



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MJR # 2650

DATE FILMED 11-18-88 CAMERA NO. 3

CAMERAMAN PC.

R 3 0 4 0 7 2 2 7 5 2



Jeffords

Senate '88

It's a job you have to earn



RECEIVED
FEDERAL ELECTION COMMISSION

88 AUG 10 AM 10:49

BCC#65

August 5, 1988

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

88 AUG 10 AM 11:38
FEDERAL ELECTION COMMISSION
RECEIVED

RE: Matter Under Review 2650

Dear Mr. Noble:

This will respond to your letter of July 25, 1988 concerning the above-captioned matter which was received by me on July 28, 1988. For the reasons stated below, the Federal Election Commission should dismiss this politically inspired complaint.

The complaint itself presents no evidence of any illegal actions. It is impossible to respond to the allegations since, as you note in your letter to me, it fails to include a copy of the material the complainant alleges violated federal election laws. Without seeing the document that is the subject of this complaint, it is impossible to gauge the validity of the charge or whether the materials even require a disclaimer. This failure to include any evidence supporting the charge warrant dismissal of the complaint.

It is the policy of the Jeffords for Vermont Committee to comply with all aspects of the Federal Election Campaign Act, including placing the disclaimer required by 2 U.S.C. 441d on any and all materials that expressly advocate the election or defeat of a federal candidate or that solicit contributions.

Sincerely,

Tom Moore

88040722763

Jeffords
Senate '88
It's a job you have to earn

QCC# 137

RECEIVED
FEDERAL ELECTION COMMISSION

88 AUG 16 AM 8:35

August 5, 1988

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

RE: Matter Under Review 2650

Dear Mr. Noble:

This will respond to **your letter** of July 25, 1988 concerning the above-captioned matter which was received by me on July 28, 1988. For the reasons stated below, the Federal Election Commission should dismiss this politically inspired complaint.

The complaint itself presents no evidence of any illegal actions. It is impossible to respond specifically to allegations are impossible to respond to specifically since, as you note in your letter to me, it fails to include a copy of the material the complainant alleges violated federal election laws. Without seeing the document that is the subject of this complaint, it is impossible to gauge the validity of the charge or whether the materials even require a disclaimer. This failure to include any evidence supporting the charge warrant dismissal of the complaint.

It is the policy of the Jeffords for Vermont Committee to comply with all aspects of the Federal Election Campaign Act, including placing the disclaimer required by 2 U.S.C. 44ld on any and all materials that expressly advocate the election or defeat of a federal candidate or that solicit contributions.

Sincerely,



Susan Munn Boardman

RECEIVED
FEDERAL ELECTION COMMISSION
88 AUG 16 AM 9:19

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plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 25, 1988

John O. Ward
23 Second Street
Newport, VT 05855

RE: MUR 2650

Dear Mr. Ward:

This letter acknowledges receipt of your complaint, received on July 18, 1988, alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by Jeffords For Vermont and Michael G. Dain, Esquire, as treasurer, the Honorable James Jeffords, Ms. Susan Boardman, and Mr. Tom Moore. Your complaint referenced attached material, however, none was enclosed. Please forward a copy of the material to this Office as soon as possible. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 2650. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints. If you have any questions, please contact Rene Dixon, Ticket Chief, at (202) 375-3110.

Sincerely,

Lawrence N. Noodle
General Counsel

By: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

88040722755



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 25, 1988

The Honorable James Jeffords
2431 Rayburn House Office
Building
Washington, DC 20515-4501

RE: MUR 2650
Honorable James Jeffords

Dear Mr. Jeffords:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. The Complainant did not enclose a copy of the material in question. The Commission is attempting to obtain the material from the Complainant and will forward a copy to you upon its receipt. We have numbered this matter MUR 2650. Please refer to this number in all future correspondence.

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

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(10)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures

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

98040722767



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 25, 1988

Ms. Susan Boardman
2401 Rayburn House Office
Building
Washington, DC 20515-4501

RE: MUR 2650
Susan Boardman

Dear Mr. Boardman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. The Complainant did not enclose a copy of the material in question. The Commission is attempting to obtain the material from the Complainant and will forward a copy to you upon its receipt. We have numbered this matter MUR 2650. Please refer to this number in all future correspondence.

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

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

88040722758

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 25, 1988

Michael G. Cain, Esquire
Treasurer
Jeffords For Vermont
C-Box 1968
91 N. Winoski Avenue
Burlington, VT 05402

RE: MUR 2650
Jeffords For Vermont
and Michael G. Cain,
as treasurer

Dear Mr. Cain:

The Federal Election Commission received a complaint which alleges that Jeffords For Vermont and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. The Complainant did not enclose a copy of the material in question. The Commission is attempting to obtain the material from the Complainant and will forward a copy to you upon its receipt. We have numbered this matter MUR 2650. 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 and Jeffords For Vermont in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

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If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-5590. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures

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

88040722771



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 25, 1988

Mr. Tom Moore
c/o Jeffords For Vermont
P-Box 1988
91 N. Winslow Avenue
Burlington, VT 05402

RE: MUR 2650
Tom Moore

Dear Mr. Moore:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. The Complainant did not enclose a copy of the material in question. The Commission is attempting to obtain the material from the Complainant and will forward a copy to you upon its receipt. We have numbered this matter MUR 2650. Please refer to this number in all future correspondence.

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

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

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88 JUL 18 PM 12:01
Ward 2650

23 Second Street
Newport, VT 05855
July 14, 1988

RECEIVED
FEDERAL ELECTION COMMISSION
88 JUL 18 PM 4:26

General Counsel
Federal Election Commission
99 E. Street, NW
Washington, D.C. 20463

Dear Sirs:

This complaint is filed against Susan Boardman, Administrative Assistant to Representative James M. Jeffords; Tom Moore, Campaign Coordinator for Jeffords Senate '88; and Representative James M. Jeffords, a candidate for the U.S. Senate in Vermont.

This Complaint is filed in accordance with 2 USC 437g(a)(1), and is based on my personal knowledge.

1. Susan Boardman and Tom Moore attended the Vermont Republican Assembly annual convention on Saturday, July 9, 1988, representing the Senate Campaign of Representative James M. Jeffords.

2. As part of their advocacy of the election of James Jeffords, Susan Boardman and Tom Moore distributed material comparing Mr. Jeffords and his opponent, Mike Griffes. A copy of the material is attached.

3. This material failed to include a disclaimer as required by 2 USC 441d and 11 CFR 110.11, and did not include any information which gave notice of the identity of the persons who paid for the communications.

Sincerely,

John O. Ward

Subscribed and sworn before me on the 15th day of July, 1988.

Marjorie E. Manchester
Notary Public

My Commission expires 2/91.

6804072:773

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FEDERAL

80 SEP 19 11 10 AM '88

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR 2650
DATE COMPLAINT RECEIVED
BY OGC 7-18-88
DATE OF NOTIFICATION TO
RESPONDENTS 7-25-88
STAFF MEMBER C.L. Jacoby

COMPLAINANT: John O. Ward

RESPONDENTS: Jeffords for Vermont and Michael G. Cain, as
treasurer; Susan Boardman; Tom Moore; and
James M. Jeffords

RELEVANT STATUTE: 2 U.S.C. § 441d(a)
11 C.F.R. § 110.11(a)(1)

INTERNAL REPORTS CHECKED: Receipts and Disbursements Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On July 18, 1988, the Commission received a signed and sworn complaint from John O. Ward (the "Complainant") against Susan Boardman, Administrative Assistant to Representative James Jeffords; Tom Moore, Campaign Coordinator for Jeffords for Vermont; and Representative James M. Jeffords, a candidate for the U.S. Senate in Vermont (the "Respondents"). The Complainant alleged that Respondents' distribution of material, advocating the election of James Jeffords to the U.S. Senate, violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11 by failing to include a disclaimer and failing to identify the persons who paid for the communications. Complainant, however, did not enclose the material making out the alleged violation referenced in the complaint. This Office was unable to reach the Complainant by

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telephone and on July 25, 1988, requested by mail that the material in question be forwarded to this Office. No response has been received from the Complainant to date. The Commission has received responses from three of the Respondents, Representative James M. Jeffords, Tom Moore and Susan Boardman (Attachment 1).

II. FACTUAL AND LEGAL ANALYSIS

If a person finances communications which expressly advocate the election or defeat of a clearly identified candidate, those communications must clearly state the name of such person. In addition, it must be clearly disclosed whether the communication is authorized by the candidate or the candidate's committee, or is unauthorized. 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1).

According to the Complainant, Respondents violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11 by distributing material advocating the election of Senatorial candidate Jeffords that did not include the name of the person who paid for it, or information stating whether such communication was authorized by the candidate or the candidate's committee, or was unauthorized.

Who financed the communication, whether this communication expressly advocated the election or defeat of a candidate and whether it, in fact, included a disclaimer are all questions that are raised by the complaint. In light of the Complainant's omission of documents substantiating his allegations, however, this Office is unable to review and make recommendations on these factual and legal issues. Moreover, Respondents, Messrs. Moore

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Jeffords for Vermont and Michael G. Cain,)
as treasurer; Susan Boardman; Tom Moore;)
and James M. Jeffords)

MUR 2650

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 22, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2650:

1. Find no reason to believe that Jeffords for Vermont and Michael G. Cain, as treasurer, Susan Boardman, Tom Moore and Representative James M. Jeffords violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1).
2. Approve the letters, as recommended in the First General Counsel's report signed September 16, 1988.
3. Close the file.

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

Attest:

9-22-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Mon.,	9-19-88,	5:03
Circulated on 48 hour tally basis:	Tues.,	9-20-88,	11:00
Deadline for vote:	Thurs.,	9-21-88,	11:00

98040722776



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1988

Michael G. Cain, Treasurer
Jeffords for Vermont
C-Box 1988
91 N. Winoski Avenue
Burlington, VT 05402

RE: MUR 2650
Jeffords for Vermont
and Michael G. Cain,
as treasurer

Dear Mr. Cain:

On July 25, 1988, the Federal Election Commission notified Jeffords for Vermont ("the Committee") and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On September 22, 1988, the Commission found, on the basis of the information in the complaint, that there is no reason to believe that Jeffords for Vermont and you, as treasurer, violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

88040722777



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 27, 1988

Susan Boardman
2431 Rayburn House Office Building
Washington, D.C. 20515-4501

RE: MUR 2650
Susan Boardman

Dear Ms. Boardman:

On July 25, 1988, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On September 22, 1988, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe that you violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

88040722778

plus



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 27, 1988

The Honorable James Jeffords
2431 Rayburn House Office Building
Washington, D.C. 20515-4501

RE: MUR 2650
Honorable James Jeffords

Dear Mr. Jeffords:

On July 25, 1988, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On September 22, 1988, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe that you violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

93040722779

flm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1988

Tom Moore
c/o Jeffords for Vermont
C-Box 1988
91 N. Winoski Avenue
Burlington, VT 05402

RE: MUR 2650
Tom Moore

Dear Mr. Moore:

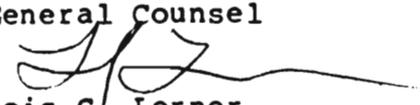
On July 25, 1988, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On September 22, 1988, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe that you violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2650

DATE FILMED 11-18-88 CAMERA NO. 3

CAMERAMAN pe

98040722781



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John O. Ward
23 Second Street
Newport, VT 05855

RE: MUR 2650

Dear Mr. Ward:

On September 22, 1988, the Federal Election Commission reviewed the allegations of your complaint dated July 14, 1988, and found that on the basis of the information provided in your complaint and information provided by Messrs. Moore and Jeffords and Ms. Boardman, there is no reason to believe Jeffords for Vermont and Michael G. Cain, as treasurer; Susan Boardman; Tom Moore; and Representative James M. Jeffords violated 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1). Accordingly, on September 22, 1988, the Commission closed the file in this matter. The Federal Election Campaign Act of 1971, as amended ("the Act") allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

89040722792

tdm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2650

DATE FILMED 11-18-58 CAMERA NO. 3

CAMERAMAN pe

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