



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 2088

Date Filmed 2/8/86 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

MUR 2088

Routing cards; 12 day report

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):

- (1) Classified Information
- (2) Internal rules and practices
- (3) Exempted by other statute
- (4) Trade secrets and commercial or financial information
- (5) Internal Documents
- (6) Personal privacy
- (7) Investigatory files
- (8) Banking Information
- (9) Well Information (geographic or geophysical)

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Signed Maura White Callaway  
date February 5, 1986  
[Signature]



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

December 13, 1985

James J. Casby, Jr.  
Assistant Attorney General  
Department of Justice  
Suite 540  
975 Oak Street  
Eugene, Oregon 97401

RE: MUR 2088  
Robert MacVicar;  
LaVerne Weber

Dear Mr. Casby:

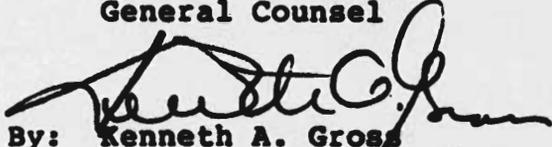
On September 27, 1985, the Commission notified Robert MacVicar and LaVerne Weber of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended. You submitted a response on behalf of the Board of Higher Education on October 22, 1985.

The Commission, on December 4, 1985, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

If you have any questions, please contact Maura White Callaway at (202) 523-4143.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

3 6 9 4 0 5 6 4 2 7 6

RECEIVED  
FEDERAL ELECTION COMMISSION  
SECRETARY

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

2 A10: 13

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION 11/29/85 5:00

MUR# 2083  
DATE COMPLAINT RECEIVED  
BY OGC 9/20/85  
DATE OF NOTIFICATION TO  
RESPONDENTS 9/27/85  
STAFF MEMBER Maura White Callaway

COMPLAINANT'S NAME: Joe Spenner  
RESPONDENTS' NAMES: Senator Mark Hatfield;  
Robert MacVicar; LaVerne Weber  
RELEVANT STATUTE: 2 U.S.C. § 431 et seq.  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

**SUMMARY OF ALLEGATIONS**

On September 20, 1985, Joe Spenner filed a complaint against Senator Mark Hatfield, Robert MacVicar, and LaVerne Weber (Attachment 1). The complaint does not allege a specific violation of the Federal Election Campaign Act of 1971, as amended, but instead alleges a violation of "ORS 260.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS PROHIBITED," and a "miss use [sic] of public funds for campaign purposes."

**FACTUAL AND LEGAL ANALYSIS**

The complainant alleges that "it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the 'Oregon State University Marine Science Center,' at Newport, Oregon, after he filed for re-election." The complainant states that "[i]t was unfair advantage, because no other candidate could have a major tax-financed institution

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named in their favor, with help of members of the State Board of Education, members of the state system of higher education and behind-the-scenes professional developers." It is the position of the complainant that "[t]ax funds collected in the name of education, were grossly miss used [sic] when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return." It is also alleged that Robert MacVicar, President of Oregon State University, and LaVerne Weber, Director of the Marine Science Center, "violated election law principles and laws by condoning this one side advantage."

The complainant refers to "the enclosed photos" and a photocopy of a news article in the "News-Times," but failed to include such in his September 20, 1985, complaint. These items were previously included in an improper complaint filed by Mr. Spenner on September 3, 1985. (Attachment 2.) The photographs depict the various signs at Oregon State University bearing the name: "Mark O. Hatfield Marine Science Center Oregon State University." The news articles, which apparently appeared in the September 28, 1983, and November 2, 1983 editions of the News-Times, state that the "building's namesake, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication during a swing through the state by Hatfield to announce his candidacy for a fourth term." The news articles note that the "state board of higher education approved the name change in a meeting several weeks ago." The News-Times reported that the change "was recommended by OSU President Robert MacVicar who pointed out that

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Hatfield was governor when the Marine Science Center was established." According to the news articles, Senator Hatfield played an instrumental role in the recent passage of legislation which appropriated \$2 million for a research study at the Marine Science Center, and is credited with providing the construction money for two buildings at the Center, one completed in 1979, the second in 1982.

On October 22, 1985, Senator Mark Hatfield submitted a response to the complaint (Attachment 3). The response states that the naming of the Marine Science Center in honor of the Senator was not timed "to operate as a promotion of my campaign for reelection." The Senator notes in his response that "[t]he fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland."

On October 22, 1985, the Attorney General's Office of the State of Oregon responded to the complaint's allegations against Robert MacVicar and LaVerne Weber.<sup>1/</sup> (Attachment 4.) It is explained in the response that the Attorney General's Office is counsel to the Board of Higher Education which in turn is the governing board for Oregon State University. The response states

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<sup>1/</sup> According to the response, President MacVicar has retired since the renaming of Marine Science Center, and "only four of the ten Board Members involved in the change remain on the Board at the present time."

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that the "erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board." According to the response, the cost of the sign was \$592 and the "building letters," which "may have" included Senator Hatfield's name cost \$955. <sup>2/</sup> The response notes that the above items "were paid by state funds."

Included within the response was a copy of the minutes of the September 23, 1983, meeting of the Board of Higher Education at which the naming of the complex was discussed. A review of the minutes revealed that President Robert MacVicar recommended that the Marine Science Center be named in honor of Senator Hatfield, and that such change be effective on October 30, 1983. The minutes state that in submitting the recommendation President MacVicar pointed out that the Marine Science Center was established "during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation." The minutes further note that "since his election to the Senate of the United States Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University."

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<sup>2/</sup> The photographs included with the improper complaint portray at least two interior displays bearing the name of the Marine Science Center, in addition to the one exterior sign. The interior signs would appear to be comprised of the above "building letters."

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Based upon the evidence in hand the dedication of the Marine Science Center to Senator Mark Hatfield in October 1983 does not appear to be in violation of any provision of the Act. The complainant does not allege a specific violation, and there is no indication that the dedication at issue was in any way for the purpose of influencing a federal election. In addition, the Commission has no jurisdiction with respect to a violation of Oregon State laws, as alleged by the complainant. Accordingly, it is the recommendation of this office that the Commission find no reason to believe Senator Mark Hatfield, Robert MacVicar, or Laverne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.

RECOMMENDATIONS

1. Find no reason to believe Senator Mark Hatfield, Robert MacVicar, or LaVerne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.
2. Close the file
3. Approve the attached letters.

Charles N. Steele  
General Counsel

November 27, 1985  
Date

By:

  
Kenneth A. Gross  
Associate General Counsel

**Attachments**

- 1 - Complaint
- 2 - Attachments to improper complaint
- 3 - Response of Senator Hatfield
- 4 - Response of Attorney General
- 5 - Proposed letters (3)

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SEP 20 12:11  
2593

Stavton, Oregon  
September 16, 1985

Mr. Charles N. Steele  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

Dear Mr. Steele:

Enclosed is a corrected notarized statement to properly comply with statutory requirements.

I'm sorry to be so dense in grasping the exact method, though I am, determined to help maintain the integrity of conduct in elections in our wonderful country.

High school kids are quickly penalized for errors in their football games.

Shouldn't we be just as clear and quick to blow the whistle on politicians?

Sincerely,



Joe Spinner

Enclosures:

Photocopy of original complaint and upgraded notarization.

SEP 20 11:49  
GENERAL INVESTIGATIVE DIVISION

36040564282

Attachment (1)

Stayton, Oregon  
August 29, 1965

Mr. Charles N. Steele,  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

COPY

Dear Mr. Steele:

I wish to file a formal complaint concerning a violation of:  
ORS 267.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS  
PROHIBITED. Also miss use of public funds for campaign purposes.

I, Joe Spenner, a citizen and voter of the State of Oregon, allege that it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the "Oregon State University Marine Science Center," at Newport Oregon, after he had filed for re-election.

It was unfair advantage, because no other candidate could have a major tax-financed institution named in their favor, with help of members of the State Board of Higher Education, members of the state system of higher education and behind-the-scenes professional developers.

I allege that Robert MacVicar, president of Oregon State University violated election principles and laws by condoning this one sided privilege.

I allege that LaVern Weber, Director of Marine Science Center also violated election principles and laws by condoning this one sided privilege.

Tax funds collected in the name of education, were grossly miss used when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return.

My source of first information was in personally observing the signs at the "Center" had been changed, when I passed there, while I was at the coast at Newport on a fishing trip.

The main sign had a fresh, newly carved and painted message-title on the south side, while on the north side, the original older version was still intact. The changed side read: "MARK O. HATFIELD, MARINE SCIENCE CENTER, OREGON STATE UNIVERSITY."

After returning home, this sign-change bothered me so much I went back with my camera several weeks later and took the enclosed photos.

Still uneasy, I went to Oregon State University in Corvallis, Oregon where I ran into a blank wall of no one knowing anything about the sign, except that there was, a marine center at the coast. This really made me very curious!

Returning to Newport and the Center, I asked there for information about the signs being changed. Almost amusing, they didn't know very much except that they had been somehow changed. Why the political fog?

So, knowing it was apparently some sort of big political gimmick, I went to the local newspaper, "News-Times," hoping some sort of article had been written. The enclosed photocopy of an article and picture really answered most questions.

Why couldn't this same information have been pointed out by the many

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(2)

Page two. "Complaint concerning misuse of public funds for  
and by Mark O. Hatfield and others."

people asked weeks earlier? Why didn't even the State Library at Salem  
have the information?

Being an already over-taxed voter, fed up with political run around,  
I file this complaint against the following people:

Senator Mark O. Hatfield  
3051 N Street N.W.  
Washington, D.C.

Robert MacVicar, President  
Oregon State University  
Corvallis, OR 97331

LaVerne Weber, Director

**Enclosures:**

Pictures of signs.  
Photocopy of news items.  
Photocopy of page 167 of "Oregon Blue Book," 1981-1982.  
ORS267.615.

My address and telephone number are:

*Joe Spenser*  
Joe Spenser  
15016 Coon Hollow Rd SE  
Stayton, OR 97383 .

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STATE OF OREGON )  
 ) ss.  
County of Marion )

September 17, 1985

I, JOE SPENNER, being first duly sworn, depose and say:

That I am the signor of that "Complaint" dated August 29, 1985 directed to Mr. Charles N. Steele, General Counsel, Federal Elections Commission, Washington, C.C. 20463, a copy of said complaint being attached hereto, and that the contents of the complaint are true to the best of my knowledge.

Joe Spenner

Subscribed and sworn to before me this 17th day of September, 1985.

Andrew J. Pollock  
Notary Public for Oregon.  
My commission expires: 9-24-88

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experience with opportunity to graduate and enter the employment field in two years. Baccalaureate degree offerings for the next two years offer added technical specialization, teaching skills or management-supervisory skills. Degrees are granted in nine engineering technology fields, five allied health areas, five industrial fields and three business fields. A liberal arts associate degree is also available for local college transfer students.

A community college graduate with an acceptable grade point average may enter Oregon Tech's upper division. In addition, the college offers evening classes and summer sessions.

Oregon Tech is fully accredited and employment opportunities for graduates have been one of the prime factors in attracting students to OIT. The Campus Placement Office boasts job placement in excess of 85 percent for OIT graduates.

Enrollment exceeds 2,600, including nontechnical students. Women comprise nearly one-third of the enrollment.

In recent years OIT's geothermally heated campus has attained international recognition in applied research of geothermal energy.



## OREGON STATE UNIVERSITY

*Dr. Robert W. MacVicar, President; Corvallis 97331; 784-0123*

Oregon State University is Oregon's oldest state-supported institution of higher learning, dating back to October 27, 1868. It was established as one of the nation's Land Grant Colleges, receiving federal land grants to help launch its public education-service programs.

On September 7, 1971, OSU was designated as one of the nation's first four Sea Grant Colleges, charged to help advance man's wise and orderly use of ocean resources and to provide teaching and research programs related to marine sciences. The Oregon State University Marine Science Center at Newport has become OSU's important "Campus on the Coast." The 177-foot, all-weather Wacoma and smaller research vessels operate from there in studying world oceans and Northwest estuaries and rivers.

From an initial graduating class of three in 1870, OSU has grown to the point that it now confers about 2,500 degrees each June. Student enrollment during the regular school year is now over 17,000 and summer term enrollment now tops 5,000.

The schools of engineering and business and the colleges of science and liberal arts are the largest academic units. Other schools include agriculture, education, forestry, health and physical education, home economics, oceanography, pharmacy and veterinary medicine. About one out of every six students on campus is enrolled in the graduate school, working for a master's or doctor's degree. OSU is one of only 35 U.S. universities offering ROTC military commission programs in all branches of the service.

The main campus covers nearly 600 acres on which there are 100 major buildings. Experimental farms, an arboretum and teaching-research forests, all located within just a few minutes drive of the campus, make up an additional 18,000 acres.

Through its vast programs of teaching, research and its Extension Service, the University touches directly or indirectly the life of every Oregonian. National leadership is provided in such fields as food science, forestry management-products-engineering, en-

from "Oregon Blue Book"

1981-1982

Attachment 2(1)

ELECTIONS

CAMPAIGN

200.555 Prohibitions relating to circulation, filing or certification of initiative, referendum or recall petition. (1) No person attempting to obtain signatures on, or causing to be circulated, an initiative, referendum or recall petition, shall knowingly make any false statement regarding the contents, meaning or effect of the petition to any person who signs it, attempts to sign it, is requested to sign it or requests information concerning it.

(2) No person shall attempt to obtain signatures to, cause to be circulated or file with a filing officer, an initiative, referendum or recall petition, knowing it to contain a false signature.

(3) No person shall knowingly sign an initiative, referendum or recall petition more than once, knowingly sign such petition when not qualified to sign it, or sign such petition in any name other than the person's own.

(4) No public official or employe shall knowingly make a false certification concerning an initiative, referendum or recall petition. [1977 c.100 §74]

200.560 Circulation of petition by person who is not elector prohibited. A person who is not an elector shall not attempt to obtain signatures on, or cause to be circulated, an initiative, referendum or recall petition. [1983 c.514 §12]

200.565 [Formerly 204.500; 1981 c.234 §12; repealed by 1983 c.704 §12]

200.575 Use of threats and intimidation for purpose of extorting money. No person, for any consideration, shall:

(1) Offer, propose, threaten or attempt to sell, hinder or delay any part of an initiative, referendum or recall petition.

(2) Offer, propose or threaten to desist from beginning, promoting, circulating, or soliciting signatures to, any initiative, referendum or recall petition.

(3) Offer, propose, attempt or threaten in any manner to use an initiative, referendum or recall petition or any power of promotion or opposition concerning such petition for extortion, blackmail or private intimidation of any person. [Formerly 204.500]

200.585 Sponsor of petition to file statement of contributions and expenditures. The chief petitioner of a completed and filed initiative or referendum petition, not later than the 30th day after the final date for filing the completed petition, shall file a statement of contributions and expenditures for the petition. This statement shall conform to the

requirements of ORS 200.023. [Formerly 204.500]

200.600 Purchase of advertising or payment for editorial advocacy or opposition prohibited. No person shall purchase or arrange for the purchase of any advertising from, or pay the owner, editor, manager, publisher or agent of any newspaper or other periodical or of any radio or television station, to induce that person to editorially support or oppose any candidate or measure. No such owner, editor, manager, publisher or agent shall solicit or receive such payment or purchase of advertising. [Formerly 200.612]

200.610 [Amended by 1987 c.644 §12; 1971 c.740 §27; 1973 c.744 §20; repealed by 1979 c.100 §43]

200.615 Special privileges by public utility to political patrons prohibited. (1) No public utility or its agents or officers shall offer or give to a political committee or a member or employe of the committee, or to a candidate for or incumbent of any public office or to any person at the request, or for the advantage of any of them, any reduced rate or a privilege withheld from any person for service which is or will be rendered by a public utility.

(2) No political committee, member or employe of the committee, or candidate or incumbent shall ask for or accept from a public utility, or its agent or officer, or use in any manner or for any purpose a reduced rate, frank or privilege withheld from any person, for any service which is or will be rendered by a public utility.

(3) As used in this section, "public utility" has the meaning given that term in ORS 757.005. [1979 c.100 §21]

200.620 [Repealed by 1987 c.644 §20]

200.625 Transfer of convention credential for value. No person shall offer or effect the transfer of any convention credential in return for payment of money or other thing of value. [Formerly 200.625]

200.630 [Amended by 1987 c.644 §17; 1971 c.740 §26; 1973 c.744 §40; repealed by 1979 c.100 §43]

200.635 Bets and wagers on election results. (1) No candidate shall make or become party to a bet of anything of pecuniary value on any event or contingency relating to a pending election. No candidate shall provide money or other thing of value to be used by any person in betting upon the results of a pending election.

(2) No person, to influence the result of any election, shall make a bet of anything of pecuniary value on the result of a pending election, or on any event relating to it. [Formerly 200.635]

200.640 [Amended by 1987 c.644 §18; 1971 c.740 §28; 1973 c.744 §41; repealed by 1979 c.100 §43]

200.645 Illegal acts related to machines or vote tally systems shall:

(a) Tamper with or injure, or cause to be used or being used in an election, any voting machine or vote tally system that has been used in the performance of an election.

(b) Tamper with any voting machine or vote tally system that has been used in the performance of an election, except in performance of an election.

(c) Prevent or attempt to prevent the operation of any voting machine or vote tally system.

(3) An unauthorized person or possess a key to a voting machine or vote tally system to be used or being used in an election.

(3) Neither the Secretary of office or employe of any county, using a voting machine or vote tally system, shall solicit or accept any compensation or amount paid by the government in connection with the sale, lease or use of a voting machine or vote tally system.

(4) As used in this section, "voting machine" and "vote tally system" have the same meaning as in ORS 200.012. [1977 c.100 §21]

200.650 [Amended by 1987 c.644 §20; 1973 c.744 §42; repealed by 1979 c.100 §43]

200.655 Payments for political nomination papers or for of political committee duties or contribution for any purpose a condition precedent to putting a caucus or convention ballot, non or petition, or to the performance imposed by law on a political party. [Formerly 200.655]

200.660 [Amended by 1987 c.644 §21; 1973 c.744 §43; repealed by 1979 c.100 §43]

200.665 Undue influence on registration, voting, candidate nomination of money or other benefit in this section, "undue influence" means violence, restraint or the threat of injury, damage, harm, loss of or other loss or the threat of it, free promising to give money, employ thing of value.

(2) No person, acting either directly or through any other person, shall use or attempt to use any means to induce any person to

"1983 - 1984 Election Laws" State of Oregon

2(2)

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Handwritten notes at the top of the page, including "Handwritten" and "A. D. D. O. K."

11-2-73

(23)

# Senator Instrumental In Funding Of Research Facility Science Center Name Change Honors Hatfield

By Tom Dooner  
Staff Writer

The building is the same; only the name has been changed.

And the new name is a mouthful: the Mark G. Hatfield Marine Science Center, Oregon State University.

The building's name, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication. A sign through the state by Hatfield in approval of his candidacy for a fourth term.

Hatfield, speaking to an overflow crowd of 100 in the Marine Science Center auditorium, called the center a "nationally and even to be internationally recognized" marine research facility.

Referring to a \$8 million appropriation for study of polymeric materials off the Oregon coast, which was approved

recently by the Senate, Hatfield said, "This is truly unique research. And this opportunity will be taking place right here on this site."

Hatfield, chairman of the Senate Appropriations Committee, was instrumental in passage of the \$8 million legislation, which will move several scientists to the OSU campus in Newport.

On hand for the dedication were Robert MacVicar, OSU president; John Byrne, National Oceanic and Atmospheric Administration (NOAA) administrator and former OSU dean; and William Davis, chancellor of the state system of higher education.

Of Hatfield's efforts on behalf of the Marine Science Center, MacVicar said, "Without his direction, without his influence, many of the things would have been left undone."

Byrne credited Hatfield with

providing the construction money for two NOAA buildings at the center, one completed in 1970, the second in 1982. Both, he said, will be devoted to the study of aquaculture and the production of food in the ocean.

NOAA officials, Byrne joked, already had applied Hatfield's name to the site. "We've been calling them Hatfield one and two for years," he said of the two buildings.

According to Marine Science Center Director LaVera Weber, Hatfield's first efforts on behalf of the center came in 1965 when Hatfield was governor.

"Hatfield" was quick to spread around the credit for the center. Mentioning local people and OSU officials interested in the center, Hatfield said, "You have been my future."

Following the dedication re-

marks, the crowd followed Hatfield and his wife, Antoinette, to the entrance where the couple

pulled aside a velvet curtain to reveal the new name of the center.

The state board of higher education approved the name change in a meeting several weeks ago.



A GRINNING Sen. Mark Hatfield and his wife Antoinette talk with the crowd after unveiling the sign on the newly renamed Mark G. Hatfield Marine Science Center at Oregon State University.

## Center Renamed For Hatfield

The OSU Marine Science Center, in South Beach, will now be renamed the Mark G. Hatfield Marine Science Center, the Oregon State Board of Higher Education decided last week.

The name change became effective Oct. 21. The board also

recommended by OSU President Robert MacVicar who pointed out Hatfield was governor when the Marine Science Center was established.

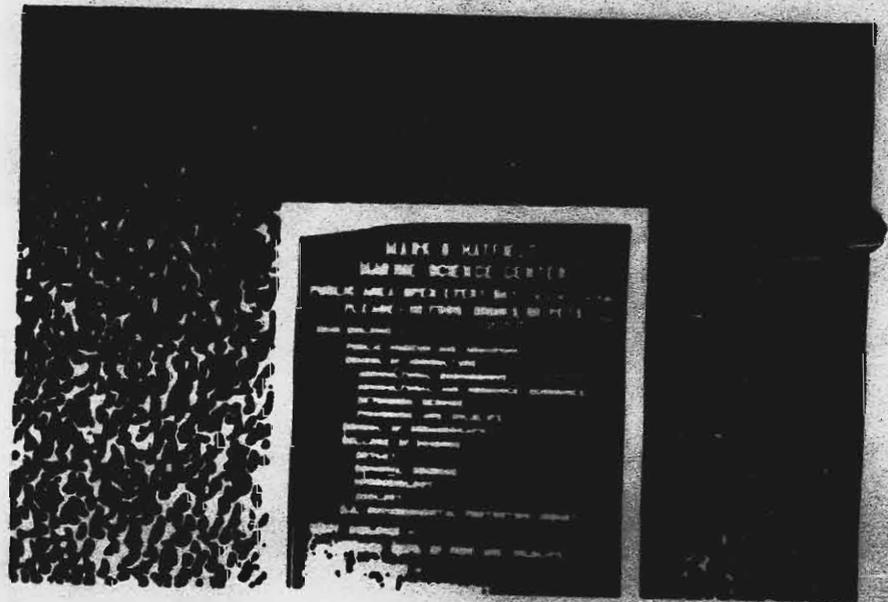
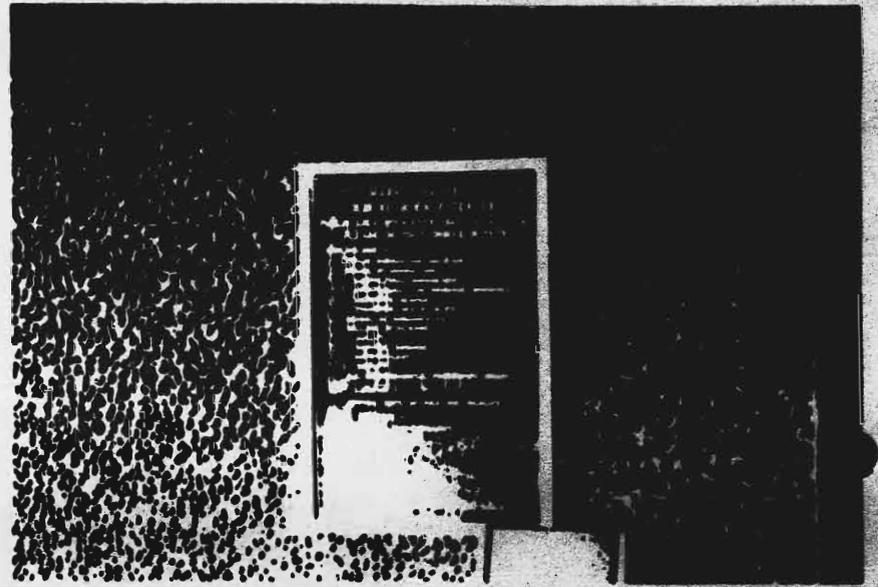
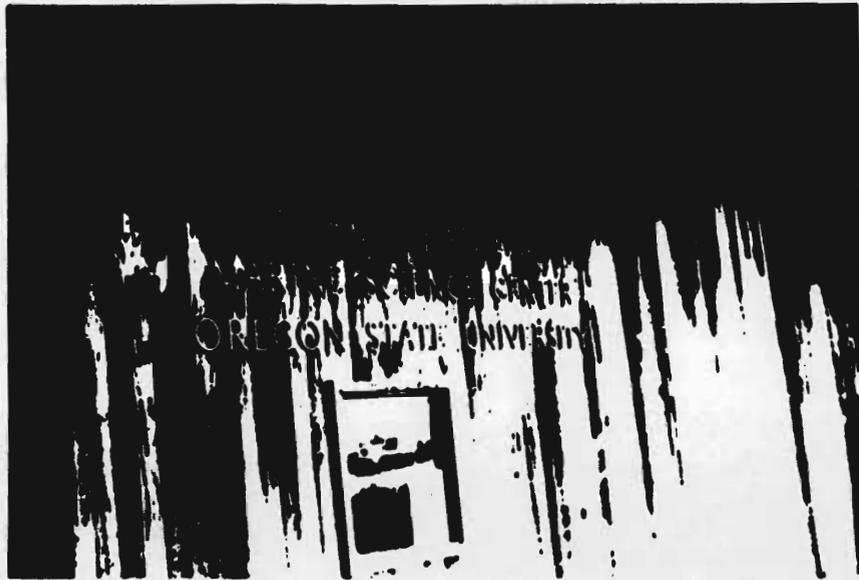
Hatfield has always strongly advocated the center's program and

helped obtain the federal money to develop and operate it, MacVicar said.

Hatfield recently suggested additional personnel be located at the Marine Science Center to study offshore mineral resources.

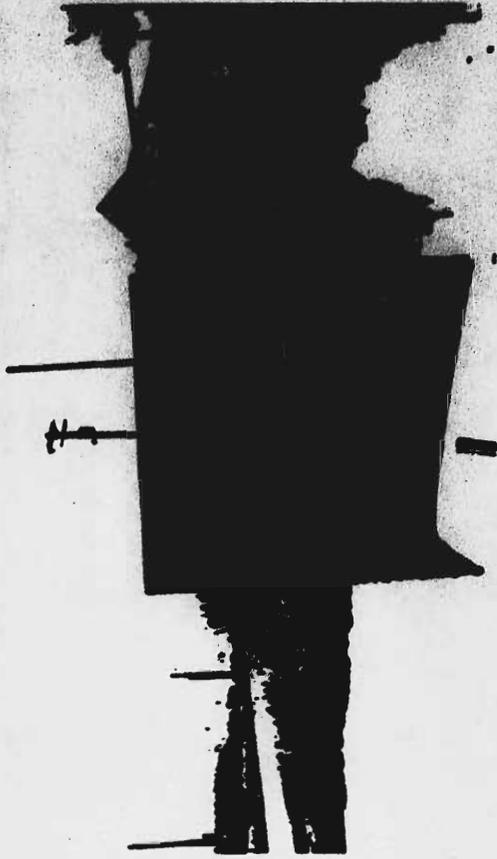
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2(5)

United States Senate  
WASHINGTON, DC

85 OCT 22 11:58

White

October 17, 1985

5 OCT 22 11:12

Mr. Kenneth A. Gross  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Attention: Maura White

Dear Mr. Gross:

SUBJECT: MUR 2088

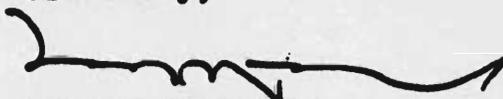
Thank you for your letter notifying me of a complaint filed with the Federal Election Commission (FEC) alleging a violation of the Federal Election Campaign Act of 1971 (FECA), as amended, stemming from the naming of the Marine Sciences Center at Newport in my honor.

I have read the complaint filed with the FEC by Mr. Joe Spenner and cannot determine precisely what provision of FECA he believes has been violated. If it is his position that the naming of the Center was timed to operate as a promotion of my campaign for reelection, I can assure the FEC that this was not the case. The fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland.

If you have any further questions, please call me or Jim Towey of my staff.

Thank you.

Sincerely,



Mark O. Hatfield  
United States Senator

MOH/jtm

36040564291

Attachment 3

DAVE FROENMAYER  
ATTORNEY GENERAL



**DEPARTMENT OF JUSTICE**

GENERAL COUNSEL DIVISION

Room 540

875 Oak Street

Seaside, Oregon 97138

Telephone: (503) 666-7811

October 21, 1983

RECEIVED THE FEC  
**HAND DELIVERED**  
85 OCT 22 4:55

*Oct 21 1983*  
White

Maura White  
Staff Member  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2088

Dear Ms. White:

Your letters of October 4, 1983, directed to Robert MacVicar, as President of Oregon State University, and LaVerne Weber, as Director of the Marine Science Center of that University, have been passed on to me. The reason for this is that the Attorney General's office is counsel to the Board of Higher Education. I am writing therefore on behalf of the Oregon State Board of Higher Education, as their attorney, because the Board of Higher Education is the governing board for Oregon State University. It was the Board's decision to name the complex the Mark O. Hatfield Marine Science Center.

I am enclosing a copy of the Board's minutes from the meeting of September 23, 1983, pages 288 and 289, which report and discuss the naming of the complex. The reasons for this action are spelled out in the minutes. The renaming of the complex was not intended to influence any federal election.

The erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board. The cost of the sign was \$592; see enclosed letter of November 16, 1983, from Director Weber to President MacVicar. The "building letters" mentioned in the letter may have included Senator Hatfield's name. In any event, the cost of these letters was \$955. These items (but not the catering bill) were paid by state funds; see memo of November 29, 1983, from Vice President Parsons to Director Weber.

5 OCT 22 11:19  
T... ..

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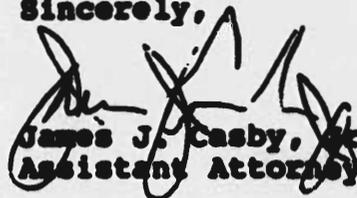
Attachment 4(1)

Ms. Maura White  
Page 2  
October 21, 1985

President MacVicar has retired since these events, as has Vice Chancellor Hunderup, who presented the name change issue to the Board. Furthermore, only four of the ten Board members involved in the change remain on the Board at the present time. Should you wish any more detailed information, however, I am sure that I can with time locate and make available all of these people.

I would hope that this meets the requests of the letter of October 4, 1985. If you wish further information, please do not hesitate to contact me.

Sincerely,

  
James J. Casby, Jr.  
Assistant Attorney General

ej

cc: Larry Thomson  
W. T. Lemman  
Robert Gutierrez

36040564293

4(2)

further investigation. If the Board concurs that the review should be provided, adoption of the following motion would be appropriate:

In the matter of the review requested by Charles Coate in a letter dated December 2, 1983, pursuant to OAR 580-21-290, regarding a nondisciplinary academic personnel action by Eastern Oregon State College, it is moved that the Board of Higher Education refer the matter to the Chancellor or his designee for examination and informal settlement, if possible. Upon completion, the matter should be returned to the Board for determination of further proceedings, if any, pursuant to OAR 580-21-290(3).

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batista, Flanagan, Gill, Harms, Mensley, Perry, Petersen, Walling, Wyss, and Ingalls. Those voting no: None.

**Naming of  
Marine Science  
Center, OSU**

#### Staff Report to the Board

President MacVicar has recommended that the Yaquina Bay Marine Science Center be designated "The Mark O. Hatfield Marine Science Center" effective October 30, 1983.

In submitting this recommendation on behalf of Oregon State University, Dr. MacVicar pointed out that the Center was established at Newport during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation. Moreover, since his election to the Senate of the United States, Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University. The two recent major projects involving the construction of facilities for aquaculture, financed completely from federal appropriations, would not likely have been undertaken without the Senator's vigorous and enthusiastic endorsement. The development of the Center has been assisted in many other ways by his awareness of its needs and his supportive efforts. Recently, he has been pursuing the addition of a sizeable element of personnel at the Center to undertake studies of the off-shore mineral resources that may prove to be a major source of certain scarce minerals to the nation.

The Board's staff concurs in this recommendation. To date, the Board has not taken official action to name the Center although it has been referred to often as the Yaquina Bay Marine Science Center of Oregon State University. Only one of the buildings has been named. On July 23, 1973, the Board authorized the designation of the first unit of apartment housing there as the Li House in honor of the late Dr. Jerome C. R. Li, a former professor of mathematics and statistics at the University. By designating the entire complex now as "The Mark O. Hatfield Marine Science Center," it would appear possible to name individual buildings later, if desired, consistent with the Board's Administrative Rule 580-50-025.

#### Staff Recommendation to the Board

It was recommended that the Yaquina Bay Marine Science Center of Oregon State University be designated "The Mark O. Hatfield Marine Science Center."

#### Board Discussion and Action

Mr. Hunderup described the Board's policy on the naming of buildings in response to a question from Mr. Perry. The Board's Administrative Rule specifies that normally a building shall not be named for a living person unless that person has made a substantial contribution to the cost of that

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facility. In the case of the Yaquina Bay Marine Science Center, the entire complex is being named in honor of Senator Hatfield. The action in designating the complex does not preclude the opportunity for the Board, at some future time, to name individual buildings within that complex consistent with the Administrative Rules. He also noted that there are a number of instances on the various campuses where individual rooms within a facility may be named for an individual.

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

**Naming of  
Ballard Extension  
Hall, OSU**

#### Staff Report to the Board

Based upon the request of the Building Names Committee of Oregon State University, institutional officials have recommended that the present Extension Hall on the campus in Corvallis be named Ballard Extension Hall in honor of the late Frank Llewellyn Ballard. Mr. Ballard was a member of the faculty from 1917 until his retirement in 1961 and continued as emeritus professor until his death on September 20, 1971. During his forty-four year career, he served first as a specialist and then as administrator of the Extension Service with the exception of two short periods in the early 1940's when he was the ninth president of the institution (1940 and 1941) and State Supervisor of War Food Production and Conservation (1944-45).

After receiving his degree from Oregon Agricultural College in 1916, Mr. Ballard returned to his native state of New Hampshire for one year to serve as a county extension agent, but he came back to Oregon to stay in 1917 when he joined the Extension Service as a specialist in rural organization and agricultural economics. Through the years, he accepted more and more administrative responsibilities and in 1934 became the director in charge of all Oregon extension work done by county agricultural agents, home economics agents, 4-H club agents, and extension specialists.

Mr. Ballard was acknowledged to be one of the great leaders of the Federal Cooperative Extension program in Oregon, and it was under his leadership that long-range planning programs were instituted in every county in the state following a series of state-wide and county conferences undertaken in 1924 with farmers, business leaders and others to determine goals for Oregon agriculture. The farm economy was keyed to consider market as well as production possibilities and the philosophy of Oregon's Extension Service was established: find out what people need and want and then try to give it to them.

Because of his effective service to agriculture within the state and the nation, Mr. Ballard was honored by many organizations and professional societies. During the OSU Centennial convocation in 1968, he was cited for his achievements as a teacher, skilled administrator, past president and associate director of the Cooperative Extension Service. He was often called "Mister Extension."

#### Staff Recommendation to the Board

It was recommended that the present Extension Hall on the campus of Oregon State University, which provides offices for the administrative staff of the Federal Cooperative Extension Service in Oregon, be renamed Ballard Extension Hall in honor of the late Frank Llewellyn Ballard.

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

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November 16, 1983

President Robert MacVicar  
Oregon State University  
Campus

Dear President MacVicar:

The Marine Science Center has paid the following bills in connection with the re-dedication of the Center on 30 October 1983:

new entry sign (OSU Physical Plant)	\$592
new building letters (Oregon Brass Works)	955
catering services (Pip Tide Restaurant)	<u>600</u>
	\$2,147

Please credit our account 30-050-7607.

In general, I felt the affair went well.

Sincerely,

Lavern J. Weber  
Director

LJW:as

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4(5)

Office of the President



Corvallis, Oregon 97331-2128

503 754-4100

November 29, 1983



**TO:** Lavern J. Heber, Director  
Mark O. Hatfield Marine Science Center

**FROM:** T. D. Parsons *T. D. Parsons*  
Vice President for Administration

**SUBJECT:** Fund Transfer

This is to notify you that as of this date this office has requested that the Department of Budgets transfer \$1,847.00 to your account, 30-050-7607, for the re-dedication of the Center on October 30, 1983. This is a non-recurring transfer.

It is understood that the OSU Foundation will pay the catering bill.

TDP:lw

*Copy to D. Joffe  
✓ C.M. Athai*



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4(6)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 13, 1985

Certified Mail  
Return Receipt Requested

Joe Spenner  
15016 Coon Hollow Road SE  
Stayton, OR 97383

Re: MUR 2088

Dear Mr. Spenner:

The Federal Election Commission has reviewed the allegations of your complaint dated September 20, 1985, and determined that on the basis of the information provided in your complaint and information provided by the respondents there is no reason to believe a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, on December 4, 1985, the Commission decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

36040564298

RECEIVED  
FEDERAL ELECTION COMMISSION  
SECRETARY

FEDERAL ELECTION COMMISSION  
1325 K Street, S.W., Room 2  
Washington, D.C. 20463

AID: 13

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION 11/29/85 5:00

MUR# 2088  
DATE COMPLAINT RECEIVED  
BY OGC 9/20/85  
DATE OF NOTIFICATION TO  
RESPONDENTS 9/27/85  
STAFF MEMBER Naura White Callaway

COMPLAINANT'S NAME: Joe Spenner  
RESPONDENTS' NAMES: Senator Mark Hatfield;  
Robert MacVicar; LaVerne Weber  
RELEVANT STATUTE: 2 U.S.C. § 431 et seq.  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

**SUMMARY OF ALLEGATIONS**

On September 20, 1985, Joe Spenner filed a complaint against Senator Mark Hatfield, Robert MacVicar, and LaVerne Weber (Attachment 1). The complaint does not allege a specific violation of the Federal Election Campaign Act of 1971, as amended, but instead alleges a violation of "ORS 260.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS PROHIBITED," and a "miss use [sic] of public funds for campaign purposes."

**FACTUAL AND LEGAL ANALYSIS**

The complainant alleges that "it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the 'Oregon State University Marine Science Center,' at Newport, Oregon, after he filed for re-election." The complainant states that "[i]t was unfair advantage, because no other candidate could have a major tax-financed institution

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named in their favor, with help of members of the State Board of Education, members of the state system of higher education and behind-the-scenes professional developers." It is the position of the complainant that "[t]ax funds collected in the name of education, were grossly miss used [sic] when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return." It is also alleged that Robert MacVicar, President of Oregon State University, and LaVerne Weber, Director of the Marine Science Center, "violated election law principles and laws by condoning this one side advantage."

The complainant refers to "the enclosed photos" and a photocopy of a news article in the "News-Times," but failed to include such in his September 20, 1985, complaint. These items were previously included in an improper complaint filed by Mr. Spenner on September 3, 1985. (Attachment 2.) The photographs depict the various signs at Oregon State University bearing the name: "Mark O. Hatfield Marine Science Center Oregon State University." The news articles, which apparently appeared in the September 28, 1983, and November 2, 1983 editions of the News-Times, state that the "building's namesake, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication during a swing through the state by Hatfield to announce his candidacy for a fourth term." The news articles note that the "state board of higher education approved the name change in a meeting several weeks ago." The News-Times reported that the change "was recommended by OSU President Robert MacVicar who pointed out that

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Hatfield was governor when the Marine Science Center was established." According to the news articles, Senator Hatfield played an instrumental role in the recent passage of legislation which appropriated \$2 million for a research study at the Marine Science Center, and is credited with providing the construction money for two buildings at the Center, one completed in 1979, the second in 1982.

On October 22, 1985, Senator Mark Hatfield submitted a response to the complaint (Attachment 3). The response states that the naming of the Marine Science Center in honor of the Senator was not timed "to operate as a promotion of my campaign for reelection." The Senator notes in his response that "[t]he fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland."

On October 22, 1985, the Attorney General's Office of the State of Oregon responded to the complaint's allegations against Robert MacVicar and LaVerne Weber.<sup>1/</sup> (Attachment 4.) It is explained in the response that the Attorney General's Office is counsel to the Board of Higher Education which in turn is the governing board for Oregon State University. The response states

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<sup>1/</sup> According to the response, President MacVicar has retired since the renaming of Marine Science Center, and "only four of the ten Board Members involved in the change remain on the Board at the present time."

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that the "erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board." According to the response, the cost of the sign was \$592 and the "building letters," which "may have" included Senator Hatfield's name cost \$955. <sup>2/</sup> The response notes that the above items "were paid by state funds."

Included within the response was a copy of the minutes of the September 23, 1983, meeting of the Board of Higher Education at which the naming of the complex was discussed. A review of the minutes revealed that President Robert McVicar recommended that the Marine Science Center be named in honor of Senator Hatfield, and that such change be effective on October 30, 1983. The minutes state that in submitting the recommendation President MacVicar pointed out that the Marine Science Center was established "during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation." The minutes further note that "since his election to the Senate of the United States Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University."

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<sup>2/</sup> The photographs included with the improper complaint portray at least two interior displays bearing the name of the Marine Science Center, in addition to the one exterior sign. The interior signs would appear to be comprised of the above "building letters."

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Based upon the evidence in hand the dedication of the Marine Science Center to Senator Mark Hatfield in October 1983 does not appear to be in violation of any provision of the Act. The complainant does not allege a specific violation, and there is no indication that the dedication at issue was in any way for the purpose of influencing a federal election. In addition, the Commission has no jurisdiction with respect to a violation of Oregon State laws, as alleged by the complainant. Accordingly, it is the recommendation of this office that the Commission find no reason to believe Senator Mark Hatfield, Robert MacVicar, or Laverne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.

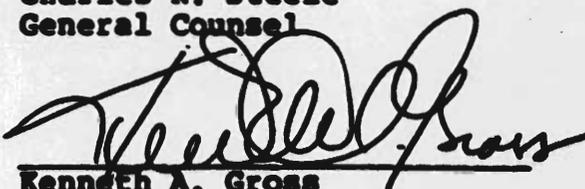
RECOMMENDATIONS

1. Find no reason to believe Senator Mark Hatfield, Robert MacVicar, or LaVerne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.
2. Close the file
3. Approve the attached letters.

Charles N. Steele  
General Counsel

November 27, 1985  
Date

By:

  
Kenneth A. Gross  
Associate General Counsel

**Attachments**

- 1 - Complaint
- 2 - Attachments to improper complaint
- 3 - Response of Senator Hatfield
- 4 - Response of Attorney General
- 5 - Proposed letters (3)

36040564303

Case # 2593  
05 SEP 20 12:11

Stavton, Oregon  
September 16, 1965

Mr. Charles W. Steele  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

Dear Mr. Steele:

Enclosed is a corrected notarized statement to properly comply with statutory requirements.

I'm sorry to be so dense in grasping the exact method, though I am, determined to help maintain the integrity of conduct in elections in our wonderful country.

High school kids are quickly penalized for errors in their football games.

Shouldn't we be just as clear and quick to blow the whistle on politicians?

Sincerely,  
*Joe Spinner*  
Joe Spinner

Enclosures:  
Photocopy of original complaint and ungraded notarization.

86040564304

SEP 20 12:11  
64:10  
D

Attachment 1(i)

Stayton, Oregon  
August 29, 1965

Mr. Charles N. Steele,  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

COPY

Dear Mr. Steele:

I wish to file a formal complaint concerning a violation of:  
ORS 267.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS  
PROHIBITED. Also miss use of public funds for campaign purposes.

I, Joe Spenner, a citizen and voter of the State of Oregon, allege that it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the "Oregon State University Marine Science Center," at Newport Oregon, after he had filed for re-election.

It was unfair advantage, because no other candidate could have a major tax-financed institution named in their favor, with help of members of the State Board of Higher Education, members of the state system of higher education and behind-the-scenes professional developers.

I allege that Robert MacVicar, president of Oregon State University violated election principles and laws by condoning this one sided privilege.

I allege that LaVern Weber, Director of Marine Science Center also violated election principles and laws by condoning this one sided privilege.

Tax funds collected in the name of education, were grossly miss used when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return.

My source of first information was in personally observing the signs at the "Center" had been changed, when I passed there, while I was at the coast at Newport on a fishing trip.

The main sign had a fresh, heavily carved and painted message-title on the south side, while on the north side, the original older version was still intact. The changed side read: "MARK O. HATFIELD, MARINE SCIENCE CENTER, OREGON STATE UNIVERSITY."

After returning home, this sign-change bothered me so much I went back with my camera several weeks later and took the enclosed photos.

Still uneasy, I went to Oregon State University in Corvallis, Oregon where I ran into a blank wall of no one knowing anything about the sign, except that there was, a marine center at the coast. This really made me very curious!

Returning to Newport and the Center, I asked there for information about the signs being changed. Almost amusing, they didn't know very much except that they had been somehow changed. Why the political fog?

So, knowing it was apparently some sort of big political gimmick, I went to the local newspaper, "News-Times," hoping some sort of article had been written. The enclosed photocopy of an article and picture really answered most questions.

Why couldn't this same information have been pointed out by the many

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Page two. "Complaint concerning misuse of public funds for  
and by Mark O. Hatfield and others."

people asked weeks earlier? Why didn't even the State Library at Salem  
have the information?

Being an already over-taxed voter, fed up with political run around,  
I file this complaint against the following peoples:

Senator Mark O. Hatfield  
3051 N Street N.W.  
Washington, D.C.

Robert MacVicar, President  
Oregon State University  
Corvallis, OR 97331

LaVerne Weber, Director

**Enclosures:**

Pictures of signs.  
Photocopy of news items.  
Photocopy of page 167 of "Oregon Blue Book," 1981-1982.  
ORS260.615.

My address and telephone number are:

*Joe Spenser*  
Joe Spenser  
15016 Coon Hollow Rd SE  
Stayton, OR 97383 .

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1(3A)

STATE OF OREGON )  
County of Marion ) ss.

September 17, 1985

I, JOE SPENNER, being first duly sworn, depose and say:

That I am the signor of that "Complaint" dated August 29, 1985 directed to Mr. Charles N. Steele, General Counsel, Federal Elections Commission, Washington, C.C. 20463, a copy of said complaint being attached hereto, and that the contents of the complaint are true to the best of my knowledge.

Joe Spenner

Subscribed and sworn to before me this 17th day of September, 1985.

Arthur L. Pollock  
Notary Public for Oregon.  
My commission expires: 4-24-87

36040564307

experience with opportunity to graduate and enter the employment field in two years. Baccalaureate degree offerings for the next two years offer added technical specialization, teaching skills or management-supervisory skills. Degrees are granted in nine engineering/technology fields, five allied health areas, five industrial fields and three business fields. A liberal arts associate degree is also available for local college transfer students.

A community college graduate with an acceptable grade point average may enter Oregon Tech's upper division. In addition, the college offers evening classes and summer sessions.

Oregon Tech is fully accredited and employment opportunities for graduates have been one of the prime factors in attracting students to OIT. The Campus Placement Office boasts job placement in excess of 85 percent for OIT graduates.

Enrollment exceeds 2,000, including nontraditional students. Women comprise nearly one-third of the enrollment.

In recent years OIT's geothermally heated campus has obtained international recognition in applied research of geothermal energy.



## OREGON STATE UNIVERSITY

*Dr. Robert W. MacVicar, President; Corvallis 97331; 784-0183*

Oregon State University is Oregon's oldest state-supported institution of higher learning, dating back to October 27, 1868. It was established as one of the nation's Land Grant Colleges, receiving federal land grants to help launch its public education-service programs.

On September 7, 1971, OSU was designated as one of the nation's first four Sea Grant Colleges, charged to help advance man's wise and orderly use of ocean resources and to provide teaching and research programs related to marine sciences. The Oregon State University Marine Science Center at Newport has become OSU's important "Campus on the Coast." The 177-foot, all-weather *Wecoma* and smaller research vessels operate from there in studying world oceans and Northwest estuaries and rivers.

From an initial graduating class of three in 1870, OSU has grown to the point that it now confers about 2,500 degrees each June. Student enrollment during the regular school year is now over 17,000 and summer term enrollment now tops 5,000.

The schools of engineering and business and the colleges of science and liberal arts are the largest academic units. Other schools include agriculture, education, forestry, health and physical education, home economics, oceanography, pharmacy and veterinary medicine. About one out of every six students on campus is enrolled in the graduate school, working for a master's or doctor's degree. OSU is one of only 25 U.S. universities offering ROTC military commission programs in all branches of the service.

The main campus covers nearly 800 acres on which there are 100 major buildings. Experimental farms, an arboretum and teaching-research forests, all located within just a few minutes drive of the campus, make up an additional 18,000 acres.

Through its vast programs of teaching, research and its Extension Service, the University touches directly or indirectly the life of every Oregonian. National leadership is provided in such fields as food science, forestry management-products-engineering, en-

from "Oregon Blue Book"

1981-1982

Attachment 2(1)

ELECTIONS

CAMPAIGN

200.555 Prohibitions relating to circulation, filing or certification of initiative, referendum or recall petition. (1) No person attempting to obtain signatures on, or causing to be circulated, an initiative, referendum or recall petition, shall knowingly make any false statement regarding the contents, meaning or effect of the petition to any person who signs it, attempts to sign it, is requested to sign it or requests information concerning it.

(2) No person shall attempt to obtain signatures to, cause to be circulated or file with a filing officer, an initiative, referendum or recall petition, knowing it to contain a false signature.

(3) No person shall knowingly sign an initiative, referendum or recall petition more than once, knowingly sign such petition when not qualified to sign it, or sign such petition in any name other than the person's own.

(4) No public official or employe shall knowingly make a false certification concerning an initiative, referendum or recall petition. [1979 c.500 §274]

200.560 Circulation of petition by person who is not elector prohibited. A person who is not an elector shall not attempt to obtain signatures on, or cause to be circulated, an initiative, referendum or recall petition. [1983 c.544 §10]

200.565 [Formerly 254.500; 1981 c.524 §12; repealed by 1983 c.705 §12]

200.575 Use of threats and intimidation for purpose of extorting money. No person, for any consideration, shall:

(1) Offer, propose, threaten or attempt to sell, hinder or delay any part of an initiative, referendum or recall petition.

(2) Offer, propose or threaten to desist from beginning, promoting, circulating, or soliciting signatures to, any initiative, referendum or recall petition.

(3) Offer, propose, attempt or threaten in any manner to use an initiative, referendum or recall petition or any power of promotion or opposition concerning such petition for extortion, blackmail or private intimidation of any person. [Formerly 254.500]

200.585 Sponsor of petition to file statement of contributions and expenditures. The chief petitioner of a completed and filed initiative or referendum petition, not later than the 30th day after the final date for filing the completed petition, shall file a statement of contributions and expenditures for the petition. This statement shall conform to the

requirements of ORS 200.602. [Formerly 254.500]

200.605 Purchase of advertising or payment for editorial advocacy or opposition prohibited. No person shall purchase or arrange for the purchase of any advertising space, or pay the owner, editor, manager, publisher or agent of any newspaper or other periodical or of any radio or television station, to induce that person to editorially support or oppose any candidate or measure. No such owner, editor, manager, publisher or agent shall solicit or receive such payment or purchase of advertising. [Formerly 254.512]

200.610 [Amended by 1987 c.644 §10; 1971 c.740 §27; 1973 c.744 §20; repealed by 1979 c.100 §421]

200.615 Special privileges by public utility to political patrons prohibited. (1) No public utility or its agents or officers shall offer or give to a political committee or a member or employe of the committee, or to a candidate for or incumbent of any public office or to any person at the request, or for the advantage of any of them, any reduced rate or a privilege withheld from any person for service which is or will be rendered by a public utility.

(2) No political committee, member or employe of the committee, or candidate or incumbent shall ask for or accept from a public utility, or its agent or officer, or use in any manner or for any purpose a reduced rate, frank or privilege withheld from any person, for any service which is or will be rendered by a public utility.

(3) As used in this section, "public utility" has the meaning given that term in ORS 767.005. [1979 c.100 §251]

200.620 [Repealed by 1987 c.644 §20]

200.625 Transfer of convention credential for value. No person shall offer or effect the transfer of any convention credential in return for payment of money or other thing of value. [Formerly 254.622]

200.630 [Amended by 1987 c.644 §17; 1971 c.740 §28; 1973 c.744 §42; repealed by 1979 c.100 §421]

200.635 Bets and wagers on election results. (1) No candidate shall make or become party to a bet of anything of pecuniary value on any event or contingency relating to a pending election. No candidate shall provide money or other thing of value to be used by any person in betting upon the results of a pending election.

(2) No person, to influence the result of any election, shall make a bet of anything of pecuniary value on the result of a pending election, or on any event relating to it. [Formerly 254.632]

200.640 [Amended by 1987 c.644 §17; 1971 c.740 §28; 1973 c.744 §42; repealed by 1979 c.100 §421]

200.645 Illegal acts related machines or vote tally system shall:

(a) Tamper with or injure any voting machine or vote tally system that has been used or being used in an election.

(b) Tamper with any voting tally system that has been used except in performance of election.

(c) Prevent or attempt to prevent operation of any voting machine system.

(2) An unauthorized person or person a buy to a voting machine system to be used or being used in

(3) Neither the Secretary of office or employe of any county, using a voting machine or vote tally system or accept any component amounts paid by the government, section with the sale, lease or use machine or vote tally system.

(4) As used in this section, "v and "vote tally system" have the these terms in ORS 246.012. [197 c.500 §9]

200.650 [Amended by 1987 c.644 §20; 1973 c.744 §42; repealed by 1979 c.100 §421]

200.655 Payments for p on nomination papers or for of political committee duties or contribution for any purpose a condition precedent to putting a caucus or convention ballot, non or petition, or to the performance imposed by law on a political [Formerly 254.652]

200.660 [Amended by 1987 c.644 §21; 1973 c.744 §42; repealed by 1979 c.100 §421]

200.665 Undue influence registration, voting, cancellation of money or other benefits in this section, "undue influence" violence, restraint or the threat of injury, damage, harm, loss of or other loss or the threat of it, from promising to give money, employ thing of value.

(2) No person, acting either of through any other person, shall in any way solicit any person to under the intent to induce any person to

"1983 - 1984 Election Laws" State of Oregon

2(2)

05-11-84 3:00 PM

*of Newport OK*

11-2-73

2(3)

# Senator Instrumental In Funding Of Research Facility Science Center Name Change Honors Hatfield

By Tom Dozier  
Staff Writer

The building to the east; only the name has been changed.

And the new name is a compliment: the Mark O. Hatfield Marine Science Center, Oregon State University.

The building's name, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication during a brief stop through the state by Hatfield in his campaign for a second term.

Hatfield, speaking to an overflow crowd of 50 in the Marine Science Center auditorium, called the center a "nationally and even to be internationally recognized" marine research facility.

Referring to a \$5 million appropriation for study of hydrographic studies of the Oregon coast, which was approved

recently by the Senate, Hatfield said, "This is truly unique research. And this opportunity will be taking place right here on this site."

Hatfield, chairman of the Senate Appropriations Committee, was instrumental in passage of the \$2 million legislation, which will move several scientists to the OSU campus in Newport.

On hand for the dedication were Robert MacVicar, OSU president; John Byrne, National Oceanic and Atmospheric Administration (NOAA) administrator and former OSU dean; and William Stark, chancellor of the state system of higher education.

Of Hatfield's efforts on behalf of the Marine Science Center, MacVicar said, "Without his dedication, without his influence, many of the things would have been left undone."

Byrne credited Hatfield with

providing the construction money for two NOAA buildings at the center, one completed in 1970, the second in 1972. Both, he said, will be devoted to the study of aquaculture and the production of food in the ocean.

NOAA officials, Byrne joked, already had applied Hatfield's name to the site. "We've been calling them Hatfield one and two for years," he said of the two buildings.

According to Marine Science Center Director LaVern Weber, Hatfield's first efforts on behalf of the center came in 1955 when Hatfield was governor.

Hatfield was quick to spread around the credit for the center, mentioning local people and OSU officials interested in the center, Hatfield said. "You have been a talent."

Following the dedication re-

marks, the crowd followed Hatfield and his wife, Antonette, to the entrance where the couple

pulled aside a velvet curtain to reveal the new name of the center.

The state board of higher education approved the name change in a meeting several weeks ago.



A GATHERING. Sen. Mark Hatfield and his wife Antonette talk with the crowd after unveiling the sign at the newly renamed Mark O. Hatfield Marine Science Center at Oregon State University.

## Center Renamed For Hatfield

The OSU Marine Science Center, in South Beach, will now be named the Mark O. Hatfield Marine Science Center, the Oregon State Board of Higher Education decided last week.

The name change was announced Oct. 22, the board decided. The board changed the name to honor the senator.

Recommended by OSU President Robert MacVicar, who pointed out Hatfield was governor when the Marine Science Center was established.

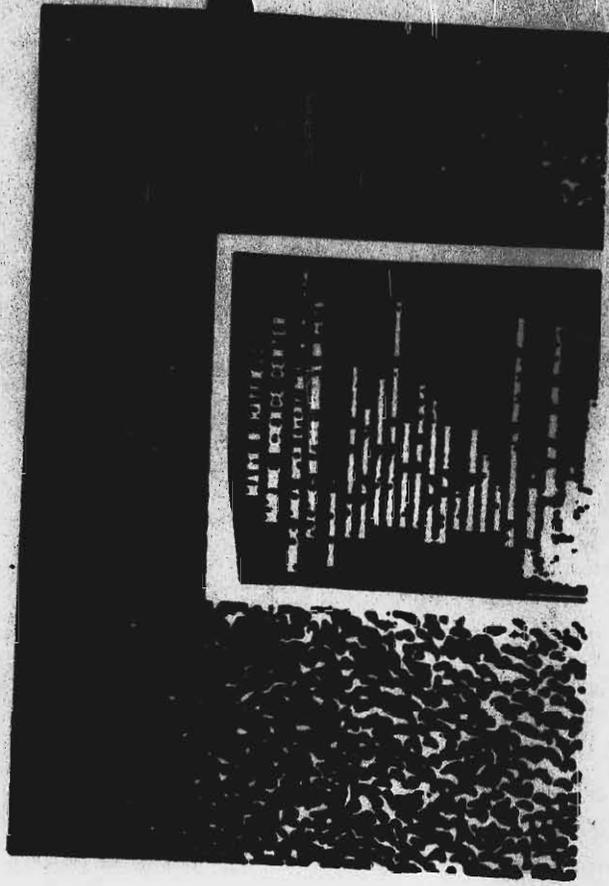
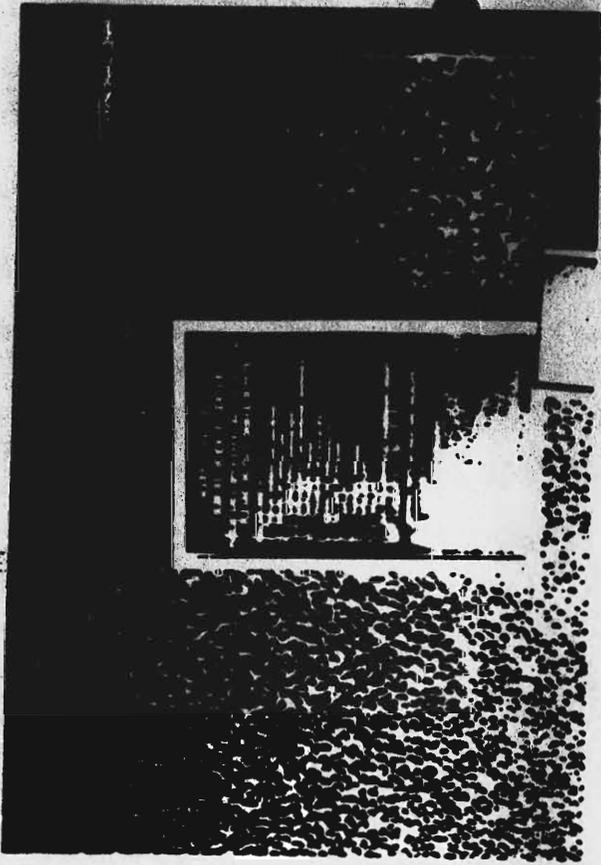
Hatfield has always been a strong supporter of the center's program and

helped obtain the federal money to develop and purchase it, MacVicar said.

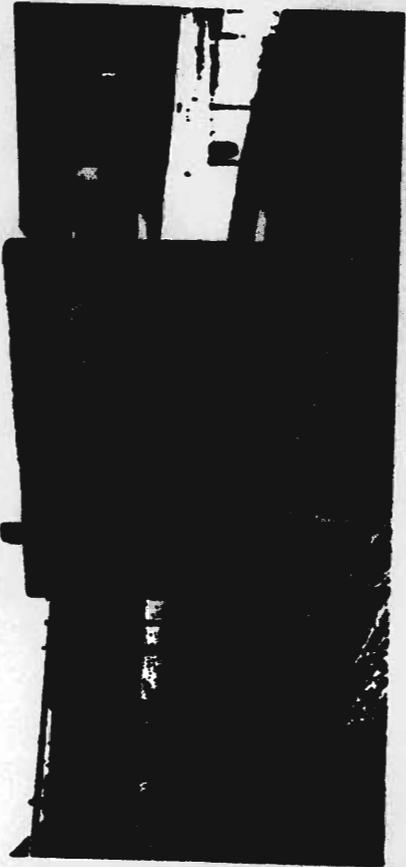
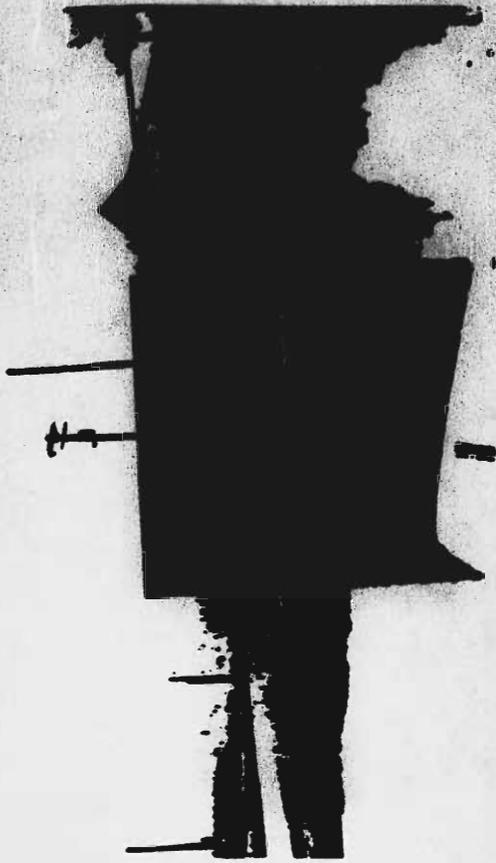
Hatfield recently pledged additional personal funds to be loaned to the Marine Science Center to study offshore windfall resources.

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36040564311



36040564312



2(5)

**United States Senate**  
WASHINGTON, DC

85 OCT 22 4 7: 58

*White*

October 17, 1985

Mr. Kenneth A. Gross  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

5 OCT 22 4 9: 12

Attention: Maura White

Dear Mr. Gross:

SUBJECT: MUR 2088

Thank you for your letter notifying me of a complaint filed with the Federal Election Commission (FEC) alleging a violation of the Federal Election Campaign Act of 1971 (FECA), as amended, stemming from the naming of the Marine Sciences Center at Newport in my honor.

I have read the complaint filed with the FEC by Mr. Joe Spenner and cannot determine precisely what provision of FECA he believes has been violated. If it is his position that the naming of the Center was timed to operate as a promotion of my campaign for reelection, I can assure the FEC that this was not the case. The fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland.

If you have any further questions, please call me or Jim Towe of my staff.

Thank you.

Sincerely,

Mark O. Hatfield  
United States Senator

MOH/jtm

3 6 0 4 0 5 6 4 3 1 3

Attachment 3

DAVE FROENMAYER  
ATTORNEY GENERAL



**DEPARTMENT OF JUSTICE**

GENERAL COUNSEL DIVISION

Room 549

975 Oak Street

Portland, Oregon 97201

Telephone: (503) 606-7811

October 21, 1985

RECEIVED THE FEC  
**HAND DELIVERED**  
85 OCT 22 10:33

*Oct 21 1985*  
*White*

5 OCT 22 11:19  
MAIL

**Maura White**  
Staff Member  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2088

Dear Ms. White:

Your letters of October 4, 1985, directed to Robert MacVicar, as President of Oregon State University, and LaVerne Weber, as Director of the Marine Science Center of that University, have been passed on to me. The reason for this is that the Attorney General's office is counsel to the Board of Higher Education. I am writing therefore on behalf of the Oregon State Board of Higher Education, as their attorney, because the Board of Higher Education is the governing board for Oregon State University. It was the Board's decision to name the complex the Mark O. Hatfield Marine Science Center.

I am enclosing a copy of the Board's minutes from the meeting of September 23, 1983, pages 288 and 289, which report and discuss the naming of the complex. The reasons for this action are spelled out in the minutes. The renaming of the complex was not intended to influence any federal election.

The erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board. The cost of the sign was \$592; see enclosed letter of November 16, 1983, from Director Weber to President MacVicar. The "building letters" mentioned in the letter may have included Senator Hatfield's name. In any event, the cost of these letters was \$955. These items (but not the catering bill) were paid by state funds; see memo of November 29, 1983, from Vice President Parsons to Director Weber.

9 6 0 4 0 5 6 4 3 1 4

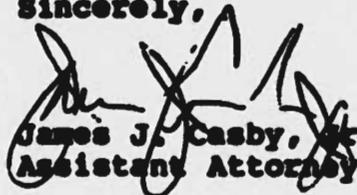
Attachment 4(1)

Ms. Maura White  
Page 2  
October 21, 1985

President MacVicar has retired since these events, as has Vice Chancellor Hunderup, who presented the name change issue to the Board. Furthermore, only four of the ten Board members involved in the change remain on the Board at the present time. Should you wish any more detailed information, however, I am sure that I can with time locate and make available all of these people.

I would hope that this meets the requests of the letter of October 4, 1985. If you wish further information, please do not hesitate to contact me.

Sincerely,

  
James J. Casby, Jr.  
Assistant Attorney General

ej

cc: Larry Thomson  
W. T. Lemman  
Robert Gutierrez

36040564315

4(2)

further investigation. If the Board concurs that the review should be provided, adoption of the following motion would be appropriate:

In the matter of the review requested by Charles Coate in a letter dated December 2, 1963, pursuant to OAR 590-21-290, regarding a nondisciplinary academic personnel action by Eastern Oregon State College, it is moved that the Board of Higher Education refer the matter to the Chancellor or his designee for examination and informal settlement, if possible. Upon completion, the matter should be returned to the Board for determination of further proceedings, if any, pursuant to OAR 590-21-290(3).

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Allucker, Batista, Flanagan, Gill, Harms, Hensley, Perry, Petersen, Walling, Wyss, and Ingalls. Those voting no: None.

Naming of  
Marine Science  
Center, OSU

#### Staff Report to the Board

President MacVicar has recommended that the Yaquina Bay Marine Science Center be designated "The Mark O. Hatfield Marine Science Center" effective October 30, 1963.

In submitting this recommendation on behalf of Oregon State University, Dr. MacVicar pointed out that the Center was established at Newport during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation. Moreover, since his election to the Senate of the United States, Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University. The two recent major projects involving the construction of facilities for aquaculture, financed completely from federal appropriations, would not likely have been undertaken without the Senator's vigorous and enthusiastic endorsement. The development of the Center has been assisted in many other ways by his awareness of its needs and his supportive efforts. Recently, he has been pursuing the addition of a sizeable element of personnel at the Center to undertake studies of the off-shore mineral resources that may prove to be a major source of certain scarce minerals to the nation.

The Board's staff concurs in this recommendation. To date, the Board has not taken official action to name the Center although it has been referred to often as the Yaquina Bay Marine Science Center of Oregon State University. Only one of the buildings has been named. On July 23, 1973, the Board authorized the designation of the first unit of apartment housing there as the Li House in honor of the late Dr. Jerome C. R. Li, a former professor of mathematics and statistics at the University. By designating the entire complex now as "The Mark O. Hatfield Marine Science Center," it would appear possible to name individual buildings later, if desired, consistent with the Board's Administrative Rule 590-50-025.

#### Staff Recommendation to the Board

It was recommended that the Yaquina Bay Marine Science Center of Oregon State University be designated "The Mark O. Hatfield Marine Science Center."

#### Board Discussion and Action

Mr. Hunderup described the Board's policy on the naming of buildings in response to a question from Mr. Perry. The Board's Administrative Rule specifies that normally a building shall not be named for a living person unless that person has made a substantial contribution to the cost of that

3 6 0 4 0 5 6 4 3 1 6

facility. In the case of the Yaquina Bay Marine Science Center, the entire complex is being named in honor of Senator Hatfield. The action in designating the complex does not preclude the opportunity for the Board, at some future time, to name individual buildings within that complex consistent with the Administrative Rules. He also noted that there are a number of instances on the various campuses where individual rooms within a facility may be named for an individual.

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Mensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

**Naming of  
Ballard Extension  
Hall, OSU**

#### Staff Report to the Board

Based upon the request of the Building Names Committee of Oregon State University, institutional officials have recommended that the present Extension Hall on the campus in Corvallis be named Ballard Extension Hall in honor of the late Frank Llewellyn Ballard. Mr. Ballard was a member of the faculty from 1917 until his retirement in 1961 and continued as emeritus professor until his death on September 20, 1971. During his forty-four year career, he served first as a specialist and then as administrator of the Extension Service with the exception of two short periods in the early 1940's when he was the ninth president of the institution (1940 and 1941) and State Supervisor of War Food Production and Conservation (1944-45).

After receiving his degree from Oregon Agricultural College in 1916, Mr. Ballard returned to his native state of New Hampshire for one year to serve as a county extension agent, but he came back to Oregon to stay in 1917 when he joined the Extension Service as a specialist in rural organization and agricultural economics. Through the years, he accepted more and more administrative responsibilities and in 1934 became the director in charge of all Oregon extension work done by county agricultural agents, home economics agents, 4-H club agents, and extension specialists.

Mr. Ballard was acknowledged to be one of the great leaders of the Federal Cooperative Extension program in Oregon, and it was under his leadership that long-range planning programs were instituted in every county in the state following a series of state-wide and county conferences undertaken in 1924 with farmers, business leaders and others to determine goals for Oregon agriculture. The farm economy was keyed to consider market as well as production possibilities and the philosophy of Oregon's Extension Service was established: find out what people need and want and then try to give it to them.

Because of his effective service to agriculture within the state and the nation, Mr. Ballard was honored by many organizations and professional societies. During the OSU Centennial convocation in 1968, he was cited for his achievements as a teacher, skilled administrator, past president and associate director of the Cooperative Extension Service. He was often called "Mister Extension."

#### Staff Recommendation to the Board

It was recommended that the present Extension Hall on the campus of Oregon State University, which provides offices for the administrative staff of the Federal Cooperative Extension Service in Oregon, be renamed Ballard Extension Hall in honor of the late Frank Llewellyn Ballard.

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Mensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

36040564317

November 16, 1983

President Robert MacVicar  
Oregon State University  
Campus

Dear President MacVicar:

The Marine Science Center has paid the following bills in connection with the re-dedication of the Center on 30 October 1983:

new entry sign (OSU Physical Plant)	\$592
new building letters (Oregon Brass Works)	955
catering services (Pip Tide Restaurant)	<u>600</u>
	\$2,147

Please credit our account 30-050-7607.

In general, I felt the affair went well.

Sincerely,

Lavern J. Heber  
Director

LJM:as

36040564318

4(s)



November 29, 1983



**TO:** Lavern J. Heber, Director  
Mark O. Matfield Marine Science Center

**FROM:** T. D. Parsons *T. D. Parsons*  
Vice President for Administration

**SUBJECT:** Fund Transfer

This is to notify you that as of this date this office has requested that the Department of Budgets transfer \$1,547.00 to your account, 30-060-7007, for the re-dedication of the Center on October 30, 1983. This is a non-recurring transfer.

It is understood that the OSU Foundation will pay the catering bill.

TDP:lv

*copy to D. J. [unclear]  
C.M. [unclear]*



36040564319



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

December 13, 1985

**Senator Mark Hatfield**  
711 Hart Senate Office Building  
Washington, D.C. 20510

**RE: MUR 2088**  
**Senator Mark Hatfield**

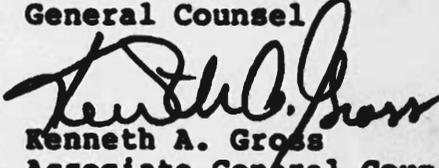
**Dear Senator Hatfield:**

On September 27, 1985, the Commission notified you of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended.

The Commission, on December 4, 1985, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

36040564320

RECEIVED  
OFFICE OF THE FEDERAL  
COMMISSIONER OF SECRETARY

FEDERAL ELECTION COMMISSION  
1325 K Street, S.W.  
Washington, D.C. 20543

SENSITIVE

205432 A10:13

**FIRST GENERAL COUNSEL'S REPORT**

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION 11/29/85 5:00

MUR# 2088  
DATE COMPLAINT RECEIVED  
BY OGC 9/20/85  
DATE OF NOTIFICATION TO  
RESPONDENTS 9/27/85  
STAFF MEMBER Maura White Callaway

COMPLAINANT'S NAME: Joe Spinner  
RESPONDENTS' NAMES: Senator Mark Hatfield;  
Robert MacVicar; LaVerne Weber  
RELEVANT STATUTE: 2 U.S.C. § 431 et seq.  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

**SUMMARY OF ALLEGATIONS**

On September 20, 1985, Joe Spinner filed a complaint against Senator Mark Hatfield, Robert MacVicar, and LaVerne Weber (Attachment 1). The complaint does not allege a specific violation of the Federal Election Campaign Act of 1971, as amended, but instead alleges a violation of "ORS 260.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS PROHIBITED," and a "miss use [sic] of public funds for campaign purposes."

**FACTUAL AND LEGAL ANALYSIS**

The complainant alleges that "it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the 'Oregon State University Marine Science Center,' at Newport, Oregon, after he filed for re-election." The complainant states that "[i]t was unfair advantage, because no other candidate could have a major tax-financed institution

36040564321

named in their favor, with help of members of the State Board of Education, members of the state system of higher education and behind-the-scenes professional developers." It is the position of the complainant that "[t]ax funds collected in the name of education, were grossly miss used [sic] when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return." It is also alleged that Robert MacVicar, President of Oregon State University, and LaVerne Weber, Director of the Marine Science Center, "violated election law principles and laws by condoning this one side advantage."

The complainant refers to "the enclosed photos" and a photocopy of a news article in the "News-Times," but failed to include such in his September 20, 1985, complaint. These items were previously included in an improper complaint filed by Mr. Spenner on September 3, 1985. (Attachment 2.) The photographs depict the various signs at Oregon State University bearing the name: "Mark O. Hatfield Marine Science Center Oregon State University." The news articles, which apparently appeared in the September 28, 1983, and November 2, 1983 editions of the News-Times, state that the "building's namesake, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication during a swing through the state by Hatfield to announce his candidacy for a fourth term." The news articles note that the "state board of higher education approved the name change in a meeting several weeks ago." The News-Times reported that the change "was recommended by OSU President Robert MacVicar who pointed out that

36040564322

Hatfield was governor when the Marine Science Center was established." According to the news articles, Senator Hatfield played an instrumental role in the recent passage of legislation which appropriated \$2 million for a research study at the Marine Science Center, and is credited with providing the construction money for two buildings at the Center, one completed in 1979, the second in 1982.

On October 22, 1985, Senator Mark Hatfield submitted a response to the complaint (Attachment 3). The response states that the naming of the Marine Science Center in honor of the Senator was not timed "to operate as a promotion of my campaign for reelection." The Senator notes in his response that "[t]he fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland."

On October 22, 1985, the Attorney General's Office of the State of Oregon responded to the complaint's allegations against Robert MacVicar and LaVerne Weber.<sup>1/</sup> (Attachment 4.) It is explained in the response that the Attorney General's Office is counsel to the Board of Higher Education which in turn is the governing board for Oregon State University. The response states

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<sup>1/</sup> According to the response, President MacVicar has retired since the renaming of Marine Science Center, and "only four of the ten Board Members involved in the change remain on the Board at the present time."

36040564323

that the "erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board." According to the response, the cost of the sign was \$592 and the "building letters," which "may have" included Senator Hatfield's name cost \$955. <sup>2/</sup> The response notes that the above items "were paid by state funds."

Included within the response was a copy of the minutes of the September 23, 1983, meeting of the Board of Higher Education at which the naming of the complex was discussed. A review of the minutes revealed that President Robert MacVicar recommended that the Marine Science Center be named in honor of Senator Hatfield, and that such change be effective on October 30, 1983. The minutes state that in submitting the recommendation President MacVicar pointed out that the Marine Science Center was established "during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation." The minutes further note that "since his election to the Senate of the United States Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University."

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<sup>2/</sup> The photographs included with the improper complaint portray at least two interior displays bearing the name of the Marine Science Center, in addition to the one exterior sign. The interior signs would appear to be comprised of the above "building letters."

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Based upon the evidence in hand the dedication of the Marine Science Center to Senator Mark Hatfield in October 1983 does not appear to be in violation of any provision of the Act. The complainant does not allege a specific violation, and there is no indication that the dedication at issue was in any way for the purpose of influencing a federal election. In addition, the Commission has no jurisdiction with respect to a violation of Oregon State laws, as alleged by the complainant. Accordingly, it is the recommendation of this office that the Commission find no reason to believe Senator Mark Hatfield, Robert MacVicar, or Laverne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.

RECOMMENDATIONS

1. Find no reason to believe Senator Mark Hatfield, Robert MacVicar, or LaVerne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.
2. Close the file
3. Approve the attached letters.

Charles N. Steele  
General Counsel

November 27, 1985  
Date

By:

  
Kenneth A. Gross  
Associate General Counsel

**Attachments**

- 1 - Complaint
- 2 - Attachments to improper complaint
- 3 - Response of Senator Hatfield
- 4 - Response of Attorney General
- 5 - Proposed letters (3)

36040564325

SEP 20 12:11

Stavton, Oregon  
September 16, 1985

Mr. Charles N. Steele  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

Dear Mr. Steele:

Enclosed is a corrected notarized statement to properly comply with statutory requirements.

I'm sorry to be so dense in grasping the exact method, though I am, determined to help maintain the integrity of conduct in elections in our wonderful country.

High school kids are quickly penalized for errors in their football games.

Shouldn't we be just as clear and quick to blow the whistle on politicians?

Sincerely,

Joe Spenner

Enclosures:

Photocopy of original complaint and ungraded notarization.

SEP 20 11:49  
FEDERAL ELECTIONS COMMISSION

36040564326

Attachment 1(i)

Stayton, Oregon  
August 29, 1963

Mr. Charles M. Steele,  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

COPY

Dear Mr. Steele:

I wish to file a formal complaint concerning a violation of:  
ORS 261.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS  
PROHIBITED. Also miss use of public funds for campaign purposes.

I, Joe Spanner, a citizen and voter of the State of Oregon, allege that it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the "Oregon State University Marine Science Center," at Newport Oregon, after he had filed for re-election.

It was unfair advantage, because no other candidate could have a major tax-financed institution named in their favor, with help of members of the State Board of Higher Education, members of the state system of higher education and behind-the-scenes professional developers.

I allege that Robert MacVicar, president of Oregon State University violated election principles and laws by condoning this one sided privilege.

I allege that LaVern Weber, Director of Marine Science Center also violated election principles and laws by condoning this one sided privilege.

Tax funds collected in the name of education, were grossly miss used when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return.

My source of first information was in personally observing the signs at the "Center" had been changed, when I passed there, while I was at the coast at Newport on a fishing trip.

The main sign had a fresh, newly carved and painted message-title on the south side, while on the north side, the original older version was still intact. The changed side read: "MARK O. HATFIELD, MARINE SCIENCE CENTER, OREGON STATE UNIVERSITY."

After returning home, this sign-change bothered me so much I went back with my camera several weeks later and took the enclosed photos.

Still uneasy, I went to Oregon State University in Corvallis, Oregon where I ran into a blank wall of no one knowing anything about the sign, except that there was, a marine center at the coast. This really made me very curious!

Returning to Newport and the Center, I asked there for information about the signs being changed. Almost amusing, they didn't know very much except that they had been somehow changed. Why the political fog?

So, knowing it was apparently some sort of big political gimmick, I went to the local newspaper, "News-Times," hoping some sort of article had been written. The enclosed photocopy of an article and picture really answered most questions.

Why couldn't this same information have been pointed out by the many

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(12)

Page two. "Complaint concerning misuse of public funds for  
and by Mark O. Hatfield and others."

people asked weeks earlier? Why didn't even the State Library at Salem  
have the information?

Being an already over-taxed voter, fed up with political run around,  
I file this complaint against the following people:

Sensar Mark O. Hatfield  
3051 N Street N.W.  
Washington, D.C.

Robert MacVicar, President  
Oregon State University  
Corvallis, OR 97331

LaVerne Weber, Director

**Enclosures:**

Pictures of signs.  
Photocopy of news items.  
Photocopy of page 167 of "Oregon Blue Book," 1981-1982.  
ORS240.615.

My address and telephone number are:

  
Joe Spenser  
13016 Coon Hollow Rd SE  
Stayton, OR 97383 .

36040564328

STATE OF OREGON )  
 ) ss.  
County of Marion )

September 17, 1985

I, JOE SPENNER, being first duly sworn, depose and say:

That I am the signor of that "Complaint" dated August 29, 1985 directed to Mr. Charles N. Steele, General Counsel, Federal Elections Commission, Washington, C.C. 20463, a copy of said complaint being attached hereto, and that the contents of the complaint are true to the best of my knowledge.

Joe Spenner

Subscribed and sworn to before me this 17th day of September, 1985.

Ann L. Patten  
Notary Public for Oregon.  
My commission expires: 6-24-88

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experience with opportunity to graduate and enter the employment field in two years. Baccalaureate degree offerings for the next two years offer added technical specialization, teaching skills or management-supervisory skills. Degrees are granted in nine engineering technology fields, five allied health areas, five industrial fields and three business fields. A liberal arts associate degree is also available for local college transfer students.

A community college graduate with an acceptable grade point average may enter Oregon Tech's upper divisions. In addition, the college offers evening classes and summer sessions.

Oregon Tech is fully accredited and employment opportunities for graduates have been one of the prime factors in attracting students to OIT. The Campus Placement Office boasts job placement in excess of 85 percent for OIT graduates.

Enrollment exceeds 2,000, including nontraditional students. Women comprise nearly one-third of the enrollment.

In recent years OIT's geothermally heated campus has obtained international recognition in applied research of geothermal energy.



## OREGON STATE UNIVERSITY

*Dr. Robert W. MacVicar, President; Corvallis 97331; 784-0123*

Oregon State University is Oregon's oldest state-supported institution of higher learning, dating back to October 27, 1868. It was established as one of the nation's Land Grant Colleges, receiving federal land grants to help launch its public education-service programs.

On September 7, 1971, OSU was designated as one of the nation's first four Sea Grant Colleges, charged to help advance man's wise and orderly use of ocean resources and to provide teaching and research programs related to marine sciences. The Oregon State University Marine Science Center at Newport has become OSU's important "Campus on the Coast." The 177-foot, all-weather *Wecoma* and smaller research vessels operate from there in studying world oceans and Northwest estuaries and rivers.

From an initial graduating class of three in 1870, OSU has grown to the point that it now confers about 2,000 degrees each June. Student enrollment during the regular school year is now over 17,000 and summer term enrollment now tops 5,000.

The schools of engineering and business and the colleges of science and liberal arts are the largest academic units. Other schools include agriculture, education, forestry, health and physical education, home economics, oceanography, pharmacy and veterinary medicine. About one out of every six students on campus is enrolled in the graduate school, working for a master's or doctor's degree. OSU is one of only 36 U.S. universities offering ROTC military commission programs in all branches of the service.

The main campus covers nearly 800 acres on which there are 100 major buildings. Experimental farms, an arboretum and teaching-research forests, all located within just a few minutes drive of the campus, make up an additional 18,000 acres.

Through its vast programs of teaching, research and its Extension Service, the University teaches directly or indirectly the life of every Oregonian. National leadership is provided in such fields as food science, forestry management-products-engineering, en-

EDUCATION/CULTURE 167

from "Oregon Blue Book"

1981-1982

Attachment 2(1)

ELECTIONS

CAMPAIGN

300.555 Prohibitions relating to circulation, filing or certification of initiative, referendum or recall petition. (1) No person attempting to obtain signatures on, or cause to be circulated, an initiative, referendum or recall petition, shall knowingly make any false statement regarding the contents, meaning or effect of the petition to any person who signs it, attempts to sign it, is requested to sign it or requests information concerning it.

(2) No person shall attempt to obtain signatures to, cause to be circulated or file with a filing officer, an initiative, referendum or recall petition, knowing it to contain a false signature.

(3) No person shall knowingly sign an initiative, referendum or recall petition more than once, knowingly sign such petition when not qualified to sign it, or sign such petition in any name other than the person's own.

(4) No public official or a. ploye shall knowingly make a false certification concerning an initiative, referendum or recall petition. [1979 c.320 (207)]

300.560 Circulation of petition by person who is not elector prohibited. A person who is not an elector shall not attempt to obtain signatures on, or cause to be circulated, an initiative, referendum or recall petition. [1979 c.324 (207)]

300.565 [Formerly 254.502; 1981 c.324 (1); repealed by 1979 c.320 (212)]

300.575 Use of threats and intimidation for purpose of extorting money. No person, for any consideration, shall:

(1) Offer, propose, threaten or attempt to call, hinder or delay any part of an initiative, referendum or recall petition.

(2) Offer, propose or threaten to desist from beginning, promoting, circulating, or soliciting signatures to, any initiative, referendum or recall petition.

(3) Offer, propose, attempt or threaten in any manner to use an initiative, referendum or recall petition or any power of promotion or opposition concerning such petition for extortion, blackmail or private intimidation of any person. [Formerly 254.503]

300.585 Sponsor of petition to file statement of contributions and expenditures. The chief petitioner of a completed and filed initiative or referendum petition, not later than the 30th day after the final date for filing the completed petition, shall file a statement of contributions and expenditures for the petition. This statement shall conform to the

requirements of ORS 200.052. [Formerly 254.504]

300.605 Purchase of advertising or payment for editorial advocacy or opposition prohibited. No person shall purchase or arrange for the purchase of any advertising from, or pay the owner, editor, manager, publisher or agent of any newspaper or other periodical or of any radio or television station, to induce that person to editorially support or oppose any candidate or measure. No such owner, editor, manager, publisher or agent shall collect or receive such payment or purchase of advertising. [Formerly 254.512]

300.610 [Amended by 1977 c.644 (2); 1971 c.740 (2); 1973 c.744 (2); repealed by 1979 c.320 (202)]

300.615 Special privileges by public utility to political patrons prohibited. (1) No public utility or its agent or officers shall offer or give to a political committee or a member or employe of the committee, or to a candidate for or incumbent of any public office or to any person at the request, or for the advantage of any of them, any reduced rate or a privilege withheld from any person for service which is or will be rendered by a public utility.

(2) No political committee, member or employe of the committee, or candidate or incumbent shall ask for or accept from a public utility, or its agent or officer, or use in any manner or for any purpose a reduced rate, frank or privilege withheld from any person, for any service which is or will be rendered by a public utility.

(3) As used in this section, "public utility" has the meaning given that term in ORS 757.005. [1979 c.320 (201)]

300.620 [Repealed by 1977 c.644 (20)]

300.625 Transfer of convention credential for value. No person shall offer or effect the transfer of any convention credential in return for payment of money or other thing of value. [Formerly 254.422]

300.630 [Amended by 1977 c.644 (17); 1971 c.740 (2); 1973 c.744 (2); repealed by 1979 c.320 (201)]

300.635 Bets and wagers on election results. (1) No candidate shall make or become party to a bet of anything of pecuniary value on any event or contingency relating to a pending election. No candidate shall provide money or other thing of value to be used by any person in betting upon the results of a pending election.

(2) No person, to influence the result of any election, shall make a bet of anything of pecuniary value on the result of a pending election, or on any event relating to it. [Formerly 254.423]

300.640 [Amended by 1977 c.644 (1); 1971 c.740 (2); 1973 c.744 (2); repealed by 1979 c.320 (201)]

300.645 Illegal acts relate voting machines or vote tally systems shall:

(a) Tamper with or injure any voting machine or vote tally system that has been used or being used in an election.

(b) Tamper with any voting machine or vote tally system that has been used or being used in an election.

(c) Prevent or attempt to prevent operation of any voting machine or vote tally system.

(2) An unauthorized person or person a key to a voting machine or vote tally system to be used or being used in an election.

(3) Neither the Secretary of State nor any county, using a voting machine or vote tally system or accept any component or part thereof, shall receive any amount paid by the government, section with the sale, lease or use of a voting machine or vote tally system.

(4) As used in this section, "voting machine" and "vote tally system" have the same meaning as in ORS 246.012. [1977 c.630 (2)]

300.650 [Amended by 1977 c.644 (2); 1973 c.744 (2); repealed by 1979 c.320 (201)]

300.655 Payments for political nomination papers or for of political committee duties or contribution for any purpose a condition precedent to putting a caucus or convention ballot, non or petition, or to the performance imposed by law on a political party. [Formerly 254.424]

300.660 [Amended by 1977 c.644 (2); 1973 c.744 (2); repealed by 1979 c.320 (201)]

300.665 Undue influence registration, voting, candidature of money or other benefits in this section, "undue influence" means violence, restraint or the threat of injury, damage, harm, loss of or other loss or the threat of it, from promising to give money, employ thing of value.

(2) No person, acting either directly or through any other person, shall intentionally solicit any person to induce the intent to induce any person to

"1983 - 1984 Election Laws" State of Oregon

2(2)

11-2-73

(2)

# Senator Instrumental In Funding Of Research Facility

# Science Center Name Change Honors Hatfield

By Tom Decker  
Staff Writer

The building to the center; only a name has been changed.

And the new name is a tribute to the Mark O. Hatfield Marine Science Center, Oregon State University.

The building's name, Oregon State University Marine Science Center, was chosen Sunday for the official dedication during a gala event at the site by Hatfield in his capacity for a

Hatfield, speaking to an overflow crowd of 200 in the Marine Science Center auditorium, called the center a "nationally recognized" marine research facility.

Referring to a \$2 million appropriation for study of the scientific studies of the Oregon coast, which was approved

recently by the Senate, Hatfield said, "This is truly unique research. And this opportunity will be taking place right here on this site."

Hatfield, chairman of the Senate Appropriations Committee, was instrumental in passage of the \$2 million legislation, which will move several scientists to the OSU campus in Newport.

On hand for the dedication were Robert MarVear, OSU president; John Byrne, National Oceanic and Atmospheric Administration (NOAA) administrator and former OSU dean; and William Davis, chancellor of the state system of higher education.

Of Hatfield's efforts on behalf of the Marine Science Center, MarVear said, "Without his direction, without his influence, many of the things would have been left undone."

Byrne credited Hatfield with

providing the construction money for two NOAA buildings at the center, one completed in 1970, the second in 1972. Both, he said, will be devoted to the study of aquaculture and the production of food in the ocean.

NOAA officials, Byrne noted, already had applied Hatfield's name to the site. "We've been calling them Hatfield one and two for years," he said of the buildings.

According to Marine Science Center Director LaVern Weber, Hatfield's first efforts on behalf of the center came in 1955 when Hatfield was governor.

Hatfield was quick to spread around the credit for the center, mentioning local people and OSU officials interested in the center, Hatfield said. "You have been my labor."

Following the dedication re-

marks, the crowd followed Hatfield and his wife, Antoinette, to the entrance where the couple pulled aside a velvet curtain to reveal the new name of the center.

The state board of higher education approved the name change in a meeting several weeks ago.



A GRINNING Sen. Mark Hatfield and his wife Antoinette talk with the crowd after unveiling the sign on the newly renamed Mark O. Hatfield Marine Science Center at Oregon State University.

## Center Renamed For Hatfield?

The OSU Marine Science Center, in South Beach, will soon be renamed the Mark O. Hatfield Marine Science Center, the Oregon State Board of Higher Education decided last week.

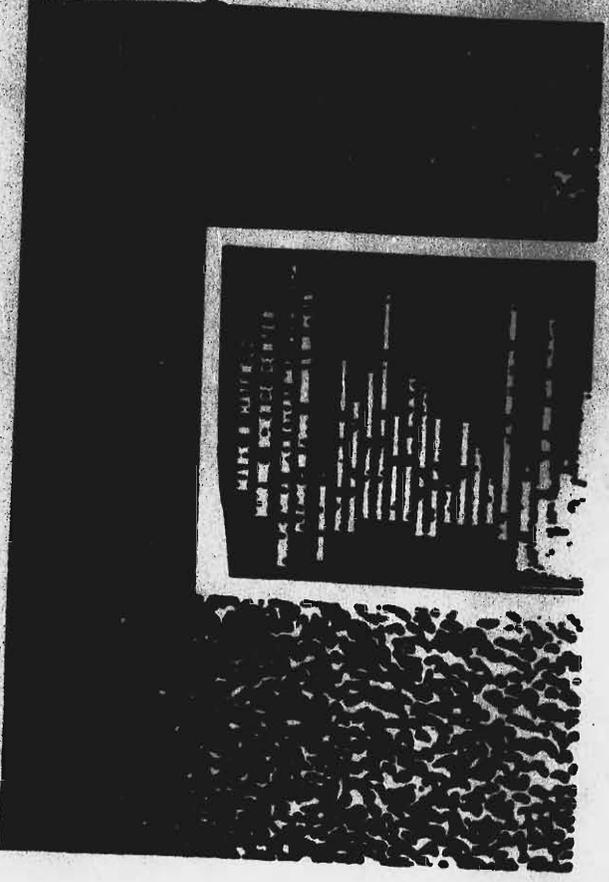
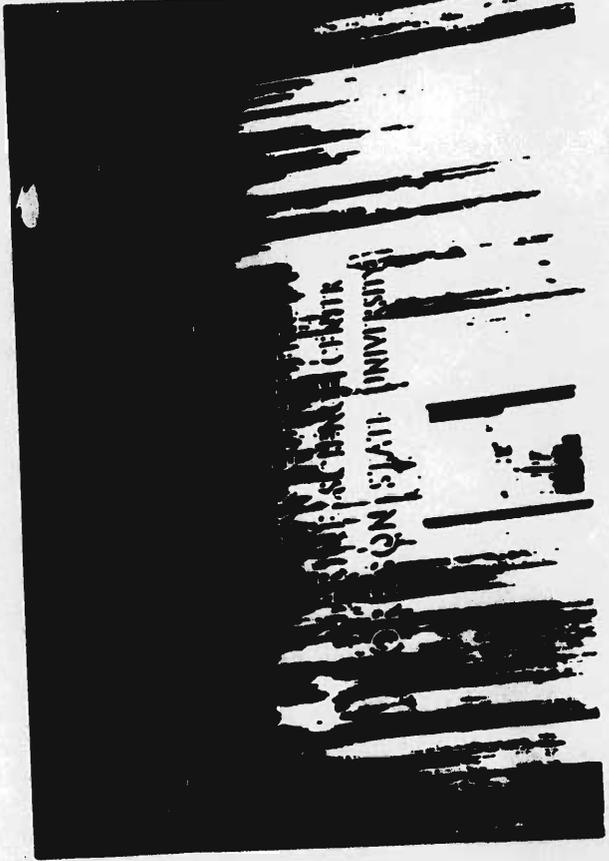
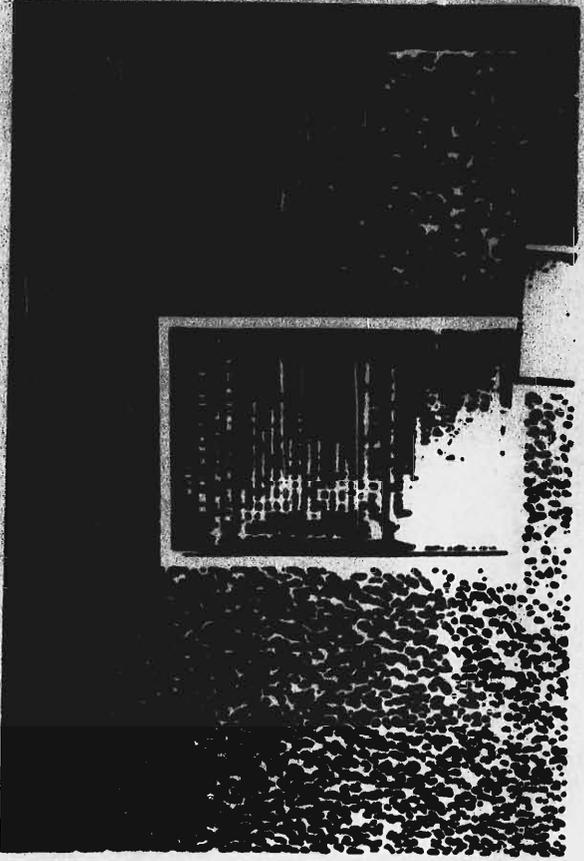
The name change honors Hatfield, who always strongly supported the center's programs and

financed by OSU President Robert MarVear who pointed out Hatfield was governor when the Marine Science Center was established.

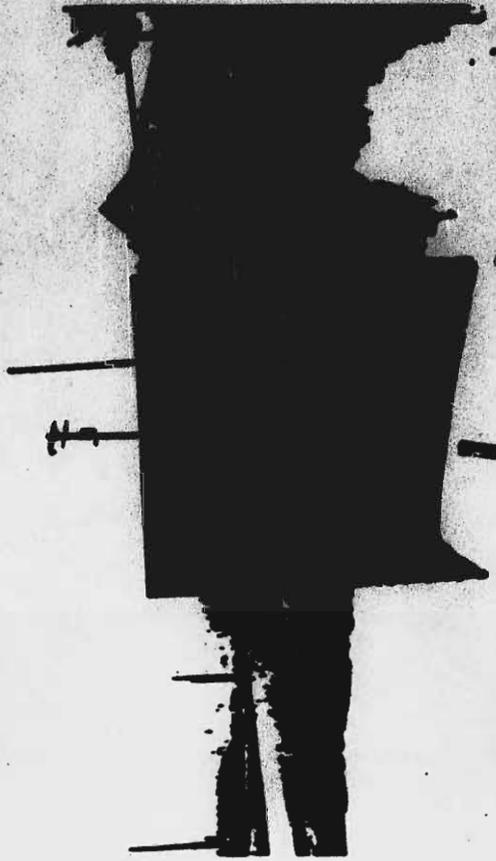
helped obtain the federal money to develop and operate it, MarVear said.

Hatfield recently suggested additional grounds be located at the Marine Science Center to study other coastal resources.

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2(5)

United States Senate  
WASHINGTON, DC

85 OCT 22 47:58

White

October 17, 1985

5 OCT 22 49:12

Mr. Kenneth A. Gross  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Attention: Maura White

Dear Mr. Gross:

SUBJECT: MUR 2088

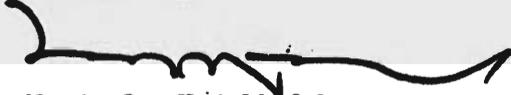
Thank you for your letter notifying me of a complaint filed with the Federal Election Commission (FEC) alleging a violation of the Federal Election Campaign Act of 1971 (FECA), as amended, stemming from the naming of the Marine Sciences Center at Newport in my honor.

I have read the complaint filed with the FEC by Mr. Joe Spenner and cannot determine precisely what provision of FECA he believes has been violated. If it is his position that the naming of the Center was timed to operate as a promotion of my campaign for reelection, I can assure the FEC that this was not the case. The fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland.

If you have any further questions, please call me or Jim Towe of my staff.

Thank you.

Sincerely,



Mark O. Hatfield  
United States Senator

MOH/jtm

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Attachment 3

DAVE FROENMAYER  
ATTORNEY GENERAL



RECEIVED THE FEC  
HAND DELIVERED  
05 OCT 22 40:53

Oct 21 1985  
White

**DEPARTMENT OF JUSTICE**

GENERAL COUNSEL DIVISION

Room 540  
979 Oak Street  
Sagam, Oregon 97101  
Telephone: (503) 536-7811

October 21, 1985

Maura White  
Staff Member  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2088

Dear Ms. White:

Your letters of October 4, 1985, directed to Robert MacVicar, as President of Oregon State University, and LaVerne Weber, as Director of the Marine Science Center of that University, have been passed on to me. The reason for this is that the Attorney General's office is counsel to the Board of Higher Education. I am writing therefore on behalf of the Oregon State Board of Higher Education, as their attorney, because the Board of Higher Education is the governing board for Oregon State University. It was the Board's decision to name the complex the Mark O. Hatfield Marine Science Center.

I am enclosing a copy of the Board's minutes from the meeting of September 23, 1983, pages 288 and 289, which report and discuss the naming of the complex. The reasons for this action are spelled out in the minutes. The renaming of the complex was not intended to influence any federal election.

The erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board. The cost of the sign was \$592; see enclosed letter of November 16, 1983, from Director Weber to President MacVicar. The "building letters" mentioned in the letter may have included Senator Hatfield's name. In any event, the cost of these letters was \$955. These items (but not the catering bill) were paid by state funds; see memo of November 29, 1983, from Vice President Parsons to Director Weber.

5 OCT 22 11:19  
TIP: 3000

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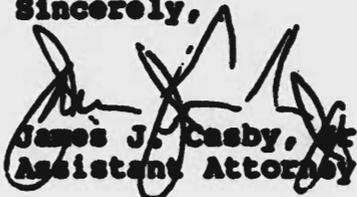
Attachment 4(1)

Ms. Naura White  
Page 2  
October 21, 1985

President MacVicar has retired since these events, as has Vice Chancellor Hunderup, who presented the name change issue to the Board. Furthermore, only four of the ten Board members involved in the change remain on the Board at the present time. Should you wish any more detailed information, however, I am sure that I can with time locate and make available all of these people.

I would hope that this meets the requests of the letter of October 4, 1985. If you wish further information, please do not hesitate to contact me.

Sincerely,

  
James J. Casby, Jr.  
Assistant Attorney General

ej

cc: Larry Thomson  
W. T. Lemman  
Robert Gutierrez

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4(2)

3 6 0 4 0 5 6 4 3 3 8

further investigation. If the Board concurs that the review should be provided, adoption of the following motion would be appropriate:

In the matter of the review requested by Charles Coats in a letter dated December 2, 1982, pursuant to OAR 580-21-380, regarding a nondisciplinary academic personnel action by Eastern Oregon State College, it is moved that the Board of Higher Education refer the matter to the Chancellor or his designee for examination and informal settlement, if possible. Upon completion, the matter should be returned to the Board for determination of further proceedings, if any, pursuant to OAR 580-21-380(3).

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batista, Flanagan, Gill, Harms, Hensley, Perry, Petersen, Walling, Wyss, and Ingalls. Those voting no: None.

**Naming of  
Marine Science  
Center, OSU**

#### Staff Report to the Board

President MacVicar has recommended that the Yaquina Bay Marine Science Center be designated "The Mark O. Hatfield Marine Science Center" effective October 30, 1983.

In submitting this recommendation on behalf of Oregon State University, Dr. MacVicar pointed out that the Center was established at Newport during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation. Moreover, since his election to the Senate of the United States, Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University. The two recent major projects involving the construction of facilities for aquaculture, financed completely from federal appropriations, would not likely have been undertaken without the Senator's vigorous and enthusiastic endorsement. The development of the Center has been assisted in many other ways by his awareness of its needs and his supportive efforts. Recently, he has been pursuing the addition of a sizeable element of personnel at the Center to undertake studies of the off-shore mineral resources that may prove to be a major source of certain scarce minerals to the nation.

The Board's staff concurs in this recommendation. To date, the Board has not taken official action to name the Center although it has been referred to often as the Yaquina Bay Marine Science Center of Oregon State University. Only one of the buildings has been named. On July 23, 1973, the Board authorized the designation of the first unit of apartment housing there as the Li House in honor of the late Dr. Jerome C. R. Li, a former professor of mathematics and statistics at the University. By designating the entire complex now as "The Mark O. Hatfield Marine Science Center," it would appear possible to name individual buildings later, if desired, consistent with the Board's Administrative Rule 580-80-025.

#### Staff Recommendation to the Board

It was recommended that the Yaquina Bay Marine Science Center of Oregon State University be designated "The Mark O. Hatfield Marine Science Center."

#### Board Discussion and Action

Mr. Hunderup described the Board's policy on the naming of buildings in response to a question from Mr. Perry. The Board's Administrative Rule specifies that normally a building shall not be named for a living person unless that person has made a substantial contribution to the cost of that

facility. In the case of the Yaquina Bay Marine Science Center, the entire complex is being named in honor of Senator Hatfield. The action in designating the complex does not preclude the opportunity for the Board, at some future time, to name individual buildings within that complex consistent with the Administrative Rules. He also noted that there are a number of instances on the various campuses where individual rooms within a facility may be named for an individual.

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

Meeting of  
Ballard Extension  
Hall, OSU

#### Staff Report to the Board

Based upon the request of the Building Names Committee of Oregon State University, institutional officials have recommended that the present Extension Hall on the campus in Corvallis be named Ballard Extension Hall in honor of the late Frank Llewellyn Ballard. Mr. Ballard was a member of the faculty from 1917 until his retirement in 1961 and continued as emeritus professor until his death on September 20, 1971. During his forty-four year career, he served first as a specialist and then as administrator of the Extension Service with the exception of two short periods in the early 1940's when he was the ninth president of the institution (1940 and 1941) and State Supervisor of War Food Production and Conservation (1944-45).

After receiving his degree from Oregon Agricultural College in 1916, Mr. Ballard returned to his native state of New Hampshire for one year to serve as a county extension agent, but he came back to Oregon to stay in 1917 when he joined the Extension Service as a specialist in rural organization and agricultural economics. Through the years, he accepted more and more administrative responsibilities and in 1934 became the director in charge of all Oregon extension work done by county agricultural agents, home economics agents, 4-H club agents, and extension specialists.

Mr. Ballard was acknowledged to be one of the great leaders of the Federal Cooperative Extension program in Oregon, and it was under his leadership that long-range planning programs were instituted in every county in the state following a series of state-wide and county conferences undertaken in 1934 with farmers, business leaders and others to determine goals for Oregon agriculture. The farm economy was keyed to consider market as well as production possibilities and the philosophy of Oregon's Extension Service was established: find out what people need and want and then try to give it to them.

Because of his effective service to agriculture within the state and the nation, Mr. Ballard was honored by many organizations and professional societies. During the OSU Centennial convocation in 1968, he was cited for his achievements as a teacher, skilled administrator, past president and associate director of the Cooperative Extension Service. He was often called "Mister Extension."

#### Staff Recommendation to the Board

It was recommended that the present Extension Hall on the campus of Oregon State University, which provides offices for the administrative staff of the Federal Cooperative Extension Service in Oregon, be renamed Ballard Extension Hall in honor of the late Frank Llewellyn Ballard.

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

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November 16, 1983

President Robert MacVicar  
Oregon State University  
Campus

Dear President MacVicar:

The Marine Science Center has paid the following bills in connection with the re-dedication of the Center on 30 October 1983:

new entry sign (OSU Physical Plant)	\$592
new building letters (Oregon Brass Works)	955
catering services (Pip Tide Restaurant)	<u>600</u>

\$2,147

Please credit our account 30-050-7607.

In general, I felt the affair went well.

Sincerely,

Lavern J. Heber  
Director

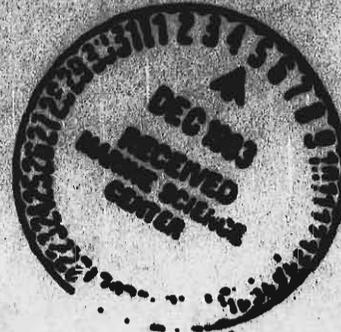
LJH:as

36040564340

4(5)



November 29, 1983



**TO:** Lavern J. Weber, Director  
Mark O. Hatfield Marine Science Center

**FROM:** T. D. Parsons *T. D. Parsons*  
Vice President for Administration

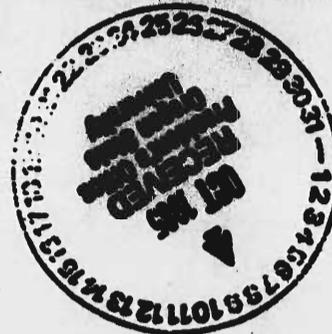
**SUBJECT:** Fund Transfer

This is to notify you that as of this date this office has requested that the Department of Budgets transfer \$1,547.00 to your account, 30-000-7007, for the re-dedication of the Center on October 30, 1983. This is a non-recurring transfer.

It is understood that the OSU Foundation will pay the catering bill.

TDP:lw

*Copy to D. Jolly  
C.M. Atkes*



36040564341

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2088  
Senator Mark Hatfield; )  
Robert MacVicar; LaVerne Weber )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 4, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 2088:

1. Find no reason to believe Senator Mark Hatfield, Robert MacVicar, or LaVerne Weber violated any provisions of the Federal Election Campaign Act of 1971, as amended.
2. Close the file.
3. Approve the letters attached to the First General Counsel's Report signed November 27, 1985.

Commissioners Aikens, Elliott, Harris, Josefiak and McGarry voted affirmatively for this decision; Commissioner McDonald did not cast a vote.

Attest:

12-4-85

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:	Mon.	12-2-85,	10:13
Circulated on 48 hour tally basis:	Mon.,	12-2-85,	4:00
Deadline for vote:	Wed.,	12-4-85,	4:00

36040564342



RECEIVED  
OFFICE OF THE PRO  
COMMISSION SECRETARY

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

SENSITIVE

204632 A10:13

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION 11/29/85 5:00

MUR# 2088  
DATE COMPLAINT RECEIVED  
BY OGC 9/20/85  
DATE OF NOTIFICATION TO  
RESPONDENTS 9/27/85  
STAFF MEMBER Maura White Callaway

COMPLAINANT'S NAME: Joe Spenner  
RESPONDENTS' NAMES: Senator Mark Hatfield;  
Robert MacVicar; LaVerne Weber  
RELEVANT STATUTE: 2 U.S.C. § 431 et seq.  
INTERNAL REPORTS CHECKED: None  
FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On September 20, 1985, Joe Spenner filed a complaint against Senator Mark Hatfield, Robert MacVicar, and LaVerne Weber (Attachment 1). The complaint does not allege a specific violation of the Federal Election Campaign Act of 1971, as amended, but instead alleges a violation of "ORS 260.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS PROHIBITED," and a "miss use [sic] of public funds for campaign purposes."

FACTUAL AND LEGAL ANALYSIS

The complainant alleges that "it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the 'Oregon State University Marine Science Center,' at Newport, Oregon, after he filed for re-election." The complainant states that "[i]t was unfair advantage, because no other candidate could have a major tax-financed institution

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named in their favor, with help of members of the State Board of Education, members of the state system of higher education and behind-the-scenes professional developers." It is the position of the complainant that "[t]ax funds collected in the name of education, were grossly miss used [sic] when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return." It is also alleged that Robert MacVicar, President of Oregon State University, and LaVerne Weber, Director of the Marine Science Center, "violated election law principles and laws by condoning this one side advantage."

The complainant refers to "the enclosed photos" and a photocopy of a news article in the "News-Times," but failed to include such in his September 20, 1985, complaint. These items were previously included in an improper complaint filed by Mr. Spenner on September 3, 1985. (Attachment 2.) The photographs depict the various signs at Oregon State University bearing the name: "Mark O. Hatfield Marine Science Center Oregon State University." The news articles, which apparently appeared in the September 28, 1983, and November 2, 1983 editions of the News-Times, state that the "building's namesake, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication during a swing through the state by Hatfield to announce his candidacy for a fourth term." The news articles note that the "state board of higher education approved the name change in a meeting several weeks ago." The News-Times reported that the change "was recommended by OSU President Robert MacVicar who pointed out that

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Hatfield was governor when the Marine Science Center was established." According to the news articles, Senator Hatfield played an instrumental role in the recent passage of legislation which appropriated \$2 million for a research study at the Marine Science Center, and is credited with providing the construction money for two buildings at the Center, one completed in 1979, the second in 1982.

On October 22, 1985, Senator Mark Hatfield submitted a response to the complaint (Attachment 3). The response states that the naming of the Marine Science Center in honor of the Senator was not timed "to operate as a promotion of my campaign for reelection." The Senator notes in his response that "[t]he fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland."

On October 22, 1985, the Attorney General's Office of the State of Oregon responded to the complaint's allegations against Robert MacVicar and LaVerne Weber.<sup>1/</sup> (Attachment 4.) It is explained in the response that the Attorney General's Office is counsel to the Board of Higher Education which in turn is the governing board for Oregon State University. The response states

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<sup>1/</sup> According to the response, President MacVicar has retired since the renaming of Marine Science Center, and "only four of the ten Board Members involved in the change remain on the Board at the present time."

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that the "erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board." According to the response, the cost of the sign was \$592 and the "building letters," which "may have" included Senator Hatfield's name cost \$955. 2/ The response notes that the above items "were paid by state funds."

Included within the response was a copy of the minutes of the September 23, 1983, meeting of the Board of Higher Education at which the naming of the complex was discussed. A review of the minutes revealed that President Robert McVicar recommended that the Marine Science Center be named in honor of Senator Hatfield, and that such change be effective on October 30, 1983. The minutes state that in submitting the recommendation President MacVicar pointed out that the Marine Science Center was established "during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation." The minutes further note that "since his election to the Senate of the United States Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University."

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2/ The photographs included with the improper complaint portray at least two interior displays bearing the name of the Marine Science Center, in addition to the one exterior sign. The interior signs would appear to be comprised of the above "building letters."

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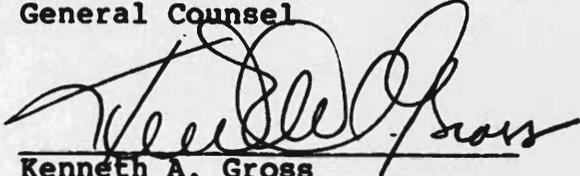
Based upon the evidence in hand the dedication of the Marine Science Center to Senator Mark Hatfield in October 1983 does not appear to be in violation of any provision of the Act. The complainant does not allege a specific violation, and there is no indication that the dedication at issue was in any way for the purpose of influencing a federal election. In addition, the Commission has no jurisdiction with respect to a violation of Oregon State laws, as alleged by the complainant. Accordingly, it is the recommendation of this office that the Commission find no reason to believe Senator Mark Hatfield, Robert MacVicar, or Laverne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.

RECOMMENDATIONS

1. Find no reason to believe Senator Mark Hatfield, Robert MacVicar, or LaVerne Weber violated any provision of the Federal Election Campaign Act of 1971, as amended.
2. Close the file
3. Approve the attached letters.

Charles N. Steele  
General Counsel

November 27, 1985  
Date

By:   
Kenneth A. Gross  
Associate General Counsel

Attachments

- 1 - Complaint
- 2 - Attachments to improper complaint
- 3 - Response of Senator Hatfield
- 4 - Response of Attorney General
- 5 - Proposed letters (3)

36040564348

REC  
SEP 20 12:11  
2593

Stavton, Oregon  
September 16, 1985

Mr. Charles N. Steele  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

Dear Mr. Steele:

Enclosed is a corrected notarized statement to properly comply with statutory requirements.

I'm sorry to be so dense in grasping the exact method, though I am, determined to help maintain the integrity of conduct in elections in our wonderful country.

High school kids are quickly penalized for errors in their football games.

Shouldn't we be just as clear and quick to blow the whistle on politicians?

Sincerely,



Joe Spenner

Enclosures:

Photocopy of original complaint and ungraded notarization.

SEP 20 11:49  
GENERAL INVESTIGATIVE  
DIVISION

36040564349

Attachment (1)

Stayton, Oregon  
August 29, 1985

Mr. Charles N. Steele,  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

COPY

Dear Mr. Steele:

I wish-to file a formal complaint concerning a violation of:  
ORS 260.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS  
PROHIBITED. Also miss use of public funds for campaign purposes.

I, Joe Spenner, a citizen and voter of the State of Oregon, allege that it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the "Oregon State University Marine Science Center," at Newport Oregon, after he had filed for re-election.

It was unfair advantage, because no other candidate could have a major tax-financed institution named in their favor, with help of members of the State Board of Higher Education, members of the state system of higher education and behind-the-scenes professional developers.

I allege that Robert MacVicar, president of Oregon State University violated election principles and laws by condoning this one sided privilege.

I allege that LaVern Weber, Director of Marine Science Center also violated election principles and laws by condoning this one sided privilege.

Tax funds collected in the name of education, were grossly miss used when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return.

My source of first information was in personally observing the signs at the "Center" had been changed, when I passed there, while I was at the coast at Newport on a fishing trip.

The main sign had a fresh, newly carved and painted message-title on the south side, while on the north side, the original older version was still intact. The changed side read: "MARK O. HATFIELD, MARINE SCIENCE CENTER, OREGON STATE UNIVERSITY."

After returning home, this sign-change bothered me so much I went back with my camera several weeks later and took the enclosed photos.

Still uneasy, I went to Oregon State University in Corvallis, Oregon where I ran into a blank wall of no one knowing anything about the sign, ~~except~~ that there was, a marine center at the coast. This really made me very curious!

Returning to Newport and the Center, I asked there for information about the signs being changed. Almost amusing, they didn't know very much except that they had been somehow changed. Why the political fog?

So, knowing it was apparently some sort of big political gimmick, I went to the local newspaper, "News-Times," hoping some sort of article had been written. The enclosed photocopy of an article and picture really answered most questions.

Why couldn't this same information have been pointed out by the many

36040564350

(2)

Page two. "Complaint concerning misuse of public funds for  
and by Mark O. Hatfield and others."

people asked weeks earlier? Why didn't even the State Library at Salem  
have the information?

Being an already over-taxed voter, fed up with political run around,  
I file this complaint against the following people:

Senator Mark O. Hatfield  
3051 N Street N.W.  
Washington, D.C.

Robert MacVicar, President  
Oregon State University  
Corvallis, OR 97331

LaVerne Weber, Director

Enclosures:

Pictures of signs.  
Photocopy of news items.  
Photocopy of page 167 of "Oregon Blue Book," 1981-1982.  
ORS260.615.

My address and telephone number are:

*Joe Spenner*  
Joe Spenner  
15016 Coon Hollow Rd SE  
Stayton, OR 97383

36040564351

1(3A)

STATE OF OREGON            )  
                                  ) ss.  
County of Marion         )

September 17, 1985

I, JOE SPENNER, being first duly sworn, depose and say:

That I am the signor of that "Complaint" dated August 29, 1985 directed to Mr. Charles N. Steele, General Counsel, Federal Elections Commission, Washington, C.C. 20463, a copy of said complaint being attached hereto, and that the contents of the complaint are true to the best of my knowledge.

Joe Spenner

Subscribed and sworn to before me this 17th day of September, 1985.

Ann L. Colleske  
Notary Public for Oregon.  
My commission expires: 5-24-88

36040564352

experience with opportunity to graduate and enter the employment field in two years. Baccalaureate degree offerings for the next two years offer added technical specialization, teaching skills or management-supervisory skills. Degrees are granted in nine engineering technology fields, five allied health areas, five industrial fields and three business fields. A liberal arts associate degree is also available for local college transfer students.

A community college graduate with an acceptable grade point average may enter Oregon Tech's upper division. In addition, the college offers evening classes and summer sessions.

Oregon Tech is fully accredited and employment opportunities for graduates have been one of the prime factors in attracting students to OIT. The Campus Placement Office boasts job placement in excess of 95 percent for OIT graduates.

Enrollment exceeds 2,600, including nontechnical students. Women comprise nearly one-third of the enrollment.

In recent years OIT's geothermally heated campus has attained international recognition in applied research of geothermal energy.



## OREGON STATE UNIVERSITY

*Dr. Robert W. MacVicar, President; Corvallis 97331; 754-0123*

Oregon State University is Oregon's oldest state-supported institution of higher learning, dating back to October 27, 1868. It was established as one of the nation's Land Grant Colleges, receiving federal land grants to help launch its public education-service programs.

On September 7, 1971, OSU was designated as one of the nation's first four Sea Grant Colleges, charged to help advance man's wise and orderly use of ocean resources and to provide teaching and research programs related to marine sciences. The Oregon State University Marine Science Center at Newport has become OSU's important "Campus on the Coast." The 177-foot, all weather Wecoma and smaller research vessels operate from there in studying world oceans and Northwest estuaries and rivers.

From an initial graduating class of three in 1870, OSU has grown to the point that it now confers about 3,500 degrees each June. Student enrollment during the regular school year is now over 17,000 and summer term enrollment now tops 5,000.

The schools of engineering and business and the colleges of science and liberal arts are the largest academic units. Other schools include agriculture, education, forestry, health and physical education, home economics, oceanography, pharmacy and veterinary medicine. About one out of every six students on campus is enrolled in the graduate school, working for a master's or doctor's degree. OSU is one of only 35 U.S. universities offering ROTC military commission programs in all branches of the service.

The main campus covers nearly 500 acres on which there are 100 major buildings. Experimental farms, an arboretum and teaching-research forests, all located within just a few minutes drive of the campus, make up an additional 18,000 acres.

Through its vast programs of teaching, research and its Extension Service, the University touches directly or indirectly the life of every Oregonian. National leadership is provided in such fields as food science, forestry management-products-engineering, en-

from "Oregon Blue Book"

1981-1982

Attachment 2(1)

**ELECTIONS**

**CAMPAIGN**

**260.555 Prohibitions relating to circulation, filing or certification of initiative, referendum or recall petition.** (1) No person attempting to obtain signatures on, or causing to be circulated, an initiative, referendum or recall petition, shall knowingly make any false statement regarding the contents, meaning or effect of the petition to any person who signs it, attempts to sign it, is requested to sign it or requests information concerning it.

(2) No person shall attempt to obtain signatures to, cause to be circulated or file with a filing officer, an initiative, referendum or recall petition, knowing it to contain a false signature.

(3) No person shall knowingly sign an initiative, referendum or recall petition more than once, knowingly sign such petition when not qualified to sign it, or sign such petition in any name other than the person's own.

(4) No public official or employe shall knowingly make a false certification concerning an initiative, referendum or recall petition. [1979 c.190 §376]

**260.560 Circulation of petition by person who is not elector prohibited.** A person who is not an elector shall not attempt to obtain signatures on, or cause to be circulated, an initiative, referendum or recall petition. [1983 c.514 §16]

**260.565** [Formerly 254.580; 1981 c.234 §18; repealed by 1983 c.756 §13]

**260.575 Use of threats and intimidation for purpose of extorting money.** No person, for any consideration, shall:

(1) Offer, propose, threaten or attempt to sell, hinder or delay any part of an initiative, referendum or recall petition.

(2) Offer, propose or threaten to desist from beginning, promoting, circulating, or soliciting signatures to, any initiative, referendum or recall petition.

(3) Offer, propose, attempt or threaten in any manner to use an initiative, referendum or recall petition or any power of promotion or opposition concerning such petition for extortion, blackmail or private intimidation of any person. [Formerly 254.580]

**260.585 Sponsor of petition to file statement of contributions and expenditures.** The chief petitioner of a completed and filed initiative or referendum petition, not later than the 30th day after the final date for filing the completed petition, shall file a statement of contributions and expenditures for the petition. This statement shall conform to the

requirements of ORS 260.083. [Formerly 254.600]

**260.605 Purchase of advertising or payment for editorial advocacy or opposition prohibited.** No person shall purchase or arrange for the purchase of any advertising from, or pay the owner, editor, manager, publisher or agent of any newspaper or other periodical or of any radio or television station, to induce that person to editorially support or oppose any candidate or measure. No such owner, editor, manager, publisher or agent shall solicit or receive such payment or purchase of advertising. [Formerly 260.612]

**260.610** [Amended by 1957 c.644 §18; 1971 c.749 §57; 1973 c.744 §39; repealed by 1979 c.190 §431]

**260.615 Special privileges by public utility to political patrons prohibited.** (1) No public utility or its agents or officers shall offer or give to a political committee or a member or employe of the committee, or to a candidate for or incumbent of any public office or to any person at the request, or for the advantage of any of them, any reduced rate or a privilege withheld from any person for service which is or will be rendered by a public utility.

(2) No political committee, member or employe of the committee, or candidate or incumbent shall ask for or accept from a public utility, or its agent or officer, or use in any manner or for any purpose a reduced rate, frank or privilege withheld from any person, for any service which is or will be rendered by a public utility.

(3) As used in this section, "public utility" has the meaning given that term in ORS 757.005. [1979 c.190 §381]

**260.620** [Repealed by 1957 c.644 §28]

**260.625 Transfer of convention credential for value.** No person shall offer or effect the transfer of any convention credential in return for payment of money or other thing of value. [Formerly 260.442]

**260.630** [Amended by 1957 c.644 §17; 1971 c.749 §58; 1973 c.744 §40; repealed by 1979 c.190 §431]

**260.635 Bets and wagers on election results.** (1) No candidate shall make or become party to a bet of anything of pecuniary value on any event or contingency relating to a pending election. No candidate shall provide money or other thing of value to be used by any person in betting upon the results of a pending election.

(2) No person, to influence the result of any election, shall make a bet of anything of pecuniary value on the result of a pending election, or on any event relating to it. [Formerly 260.482]

**260.640** [Amended by 1957 c.644 §1971 c.749 §59; 1973 c.744 §41; repealed by

**260.645 Illegal acts relat machines or vote tally systems person shall:**

(a) Tamper with or injure injure any voting machine or vote be used or being used in an election

(b) Tamper with any voting n tally system that has been used except in performance of election

(c) Prevent or attempt to pre operation of any voting machin system.

(2) An unauthorized person or possess a key to a voting machi system to be used or being used in

(3) Neither the Secretary of officer or employe of any county, using a voting machine or vote tal solicit or accept any compensati amounts paid by the government. section with the sale, lease or us machine or vote tally system.

(4) As used in this section, "v and "vote tally system" have the those terms in ORS 246.012. [197 c.909 §9]

**260.650** [Amended by 1957 c.64 §90; 1973 c.744 §42; repealed by 1979 c.190

**260.655 Payments for p on nomination papers or for of political committee duties or contribution for any purpose a condition precedent to putting a caucus or convention ballot, non or petition, or to the performanc imposed by law on a political [Formerly 260.482]**

**260.660** [Amended by 1957 c.64 §61; 1973 c.744 §43; repealed by 1979 c.190

**260.665 Undue influence registration, voting, candida tion of money or other benefite in this section, "undue influence" violence, restraint or the threat c injury, damage, harm, loss of e; other loss or the threat of it, frau promising to give money, employ thing of value.**

(2) No person, acting either al through any other person, shall o rectly subject any person to undue the intent to induce any person to;

"1983 - 1984 Election Laws"  
State of Oregon

2(2)

# Senator Instrumental In Funding Of Research Facility

# Science Center Name Change Honors Hatfield

11-2-83

(3) 2

By Tom Decker  
Staff Writer

The building is the same; only the name has been changed. And the new name is a mouthful: the Mark O. Hatfield Marine Science Center, Oregon State University.

The building's nameable, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication during a swing through the state by Hatfield in his capacity for a year.

recently by the Senate, Hatfield said, "This is truly unique research. And the opportunity will be taking place right here on this site."

Hatfield, chairman of the Senate Appropriations Committee, was instrumental in passage of the \$2 million legislation, which will name several scientists to the OSU campus in Newport.

On hand for the dedication were Robert MacVicar, OSU president; John Byrne, National Oceanic and Atmospheric Administration (NOAA) administrator and former OSU dean; and William Davis, chancellor of the state system of higher education.

Of Hatfield's efforts on behalf of the Marine Science Center, MacVicar said, "Without his decision, without his influence, many of the things would have been left undone."

providing the construction money for two NOAA buildings at the center, one completed in 1979, the second in 1982. Both, he said, will be devoted to the study of aquaculture and the production of food in the ocean.

NOAA officials, Byrne said, already had applied Hatfield's name to the site. "We've been calling them Hatfield one and ten for years," he said of the two buildings.

According to Marine Science Center Director LaVern Weber, Hatfield's first efforts on behalf of the center came in 1985 when Hatfield was governor.

Hatfield was quick to spread around the credit for the center. Mentioning local people and OSU officials interested in the center, Hatfield said, "You have been my tutors."

Publishing the dedication re-

## Center Renamed For Hatfield's

The OSU Marine Science Center, in South Beach, will soon be renamed the Mark O. Hatfield Marine Science Center, the Oregon State Board of Higher Education announced last week.

The name change was announced Oct. 22. Hatfield also always strongly advocated the study offshore mineral resources and

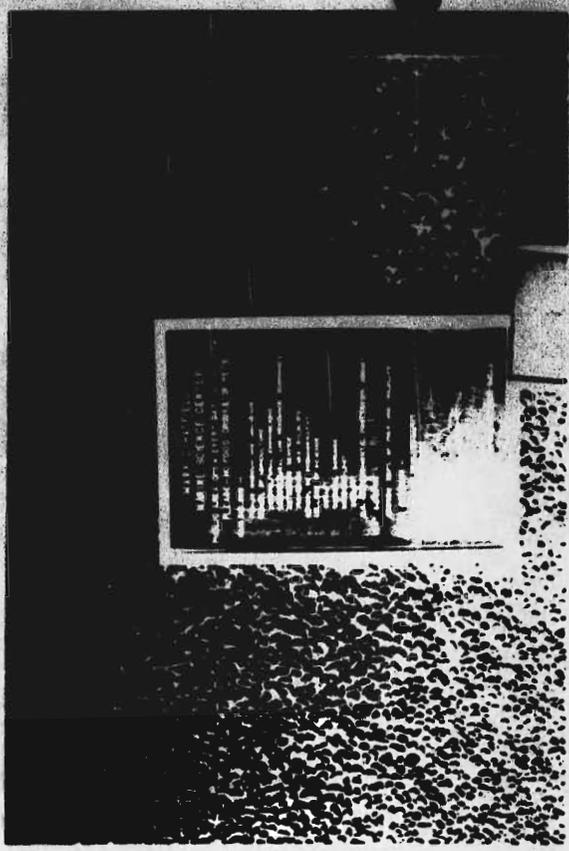
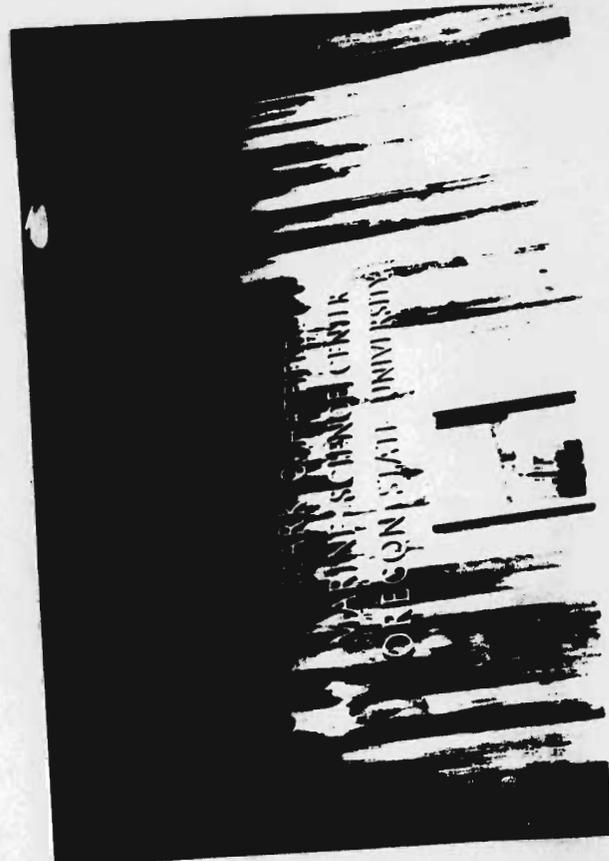
Hatfield recently suggested additional personnel be located at the Marine Science Center to study offshore mineral resources



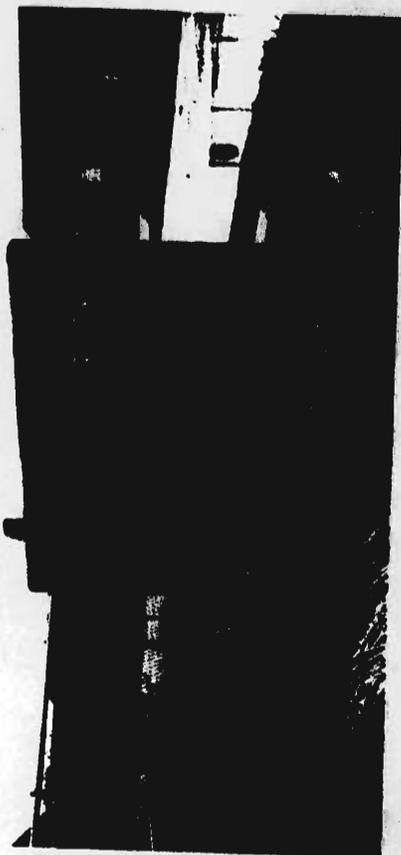
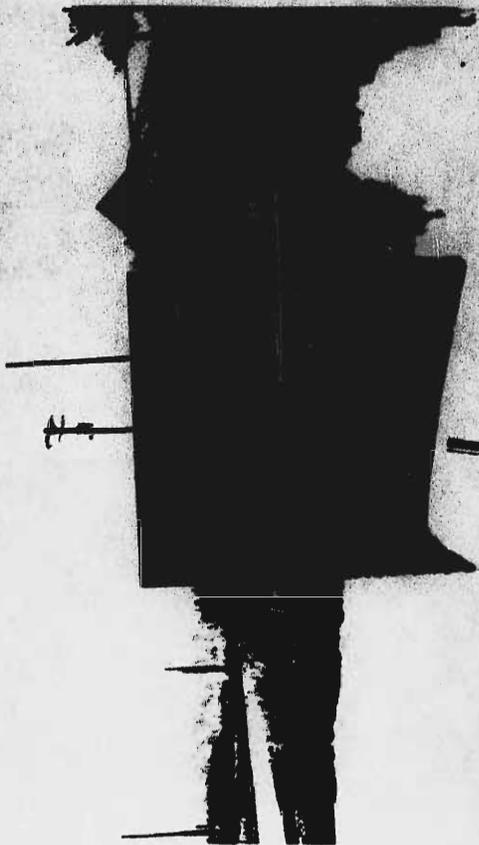
A GWINNING son, Mark Hatfield and his wife Annetta talk with the crowd after unveiling the sign on the newly renamed Mark O. Hatfield Marine Science Center at Oregon State University.

3 6 0 4 0 5 6 4 3 5 5

3 6 0 4 0 5 6 4 3 5 6



36040564357



2(5)

United States Senate  
WASHINGTON, DC

85 OCT 22 A7:58

White

October 17, 1985

5 OCT 22 A9:12

Mr. Kenneth A. Gross  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Attention: Maura White

Dear Mr. Gross:

SUBJECT: MUR 2088

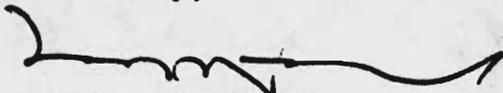
Thank you for your letter notifying me of a complaint filed with the Federal Election Commission (FEC) alleging a violation of the Federal Election Campaign Act of 1971 (FECA), as amended, stemming from the naming of the Marine Sciences Center at Newport in my honor.

I have read the complaint filed with the FEC by Mr. Joe Spenner and cannot determine precisely what provision of FECA he believes has been violated. If it is his position that the naming of the Center was timed to operate as a promotion of my campaign for reelection, I can assure the FEC that this was not the case. The fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland.

If you have any further questions, please call me or Jim Towe of my staff.

Thank you.

Sincerely,



Mark O. Hatfield  
United States Senator

MOH/jtm

36040564358

Attachment 3

DAVE FROHNMAYER  
ATTORNEY GENERAL



DEPARTMENT OF JUSTICE  
GENERAL COUNSEL DIVISION  
Suite 540  
978 Oak Street  
Eugene, Oregon 97401  
Telephone: (503) 686-7511

October 21, 1985

RECEIVED THE FEC  
HAND DELIVERED  
85 OCT 22 4:55

200-8788  
White

Maura White  
Staff Member  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2088

Dear Ms. White:

Your letters of October 4, 1985, directed to Robert MacVicar, as President of Oregon State University, and LaVerne Weber, as Director of the Marine Science Center of that University, have been passed on to me. The reason for this is that the Attorney General's office is counsel to the Board of Higher Education. I am writing therefore on behalf of the Oregon State Board of Higher Education, as their attorney, because the Board of Higher Education is the governing board for Oregon State University. It was the Board's decision to name the complex the Mark O. Hatfield Marine Science Center.

I am enclosing a copy of the Board's minutes from the meeting of September 23, 1983, pages 288 and 289, which report and discuss the naming of the complex. The reasons for this action are spelled out in the minutes. The renaming of the complex was not intended to influence any federal election.

The erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board. The cost of the sign was \$592; see enclosed letter of November 16, 1983, from Director Weber to President MacVicar. The "building letters" mentioned in the letter may have included Senator Hatfield's name. In any event, the cost of these letters was \$955. These items (but not the catering bill) were paid by state funds; see memo of November 29, 1983, from Vice President Parsons to Director Weber.

Attachment 4(1)

36040564359

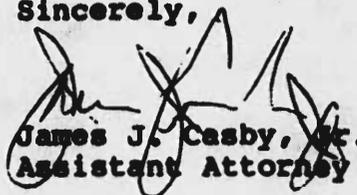
61:1d 22:00  
OCT 22 11:19  
7:00 PM '85

Ms. Maura White  
Page 2  
October 21, 1985

President MacVicar has retired since these events, as has Vice Chancellor Hunderup, who presented the name change issue to the Board. Furthermore, only four of the ten Board members involved in the change remain on the Board at the present time. Should you wish any more detailed information, however, I am sure that I can with time locate and make available all of these people.

I would hope that this meets the requests of the letter of October 4, 1985. If you wish further information, please do not hesitate to contact me.

Sincerely,



James J. Casby, Jr.  
Assistant Attorney General

ej

cc: Larry Thomson  
W. T. Lemman  
Robert Gutierrez

36040564360

4(2)

further investigation. If the Board concurs that the review should be provided, adoption of the following motion would be appropriate:

In the matter of the review requested by Charles Coate in a letter dated December 2, 1982, pursuant to OAR 580-21-390, regarding a nondisciplinary academic personnel action by Eastern Oregon State College, it is moved that the Board of Higher Education refer the matter to the Chancellor or his designee for examination and informal settlement, if possible. Upon completion, the matter should be returned to the Board for determination of further proceedings, if any, pursuant to OAR 580-21-390(3).

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Petersen, Walling, Wyss, and Ingalls. Those voting no: None.

Naming of  
Marine Science  
Center, OSU

#### Staff Report to the Board

President MacVicar has recommended that the Yaquina Bay Marine Science Center be designated "The Mark O. Hatfield Marine Science Center" effective October 30, 1983.

In submitting this recommendation on behalf of Oregon State University, Dr. MacVicar pointed out that the Center was established at Newport during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation. Moreover, since his election to the Senate of the United States, Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University. The two recent major projects involving the construction of facilities for aquaculture, financed completely from federal appropriations, would not likely have been undertaken without the Senator's vigorous and enthusiastic endorsement. The development of the Center has been assisted in many other ways by his awareness of its needs and his supportive efforts. Recently, he has been pursuing the addition of a sizeable element of personnel at the Center to undertake studies of the off-shore mineral resources that may prove to be a major source of certain scarce minerals to the nation.

The Board's staff concurs in this recommendation. To date, the Board has not taken official action to name the Center although it has been referred to often as the Yaquina Bay Marine Science Center of Oregon State University. Only one of the buildings has been named. On July 23, 1973, the Board authorized the designation of the first unit of apartment housing there as the Li House in honor of the late Dr. Jerome C. R. Li, a former professor of mathematics and statistics at the University. By designating the entire complex now as "The Mark O. Hatfield Marine Science Center," it would appear possible to name individual buildings later, if desired, consistent with the Board's Administrative Rule 580-50-025.

#### Staff Recommendation to the Board

It was recommended that the Yaquina Bay Marine Science Center of Oregon State University be designated "The Mark O. Hatfield Marine Science Center."

#### Board Discussion and Action

Mr. Hunderup described the Board's policy on the naming of buildings in response to a question from Mr. Perry. The Board's Administrative Rule specifies that normally a building shall not be named for a living person unless that person has made a substantial contribution to the cost of that

36040564361

facility. In the case of the Yaquina Bay Marine Science Center, the entire complex is being named in honor of Senator Hatfield. The action in designating the complex does not preclude the opportunity for the Board, at some future time, to name individual buildings within that complex consistent with the Administrative Rules. He also noted that there are a number of instances on the various campuses where individual rooms within a facility may be named for an individual.

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

Naming of  
Ballard Extension  
Hall, OSU

#### Staff Report to the Board

Based upon the request of the Building Names Committee of Oregon State University, institutional officials have recommended that the present Extension Hall on the campus in Corvallis be named Ballard Extension Hall in honor of the late Frank Llewellyn Ballard. Mr. Ballard was a member of the faculty from 1917 until his retirement in 1961 and continued as emeritus professor until his death on September 20, 1971. During his forty-four year career, he served first as a specialist and then as administrator of the Extension Service with the exception of two short periods in the early 1940's when he was the ninth president of the institution (1940 and 1941) and State Supervisor of War Food Production and Conservation (1944-45).

After receiving his degree from Oregon Agricultural College in 1916, Mr. Ballard returned to his native state of New Hampshire for one year to serve as a county extension agent, but he came back to Oregon to stay in 1917 when he joined the Extension Service as a specialist in rural organization and agricultural economics. Through the years, he accepted more and more administrative responsibilities and in 1934 became the director in charge of all Oregon extension work done by county agricultural agents, home economics agents, 4-H club agents, and extension specialists.

Mr. Ballard was acknowledged to be one of the great leaders of the Federal Cooperative Extension program in Oregon, and it was under his leadership that long-range planning programs were instituted in every county in the state following a series of state-wide and county conferences undertaken in 1924 with farmers, business leaders and others to determine goals for Oregon agriculture. The farm economy was keyed to consider market as well as production possibilities and the philosophy of Oregon's Extension Service was established: find out what people need and want and then try to give it to them.

Because of his effective service to agriculture within the state and the nation, Mr. Ballard was honored by many organizations and professional societies. During the OSU Centennial convocation in 1968, he was cited for his achievements as a teacher, skilled administrator, past president and associate director of the Cooperative Extension Service. He was often called "Mister Extension."

#### Staff Recommendation to the Board

It was recommended that the present Extension Hall on the campus of Oregon State University, which provides offices for the administrative staff of the Federal Cooperative Extension Service in Oregon, be renamed Ballard Extension Hall in honor of the late Frank Llewellyn Ballard.

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

36040564362

November 16, 1983

President Robert MacVicar  
Oregon State University  
Campus

Dear President MacVicar:

The Marine Science Center has paid the following bills in connection with the re-dedication of the Center on 30 October 1983:

new entry sign (OSU Physical Plant)	\$592
new building letters (Oregon Brass Works)	955
catering services (Pip Tide Restaurant)	<u>600</u>
	\$2,147

Please credit our account 30-050-7607.

In general, I felt the affair went well.

Sincerely,

Lavern J. Weber  
Director

LJW:as

3 6 0 4 0 5 6 4 3 6 3

4(5)

Office of the President



Corvallis, Oregon 97331-2128

(503) 754-4100

November 29, 1983



TO: Lavern J. Weber, Director  
Mark O. Hatfield Marine Science Center

FROM: T. D. Parsons *T. D. Parsons*  
Vice President for Administration

SUBJECT: Fund Transfer

This is to notify you that as of this date this office has requested that the Department of Budgets transfer \$1,547.00 to your account, 30-050-7607, for the re-dedication of the Center on October 30, 1983. This is a non-recurring transfer.

It is understood that the OSU Foundation will pay the catering bill.

TDP:lw

*Copy to D. Jody  
C.M. Athey*



36040564364

4(6)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

James J. Casby, Jr.  
Assistant Attorney General  
Department of Justice  
Suite 540  
975 Oak Street  
Eugene, Oregon 97401

RE: MUR 2088  
Robert MacVicar;  
LaVerne Weber

Dear Mr. Casby:

On September 27, 1985, the Commission notified Robert MacVicar and LaVerne Weber of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended. You submitted a response on behalf of the Board of Higher Education on October 22, 1985.

The Commission, on \_\_\_\_\_, 1985, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

If you have any questions, please contact Maura White Callaway at (202) 523-4143.

Sincerely,

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

Attachment 5(1)

36040564365



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

Senator Mark Hatfield  
711 Hart Senate Office Building  
Washington, D.C. 20510

RE: MUR 2088  
Senator Mark Hatfield

Dear Senator Hatfield:

On September 27, 1985, the Commission notified you of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended.

The Commission, on \_\_\_\_\_, 1985, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

5(2)

36040564366



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Certified Mail  
Return Receipt Requested

Joe Spenner  
15016 Coon Hollow Road SE  
Stayton, OR 97383

Re: MUR 2088

Dear Mr. Spenner:

The Federal Election Commission has reviewed the allegations of your complaint dated September 20, 1985, and determined that on the basis of the information provided in your complaint and information provided by the respondents there is no reason to believe a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, on , 1985, the Commission decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

5(3)

3 6 0 4 0 5 6 4 3 6 7

DAVE FROHNMAYER  
ATTORNEY GENERAL



RECEIVED AT THE FEC  
**HAND DELIVERED**  
85 OCT 22 49:55  
CCT# 8788

**DEPARTMENT OF JUSTICE**

GENERAL COUNSEL DIVISION  
Suite 540  
875 Oak Street  
Eugene, Oregon 97401  
Telephone: (503) 686-7511

October 21, 1985

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
85 OCT 22 11:19

Maura White  
Staff Member  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 2088

Dear Ms. White:

Your letters of October 4, 1985, directed to Robert MacVicar, as President of Oregon State University, and LaVerne Weber, as Director of the Marine Science Center of that University, have been passed on to me. The reason for this is that the Attorney General's office is counsel to the Board of Higher Education. I am writing therefore on behalf of the Oregon State Board of Higher Education, as their attorney, because the Board of Higher Education is the governing board for Oregon State University. It was the Board's decision to name the complex the Mark O. Hatfield Marine Science Center.

I am enclosing a copy of the Board's minutes from the meeting of September 23, 1983, pages 288 and 289, which report and discuss the naming of the complex. The reasons for this action are spelled out in the minutes. The renaming of the complex was not intended to influence any federal election.

The erection of a sign describing the name of the Mark O. Hatfield Marine Science Center followed upon and was the result of the action of the Board. The cost of the sign was \$592; see enclosed letter of November 16, 1983, from Director Weber to President MacVicar. The "building letters" mentioned in the letter may have included Senator Hatfield's name. In any event, the cost of these letters was \$955. These items (but not the catering bill) were paid by state funds; see memo of November 29, 1983, from Vice President Parsons to Director Weber.

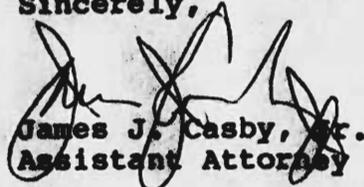
36040564368

Ms. Maura White  
Page 2  
October 21, 1985

President MacVicar has retired since these events, as has Vice Chancellor Hunderup, who presented the name change issue to the Board. Furthermore, only four of the ten Board members involved in the change remain on the Board at the present time. Should you wish any more detailed information, however, I am sure that I can with time locate and make available all of these people.

I would hope that this meets the requests of the letter of October 4, 1985. If you wish further information, please do not hesitate to contact me.

Sincerely,



James J. Casby, Jr.  
Assistant Attorney General

ej

cc: Larry Thomson  
W. T. Lemman  
Robert Gutierrez

36040564369

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further investigation. If the Board concludes that the review should be provided, adoption of the following motion would be appropriate:

In the matter of the review requested by Charles Coate in a letter dated December 2, 1982, pursuant to OAR 580-21-390, regarding a nondisciplinary academic personnel action by Eastern Oregon State College, it is moved that the Board of Higher Education refer the matter to the Chancellor or his designee for examination and informal settlement, if possible. Upon completion, the matter should be returned to the Board for determination of further proceedings, if any, pursuant to OAR 580-21-390(3).

Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Petersen, Walling, Wyss, and Ingalls. Those voting no: None.

Naming of  
Marine Science  
Center, OSU

Staff Report to the Board

President MacVicar has recommended that the Yaquina Bay Marine Science Center be designated "The Mark O. Hatfield Marine Science Center" effective October 30, 1983.

In submitting this recommendation on behalf of Oregon State University, Dr. MacVicar pointed out that the Center was established at Newport during the time that Senator Hatfield was Governor of Oregon and was a strong advocate of the program there, assisting in obtaining appropriate federal resources for its development and operation. Moreover, since his election to the Senate of the United States, Senator Hatfield has maintained a continuous and significant interest in the development of that particular unit of the University. The two recent major projects involving the construction of facilities for aquaculture, financed completely from federal appropriations, would not likely have been undertaken without the Senator's vigorous and enthusiastic endorsement. The development of the Center has been assisted in many other ways by his awareness of its needs and his supportive efforts. Recently, he has been pursuing the addition of a sizeable element of personnel at the Center to undertake studies of the off-shore mineral resources that may prove to be a major source of certain scarce minerals to the nation.

The Board's staff concurs in this recommendation. To date, the Board has not taken official action to name the Center although it has been referred to often as the Yaquina Bay Marine Science Center of Oregon State University. Only one of the buildings has been named. On July 23, 1973, the Board authorized the designation of the first unit of apartment housing there as the Li House in honor of the late Dr. Jerome C. R. Li, a former professor of mathematics and statistics at the University. By designating the entire complex now as "The Mark O. Hatfield Marine Science Center," it would appear possible to name individual buildings later, if desired, consistent with the Board's Administrative Rule 580-50-025.

Staff Recommendation to the Board

It was recommended that the Yaquina Bay Marine Science Center of Oregon State University be designated "The Mark O. Hatfield Marine Science Center."

Board Discussion and Action

Mr. Hunderup described the Board's policy on the naming of buildings in response to a question from Mr. Perry. The Board's Administrative Rule specifies that normally a building shall not be named for a living person unless that person has made a substantial contribution to the cost of that

facilities. In the case of the Yaquina Bay Marine Science Center, the entire complex is being named in honor of Senator Hatfield. The action in designating the complex does not preclude the opportunity for the Board, at some future time, to name individual buildings within that complex consistent with the Administrative Rules. He also noted that there are a number of instances on the various campuses where individual rooms within a facility may be named for an individual.

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

Naming of  
Ballard Extension  
Hall, OSU

#### Staff Report to the Board

Based upon the request of the Building Names Committee of Oregon State University, institutional officials have recommended that the present Extension Hall on the campus in Corvallis be named Ballard Extension Hall in honor of the late Frank Llewellyn Ballard. Mr. Ballard was a member of the faculty from 1917 until his retirement in 1961 and continued as emeritus professor until his death on September 20, 1971. During his forty-four year career, he served first as a specialist and then as administrator of the Extension Service with the exception of two short periods in the early 1940's when he was the ninth president of the institution (1940 and 1941) and State Supervisor of War Food Production and Conservation (1944-45).

After receiving his degree from Oregon Agricultural College in 1916, Mr. Ballard returned to his native state of New Hampshire for one year to serve as a county extension agent, but he came back to Oregon to stay in 1917 when he joined the Extension Service as a specialist in rural organization and agricultural economics. Through the years, he accepted more and more administrative responsibilities and in 1934 became the director in charge of all Oregon extension work done by county agricultural agents, home economics agents, 4-H club agents, and extension specialists.

Mr. Ballard was acknowledged to be one of the great leaders of the Federal Cooperative Extension program in Oregon, and it was under his leadership that long-range planning programs were instituted in every county in the state following a series of state-wide and county conferences undertaken in 1924 with farmers, business leaders and others to determine goals for Oregon agriculture. The farm economy was keyed to consider market as well as production possibilities and the philosophy of Oregon's Extension Service was established: find out what people need and want and then try to give it to them.

Because of his effective service to agriculture within the state and the nation, Mr. Ballard was honored by many organizations and professional societies. During the OSU Centennial convocation in 1968, he was cited for his achievements as a teacher, skilled administrator, past president and associate director of the Cooperative Extension Service. He was often called "Mister Extension."

#### Staff Recommendation to the Board

It was recommended that the present Extension Hall on the campus of Oregon State University, which provides offices for the administrative staff of the Federal Cooperative Extension Service in Oregon, be renamed Ballard Extension Hall in honor of the late Frank Llewellyn Ballard.

#### Board Discussion and Action

The Board approved the staff recommendation as presented, with the following voting in favor: Directors Alltucker, Batiste, Flanagan, Gill, Harms, Hensley, Perry, Walling, Wyss, and Ingalls. Those voting no: None. Director Petersen was absent from the meeting at this time.

36040564371

November 16, 1983

President Robert MacVicar  
Oregon State University  
Campus

Dear President MacVicar:

The Marine Science Center has paid the following bills in connection with the re-dedication of the Center on 30 October 1983:

new entry sign (OSU Physical Plant)	\$592
new building letters (Oregon Brass Works)	955
catering services (Pip Tide Restaurant)	<u>600</u>
	\$2,147

Please credit our account 30-050-7607.

In general, I felt the affair went well.

Sincerely,

Lavern J. Weber  
Director

LJW:as

36040564372



Office of the President

Corvallis, Oregon 97331-2128

(503) 754-4100

November 29, 1983



**TO:** Lavern J. Weber, Director  
Mark O. Hatfield Marine Science Center

**FROM:** T. D. Parsons *T. D. Parsons*  
Vice President for Administration

**SUBJECT:** Fund Transfer

This is to notify you that as of this date this office has requested that the Department of Budgets transfer \$1,547.00 to your account, 30-050-7607, for the re-dedication of the Center on October 30, 1983. This is a non-recurring transfer.

It is understood that the OSU Foundation will pay the catering bill.

TDP:lw

*Copy to D. Zopf  
✓ C.M. Athai*



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MARK O. HATFIELD  
OREGON

GCH# 8770  
RECEIVED AT THE FEC

United States Senate  
WASHINGTON, DC

85 OCT 22 47: 58

October 17, 1985

Mr. Kenneth A. Gross  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Attention: Maura White

Dear Mr. Gross:

SUBJECT: MUR 2088

Thank you for your letter notifying me of a complaint filed with the Federal Election Commission (FEC) alleging a violation of the Federal Election Campaign Act of 1971 (FECA), as amended, stemming from the naming of the Marine Sciences Center at Newport in my honor.

I have read the complaint filed with the FEC by Mr. Joe Spenner and cannot determine precisely what provision of FECA he believes has been violated. If it is his position that the naming of the Center was timed to operate as a promotion of my campaign for reelection, I can assure the FEC that this was not the case. The fact that I was reelected with 67 percent of the vote hardly can be attributed to the Marine Sciences Center being named in my honor. The Center's sign was no more of a campaign sign than the sign that hangs on the door to my office in Pioneer Courthouse in Portland.

If you have any further questions, please call me or Jim Towey of my staff.

Thank you.

Sincerely,



Mark O. Hatfield  
United States Senator

MOH/jtm

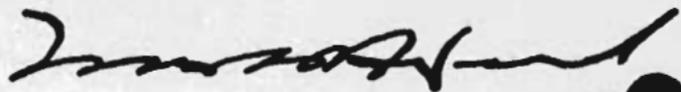
15 OCT 22 9:12  
OFFICE OF  
GENERAL COUNSEL  
FEDERAL ELECTION COMMISSION

36040564374

United States Senate

WASHINGTON, DC 20510

OFFICIAL BUSINESS



U.S.

3 6 0 4 0 5 6 4 3 7

Mr. Kenneth A. Gross  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Attention: Maura White

85 OCT 22 A 7: 58



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

Senator Mark O. Hatfield  
3051 N Street, N.W.  
Washington, D.C.

Re: MUR 2088

Dear Senator Hatfield:

On September 27, 1985, an improper letter was inadvertently sent to you. This letter is a substitute for the letter of September 27, 1985, and we ask that you please return to the Federal Election Commission our letter to you dated September 27, 1985.

This letter is to notify you that on September 20, 1985, the Federal Election Commission received a complaint which alleges that you 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 2088. 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.

36040564376

If you have any questions, please contact Maura White, the staff member assigned to this matter at (202)523-4143. 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

Enclosures  
Complaint  
Procedures  
Designation of Counsel Statement

36040564377



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

Robert MacVicar, President  
Oregon State University  
Corvallis, OR 97331

Re: MUR 2088

Dear Mr. MacVicar:

On September 27, 1985, an improper letter was inadvertently sent to you. This letter is a substitute for the letter of September 27, 1985, and we ask that you please return to the Federal Election Commission our letter to you dated September 27, 1985.

This letter is to notify you that on September 20, 1985, the Federal Election Commission received a complaint which alleges that you 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 2088. Please refer to this number in all future correspondence.

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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.

36040564378

If you have any questions, please contact Maura White, the staff member assigned to this matter at (202)523-4143. 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

Enclosures  
Complaint  
Procedures  
Designation of Counsel Statement

36040564379



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

LaVerne Weber, Director  
Mark D. Hatfield Marine Science Center  
Oregon State University  
Corvallis, OR 97331

Re: MUR 2088

Dear Mr. Weber:

On September 27, 1985, an improper letter was inadvertently sent to you. This letter is a substitute for the letter of September 27, 1985, and we ask that you please return to the Federal Election Commission our letter to you dated September 27, 1985.

This letter is to notify you that on September 20, 1985, the Federal Election Commission received a complaint which alleges that you 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 2088. 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.

36040564380

If you have any questions, please contact Maura White, the staff member assigned to this matter at (202)523-4143. 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

Enclosures  
Complaint  
Procedures  
Designation of Counsel Statement

3 6 0 4 0 5 6 4 3 8 1



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

**MEMORANDUM**

**TO:** THE COMMISSION  
**FROM:** CHERYL A. FLEMING *CAF*  
**DATE:** OCTOBER 30, 1985  
**SUBJECT:** MUR 2088 - COMPLAINT

At 10:18 A.M., October 30, 1985, the Office of the Commission Secretary received from the Office of General Counsel additional information which was inadvertently omitted in the original distribution of the above-captioned matter, Tuesday, October 29, 1985 at 4:00.

36040564382



of science in education, art,  
 sciences, psychology and  
 teaching; master of music  
 administration and interdisci-  
 plinary college is accredited by the  
 Northwest Association of  
 Colleges of Music.  
 Center for Deaf and Hearing  
 Oregon Center for Economic  
 Development System's Teaching Re-  
 search their formal studies  
 facilities of the college are  
 growth, the class size and a  
 large number of students and faculty.

experience with opportunity to graduate and enter the employment field in two years. Baccalaureate degree offerings for the next two years offer added technical specialization, teaching skills or management-supervisory skills. Degrees are granted in nine engineering technology fields, five allied health areas, five industrial fields and three business fields. A liberal arts associate degree is also available for local college transfer students.

A community college graduate with an acceptable grade point average may enter Oregon Tech's upper division. In addition, the college offers evening classes and summer sessions.

Oregon Tech is fully accredited and employment opportunities for graduates have been one of the prime factors in attracting students to OIT. The Campus Placement Office boasts job placement in excess of 95 percent for OIT graduates.

Enrollment exceeds 2,600, including nontechnical students. Women comprise nearly one-third of the enrollment.

In recent years OIT's geothermally heated campus has attained international recognition in applied research of geothermal energy.



## OREGON STATE UNIVERSITY

*Dr. Robert W. MacVicar, President; Corvallis 97331; 754-0123*

Oregon State University is Oregon's oldest state-supported institution of higher learning, dating back to October 27, 1868. It was established as one of the nation's Land Grant Colleges, receiving federal land grants to help launch its public education-services programs.

On September 7, 1971, OSU was designated as one of the nation's first four Sea Grant Colleges, charged to help advance man's wise and orderly use of ocean resources and to provide teaching and research programs related to marine sciences. The Oregon State University Marine Science Center at Newport has become OSU's important "Campus on the Coast." The 177-foot, all weather Wecoma and smaller research vessels operate from there in studying world oceans and Northwest estuaries and rivers.

From an initial graduating class of three in 1870, OSU has grown to the point that it now confers about 3,500 degrees each June. Student enrollment during the regular school year is now over 17,000 and summer term enrollment now tops 5,000.

The schools of engineering and business and the colleges of science and liberal arts are the largest academic units. Other schools include agriculture, education, forestry, health and physical education, home economics, oceanography, pharmacy and veterinary medicine. About one out of every six students on campus is enrolled in the graduate school, working for a master's or doctor's degree. OSU is one of only 35 U.S. universities offering ROTC military commission programs in all branches of the service.

The main campus covers nearly 500 acres on which there are 100 major buildings. Experimental farms, an arboretum and teaching-research forests, all located within just a few minutes drive of the campus, make up an additional 18,000 acres.

Through its vast programs of teaching, research and its Extension Service, the University touches directly or indirectly the life of every Oregonian. National leadership is provided in such fields as food science, forestry management-products-engineering, en-

from "Oregon Blue Book"

1981-1982

Attachment 2(1)

ELECTIONS

CAMPAIGN

**260.555 Prohibitions relating to circulation, filing or certification of initiative, referendum or recall petition.** (1) No person attempting to obtain signatures on, or causing to be circulated, an initiative, referendum or recall petition, shall knowingly make any false statement regarding the contents, meaning or effect of the petition to any person who signs it, attempts to sign it, is requested to sign it or requests information concerning it.

(2) No person shall attempt to obtain signatures to, cause to be circulated or file with a filing officer, an initiative, referendum or recall petition, knowing it to contain a false signature.

(3) No person shall knowingly sign an initiative, referendum or recall petition more than once, knowingly sign such petition when not qualified to sign it, or sign such petition in any name other than the person's own.

(4) No public official or employe shall knowingly make a false certification concerning an initiative, referendum or recall petition. [1979 c.190 §376]

**260.560 Circulation of petition by person who is not elector prohibited.** A person who is not an elector shall not attempt to obtain signatures on, or cause to be circulated, an initiative, referendum or recall petition. [1963 c.514 §16]

**260.565** [Formerly 254.560; 1961 c.234 §18; repealed by 1963 c.756 §13]

**260.575 Use of threats and intimidation for purpose of extorting money.** No person, for any consideration, shall:

(1) Offer, propose, threaten or attempt to sell, hinder or delay any part of an initiative, referendum or recall petition.

(2) Offer, propose or threaten to desist from beginning, promoting, circulating, or soliciting signatures to, any initiative, referendum or recall petition.

(3) Offer, propose, attempt or threaten in any manner to use an initiative, referendum or recall petition or any power of promotion or opposition concerning such petition for extortion, blackmail or private intimidation of any person. [Formerly 254.580]

**260.585 Sponsor of petition to file statement of contributions and expenditures.** The chief petitioner of a completed and filed initiative or referendum petition, not later than the 30th day after the final date for filing the completed petition, shall file a statement of contributions and expenditures for the petition. This statement shall conform to the

requirements of ORS 260.063. [Formerly 254.600]

**260.605 Purchase of advertising or payment for editorial advocacy or opposition prohibited.** No person shall purchase or arrange for the purchase of any advertising from, or pay the owner, editor, manager, publisher or agent of any newspaper or other periodical or of any radio or television station, to induce that person to editorially support or oppose any candidate or measure. No such owner, editor, manager, publisher or agent shall solicit or receive such payment or purchase of advertising. [Formerly 260.612]

**260.610** [Amended by 1967 c.644 §16; 1971 c.749 §57; 1973 c.744 §39; repealed by 1979 c.190 §431]

**260.615 Special privileges by public utility to political patrons prohibited.** (1) No public utility or its agents or officers shall offer or give to a political committee or a member or employe of the committee, or to a candidate for or incumbent of any public office or to any person at the request, or for the advantage of any of them, any reduced rate or a privilege withheld from any person for service which is or will be rendered by a public utility.

(2) No political committee, member or employe of the committee, or candidate or incumbent shall ask for or accept from a public utility, or its agent or officer, or use in any manner or for any purpose a reduced rate, frank or privilege withheld from any person, for any service which is or will be rendered by a public utility.

(3) As used in this section, "public utility" has the meaning given that term in ORS 757.005. [1979 c.190 §381]

**260.620** [Repealed by 1967 c.644 §28]

**260.625 Transfer of convention credential for value.** No person shall offer or effect the transfer of any convention credential in return for payment of money or other thing of value. [Formerly 260.442]

**260.630** [Amended by 1967 c.644 §17; 1971 c.749 §58; 1973 c.744 §40; repealed by 1979 c.190 §431]

**260.635 Bets and wagers on election results.** (1) No candidate shall make or become party to a bet of anything of pecuniary value on any event or contingency relating to a pending election. No candidate shall provide money or other thing of value to be used by any person in betting upon the results of a pending election.

(2) No person, to influence the result of any election, shall make a bet of anything of pecuniary value on the result of a pending election, or on any event relating to it. [Formerly 260.482]

**260.640** [Amended by 1967 c.644 §17; 1971 c.749 §59; 1973 c.744 §41; repealed by 1979 c.190 §431]

**260.645 Illegal acts re: machines or vote tally systems.** No person shall:

(a) Tamper with or injure any voting machine or vote tally system that has been used except in performance of election

(b) Tamper with any voting machine or vote tally system that has been used except in performance of election

(c) Prevent or attempt to prevent operation of any voting machine or system.

(2) An unauthorized person or possess a key to a voting machine system to be used or being used in

(3) Neither the Secretary of state or officer or employe of any county, using a voting machine or vote tally system, shall solicit or accept any compensation amounts paid by the government or other person with the sale, lease or use of a voting machine or vote tally system.

(4) As used in this section, "voting machine or vote tally system" has the meaning given those terms in ORS 266.012. [1979 c.309 §9]

**260.650** [Amended by 1967 c.644 §40; 1973 c.744 §42; repealed by 1979 c.190 §431]

**260.655 Payments for services on nomination papers or for political committee duties or contribution for any purpose a condition precedent to putting a caucus or convention ballot, nor or petition, or to the performance imposed by law on a political** [Formerly 260.462]

**260.660** [Amended by 1967 c.644 §41; 1973 c.744 §43; repealed by 1979 c.190 §431]

**260.665 Undue influence on registration, voting, candidacy of money or other benefit.** In this section, "undue influence" means violence, restraint or the threat of injury, damage, harm, loss of or other loss or the threat of it, from promising to give money, employ or other thing of value.

(2) No person, acting either directly or through any other person, shall intentionally subject any person to undue influence with the intent to induce any person to

"1983 - 1984 Election Laws"  
State of Oregon

2(2)

3 6 0 4 0 5 6 4 2 8 6

*of Newport OR*

11-2-83

(2)

# Senator Instrumental In Funding Of Research Facility Science Center Name Change Honors Hatfield

By Tom Decker  
Staff Writer

The building is the same; only the name has been changed.

And the new name is a mouthful: the Mark O. Hatfield Marine Science Center, Oregon State University.

The building's namesake, Oregon Senator Mark Hatfield, was in town Sunday for the official dedication during a sving through the state by Hatfield in pursuit of his candidacy for a fourth term.

Hatfield, speaking to an overflow crowd of 100 in the Marine Science Center auditorium, called the center a "nationally and soon to be internationally recognized" marine research facility.

Referring to a \$2 million appropriation for study of polymetallic nodules off the Oregon coast, which was approved

recently by the Senate, Hatfield said, "This is truly unique research. And this opportunity will be taking place right here on this site."

Hatfield, chairman of the Senate Appropriations Committee, was instrumental in passage of the \$2 million legislation, which will move several scientists to the OSU campus in Newport.

On hand for the dedication were Robert MacVicar, OSU president; John Byrne, National Oceanic and Atmospheric Administration (NOAA) administrator and former OSU dean; and William Davis, chancellor of the state system of higher education.

Of Hatfield's efforts on behalf of the Marine Science Center, MacVicar said, "Without his dedication, without his influence, many of the things would have been left undone."

Byrne credited Hatfield with

providing the construction money for two NOAA buildings at the center, one completed in 1979, the second in 1982. Both, he said, will be devoted to the study of aquaculture and the production of food in the ocean.

NOAA officials, Byrne joked, already had applied Hatfield's name to the site. "We've been calling them Hatfield one and two for years," he said of the two buildings.

According to Marine Science Center Director LaVern Weber, Hatfield's first efforts on behalf of the center came in 1965 when Hatfield was governor.

Hatfield was quick to spread around the credit for the center. Mentioning local people and OSU officials interested in the center, Hatfield said, "You have been my tutors."

Following the dedication re-

marks, the crowd followed Hatfield and his wife, Antoinette, to the entrance where the couple

pulled aside a velvet curtain to reveal the new name of the center.

The state board of higher education approved the name change in a meeting several weeks ago.



A GRINNING Sen. Mark Hatfield and his wife Antoinette talk with the crowd after unveiling the sign on the newly renamed Mark O. Hatfield Marine Science Center at Oregon State University.

## Center Renamed For Hatfield

The OSU Marine Science Center, in South Beach, will soon be renamed the Mark O. Hatfield Marine Science Center, the Oregon State Board of Higher Education decided last week.

The name change becomes effective Oct. 20. The name change was

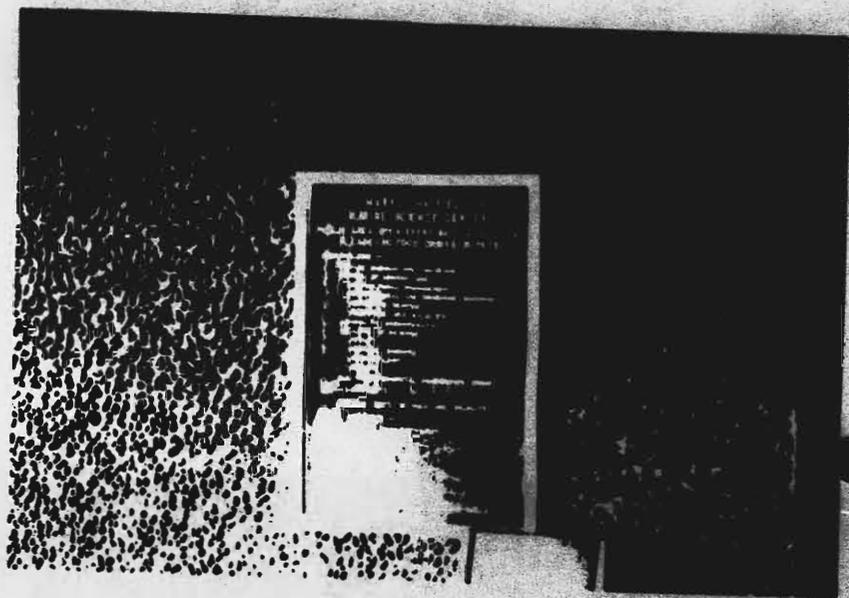
recommended by OSU President Robert MacVicar who pointed out Hatfield was governor when the Marine Science Center was established.

Hatfield has always strongly advocated the center's programs and

helped obtain the federal money to develop and operate it, MacVicar said.

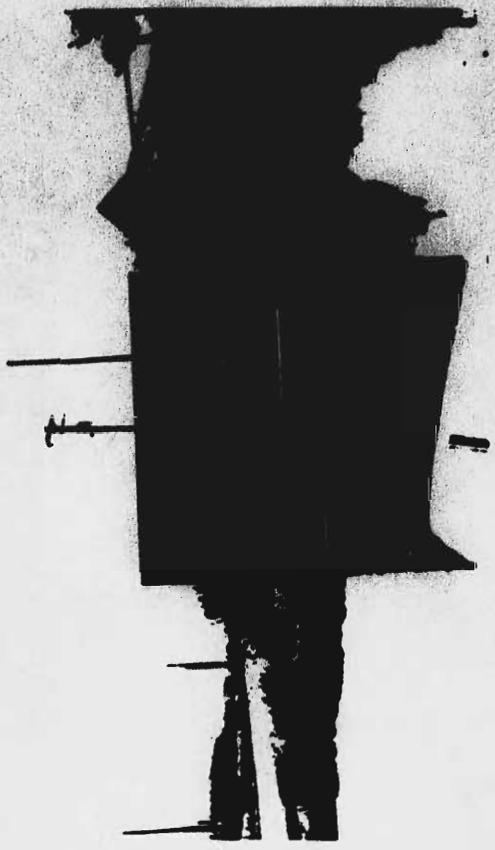
Hatfield recently suggested additional personnel be located at the Marine Science Center to study offshore mineral resources.

9-28-83



(4)

36040564387



a(s)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

MEMORANDUM TO: THE COMMISSION  
FROM: MARJORIE W. EMMONS/ ARNITA D. HESSION *a-h*  
DATE: OCTOBER 29, 1985  
SUBJECT: MUR 2088 - COMPLAINT

The attached has been circulated for your  
information.

36040564398

Attachment

RECEIVED BY THE FEC

GCCH 8593

85 SEP 20 12:41

**SENSITIVE**

Stayton, Oregon  
September 16, 1985

Mr. Charles N. Steele  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

Dear Mr. Steele:

Enclosed is a corrected notarized statement to properly comply with statutory requirements.

I'm sorry to be so dense in grasping the exact method, though I am, determined to help maintain the integrity of conduct in elections in our wonderful country.

High school kids are quickly penalized for errors in their football games.

Shouldn't we be just as clear and quick to blow the whistle on politicians?

Sincerely,



Joe Spenner

Enclosures:

Photocopy of original complaint and upgraded notarization.

SEP 20 11:49

RECEIVED  
GENERAL COUNSEL

36040564389

STATE OF OREGON           )  
                                  ) ss.  
County of Marion         )

September 17, 1985

I, JOE SPENNER, being first duly sworn, depose and say:

That I am the signor of that "Complaint" dated August 29, 1985 directed to Mr. Charles N. Steele, General Counsel, Federal Elections Commission, Washington, C.C. 20463, a copy of said complaint being attached hereto, and that the contents of the complaint are true to the best of my knowledge.

Joe Spenner

Subscribed and sworn to before me this 17th day of September, 1985.

Shirley L. Coltsko  
Notary Public for Oregon.  
My commission expires: 5-24-88

36040564390

Stayton, Oregon  
August 29, 1985

Mr. Charles N. Steele,  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

COPY

Dear Mr. Steele:

I wish to file a formal complaint concerning a violation of:  
ORS 267.615 SPECIAL PRIVILEGES BY PUBLIC UTILITY TO POLITICAL PATRONS  
PROHIBITED. Also miss use of public funds for campaign purposes.

I, Joe Spenner, a citizen and voter of the State of Oregon, allege that it was an unethical advantage, for Senator Mark O. Hatfield, to permit his name to be attached to the signs of the "Oregon State University Marine Science Center," at Newport Oregon, after he had filed for re-election.

It was unfair advantage, because no other candidate could have a major tax-financed institution named in their favor, with help of members of the State Board of Higher Education, members of the state system of higher education and behind-the-scenes professional developers.

I allege that Robert MacVicar, president of Oregon State University violated election principles and laws by condoning this one sided privilege.

I allege that LaVern Weber, Director of Marine Science Center also violated election principles and laws by condoning this one sided privilege.

Tax funds collected in the name of education, were grossly miss used when diverted to campaign signs for a congressional candidate, who is in position to pass out political favors in return.

My source of first information was in personally observing the signs at the "Center" had been changed, when I passed there, while I was at the coast at Newport on a fishing trip.

The main sign had a fresh, newly carved and painted message-title on the south side, while on the north side, the original older version was still intact. The changed side read: "MARK O. HATFIELD, MARINE SCIENCE CENTER, OREGON STATE UNIVERSITY."

After returning home, this sign-change bothered me so much I went back with my camera several weeks later and took the enclosed photos.

Still uneasy, I went to Oregon State University in Corvallis, Oregon where I ran into a blank wall of no one knowing anything about the sign, except that there was, a marine center at the coast. This really made me very curious!

Returning to Newport and the Center, I asked there for information about the signs being changed. Almost amusing, they didn't know very much except that they had been somehow changed. Why the political fog?

So, knowing it was apparently some sort of big political gimmick, I went to the local newspaper, "News-Times," hoping some sort of article had been written. The enclosed photocopy of an article and picture really answered most questions.

Why couldn't this same information have been pointed out by the many

36040564391

Page two. "Complaint concerning misuse of public funds for  
and by Mark O. Hatfield and others."

people asked weeks earlier? Why didn't even the State Library at Salem  
have the information?

Being an already over-taxed voter, fed up with political run around,  
I file this complaint against the following people:

Senator Mark O. Hatfield  
3051 N Street N.W.  
Washington, D.C.

Robert MacVicar, President  
Oregon State University  
Corvallis, OR 97331

LaVerne Weber, Director

Enclosures:

Pictures of signs.  
Photocopy of news items.  
Photocopy of page 167 of "Oregon Blue Book," 1981-1982.  
ORS267.615.

My address and telephone number are:

*Joe Spenner*  
Joe Spenner  
15016 Coon Hollow Rd SE  
Stayton, OR 97383

36040564392

RECEIVED AT THE FEC  
GCC# 2593  
85 SEP 20 P12:11  
M2088

Stayton, Oregon  
September 16, 1985

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General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

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5 SEP 20 P1:49

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DEPT. OF THE  
GENERAL COUNSEL

36040564393

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 )  
County of Marion ) ss.

September 17, 1985

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Joe Spenner

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Sandra L. Zoltsche  
Notary Public for Oregon.  
My commission expires: 5-24-88



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August 29, 1985

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General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

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*Joe Spenner*  
Joe Spenner  
15016 Coon Hollow Rd SE  
Stayton, OR 97383

36040564396

Joe Spenner  
15016 Coon Hollow Rd SE  
Stayton, OR 97383

**CERTIFIED**  
P 182 924 200  
**MAIL**



**RETURN RECEIPT  
REQUESTED**

Mr. Charles N. Steele  
General Counsel  
Federal Elections Commission  
Washington, D.C. 20463

05 SEP 20 11  
P12:11

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20543

36040564398

THIS IS THE BEGINNING OF MUR # 2088

Date Filmed 2/8/86 Camera No. --- 2

Cameraman AS