



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3967

DATE FILMED 8-31-94 CAMERA NO. 2

CAMERAMAN JM H

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FEDERAL ELECTION COMMISSION

May 6, 1994

MAY 12 11 23 AM '94

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

MUR 3967

Attention: Complaint Department

To Whom It May Concern:

My name is Glen Morgan and my address is 4277 Guide Meridian, #102191, Bellingham, Washington 98226. I am writing you to alert you to a violation of the Federal Election Campaign Law.

MAY 12 11 23 AM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Today I called the Public Disclosure Commission at 206-753-1111 and attempted to obtain the Federal Election filing of Jack Metcalf, a person who has announced that he is a candidate for Congress in Washington State's Second Congressional District (the congressional district in which I live). I was told by someone who identified herself as "Monique" that Mr. Metcalf has not filed any reports of his receipts and disbursements for the current election cycle. I believe that Mr. Metcalf was required to file a report of receipts and disbursements on April 15, 1994.

The law pertaining to federal elections clearly requires Mr. Metcalf to file a report of his receipts and disbursements. United State Code Title 2 Section 434(a)(1)(A)(ii) requires that a report be filed for each "candidate for the House of Representatives . . . which shall be filed no later than the 15th day after the last day of each calendar quarter . . . ."

There is no question that Mr. Metcalf is a "candidate" within the meaning of the Federal Elections Law. Section 431 defines a candidate, in relevant part, as an individual:

"who seeks nomination for election . . . to Federal office" (Section 431(2)); or

"has received contributions aggregating in excess of \$5,000 or has made expenditures aggregating in excess of \$5,000 . . ." (Section 431(2)(A)).

I believe that there are two different reasons why Mr. Metcalf should have filed a report of his receipts and disbursements.

First, Mr. Metcalf has made numerous public statements showing that he "seeks nomination for election . . . for Federal office". Attached as Exhibit "A" is a fundraising letter sent by Mr. Metcalf in March 1994 showing several of such statements.

Second, Exhibit "A" also shows that Mr. Metcalf

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commissioned a poll from a company known as "Hebert Research". Upon information and belief, Mr. Metcalf has made public statements to the effect that he spent \$10,000 on such poll which was conducted the first week of February.

Each of these facts alone is sufficient to show a violation of the law by Mr. Metcalf. However, there are two additional pieces of evidence of wrongdoing by Mr. Metcalf.

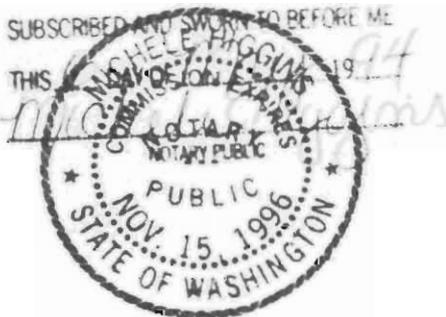
Upon information and belief, Mr. Metcalf has hired at least two people to work on his campaign efforts. One, named "Kris Strowe", has been heard publically saying that he has been hired as Mr. Metcalf's campaign manager. The second person has the last name of Cutbirth (I do not know his first name).

Second, Exhibit A was sent under a bulk rate permit and appears to have been sent by a type of company commonly known as a "mailhouse". Upon information and belief, such companies usually require payment in advance.

Could you please take whatever action is appropriate? I believe stongly in our laws and strongly in the principle that they should apply to everyone.

Sincerely,

*Glen Morgan*  
Glen Morgan



Elect

**Jack Metcalf**

2nd District Congress ★ Republican

12811—8th Ave. W., Suite B-101

Everett, WA 98204  
(206) 514-8112

March 1994

Dear Friend,

I have exciting news! Recent poll results show that Republicans have a big opportunity to win the Second Congressional District for the first time in three decades!

Democrat Congressman Al Swift is stepping down after 16 years, and the race is wide open. Several candidates have indicated they are running or considering a run for Congress.

Hebert Research, a respected Bellevue polling firm, surveyed 500 registered voters in our district. Of all candidates, Republicans and Democrats, I am the strongest with nearly an 80 percent name familiarity!

Only 14 percent of those surveyed said they were unwilling to vote for me. That's a very low negative rating for someone who has that high name recognition and an established legislative record.

The strongest Democrat, Harriet Spanel, drew only a 37 percent name familiarity while the next closest Republican, Tim Erwin, came in at just under 18 percent.

A few weeks ago, when I launched this second campaign for Congress, I was pretty sure that my candidacy two years ago put me in a strong position to win this November. The Hebert poll shows that I am in better shape than even I suspected!

I am very much aware, however, that a high name identification in March does not guarantee an election victory in November. A successful candidate must be committed to issues that matter to the voters.

Many candidates take polls to find out what people think and then shape their campaign according to what they think will get them elected. I have never done that.

My stands on the issues have always been based on my belief that the welfare state has failed—that government is too big and spends too much. I have consistently fought government policies that erode the family and make it hard for small businesses to survive.

It turns out that the voters of the Second District share many of my concerns. When Hebert Research asked voters to indicate which issues they felt were important in the upcoming election, they named issues I have long worked on: reducing federal spending, balancing the budget, fighting violent crime and child abuse, reducing regulatory and tax burdens on small businesses, and preserving our strong national defense.

*Paid for by Citizens for Jack Metcalf  
Leo Thorsness, Chairman*

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Another encouraging result of the Hebert poll is that I am the strongest Republican among voters identifying themselves as "independents." That does not surprise me, because I have a reputation as being someone who works with people of both parties to get important legislation passed.

The Republican winner of the Primary Election in September will have to attract a lot of non-Republican votes to win the Second District, and the Hebert poll shows that I am the strongest candidate (of either party) with independent voters.

It's important that Republicans make big gains in Congress this election year. Under almost a half-century of one party domination, the House of Representatives has become one of the most corrupt institutions in our nation. House Ways and Means Chairman Dan Rostenkowski, as well as former staff members, face possible criminal charges.

Arrogance is the rule of the day, with Speaker of the House Tom Foley suing the people of Washington for daring to limit Congressional terms. House members also exempt themselves from laws the rest of us must follow.

We can expect no reform from the present leadership. We must elect people who will change the leadership and reform Congress.

You can help me begin congressional reform by becoming part of my campaign today! Even if the Republicans fail to gain control, I will work with members of both parties to restore Congress as a truly representative body.

Because the Second Congressional District is Washington's only open seat this year, big liberal special interests will be pouring hundreds of thousands of dollars into Democrat campaign war chests.

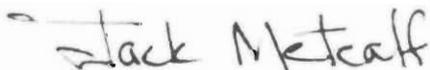
To win this fall, I need to raise at least \$600,000!

Metcalf campaigns have always been financed by thousands of individuals and are known for lots of volunteers and squeezing every dime. We don't just talk about fiscal integrity, we practice it.

I'm asking you for \$1000, which is the most I can accept under the law. If you are unable to give at that level, your check will be appreciated regardless of the amount: \$250, \$100, \$30.

I urgently need to hear from you, so please fill in the enclosed envelope and send it with your maximum contribution today. Your support means so much to me

Sincerely,

  
Jack Metcalf

P.S. If you don't care that Washington State has only one Republican out of nine Congressional members, throw this letter away and do nothing. But if you want to help in the best opportunity we Republicans have to pick up a seat in Congress, send your absolute maximum contribution today.

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# Poll shows Jack Metcalf leads race for open Congressional seat

Republican Congressional Candidate Jack Metcalf of Langley has a strong lead in the race to replace retiring Congressman Al Swift, according to a poll of the Second District.

Metcalf, Swift's Republican foe in 1992, has a name familiarity of 79 percent, with a negative rating of only 15 percent.

His next closest rival is State Sen. Harriet Spanel, a Democrat. Metcalf's closest Republican rival is state Sen. Tim Erwin.

The survey of 500 voters was conducted by Hebert Research of Bellevue in February.

It has a margin of error of plus or minus 4.4 percent.

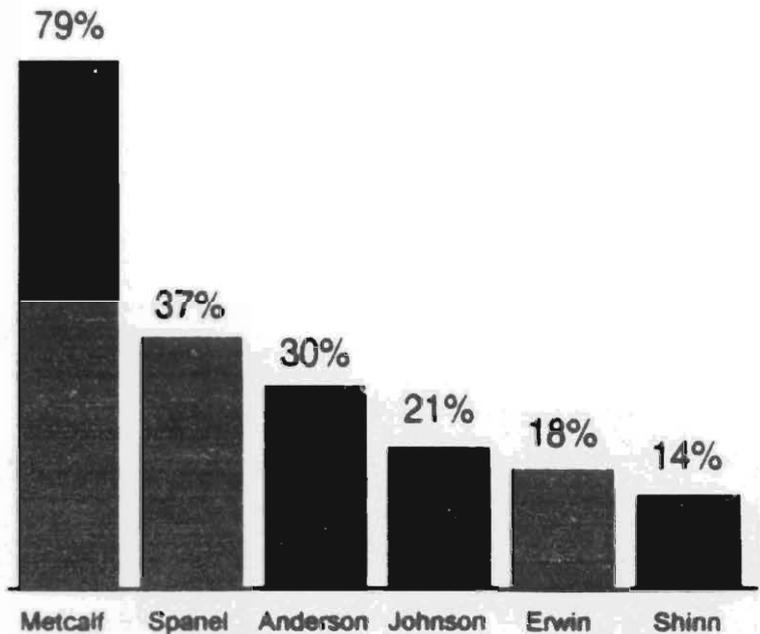
Poll participants were asked whether they had heard of various potential Second District candidates.

Republicans receiving significant name identification were Metcalf and Erwin.

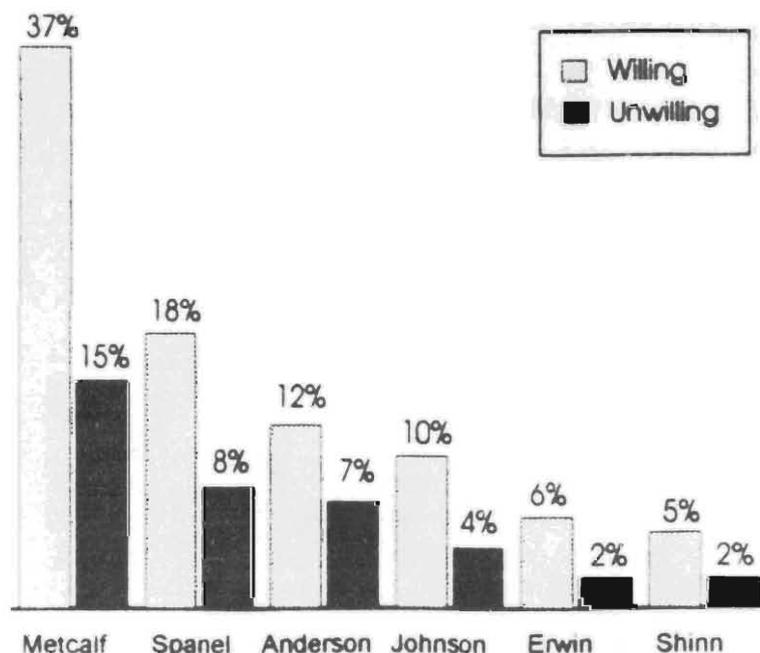
Democrats named in the survey were Spanel, former Everett Mayor Bob Anderson, state Rep. Rob Johnson, and state Rep. Paul Shinn.

After participants stated whether they had heard of a candidate, they were asked how willing they were to vote for that candidate.

## Name Familiarity for Candidates



## Willingness to Vote for Candidates



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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 18, 1994

Glen Morgan  
4277 Guide Meridian, # 102191  
Bellingham, WA 98226

RE: MUR 3967

Dear Mr. Morgan:

This letter acknowledges receipt on May 12, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) 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 3967. 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

94043564120



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAY 18, 1994

Treasurer  
Citizens for Jack Metcalf  
12811 8th Ave., Suite B-101  
Everett, WA 98204

RE: MUR 3967

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Citizens for Jack Metcalf ("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 3967. 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.

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Treasurer  
Citizens for Jack Metcalf  
Page 2

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

24043564122



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAY 18, 1994

Jack Metcalf  
c/o Jack Metcalf for Congress  
3273 Saratoga Road  
Langley, WA 98260

RE: MUR 3967

Dear Mr. Metcalf:

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 3967. 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.

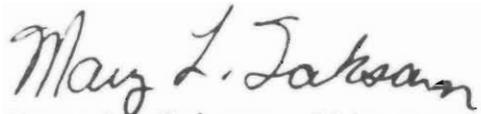
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

24043564123

Jack Metcalf  
Page 2

If you have any questions, please contact Joan McEnergy 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, Attorney  
Central Enforcement Docket

Enclosures

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

24043564124



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAY 18, 1994

Don Watts, Treasurer  
Jack Metcalf for Congress  
3273 Saratoga Road  
Langley, WA 98260

RE: MUR 3967

Dear Mr. Watts:

The Federal Election Commission received a complaint which indicates that Jack Metcalf 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 3967. 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.

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Don Watts, Treasurer  
Jack Metcalf for Congress  
Page 2

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

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Citizens for  
**Jack Metcalf**

12811-8th Avenue West, Suite B-101  
Everett, WA 98204

2nd District Congress • GOP

(206) 514-8112

Joan McEnery  
Central Enforcement Docket  
Federal Election Commission  
Washington, D.C. 20463

May 25, 1994

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

MAY 31 10 12 AM '94

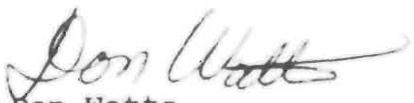
Dear Ms. McEnery:

Recently I was alerted to the fact that a complaint has been filed against the Citizens for Jack Metcalf committee (file number MUR 3967).

Although I am presently the campaign treasurer for the Citizens for Jack Metcalf committee, I have appointed Chris Strow, the committee's campaign manager, to be my personal representative in regards to this matter. In the future, please forward all inquiries or materials related to this case to Chris Strow at the address listed above.

Thank you for your cooperation.

Sincerely,



Don Watts  
Treasurer

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060#1571

Citizens for  
**Jack Metcalf**  
2nd District Congress • GOP

RECEIVED  
FEDERAL ELECTION COMMISSION  
ADMIN

12811-8th Avenue West, Suite B-101  
Everett, WA 98204

JUN 10 11 25 AM '94

(206) 514-8112

JUN 10 11 50 AM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

06-08-94

TO: Federal Election Commission  
FROM: Chris Strow, Designated Representative for Don Watt  
RE: MUR 3967

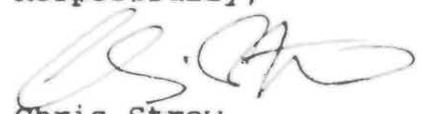
TO WHOM IT MAY CONCERN:

The complaint is correct. I failed to file a copy of the April 15 FEC report with the Public Disclosure Commission in Olympia, WA. This was rectified immediately upon notice of this complaint.

While no excuse, the report was generated at the same time as the copy that was mailed to the Federal Election Commission. It was placed in a brown envelope without a label on it and placed on my desk. In the clutter on my desk, it was placed under a stack of documents, and forgotten.

For my part, I will make sure that this does not occur again. I am eager to resolve this matter as soon as possible. Please feel free to contact me at (206) 514-8112, if I can answer any further questions.

Respectfully,



Chris Strow  
Campaign Manager  
Citizens for Jack Metcalf

74043564128

Glen Morgan  
1 Bellis Fair Parkway - #346192  
Bellingham, WA 98226

VIA ~~FACSIMILE~~ AND MAIL  
Mary L. Taksar, Esq.  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 3967

Dear Ms. Taksar:

In your letter dated May 18, 1994, you instructed me to forward to you any additional information regarding the above-captioned matter.

As you know, Sections 431(2) and 434(a)(1)(A)(ii) of Title 2 of the United States Code operate together to define the circumstances under which a candidate is required to file a report of his receipts and disbursements.

In my letter to you dated May 6, 1994, I informed you that Mr. Jack Metcalf appears to have violated Federal Election Law by failing to file a report of his receipts and disbursements, even though he (1) has been holding himself out to be a candidate and (2) has spent at least \$5,000.

I am writing you now to inform you that Mr. Metcalf may have also committed a third breach of the Federal Election Law. Attached is a letter dated "May 1994" on page 3 of which Mr. Metcalf claims to have raised "over \$40,000 in just over two months".

Upon information and belief, this letter was prepared and distributed in April 1994. This means that at least some of the \$40,000 was raised in March. If Mr. Metcalf raised at least \$5,000 of this amount on or before March 31, 1994, then he was required to report it.

Could you please take whatever action you think is appropriate? Candidates shouldn't be allowed to ask citizens for money unless they obey the law.

Please note that I have a new mailing address.

Sincerely,

*Glen Morgan*  
Glen Morgan



STATE OF WASHINGTON

COUNTY OF WHATCOM

On this day personally appeared before me

GLEN MORGAN

to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal this

3RD

day of

JUNE

1994

*Tammie Marr Smith*  
Notary Public in and for the state of Washington,

residing at BELLINGHAM, WA

My appointment expires MAY 5, 1995

24043564129



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

JUNE 22, 1994

Glen Morgan  
1 Bellis Fair Parkway, #346192  
Bellingham, WA 98226

RE: MUR 3967

Dear Mr. Morgan:

This letter acknowledges receipt on June 9, 1994, of the supplement to the complaint you filed on May 18, 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

24043564130



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

JUNE 22, 1994

Jack Metcalf  
c/o Jack Metcalf for Congress  
3273 Saratoga Road  
Langley, WA 98260

RE: MUR 3967  
Jack Metcalf

Dear Mr. Metcalf:

On May 18, 1994, you were notified that the Federal Election Commission received a complaint from Glen Morgan alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. 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 June 9, 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

24043564131



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

JUNE 22, 1994

Chris Strow, Campaign Manager  
Citizens for Jack Metcalf  
12811-8th Avenue, West  
Suite B-101  
Everett, WA 98204

RE: MUR 3967  
Citizens for Jack Metcalf,  
and Don Watts, as Treasurer,  
Jack Metcalf for Congress and  
Don Watts, as Treasurer

Dear Mr. Strow:

On May 18, 1994, Don Watts was notified that the Federal Election Commission received a complaint from Glen Morgan alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. Mr. Watts was 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 31, 1994, the Commission received correspondence from Mr. Watts appointing you as his representative in this matter and requesting that all future inquires and materials in this case be forwarded to you.

On June 9, 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

94043564132

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

JUN 30 3 55 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

24043564137

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

94043564138

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)

94043564139

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)

24043564140

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

24043564141



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

Glen Morgan  
1 Bellis Fair Parkway, #346192  
Bellingham WA 98226

RE: MUR 3967

Dear Mr. Morgan:

On May 12, 1994, 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 has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed 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

24043564142

MUR 3967

JACK METCALF FOR CONGRESS

The complainant, Glen Morgan, alleges that the Jack Metcalf for Congress Committee failed to file with a copy of its April 15, 1994, disclosure report with the State of Washington Public Disclosure Division. Mr. Morgan filed a supplement to the complaint stating that Mr. Metcalf was required to file disclosure reports because Mr. Metcalf had disclosed in a letter, dated May 1994, that he had raised over \$40,000 in a little more than two months.

Chris Strow, the Campaign Manager for Citizens for Jack Metcalf, responded that due to administrative error, he failed to mail a copy of the April 15, 1994 report to the State of Washington Public Disclosure Commission but that upon notification of the complaint, the report was filed.

There is no evidence that the activity had significant impact on the process and there appears to be no serious intent to violate FECA. The Committee took remedial action upon knowledge of the violation and this matter involves less significant issues relative to the other issues pending before the Commission.

24043564143



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

Chris Strow, Campaign Manager  
Citizens for Jack Metcalf  
12811-8th Avenue, West  
Suite B-101  
Everett, WA 98204

RE: MUR 3967  
Citizens for Jack Metcalf, and Don Watts, as Treasurer,  
Jack Metcalf for Congress and Don Watts, as Treasurer

Dear Mr. Strow:

On May 18, 1994, the Federal Election Commission notified Citizens for Jack Metcalf and Don Watts, as treasurer; and Jack Metcalf for Congress (collectively "Committees") and Don Watts, as treasurer 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 has determined to exercise its prosecutorial discretion and to take no action against the Committees and Don Watts, as treasurer. See attached narrative. Accordingly, the Commission closed 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

Attachment  
Narrative

24043564144

MUR 3967

**JACK METCALF FOR CONGRESS**

The complainant, Glen Morgan, alleges that the Jack Metcalf for Congress Committee failed to file with a copy of its April 15, 1994, disclosure report with the State of Washington Public Disclosure Division. Mr. Morgan filed a supplement to the complaint stating that Mr. Metcalf was required to file disclosure reports because Mr. Metcalf had disclosed in a letter, dated May 1994, that he had raised over \$40,000 in a little more than two months.

Chris Strow, the Campaign Manager for Citizens for Jack Metcalf, responded that due to administrative error, he failed to mail a copy of the April 15, 1994 report to the State of Washington Public Disclosure Commission but that upon notification of the complaint, the report was filed.

There is no evidence that the activity had significant impact on the process and there appears to be no serious intent to violate FECA. The Committee took remedial action upon knowledge of the violation and this matter involves less significant issues relative to the other issues pending before the Commission.

94043564145



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3967

DATE FILMED 8-31-91 CAMERA NO. 2

CAMERAMAN JMW

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