FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3962

DATE FILMED 7/27/95 CAMERA NO. 1

CAMERAMAN EES

9504366117/16

OGC 1225

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 6 1 04 PM '94

April 25, 1994

MUR 3962

Mr. Trevor Potter
Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Potter:

I have recently received information that gives me reason to believe that Al Hofeld, a candidate for Illinois Attorney General, made a substantial and potentially illegal campaign contribution to Bobby Rush, a current U.S. Congressman from Illinois.

These funds were apparently earmarked for Rush's Committeeman's Political Fund, and as such, are not required to be reported under Illinois law or Federal Election law. I understand that this money was disbursed by Rush, at least in part, as "street money" to employ workers for Hofeld's campaign at a rate of $40 a day.

According to published reports in the Chicago Sun-Times, Mr. Hofeld made liberal use of such street money when he ran for the U.S. Senate. Those expenditures, because of federal election law, had to be reported.

Through information provided to me by Ms. Robin Kaufman, who was solicited by telephone to be a campaign worker for Mr. Hofeld, it is clear that the Citizens for Rush for Congress, rather than Rush's Committeeman's office, handled the money and made the payments on behalf of Mr. Hofeld.

Her affidavit is attached.

Ms. Kaufman reported to me that when she returned a call made by a solicitor for campaign employees, her call was answered by Barbara Curtis from Citizens for Rush for Congress. I have checked the telephone number given by Ms. Kaufman and have ascertained that it is in fact that of the Citizens for Rush for Congress office.

These facts raise red flags regarding the benefits, particularly in the form of an enhanced public image, that Rush received from being in the position of distributing cash from his Congressional campaign office. Also, I question whether any of this money directly supplemented Congressman Rush's congressional campaign and whether the substantial amount that would have had to be provided to Congressman Rush for dispersal also violates any federal election laws.

95043661717

In all, I seriously question the propriety of these actions and also question whether a state candidate's contribution to an elected federal official's funds constitutes a legal contribution.

Given the public's cynicism over the ethical standards of Congress, failure by your office to investigate this matter would only contribute to this cynicism.

Please consider this a formal complaint regarding the above situation and transactions.

Very truly yours,

Joe Novak
31 Keystone
River Forest, Il. 60305

SIGNED and SWORN TO before
me this 25th day of April, 1994

Notary Public

OFFICIAL SEAL
LORETTA D PASSERO
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. SEPT 12,1996

95043661/18

AFFIDAVIT OF ROBIN KAUFMAN

Robin Kaufman, being first duly sworn on oath, deposes and states as follows:

1. During the month of February, 1994, I was contacted via telephone by an unknown person who inquired as to whether I was interested in working for Al Hofeld for $40 cash on election day. I told the caller I was not interested.

2. On March 2, 1994 I answered a telephone call for my roommate. The caller asked if she wanted to work on election day for $40 cash. Upon my questioning, they told me the work was passing out literature. Upon further questioning, they said it was for Hofeld.

3. Five minutes later, I received another call. This call was for myself. The caller stated that they needed election day workers and that they would pay $40 cash. The caller asked if I would do it or if I knew anyone who would. I said I would call her back. She identified herself as Barbara Curtis and gave me the number 994-2000.

4. When I called 994-2000 the phone was answered "Congressional Campaign Office." I spoke with Barbara Curtis and was again asked to work on election day, 8:00 a.m. to 6:30 p.m., for $40 cash, passing out literature for Hofeld. She said I should pass the number along to "anybody willing to work."

FURTHER AFFIANT SAYETH NOT.

Robin Kaufman

Robin Kaufman

SIGNED and SWORN TO before me this 2nd day of March, 1994.

"OFFICIAL SEAL"
Sharon Homrig
Notary Public, State of Illinois
My Commission Expires 01/23/97

Sharon Homrig

Notary Public

95043661719

OGC 1257

RECEIVED FEDERAL ELECTION COMMISSION OFFICE OF GENERAL COUNSEL
RECEIVED FEDERAL ELECTION COMMISSION ADMINISTRATIVE DIVISION
MAY 9 8 09 AM '94

May 3, 199[illegible] 9 3 52 PM '94

Retha Dixon
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Ms. Dixon:

Please consider the following additional information regarding my complaint concerning Congressman Bobby Rush of Illinois.

On Friday, April 29, 1994, I had a conversation with a Mr. Greg Hinz, a noted and respected columnist with Chicago Magazine.

He told me about an interview he did with Congressman Rush for an upcoming profile in his magazine. The story is due out in approximately two weeks.

According to Mr. Hinz - Congressman Rush, in a response to a question regarding his support of Albert Hofeld - a democratic candidate for Illinois Attorney General - confirmed that he had received a substantial contribution from Mr. Hofeld into his ward committeeman's account.

Mr. Hinz asked if the rumors of an amount of $50,000.00 was true - the Congressman said that was "certainly in the ballpark".

When the "fact checker" assigned to the story went over his quotes with Congressman Rush - he gave his unequivocal okay to this part of the story.

According to Mr. Hinz however, at least 3 days later - the Congressman's office put out several urgent phone calls to Mr. Hinz.

When he finally reached Mr. Hinz - it was to request that Mr. Hinz note in the story that the Congressman never used any of the money for any federal candidate. This was not ever stated in the original interview.

What's interesting to note about this story is that these calls to Mr. Hinz came **after** your office notified Mr. Hofeld about my complaint (letter dated April 18, 1994).

I hope you'll find this information useful.

Sincerely,

Joseph Novak
31 Keystone
River Forest, Illinois 60305

SIGNED and SWORN to
before me on this
3rd day of May, 1994

Loretta D Passero
Notary Public

OFFICIAL SEAL
LORETTA D PASSERO
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. SEPT 12,1996

9 5 0 4 3 6 6 1 / 2 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 12, 1994

Joe Novak
31 Keystone
River Forest, IL 60305

RE: MUR 3962

Dear Mr. Novak:

This letter acknowledges receipt on May 6, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 3962. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

9504366172 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 12, 1994

Al Hofeld
c/o Hofeld for Attorney General
100 West Monroe, Suite 1201
Chicago, IL 60603

RE: MUR 3962

Dear Mr. Hofeld:

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 3962. 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.

95043661722

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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

9504366172 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 12, 1994

Treasurer
Hofeld for Attorney General
100 West Monroe, Suite 1201
Chicago, IL 60603

RE: MUR 3962

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Hofeld for Attorney General ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3962. 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 Committee and you, as treasurer, 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.

95043661724

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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

95043661725

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MAY 12, 1994

Bettylu Saltzman, Treasurer
Hofeld for the U.S. Senate Committee
3015 West Fifth Street
Milan, IL 61264

RE: MUR 3962

Dear Ms. Saltzman:

The Federal Election Commission received a complaint which indicates that the Hofeld for the U.S. Senate Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3962. 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 Committee and you, as treasurer, 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.

95043661726

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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

95043661727

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 12, 1994

The Honorable Bobby L. Rush
House of Representatives
Washington, D.C. 20515

RE: MUR 3962

Dear Mr. Rush:

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 3962. 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.

95043661728

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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

9504366172 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 12, 1994

Shelia Jackson, Treasurer
Citizens for Rush for Congress
3361 South King Drive
Chicago, IL 60616

RE: MUR 3962

Dear Ms. Jackson:

The Federal Election Commission received a complaint which indicates that the Citizens for Rush for Congress ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3962. 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 Committee and you, as treasurer, 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.

95043661730

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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

95043661731

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 12, 1994

Barbara Curtis
c/o Citizens for Rush for Congress
3361 South King Drive
Chicago, IL 60616

RE: MUR 3962

Dear Ms. Curtis:

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 3962. 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.

95043661732

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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

9504366173 3

OGC #1424

Chicago

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

MAY 23 9 37 AM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 23 3 47 PM '94

May 18, 1994

Retha Dixon
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

MUR 3962

Dear Ms. Dixon,

I do not normally make a practice of discussing my conversations with news sources, but I feel compelled to correct an inaccurate statement falsely attributed to me in a complaint filed with you on May 3, 1994, by Mr. Joseph Novak. The copy of Mr. Novak's letter that I have lists at the top "MUR 3962." That may help you in identification.

In his letter to you, Mr. Novak recounts conversations I am said to have had with Congressman Bobby Rush of Illinois. Specifically, the letter states that I told Novak that Congressman Rush told me he received "a sutsbantial contribution" from Mr. Albert Hofeld (then a candidate for Illinos attorney general) in the March 1994 Illiois primary, for Rush's "ward committeeman's account." While I did recently report on the political alliance between Messers Rush and Hofeld--and on its financial component--the congressman never told me money from Hofeld was placed in his ward committeeman's account. Nor did I tell Mr. Novak that Rush made such a statement.

There are other inaccuracies in Mr. Novak's letter to you, but this one at least deserves immediate correction.

Sincerely,

Greg Hinz
Political Editor

9504366173 4

414 North Orleans Suite 800 Chicago, Illinois 60610 (312) 222-8999 • Fax (312) 222-0699

OGC 1475

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 27 2 43 PM '94

May 24, 1994

Retha Dixon
Federal Election Commission
999 E Street, N.W.
Washington D.C. 20463

RE: MUR 3962

Dear Ms. Dixon

Enclosed are a sampling of official "Poll Watcher Credentials For A Candidate" from the March 15, 1994 Illinois Democratic primary.

These signed affadavits show that the person listed on each credential was an official representative of the campaign of Bobby Rush for Congress.

It's worth noting that Mr. Rush was unopposed in that race.

In the attached Chicago Magazine article, Mr. Rush talks about fielding an army of 1200 paid workers to help local candidates in that primary.

This was with the money provided from Albert Hofeld.

Only by investigating Mr. Rush's non-disclosable Ward Committemans account, can it be accurately determined whether the people listed on the enclosed sampling of credentials were part of that paid army.

If they did receive money, the affadavits make it clear that a Federal candidate, Rush for Congress benefited from this money. And that, it would appear would be a clear violation of Federal Election Law.

I believe this is further proof of a need for your office to investigate this matter.

Sincerely,

Joseph Novak

31 Keystone
River Forest, Illinois 60305

9504366173 5

OFFICIAL SEAL
LORETTA D PASSERO
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. SEPT 12,1996

Loretta D Passero
May 24, 1994

OGC# 1494

Bobby Rush for Congress
First Congressional District

An Effective Leader Who Fights...For You!

May 26, 1994

Office the General Counsel
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 31 11 59 AM '94

Dear General Counsel:

I am writing in reference to correspondence received from your office dated May 12, 1994 on the matter MUR 3962.

We are in the process of reviewing the complaint that has been made against the Rush for Congress Committee and are in the process of preparing a response.

However, due to the amount of time that it will take to gather the necessary information for our response, we would like to request a 15 day extension beyond your May 31 deadline.

Thank you for your prompt consideration of this matter.

Sincerely,

Sheila Jackson
Treasurer-Rush for Congress Committee

Bobby Rush
M.C.

9 5 0 4 3 6 6 1 7 3 6

Vote Democratic

Citizens for Rush
1507 E. 53rd St., Suite 310 • Chicago, Illinois 60615
(312) 994-2000

Prepared and paid for by Citizens for Rush Committee.
A copy of our report is available from the Federal Elections Commission

OGC # 1502

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

Jun 1 10 00 AM '94

To: Retha Dixon

From: Joe Novak

Re: MUR 3962

F, V, I - attached

9 5 0 4 3 6 6 1 7 3 7

METRO

POLITICS

Rush Limbo

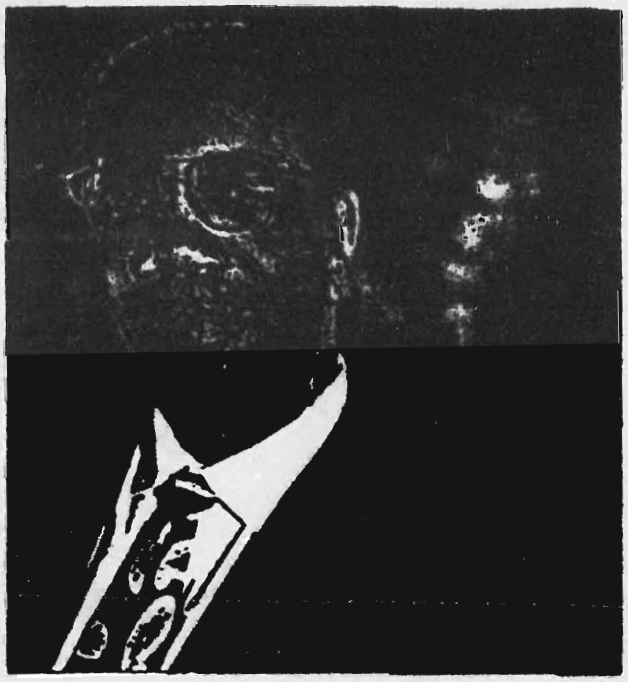
Some think Bobby Rush wants to be mayor; he may have other plans

Walk into the office of Second Ward committeeman Bobby Rush at 35th and King Drive and you quickly notice a huge picture of the late Mayor Harold Washington hanging on the wall. Ask Rush about it and he'll talk instead about the picture that hangs in his other office—the office of Congressman Bobby Rush on East 79th. That work depicts another legendary black politician, William Dawson. The comment may speak volumes about Rush's aspirations.

Bobby Rush (D-1st) clearly is making a political move. His fingerprints were everywhere in the March Democratic primary. In his own South Side back yard, Rush slated contenders for state representative, water commissioner, and First District committeewoman. (Rush himself was unopposed for renomination.) Away from home, he backed a white gay man for judge in a mostly North Side district, pushed the renomination of county sheriff Michael Sheahan, and even helped allies join Cook County Democratic Women. Most significantly, Rush signed up as Al Hofeld's point man to the African-American community, a move that netted Rush's political apparatus at least $50,000 from the deep-pocketed Hofeld and which allowed Rush to field what he claims was a precinct army of 1,200 paid workers to help local candidates he supported on election day.

To paraphrase Harold Washington, a politician who does all that ain't playin' beanbag. So what is the 47-year-old Black Panther turned congressman and early supporter of Bill Clinton up to? If the gossip columns are right, he's preparing to run for mayor next year.

Rush, averse as any other politician to foreclosing options, clearly leaves that door open. In an interview, he does little but bash Daley. Rush accuses the mayor of shortchanging blacks: "I receive a constant stream of complaints about not having goods and services available. It seems to me that the city work force has returned to the level of the fifties and sixties in regard to the African-American community." Rush is equally hard on Daley's anticrime efforts. "He doesn't know what the hell to do," Rush says. "He abolished the SIN [Sudden Intervention Network, an antigang program], which left a gaping hole. The [civilian] beat rep program was dismantled."



r: Rush: trying to become "the prominent black political leader"?

To paraphrase Harold Washington, Rush ain't playin' beanbag

Yet, asked if he'll run for mayor, Rush replies, "I would have to be convinced that Daley is not sincere in trying to represent all the people." Translation: Rush likely will stay on the fast track in Congress. The unofficial word from the Rush camp (and the widespread opinion among fellow pols) is that Rush is trying to emulate Dawson, a congressman from 1943 to 1970 who was an intermediary and power broker between South Side blacks and the white Machine.

"I think he wants to be the black boss," says Jacky Grimshaw, Mayor Washington's one-time chief lobbyist.

"He's trying to assert himself as the prominent black political leader, in the direction of Bill Dawson," says a leading African-American officeholder.

"There won't be any more Dawsons but, for the lack of a better description, that's the job he's looking for," says consultant Don Rose. "He's trying to acquire money and power. He wants to be the number one."

Rush's initial steps in that direction already are meeting fierce opposition from some. Though he gets along with other claimants for black leadership, notably County Board president nominee John Stroger, at least three of Rush's protégés were defeated in the March primary. He's had a falling-out with his handpicked successor as Second Ward alderman, Madeline Haithcock. (She won't talk about the feud. He blames her for firing a "championship" staff, including his wife, Carolyn, who's now with Hofeld.)

"I don't know if Harold-style unity ever will come again," says Eugene Sawyer, who lost the mayor's job because of a split among black voters that, to some degree, continues to this day. "People want to think for themselves."

Rush admits that politics today "is a lot different" from that of Dawson's era. But he adds, "Dawson was able to forge unity, and then deliver. . . . I have my own vision. I envision a city where neighborhoods are empowered. It should not be controlled under one leader. But you've got to get control of the resources [of government before they can be parceled out]."

Rush this day is dressed not as a homeboy but as a cowboy. Shifting his pointed boots and ten-gallon hat, he concludes with a smile, "If you don't go out there and kick some booty, your booty's going to be kicked." The Rush show should be worth watching. ~

photograph: BRIT HUCKABAY

9504366173 8

JOSEPH E. TIGHE
ATTORNEY AT LAW
111 WEST WASHINGTON STREET, SUITE 800
CHICAGO, ILLINOIS 60602

TELEPHONE
(312) 641-0661

FAX
(312) 641-1266

June 1, 1994

VIA FACSIMILE

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JUN 1 4 55 PM '94

Ms. Mary L. Taksar
Central Enforcement Docket
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3962

Dear Ms. Taksar:

Mr. William J. Harte and I represent Al Hofeld, a candidate for the office of Illinois Attorney General. Your office has received a complaint alleging that Mr. Hofeld's election committee, Hofeld for Attorney General, has violated the Federal Election Campaign Act of 1971, as amended.

Mr. Harte and I have been engaged to respond to the allegations, and we are preparing a response. Unfortunately, we did not receive notice of the complaint in sufficient time to enable a response to be filed by May 31, 1994, 15 days after receipt of the complaint by the Committee.

We have commenced an investigation into the assertions in the complaint, and I believe we can respond by June 15, 1994.

Please consider this letter a request for an extension of time to respond to the complaint. If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

Joseph E. Tighe

JET:jsr
cc Mr. William J. Harte

9504366139

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

STATEMENT OF DESIGNATION OF COUNSEL

JUN 3 11 28 AM '94

MUR 3962

NAME OF COUNSEL: WILLIAM J. HARTE and JOSEPH E. TIGHE

ADDRESS: 111 West Washington Street, Suite 1100

Chicago, IL 60602

TELEPHONE: (312) 726-5015

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

6/2/94
Date

Signature

RESPONDENT'S NAME: AL HOFELD

ADDRESS: 111 West Monroe Street, Suite 1201

Chicago, IL 60603

TELEPHONE: HOME (708) 501-2535
BUSINESS (312) 443-1994

9 5 0 4 3 6 6 1 7 4 0

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

STATEMENT OF DESIGNATION OF COUNSEL

'94

MUR 3962

NAME OF CO-COUNSEL: Timothy Wright

ADDRESS: Pryor, McClendon Counts
111 W. Washington Street
Chicago, IL 60602

TELEPHONE: 312-357-0157

NAME OF CO-COUNSEL: Judy Corley

ADDRESS: Perkins Coie
607 14th Street, NW
Washington, DC 20005

TELEPHONE: 202-434-1622

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

Bobby L. Rush
3361 S. King Drive
Chicago, IL, 60616
(O) 202-225-4372
(O) 312-225-3444
(O) 312-224-6500

95043661741

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUNE 13, 1994

Representative Bobby Rush
Shelia Jackson
Citizens for Rush
1507 E. 53rd Street, Suite 310
Chicago, IL 60615

RE: MUR 3962
Representative Bobby Rush, Citizens for Rush, and Shelia Jackson, as Treasurer

Dear Mr. Rush and Ms. Jackson:

This is in response to your letter dated May 26, 1994, requesting an extension until June 15, 1994 to respond to the complaint filed in the above-noted matter. 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 June 15, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

9504366117 42

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUNE 13, 1994

Joseph E. Tighe, Esq.
111 West Washington Street
Suite 1100
Chicago, IL 60602

RE: MUR 3962
Al Hofeld

Dear Mr. Tighe:

This is in response to your letter dated June 1, 1994, requesting an extension until June 15, 1994 to respond to the complaint filed in the above-noted matter. 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 June 15, 1994.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

JUNE 13, 1994

Joe Novak
31 Keystone
River Forest, IL 60305

RE: MUR 3962

Dear Mr. Novak:

This letter acknowledges receipt on May 27, 1994 and June 1, 1994, of the supplements to the complaint you filed on May 6, 1994. The respondent(s) will be sent copies of the supplement. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043661744

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

JUNE 13, 1994

William J. Harte, Esq.
Joseph E. Tighe, Esq.
111 West Washington Street
Suite 1100
Chicago, IL 60602

RE: MUR 3962
Al Holfeld

Dear Mr. Harte and Mr. Tighe:

On May 12, 1994, your client, Al Holfeld, was notified that the Federal Election Commission received a complaint from Joseph Novak alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time your client were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On May 27, 1994 and June 1, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure

9504366174 5

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

JUNE 13, 1994

Treasurer
Hofeld for Attorney General
100 West Monroe, Suite 1201
Chicago, IL 60603

RE: MUR 3962
Hofeld for Attorney
General and its Treasurer

Dear Sir or Madam:

On May 12, 1994, you were notified that the Federal Election Commission received a complaint from Joseph Novak alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On May 27, 1994 and June 1, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUNE 13, 1994

Bettylu Saltzman, Treasurer
Hofeld for the U.S. Senate Committee
3015 West Fifth Street
Milan, IL 61264

RE: MUR 3962
Hofeld for the U.S.
Senate Committee and
Bettylu Saltzman, as
Treasurer

Dear Ms. Saltzman:

On May 12, 1994, you were notified that the Federal Election Commission received a complaint from Joseph Novak alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On May 27, 1994 and June 1, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure

9504366174 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUNE 13, 1994

The Honorable Bobby L. Rush
House of Representatives
Washington, D.C. 20515

Dear Mr. Rush:

On May 12, 1994, you were notified that the Federal Election Commission received a complaint from Joseph Novak alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On May 27, 1994 and June 1, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUNE 13, 1994

Sheila Jackson, Treasurer
Citizens for Rush for Congress
3361 South King Drive
Chicago, IL 60616

RE: MUR 3962
Citizens for Rush for Congress and Sheila Jackson, as Treasurer

Dear Ms. Jackson:

On May 12, 1994, you were notified that the Federal Election Commission received a complaint from Joseph Novak alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On May 27, 1994 and June 1, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure

95043661749

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

JUNE 13, 1994

Barbara Curtis
c/o Citizens for Rush for Congress
3361 South King Drive
Chicago, IL 60616

RE: MUR 3962
Barbara Curtis

Dear Ms. Curtis:

On May 12, 1994, you were notified that the Federal Election Commission received a complaint from Joseph Novak alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On May 27, 1994 and June 1, 1994, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Jun 21 3 48 PM '94

Bobby L. Rush
First District - Illinois

June 20, 1994

Mary L. Taskar
Office the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

9 5 0 4 3 6 6 1 7 5 1

Dear Ms. Taksar,

This is in response to your letter informing me that Mr. Joe Novak has made allegations against Congressman Bobby Rush and/or Citizens for Rush Committee. (MUR 3962)

Mr. Novak alleges that Citizens for Rush and/or Congressman Bobby Rush received an illegal campaign contribution from Al Hofeld, a candidate for Illinois Attorney General.

Mr. Novak's assertions are false and unfounded and I offer several pieces of evidence to support my claim.

1). When Mr. Novak alleged to the State Board of Elections of the State of Illinois that Al Hofeld, People for Al Hofeld, received an illegal contribution from Congressman Rush, Citizens for Rush, the hearing officer recommended that the State Board find a) the complaint had **not** been filed on justifiable grounds and b) the case be dismissed. (Case No. 94 CD 27 enclosed)

2). Mr. Novak relies upon the affidavit of Robin Kaufman as evidence that an illegal contribution was made to Congressman Rush/Citizens for Rush. But even if each statement in the affidavit is assumed to be true, that does not provide evidence of any illegal contribution being made on behalf of People for Hofeld or accepted by Congressman Rush/Citizens for Rush.

In her affidavit, Ms. Robin Kaufman identifies Barbara Curtis as a caller on behalf of the Hofeld campaign. Ms. Curtis was calling on behalf of the Hofeld campaign because she was a paid phone banker for the Hofeld campaign.

3). Mr. Novak asserts in his letter to the FEC that "(These) funds were apparently earmarked for Rush's Committeeman's Political Fund....I understand that this money was disbursed by Rush, at least in part, as "street money" to employ workers for Hofeld's campaign at the rate of $40 a day." Mr. Novak refers loosely to an article that appeared in CHICAGO magazine written by Greg Hinz to support his allegation that money was transferred to Congressman Rush's committeeman's political fund.

The fact of the matter is that no funds were ever transferred to Congressman Rush's committeeman's political fund or any other fund. The only evidence that Mr. Novak offers in support of his accusation is his own speculation. In fact, Mr. Novak's references to Mr. Hinz's article are inaccurate and false as Mr. Hinz points out in his letter to the FEC on May 18th. Mr. Hinz writes "..the Congressman never told me money from Hofeld was placed in his ward committeeman's account. Nor did I tell Mr. Novak that Rush made such a statement." (A copy of this letter is attached.) Furthermore, it is my understanding from the documents from the Illinois State Board of Elections that a member of the Hofeld Campaign, Peter Giangrecco, disbursed the money in question.

4). In his complaint Mr. Novak questions whether any of the money in question directly supplemented Congressman Rush's congressional campaign. No money ever benefited Congressman Rush congressional campaign. It is a well known fact that Congressman Rush ran unopposed in the primary election, so there was no actual campaign to benefit. Additionally, Mr. Novak assumes and charges that Congressman Rush dispersed this money an accusation that we completely and absolutely deny.

5). Mr. Novak additional attempts to connect the fact that pollwatchers were credentialed to some illegal and unethical action on behalf of Congressman Rush/Citizens for Rush.

It is necessary to point out that Congressman Rush has been a leader in his community for a number of years. He has the ability to marshall a large number of forces on behalf of other candidates because his constituents generally respect his opinion. He also has a core group of supporters who actively promote him and candidates that he supports on a volunteer basis. Because Mr. Novak fails to acknowledge the nature of these relationships does not give him privilege to define them.

It is obvious that Mr. Novak is attempting to use the fact that Congressman Rush actively support a statewide candidate, who happen to be opposing the candidate that Mr. Novak supported and worked for, as a platform from which to hurl false accusations.

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The allegations set forth by Mr. Novak are groundless and unsupported. This is clearly a thinly veiled political ploy and I request that this matter be immediately dismissed.

Sincerely,

Sheila Jackson
Treasurer

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STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

Joseph J. Novak, Complainant,	)	
vs.	)	No. 94 CD 27
Albert Hofeld c/o People for Hofeld, Respondent.	)	

REPORT OF HEARING EXAMINER

This hearing was held as a result of a complaint filed by Mr. Joseph J. Novak pursuant to "An Act to Regulate Campaign Financing" (10 ILCS 5/9-10) (the "Act") alleging that the Respondent Albert Hofeld, People for Hofeld did the following:

Allegedly failed to report as an in-kind contribution services expended by Congressman Rush on behalf of People for Hofeld.

Complainant Novak represented himself. Respondent was represented by William Harte and Joseph Tighe.

Exhibits submitted by State Board of Elections

Barbara S. Mason, Director of Campaign Disclosure, submitted the following documents into the record: SBE Group Exhibit #2, which is a copy of the Complaint, Notice and Summons, Notice of Closed Preliminary Hearing and Certified mailing receipts.

The above exhibits were admitted into evidence without objection.

Complainant's Case in Chief

Complainant submitted the following in support of the allegations set forth in the complaint.

1. Complainant relies upon the affidavit of Robin Kaufman which is attached

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to the complaint as one of the exhibits.

2. Exhibit #3 which is an magazine article that was contained in CHICAGO magazine. Mr. Novak contends that the article supports his allegation that money was transferred to Congressman Rush's committeeman's fund which fund is exempt from the reporting requirements.

3. Exhibit #4 (also Respondent's Exhibit #1) which is a letter from Greg Hinz to Rethe Dixon of the Federal Election Commission. Mr. Novak adopts Respondent's exhibit #1 as his exhibit #4 and points out that the letter does not state that Congressman Rush did not receive funds from People for Hofeld committee.

Respondent's Case in Chief

1. Respondent contends that each paragraph of Ms. Kaufman's affidavit, even if assumed to be true, does not state an offense against the Committee.

2. Respondent denies that any contributions or money was transferred to Congressman Rush.

3. Respondent submits a copy of check #1573 dated 3/15/94, paid to the order of: American National Bank in the amount of $51,280 and drawn on the People for Hofeld Committee's account. Respondent states these funds were received by Peter Giangreco and used as "street money" on election day and such expenditures will be reported on the semi-annual report which is required to be filed during the money of July, 1994.

4. Though not admitted as an exhibit,nor sought to be introduced, was a receipt executed by Peter Giangreco relating to the $51,280.

Findings of Facts

1. That the Complaint, Notice and Summons, and Notice of Closed Preliminary Hearings introduced as State Exhibits were properly served upon the parties to the Complaint.

2. That the Act requires that all in-kind contributions be reported.

3. Complainant has set forth allegations of wrongdoing which are unsupported and have been denied by Respondent.

Conclusion and Recommendation

1. That based upon a review of the documentation and/or statements presented by the Complainant, it is the opinion of the hearing examiner

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that the complaint has not been filed on justifiable grounds.

2. That this complaint be dismissed.

Respectfully submitted,

James Tenuto, Hearing Examiner

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WILLIAM J. HARTE, LTD.
ATTORNEY AT LAW
111 WEST WASHINGTON STREET · SUITE 1100
CHICAGO, ILLINOIS 60602
TELEPHONE: (312) 726-5015
FAX NUMBER: (312) 641-1288

WILLIAM J. HARTE
DAVID J. WALKER
SYLVIA A. SOTIRAS
ERIK D. GRUBER
STEPHEN L. GARCIA
JOAN M. MANNIX
COURTNEY C. NOTTAGE

OF COUNSEL
DANIEL K. [illegible]CHLORF

RECEIVED GENERAL ELECTION ADMIN. STRATEGY DIVISION
JUN 21 11 03 AM '94
6/21/94
RECEIVED FEDERAL ELECTION COMMISSION OFFICE OF GENERAL COUNSEL
JUN 24 4 10 PM '94

June 21, 1994

VIA FACSIMILE

Ms. Mary L. Taksar
Central Enforcement Docket
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3962

Dear Ms. Taksar:

I represent Al Hofeld, candidate for Illinois Attorney General, and respondent to the complaint filed by Mr. Joseph Novak against him and against Bobby Rush, United States Representative from Illinois. As you may know, the complaint filed with your offices by Mr. Novak was also lodged with the Illinois State Board of Elections, and I represent Mr. Hofeld and his campaign committee in the proceedings before the Illinois State Board of Elections, as well.

Mr. Novak's complaint was considered by a Hearing Officer for the State Board of Elections, and that hearing officer has recommended that the State Board (1) find that Mr. Novak's complaint has not been filed on justifiable grounds and (2) dismiss his complaint. The Hearing Examiner's Report and Recommendation in case 94 CD 27 before the Illinois State Board of Elections is enclosed.

Mr. Novak's complaint asserts that the Hofeld campaign made in-kind contributions or other contributions for the benefit of Congressman Rush rather than for the benefit of the Hofeld campaign. That complaint must be evaluated in light of the fact that Congressman Rush ran unopposed in the March 15, 1994 primary, while candidate Hofeld ran a vigorous, contested campaign against Martin Oberman, for whom Mr. Novak worked.

In the contested primary election, candidate Hofeld and candidate Oberman competed for votes throughout the state, including African-American communities in the City of Chicago. Mr. Hofeld secured endorsements from various people, including Congressman Rush, and the Hofeld campaign located an office in the district of Congressman Rush. In addition, the Hofeld campaign set up a volunteer program and organization, with area coordinators and the like, and

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campaign set up a volunteer program and organization, with area coordinators and the like, and much of that work was performed in the campaign office located in the district of Congressman Rush.

As the affidavit of Ms. Kaufman attached to Mr. Novak's complaint establishes, the Hofeld campaigners who solicited volunteers did so on behalf of candidate Hofeld, not on behalf of Congressman Rush, and sought people who would work for Mr. Hofeld's candidacy. The affidavit of Ms. Kaufman attests to numerous telephone calls to her and her roommate in which representatives of Mr. Hofeld's campaign office advised that they desired assistance through volunteers for Mr. Hofeld, without any reference or request for volunteers for Congressman Rush. (See Ms. Kaufman's affidavit at paragraph 1 ["I was contacted...by an unknown person who inquired as to whether I was interested in working for Al Hofeld...."], 2 ["they told me the work was passing out literature. Upon further questioning, they said it was for Hofeld."], 4 ["was again asked to work on election day,...,passing out literature for Hofeld."].)

On election day, cash was obtained for paying compensation to drivers and volunteers for candidate Hofeld. That election day cash is presumably the money referred to in Mr. Novak's April 25, 1994 complaint to Mr. Potter. That money was not contributed to Congressman Rush, as a Congressional candidate, nor was it contributed to Mr. Rush, as a ward committeeman. Instead, the money was for Hofeld volunteers and it was distributed by Hofeld's campaign representatives to Hofeld volunteers.

On election day, Mr. Peter Giangreco signed a receipt for $51,820.00 in cash for distribution to Hofeld's campaign workers. A copy of Mr. Giangreco's signed receipt is enclosed. At the time, Mr. Giangreco was an affiliate of The Strategy Group, Inc., political consultants retained by the Hofeld campaign in October, 1993 in anticipation of the March election.

After signing the receipt for the funds, Mr. Giangreco entrusted the funds to Mr. Dane Tucker, a Hofeld campaign worker. Mr. Tucker, in turn, distributed money to area coordinators for the Hofeld campaign for further distribution to volunteers and individual workers. Receipts were obtained from the volunteers and from area coordinators for the funds received, those receipts are being assembled, and reports necessary to be filed with the Illinois State Board of Elections with respect to those funds are being prepared and will be filed in a timely manner. Those reports are not yet due to be filed.

The individual volunteers were asked to distribute palm cards and other campaign literature for candidate Hofeld, and, to the knowledge of the Hofeld campaign, the only instructions given to those volunteers was to distribute election-day material for candidate Hofeld.

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With respect to the remainder of Mr. Novak's complaint, it appears to be drawn primarily upon media reports. In correspondence with the State Board of Elections, Mr. Novak referred to statements attributed to Mr. Greg Hinz of *Chicago Magazine*, and Mr. Hinz has separately written to Ms. Retha Dixon of your offices to correct certain of Mr. Novak's misstatements. A copy of Mr. Hinz' letter is enclosed.

Since the Hofeld election-day cash payments were made to volunteers for Hofeld for work in connection with the Hofeld campaign and were not given for the benefit of Congressman Rush, there has been no violation of federal or state law in connection with the March, 1994 Illinois primary elections, and Mr. Novak's complaint lacks merit.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

William J. Harte (JSR)

William J. Harte

WJH:jsr

95043661759

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
(TDD) 217/782-1518

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440
(TDD) 312/814-6431

BOARD MEMBERS
David E. Murray, Chairman
Lawrence E. Johnson, Vice Chairman
Hannelore Huisman
Judith A. Jones
John T. Lanigan
Langdon D. Neal
Theresa M. Petrone
Wanda L. Redmour

EXECUTIVE DIRECTOR
Ronald D. Michaelson

TO: Joseph J. Novak
Joseph E. Tighe
William J. Harte

FROM: James Tenuto, Associate General Counsel J.T.

RE: Novak v. Al Hofeld and People for Hofeld; 94 CD 26 & 94 CD 27

DATE: June 10, 1994

Enclosed is a copy of the Hearing Examiner's Report and the Recommendation of the General Counsel. This report is being forwarded to the Board Members for presentation at their meeting on June 17, 1994 at 12:00 Noon in the principal office at 1020 South Spring Street, Springfield, Illinois. At that time the Board will determine whether or not the complaint was filed upon justifiable grounds and what further action should be taken. You may, but are not required to appear at that meeting.

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STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
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(TDD) 217/782-1518

James R. Thompson Center
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John I. Lanigan
Langdon D. Neal
Theresa M. Petrone
Wanda L. Rednour

EXECUTIVE DIRECTOR
Ronald D. Michaelson

TO: David E. Murray, Chairman
Lawrence E. Johnson, Vice Chairman
Members of the Board
Ronald D. Michaelson, Executive Director

FROM: A. L. Zimmer, General Counsel

RE: Recommendations following Closed Preliminary Hearings

DATE: March 10, 1994

---

1. 94 CD 26 & 94 CD 27; Novak v. Albert Hofeld c/o People for Hofeld

I agree with the recommendation of the hearing examiner and incorporate his remarks as my own.

2. 94 CD 29; SBE v. Citizens for Responsible Schools

The Committee filed a final report on June 1, 1994. I recommend that the Board enter an Order dismissing the case upon the provision that the Committee not be revived within 12 months from the date of the Order of Dismissal, and further providing that if the committee is revived within that time that the matter go to public hearing.

3. 94 CD 30; SBE v. McGinnis for Recorder
94 CD 31; SBE v. United We care Finance Committee
94 CD 32; SBE v. Committee to Elect Robert T. Fleege

Approve Stipulations with respect to the above-referenced cases.

4. 92 S 190; SBE v. People for Jerry Washington - Appeal of Automatic Fine

I agree with the recommendation of the hearing officer and incorporate his remarks as my own.

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Chicago Office
People for Hofeld • 100 West Monroe
Suite 1304 • Chicago, IL 60603-1901
Phone (312) 443-1994
Fax (312) 443-7489

Al Hofeld
FOR ATTORNEY GENERAL

Springfield Office
People for Hofeld • P.O. Box 141-
Springfield, IL 62705-141
Phone (217) 523-1994

RECEIPT

I hereby acknowledge receipt of $51,820.00 in cash from People for Hofeld on the 15th day of March, 1994 consisting of:

15 envelopes each containing $100.00 for Ward Co-Ordinators;

107 envelopes each containing $60.00 for Area Chairmen;

45 envelopes each containing $120.00 for drivers (including gas);

1,100 envelopes each containing $35.00 for election day workers;

NAME

6225 N. Cleaver Chicago 60660
ADDRESS

COMPANY AFFILIATION

3/15/94
DATE

9 5 0 4 3 6 6 1 7 6 2

Paid for by People for Hofeld
Contributions or gifts to People for Hofeld are not deductible as charitable contributions for federal income tax purposes.
A copy of our report filed with the State Board of Elections is for sale or available for purchase from the State Board of Elections, Springfield, IL.

1573

PEOPLE FOR HOFELD
100 W. MONROE, STE. 1201
CHICAGO, IL 60603

3/15 19 94 2-77/710

PAY TO THE ORDER OF American National Bank $ 51,280

Fifty one thousand two hundred eighty and no/100 DOLLARS

51,280.00 CK CSH 9323 005-03E
MAR15-94 09:46:25 4271513

American National Bank
and Trust Company of Chicago • Chicago, Illinois 60690

FOR

OK 100 cash
10 61 AMA
6/18

⑈001573⑈ ⑆071000770⑆ 04271513⑈ ⑈0005128000⑈

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Resp # 2

IV
Travel Services, Inc.
[illegible] Washington Avenue
Suite [illegible]
Chicago, IL [illegible]
[illegible]

9 5 0 4 3 6 6 1 7 6 4

Amt CASH Returned
4/20/94 - 5.760.
Counted By: [illegible]
J. Duff

Deposited to Acct: 4/20/94

FED
JUN 13 3 40 PM '95

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) Enforcement Priority
)
)

SENSITIVE

GENERAL COUNSEL'S MONTHLY REPORT

I. INTRODUCTION

This report is the General Counsel's Report to recommend that the Commission no longer pursue the identified lower priority and stale cases under the Enforcement Priority System.

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 and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. 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 10 cases which do not warrant further pursuit relative to the other pending cases.[1] A short description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each

1. These matters are: MUR 4087; MUR 4092; MUR 4093; MUR 4096; MUR 4097; MUR 4098; MUR 4100; MUR 4103; MUR 4106; and MUR 4114.

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case is attached to this report. See Attachments 1-11. As the Commission requested, this Office has attached the responses to the complaints for the externally-generated matters and the referral for the internally-generated matter following the narrative. See Attachments 1-11.

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 34 cases that

do not warrant further investment of significant Commission resources.[2] Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. As the Commission requested, in matters in which the Commission has made no

---

2. These matters are: MUR 2582; MUR 3109; MUR 3241; MUR 3426; MUR 3857; MUR 3858; MUR 3862; MUR 3866; MUR 3876; MUR 3879; MUR 3890; MUR 3893; MUR 3895; MUR 3896; MUR 3898; MUR 3902; MUR 3903; MUR 3904; MUR 3905; MUR 3907; MUR 3908; MUR 3912; MUR 3933; MUR 3958; MUR 3962; MUR 3978; MUR 3984; RAD 93L-19; RAD 94L-05; RAD 94L-11; RAD 94L-15; RAD 94L-21; RAD 94L-23; and RAD 94L-26.

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findings, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are attached to the report. See Attachments 16-45. For cases in which the Commission has already made findings and for which each Commissioner's office has an existing file, this Office has attached the most recent General Counsel's Report. See Attachments 12-15.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective June 26, 1995. By closing the cases effective June 26, 1995, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record for these cases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective June 26, 1995 in the following matters:

1) RAD 93L-19
2) RAD 94L-05
3) RAD 94L-11
4) RAD 94L-15
5) RAD 94L-21
6) RAD 94L-23
7) RAD 94L-26

B. Take no action, close the file effective June 26, 1995, and approve the appropriate letter in the following matters:

1) MUR 3857
2) MUR 3858
3) MUR 3862

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4) MUR 3866
5) MUR 3876
6) MUR 3879
7) MUR 3890
8) MUR 3893
9) MUR 3895
10) MUR 3896
11) MUR 3898
12) MUR 3902
13) MUR 3903
14) MUR 3904
15) MUR 3905
16) MUR 3907
17) MUR 3908
18) MUR 3912
19) MUR 3933
20) MUR 3958
21) MUR 3962
22) MUR 3978
23) MUR 3984
24) MUR 4087
25) MUR 4092
26) MUR 4093
27) MUR 4096
28) MUR 4097
29) MUR 4098
30) MUR 4100
31) MUR 4103
32) MUR 4106
33) MUR 4114

C. Take no further action, close the file effective June 26, 1995, and approve the appropriate letter in the following matters:

1) MUR 2582
2) MUR 3109
3) MUR 3241
4) MUR 3426

Jan 17, 1995
Date

Lawrence M. Noble
General Counsel

95043661768

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	Agenda Document
Enforcement Priority	)	#X95-52

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 27, 1995, do hereby certify that the Commission decided by a vote of 6-0 on each of the matters listed below to take the actions hereinafter described:

A. Decline to open a MUR and close the file effective July 5, 1995 in the following matters:

1) RAD 93L-19
2) RAD 94L-05
3) RAD 94L-11
4) RAD 94L-15
5) RAD 94L-21
6) RAD 94L-23
7) RAD 94L-26

B. Take no action, close the file effective July 5, 1995, and approve the appropriate letter in the following matters:

1) MUR 3857
2) MUR 3858
3) MUR 3862

(continued)

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4) MUR 3866
5) MUR 3876
6) MUR 3879
7) MUR 3890
8) MUR 3893
9) MUR 3895
10) MUR 3896
11) MUR 3898
12) MUR 3902
13) MUR 3903
14) MUR 3904
15) MUR 3905
16) MUR 3907
17) MUR 3908
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24) MUR 4087
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26) MUR 4093
27) MUR 4096
28) MUR 4097
29) MUR 4098
30) MUR 4100
31) MUR 4103
32) MUR 4106
33) MUR 4114

(continued)

95043661770

C. Take no further action, close the file effective July 5, 1995, and approve the appropriate letter in the following matters:

1) MUR 2582
2) MUR 3109
3) MUR 3241
4) MUR 3426

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision with respect to each of these actions.

Attest:

6-30-95
Date

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

9504366177 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1995

Joseph Novak
31 Keystone
River Forest, IL 60305

RE: MUR 3962

Dear Mr. Novak:

On May 6, 1994, May 27, 1994 and June 1, 1994, the Federal Election Commission received your complaint and additional information 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 July 5, 1995. 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
Central Enforcement Docket

95043661772

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1995

Joseph E. Tighe, Esquire
111 W. Washington Street
Chicago, IL 60602

RE: MUR 3962
Al Hofeld

Dear Mr. Tighe:

On May 12, 1994 and June 13, 1994, the Federal Election Commission notified your client of a complaint and additional information alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint and additional information was enclosed with the notifications.

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 July 5, 1995.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

9504366177 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1995

Treasurer
Hofeld for Attorney General
100 West Monroe, Suite 1201
Chicago, IL 60603

RE: MUR 3962

Dear Treasurer:

On May 12, 1994 and June 13, 1994, the Federal Election Commission notified you of a complaint and additional information alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint and additional information was enclosed with the notifications.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against the Committee and you, as treasurer. 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 July 5, 1995.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

9504366174

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1995

Bettylu Saltzman, Treasurer
Hofeld for the U.S. Senate Committee
3015 West Fifth Street
Milan, IL 61264

RE: MUR 3962

Dear Ms. Saltzman:

On May 12, 1994 and June 13, 1994, the Federal Election Commission notified you of a complaint and additional information alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint and additional information was enclosed with the notifications.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against the Committee and you, as treasurer. 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 July 5, 1995.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1995

Timothy Wright, Esquire
Pryor, McClendon Counts
111 W. Washington Street
Chicago, IL 60602

RE: MUR 3962
Bobby L. Rush
Citizens for Rush for Congress and Sheila Jackson, as treasurer

Dear Mr. Wright:

On May 12, 1994 and June 13, 1994, the Federal Election Commission notified your clients of a complaint and additional information alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint and additional information was enclosed with the notifications.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against your clients. 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 July 5, 1995.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

95043661776

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1995

Barbara Curtis
c/o Citizens for Rush for Congress
3361 South King Drive
Chicago, IL 60616

RE: MUR 3962

Dear Ms. Curtis:

On May 12, 1994 and June 13, 1994, the Federal Election Commission notified you of a complaint and additional information alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint and additional information was enclosed with the notifications.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against the Committee and you, as treasurer. 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 July 5, 1995.

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 the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3962

DATE FILMED 7/20/95 CAMERA NO. 1

CAMERAMAN EES

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