



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4020

DATE FILMED 10-18-54 CAMERA NO. 2

CAMERAMAN JM H

94043590511

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

JUL 23 11 47 AM '94

P.O. Box 603
Spring Hill, TN 37174
July 25, 1994

MUR 4020

Federal Election Commission
Office of General Counsel
999 E Street NW
Washington, D.C. 20463

Dear Commission:

Please file and consider this as a formal notice of complaint under 11 C.F.R. 114.2 and 100.7 on Candidate Charles Salvaggio for United States Congress in the August 4th Republican Primary in Tennessee.

A review of the April 15th FEC file reveals that Mr. Salvaggio as Mayor of Germantown, an incorporated city in east Shelby County Tennessee used local taxpayer's dollars to purchase a plane ticket in the amount of \$252.00. on March 9, 1994. It is reported as being repaid.

After speaking to FEC specialist Craig Scott he recommended I file under the aforementioned sections. Treating the city as a corporation is it a violation for Mr. Salvaggio to make an advance to benefit his campaign under 11 C.F.R. 100.77 Is it also a violation to use these funds to benefit his campaign under 114.2?

The matter of using local taxpayer's dollars to benefit a federal race is also an issue. Does this fall under another statute as either a civil or criminal matter under the United States Code?

If you have any questions or need additional information, please contact me at (615) 381-8459.

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94043590513

Sincerely,

Patrick Keith Hales

Patrick Keith Hales

AFFIDAVIT

**COUNTY OF MAURY
STATE OF TENNESSEE**

Comes now Patrick K. Hales who first duly sworn, swears or affirms that the information contained in this document is true to the best of his knowledge, information and belief.

This 25th day of July, 1994

Patrick K. Hales

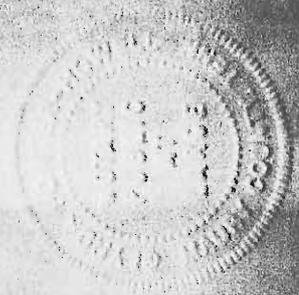
PATRICK K. HALES

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS 25TH DAY OF JULY, 1994

COMMISSION EXPIRES: 1-26-98

Glenda Porter-Howell

NOTARY PUBLIC





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 5, 1994

Patrick Keith Hales
P.O. Box 603
Spring Hill, TN 37174

RE: MUR 4020

Dear Mr. Hales:

This letter acknowledges receipt on July 29, 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 4020. 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

94043590514



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 5, 1994

Charles Salvaggio
9444 Dogwood Road
Germantown, TN 38138

RE: NUR 4020

Dear Mr. Salvaggio:

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 NUR 4020. 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.

94043590515

Charles Salvaggio
Page 2

If you have any questions, please contact Alva E. Smith 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

94043590516



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 5, 1994

Mike Edwards, Treasurer
Charles Salvaggio for Congress Exploratory Committee
P.O. Box 381003
Germantown, TN 38183

RE: MUR 4020

Dear Mr. Edwards:

The Federal Election Commission received a complaint which indicates that Charles Salvaggio for Congress Exploratory 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 4020. 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.

94043590517

Mike Edwards, Treasurer
Charles Salvaggio for Congress Exploratory Committee
Page 2

If you have any questions, please contact Alva E. Smith 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

94043590518

Charles
Salvaggio
for Congress

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

Aug 22 9 02 AM '94

P.O. Box 381003 • Germantown, TN 38183 • 901-758-8799

August 17, 1994

Federal Election Commission
Washington, D.C. 20463

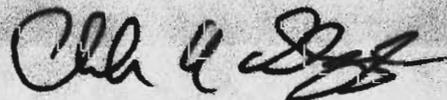
Mary L. Taksar
Central Enforcement Docket

RE: MUR 4020

Dear Ms. Taksar:

As Mayor of my community I am a member of the National League of Cities and have attended the annual meeting in Washington D.C. almost every year since I have held office. The trip was planned and booked for the Mayor and Board of Aldermen this year as always. Being a Congressional candidate this year, I made a decision to reimburse the city for the air fare to avoid the possibility of any questions regarding this trip. Enclosed is a copy of the complaint and a copy of my cancelled check to the city for the airplane ticket.

Sincerely,



Charles A. Salvaggio

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF CENTRAL
ENFORCEMENT
Aug 22 9 50 AM '94

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Date 3/9/74

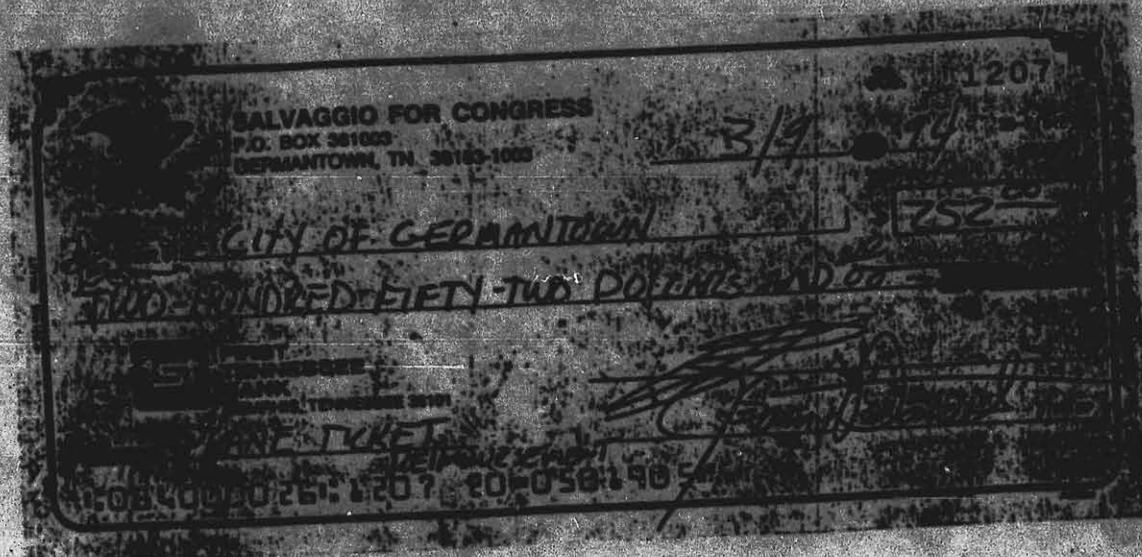
70104

Received From Salvaggio for Congress 252⁰⁰
Two hundred fifty-two Dollars in Payment
of balance of 1st class ticket - Salvaggio - USC Gulf 3/11

Check
 Cash 10 4130.236

CITY OF GERMANTOWN, TENNESSEE

By [Signature]



94043590520

BEFORE THE FEDERAL ELECTION COMMISSION

SEP 22 9 43 AM '94

In the Matter of

)
) Enforcement Priority
)

GENERAL COUNSEL'S MONTHLY REPORT

I. INTRODUCTION

This report is the first Enforcement Priority System Monthly Report.¹ The purpose of this August Monthly 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

1. Prior to this report, Enforcement Priority System reports were done on a quarterly basis. However, on July 19, 1994, the Commission decided to change the reporting frequency from quarterly to monthly. Because this Office needed sufficient time to implement the change in reporting frequency, the August Monthly Report includes cases for July and August. In the future, the Monthly Report will reflect one month's activity.

Additionally, this Office previously indicated to the Commission that at the end of each quarter, we will provide a statistical recap for the activity that occurred during the quarter. Sometime in early October, this Office will provide a report for third quarter activity.

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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.² A short 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 or sua sponte submission.

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 5 cases that

do not

2. These matters are: MUR 3963; MUR 3981; MUR 3982; MUR 3983; MUR 3989; MUR 3992; MUR 3993; MUR 3994; MUR 4006; MUR 4011; MUR 4015; MUR 4017; MUR 4020; MUR 4021; and PH 300.

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warrant further investment of significant Commission resources.³ Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. However, for the externally-generated matters, the complaint and response(s) are attached to the report and for internally-generated matters, the referral is attached. See Attachments 17-21.

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3. These matters are: MUR 3784; MUR 3786; RAD 93L-52, RAD 93NF-23, and PH 287.

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IV. RECOMMENDATIONS

A. Decline to open a MUR, close the file, and approve the appropriate letter in the following matters:

- 1) RAD 93L-52
- 2) RAD 93NF-23

- 4) PM 287
- 5) PM 300

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

- 1) MUR 3784
- 2) MUR 3788
- 3) MUR 3963
- 4) MUR 3981
- 5) MUR 3982
- 6) MUR 3983
- 7) MUR 3989
- 8) MUR 3992
- 9) MUR 3993
- 10) MUR 3994
- 11) MUR 4006
- 12) MUR 4011
- 13) MUR 4015
- 14) MUR 4017
- 15) MUR 4020
- 16) MUR 4021

Date 9-21-94

Lawrence M. Noble (L92)
Lawrence M. Noble
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Enforcement Priority

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)
)

Agenda Document
#X94-94

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on September 27, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in the above-captioned matter:

A. Decline to open a NUR, close the file, and approve the appropriate letter in the following matters:

- 1) RAD 93L-52;
- 2) RAD 93NF-23;
- 3) PR 287;
- 4) PR 300.

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

- 1) NUR 3784;
- 2) NUR 3788;
- 3) NUR 3963;
- 4) NUR 3981;
- 5) NUR 3982;
- 6) NUR 3983;
- 7) NUR 3989;

(continued)

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- 8) NUR 3992;
- 9) NUR 3993;
- 10) NUR 3994;
- 11) NUR 4006;
- 12) NUR 4011;
- 13) NUR 4015;
- 14) NUR 4017;
- 15) NUR 4020;
- 16) NUR 4021.

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

Attest:

9-29-94
Date

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

94043590526



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 29 1994

Patrick Keith Hales
P.O. Box 603
Spring Hill, TN 37174

RE: MUR 4020

Dear Mr. Hales:

On July 29, 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 Charles Salvaggio for Congress Exploratory Committee and Mike Edwards, as treasurer and Charles Salvaggio. See attached narrative. Accordingly, the Commission closed its file in this matter. 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

Attachment
Narrative

Date the Commission voted to close the file: SEP 27 1994

94043590527

NUR 4020

CHARLES SALVAGGIO FOR CONGRESS

The complainant, Patrick Keith Hales, alleges that Germantown, Tennessee, an incorporated city, made an advance to the Charles Salvaggio for Congress Committee in the form of a \$252 plane ticket, for which the city was reimbursed.

In response to the complaint, Charles Salvaggio states that he attended the National League of Cities annual meeting as Mayor of Germantown and a member of the National League of Cities and that travel arrangements for the meeting were made for him in his capacity as Mayor. Mr. Salvaggio states that because he is a Congressional candidate, he made the decision "to reimburse the city for the air fare to avoid the possibility of any questions regarding the trip."

This matter involves a limited amount of money and there is no indication of any serious intent to violate FECA. This matter involves less significant issues relative to the other issues pending before the Commission.

94043590528



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 29 1994

Mike Edwards, Treasurer
Charles Salvaggio for Congress
Exploratory Committee
P.O. Box 381003
Germantown, TN 38183

RE: MUR 4020

Dear Mr. Edwards:

On August 5, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Charles Salvaggio for Congress Exploratory Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter.

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 Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Attachment
Narrative

Date the Commission voted to close the file:

SEP 27 1994

94043590529

HUR 4020

CHARLES SALVAGGIO FOR CONGRESS

The complainant, Patrick Keith Hales, alleges that Germantown, Tennessee, an incorporated city, made an advance to the Charles Salvaggio for Congress Committee in the form of a \$252 plane ticket, for which the city was reimbursed.

In response to the complaint, Charles Salvaggio states that he attended the National League of Cities annual meeting as Mayor of Germantown and a member of the National League of Cities and that travel arrangements for the meeting were made for him in his capacity as Mayor. Mr. Salvaggio states that because he is a Congressional candidate, he made the decision "to reimburse the city for the air fare to avoid the possibility of any questions regarding the trip."

This matter involves a limited amount of money and there is no indication of any serious intent to violate FECA. This matter involves less significant issues relative to the other issues pending before the Commission.

94043590530



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 29 1994

Charles Salvaggio
9444 Dogwood Road
Germantown, TN 38138

RE: MUR 4020

Dear Mr. Salvaggio:

On August 5, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter.

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 Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Attachment
Narrative

Date the Commission voted to close the file:

SEP 27 1994

94043590531

NUR 4020
CHARLES SALVAGGIO FOR CONGRESS

The complainant, Patrick Keith Hales, alleges that Germantown, Tennessee, an incorporated city, made an advance to the Charles Salvaggio for Congress Committee in the form of a \$252 plane ticket, for which the city was reimbursed.

In response to the complaint, Charles Salvaggio states that he attended the National League of Cities annual meeting as Mayor of Germantown and a member of the National League of Cities and that travel arrangements for the meeting were made for him in his capacity as Mayor. Mr. Salvaggio states that because he is a Congressional candidate, he made the decision "to reimburse the city for the air fare to avoid the possibility of any questions regarding the trip."

This matter involves a limited amount of money and there is no indication of any serious intent to violate FECA. This matter involves less significant issues relative to the other issues pending before the Commission.

94043590532

THIS IS THE END OF RUN # 4020

94043590533



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4120

DATE FILMED 11-13-51 CAMERA NO. 2

CAMERAMAN JMH

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