



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3577

DATE FILMED 1-8-93 CAMERA NO. 4

CAMERAMAN SLB

93040925132



RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

AUG 11 12 57 PM '92

August 7, 1992

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

MUR 3577

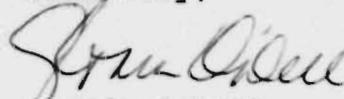
Counselor:

Please take immediate action on the enclosed complaint to the commission about the U.S. Senate campaign of Mr. Fred Phelps, Sr. of Topeka, Kansas. It is my belief, based on estimates of Mr. Phelps' campaign receipts and disbursements prepared for me, that Mr. Phelps has failed to file the required financial reports with the commission.

If further information or action is required before the commission can designate this complaint as a matter under review, please notify me immediately. If your office assigns this complaint an MUR number, please notify me as soon as possible.

Thank you for your assistance.

Sincerely,


Gloria O'Dell

92 AUG 11 PM 3:18

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL

P.O. BOX 2393 • TOPEKA, KS 66601 • 913-357-1777

 Contributions are not deductible for Federal Income Tax purposes.
Paid for by the Gloria O'Dell for U.S. Senate Committee.
Sally Thompson / Tom Docking, Honorary Co-Chairs
Fundraising phone number: 1-800-GLORIA3

93040925133

COMPLAINT

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

92 AUG 11 PM 3:19
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

I, Gloria Jean O'Dell of Silver Lake, Kansas, candidate for the U.S. Senate from the State of Kansas, having just won nomination for the office in the Democratic primary, do hereby file this formal complaint against my former opponent in the primary, Mr. Fred Phelps, Sr. of Topeka. I do hereby allege that Mr. Phelps spent and received more than \$5,000 in his campaign against me, yet failed to file a disclosure report of his contributions and expenses with the Federal Election Commission before the July 15, 1992 deadline.

Mr. Phelps has also failed to file a Public Financial Disclosure Report with the United States Senate, also a requirement of all U.S. Senate candidates who have spent and received more than \$5,000. Regulations require a timely filing within 30 days of becoming a candidate or by May 15, whichever is later. In no event, the regulations state, should a candidate fail to file less than 30 days prior to an election.

Our estimates clearly show Mr. Phelps has spent more than \$5,000 in his campaign. In fact, our estimates show Mr. Phelps had spent more than \$5,000 before July 15, 1992. (Please see attached estimates of expenditures, based on receipts and conservative value estimates of known activity.)

SIGNED AND SWORN TO BEFORE ME
THIS 7TH DAY OF AUGUST, 1992.

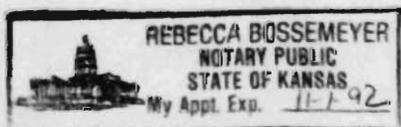
STATE OF KANSAS
COUNTY OF SHAWNEE

Gloria O'Dell

Gloria O'Dell

Rebecca Bossemeyer

Notary Public



RECEIVED

AUG 03 1992
RS
BILL GRAVES
SECRETARY OF STATE

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U.S. Senate - Receipts/Disbursements
 Fred Phelps, for 08/04/92 Primary
 06/10 thru 07/15/92

RECEIVED
 FEDERAL ELECTION COMMISSION
 OFFICE OF THE CLERK
 92 AUG 11 PM 3:19

| DATE: | ITEM: | MISC: | TV: | DIRECT MAIL: | PHONE/FAX: | SIGNS: | TOTALS: |
|--------|-----------------------|----------|--------|--------------|------------|--------|----------|
| 06/10 | Filing Fee | 1,295.00 | | | | | 1,295.00 |
| 06/10 | Loan (Self) | 1,295.00 | | | | | 1,295.00 |
| 07/14 | WIBW TV/Loan | 314.50 | 314.50 | | | | 629.00 |
| 07/07 | WIBW Prod./Loan | 120.00 | 120.00 | | | | 240.00 |
| 07/09- | KSNT TV/Loan | 85.00 | 85.00 | | | | 170.00 |
| 07/13 | | | | | | | 0.00 |
| 07/12- | KTCA TV/Loan | 140.25 | 140.25 | | | | 280.50 |
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| 06/29 | #1 Letter to 500 | 145.00 | | 145.00 | | | 290.00 |
| | Postage @ .29 ea/Loan | | | 145.00 | | | 145.00 |
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| 07/15 | | | | | | | 0.00 |
| 06/10- | Office Equip./Loan | 150.00 | | | | | 150.00 |
| 07/15 | | | | | | | 0.00 |
| 06/20 | Travel - Wichita | 44.50 | | | | | 44.50 |
| 06/20 | Travel - Wichita/Loan | 44.50 | | | | | 44.50 |
| 06/10- | Telephone Instl./Loan | 137.00 | | | 137.00 | | 274.00 |
| 07/15 | | | | | | | |

FINAL TOTAL EXPENDITURES: \$5,943.00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 13, 1992

Gloria O'Dell
P.O. Box 2393
Topeka, KS 66601

RE: MUR 3577

Dear Ms. O'Dell:

This letter acknowledges receipt on August 11, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Fred Phelps Sr. The respondent 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 3577. 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.

Sincerely,

A handwritten signature in cursive script, reading "Jonathan Bernstein".

Jonathan A. Bernstein
Assistant General Counsel

Enclosure
Procedures

93040925136



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 13, 1992

Fred Phelps Sr.
3701 West 12th Street
Topeka, KS 66604

RE: MUR 3577

Dear Mr. Phelps:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3577. 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.

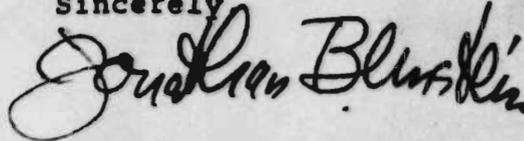
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed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

93040925137

Fred Phelps Sr.
Page 2

If you have any questions, please contact Richard Zanfardino, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely



Jonathan A. Bernstein
Assistant General Counsel

Enclosures

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

93040925138

FRED W. PHELPS

3701 W. 12TH - P. O. BOX 1886 - TOPEKA, KS. 66601

AUG 24 11 35 AM '92

913 273-0338

August 19, 1992

Mr. Richard Zanfardino
Federal Election Commission
999 "E" Street NW
Washington, D.C. 20463

Re: O'Dell vs. Phelps, MUR 3577

Dear Richard:

Thank you for your courteous assistance today, and I understand you require a preliminary letter response from me to the captioned complaint, so here goes:

We've been in rather continuous telephone touch with the FEC to be sure we did things right, speaking usually to Ms. Dorothy Hutchins (now, as of Aug. 1, Mrs. Dorothy Yaeger), and our understanding is that **ONLY** if by **July 15** we had received **OR** spent more than \$5,000 a report was due by **July 23**. (See, attached **FEC Report Notice and Instructions for Preparing FEC Form 2**.) If we are mistaken in this, we will certainly stand corrected and follow any directions you give us; otherwise we plan to file a report by Oct. 15, which we understand is the next date.

It appears Ms. O'Dell believes receipts **AND** expenditures must be added together to reach the \$5,000 trigger. She also has gone past the July 15 cutoff date on six items in her sheet of "estimates." Moreover, about half of her "estimates" are nonexistent items, including office space, office equipment, travel, and telephone.

Please let me know if we have done anything wrong and we will fix it; and if you need anything further in response to this complaint or in compliance with any law or rule, please advise. It is our intention to cooperate fully with the FEC. Your consideration is appreciated.

Sincerely,



Fred Phelps

92 AUG 25 AM 11:15

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

93040925139

PRIMARY ELECTION

REPORT NOTICE

FEDERAL ELECTION COMMISSION

KANSAS
Congressional Committees

June 29, 1992

FOR COMMITTEES INVOLVED IN THE PRIMARY (08/04):

| REPORT | REPORTING PERIOD | REG./CERT. MAILING DATE* | FILING DATE |
|-------------------|-----------------------|--------------------------------|----------------|
| Pre-Primary | 07/01/92 - 07/15/92** | 07/20/92 | 07/23/92 |
| 48 Hour Notices | ----See Below---- | | |
| October Quarterly | 07/16/92 - 09/30/92 | 10/15/92 | 10/15/92 |

WHO MUST FILE

Principal campaign committees of congressional candidates (including unopposed candidates) who seek nomination in the primary must file the above reports and notices. If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of July 16 through August 1. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

LABEL

Affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

COMPLIANCE

TREASURERS ARE RESPONSIBLE FOR FILING ALL REPORTS AND 48 HOUR NOTICES ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES USING NON-FEC FORMS FOR REPORTS OR FILING ILLEGIBLE REPORTS OR NOTICES WILL BE REQUIRED TO REFILE.

*Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

**The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

10:15A Tuesday
Aug. 11-92
talked to
Brenda
Whaler.

RECEIVED
FEDERAL ELECTION COMMISSION
92 AUG 11 AM 11:16

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INSTRUCTIONS FOR PREPARING FEC FORM 2

GENERAL

WHO MUST FILE FEC FORM 2

Each individual who is a candidate for Federal office must file FEC FORM 2 or a letter containing the same information within 15 days of becoming a candidate. An individual becomes a candidate for Federal office whenever any of the following events occur:

- 1) The individual has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000;
- 2) The individual has given his or her consent to another person to receive contributions or make expenditures on behalf of that individual and such person has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000;
- 3) The aggregate of contributions received in 1 and 2 above combined exceeds \$5,000 or the aggregate of expenditures made in 1 and 2 above combined exceeds \$5,000.

Funds received and payments made for the purpose of determining whether an individual should become a candidate are not considered "contributions" or "expenditures" which may trigger candidacy. Only funds permissible under the Act may be used for such activities. See 11 C.F.R. 100.7(b)(1) and 11 C.F.R. 100.8(b)(1) for further information.

WHEN TO FILE

FEC FORM 2 must be filed within 15 days after an individual becomes a candidate (i.e., exceeds the \$5,000 threshold as stated in 1, 2, and 3, above):

WHERE TO FILE (See also instructions for Line 7, below)

Candidates seeking nomination or election as a Representative in or Delegate or Resident Commissioner to the Congress of the United

States file with the Clerk of the House of Representatives, Office of Records and Registration, 1036 Longworth House Office Building, Washington, D.C. 20515-6612;

- Candidates seeking nomination or election to the United States Senate file with the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, D.C. 20510-7118;
- Candidates seeking nomination or election to the offices of the President or Vice President file with the Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463;
- All candidates must also file a copy of this statement with the Secretary of State (or appropriate State officer) in any State where the candidate seeks election or, in the case of Presidential candidates, where the candidate's committee makes expenditures.

CANDIDATE DUTIES AND RESPONSIBILITIES

The candidate is personally responsible for the timely and complete filing of this Statement and for the accuracy of any information contained in it.

Any candidate who receives a contribution, obtains a loan or makes a disbursement in connection with his or her campaign is considered to have received the contribution, obtained the loan or made the disbursement as an agent of his or her authorized committee(s).

When an individual becomes a candidate, all funds received, loans obtained or disbursements made prior to becoming a candidate in connection with his or her campaign are considered to have been received, obtained, or made as an agent of his or her authorized committee(s) and must be reported in the first report filed by the candidate's principal campaign committee.

LINE BY LINE INSTRUCTIONS

LINE 1 Print or type complete name and street address of the candidate.

LINE 2 Candidates who have never run before, who are running in a different district, or who are seeking a different Federal office should leave this blank. When their Statement has been received, they will be assigned an identification number. Candidates who are seeking reelection, and candidates who have terminated a previous candidacy but are now running again for the same seat, should use their original identification number.

LINES 3-5 Provide the requested information.

LINE 6 Each candidate for Federal office (other than a nominee for the office of Vice President) must designate in writing a political committee to serve as his or her principal campaign committee. The name of the principal campaign committee must include the name of the candidate. The principal campaign committee must file a Statement of Organization (FEC FORM 1) within 10 days of designation by the candidate and must file reports of receipts and disbursements. See instructions for FEC FORM 1 for further details. On Line 6, the candidate must indicate the year of the election and the full name and street address of the candidate's principal campaign committee. If the candidate is running in a Special Election, the candidate must note that the designation is for a Special Election under the "Year of Election." If the candidate also runs in the "Regular" November General Election or in the primary for the November General Election, the candidate must file an additional FEC FORM 2 and indicate the year of the election on the appropriate line. Any such candidate may designate the same principal campaign committee for the Special Election and Regular Primary and General Elections.

LINE 7 A candidate may designate additional political committees to accept contributions or make expenditures on behalf of the candidate, this includes joint fundraising representatives. The name of any committee authorized by a candidate must include the name of the candidate. For Line 7, the candidate must fill in the name and street address of any authorized committee(s). If necessary, additional sheets or FEC FORM 2's may be attached. The FEC FORM 2 for the authorized committee must be filed with the principal campaign committee. All authorized committees must file a Statement of Organization (FEC FORM 1) within 10 days of designation by the candidate. This Statement must be filed with the candidate's principal campaign committee. See instructions for FEC FORM 1 for further details. The principal campaign committee must file a copy of the Statement of Organization for the authorized committee with the appropriate office listed above, under "Where to File."

The Candidate must sign the Statement of Candidacy.

RECEIVED
F.E.C.
SECRETARIAT

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

92 NOV 19 PM 4:48

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

MUR: 3577
DATE COMPLAINT RECEIVED
BY OGC: August 11, 1992
DATE OF NOTIFICATION TO
RESPONDENT: August 13, 1992
STAFF MEMBERS: J. Bernstein
R. Zanfardino

COMPLAINANT: Gloria O'Dell

RESPONDENT: Fred Phelps, Sr.

RELEVANT STATUTE: 2 U.S.C. § 431(2)
2 U.S.C. § 432(e)(1)
2 U.S.C. § 434(a)(2)(A)(i)

INTERNAL REPORTS CHECKED: Disclosure reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was initiated by a complaint from Gloria O'Dell, the Democratic candidate for Senate in Kansas against her defeated primary opponent, Mr. Fred Phelps, Sr. Ms. O'Dell charges that Mr. Phelps failed to file a Pre-Primary Report of receipts and expenditures with the Clerk of the House of Representatives. This Office was in phone contact with Mr. Phelps on August 19, 1992, and received a written response on August 24, 1992. Attachment 1.

II. FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 431(2) defines a candidate as an individual who seeks nomination for election to Federal office. The statute further provides that an individual shall be deemed to seek nomination for election if such an individual has received

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contributions aggregating in excess of \$5,000 or has made expenditures aggregating in excess of \$5,000. If a person is defined as a candidate for purposes of this section then according to 2 U.S.C. § 432(e)(1), a candidate must designate a principal campaign committee and according to 2 U.S.C. § 434(a)(2)(A)(i), the treasurer of the candidate's principal campaign committee shall file a pre-election report, which shall be filed no later than the 12th day before any election in which such candidate is seeking election.

A review of the public record reveals that Mr. Phelps has filed several documents with the Commission. Mr. Phelps has filed statements of candidacy and organization, and his committee, Fred Phelps for U.S. Senate, filed a termination report for the period covering June 10, 1992 through August 4, 1992. Attachment 4. This one and only report covers campaign activity from the day Mr. Phelps paid the filing fee in Kansas on June 10 through the day of the primary, which Mr. Phelps lost. Upon reviewing the termination report, this Office has determined that Mr. Phelps' committee did not raise over \$5,000 until July 21, 1992, a week after the Pre-Primary coverage period had ended, and did not spend over \$5,000 until the day of the primary, August 4. Attachment 2. Because the threshold for filing a 12 day Pre-Primary report was not reached until after the report coverage dates, this Office concludes that the Fred Phelps for Senate committee was not required to file a Pre-Primary Report. The committee was required to file an October Quarterly report, which they have done.

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In the complaint, Ms. O'Dell provided an itemized estimate of Mr. Phelps' expenditures prior to the primary election. Attachment 3. Ms. O'Dell's estimate, however, includes a June 10, 1992 entry for a filing fee of \$1,295 and a second entry on the same day for a "Loan (self)" for the same amount. Indeed, throughout much of the entire estimate by Ms. O'Dell, expenditure amounts are doubled as the entries are typically counted both as an expenditure amount and as a "Loan." As an expenditure may not be counted twice, the estimate is excessively high.

In light of the above factors, and because the Respondent and his committee have filed the necessary reports for the primary election in Kansas, this Office recommends that the Commission find there is no reason to believe Fred Phelps, Sr. violated 2 U.S.C. §§ 432(e)(1) and 434(A)(2)(i).

III. RECOMMENDATIONS

1. Find no reason to believe that Fred Phelps, Sr. violated 2 U.S.C. § 432(e)(1).
2. Find no reason to believe that Fred Phelps, Sr. violated 2 U.S.C. § 434(a)(2)(A)(i).
3. Approve the appropriate letters.
4. Close the file.

Lawrence M. Noble
General Counsel

Date

Nov. 18, 1992

BY:


Lois G. Lerner
Associate General Counsel

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Attachments

1. Response of Fred Phelps, Sr.
2. Itemization of receipts and disbursements
3. Complainant estimate of Respondent expenses
4. Index of reports filed by Phelps Committee

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RECEIPTS

| NAME | DATE | AMOUNT |
|-----------------------------|-------------|-------------------|
| PHELPS, JONATHAN | 10-JUN-1992 | \$1,000.00 |
| PHELPS, FRED | 10-JUN-1992 | \$1,295.00 |
| PHELPS, FRED | 18-JUN-1992 | \$236.37 |
| PHELPS, FRED | 23-JUN-1992 | \$89.76 |
| PHELPS, FRED | 29-JUN-1992 | \$27.64 |
| PHELPS, FRED | 07-JUL-1992 | \$120.00 |
| PHELPS, FRED | 08-JUL-1992 | \$110.00 |
| CRAWFORD, CARSON | 10-JUL-1992 | \$200.00 |
| PHELPS, FRED | 10-JUL-1992 | \$85.00 |
| PHELPS, FRED | 13-JUL-1992 | \$749.96 |
| TOTAL AS OF JULY 15: | | \$3,913.73 |
| | | |
| PHELPS, FRED | 16-JUL-1992 | \$50.00 |
| PHELPS, FRED | 17-JUL-1992 | \$354.00 |
| PHELPS, FRED | 20-JUL-1992 | \$376.50 |
| PHELPS, FRED | 21-JUL-1992 | \$455.00 |
| PHELPS, FRED | 22-JUL-1992 | \$131.75 |
| PHELPS, FRED | 24-JUL-1992 | \$408.00 |
| PHELPS, FRED | 29-JUL-1992 | \$193.88 |
| GRAND TOTAL | | \$5,882.86 |

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DISBURSEMENTS

| <u>DATE</u> | <u>AMOUNT</u> |
|-----------------------------|-------------------|
| 10-JUN-1992 | \$1,295.00 |
| 18-JUN-1992 | \$236.37 |
| 23-JUN-1992 | \$89.76 |
| 29-JUN-1992 | \$27.64 |
| 07-JUL-1992 | \$120.00 |
| 08-JUL-1992 | \$90.00 |
| 08-JUL-1992 | \$110.00 |
| 10-JUL-1992 | \$85.00 |
| 13-JUL-1992 | \$55.25 |
| 13-JUL-1992 | \$120.00 |
| 13-JUL-1992 | \$260.21 |
| 13-JUL-1992 | \$314.50 |
| TOTAL AS OF JULY 15: | \$2,803.73 |
| 16-JUL-1992 | \$50.00 |
| 17-JUL-1992 | \$90.00 |
| 17-JUL-1992 | \$246.50 |
| 20-JUL-1992 | \$76.50 |
| 20-JUL-1992 | \$300.00 |
| 21-JUL-1992 | \$85.00 |
| 22-JUL-1992 | \$131.75 |
| 24-JUL-1992 | \$68.00 |
| 24-JUL-1992 | \$340.00 |
| 29-JUL-1992 | \$90.00 |
| 29-JUL-1992 | \$165.75 |
| 29-JUL-1992 | \$435.63 |
| 04-AUG-1992 | \$1,000.00 |
| GRAND TOTAL | \$5,882.86 |

23040925147

**U.S. Senate - Receipts/Disbursements
 Fred Phelps, for 08/04/92 Primary
 06/10 thru 07/15/92**

| DATE: | ITEM: | MISC: | TV: | DIRECT MAIL: | PHONE/FAX: | SIGNS: | TOTALS: |
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| | L.D. Faxes/Loan | 50.00 | | | 50.00 | | 100.00 |
| | Fax Machine/Loan | 80.00 | | | 80.00 | | 160.00 |
| | Poster Board/Loan | 25.00 | | | | 25.00 | 50.00 |
| | Stationary/Loan | 100.00 | | | | | 100.00 |
| 06/10- | Office Space/Loan | 250.00 | | | | | 250.00 |
| 07/15 | | | | | | | 0.00 |
| 06/10- | Office Equip./Loan | 150.00 | | | | | 150.00 |
| 07/15 | | | | | | | 0.00 |
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| 06/10- | Telephone Instl./Loan | 137.00 | | | 137.00 | | 274.00 |
| 07/15 | | | | | | | |

FINAL TOTAL EXPENDITURES: \$5,943.00

FEDERAL ELECTION COMMISSION
1991-1992

DATE 12NOV92

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

| CANDIDATE/COMMITTEE/DOCUMENT | OFFICE SOUGHT/ | PARTY | RECEIPTS | | DISBURSEMENTS | | COVERAGE DATES | # OF PAGES | MICROFILM LOCATION TYPE OF FILER |
|--|----------------|------------------|----------|---------|---------------|---------|------------------|---------------------|-------------------------------------|
| | | | PRIMARY | GENERAL | PRIMARY | GENERAL | | | |
| PHELPS, FRED M | SENATE | DEMOCRATIC PARTY | | | | | 1992 ELECTION | ID# S2K900030 | |
| 1. STATEMENT OF CANDIDATE | | | | | | | | | |
| 1992 STATEMENT OF CANDIDATE | | | | | | | 17AUG92 | | 3 92SEN/018/3122 |
| 2. PRINCIPAL CAMPAIGN COMMITTEE | | | | | | | | | |
| FRED PHELPS FOR U S SENATE | | | | | | | | ID #C00274696 HOUSE | |
| 1992 STATEMENT OF ORGANIZATION | | | | | | | 24AUG92 | | 3 92SEN/019/0494 |
| TERMINATION REPORT | | | 5,882 | | 5,882 | | 10JUN92 - 4AUG92 | | 9 92SEN/020/4252 |
| TOTAL | | | 5,882 | 0 | 5,882 | 0 | | | 12 TOTAL PAGES |
| 3. AUTHORIZED COMMITTEES | | | | | | | | | |
| 4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN | | | | | | | | | |

93040925149

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Fred Phelps, Sr.) MUR 3577

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 25, 1992, the Commission decided by a vote of 5-0 to take the following actions in MUR 3577:

1. Find no reason to believe that Fred Phelps, Sr. violated 2 U.S.C. § 432(e)(1).
2. Find no reason to believe that Fred Phelps, Sr. violated 2 U.S.C. § 434(a)(2)(A)(i).
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated November 18, 1992.
4. Close the file.

Commissioners Aikens, Elliott, McDonald, Potter, and Thomas voted affirmatively for the decision; Commissioner McGarry did not cast a vote.

Attest:

11-25-92
Date

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

Received in the Secretariat: Thurs., Nov. 19, 1992 4:48 p.m.
Circulated to the Commission: Fri., Nov. 20, 1992 12:00 p.m.
Deadline for vote: Wed., Nov. 25, 1992 4:00 p.m.

bjr

93040925150



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 11, 1992

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Gloria O'Dell
P.O. Box 2393
Topeka, KS 66601

RE: MUR 3577

Dear Ms. O'Dell:

On November 25, 1992, the Federal Election Commission reviewed the allegations of your complaint dated August 7, 1992, and found that on the basis of the information provided in your complaint, and information provided by Fred Phelps, there is no reason to believe Mr. Phelps violated 2 U.S.C. §§ 432(e)(1) and 434(a)(2)(A)(i). Accordingly, on November 25, 1992, 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

93040925151



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CLOSED

Fred Phelps
3701 W. 12th St.
Topeka, KS 66601

December 11, 1992

RE: MUR 3577

Dear Mr. Phelps:

On August 13, 1992, 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 November 25, 1992, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe you violated 2 U.S.C. §§ 432(e)(1) and 434(a)(2)(A)(i). Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
GC Report

93040925152



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE END OF MUR # 3577

DATE FILMED 1-8-93 CAMERA NO. 4

CAMERAMAN S.E.A.

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