter constitutes several violations of the Act and Commission regulations.

Expenditure of corporate funds for the preparation of this letter including for the stationery, postage and work of corporate employees to prepare the letter constitutes a violation of §316(A) of the Act and §114.2 of the Commission's regulations which prohibit contributions or expenditures by corporations on behalf of federal candidates.

The letter, sent by the Moshofsky finance chairman, also violates §110.11 of the Commission's regulations which require that a communication especially advocating the election or defeat of a clearly identified candidate or which solicits any contribution through direct mailing must state in a clear and conspicuous manner whether the communication is paid for and authorized by Mr. Moshofsky or his committee, or whether such communication is not authorized by Mr. Moshofsky and his committee.

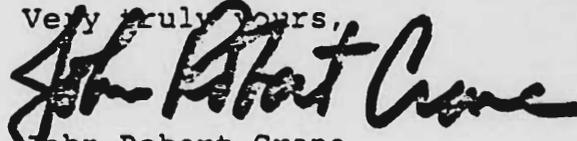
In addition to the violation noted above relating to Burns Bros. Inc., the text of the letter together with the fact that it was sent as direct mail and the fact that it was prepared and sent by the finance chairman of the Moshofsky Committee allows us to infer that the Moshofsky Committee was aware of the preparation and sending of the letter and consented to its mailing in its form. If the Moshofsky for Congress

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Committee was aware of the letter, it has violated §114.2(C) of the Commission's regulations which prohibit a candidate or political committee from knowingly accepting or receiving any contribution prohibited, which includes an in-kind contribution from corporations as defined in §114.1(A). If the Moshofsky for Congress Committee was aware of the contribution, and we infer that it was, then the committee has also violated §104.13 requiring disclosure of receipt and consumption of in-kind contributions, for having failed to list this contribution in its last contribution and expenditure report.

By virtue of this complaint we ask your prompt investigation of the circumstances of the sending of the letter and your taking steps to enforce the provisions of the Federal Campaign Act which have been violated in this matter.

Very truly yours,



John Robert Crane
Campaign Manager

STATE OF OREGON)
) ss.
County of Multnomah)

Subscribed and sworn to before me this 20 day of October, 1982.



Notary Public for Oregon
My commission expires: 3-7-86

33040394756

AFFIDAVIT OF JOHN ROBERT CRANE

I, John Robert Crane, being sworn depose and say:

I make this affidavit in response to the complaint filed by Gordon Jacobson, treasurer, Bill Moshofsky for Congress Committee, MUR 1495. I make this affidavit on behalf of Congressman Les AuCoin and The Reelect Les AuCoin Committee.

The fund raising letter, which is the subject of the complaint, was sent to approximately 440 persons. It was aimed at members of the business community in the Portland, Oregon area. Names were compiled as follows.

Two volunteers were instructed to consult directories of corporate officers and directors on file in the Portland public library and to prepare lists of the names of persons connected with major corporations doing business in the Portland metropolitan area. A separate list was prepared for each of approximately 60 corporations, showing officers and directors. Representative samples of these lists are attached as Exhibit A. Several of the names on these lists also appear on the Moshofsky FEC reports.

Moshofsky's own campaign committee distributed lists of prominent members of the corporate community who were supporting his campaign to show the depth of support for his campaign. Attached to this affidavit as Exhibit B are copies of two lists distributed by Moshofsky's campaign from which we obtained names for the fund-raising letter.

Attachment II page 1 of 6

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Some of the other sources of names for the letter include our own campaign's previous contributor lists, our knowledge of prominent business people in the community who might be likely contributors to our campaign, and lists published by the Oregon Secretary of State of contributors to state campaigns and state political committees. No lists prepared by the Oregon Secretary of State from reports filed pursuant to federal election law were consulted.

As names were selected, they were typed on file cards. No reference was made on the card as to the source of the name and no master list of names was prepared for the mailing.

During the development of the names for the letter, a campaign staffer assigned to the project referred to the Moshofsky reports filed with the Federal Elections Commission. Prior to mailing out the letter, she and I reviewed the election law. When I realized that the staffer had used lists prohibited by law, I put a hold on the entire project. I wanted to avoid violating the federal election law.

I directed the staffer to purge from the mailing all letters addressed to persons whose names came exclusively from the Moshofsky list. After the staffer completed her review, I personally reviewed the letters and purged additional names which appeared to have come from the prohibited lists. I was trying to comply with the letter and spirit of election law.

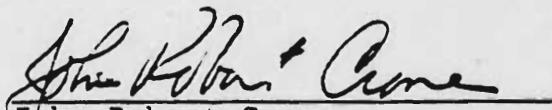
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Being satisfied that all names improperly selected had been purged, I directed that the mailing be sent.

Upon the filing of the complaint, I reviewed our card file. The bogus name included in the Moshofsky contribution report appears in our card file. In reviewing the remaining cards I have not been able to find other examples of names which came exclusively from FEC reports filed by Moshofsky and which were not purged. Failure to pull the letter addressed to the bogus name was my oversight.

8 3 0 4 0 3 9 4 7 5 8
There was no wilfull violation of the federal election law in this case. When we discovered our error in using the Moshofsky reports, we used our best efforts to purge names taken from the Moshofsky lists. To my knowledge, no letter went to any other person whose name our campaign obtained from Moshofsky's contribution reports and no complaint has been filed contending that we did. When we discovered our error, we attempted to correct it. Mailing the letter to the name appearing on the Moshofsky report was inadvertent.

Congressman AuCoin was not involved in the selection of names for the mailing and was not aware of the use of the Moshofsky lists prior to the filing of the complaint. He has always counseled his campaign staff to maintain strict compliance with the election laws and we attempted to do so.


John Robert Crane

STATE OF OREGON)
) ss.
County of Multnomah)

SUBSCRIBED AND SWORN to before me this 10 day of November, 1982.

Richard W. Ratten
Notary Public for Oregon
My Commission expires: 6/4/84

83040394760

AFFIDAVIT OF LES AUCCOIN

I, LES AUCCOIN, being sworn depose and say:

I am a member of Congress representing the First Congressional District of the State of Oregon.

My reelection campaign in the 1982 general election was conducted by the Reelect Les AuCoin Committee. The campaign manager was John Robert Crane.

Prior to the filing of the complaint, I was not aware that reports filed by Bill Moshofsky's campaign committee had been used to compile names for the letter which gives rise to the complaint. I was not aware that the campaign manager had discovered the error in using the prohibited lists and had taken steps to purge the mailing of names improperly obtained.

Prior to the mailing I consulted with Mr. Crane about the purpose of the letter and the text. In my earlier campaigns, my committee had sent letters to prominent business people soliciting contributions. Names for such letters had always been compiled from a wide variety of sources. However, I did not suspect that any names compiled for this mailing were derived from Moshofsky's reports. If I had been aware of the use of such reports I would have ordered that such use be stopped and the names derived not be used.

I have reviewed Mr. Crane's affidavit. His affidavit is consistent with what he has told me about the matter. I am not

Attachment II page 5 of 6

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NOV 15 10 23 20

aware of any information which would contradict what he has attested to.

Les Aucoin

LES AUCOIN

District of Columbia) ss.

Subscribed and sworn to before me this 15th day of November, 1982.

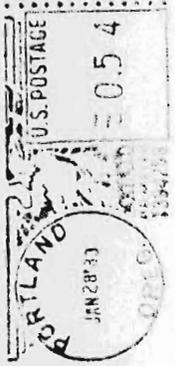
Robert H. Cooksey

Notary Public, D.C.

Robert H. Cooksey
Notary Public, Dist. of Columbia
Commission Expires July 14, 1985

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03040394765



FIRST CLASS

FROM:

RICHARD M. BOTTERI
ATTORNEY AT LAW
NORTON HOUSE
33 N. W. FIRST AVENUE
PORTLAND, OREGON 97209

TO:

Jonathan Levin, Esq.
Federal Elections Commission
1325 K Street, NW
Washington, D.C. 20463

203 346

RECEIVED AT THE FEC

GA # 8935
82 NOV 15 P 2: 00

RICHARD M. BOTTERI
ATTORNEY AT LAW
NORTON HOUSE
33 N. W. FIRST AVENUE
PORTLAND, OREGON 97209
(503) 227-5042 OR 227-3331

November 11, 1982

NOV 15 3:15

Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Attn: Mr. Jonathan Levin

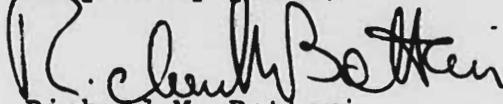
Re: MUR 1495

Dear Mr. Levin:

Enclosed is the affidavit of John Robert Crane which I am submitting on behalf of Congressman AuCoin and the Reelect Les AuCoin Committee in response to the complaint filed by the Moshofsky for Congress Committee. Also enclosed is a copy of an affidavit that Congressman AuCoin will sign and will submit to you separately by November 15.

I have discussed this matter at great length with Mr. Crane and am satisfied that the occurrence was inadvertent and innocent.

Very truly yours,


Richard M. Botteri

RMB:sg

encls.

cc: R. Crane
Hon. Les AuCoin

83040394754

AFFIDAVIT OF JOHN ROBERT CRANE

I, John Robert Crane, being sworn depose and say:

I make this affidavit in response to the complaint filed by Gordon Jacobson, treasurer, Bill Moshofsky for Congress Committee, MUR 1495. I make this affidavit on behalf of Congressman Les AuCoin and The Reelect Les AuCoin Committee.

The fund raising letter, which is the subject of the complaint, was sent to approximately 440 persons. It was aimed at members of the business community in the Portland, Oregon area. Names were compiled as follows.

Two volunteers were instructed to consult directories of corporate officers and directors on file in the Portland public library and to prepare lists of the names of persons connected with major corporations doing business in the Portland metropolitan area. A separate list was prepared for each of approximately 60 corporations, showing officers and directors. Representative samples of these lists are attached as Exhibit A. Several of the names on these lists also appear on the Moshofsky FEC reports.

Moshofsky's own campaign committee distributed lists of prominent members of the corporate community who were supporting his campaign to show the depth of support for his campaign. Attached to this affidavit as Exhibit B are copies of two lists distributed by Moshofsky's campaign from which we obtained names for the fund-raising letter.

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Some of the other sources of names for the letter include our own campaign's previous contributor lists, our knowledge of prominent business people in the community who might be likely contributors to our campaign, and lists published by the Oregon Secretary of State of contributors to state campaigns and state political committees. No lists prepared by the Oregon Secretary of State from reports filed pursuant to federal election law were consulted.

As names were selected, they were typed on file cards. No reference was made on the card as to the source of the name and no master list of names was prepared for the mailing.

During the development of the names for the letter, a campaign staffer assigned to the project referred to the Moshofsky reports filed with the Federal Elections Commission. Prior to mailing out the letter, she and I reviewed the election law. When I realized that the staffer had used lists prohibited by law, I put a hold on the entire project. I wanted to avoid violating the federal election law.

I directed the staffer to purge from the mailing all letters addressed to persons whose names came exclusively from the Moshofsky list. After the staffer completed her review, I personally reviewed the letters and purged additional names which appeared to have come from the prohibited lists. I was trying to comply with the letter and spirit of election law.

83040394756

Being satisfied that all names improperly selected had been purged, I directed that the mailing be sent.

Upon the filing of the complaint, I reviewed our card file. The bogus name included in the Moshofsky contribution report appears in our card file. In reviewing the remaining cards I have not been able to find other examples of names which came exclusively from FEC reports filed by Moshofsky and which were not purged. Failure to pull the letter addressed to the bogus name was my oversight.

There was no wilfull violation of the federal election law in this case. When we discovered our error in using the Moshofsky reports, we used our best efforts to purge names taken from the Moshofsky lists. To my knowledge, no letter went to any other person whose name our campaign obtained from Moshofsky's contribution reports and no complaint has been filed contending that we did. When we discovered our error, we attempted to correct it. Mailing the letter to the name appearing on the Moshofsky report was inadvertent.

Congressman AuCoin was not involved in the selection of names for the mailing and was not aware of the use of the Moshofsky lists prior to the filing of the complaint. He has always counseled his campaign staff to maintain strict compliance with the election laws and we attempted to do so.


John Robert Crane

83040394767

STATE OF OREGON)
) ss.
County of Multnomah)

SUBSCRIBED AND SWORN to before me this 10 day of November, 1982.

Richard W. Botteri
Notary Public for Oregon
My Commission expires: 6/4/84

83040394768

FLOATING POINT SYSTEMS

A→ C. Norman Winningstad	Chairman
Lloyd D. Turner	President
Herbert S. England	VP
J. Robert Newton	VP Finance
George P. O'Leary	VP
Robert N. Schuhmann	VP
Milton Smith	Director
Michael J. Myers	Director
Charles P. Waite	Director
A→ Earl Wantland	Director

83040394769

NIEDERMEYER MARTIN CO.

E.C. Niedermeyer
T.J. Neidermeyer
Stephen V. Nava
Mark T. Moothart
Matt S. Masco

President
Exec. VP
VP
Treas.
Comptroller

83040394770

TEKTRONIX, INC.

	Howard Vollum	Chairman
A→	Earl Wantland	President and CEO
	William Walker	Exec VP
	Larry N. Choruby	Group VP
	Larry Mayhew	VP
	Lewis C. Kasch	VP
	William Velsink	VP
	John L. Landis	VP
	Francis Doyle	VP
M→	Don A. Ellis	VP
	Larry Sutler	VP
	Jon Reed	VP
	Tom Long	VP
	R. Allan Leedy, Jr.	Secy
	Ken Knox	Treas.
	Paul E. Bragdon	Director
M→	John D. Gray	Director
	Louis B. Perry	Director
	James B. Castles	Director
	Leonard Laster	Director
M→	Frank M. Warren	Director

83040394771

OREGON MUTUAL SAVINGS BANK

(234 SW Broadway, PDX)

Jack H. Goetze	Chairman and President
Paul Nordstrom	SR VP
William Meyer	SR VP
James L. Alleman	VP
Eldon R. Dalke	VP
Lois Freeman	VP
Gary H. Weinstein	VP
H.A. Anderson	Director
Erling E. Jacobsen	Director
John Y. Lansing	Director
W.H. Ragsdale	Director
Peter D. Williams	Director
Franz B. Drinker	Director
Donald E. Kennedy	Director
Ronald W. Peterson	Director
Harold E. Sand	Director
Guy A. Woods, Jr.	Director

3304039472

PACIFIC POWER AND LIGHT CO.

Don C. Frisbee - Chrm and Chief Exec Off.
G. E. Drennan - Pres.
David F. Bolender - Exec. VP
John H. Geiger - SR VP & Chief Fin off.
Robert W. Moench - Sr VP ENGR & Power
C.P. Davenport - VP Pub Affairs
Robert M. Smith - VP Constr
Charles O. Parker - VP Admin
R. B. Lisbakken - VP Power resources
Jack T. Stiles - VP Elec. Engr
Elwood B. Hedberg - VP Power Sys
Bruce B. Beaudoin - VP Wyoming
Frederic D. Reed - VP Elec Rates
Robert F. Lanz - VP Fin
Wayne M. Goin - VP
D. Clifford Jones - VP
E. E. Smith - VP
Glen L. Spicer - VP
Karl H. Hoffmann - Tres.
Warne Nunn - Secy
James F. Pienovi - Cont
Gary L. Boshears - Dir Purch & Stores
Bert J. Leonard - Mgr Labor Rel

Directors

C.M. Binkley
Clifford P. Hanson
Betty E. Hawthorne
Louis B. Perry
Eugene L. Shields
Howard Vollum
M→ C.M. Bishop, Jr.
Stanley K. Hathaway
Conrad F. Lundgren
Kenneth W. Self
A.M. Sweet
Roy A. Young

3304039473

OREGON BANK

(subsidiary of ORBANCO)

Donald Tisdell	Chairman and CEO
Norris N. Heinbuch	Vice Chairman
Virgil Solso	Vice Chairman
Michael Danielson	President
Gary D. Putman	SR VP
Richard F. Radke	SR VP
Donn N. Spencer	SR VP
John W. Bates	SR VP

M→ Charles Adams	Director
Douglas David	Director
David E. Hinson	Director
John Blake Haring	Director
C. Edwin Roberts	Director
M→ Kenneth T. Shipley	Director
M→ Henry T. Swigert	Director
M→ Ralph E. Williams	Director
Frederick H. Torp	Director
M→ Louis Courtemanche, Jr.	Director
Alan Gard	Director
Peter C. Murphy, Jr.	Director
T.J. Pasquesi	Director
Ross B. Thompson	Director
Joan Smith	Director
Cyrus T. Walker	Director
Craig F. Courtemanche	Director

83040394776

JAMES AND COMPANY INC., Fred S. (111 SW Columbia PDX)

J.W. Bayliss	President
M→ H.A. Ballin, Jr.	Exec VP
William E. Bowes	SR VP
Carroll D. Cox	SR VP
William H. Lilly	SR VP
Larry C. Boyd	SR VP
J.H. Heffy	SR VP
Ronald J. Kutella	SR VP
Helen J. Asher	VP
William E. Bryan	VP
Jack C. Burnett	VP
R.T. Elliot	VP
David G. Rimbach	VP
Bruce B. Kegg	Tech VP
John L. Boyd	COB
Walt McGovern	VP

3304039477

NORTHWEST NATURAL GAS CO.

(200 SW Market St.)

Ronald T. Miller
Roger L. Conkling
Raul L. Hathaway, Jr.

President and CEO
SR VP
SR VP

Elise F. Finley
Hohn R. Howard
Roger G. Larson
Alfred J. Rawlinson
Carlton Woodward
Coburn L. Grabenhorst, Sr.
Wayne D. Kuni
F.F. Montgomery
M → Ralph J. Voss

Director
Director
Director
Director
Director
Director
Director
Director
Director

83040394776

MOSHOFSKY for Congress

1070 NORTHWEST MURRAY ROAD
Suite D
PORTLAND, OREGON 97229

The following is a cross section of the business community which is supporting the Moshofsky for Congress Campaign.

Broughton H. Bishop	Executive, Pendleton Woolen Mills
C. M. Bishop, Jr.	Executive, Pendleton Woolen Mills
Jack H. Burns	Chairman of the Board, Burns Bros.
Douglas David	President, No. Pacific Lumber Co.
Don A. Ellis	Former Executive, Tektronics
Robert E. Flowerree	Chairman, Georgia Pacific
Ed Hart	President, Payless Drug Stores
Peyton Hawes	Former CEO, Payless Drug Stores
William H. Hunt	Former President, Louisiana Pacific & Georgia Pacific, retired
Aaron U. Jones	President, Seneca Sawmill
Harry A. Merlo	CEO, Louisiana Pacific
Theodore Lilley, Jr.	Vice President, Stimson Lumber Co.
William H. Kilkenny	Chairman, Hyster Company
Gene Knudson	Chairman, Willamette Industries
Robert C. Warren	Chairman, Cascade Corporation
Thomas D. Taylor	Former President, Oregon Cummins, retired
Darrell Schroeder	President, Stimson Lumber Co.
Forrest Simmons	Chairman, First Far West Corporation
Ernest Swigert	Former Chairman, Hyster Co.
Hank Swigert	Chairman, Esco Corporation
Arthur Riedel	CEO, Riedel International
R. W. Roth	President, Jantzen, Inc.
Robert B. Pamplin	Former Chairman, Georgia Pacific

EXHIBIT B

Paid for by MOSHOFSKY FOR CONGRESS COMMITTEE, Gordon Jacobson, Treasurer

83040394777

The following is a cross section of the business community which is supporting the Moshofsky for Congress Campaign.

H. A. Anderson	H. A. Anderson Co.	Contractor
Duane Autzen		Self-Employed
Tom Autzen	The Autzen Foundation	President
Broughton H. Bishop	Pendleton Woolen Mills	Executive
C.M. Bishop, Jr.	Pendleton Woolen Mills	Executive
Jack H. Burns	Burns Brothers	Chrm. of the Board
Robert E. Burns	Burns Brothers	Retired Executive
Julian Cheatham	J. N. Cheatham Corp.	President
Maurie Clark	Rollins, Burdick, Hunter of Oregon, Inc.	Executive
Richard M. Cole	Rollins, Burdick, Hunter of Oregon, Inc.	Chrm. of the Board
Louis Courtemanche, Jr.	Orbanco	Chrm. of the Board
Douglas David	No. Pacific Lumber Co.	President
Don A. Ellis	Tektronics	Former Executive
Robert E. Flowerree	Georgia-Pacific	Chairman
Ted Gamble	Pepsi Cola Bottling Co. of Oregon	President
Alan Goudy	Collins Pine Co.	President
Leo Graham	Gramark Co.	Managing Partner
John D. Gray	Omark Industries	Chrm. of the Board
Carl Halverson	Carl Halverson, Inc.	Owner
Daniel Hanna	Hanna Industries	Owner
Ed Hart	Payless Drug Stores	President
Peyton Hawes	Payless Drug Stores	Former CEO

8304039477E

Edmund Hayes		Retired
Thomas Holce	Sentrol, Inc.	President
William H. Hunt	Louisiana-Pacific and Georgia-Pacific	Former President Retired
Aaron U. Jones	Seneca Sawmill	President
William H. Kilkenny	Hyster Company	Chairman
Gene Knudson	Willamette Industries	Chairman
Theodore Lilley, Jr.	Stimson Lumber Co.	Vice President
William J. Macy	Blaesing Granite	President
Harry A. Merlo	Louisiana-Pacific	CEO
Edward Niedermeyer	Niedermeyer/Martin	President
Robert B. Pamplin	Georgia-Pacific	Former Chairman
Knute Qvale	Riviera Motors	President
Arthur Riedel	Riedel International	CEO
William Roberts	Morgan Park, Inc.	President
R. W. Roth	Jantzen, Inc.	President
Darrell Schroeder	Stimson Lumber Co.	President
Forrest Simmons	First Far West Corp.	Chairman
Edward S. Smith	Omark Industries	President
Ernest Swigert	Hyster	Former Chairman
Hank Swigert	Esco Corporation	Chairman
Thomas D. Taylor	Oregon Cummins	Former President, Retired
Donald Vetterlein		Self-Employed
Robert C. Warren	Cascade Corporation	Chairman

83040524779

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RECEIVED

NOV 16 12:08



EXPRESS MAIL SERVICE

POST OFFICE TO ADDRESSEE



REMOVE copies 1 & 2 with this stub

FROM: Richard Bottega
3500 W. First Ave
Portland, OR 97261

Customer Number, if any: AT&T International Service

TO: Yofc of General Motors
15000 E. Michigan Ave
Warren, MI 48090

ORIGIN:

Post Office: 97
Post Office Name: 97261
Post Office City: Portland, OR
Post Office State: OR
Post Office Zip: 97261

Return Receipt Service

To Whom & Date Delivered

To Whom, Date & Address of Delivery

B 4154397C

DESTINATION:

Date of Delivery: 11-17
Time of Delivery: 12:05
In Name of: [Signature]
In Name of: [Signature]
Signature of Addressee or Agent: [Signature]
Signature of Delivering Employee: [Signature]

DELIVERY WAS ATTEMPTED

Date: [Blank] Time: [Blank]

Notice Left By: [Blank]

EXPRESS MAIL SERVICE

LAB EL 11B JAN/82 ☆ U.S.G.P.O. 1981-357-478

NOV 16 1982

CC# 8920

RE: MUR 1495

AFFIDAVIT OF LES AUCCOIN

I, LES AUCCOIN, being sworn depose and say:

I am a member of Congress representing the First Congressional District of the State of Oregon.

My reelection campaign in the 1982 general election was conducted by the Reelect Les AuCoin Committee. The campaign manager was John Robert Crane.

Prior to the filing of the complaint, I was not aware that reports filed by Bill Moshofsky's campaign committee had been used to compile names for the letter which gives rise to the complaint. I was not aware that the campaign manager had discovered the error in using the prohibited lists and had taken steps to purge the mailing of names improperly obtained.

Prior to the mailing I consulted with Mr. Crane about the purpose of the letter and the text. In my earlier campaigns, my committee had sent letters to prominent business people soliciting contributions. Names for such letters had always been compiled from a wide variety of sources. However, I did not suspect that any names compiled for this mailing were derived from Moshofsky's reports. If I had been aware of the use of such reports I would have ordered that such use be stopped and the names derived not be used.

I have reviewed Mr. Crane's affidavit. His affidavit is consistent with what he has told me about the matter. I am not

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2 NOV 15 P 2:20

aware of any information which would contradict what he has attested to.

Les Aucoin

LES AUCOIN

District of Columbia) ss.

Subscribed and sworn to before me this 15th day of November, 1982.

Robert H. Cooksey

Notary Public, D.C.

Robert H. Cooksey
Notary Public, Dist. of Columbia
Commission Expires July 14, 1985

83040694782

AuCoin
2446 Rayburn HOB
Washington, D.C. 20515

General Counsel's Office
Federal Election Commission
Attn: Jonathon Levin
Re: MUR 1495

8 3 0 4 0 3 9 7 8

RECEIVED AT THE FEC
UNITED STATES REPRESENTATIVE

203816

AuCoin

82 NOV 1 11:51
Ccc# 8821

RE-ELECT LES AU COIN COMMITTEE • 5319 S.W. WESTGATE DR., SUITE 222 • PORTLAND, OR 97225

JAMES M. SUMNER
chairman
CLINT COOK
treasurer
PHONE 297-8866

October 29, 1982

2 NOV 1 9:54

MR. JONATHAN LEVIN
Office of General Counsel
Federal Elections Commission
Washington, DC 20463

RE: MUR 1495

Dear Mr. Levin:

Enclosed are statements of designation of counsel for
Congressman Les AuCoin and the ReElect Les AuCoin Committee.

Congressman AuCoin's Washington office received the letter
from Mr. Gross giving notice of the complaint on October 26, 1982.
No separate notice was sent to our committee.

We understand that a response to the complaint will be
due by November 10, 1982.

Very Truly Yours,



Bob Crane, Campaign Manager
ReElect Les AuCoin Committee

Enclosures

8304059473

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Richard M. Botteri, Esq.

ADDRESS: 33 NW First Ave., Portland, OR 97209

TELEPHONE: 503-227-5042

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.

03040394733

OCT 29, 1982
DATE

Les AuCoin
Signature

NAME: Les AuCoin

ADDRESS: 2446 Rayburn Washington DC 20515

HOME PHONE: NA

BUSINESS PHONE: 202-225-0855

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Richard M. Botteri, Esq.

ADDRESS: 33 NW First Ave., Portland, OR 97209

TELEPHONE: (503) 227-5042

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.

October 29, 1982
DATE

Bob Cline Campaign Manager
Signature

NAME: ReElect Les AuCoin Committee

ADDRESS: 5319 SW Westgate Dr., Suite 222, Portland, OR 97221

HOME PHONE: na

BUSINESS PHONE: 503-297-8866

83040394786

UNITED STATES REPRESENTATIVE

AuCoin

Re-elect Les AuCoin Committee • 5319 S.W. Westgate Dr. • Portland, OR 97221



8304034

MR. JONATHAN LEVIN
Office of General Counsel
Federal Elections Commission
Washington, DC 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 26, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: George Demougeot *GD*
SUBJECT: MUR 1495 - Expedited

Please have the attached Memo to the Commission distributed to the Commission on pink paper per expedited procedures. Thank you.

Attachment

83040394738



SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

82 OCT 26 P 1: 55

October 26, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: MUR 1495; complaint received October 22, 1982

On October 22, 1982, the Commission received a complaint from Gordon Jacobson, the treasurer of the Moshofsky for Congress Committee against Congressman Les AuCoin and the Reelect Les AuCoin Committee. The complaint alleges that the respondents violated 2 U.S.C. § 438(a)(4) by using information obtained from reports filed by the Moshofsky Committee for the purpose of soliciting contributions. Specifically, the complaint asserts that the respondents mailed a solicitation to "George Hogan," a pseudonym submitted by the Moshofsky Committee to the Commission. Respondent enclosed a copy of the solicitation and copy of a committee report containing the pseudonymous listing.

Letters notifying the respondents of the complaint have been sent. This is a matter which we believe warrants awaiting the responses of the persons involved. Our office will make a recommendation to the Commission upon receipt of these responses.

83040394709



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 26, 1982

Mr. John DiLorenzo, Jr.
Suite 580 The Landing
5200 S.W. Macadam Avenue
Portland, OR 97201

Dear Mr. DiLorenzo:

This letter is to acknowledge receipt of your complaint of October 20, 1982, against Congressman Les AuCoin and the Re-elect Les AuCoin Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Steven Barndollar at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure

83040394790



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 26, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Les AuCoin
2446 Rayburn House Office Building
Washington, D.C. 20515

Re: MUR 1495

Dear Congressman AuCoin:

This letter is to notify you that on October 21, 1982, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1495. 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 connection with this matter. Your response 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.

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.

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.

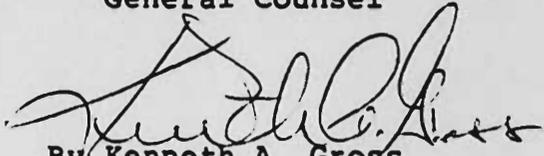
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

33040394791

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

83040394792

Enclosures

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 26, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Clint W. Cook, Treasurer
Re-elect Les AuCoin Committee
1001 SW Fifth Avenue
Suite 2000
Portland, Oregon 97204

Re: MUR 1495

Dear Mr. Cook:

This letter is to notify you that on October 21, 1982, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1495. 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 connection with this matter. Your response 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.

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.

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.

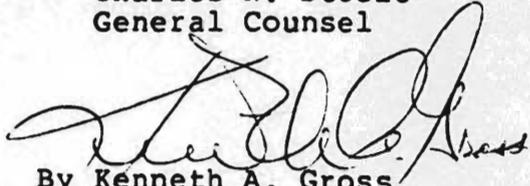
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

33040394793

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

8304039479

Enclosures

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

1495 10/28

1. The following article is enclosed: <input type="checkbox"/> Show to whom it is addressed <input type="checkbox"/> Show to whom it is not addressed <input type="checkbox"/> RETURN TO THE SENDER (The sender's name and address is on the return envelope.)		TOTAL
2. ARTICLE ADDRESS TO: Clint Cook Los Angeles Center Portland, OR 97204		
3. TYPE OF SERVICE: <input type="checkbox"/> Registered Mail <input type="checkbox"/> Registered Mail Restricted <input type="checkbox"/> Registered Mail Return Receipt <input type="checkbox"/> Registered Mail Return Receipt with Certificate of Insurance		438394
I have received the article described above. SIGNATURE 		
4. DATE OF DELIVERY 10/29/82		5. POSTAGE PAID PERMIT NO. 1000 WASHINGTON, D.C. 20540
6. ADDRESSEE'S PHONE NO. (if known)		
7. USABLE TO RETURN SERVICE		8. OTHER COMMENTS

U.S. MAIL
OCT 29 1982
ISSUE

203130

RECEIVED AT THE FEC
CCH 8750

82 OCT 22 P2:16

001100
P3:11

JOHN DILORENZO, JR.
ATTORNEY AT LAW
SUITE 580 THE LANDING
5200 S.W. MACADAM AVENUE
PORTLAND, OREGON 97201
(503) 225-0010

October 20, 1982

The General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

In the Matter of Gordon Jacobson, Treasurer,
Bill Moshofsky for Congress Committee vs.
Congressman Les AuCoin and Reelect Les AuCoin
Committee

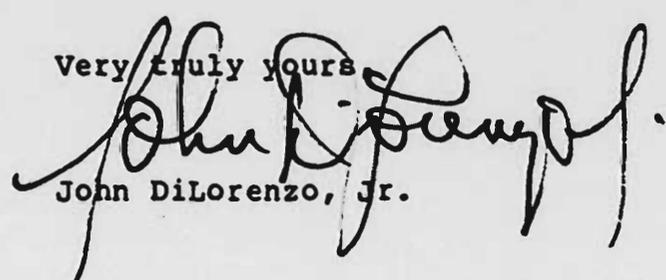
Gentlemen:

Please find enclosed a copy of a Complaint sworn to by Gordon Jacobson, the Treasurer of the Moshofsky for Congress Committee and notarized pursuant to 2 USC Section 438(a)(4). Also enclosed is a supporting Affidavit of Mr. Jacobson and two photocopies of all of the materials herein submitted.

The Complaint requests, among other forms of relief, the expedited consideration of this matter due to the fast-approaching general election date.

Thank you for your courtesy concerning this matter. Should you have any questions, please do not hesitate to call my office.

Very truly yours



John DiLorenzo, Jr.

JAD:ldb
Enclosures

cc: Gordon Jacobson
Bill Moshofky
Moshofsky for Congress Committee

03040394773

203126

RECEIVED AT THE FEC
Case # 8750

82 OCT 22 P2:18

2 OCT 1992 P3:11

JOHN DILORENZO, JR.
ATTORNEY AT LAW
SUITE 580 THE LANDING
5200 S.W. MACADAM AVENUE
PORTLAND, OREGON 97201
(503) 225-0010

October 20, 1982

The General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

In the Matter of Gordon Jacobson, Treasurer,
Bill Moshofsky for Congress Committee vs.
Congressman Les AuCoin and Reelect Les AuCoin
Committee

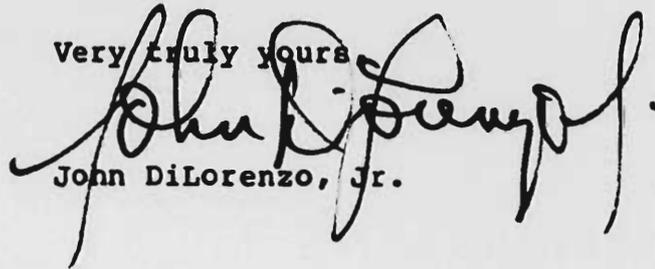
Gentlemen:

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The Complaint requests, among other forms of relief, the expedited consideration of this matter due to the fast-approaching general election date.

Thank you for your courtesy concerning this matter. Should you have any questions, please do not hesitate to call my office.

Very truly yours,



John DiLorenzo, Jr.

JAD:ldb
Enclosures

cc: Gordon Jacobson
Bill Moshofky
Moshofsky for Congress Committee

83040694776

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ORIGINAL THEREOF.

[Handwritten signature]

IN THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

200122 P 3:26

FILED

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In the Matter of)
GORDON JACOBSON, Treasurer,)
Moshofsky for Congress)
Committee,)
Complainant,)
vs.)
CONGRESSMAN LES AuCOIN and)
REELECT LES AuCOIN COMMITTEE,)
Respondents.)

MUR _____

C O M P L A I N T

STATE OF OREGON)
: ss
County of Multnomah)

Complainant, GORDON JACOBSON, being duly sworn alleges:

I.

Complainant, GORDON JACOBSON, is the Treasurer of the Moshofsky for Congress Committee. His address is 11965 S.W. Foothill Drive, Portland, Oregon 97225. The Committee supports Bill Moshofsky, candidate for Congress in the November 2, 1982 general election.

II.

On or about July 14, 1982, Complainant listed the pseudonym, "GEORGE HOGAN" and the address "11770 S.W. Wilkens Lane, Beaverton, Oregon 97005" at page 9 of the FEC Contributions Report filed July 15, 1982 on behalf of the Moshofsky for Congress Committee. The address listed was that of the residence of a Moshofsky campaign worker. A copy of page 9 of that FEC

Page

1 - COMPLAINT

33040394797

1 report is attached hereto as Exhibit "A" and is expressly
2 incorporated herein.

3 III.

4 The pseudonym "GEORGE HOGAN" and the address so listed
5 constitute a wholly unique name and address combination.

6 IV.

7 Complainant was informed that on or about October 13,
8 1982 a contribution solicitation letter from the Reelect Les
9 AuCoin Committee was received at the "Wilkins Lane" residence and
10 was addressed to "George Hogan", the pseudonym submitted by the
11 Moshofsky Committee to the Federal Elections Commission. A copy
12 of that solicitation letter is attached, marked Exhibit "B" and
13 is incorporated herein by reference.

14 V.

15 Based upon the foregoing and Complainant's information
16 and belief, Congressman Les AuCoin and the Reelect Les AuCoin
17 Committee have violated the provisions of 2 USC Section 438(a)(4)
18 in that information obtained from the Moshofsky FEC report has
19 been used by Respondents for the purpose of soliciting
20 contributions.

21 VI.

22 Complainant submits the attached affidavit in support
23 of this Complaint.

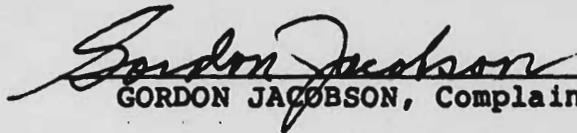
24 WHEREFORE, Complainant prays:

25 1. For a civil penalty to be imposed upon Respondents,
26 Congressman Les AuCoin and the Reelect Les AuCoin Committee;

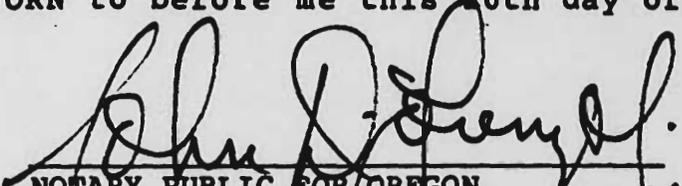
3304039478

1 2. That this Complaint be subject to expedited
2 consideration in light of the approaching election; and

3 3. For such other relief as the Commission deems
4 appropriate.

5
6 
7 GORDON JACOBSON, Complainant

8 SUBSCRIBED AND SWORN to before me this 20th day of
9 October, 1982.

10
11 
12 NOTARY PUBLIC FOR OREGON
13 My Commission Expires: 3-22-86

83040394799
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26



U.S. PO
PA
BULK
NO.
Portland,

P.O. Box 641
Beaverton, OR 97075

8304039480

Re-Elect Les AuCoin Committee
P.O. Box 641
Beaverton, Oregon 97075

(Please return this with your contribution.)

TO: RE-ELECT LES AU COIN COMMITTEE

I would like to contribute the following amount to assist in the campaign to Re-Elect Les AuCoin to Congress:

_____ \$10 _____ \$25 _____ \$50 _____ \$100 _____ Other \$ _____

_____ I am enclosing my check for the above amount
(Please make check payable to Re-Elect Les AuCoin Committee)

_____ Please send me a new Les AuCoin bumper sticker. I am enclosing \$1.00 + .50 for postage.

_____ Yes, I am willing to canvass my precinct, # _____, or an assigned precinct in Sept/Oct. Please contact me.

Print Name

Street

City, State, Zip

Phone No.

The following information is required for
compliance with FEC regulations:

Occupation

Employer

***Political contributions are eligible for treatment as tax credits when you file your income tax returns. For example, an individual whose total contributions for the year are \$100 or more will receive a \$50 tax credit on the federal return.



P.O. Box 641
Beaverton, OR 97075

AuCoin

UNITED STATES REPRESENTATIVE

Re-elect Les AuCoin Committee • P.O. Box 641, Beaverton, Oregon 97075

October 1, 1982

Mr. George Hogan
11770 SW Wilkens Lane
Beaverton, OR 97005

Dear George:

We're writing to urge your support of Congressman Les AuCoin.

Since 1974, when he was first elected to Congress, Les has proven that he ranks at the very top of Oregon's most gifted public leadership. He has worked effectively for economic development, for a sane and balanced budget, and as an experienced, effective spokesman for his district and the economic well-being of our state.

Les now holds two positions on the House Appropriations Committee which are vital to Oregon. On the Interior Subcommittee, Les exercises jurisdiction over the setting of timber sales levels and the activities of the Forest Service, which directly affect the prosperity of the state. On the Transportation Subcommittee, he has worked skillfully to rebuild the network of roads, buses, bridges and airports we need to retain jobs, productivity and income.

This year's election confronts many people with a difficult situation. Les'opponent is well known and to many has been an ally in lobbying matters. Because of this, some might consider "sitting this one out," or of making offsetting contributions. In our estimation, Les AuCoin has served the vital interests of our state as well as our nation. He has used his key position on the Appropriations Committee as leverage with other members of Congress, and that is leverage we cannot now afford to relinquish.

There are a host of other reasons to support Les.

* Les has proven himself a leader in international trade. As ranking member of the International Trade Subcommittee he pioneered the legislation that led to normalizing trade relations with China. He was the first Member of Congress to lead a trade delegation of business leaders to China and continues to maintain an excellent working relationship with the Chinese diplomatic and trade mission in Washington D.C.

A copy of our report is filed with the Federal Elections Commission and is available for purchase from the Federal Elections Commission, Washington, D.C.

Paid for and authorized by the Re-Elect Les AuCoin Committee.

CLINT W. COOK treasurer

EXHIBIT "B"

* Les recognizes that most GNP growth and productivity increase comes through R&D and enlightened tax policies. It was through his efforts as chairman of the Task Force on Industrial Innovation and Productivity that many of the tax incentives for R&D were written into the 1981 tax bill.

* Les is co-sponsoring the Gephardt-Bradley "Flat Tax" proposal. He believes that neutral tax laws, which do not make judgments about the quality of investments, can encourage productive work and investments needed for sustained economic growth.

* From the outset, Les strongly opposed the waterway user fee proposed by the administration. Les clearly understands the adverse impact of this additional tax on Northwest ports, trade and the economy in general.

* During six years on the Banking Committee, Les gained a valuable grasp of the problems facing commercial lending institutions and the businesses they serve. That experience led to his support of a mid-course correction in the economic and regulatory strategies being pursued in Washington.

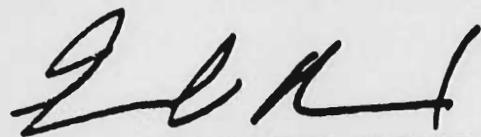
* Les supports the "Pay-As-You-Go" budget to freeze federal spending at 1982 levels, allowing increases only if they are matched by offsetting budget cuts or revenue increases. This would create a balanced budget by 1985.

We think there's another compelling reason to support Les.

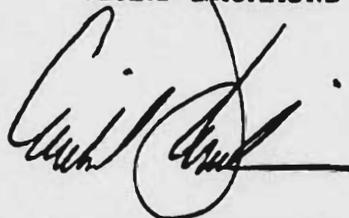
In the next several years, the Congress will be confronted with the task of reducing the federal deficit by at least \$700 billion. This can be done and will require a major reordering of the nation's priorities. Oregon must have a seat on the House Appropriations Committee to prevent Forest Service, fisheries and other programs unique to the region from being "raided" by representatives of more populous regions.

Les AuCoin is that voice. It's a powerful one, that no freshman can be expected to duplicate. His recent housing initiative proves he knows how to utilize this committee position. Through sheer determination and resourcefulness he was able to steer the housing production bill through opposition of Democratic and Republican leadership. It has been years since the legislative work of one member of the House delegation has so dominated the U.S. House of Representatives, minus the leverage of a committee chairman.

We believe the record clearly shows that Les AuCoin will best represent Oregon and the interests of the Northwest in Congress. He deserves your support. He has ours. Won't you please use the enclosed form and mail your check at once?



GERRY DRUMMOND

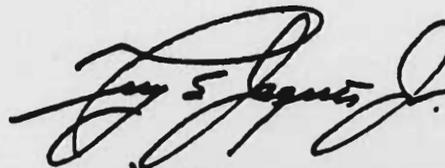


MIKE DANIELSON

Sincerely,



NORM WINNINGSTAD



GUY JACQUES, Jr.

83040694803



U.S. POSTAGE
PAID
BULK RATE
NO. 10
Portland, OR

P.O. Box 641
Beaverton, OR 97075

3304069480

Re-Elect Les AuCoin Committee
P.O. Box 641
Beaverton, Oregon 97075

(Please return this with your contribution.)

TO: RE-ELECT LES AuCOIN COMMITTEE

I would like to contribute the following amount to assist in the campaign to Re-Elect Les AuCoin to Congress:

_____ \$10 _____ \$25 _____ \$50 _____ \$100 _____ Other \$_____

_____ I am enclosing my check for the above amount
(Please make check payable to Re-Elect Les AuCoin Committee)

_____ Please send me a new Les AuCoin bumper sticker. I am enclosing \$1.00 + .50 for postage.

_____ Yes, I am willing to canvass my precinct, # _____, or an assigned precinct in Sept./Oct. Please contact me.

_____ Print Name

_____ Street

_____ City, State, Zip

_____ Phone No.

The following information is required for compliance with FEC regulations:

_____ Occupation

_____ Employer

***Political contributions are eligible for treatment as tax credits when you file your income tax returns. For example, an individual whose total contributions per year are \$100 or more will receive a \$50 tax credit on the federal return and a \$25 credit on the Oregon return. A couple filing jointly whose total political contributions per year are \$200 or more will receive a \$100 credit on their federal return and a \$50 credit on their Oregon return.



P.O. Box 641
Beaverton, OR 97075

HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ORIGINAL THEREOF

[Handwritten Signature]
Attorneys for *[Handwritten Name]*

IN THE FEDERAL ELECTION COMMISSION
UNITED STATES OF AMERICA

In the Matter of)
GORDON JACOBSON, Treasurer,)
Moshofsky for Congress)
Committee,)
Complainant,)
vs.)
CONGRESSMAN LES AuCOIN and)
REELECT LES AuCOIN COMMITTEE,)
Respondents.)

MUR _____

A F F I D A V I T

STATE OF OREGON)
: ss)
County of Multnomah)

I, GORDON JACOBSON, being sworn do state:

1. That I am the Treasurer of the Moshofsky for Congress Committee and that said Committee is formally registered with the Federal Elections Commission.

2. That on July 14, 1982, pursuant to 2 USC Section 438(a)(4), I addressed a letter to the Reports Analysis Division of the Federal Elections Commission advising that I had included the pseudonym "George Hogan" and further included a mailing address of "11770 S.W. Wilkens Lane, Beaverton, Oregon 97005", in the Committee's July 15, 1982 FEC Report. The address included was that of a Moshofsky campaign worker.

A copy of that letter is attached to this Affidavit, marked Exhibit "A" and is expressly incorporated herein.

It is my belief that the name and address supplied is a

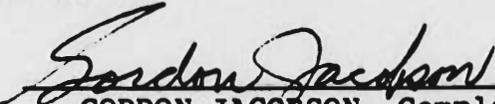
3040394808

1 unique name and address combination.

2 3. A copy of page 9 of the July 15, 1982 FEC report
3 listing the pseudonym "George Hogan" is attached to this
4 Affidavit, marked Exhibit "B" and is expressly incorporated
5 herein.

6 4. On or about October 13, 1982, a solicitation letter
7 from the Reelect Les AuCoin Committee was received at the Wilkens
8 Lane residence addressed to "George Hogan", the pseudonym
9 contained in the Moshofsky FEC Report. A copy of that letter is
10 attached to this Affidavit, marked Exhibit "C" and is expressly
11 incorporated herein.

12 5. Based upon the foregoing and my information and
13 belief, it appears that Congressman Les AuCoin and the Reelect
14 Les AuCoin Committee have violated the provisions of 2 USC
15 Section 438(a)(4) in that it appears information copied from the
16 Moshofsky July 15, 1982 FEC Report has been used for the purpose
17 of soliciting contributions. I am submitting this Affidavit in
18 support of my formal complaint which is being filed with the
19 Commission as provided for in 2 USC Section 437g(a)(1) and in
20 accordance with 11 CFR Section 111.4.

21 
22 GORDON JACOBSON, Complainant

23 SUBSCRIBED AND SWORN to before me this 20th day of
24 October, 1982.

25 
26 NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-22-86

MOSHOFESKY

1070 N.W. MURRAY RD
SUITE D
PORTLAND OREGON 97229
636-3989

CONGRESS

July 14, 1982

Federal Elections Commission
Reports Analysis Division
1325 K Street NW
Washington, D.C. 20463

Gentlemen:

We are including the pseudonym George Hogan, self-employed investor, 11770 SW Wilkens Lane, Beaverton, Oregon 97005, in our July 15, 1982 FEC report. The amount contributed will be \$250.00 on June 30, 1982.

Please do not include this letter in the report open for public viewing.

Sincerely,

Gordon Jacobson, Treasurer
Moshofsky for Congress Committee

GJ:em

EXHIBIT "A"

"TOGETHER WE CAN MAKE IT WORK"

83040394807

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)			
MUSHOPSKY FOR CONGRESS			
A. Full Name, Mailing Address and ZIP Code PAUL A. BARBER 833 WEST 19th MC MINNVILLE, OR 97128	Name of Employer N/A	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation RETIRED	Aggregate Year-to-Date—\$ 500.00	
B. Full Name, Mailing Address and ZIP Code EDWARD MUSHOPSKY 7260 SW NORTHVALE WAY PORTLAND, OR 97225	Name of Employer WHIPPLE & MUSHOPSKY LUMBER CO.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$1,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation PARTNER	Aggregate Year-to-Date—\$ 1,000.00	
C. Full Name, Mailing Address and ZIP Code MICHAEL E. MC GINLEY 1505 SE GIDEON PORTLAND, OR 97208	Name of Employer NORTH PACIFIC LUMBER CO.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation EXECUTIVE	Aggregate Year-to-Date—\$ 500.00	
D. Full Name, Mailing Address and ZIP Code LEO T. GIBBONS 15794 SE NORMA RD. MILWAUKIE, OR 97222	Name of Employer NORTH PACIFIC LUMBER CO.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation PRESIDENT	Aggregate Year-to-Date—\$ 600.00	
E. Full Name, Mailing Address and ZIP Code GEORGE HOGAN 11770 SW WILKENS LANE BEAVERTON, OR 97005	Name of Employer SELF-EMPLOYED	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$250.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation INVESTOR	Aggregate Year-to-Date—\$ 250.00	
F. Full Name, Mailing Address and ZIP Code RICHARD M. COLE 200 MARKET BLDG. SUITE 350 PORTLAND, OR 97201	Name of Employer ROLLINS, BURDICK, HUNTER OF OREGON, INC,	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$250.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Chairman/ EXECUTIVE / Bond	Aggregate Year-to-Date—\$ 250.00	
G. Full Name, Mailing Address and ZIP Code WALKER M. TREECE 201 SW ARTHUR GRANTREE PLAZA PORTLAND, OR 97201	Name of Employer GRANTREE CORP.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$250.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Chairman EXECUTIVE	Aggregate Year-to-Date—\$ 250.00	
SUBTOTAL of Receipts This Page (optional)			\$3,250.00
TOTAL This Period (last page this line number only)			

83040394803

AuCoin

UNITED STATES REPRESENTATIVE

Re-elect Les AuCoin Committee • P.O. Box 641, Beaverton, Oregon 97075

October 1, 1982

Mr. George Hogan
11770 SW Wilkens Lane
Beaverton, OR 97005

Dear George:

We're writing to urge your support of Congressman Les AuCoin.

Since 1974, when he was first elected to Congress, Les has proven that he ranks at the very top of Oregon's most gifted public leadership. He has worked effectively for economic development, for a sane and balanced budget, and as an experienced, effective spokesman for his district and the economic well-being of our state.

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A copy of our report is filed with the Federal Elections Commission and is available for purchase from the Federal Elections Commission, Washington, D.C.

Paid for and authorized by the Re-Elect Les AuCoin Committee.

LEPP-1

CLINT W. COOK treasurer

EXHIBIT "C"

* Les recognizes that most GNP growth and productivity increase comes through R&D and enlightened tax policies. It was through his efforts as chairman of the Task Force on Industrial Innovation and Productivity that many of the tax incentives for R&D were written into the 1981 tax bill.

* Les is co-sponsoring the Gephardt-Bradley "Flat Tax" proposal. He believes that neutral tax laws, which do not make judgments about the quality of investments, can encourage productive work and investments needed for sustained economic growth.

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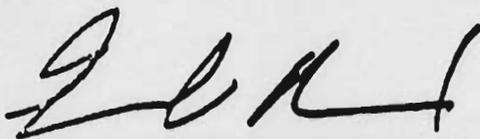
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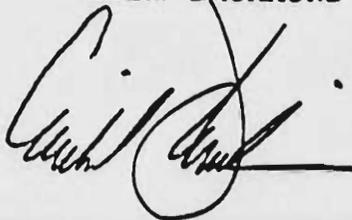


GERRY DRUMMOND

Sincerely,



NORM WINNINGSTAD



203120

RECEIVED AT THE FEC
Call 8750

82 OCT 22 P 2: 16

JOHN DILORENZO, JR.
ATTORNEY AT LAW
SUITE 580 THE LANDING
5200 S.W. MACADAM AVENUE
PORTLAND, OREGON 97201
(503) 225-0010

10/20/82 2:11

October 20, 1982

The General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

In the Matter of Gordon Jacobson, Treasurer,
Bill Moshofsky for Congress Committee vs.
Congressman Les AuCoin and Reelect Les AuCoin
Committee

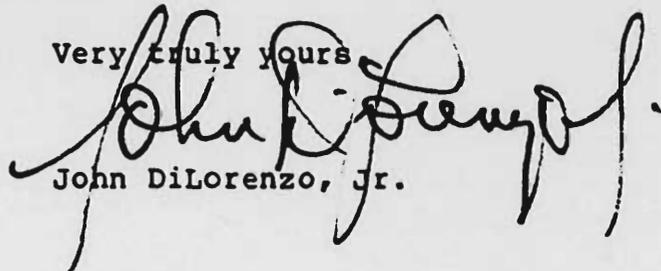
Gentlemen:

Please find enclosed a copy of a Complaint sworn to by Gordon Jacobson, the Treasurer of the Moshofsky for Congress Committee and notarized pursuant to 2 USC Section 438(a)(4). Also enclosed is a supporting Affidavit of Mr. Jacobson and two photocopies of all of the materials herein submitted.

The Complaint requests, among other forms of relief, the expedited consideration of this matter due to the fast-approaching general election date.

Thank you for your courtesy concerning this matter. Should you have any questions, please do not hesitate to call my office.

Very truly yours



John DiLorenzo, Jr.

JAD:ldb
Enclosures

cc: Gordon Jacobson
Bill Moshofsky
Moshofsky for Congress Committee

83040394811

273120

RECEIVED AT THE FEC
CASH 8750

82 OCT 22 P2:16

JOHN DILORENZO, JR.
ATTORNEY AT LAW
SUITE 580 THE LANDING
5200 S.W. MACADAM AVENUE
PORTLAND, OREGON 97201
(503) 225-0010

10/20/82
P3:11

October 20, 1982

The General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

In the Matter of Gordon Jacobson, Treasurer,
Bill Moshofsky for Congress Committee vs.
Congressman Les AuCoin and Reelect Les AuCoin
Committee

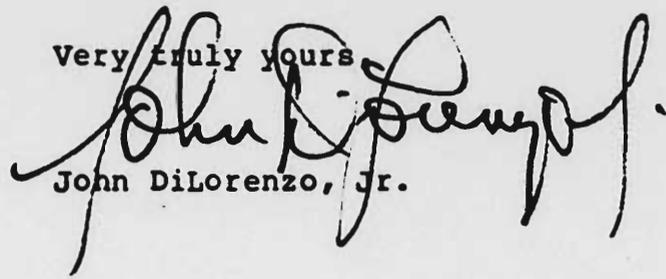
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Very truly yours



John DiLorenzo, Jr.

JAD:ldb
Enclosures

cc: Gordon Jacobson
Bill Moshofky
Moshofsky for Congress Committee

83040394812

82 OCT 22 P 2: 16

IN THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

1
2
3 In the Matter of)
4 GORDON JACOBSON, Treasurer,)
Moshofsky for Congress) MUR _____
5 Committee,)
6 Complainant,) C O M P L A I N T
7 vs.)
8 CONGRESSMAN LES AuCOIN and)
REELECT LES AuCOIN COMMITTEE,)
9 Respondents.)

10
11 STATE OF OREGON)
12 County of Multnomah) : ss

Complainant, GORDON JACOBSON, being duly sworn alleges:

I.

13
14
15 Complainant, GORDON JACOBSON, is the Treasurer of the
16 Moshofsky for Congress Committee. His address is 11965 S.W.
17 Foothill Drive, Portland, Oregon 97225. The Committee supports
18 Bill Moshofsky, candidate for Congress in the November 2, 1982
19 general election.

II.

20
21 On or about July 14, 1982, Complainant listed the
22 pseudonym, "GEORGE HOGAN" and the address "11770 S.W. Wilkens
23 Lane, Beaverton, Oregon 97005" at page 9 of the FEC Contributions
24 Report filed July 15, 1982 on behalf of the Moshofsky for
25 Congress Committee. The address listed was that of the residence
26 of a Moshofsky campaign worker. A copy of page 9 of that FEC

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1 report is attached hereto as Exhibit "A" and is expressly
2 incorporated herein.

3 III.

4 The pseudonym "GEORGE HOGAN" and the address so listed
5 constitute a wholly unique name and address combination.

6 IV.

7 Complainant was informed that on or about October 13,
8 1982 a contribution solicitation letter from the Reelect Les
9 AuCoin Committee was received at the "Wilkins Lane" residence and
10 was addressed to "George Hogan", the pseudonym submitted by the
11 Moshofsky Committee to the Federal Elections Commission. A copy
12 of that solicitation letter is attached, marked Exhibit "B" and
13 is incorporated herein by reference.

14 V.

15 Based upon the foregoing and Complainant's information
16 and belief, Congressman Les AuCoin and the Reelect Les AuCoin
17 Committee have violated the provisions of 2 USC Section 438(a)(4)
18 in that information obtained from the Moshofsky FEC report has
19 been used by Respondents for the purpose of soliciting
20 contributions.

21 VI.

22 Complainant submits the attached affidavit in support
23 of this Complaint.

24 WHEREFORE, Complainant prays:

25 1. For a civil penalty to be imposed upon Respondents,
26 Congressman Les AuCoin and the Reelect Les AuCoin Committee;

03040624315

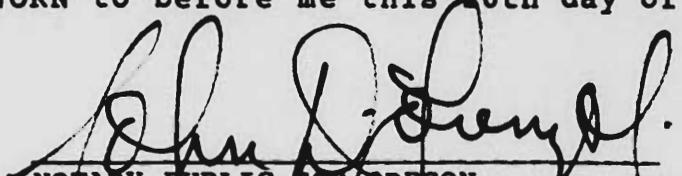
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2. That this Complaint be subject to expedited consideration in light of the approaching election; and

3. For such other relief as the Commission deems appropriate.


GORDON JACOBSON, Complainant

SUBSCRIBED AND SWORN to before me this 20th day of October, 1982.


NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-22-86

Page

3 - COMPLAINT

JOHN DILORENZO, JR.
Attorney at Law
5200 S. W. Macadam Avenue, Suite 580
Portland, Oregon 97201
(503) 225-0010

SCHEDULE A

ITEMIZED RECEIPTS

Page 0 of 10
 Line Number 111
 (Use separate schedules for each category of the Detailed Summary Page)

Name of Committee (in Full)			
MOSHOPSKY FOR CONGRESS			
A. Full Name, Mailing Address and ZIP Code PAUL A. BARBER 833 WEST 19th MC MINNVILLE, OR 97128	Name of Employer N/A	Date (month, day, year) 6/30/82	Amount of Each Receipt this Period \$500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation RETIREED	Aggregate Year-to-Date-\$ 500.00	
B. Full Name, Mailing Address and ZIP Code EDWARD MOSHOPSKY 7260 SW NORTHVALE WAY PORTLAND, OR 97225	Name of Employer WHIPPLE & MOSHOPSKY LUMBER CO.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$1,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation PARTNER	Aggregate Year-to-Date-\$ 1,000.00	
C. Full Name, Mailing Address and ZIP Code MICHAEL E. MC GINLEY 1505 SE GIDEON PORTLAND, OR 97208	Name of Employer NORTH PACIFIC LUMBER CO.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation EXECUTIVE	Aggregate Year-to-Date-\$ 500.00	
D. Full Name, Mailing Address and ZIP Code LEO T. GIBBONS 15794 SE NORMA RD. MILWAUKIE, OR 97222	Name of Employer NORTH PACIFIC LUMBER CO.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation PRESIDENT	Aggregate Year-to-Date-\$ 600.00	
E. Full Name, Mailing Address and ZIP Code GEORGE HOGAN 11770 SW WILKENS LANE BEAVERTON, OR 97005	Name of Employer SELF-EMPLOYED	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$250.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation INVESTOR	Aggregate Year-to-Date-\$250.00	
F. Full Name, Mailing Address and ZIP Code RICHARD M. COLE 200 MARKET BLDG. SUITE 350 PORTLAND, OR 97201	Name of Employer ROLLINS, BURDICK, HUNTER OF OREGON, INC.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$250.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Chairman/ EXECUTIVE	Aggregate Year-to-Date-\$ 250.00	
G. Full Name, Mailing Address and ZIP Code WALKER M. TREECE 201 SW ARTHUR GRANTREE PLAZA PORTLAND, OR 97201	Name of Employer GRANTREE CORP.	Date (month, day, year) 6/30/82	Amount of Each Receipt This Period \$250.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Chairman EXECUTIVE	Aggregate Year-to-Date-\$ 250.00	
SUBTOTAL of Receipts This Page (optional)			\$3,250.00
TOTAL This Period (last page this line number only)			

33040694815



Re-elect Les AuCoin Committee • P.O. Box 641, Beaverton, Oregon 97075

October 1, 1982

Mr. George Hogan
11770 SW Wilkens Lane
Beaverton, OR 97005

Dear George:

We're writing to urge your support of Congressman Les AuCoin.

Since 1974, when he was first elected to Congress, Les has proven that he ranks at the very top of Oregon's most gifted public leadership. He has worked effectively for economic development, for a sane and balanced budget, and as an experienced, effective spokesman for his district and the economic well-being of our state.

Les now holds two positions on the House Appropriations Committee which are vital to Oregon. On the Interior Subcommittee, Les exercises jurisdiction over the setting of timber sales levels and the activities of the Forest Service, which directly affect the prosperity of the state. On the Transportation Subcommittee, he has worked skillfully to rebuild the network of roads, buses, bridges and airports we need to retain jobs, productivity and income.

This year's election confronts many people with a difficult situation. Les'opponent is well known and to many has been an ally in lobbying matters. Because of this, some might consider "sitting this one out," or of making offsetting contributions. In our estimation, Les AuCoin has served the vital interests of our state as well as our nation. He has used his key position on the Appropriations Committee as leverage with other members of Congress, and that is leverage we cannot now afford to relinquish.

There are a host of other reasons to support Les.

* Les has proven himself a leader in international trade. As ranking member of the International Trade Subcommittee he pioneered the legislation that led to normalizing trade relations with China. He was the first Member of Congress to lead a trade delegation of business leaders to China and continues to maintain an excellent working relationship with the Chinese diplomatic and trade mission in Washington D.C.

A copy of our report is filed with the Federal Elections Commission and is available for purchase from the Federal Elections Commission, Washington, D.C.

Paid for and authorized by the Re-Elect Les AuCoin Committee.

(10/1)

CLINT W. COOK treasurer

EXHIBIT "B"

83040394817

* Les recognizes that most GNP growth and productivity increase comes through R&D and enlightened tax policies. It was through his efforts as chairman of the Task Force on Industrial Innovation and Productivity that many of the tax incentives for R&D were written into the 1981 tax bill.

* Les is co-sponsoring the Gephardt-Bradley "Flat Tax" proposal. He believes that neutral tax laws, which do not make judgments about the quality of investments, can encourage productive work and investments needed for sustained economic growth.

* From the outset, Les strongly opposed the waterway user fee proposed by the administration. Les clearly understands the adverse impact of this additional tax on Northwest ports, trade and the economy in general.

* During six years on the Banking Committee, Les gained a valuable grasp of the problems facing commercial lending institutions and the businesses they serve. That experience led to his support of a mid-course correction in the economic and regulatory strategies being pursued in Washington.

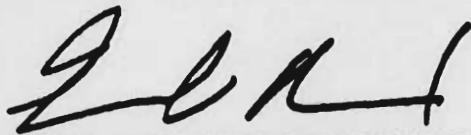
* Les supports the "Pay-As-You-Go" budget to freeze federal spending at 1982 levels, allowing increases only if they are matched by offsetting budget cuts or revenue increases. This would create a balanced budget by 1985.

We think there's another compelling reason to support Les.

In the next several years, the Congress will be confronted with the task of reducing the federal deficit by at least \$700 billion. This can be done and will require a major reordering of the nation's priorities. Oregon must have a seat on the House Appropriations Committee to prevent Forest Service, fisheries and other programs unique to the region from being "raided" by representatives of more populous regions.

Les AuCoin is that voice. It's a powerful one, that no freshman can be expected to duplicate. His recent housing initiative proves he knows how to utilize this committee position. Through sheer determination and resourcefulness he was able to steer the housing production bill through opposition of Democratic and Republican leadership. It has been years since the legislative work of one member of the House delegation has so dominated the U.S. House of Representatives, minus the leverage of a committee chairman.

We believe the record clearly shows that Les AuCoin will best represent Oregon and the interests of the Northwest in Congress. He deserves your support. He has ours. Won't you please use the enclosed form and mail your check at once?



GERRY DRUMMOND



MIKE DANIELSON

Sincerely,



NORM WINNINGSTAD



GUY JAQUES, Jr.

83040394818

AuCoin

U.S. POST
PAID
BULK R
NO. 10
Portland, O

P.O. Box 641
Beaverton, OR 97075

830403948

Re-Elect Les AuCoin Committee
P.O. Box 641
Beaverton, Oregon 97075

(Please return this with your contribution.)

TO: RE-ELECT LES AU COIN COMMITTEE

I would like to contribute the following amount to assist in the campaign to Re-Elect Les AuCoin to Congress:

_____ \$10 _____ \$25 _____ \$50 _____ \$100 _____ Other \$ _____

_____ I am enclosing my check for the above amount
(Please make check payable to Re-Elect Les AuCoin Committee)

_____ Please send me a new Les AuCoin bumper sticker. I am enclosing \$1.00 + .50 for postage.

_____ Yes, I am willing to canvass my precinct, # _____, or an assigned precinct in Sept./Oct. Please contact me.

Print Name _____

Street _____

City, State, Zip _____

Phone No. _____

The following information is required for
compliance with FEC regulations:

Occupation _____

Employer _____

***Political contributions are eligible for treatment as tax credits when you file your income tax returns. For example, an individual whose total contributions per year are \$100 or more will receive a \$50 tax credit on the federal return and a \$25 credit on the Oregon return. A couple filing jointly whose total political contributions per year are \$200 or more will receive a \$100 credit on their federal return and a \$50 credit on their Oregon return.

Paid for and authorized by the Re-Elect Les AuCoin Committee.

UNITED STATES REPRESENTATIVE

AuCoin

P.O. Box 641
Beaverton, OR 97075

1 IN THE FEDERAL ELECTION COMMISSION

2 UNITED STATES OF AMERICA

3 In the Matter of)
 4 GORDON JACOBSON, Treasurer,)
 Moshofsky for Congress) MUR _____
 5 Committee,)
 6 Complainant,) A F F I D A V I T
 7 vs.)
 8 CONGRESSMAN LES AuCOIN and)
 REELECT LES AuCOIN COMMITTEE,)
 9 Respondents.)

10
 11 STATE OF OREGON)
 : ss
 12 County of Multnomah)

13 I, GORDON JACOBSON, being sworn do state:

14 1. That I am the Treasurer of the Moshofsky for
 15 Congress Committee and that said Committee is formally registered
 16 with the Federal Elections Commission.

17 2. That on July 14, 1982, pursuant to 2 USC Section
 18 438(a)(4), I addressed a letter to the Reports Analysis Division
 19 of the Federal Elections Commission advising that I had included
 20 the pseudonym "George Hogan" and further included a mailing
 21 address of "11770 S.W. Wilkens Lane, Beaverton, Oregon 97005", in
 22 the Committee's July 15, 1982 FEC Report. The address included
 23 was that of a Moshofsky campaign worker.

24 A copy of that letter is attached to this Affidavit,
 25 marked Exhibit "A" and is expressly incorporated herein.

26 It is my belief that the name and address supplied is a

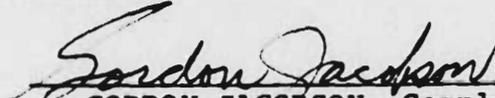
83040594820

1 unique name and address combination.

2 3. A copy of page 9 of the July 15, 1982 FEC report
3 listing the pseudonym "George Hogan" is attached to this
4 Affidavit, marked Exhibit "B" and is expressly incorporated
5 herein.

6 4. On or about October 13, 1982, a solicitation letter
7 from the Reelect Les AuCoin Committee was received at the Wilkens
8 Lane residence addressed to "George Hogan", the pseudonym
9 contained in the Moshofsky FEC Report. A copy of that letter is
10 attached to this Affidavit, marked Exhibit "C" and is expressly
11 incorporated herein.

12 5. Based upon the foregoing and my information and
13 belief, it appears that Congressman Les AuCoin and the Reelect
14 Les AuCoin Committee have violated the provisions of 2 USC
15 Section 438(a)(4) in that it appears information copied from the
16 Moshofsky July 15, 1982 FEC Report has been used for the purpose
17 of soliciting contributions. I am submitting this Affidavit in
18 support of my formal complaint which is being filed with the
19 Commission as provided for in 2 USC Section 437g(a)(1) and in
20 accordance with 11 CFR Section 111.4.

21 
22 GORDON JACOBSON, Complainant

23 SUBSCRIBED AND SWORN to before me this 20th day of
24 October, 1982.

25 
26 NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-22-86

83040594821

MOSHOFSKY

1070 N.W. MURRAY RD.
SUITE D
PORTLAND, OREGON 97229
646-3989

CONGRESS

July 14, 1982

Federal Elections Commission
Reports Analysis Division
1325 K Street NW
Washington, D.C. 20463

Gentlemen:

We are including the pseudonym George Hogan, self-employed investor, 11770 SW Wilkens Lane, Beaverton, Oregon 97005, in our July 15, 1982 FEC report. The amount contributed will be \$250.00 on June 30, 1982.

Please do not include this letter in the report open for public viewing.

Sincerely,

Gordon Jacobson, Treasurer
Moshofsky for Congress Committee

GJ:em

EXHIBIT "A"

"TOGETHER WE CAN MAKE IT WORK"

Paid for by the Moshofsky for Congress Committee

83040394822

SCHEDULE A

ITEMIZED RECEIPTS

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Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation EXECUTIVE	Aggregate Year-to-Date—\$ 500.00	
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Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation INVESTOR	Aggregate Year-to-Date—\$ 250.00	
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Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Chairman/ EXECUTIVE	Aggregate Year-to-Date—\$ 250.00	
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Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Chairman EXECUTIVE	Aggregate Year-to-Date—\$ 250.00	
SUBTOTAL of Receipts This Page (optional)			\$3,250.00
TOTAL This Period (last page this line number only)			

0304039482



Re-elect Les AuCoin Committee • P.O. Box 641, Beaverton, Oregon 97075

October 1, 1982

Mr. George Hogan
11770 SW Wilkens Lane
Beaverton, OR 97005

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A copy of our report is filed with the Federal Elections Commission and is available for purchase from the Federal Elections Commission, Washington, D.C.

Paid for and authorized by the Re-Elect Les AuCoin Committee.

CLINT W. COOK treasurer

EXHIBIT "C"

83040594824

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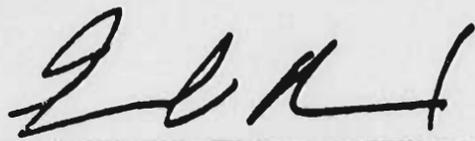
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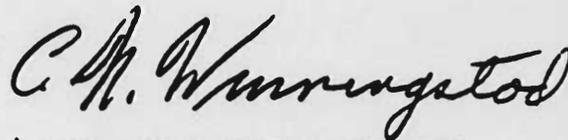
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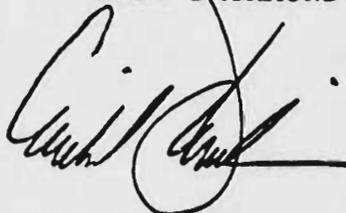


GERRY DRUMMOND

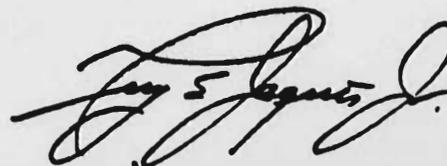
Sincerely,



NORM WINNINGSTAD



MIKE DANIELSON



GUY JACQUES

3 2 0 4 8 9 4 3 9 4 0 3 4 0 4 3 0 4 3 0 4

AuCoin

U.S. POSTAGE
PAID
BULK RATE
NO. 1
Portland, OR

P.O. Box 641
Beaverton, OR 97075

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Re-Elect Les AuCoin Committee
P.O. Box 641
Beaverton, Oregon 97075

(Please return this with your contribution.)

TO: RE-ELECT LES AU COIN COMMITTEE

I would like to contribute the following amount to assist in the campaign to Re-Elect Les AuCoin to Congress:

_____ \$10 _____ \$25 _____ \$50 _____ \$100 _____ Other \$ _____

_____ I am enclosing my check for the above amount
(Please make check payable to Re-Elect Les AuCoin Committee)

_____ Please send me a new Les AuCoin bumper sticker. I am enclosing \$1.00 + .50 for postage.

_____ Yes, I am willing to canvass my precinct, # _____, or an assigned precinct in Sept/Oct. Please contact me.

Print Name _____

Street _____

City, State, Zip _____

Phone No. _____

The following information is required for
compliance with FEC regulations:

Occupation _____

Employer _____

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UNITED STATES REPRESENTATIVE
Beaverton, OR 97075
AuCoin

P.O. Box 641
Beaverton, OR 97075

8 3 0 4 0 3 9 4 8 2 7

RECEIVED AT THE POST OFFICE

82 OCT 22 P 2: 16

EXPRESS MAIL
NEXT DAY SERVICE

POST OFFICE TO ADDRESSEE



B 21823585

DO NOT REMOVE FEEL FREE TO RETURN

FROM:

Customer Number, if any:

TO:
The General Council
Fed Election Commission
Washington, DC 20463

ORIGIN:

City of
State of
PO ZIP Code

Date of
Time of

Initials of
Signature of

Notice Left By

Weight Postage & Fee

1 LBS \$ 4.35

DESTINATION:

Date of
Time of

Initials of
Signature of Addressee or Agent

DELIVERY WAS ATTEMPTED

Date Time

Notice Left By

EXPRESS MAIL SERVICE

6cc# 8744

RECEIVED AT THE FEC
NOV 18 1982

AuCoin

RE-ELECT LES AUCOIN COMMITTEE • 5319 S.W. WESTGATE DR., SUITE 222 • PORTLAND, OR 97221

JAMES M. SUMNER
chairman

CLINT COOK
treasurer

PHONE 297-8868

October 18, 1982

Federal Election Commission
1325 K St. N.W.
Washington, D.C. 20463

Dear Sirs:

It has just been called to my attention that my opponent in the November 1982 election believes a mistake has occurred during the mailing of a fundraising letter.

This is to advise you that my staff will cooperate fully in responding to your every request.

Sincerely,



LES AuCOIN
Member of Congress

2 OCT 1982
4:10

830403940:0

UNITED STATES REPRESENTATIVE

AuCoin

Direct Liaison Committee • 5315 S.W. Westgate Dr. • Portland, OR 97225



RECEIVED AT THE FE
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ZIP CODE

83040394

Federal Election Commission
1325 K St. N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1495

Date Filmed 6/16/83 Camera No. --- 2

Camerman SPC