



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3758

DATE FILMED 8-30-91 CAMERA NO. 2

CAMERAMAN JMN

24043563374

BOPP, COLESON & BOSTROM  
ATTORNEYS AT LAW

2 FOULKES SQUARE  
401 OHIO STREET  
P.O. BOX 8100

TERRE HAUTE, INDIANA 47808-8100

TELEPHONE  
812/232-2434  
FAX  
812/235-3685

JAMES BOPP, JR.  
RICHARD E. COLESON  
BARRY A. BOSTROM

March 12, 1993

Federal Election Commission  
999 E Street  
Washington, DC 20463

Re: Election Law Violation

Dear Madam/Sir:

I am the General Counsel of Indiana Citizens for Life, Inc. ("ICL"), a not-for-profit, public interest organization incorporated in Indiana, on whose behalf I file the following complaint.

Indiana Citizens for Life complains that Indiana Planned Parenthood Affiliates Association and Indiana Women's Political Network for Political Action have published the voter guide attached to the enclosed affidavit in violation of the Federal Election Act. Specifically,

1. The voter guide engages in express advocacy of clearly identified federal candidates,
2. The voter guide was sent by mail to a person who is not a member of either organization for purposes of the Federal Election Act, and
3. The voter guide does not contain the proper statement regarding funding and authorization for the voter guide.

The enclosed *Affidavit of Eva Boyd* sets forth the fact that she is not a member of either of the organizations publishing this voter guide. It is verified under procedures provided in both Indiana and federal law for making affidavits.

If you have further questions, please contact me.

Sincerely,

BOPP, COLESON & BOSTROM

  
Richard E. Coleson

Enclosures

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RECEIVED  
FEDERAL ELECTION COMMISSION

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BEFORE THE FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.  
1993

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF HAMILTON )

AFFIDAVIT OF EVA BOYD

Comes now your affiant, Eva Boyd, being first duly sworn upon her oath, and for her affidavit says:

1. I am a resident of Fortville, Indiana, Hamilton County, Indiana.
2. I am over the age of eighteen (18).
3. Shortly before the general election on November 3, 1992, I received a voter guide, a copy of which is attached as Exhibit A, which lists candidates for federal office.
4. The return address of this voter guide indicates the mailer to be Indiana Planned Parenthood Affiliates Association, 3209 North Meridian Street, Indianapolis, IN 46208, 317-926-4662.
5. By its own terms, the "Voting Guide is provided by Indiana Planned Parenthood Affiliates Association (IPPAA) and the Indiana Women's Political Network for Political Action (IWNPA)."
6. I am not, and never have been, a member of either of the organizations which provided this voter guide.

VERIFICATION

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE ABOVE STATEMENTS ARE TRUE.

Eva Boyd  
EVA BOYD

March 1, 1993  
DATE

24043563376



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 23, 1993

Richard E. Coleson  
Bopp, Coleson & Bostrom  
Attorneys At Law  
2 Foulkes Square  
401 Ohio Street  
P.O. Box 8100  
Terre Haute, IN 47808-8100

Dear Mr. Coleson:

This is to acknowledge receipt on March 18, 1993, of your letter dated March 12, 1993. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter did not contain a notarization on your signature and was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_." A statement by the notary that the complaint was sworn to and subscribed before him/her also will be sufficient. We are sorry for the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,

*Retha Dixon*  
Retha Dixon  
Docket Chief

Enclosure

cc: Indiana Planned Parenthood Affiliates Association  
Indiana Women's Political Network

24043563377

BOPP, COLESON & BOSTROM  
ATTORNEYS AT LAW

JAMES BOPP, JR.  
RICHARD E. COLESON  
BARRY A. BOSTROM

2 FOULKES SQUARE  
401 OHIO STREET  
P.O. BOX 8100  
TERRE HAUTE, INDIANA 47808-8100

TELEPHONE  
812/232-2434  
FAX  
812/235-3685

MUR 3756

93 APR - 1 PM 3:55

RECEIVED  
FEDERAL ELECTION COMMISSION

March 29, 1993

Ms. Retha Dixon  
Docket Chief  
Federal Election Commission  
999 E Street  
Washington, DC 20463

Re: Election Law Violation

Dear Ms. Dixon:

Enclosed please find a notarized letter of complaint in place of the prior one which I sent to you. This is in response to your letter of March 23, 1993.

Sincerely,

BOPP, COLESON & BOSTROM

  
Richard E. Coleson

Enclosure

PS., You should have the materials sent before on file. If not, please request.

24043563378

BOPP, COLESON & BOSTROM  
ATTORNEYS AT LAW

JAMES BOPP, JR.  
RICHARD E. COLESON  
BARRY A. BOSTROM

2 FOULKES SQUARE  
401 OHIO STREET  
P.O. BOX 8100  
TERRE HAUTE, INDIANA 47808-8100

TELEPHONE  
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MUR 3756

March 29, 1993

Federal Election Commission  
999 E Street  
Washington, DC 20463

Re: Election Law Violation

Dear Madam/Sir:

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Indiana Citizens for Life complains that Indiana Planned Parenthood Affiliates Association and Indiana Women's Political Network for Political Action have published the voter guide attached to the enclosed affidavit in violation of the Federal Election Act. Specifically,

1. The voter guide engages in express advocacy of clearly identified federal candidates,
2. The voter guide was sent by mail to Eva Boyd, a person who is not a member of either organization for purposes of the Federal Election Act, and
3. The voter guide does not contain the proper statement regarding funding and authorization for the voter guide.

The enclosed *Affidavit of Eva Boyd* sets forth the fact that she is not a member of either of the organizations publishing this voter guide. It is verified under procedures provided in both Indiana and federal law for making affidavits.

If you have further questions, please contact me.

Sincerely,

BOPP, COLESON & BOSTROM

  
Richard E. Coleson

Enclosure

24043563379

BEFORE THE FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.  
1993

STATE OF INDIANA     )  
                          ) SS:  
COUNTY OF HAMILTON )

**AFFIDAVIT OF EVA BOYD**

Comes now your affiant, Eva Boyd, being first duly sworn upon her oath, and for her affidavit says:

1. I am a resident of Fortville, Indiana, Hamilton County, Indiana.
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6. I am not, and never have been, a member of either of the organizations which provided this voter guide.

**VERIFICATION**

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE ABOVE STATEMENTS ARE TRUE.

Eva Boyd  
EVA BOYD

March 1, 1993  
DATE

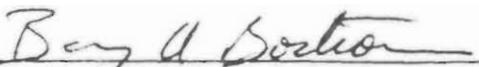
24043563360

Federal Election Commission  
March 29, 1993  
Page 2

STATE OF INDIANA )  
                          : SS  
COUNTY OF VIGO )

The foregoing statement was subscribed and sworn to before  
me this 29th day of March, 1993, by Richard E. Coleson.

My Commission Expires  
November 11, 1996

  
Printed: Barry A. Bostrom  
Notary Public  
Resident of Vigo County, Indiana

24043563381

## MAJOR PARTY CANDIDATE VOTING GUIDE - 1992

ELECTION DAY - NOVEMBER 3

The Indiana abortion law requires all abortions to be performed by a physician. There are no other restrictions on first trimester abortions. Second trimester abortions must be performed in a hospital or outpatient surgical center. Third trimester abortions may only be performed to save the life or health of the woman. Young women under the age of 18 must have the consent of one parent or guardian or a court waiver.

The criteria to determine Pro or Anti used in this Voting Guide is: **If a candidate will vote "NO" on any further restrictions on abortion -- including a 24 hour waiting period and "scripting" what physicians must tell their patients (the opposition calls this "informed consent") -- the candidate is PRO-CHOICE.** (These restrictions were defeated in the Indiana Senate in 1990 by one vote!) Intention to further restrict reproductive rights is Anti-Choice. An asterisk (\*) denotes incumbent and their position reflects legislative history. N/R = no response.

### FEDERAL

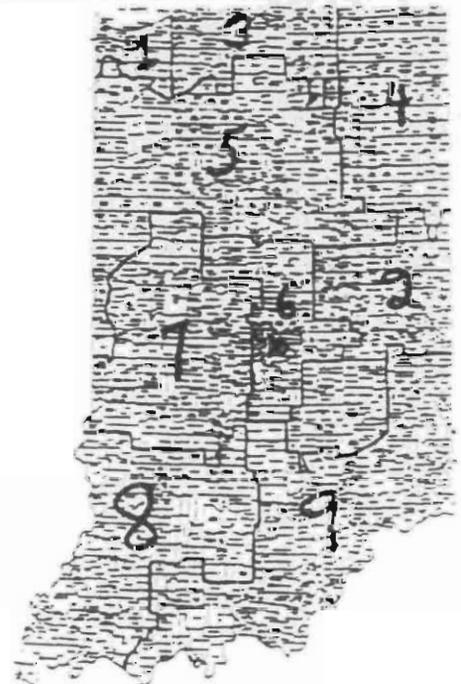
Pres/Vice Pres	Pro	Bill Clinton (D)	US Senate	Pro	Joseph H. Roggett (D)
	Anti	George Bush/Dan Quayle (R)*		Anti	Daniel R. Coats (R)*

### STATE GOVERNMENT

Governor/ Lt. Governor	Pro	Evan Bayh/ Frank O'Bannon (D)*	Aty Gen.	Pro	Pam Carter (D)	Supt of Public Instruction	Pro	Statt Jones (D)
	Anti	Linley E. Pearson/ Robert D. Green (R)		Anti	Timothy L. Sookwater (R)		Pro	Suellen Reed (R)

### US REPRESENTATIVE

Dist. 1	Pro	Peter J. Visclosky (D)* Merrillville	Dist. 6	Pro	Natalie M. Bruner (D) Indianapolis
	Anti	David J. Vucich (R) Highland		Anti	Dan Burton (R)* Indianapolis
Dist. 2	Pro	Philip R. Sharp (D)* Muncie	Dist. 7	Pro	Ellen E. Wedunt (D) West Lafayette
	Anti	William G. Frazier (R) Muncie		Anti	John T. Myers (R)* Covington
Dist. 3	Anti	Tim Roemer (D)* South Bend	Dist. 8	Pro	Frank McCloskey (D)* Smithville
	Anti	Carl H. Baxmeyer (R) South Bend		Anti	Richard E. Mourdock (R) Evansville
Dist. 4	Pro	Jill Long (D)* Lanell	Dist. 9	Pro	Lee H. Hamilton (D)* Nashville
	Anti	Charles "Chuck" Pierson (R) Howe		Anti	Michael E. Bailey (R) Lanesville
Dist. 5	Pro	James Jontz (D)* Monticello	Dist. 10	Anti	Andrew Jacobs, Jr. (D)* Indianapolis
	Anti	Steve Buyer (R) Monticello		Pro	Janos Horvath (R) Indianapolis



This Voting Guide is provided by Indiana Planned Parenthood Affiliates Association (IPPA) and the Indiana Women's Network for Political Action (IWNPA). For further information call IPPAA (317) 926-4662 or IWNPA (317) 262-8587.

24043563382

STATE SENATE CANDIDATES - 1992

Dist 2	Pro	Lonnie M. Randolph (D) East Chicago	Dist 16	Pro	Geoff Paddock (D) Fort Wayne	Dist 34	Pro	Billie J. Breusz (D)* Indianapolis
Dist 3	Pro	Earline S. Rogers (D)* Gary		Anti	John R. Sinks (R)* Fort Wayne		N/R	Ellen Strong (R) Indianapolis
Dist 5	Pro	William E. Alexa (D)* Valparaiso	Dist 18	Pro	Ken Kimpel (D) Peru	Dist 35	Pro	Ronald E. King (D) Indianapolis
	Anti	Michael J. Aylesworth (R) Hebron		Pro	Thomas Weatherwax (R)* Logansport		Pro	Morris H. Mills (R)* Indianapolis
Dist 7	Pro	Katie L. Wolf (D)* Monticello	Dist 20	Pro	Tony Maidenberry (D)* Marion	Dist 36	Pro	Uda Thompson (D) Greenwood
	Anti	Alan R. Kemper (R) Lafayette		Pro	Luke Kenley (R) Noblesville		Pro	Lawrence M. Borst (R)* Indianapolis
Dist 8	Pro	Anita Bowser (D)* Michigan City	Dist 24	Anti	Richard A. Thompson (R)* North Salem	Dist 37	Pro	Becky Bueh (D) Terre Haute
	Pro	Michael Zucker (R) New Canaan	Dist 28	Pro	William R. Hunter (D) Knightstown		Anti	Richard Bray (R) Marionville
Dist 9	Pro	Betty N. Lawson (D)* South Bend		Pro	Beverly J. Gard (R)* Greenfield	Dist 40	Pro	Vi Simpson (D)* Bloomington
	Anti	Ken Adams (R) Bremen	Dist 30	Anti	Michael J. Forestal (D) Indianapolis		Anti	Thomas S. Gray (R) Ellettsville
Dist 10	Pro	Douglas A. Hunt (D)* South Bend		Pro	Teresa S. Lubbers (R) Indianapolis	Dist 42	Anti	M. Iene Bailey (D) Morrison
	Anti	Thomas A. Hostetler (R) Mishawaka	Dist 32	Pro	Kenneth C. Kam (D) Indianapolis		Anti	Jean A. Leising (R)* Columbus
Dist 12	Anti	Marvin D. Riegsecker (R)* Goshen		Anti	Patricia L. Miller (R)* Indianapolis	Dist 44	Pro	Jeffrey J. Lorenzo (D) Seymour
Dist 13	Anti	John C. Mason (D) Syracuse	Dist 33	Pro	Glenn J. Howard (D) Indianapolis		Anti	Becky Skillman (R) Bedford
	Anti	Robert L. Meeks (R)* LaGrange		Pro	Paul Sanders (R) Indianapolis	Dist 50	Anti	Terry A. White (D) Newburgh
							Pro	Gregory D. Server (R)* Evansville

STATE HOUSE OF REPRESENTATIVES CANDIDATES - 1992

Dist 1	Pro	Ron Tabaczynski (D) Hammond	Dist 9	Pro	Thomas J. Alevisos (D) Michigan City	Dist 17	Anti	Gary L. Cook (D)* Plymouth
	Pro	William Arthur Miller (R) Hammond		Pro	Mary L. Lombard (R) Michigan City		Anti	Everett D. Colvik (R) Plymouth
Dist 2	Pro	Earl L. Harris (D)* East Chicago	Dist 10	Anti	Esther Wilson (D)* Portage	Dist 18	Anti	David Watkins (R)* Winona Lake
Dist 3	Pro	Charlie Brown (D)* Gary		Pro	Nancy M. Kickbush (R) Valparaiso	Dist 19	Pro	Ralph Schrepper (D) Crown Point
	Pro	Carl G. Konofsky (R) Porter	Dist 11	Anti	John S. Matonovich (D)* Hammond		Anti	James C. Conlon (R)* Crown Point
Dist 4	Anti	Ralph Donald Ayres (R)* Chesterton		N/R	Eli Ketch (R) Hammond	Dist 20	Pro	Ira Mills (D) LaPorte
Dist 5	Pro	Craig R. Fry (D)* Mishawaka	Dist 12	Anti	Jesse M. Villalpanco (D)* Griffith		Pro	Mary Kay Budek (R)* LaPorte
	Anti	R. Neal Stanfield (R) Mishawaka	Dist 13	Anti	Chester F. Dobb (D)* Merrillville	Dist 21	Anti	Richard W. Mengus (R)* Lakeville
Dist 6	Anti	B. Patrick Bauer (D)* South Bend		Pro	Eric K. Allen (R) Hobart	Dist 22	Anti	William J. "Bill" Ruppel (R)* North Manchester
	Pro	William A. Soderberg (R) South Bend	Dist 14	Pro	Vernon G. Smith (D)* Gary	Dist 23	Anti	Howard Shropshire (D) Peru
Dist 7	Anti	Thomas S. Kromkowski (D)* South Bend	Dist 15	Anti	Charles Savage (D) Munster		Anti	William C. Friend (R) Macy
	Pro	Margaret A. Wickizer (R) South Bend		Anti	Timothy Fesko (R)* Munster	Dist 24	Anti	John R. Davis (D) Logansport
Dist 8	Anti	Michael A. Dvorak (D)* Granger	Dist 16	Pro	Scott N. Paul (D) Rensselaer		Anti	Ralph R. Anderson (R) Logansport
	Anti	Rose Gordon (R) Granger		Anti	Walter Roorda (R)* DeMotte			

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Dist 25	Anti	Claire Leuck (D)* Fowler	Dist 43	Pro	R. Jerome Keerna (D)* Terre Haute	Dist 62	Anti	Jerry L. Denbo (D)* French Lick
	Pro	Ralph Stroup (R) Monticello		Anti	Mark May (R)		Anti	Douglas R. Martin (R) Bedford
Dist 26	Pro	Sharon Wood (D) West Lafayette	Dist 44	Pro	Susan Crosby (D)* Roachdale	Dist 63	Anti	Donald E. Hume (D)* Winslow
	Pro	Sue W. Scholer (R)* West Lafayette		Anti	Sharon Koehler (R) Brazil	Dist 64	Pro	Richard L. McConnell (D)* Princeton
Dist 27	Pro	Sheila Klinker (D)* Lafayette	Dist 45	Anti	John R. Gregg (D)* Sandborn		Anti	Robert Dale Krieg (R) Princeton
	Pro	Linda Phillips (R) Lafayette	Dist 46	Pro	Vern Tincher (D)* Terre Haute	Dist 65	Pro	Linda Kay Henderson (D) Bedford
Dist 28	Pro	James L. Davis (R)* Frankfort	Dist 47	Pro	Jeffrey D. Marx (D) Greenwood		Pro	Ralph E. Anderson (R) Bedford
Dist 29	Pro	Kathy K. Richardson (R) Noblesville		Anti	Ralph M. Foley (R) Martinsville	Dist 66	Anti	William W. Bailey (D)* Seymour
Dist 30	Anti	Eane Howard (D)* Kokomo	Dist 48	Pro	Doloris C. Cogan (D) Elkhart		Anti	Dianne J. Cartmel (R) Seymour
	Pro	M. Tracy Boatwright (D)* Marion		Anti	Dean R. Mock (R)* Elkhart	Dist 67	Anti	Edward Goble (D)* Batesville
	Anti	Dean A. Young (R) Hartford City	Dist 49	Pro	Joseph C. Lehman (D) Goshen		Pro	Yvonne M. Geis (R) Greensburg
Dist 32	Pro	Richard "Pete" Beck (D)* Marion		Anti	Philip T. Warner (R)* Goshen	Dist 68	Anti	Robert J. Bischoff (D)* Lawrenceburg
	N/R	Thomas Jackson (R) Fairmount	Dist 50	Anti	Joseph R. Zickgraf (D) Columbia City	Dist 69	Pro	Mark L. Lytle (D) Madison
Dist 33	Pro	Ronald D. Liggett (D) Redkey		Anti	Dan R. Stephan (R)* Huntington		Anti	Barbara A. Cooke (R) Madison
	Anti	Gregory R. Beumer (R) Modoc	Dist 51	Pro	Janet L. Goen (D) Auburn	Dist 70	Anti	Paul J. Robertson (D)* Depauw
Dist 34	Pro	Billy R. Linville (D) Muncie		Anti	Dennis K. Kruse (R)* Auburn	Dist 71	Anti	James L. Bottoni (D)* Jeffersonville
	Anti	Fredrick W. Wenger (R) Muncie	Dist 52	Pro	W. Dale Sturtz (D) LaGrange	Dist 72	Pro	William C. Cochran (D)* New Albany
Dist 35	Pro	Patricia Eddy (D)* Muncie		Anti	Lester E. "Les" Alligood (R) Rome City		Anti	Harry Calvin Anson (R) Floyds Knobs
	Anti	Bruce N. Munson (R) Muncie	Dist 53	Pro	Sarah Margaret Wolf (D)* Greenfield	Dist 73	Anti	Dennis H. Heeke (D)* Dubois
Dist 36	Pro	Skip J. Waymire (D) Anderson		Pro	Nick Gulling (R) Greenfield	Dist 74	Anti	Michael K. Phillips (D)* Boonville
	Anti	L. Jack Lutz (R)* Anderson	Dist 54	Pro	Douglas M. Kinzer (D)* New Castle	Dist 75	Pro	Dennis T. Avery (D)* Evansville
Dist 37	Pro	Rolland Webber (D)* Anderson		Anti	Nathan S. "Nate" LaMar, III (R) Hagerstown		Anti	Robert Ruston Reisz (R) Evansville
	Anti	Dale Hersberger (R) Anderson	Dist 55	Anti	David L. Nicholson (D) Boston	Dist 76	Anti	Lary Lutz (D)* Evansville
Dist 38	Anti	Richard L. Schenck (D) Carmel		Anti	Stephen A. Robbins (R)* Connersville		Anti	Raymond G. Andrews (R) Cynthiana
	Pro	Brad Bayliff (R)* Kokomo	Dist 56	Pro	Richard W. Bodiker (D)* Richmond	Dist 77	Pro	J. Jeff Hays (D)* Evansville
Dist 39	Pro	Katherine Willing (R)* Lebanon	Dist 57	Pro	Jeffrey M. Linder (R)* Waldron		Anti	Byron D. Warren (R) Evansville
Dist 40	Anti	Carl Phillip Barning, Jr. (D) Danville	Dist 58	Anti	Woody Burton (R)* Greeneood	Dist 78	Anti	Leroy D. Mentzel (D) Evansville
	Anti	Sam Turpin (R)* Brownsburg	Dist 59	Pro	Bob Hayes (D)* Columbus		Pro	Vaneta G. Becker (R)* Evansville
Dist 41	Pro	Donna Jean McClure (D) Lafayette		Anti	A. Jack Heaton (R) Columbus	Dist 79	N/R	Bobby Heller (D) Decatur
	Anti	Dan L. Pool (R)* Crawfordsville	Dist 60	Pro	Jerry F. Bales (R)* Bloomington		Pro	Barbara L. Engle (R)* Decatur
Dist 42	Pro	F. Dale Grubb (D)* Covington	Dist 61	Pro	Mark Krusan (D)* Bloomington	Dist 80	Pro	Ben GiaQuinta (D)* Ft. Wayne
							Anti	John J. Becker (R) Ft. Wayne

Dist 81 Pro Winfield C. Moses, Jr. (D)\*  
Ft. Wayne  
Anti Donald L. Edgar (R)  
Ft. Wayne

Dist 82 Anti Jeffrey Keller Espich (R)\*  
Uniondale

Dist 83 Anti Robert K. Alderman (R)\*  
Ft. Wayne

Dist 84 Anti Giona J. Goeglein (R)\*  
Ft. Wayne

Dist 85 Pro Phyllis J. Pond (R)\*  
New Haven

Dist 86 Pro Heidi L. Moegerle (D)  
Indianapolis  
Pro John S. Keeler (R)\*  
Indianapolis

Dist 87 Pro Jeffrey Ryan (D)  
Indianapolis  
Pro Paul S. Mannweiler (R)\*  
Indianapolis

Dist 88 Pro Thomas G. Burns (D)  
Indianapolis  
Anti Brian C. Bosma (R)\*  
Indianapolis

Dist 89 Pro James Fuller (D)  
Indianapolis  
Anti Jack L. Cottey (R)\*  
Indianapolis

Dist 90 Pro Harold Coleman Wagon, Jr. (D)  
Indianapolis  
Anti George E. Schmid (R)\*  
Indianapolis

Dist 91 Pro James Johnson (D)  
Indianapolis  
Anti Robert W. Behning (R)  
Indianapolis

Dist 92 Pro Steven W. Jacobson (D)  
Indianapolis  
Anti R. Michael Young (R)\*  
Indianapolis

Dist 93 Anti Forest Handlon, Jr. (D)  
Indianapolis  
Anti David Nason Fritzell (R)  
Indianapolis

Dist 94 Pro David Bromm (D)  
Indianapolis  
Anti Joyce Benkman (R)\*  
Indianapolis

Dist 95 Pro Mae Dickson (D)  
Indianapolis  
NR Jay Linn (R)  
Indianapolis

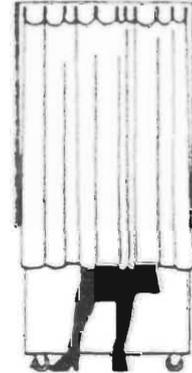
Dist 96 Pro Gregory W. Porter (D)  
Indianapolis  
Pro James R. Blankenbaker (R)  
Indianapolis

Dist 97 Pro Paul F. Centwell (D)  
Indianapolis  
Pro Irene M. Hefley (R)  
Indianapolis

Dist 98 Pro William A. Crawford (D)\*  
Indianapolis  
Anti Britt Ursery (R)  
Indianapolis

Dist 99 Pro Vanessa Summers Barnes (D)\*  
Indianapolis  
Anti Manuel L. Halbert (R)  
Indianapolis

Dist 100 Pro John J. Day (D)\*  
Indianapolis  
Anti Kenneth Charles Neims (R)  
Indianapolis



ELECTION DAY

NOVEMBER 3, 1992

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Indiana Planned Parenthood Affiliates Association  
3209 North Meridian Street  
Indianapolis, IN 46208  
317-325-4662

Non-Profit  
U.S. Postage  
PAID  
Indianapolis, IN  
Permit No. 9588

0001486

Ms. Eva Boyd  
215 Rosanna, East Drive  
Fortville IN

46040

PRO-CHOICE

VOTE PRO-CHOICE

VOTE PRO-CHOICE

VOTE PRO-CHOICE



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APRIL 6, 1993

Richard E. Coleson, Esquire  
Bopp, Coleson & Bostrom  
2 Foulkes Square  
401 Ohio Street  
P.O. Box 1800  
Terra Haute, Indiana 47808-8100

RE: MUR 3756

Dear Mr. Coleson:

This letter acknowledges receipt on April 1, 1993, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Indiana Planned Parenthood Affiliates Association, and Indiana Women's Network for Political Action. 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 3756. 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,

*Abigail A. Shaine*  
Abigail A. Shaine  
Assistant General Counsel

Enclosure  
Procedures

24043563366



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

APRIL 6, 1993

Indiana Planned Parenthood  
Affiliates Association  
209 North Meridian Street  
Indianapolis, IN 46208

RE: MUR 3756

Dear Sir/Madam:

The Federal Election Commission received a complaint which indicates that the Indiana Planned Parenthood Affiliates Association ("IPPAA") 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 3756. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the IPPAA 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 11 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.

94043563387

Indiana Planned Parenthood  
Affiliates Association  
Page 2

If you have any questions, please contact Jeffrey Long, 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,



Abigail A. Shaine  
Assistant General Counsel

Enclosures

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

24043563388



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

APRIL 6, 1993

Nancy Chesterman Smith  
Indiana Women's Network for  
Political Action  
47 S. Meridian  
#202B  
Indianapolis, IN 46204

RE: MUR 3756

Dear Ms. Smith:

The Federal Election Commission received a complaint which indicates that the Indiana Women's Network for Political Action ("IWNPA") 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 3756. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the IWNPA 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.

24043563389

Nancy Chesterman Smith  
Indiana Women's Network for  
Political Action  
Page 2

If you have any questions, please contact Jeffrey Long, 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,



Abigail A. Shaine  
Assistant General Counsel

Enclosures

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

24043563390

LAW OFFICES  
**HYATT & ROSENBAUM**

A Professional Association  
1901 Broad Ripple Avenue  
Indianapolis, Indiana 46220-2327  
(317) 259-6600

APR 30 9 49 AM '93

Stephen J. Hyatt

William T. Rosenbaum

April 27, 1993

Mr. Jeffrey Long  
FEDERAL ELECTION COMMISSION  
Washington, D.C. 20463

Re: Complaint against Indiana Planned Parenthood Affiliate  
Association, Inc., Case No. MUR 3756

Dear Mr. Long:

It is my understanding, from our conversation of April 14, 1993, that our response was due by April 28, 1993 but that an extension would be granted if we requested it prior to the deadline. I have run into a combination of circumstances which causes me to request an additional week in order to complete and file our response to this complaint.

One of the difficulties has been "getting up to speed" regarding Federal Election law and requirements. I have not previously had any experience in this area and I have had to acquire some background information before I could begin focusing on the specific issues involved in this complaint. This has, in addition, caught me at a particularly busy time. I have a half-day continuing education seminar to present this coming Thursday and I have had to devote a substantial amount of time to preparing this presentation, in addition to the other deadlines and requirements of my practice.

I am, therefore, respectfully requesting an extension of the deadline for filing a response to this complaint to and including May 5, 1993, which would constitute a one week extension. Our response will directly address the issues and claims presented in this complaint.

I appreciate your assistance and cooperation in this matter.

Very truly yours,



William T. Rosenbaum

WTR/klc

94043563391

93 APR 30 PM 3:47

RECEIVED  
FEDERAL ELECTION COMMISSION

STATEMENT OF DESIGNATION OF COUNSEL

NR 3756

NAME OF COUNSEL: William T. Rosenbaum

ADDRESS: 1901 Broad Ripple Avenue  
Indianapolis, IN 46220

TELEPHONE: ( 317 ) 259-6600

The above-named individual is hereby designated as my  
counsel and is authorized to receive any notifications and other  
communications from the Commission and to act on my behalf  
before the Commission.

4/13/93  
Date

*William T. Rosenbaum*  
Signature

RESPONDENT'S NAME: Indiana Planned Parenthood Affiliates Association, Inc.

ADDRESS: 3709 N. Meridian Street  
Indianapolis, IN 46208

TELEPHONE: HOME ( )

BUSINESS ( 317 ) 926-4662

24043563392



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

APRIL 30, 1993

William T. Rosenbaum, Esquire  
Hyatt & Rosenbaum  
1901 Broad Ripple Avenue  
Indianapolis, Indiana 46220-2327

RE: MUR 3756

Dear Mr. Rosenbaum:

This is in response to your letter dated April 27, 1993, which we received on April 27, 1993, requesting an extension of seven (7) days until May 5, 1993 to respond to our notification letter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on May 5, 1993.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffery Long".

Jeffery Long  
Paralegal

24043563393

# Indiana Women's Network for Political Action

93 MAY -4 PM 10:30



## Charter Members

### Board of Directors

- Nancy Chesterman Smith  
*Co-Chair-R*
- Barbara E. Stokely  
*Co-Chair-D*
- Elizabeth A. Howard  
*Secretary*
- Cynthia Lyons  
*Treasurer*
- Dinah Farrington
- Sheila S. Kennedy
- Rita Naremore
- JoAnn Lucas
- Jan B. Rubin
- Charlotte T. Zietlow

- Anonymous (6)
- Sandra Andersen
- Trish H. Arredondo
- Sarah Barney
- Elaine Kops-Bedel CFP
- Lois Bennett
- Maxine Bennett
- Martha Berman
- Jean S. Blackwell
- Peggy Boehm
- Eleanor F. Bookwalter
- Marilyn M. Bowie
- Anita Bowser
- Judy Braman
- Diane Brashear Ph.D.
- Kathryn Brillhart
- Susan Leitz Cahn
- Linda W. Charbonneau
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- Michelle Cloud
- Sally A. Cook
- Carolyn L. Cooke
- Carolyn C. Coukos
- Mary Crean
- Susan Crosby
- Christel DeHaan
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- Claudette Einhorn
- Sonja Eiteljorg MD
- Janet S. Ellis
- Joanne Engleberg
- Mary Ann Frenzel
- Deborah Chernin Galvin
- Joyce Gellenbeck
- Marcia Goldstone Ph.D.
- Polly Grimshaw
- Cris Halter
- Jean Ann Harcourt
- Norma Harcourt
- Elizabeth E. Hartley
- Robertta Jaffe
- Frances B. Julian
- Linda A. Kirk
- Alison V. Kothe
- Elizabeth Kraft
- Janice E. Kreuscher
- Shirley Marco Kulwin
- Julia L. Lacy

April 26, 1993

Abigail A. Shaine, Assistant General Counsel  
Federal Election Commission  
Washington D.C. 20463

Re: MUR 3756

Dear Ms. Shaine:

The Indiana Women's Network for Political Action ("IWNPA") submits to you the following information which will clearly establish that IWNPA has not violated the Federal Election Campaign Act of 1971, as amended.

The IWNPA is constituted as an Indiana Political Action Committee. The IWNPA is in compliance with all statutes, rules, and reporting requirements of the state of Indiana regarding Political Action Committees. The IWNPA is also an Indiana Not-for-Profit Corporation. The IWNPA is not a federal Political Action Committee, nor is it classified by the Internal Revenue Service as a 501-c-3 or 501-c-4 organization.

The IWNPA was formed in 1989 for the purpose of recruiting and supporting candidates for the Indiana General Assembly. In determining the positions on reproductive choice of state legislative candidates for the 1992 general election, the IWNPA gathered information which was shared with Indiana Planned Parenthood Affiliates Association, Inc. ("IPPAA"), for use in publishing IPPAA's voter guide. IWNPA did not contribute financially to this publication, nor did IWNPA edit, print, or mail this publication. The information provided by IWNPA was gathered by a committee of volunteer members.

IPPAA generously credited IWNPA in the voter guide for having contributed information for the publication of the voter guide.

- Miriam Z. Langsam Ph.D.
- Lisa McKee Lanham
- Audrey M. Larman
- Joan Laskowski
- Carolyn Leeds
- Diana C. Leslie
- Diana B. Leve
- Cynthia Levin
- Margaret Waldo Lewis
- Joan Lipsitz
- Louise Litwack
- Katherine Look MD
- Janett B. Lowes
- Sylvia A. Manalis MD
- Gigi M. Marks
- Mary Y. Marsh
- Joy S. Masterson
- Janie Maurer
- Barbara Maves
- Joan McNagny
- Sharon Merriman
- Katharine O. Michael
- Kathryn Ann Minx
- Ina M. Mohlman
- Lila Hunter Morris
- Carol R. Nicholas
- Jane Paine
- Linda L. Pence
- Mary Beth Ramey
- Carolyn G. Roberson
- Jill C. Rose
- Molly P. Rucker
- Betsy Russ
- Dorothy Saltzman
- Jane Schlegel
- Alice Schloss
- Marilyn F. Schultz
- Helen Schwartz
- Marguerite K. Shepard MD
- Diane Meyer Simon
- Judith H. Singleton
- Lynda A. Smirz MD
- Shirley A. Smith
- Fran Snygg
- Ann M. Stack
- Pamela Steele
- Carole Stein
- Jane Sweet
- M. Bernadine Tabler
- Carole Tavel
- Diane W. Van Ness
- Elizabeth B. VanTassel
- Betty Watson
- Barbara Weinbaum Ph.D.
- Anty Karatz Weisz
- Betty B. Williams
- D. Susan Wisely
- Grace M. Worley CFP
- Sally Zweig

p.2 IWNPA MUR 3756

Ms. Eva Boyd, who charges us with sending her unsolicited mailings, has never been a member of the IWNPA, and has never received mailings from the IWNPA. We have carefully reviewed our member and prospective member lists, and Eva Boyd's name does not appear on any of them.

We hope that the above information gives adequate evidence that the IWNPA has not violated any provisions of the Federal Election Campaign Act, as was so charged in complaint number MUR 3756. If you need further information, do not hesitate to contact us.

Yours truly,

*Nancy Chesterman Smith*

Nancy Chesterman Smith  
Co-Chair-Republican

*Barbara Stokely*

Barbara Stokely  
Co-Chair-Democrat

enclosures:

brochure describing operations of IWNPA  
letter from Indiana State Election Board

24043563395



# STATE OF INDIANA

EVAN BAYH, GOVERNOR

STATE ELECTION BOARD

E032, INDIANA GOVERNMENT CENTER SOUTH  
302 WEST WASHINGTON STREET  
INDIANAPOLIS, IN 46204-2738

April 19, 1993

Nancy Chesterman Smith  
47 South Meridian St., #202B  
Indianapolis, Indiana 46204

Dear Ms. Smith:

In response to your request of April 17, 1993, Indiana Women's Network for Political Action Committee, file number 99-3307, has registered with our office. This registration allows your PAC to collect and expend political contributions in the state of Indiana.

If you have any questions, please call me at 317-232-3940.

Sincerely,

Patty Broderick  
Director of Campaign Finance

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# Indiana Women's Network for Political Action

*A Political Action Committee that supports candidates running for the Indiana General Assembly who will maintain the current Indiana Abortion law.*

The IWNPA supports candidates in the following ways:

- Through Candidate Endorsement
- Through Funding of Designated Campaign Activities
- Through In-Kind Services or Donations
- By Assigning a Legislative Committee Member to a Particular Campaign

## The Current Indiana law:

*Prior to receiving an abortion, a woman must give her "informed consent" by signing the consent form which explains the procedure as well as possible risks and complications.*

• *First Trimester: The decision to terminate is between a woman and her physician.*

• *Second Trimester: The abortion must be performed in a hospital or licensed outpatient surgical center.*

• *Third Trimester: The abortion can only be provided to prevent substantial impairment of the life or physical health of the pregnant woman. A second physician must be present to care for an infant born alive.*

*All abortions in Indiana must be performed by a licensed physician.*

*Unless her life is in immediate danger, the abortion patient must give her written informed consent.*

*Minors must have written consent of one parent or guardian or obtain a court waiver.*

Appeals for candidate support should be made in writing and addressed to the attention of the IWNPA Legislative Committee, in care of the IWNPA office, 47 S. Meridian St., #202B, Indianapolis, IN 46204.

The Co-Chairs of the Legislative Committee function as the convenors of the Committee, accordingly, they will contact individuals for a personal interview with the Legislative Committee.

All information provided to the Legislative Committee by a candidate is confidential and stays within the Committee. Candidates will be informed of the decision of the Committee only by the Committee Co-Chairs or their designee.

For further information regarding candidate support call 262-8587.

## IWNPA Charter Members

Anonymous (3)  
 Sandra Anderson  
 Trish H. Azubondo  
 Sarah Barney\*  
 Elaine Kaps-Bodil CFP  
 Lois Bennett  
 Marlene Bennett  
 Martha Bowman  
 Jean S. Blackwell  
 Peggy Boehm  
 Marilyn M. Bowie  
 Anita Bowser  
 Judy Busman  
 Diane Brubaker, Ph. D.  
 Kathryn Brillhart  
 Jean Leitz Cahn  
 Sharon Raven Clark  
 Michelle Cloud  
 Sally A. Cook  
 Linda W. Charbonneau  
 Carolyn L. Cooke  
 Carolyn C. Cousins  
 Mary Covan  
 Susan Crosby  
 Christal DeHaan  
 Kerry Dinson  
 Claudette Einhorn  
 Sonja Eitzborg MD  
 Janet S. Ellis  
 Joanne Engleberg  
 Dinah Farrington\*  
 Mary Ann Franzel  
 Deborah Charmin Galvin  
 Joyce Gallenbeck  
 Marlene Goldstone Ph.D.  
 Polly Grimshaw  
 Cris Halter  
 Jean Ann Harcourt\*  
 Norma Harcourt  
 Elizabeth E. Hartley  
 Elizabeth Howard  
 Barbara Jaffe  
 Frances B. Julian  
 Sheila S. Kennedy  
 Linda A. Kirk  
 Alison V. Koth\*  
 Elizabeth Kraft  
 Janice E. Krumacher  
 Shirley Marie Kulwin  
 Julia L. Lucy  
 Miriam Z. Longman Ph.D.  
 Audrey M. Luman  
 Jean Lukowicki  
 Carolyn Lunde  
 Diana C. Leslie  
 Diane B. Love  
 Cynthia Levin  
 Margaret Waldo Lewis

Jean Liputz  
 Louise Litwack  
 Katherine Lock MD  
 Janet B. Lower\*  
 JoAnn Lucas  
 Cynthia Lyons  
 Sylvia A. Manalis MD  
 Gigi M. Maska  
 Mary Y. Marsh  
 Joy S. Mastersor  
 Janie Maurer  
 Barbara Maves\*  
 Joan McNagly  
 Sharon Merriman  
 Katharine O. Michael  
 Kathryn Ann Mint  
 Ina M. Mohlman  
 Lila Hunter Morris  
 Rita Narasimov  
 Carol R. Nicholas  
 Jane Paine  
 Linda L. Pance  
 Mary Beth Ramey  
 Carolyn G. Roberson  
 Jill C. Rose  
 Jan B. Rubin  
 Molly P. Rucker  
 Betty Russ  
 Dorothy Saltzman  
 Jane Schlegel  
 Alison Schlons  
 Marilyn F. Schultz  
 Helen Schwartz  
 Marguerite K. Shepard MD  
 Diane Meyer Simon  
 Judith H. Singleton  
 Lynda A. Smirz MD  
 Nancy Chosenman Smith  
 Starley A. Smith  
 Fran Snygg  
 Ann M. Stack  
 Pamela Steele  
 Carolin Stein  
 Barbara E. Stokely  
 Jane Sweet  
 M. Bernadine Tabler  
 Carol Taylor  
 Suzanne Turner  
 Diane W. Van Ness  
 Elisabeth B. VanTassel  
 Betty Watson  
 Barbara H. Weinbaum Ph.D.  
 Amy Karetz Weisz  
 Betty B. Williams\*  
 D. Susan Windy  
 Grace M. Worley, CFP  
 Charlotte T. Zimlow\*  
 Sally Zweg

The Indiana Women's Network for Political Action (IWNPA) is an Indiana Not-for-Profit Corporation formed in 1989 in response to the U.S. Supreme Court decision, *Webster v. Reproductive Health Services, Inc.*, which threw the responsibility for reproductive decisions back to individual states. At that time, women from all over the state joined together to build a bipartisan coalition that would serve to actively protect and maintain existing rights by working to elect into office those legislators who are committed to keeping abortion safe and legal in Indiana.

The IWNPA Charter Members listed in this brochure contributed a minimum of \$1000 each to fund the campaigns of pro-choice candidates running for the Indiana General Assembly.

# Indiana Women's Network for Political Action

"The Constitution embodies a promise that a certain private sphere of individual liberty will be kept largely beyond the reach of government. Few decisions are more personal and intimate, more properly private, or more basic to individual dignity and autonomy, than a woman's decision whether to end her pregnancy. A woman's right to make that choice freely is fundamental."

Justice Blackmun (*Thornburgh v. American College of Obstetricians and Gynecologists, et. al.*)

## In Indiana... Who Makes the Choice?

OAC 8649

BEFORE THE  
FEDERAL ELECTION COMMISSION

931117-5 11:2:50

IN RE: COMPLAINT AGAINST: )  
INDIANA PLANNED PARENTHOOD ) MUR 3756  
AFFILIATES ASSOCIATION, INC. )

**RESPONSE BY THE INDIANA PLANNED PARENTHOOD  
AFFILIATES ASSOCIATION, INC.**

The Indiana Planned Parenthood Affiliates Association, Inc. (hereinafter sometimes referred to as "IPPAA"), hereby responds to the Complaint filed by Eva Boyd, which is identified as number MUR 3756. In addition to this memorandum, IPPAA submits in support of its response, the Affidavit of Dinah Farrington, the Executive Director of the Indiana Planned Parenthood Affiliates Association, Inc.

The Indiana Planned Parenthood Affiliates Association, Inc. is an Indiana not-for-profit corporation, incorporated under Indiana Law on September 23, 1980 and is recognized for Federal Income Tax purposes as a 501(C)(4) corporation. Membership in this not-for-profit corporation is restricted to affiliates of the Planned Parenthood Federation of America located within Indiana, of which there are currently six (6).

IPPAA is primarily a public affairs information and advocacy organization, focusing on issues relating to women's health care, family planning, and reproductive and abortion rights, but also sometimes upon issues of general health care, education, and social policy concerns. IPPAA is primarily funded by its six member organizations, but it also receives direct contributions from individuals.

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IPPAA has not traditionally been involved in advocating the election or defeat of individual political candidates. However, in 1992, after authorization from the Planned Parenthood Federation of America to do so, IPPAA issued its first ever "Voting Guide", which is the subject of this Complaint.

At the very bottom of the front page of this Voting Guide, the following disclosure was printed in bold print:

**"This Voting Guide is provided by Indiana Planned Parenthood Affiliates Association (IPPAA) and the Indiana Women's Network For Political Action (IWNPA). For further information call IPPAA (317) 926-4662 or IWNPA (317) 262-8587."**

Also, the return address of this Voting Guide displayed the name and address of the Indiana Planned Parenthood Affiliates Association.

11 CFR Section 110.11(a)(1) provides as follows:

"Except as provided at 11 CFR 110.11(a)(2), whenever any person makes an expenditure for the purpose of financing a communication that expressly advocates the election or defeat of a clearly identified candidate, or that solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing or any other form of general public political advertising, a disclaimer meeting the requirements of 11 CFR 110.11(a)(1) (i), (ii), (iii) or (iv) shall appear and be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice of the identity of persons who paid for and, where required, who authorized the communication. Such person is not required to place the disclaimer on the front face or page of any such material, as long as a disclaimer appears within the communication, except on communications, such as billboards, that contain only a front face."

Although the language printed in bold at the bottom of the first page of the IPPAA\IWNPA Voting Guide did not contain the

words "paid for and authorized by", it did contain the words "provided by", and it clearly indicated that the Voting Guide was provided by IPPAA and the Indiana Women's Network for Political Action. This certainly complies with the intent of Section 110.11(a)(1).

This Voting Guide was printed and mailed by IPPAA and sent to the approximately 14,144 persons on the IPPAA Political Action List. The persons on this list have been identified as supporters of IPPAA and its objectives, they receive regular mailings from IPPAA providing updates upon legislative issues and concerns, and the names of persons who have asked not to be retained on the list, have been deleted.

As a public affairs information and advocacy organization, IPPAA has developed a Political Action List over the years, which includes the names and addresses of persons who have indicated an interest in IPPAA and its objectives. Eva Boyd became a part of this Political Action List several years ago, at some time prior to February, 1990. As a result, she would have received five Pro-choice Alerts in 1991 and three Pro-choice Alerts in 1992, prior to receiving the Voting Guide.

If she objected to receiving these Pro-choice Alerts, she could simply have requested to have her name deleted from IPPAA's Political Action List. If, on the other hand, she wanted to remain on this mailing list, can she truly complain that she or other members on the Political Action List were deceived by the disclaimer on the Voting Guide? It was clear to the persons on the IPPAA Political Action List that this Voting Guide was a

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communication from IPPAA, prepared with assistance from the Indiana Women's Network for Political Action.

The distribution of this Voting Guide was very different from a purely "public" distribution, such as with a rented mailing list, as discussed in 11 C.F.R. Section 100.8 (b)(16)(i), which defines "direct mail". With a "direct mail" distribution, the recipients may have no knowledge of the organization sending the Voting Guide, which could lead to a misunderstanding that the Voting Guide was authorized by a candidate or candidate's committee, when in fact it was not.

Of the remaining approximately 856 Voting Guides, some were distributed at speaking engagements by members of the IPPAA staff and Board of Directors and by members of the Indiana Women's Network for Political Action. Many of these remaining copies were not distributed at all.

IPPAA acknowledges that this Voting Guide does not contain a statement that it was not authorized by any candidate or candidate's committee. IPPAA also acknowledges that this more specific disclosure statement is required by the regulations supporting the Federal election law and assures the Commission that this more specific disclosure will be included in any future Voting Guide, which includes any federal candidates. However, by virtue of the nature of its distribution and the disclosures which are provided, there can be little doubt that the audience to which this communication was delivered knew that the Voting Guide was solely the effort of the Indiana Planned Parenthood Affiliates Association, Inc. and the Indiana Women's Network for

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Political Action, and not by any candidate or candidate's  
committee.

Respectfully submitted,  
Hyatt & Rosenbaum, P.A.

By: William T. Rosenbaum  
William T. Rosenbaum  
Attorney for the  
Indiana Planned Parenthood  
Affiliates Association, Inc.

William T. Rosenbaum  
HYATT & ROSENBAUM, P.A.  
1901 Broad Ripple Avenue  
Indianapolis, Indiana 46220-2327  
(317) 259-6600

24043563403

BEFORE THE  
FEDERAL ELECTION COMMISSION

RECEIVED  
9311-5 A 12:50

IN RE: COMPLAINT AGAINST: )  
INDIANA PLANNED PARENTHOOD ) MUR 3756  
AFFILIATES ASSOCIATION, INC. )

AFFIDAVIT OF DINAH FARRINGTON

Comes now Dinah Farrington, who being first duly sworn upon her oath, states the following:

1. I am the Executive Director of the Indiana Planned Parenthood Affiliates Association, Inc. and I have personal knowledge of the matters contained herein.

2. Indiana Planned Parenthood Affiliates Association, Inc. is a not for profit corporation, incorporated under Indiana law on September 23, 1980, and is recognized for Federal Income Tax purposes as a 501(C)(4) corporation.

3. Indiana Planned Parenthood Affiliates Association, Inc. (hereinafter sometimes referred to as IPPAA) has six members, which are the six Planned Parenthood affiliates located within Indiana, and it has a Board of Directors consisting of 17 members. There are six at-large members and 11 members representing the six member affiliates.

4. I have served as Executive Director of IPPAA since July, 1988.

5. As Executive Director of IPPAA, I am responsible for maintaining the list of names and addresses of persons who have expressed an interest in our organization and the women's health care, family planning and abortion rights causes for which we

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advocate (hereinafter referred to as the "Political Action List").

6. When I started as Executive Director of IPPAA in July, 1988, there were more than 5,000 names on our Political Action List. This List is maintained in a computer, and the computer assigns a number to each member of the list in chronological order by the date of their inclusion on to the list.

7. Names for our Political Action List are obtained from several sources: people calling and asking to be included, donors to our organization, names submitted by our member Affiliates, persons requesting to be included at community events and fairs at which we have a booth and petition drives.

8. We also have requests, from time to time, from people who receive our Political Action mailings, to be deleted from our list. It is our policy to remove anyone's listing from our Political Action List who requests to be deleted.

9. In 1991, we mailed five Pro-Choice Alerts to the persons on our Political Action List. In 1992, we sent three mailings, and we have sent two full mailings plus a post card thus far for 1993.

10. Last year, we sent our very first Major Party Candidate Voting Guide. This was mailed to the persons on our Political Action List who receive our Pro-Choice Alerts.

11. We printed approximately 15,000 Voting Guides and our Political Action List contained 14,144 names and addresses at that time.

12. This Voting Guide was a joint effort of the Indiana

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Planned Parenthood Affiliates Association, Inc. and the Indiana Women's Network For Political Action. While there was some overlap of duties, basically IPPAA wrote the interview script for determining whether a candidate qualified as pro-choice and coordinated printing and mailing the Voting Guide, and IPPAA and the Indiana Women's Network For Political Action interviewed the candidates to determine their positions on our issues.

13. The Voting Guide, at the bottom of the first page, states:

"This Voting Guide is provided by Indiana Planned Parenthood Affiliates Association (IPPAA) and the Indiana Women's Network For Political Action (IWNPA). For further information call IPPAA (317) 926-4662 or IWNPA (317) 262-8587."

In addition, the return mailing address clearly lists the sender as Indiana Planned Parenthood Affiliates Association and provides our office address and telephone number.

14. We have been aware, for a long time, that persons who are not Pro-Choice and who work actively for "Pro-Life" organizations have requested, without declaring their pro-life stance, to be included on our Political Action List, so that they can monitor our activities and positions on various issues. We have not devoted our attention or energies towards identifying or deleting these names from our List.

15. Eva Boyd, the Complainant in this action, has been on our Political Action List, and has received our mailings since prior to February, 1990.

  
Dinah Farrington

94043563406

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

SUBSCRIBED AND SWORN TO before me, a Notary Public, in and for said County and State, this 4<sup>th</sup> day of May, 1993.

Justin L. Collins  
Notary Public  
Justin L. Collins  
Printed Name

My commission expires: 2/29/96

My county of residence: Marion

24043563407

FEDERAL ELECTION COMMISSION SECRETARIAT

JUN 30 3 59 PM '94

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of

) Enforcement Priority  
)

GENERAL COUNSEL'S QUARTERLY REPORT

I. INTRODUCTION

This report is the second Enforcement Priority System Quarterly Report. The purpose of this Quarterly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission approved criteria

By closing such cases the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 16 cases which do not warrant further pursuit relative to the other pending cases.<sup>1</sup> A short

1. These matters are: MUR 3920; MUR 3930; MUR 3934; MUR 3939; MUR 3942; MUR 3943; MUR 3945; MUR 3948; MUR 3953; MUR 3955; MUR 3957; MUR 3964; MUR 3965; MUR 3967; RAD 94L-22; and RAD 94L-25.

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description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-16. For the Commission's convenience, the narratives for externally-generated matters are immediately followed by the complaint and response(s) and the narratives for internally-generated matters are immediately followed by the referral.

#### B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 42 cases that

do not warrant further investment of significant Commission resources.<sup>2</sup> Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate

2. These matters are: MUR 3132; MUR 3432; MUR 3466; MUR 3470; MUR 3473; MUR 3495; MUR 3558; MUR 3575; MUR 3581; MUR 3594; MUR 3600; MUR 3625; MUR 3647; MUR 3663; MUR 3684; MUR 3698; MUR 3712; MUR 3733; MUR 3744; MUR 3749; MUR 3756; MUR 3759; MUR 3767; MUR 3776; MUR 3779; RAD 92L-26, RAD 93L-25; RAD 93L-26; RAD 93L-29; RAD 93L-31; RAD 93L-33; RAD 93L-35; RAD 93L-36; RAD 93L-38; RAD 93L-39; RAD 93NF-02; RAD 93NF-03; RAD 93NF-06; RAD 93NF-10; RAD 93NF-12; RAD 93NF-15; and RAD 93NF-20.

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narratives for these cases. However, for externally-generated matters in which the Commission has made no findings, the complaint and response(s) are attached to the report and for internally-generated matters in which the Commission has made no findings, the referral is attached. See Attachments 17-53. Because the Commission has already made findings in five of the stale cases, no additional information is being attached to this report in regard to these cases.<sup>3</sup>

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3. These matters are: MUR 3132, MUR 3432, MUR 3466, MUR 3495, and MUR 3733.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the identified cases effective August 1, 1994. This will allow the Legal Review Team adequate time to prepare the Pre-MUR and MUR files so that the cases can appear on the public record by September 1, 1994, within 30 days of the August 1, 1994, closing date. This timeframe also will enable this Office to prepare closing letters so that the letters can be mailed on August 2, 1994. Additionally, the Press Office will need time to review the files for inclusion in one of its press releases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

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B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
- 2) MUR 3473
- 3) MUR 3558
- 4) MUR 3575
- 5) MUR 3581
- 6) MUR 3594
- 7) MUR 3600
- 8) MUR 3625
- 9) MUR 3647
- 10) MUR 3663
- 11) MUR 3684
- 12) MUR 3698
- 13) MUR 3712
- 14) MUR 3744
- 15) MUR 3749
- 16) MUR 3756
- 17) MUR 3759
- 18) MUR 3767
- 19) MUR 3776
- 20) MUR 3779
- 21) MUR 3920
- 22) MUR 3930
- 23) MUR 3934
- 24) MUR 3939
- 25) MUR 3942
- 26) MUR 3943
- 27) MUR 3945
- 28) MUR 3948
- 29) MUR 3953
- 30) MUR 3955
- 31) MUR 3957
- 32) MUR 3964
- 33) MUR 3965
- 34) MUR 3967

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C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

Date

6/30/94



Lawrence M. Noble  
General Counsel

24043563413

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Enforcement Priority ) Agenda Document  
#X94-72

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on July 19, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to Agenda Document #X94-72:

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

(continued)

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- B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
- 2) MUR 3473
- 3) MUR 3558
- 4) MUR 3575
- 5) MUR 3581
- 6) MUR 3594
- 7) MUR 3600
- 8) MUR 3625
- 9) MUR 3647
- 10) MUR 3663
- 11) MUR 3684
- 12) MUR 3698
- 13) MUR 3712
- 14) MUR 3744
- 15) MUR 3749
- 16) MUR 3756
- 17) MUR 3759
- 18) MUR 3767
- 19) MUR 3776
- 20) MUR 3779
- 21) MUR 3920
- 22) MUR 3930
- 23) MUR 3934
- 24) MUR 3939
- 25) MUR 3942
- 26) MUR 3943
- 27) MUR 3945
- 28) MUR 3948
- 29) MUR 3953
- 30) MUR 3955
- 31) MUR 3957
- 32) MUR 3964
- 33) MUR 3965
- 34) MUR 3967

(continued)

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Federal Election Commission  
Certification: Enforcement Priority  
July 19, 1994

Page 3

C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

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

Attest:

7-20-94  
Date

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

24043563416



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1994

Richard E. Coleson, Esq.  
Bopp, Coleson & Bostrom  
2 Foulkes Square  
401 Ohio Street  
P.O. Box 1800  
Terra Haute, IN 47808-8100

RE: MUR 3756

Dear Mr. Coleson:

On April 1, 1993, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on August 1, 1994. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043563417



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

Nancy Chesterman Smith  
Barbara Stokely  
47 S. Meridian Street #202B  
Indianapolis, IN 46204

RE: MUR 3756  
Indiana Women's Network for  
Political Action

Dear Ms. Smith and Ms. Stokely:

On April 6, 1993, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against Indiana Women's Network for Political Action. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on August 1, 1994.

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

If you have any questions, please contact Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

24043563418



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

William T. Rosenbaum, Esq.  
1901 Broad Ripple Avenue  
Indianapolis, IN 46220

RE: MUR 3756  
Indiana Planned Parenthood  
Affiliates Association, Inc.

Dear Mr. Rosenbaum:

On April 6, 1993, the Federal Election Commission notified your client of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against your client. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on August 1, 1994.

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

If you have any questions, please contact Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

24043563419



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 375C

DATE FILMED 8-30-94 CAMERA NO. 2

CAMERAMAN JM4

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