FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4041

DATE FILMED 6/16/95 CAMERA NO. 2

CAMERAMAN EES

9504364426

RON FRANKS
for U.S. Senate

104 Ritchie Highway
Pasadena, Maryland 21122

Phone (800) 3 - FRANKS

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

JUL 21 12 32 PM '94

July 19, 1994

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

Dear Sir,

I wish to report a violation of the Federal campaign law. The enclosed letter was, according to its author, produced and mailed at the expense of the Bill Brock Election Committee, Inc. The letter, sent to several Republican office-holders, is clearly missing an authority line and, therefore, is misleading as to who paid for the piece.

Mr. Taylor, the author of the letter, freely admitted on at least two occasions that the Brock Campaign assisted in the writing of the letter and produced it and that "they [the Brock Campaign] sent it out".

Thank you for your attention in this matter.

Sincerely,

Dick Sossi

Dick Sossi, Campaign Coordinator

CC: Chairman Joyce Terhes, Maryland Republican Party
Richard Taylor, National Committeeman

9504364427

Authority Dan Falk, Treasurer Franks for U.S. Senate

Republican
National
Committee

Richard P. Taylor
Member for Maryland
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 429-8459

July 14, 1994

Dear Fellow Republican:

As you may know, I thoroughly support Bill Brock's efforts to win the United States Senate seat for Maryland. I have had the privilege of knowing Bill Brock since the 1970s when he served as Chairman of the Republican National Committee. Through the years, Bill Brock has demonstrated time and again his deep commitment to our Country, the Republican Party, and the State of Maryland.

For these reasons, as Republican National Committeeman, I have taken a unique step in fully and publicly endorsing Bill Brock now. In fact, just this past Tuesday, I served as Master of Ceremonies at a major fund-raiser for Bill that featured key party leaders including Senators Lugar and Nickles, and Bill Bennett. They all shared examples of how Bill Brock has brought his integrity and honor, his leadership and his vision to make America better.

However, regardless of whom I support in this election, I believe that there is no room whatsoever for the unfortunate tactics employed by some of the Republican candidates competing with Bill Brock for Maryland's U.S. Senate seat. Specifically, information sent out under the "unofficial" auspices of an opponent's campaign manager has been mailed to party leaders, attempting to raise questions about Bill Brock. The letter then insults our intelligence by saying, "There will be no public disclosure of the material by me," yet the deliberately slanted 20 year-old material was sent to 500 people. Do they think all party leaders are idiots?

I feel it is necessary to set the record straight. This 20-year old material has already been thoroughly and completely invalidated.

As you may remember, on two separate occasions, President Ronald Reagan asked Bill Brock to serve on his cabinet, first as United States Trade Representative where he created jobs for Americans and fought for U.S. companies doing business abroad; and then, as Secretary of Labor, where he authored a landmark study on training and education that, even now, has a significant impact on our schools and workforce.

Both times President Reagan asked Bill to serve, he was, of course, thoroughly investigated by the Federal Bureau of Investigation, and further reviewed by the United States Senate. Every aspect of Bill's background, of any nominee's background, both public and private, was and is examined in great detail. Not surprisingly, in both instances, Bill Brock came out as clean as a hound's tooth and was confirmed by our U.S. Senate without one dissenting vote to these positions of public trust. Interestingly, among those voting to place Bill Brock in these two positions of leadership were none other than Democratic Senators Paul Sarbanes and James Sasser.

As you know, the Republican Party has a tremendous opportunity this November. With Bill Brock as our nominee for the U.S. Senate, he will only improve our chances for victory at all levels. These tactics and negative innuendoes by fellow Republicans only play into the hands of our Democratic opponent Paul Sarbanes. We should never try to destroy our own Republican candidates. It is high time to start addressing the issues that are, or should be, of concern to the voters of Maryland. This is exactly what Bill Brock is doing -- and will continue to do.

In closing, I would ask you, fellow Republicans, to send the message loud and clear to anyone else who engages in this type of destructive behavior. This will not be tolerated. We should treat all our candidates honestly and fairly and try to build the party -- not tear it apart.

I look forward to seeing you on the campaign trail.

Sincerely,

Richard P. Taylor

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

July 26, 1994

Dick Sossi, Campaign Coordinator
Ron Franks for U.S. Senate
104 Ritchie Highway
Pasadena, Marryland 21122

Dear Mr. Sossi:

This is to acknowledge receipt on July 21, 1994, of your letter dated July 19, 1994. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter did not contain a notarization on your signature and was not properly sworn to.

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

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

9504364429

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

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

Sincerely,

Retha Dixon

Retha Dixon
Docket Chief

Enclosure

cc: Friends of Bill Brock for U.S. Senate, Inc.
Richard Taylor, RNC

9504364440

RON FRANKS
for U.S. Senate

104 Ritchie Highway
Pasadena, Maryland 21122

July 19, 1994

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
'94 JUL 15 2 32 PM

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

MUR 4641

Dear Sir,

I wish to report a violation of the Federal campaign law. The enclosed letter was, according to its author, produced and mailed at the expense of the Bill Brock Election Committee, Inc. The letter, sent to several Republican office-holders, is clearly missing an authority line and, therefore, is misleading as to who paid for the piece.

Mr. Taylor, the author of the letter, freely admitted on at least two occasions that the Brock Campaign assisted in the writing of the letter and produced it and that "they [the Brock Campaign] sent it out".

Thank you for your attention in this matter.

Sincerely,

Dick Sossi, Campaign Coordinator

CC: Chairman Joyce Terhes, Maryland Republican Party
Richard Taylor, National Committeeman

Subscribed and sworn to before me on this 9 day of August, 19 94

Notary Public
Exp Feb 1997

9504364431

RON FRANKS

for U.S. Senate

104 Ritchie Highway
Pasadena, Maryland 21122

Phone (800) 3 - FRANKS

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

JUL 21 12 52 PM '94

July 19, 1994

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

Dear Sir,

I wish to report a violation of the Federal campaign law. The enclosed letter was, according to its author, produced and mailed at the expense of the Bill Brock Election Committee, Inc. The letter, sent to several Republican office-holders, is clearly missing an authority line and, therefore, is misleading as to who paid for the piece.

Mr. Taylor, the author of the letter, freely admitted on at least two occasions that the Brock Campaign assisted in the writing of the letter and produced it and that "they [the Brock Campaign] sent it out".

Thank you for your attention in this matter.

Sincerely,

Dick Sossi

Dick Sossi, Campaign Coordinator

CC: Chairman Joyce Terhes, Maryland Republican Party
Richard Taylor, National Committeeman

9 5 0 4 3 6 4 4 4 0 2

Authority Dan Falk, Treasurer Franks for U.S. Senate

Republican National Committee

Richard P. Taylor
Member for Maryland
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 429-8459

July 14, 1994

Dear Fellow Republican:

As you may know, I thoroughly support Bill Brock's efforts to win the United States Senate seat for Maryland. I have had the privilege of knowing Bill Brock since the 1970s when he served as Chairman of the Republican National Committee. Through the years, Bill Brock has demonstrated time and again his deep commitment to our Country, the Republican Party, and the State of Maryland.

For these reasons, as Republican National Committeeman, I have taken a unique step in fully and publicly endorsing Bill Brock now. In fact, just this past Tuesday, I served as Master of Ceremonies at a major fund-raiser for Bill that featured key party leaders including Senators Lugar and Nickles, and Bill Bennett. They all shared examples of how Bill Brock has brought his integrity and honor, his leadership and his vision to make America better.

However, regardless of whom I support in this election, I believe that there is no room whatsoever for the unfortunate tactics employed by some of the Republican candidates competing with Bill Brock for Maryland's U.S. Senate seat. Specifically, information sent out under the "unofficial" auspices of an opponent's campaign manager has been mailed to party leaders, attempting to raise questions about Bill Brock. The letter then insults our intelligence by saying, "There will be no public disclosure of the material by me," yet the deliberately slanted 20 year-old material was sent to 500 people. Do they think all party leaders are idiots?

I feel it is necessary to set the record straight. This 20-year old material has already been thoroughly and completely invalidated.

As you may remember, on two separate occasions, President Ronald Reagan asked Bill Brock to serve on his cabinet, first as United States Trade Representative where he created jobs for Americans and fought for U.S. companies doing business abroad; and then, as Secretary of Labor, where he authored a landmark study on training and education that, even now, has a significant impact on our schools and workforce.

Both times President Reagan asked Bill to serve, he was, of course, thoroughly investigated by the Federal Bureau of Investigation, and further reviewed by the United States Senate. Every aspect of Bill's background, of any nominee's background, both public and private, was and is examined in great detail. Not surprisingly, in both instances, Bill Brock came out as clean as a hound's tooth and was confirmed by our U.S. Senate without one dissenting vote to these positions of public trust. Interestingly, among those voting to place Bill Brock in these two positions of leadership were none other than Democratic Senators Paul Sarbanes and James Sasser.

As you know, the Republican Party has a tremendous opportunity this November. With Bill Brock as our nominee for the U.S. Senate, he will only improve our chances for victory at all levels. These tactics and negative innuendoes by fellow Republicans only play into the hands of our Democratic opponent Paul Sarbanes. We should never try to destroy our own Republican candidates. It is high time to start addressing the issues that are, or should be, of concern to the voters of Maryland. This is exactly what Bill Brock is doing -- and will continue to do.

In closing, I would ask you, fellow Republicans, to send the message loud and clear to anyone else who engages in this type of destructive behavior. This will not be tolerated. We should treat all our candidates honestly and fairly and try to build the party -- not tear it apart.

I look forward to seeing you on the campaign trail.

Sincerely,

Richard P. Taylor

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Dick Sossi
Ron Franks for U.S. Senate
104 Ritchie Highway
Pasadena, MD 20463

RE: MUR 4041

Dear Mr. Sossi:

This letter acknowledges receipt on August 15, 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 4041. 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

9504364434

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Richard P. Taylor
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 4041

Dear Mr. Taylor:

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 4041. 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.

9504364435

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

9504364436

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Russell Rourke, Treasurer
Friends of Bill Brock for U.S. Senate, Inc.
1419 Forest Drive
Annapolis, MD 21403

RE: MUR 4041

Dear Mr. Rourke:

The Federal Election Commission received a complaint which indicates that Friends of Bill Brock for U.S. Senate, Inc. ("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 4041. 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.

9504364437

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

95044364438

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

William J. McManus, Treasurer
Republican National Committee - RNC
310 First Street, S.E.
Washington, D.C. 20003

RE: MUR 4041

Dear Mr. McManus:

The Federal Election Commission received a complaint which indicates that the Republican National Committee - RNC ("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 4041. 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.

9504364439

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

9504364440

BAKER
&
HOSTETLER
COUNSELLORS AT LAW

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMIN

SEP 2 9 02 AM '94

WASHINGTON SQUARE, SUITE 1100 • 1050 CONNECTICUT AVENUE, N.W. • WASHINGTON, D.C. 20036-5304 • (202) 861-1500
FAX (202) 861-1783 • TELEX 2357276
WRITER'S DIRECT DIAL NUMBER (202) 861-1564

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 2 10 37 AM '94

August 26, 1994

Joan McEnery, Esquire
General Counsel's Office
Federal Election Commission
999 E Street, N.W,
Washington, D.C. 20463

Re: MUR 4041

Dear Ms. McEnery:

I have just received copies of your letters of August 19, 1994 to Bill Brock for U.S. Senate Committee and Dick Taylor. It is the intention of the Senate Committee and Dick Taylor to file a joint response to minimize expenses. Enclosed herewith are the Designation of Counsel Forms.

I will provide a detailed response which will facilitate the quick resolution to this matter by the Commission, but I am going to be unable through Labor Day to review the relevant materials and draft a response. For this reason I am requesting an additional two weeks to respond. It is my belief that the granting of this extension will ultimately result in an expeditious resolution of this matter.

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

Sincerely,

E. Mark Braden

EMB/bss
Enclosures

9 5 0 4 3 6 4 4 4 1

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4041

NAME OF COUNSEL: E. Mark Braden

ADDRESS: 1050 Connecticut Avenue, NW, Suite 1100
Washington, DC 20036

TELEPHONE: (202) 861-1504

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

8/23/94
Date

Signature

RESPONDENT'S NAME: Steven C. Watson

ADDRESS: 11308 Tooks Way
Columbia Maryland 21044

TELEPHONE: HOME(410) 740-7119
BUSINESS(410) 269-5543

95044364442

MUR 4041

NAME OF COUNSEL: E. Mark Braden

ADDRESS: Baker & Hostetler
Suite 1100, 1050 Connecticut Ave., N.W.
Washington, D.C. 20036

TELEPHONE: (202) 861-1504

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

August 26, 1994
Date

Signature

RESPONDENT'S NAME: Richard P. Taylor

ADDRESS: 1330 Connecticut Avenue, N.W.
Washington, D. C. 20036

TELEPHONE: HOME(301) 840-5720
BUSINESS(202) 429-6459

9504364443

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEPTEMBER 9, 1994

E. Mark Braden, Esq.
Baker & Hostetler
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304

RE: MUR 4041

Dear Mr. Braden:

This is in response to your letter dated August 26, 1994, requesting a two-week extension 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 September 21, 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

9504364444

Republican
National
Committee

Michael A. Hess
Chief Counsel

Thomas J. Josefiak
Deputy Chief Counsel

Allison Fahrenkopf Brigati
Associate Chief Counsel

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 6 10 42 AM '94

September 1, 1994

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 4041

Dear Mr. Noble:

We are in receipt of Mary L. Taskar's letter in connection with this matter. It is the position of the Republican National Committee that no action should be taken against it for the following reasons:

1. Richard P. Taylor is a member of the Republican National Committee (RNC) from Maryland, one of 165 members of the RNC. As a courtesy to its members, the RNC provides them with stationery printed with their name and address. It appears that the letter from Mr. Taylor that is complained of in this action was typed on this stationery.

2. No one at the Republican National Committee saw or approved the mailing in question before it was sent. The RNC did not pay for the mailing, reproducing the letter, or any other cost associated with the mailing. While the complaint suggests that the Brock Campaign produced and mailed the letter, the RNC has no information in this regard.

3. While the RNC does provide stationery to its members, it does not control or limit the use of this stationery by its members. While it is generally contemplated that it will only be used in connection with RNC-related business, complaints suggesting inappropriate use are so infrequent that the RNC has expressly demurred from imposing limits on use of member stationery. In fact a consensus of the October 18, 1993 meeting of the RNC's Executive Council concluded that there was no need for such limitations.

9 5 0 4 3 6 4 4 4 5

Dwight D. Eisenhower Republican Center • 310 First Street Southeast • Washington, D.C. 20003 • (202) 863-8638
TDD: (202) 863-8728 • FAX: (202) 863-8654

Therefore, it is the position of the RNC that no action should be taken against it in response to the complaint in this matter, and that this matter be closed with respect to the RNC.

Sincerely,

Michael A. Hess

95044364446

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4041

NAME OF COUNSEL: Michael A. Hess

ADDRESS: Chief Counsel, Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

TELEPHONE: (202) 863-8638

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

9/1/94
Date

Signature

RESPONDENT'S NAME: Republican National Committee,
William J. McManus, Treasurer

ADDRESS: 310 First Street, S.E.
Washington, D.C. 20003

TELEPHONE: HOME( )

BUSINESS( )

9504364447

BAKER
&
HOSTETLER
COUNSELLORS AT LAW

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE REVIEW
Sep 21 5 18 PM '94

WASHINGTON SQUARE, SUITE 1100 • 1050 CONNECTICUT AVENUE, N.W. • WASHINGTON, D.C. 20036-5304 • (202) 861-1500
FAX (202) 861-1783 • TELEX 2357276
WRITER'S DIRECT DIAL NUMBER (202) 861-1504

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
SEP 22 9 38 AM '94

September 21, 1994

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

Attention: Joan McEnery

Re: MUR 4041

Dear Ms. McEnery:

This letter is in response to the Federal Election Commission (the "Commission") letters of August 19, 1994 to the Bill Brock for U.S. Senate Committee and Dick Taylor. Your letters stated that the Commission had received a complaint which indicates that the Bill Brock for U.S. Senate Committee and Dick Taylor may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). The Commission's letter was generated by a complaint filed by Dick Sossi, campaign coordinator of the Ron Franks for U.S. Senate Committee. It is not difficult to demonstrate that no further action should be taken in this matter against the Bill Brock for U.S. Senate Committee or Dick Taylor by the Commission.

The Commission's regulations require that a complaint filed with the Commission should:

> "(3). . . contain a clear and concise recitation of facts which describe a violation of a statute or regulation over which the Commission has jurisdiction; and
>
> (4) It should be accompanied by any documentation supporting the facts alleged . . ."[1]

[1] 11 C.F.R. § 111.4(d)(3)(4).

9504364448

The Sossi complaint fails to contain a recitation of any facts which describe a violation by these respondents of the Act or the Commission's regulations. The letter appended to the complaint, which is the sole documentation for the complaint utterly fails to support any theory under which these respondents have violated the Act or the Commission's regulations. The Sossi complaint states:

> "The letter sent to several Republican officeholders is clearly missing an authority line and therefore is misleading as to who paid the price for the piece."

The letter fails to refer to any specific provisions of the Act or Commission regulation which this letter may have violated. The reason for this absence is simple, there are no applicable regulations or statutory provisions even if the Commission accepts as completely accurate the "facts" alleged in the Sossi complaint.

The Commission requires that a communication that expressly advocates the election or defeat of a clearly identified candidate or solicits any contributions through any broadcast stations, newspapers, magazines, outdoor advertising, poster, yard sign, direct mailing or any other form of general public political advertising include a disclaimer meeting the Commission's requirements.[2] The letter signed by Mr. Taylor included with the Sossi complaint does not expressly advocate the election or defeat of any clearly identified candidate nor does it solicit any contributions. It is not a direct mail letter.[3] It is not any form of general public political advertising.[4] It is a personal letter from Dick Taylor to a limited number of Maryland Republican officeholders.

Clearly the Commission's disclaimer regulation by its express term is inapplicable to this letter nor could the Commission regulate this type of personal communication without grossly overstepping the Commission's ability to regulate First Amendment political expression.

---

[2] 11 C.F.R. § 110.11(a)(1).

[3] Also see: 11 C.F.R. § 100.7(b)(15)(i).

[4] Also see: 11 C.F.R. § 100.7(b)(16).

9 5 0 4 3 6 4 4 4 9

If you should have any further questions, please do not hesitate to contact me.

Sincerely,

E. Mark Braden

EMB/bss

9504364450

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Dec 19 8 16 AM '94

C. Ronald Franks
HOUSE OF DELEGATES

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dec 19 10 06 AM '94

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

MUR 4041

Dear Sir:

During the 1994 Republican Primary race for U.S. Senate here in Maryland, I had occasion to file a complaint with your office in regards what we believed to be an infraction of federal election law. Our concern, at that time, was that a mailing sent by one of our opponents would be misconstrued as an official party endorsement.

With the end of the election cycle any such concern is of course moot.

Therefore, we wish to withdraw our complaint and again thank you for your attention in this matter.

Sincerely

Dick Sossi, Campaign Coordinator

CC: Chairman Joyce Terhes, Maryland Republican Party
Dick Taylor, National Committeeman

9504364445 1

Authority: Dan Falk, Treasurer, Franks for U.S. Senate, 313 Winchester Creek Road, Grasonville, MD 21638

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 28, 1994

Dick Sossi, Campaign Coordinator
Franks for U.S. Senate
313 Winchester Creek Road
Grasonville, Maryland 21638

RE: MUR 4041

Dear Mr. Sossi:

This is in reference to your letter that was received on December 19, 1994, requesting that the complaint you filed against Friends of Bill Brock for U.S. Senate Inc., Richard P. Taylor and the Republican National Committee, be withdrawn.

Under 2 U.S.C. § 437g, the Federal Election Commission is empowered to review a complaint properly filed with it and to take action which it deems appropriate under the Federal Election Campaign Act of 1971, as amended ("the Act"). A request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act. Your request will become part of the public record within 30 days after the entire file is closed.

If you have any further questions about this procedure, please contact me at (202) 219-3690.

Sincerely,

Jeffrey D. Long
Paralegal Specialist

9504364452

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

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

MAY 16 10 01 AM '95

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

MUR 4041
DATE COMPLAINT FILED: 8/15/94
DATE OF NOTIFICATION: 8/19/94
DATE ACTIVATED: 11/30/94
STAFF MEMBER: Jeffrey Long

COMPLAINANT: Mr. Dick Sossi

RESPONDENTS: Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer

Republican National Committee and William J. McManus, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 441d

INTERNAL REPORTS CHECKED: Disclosure Documents

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a complaint filed by Dick Sossi, Campaign Coordinator for the Franks for U.S. Senate committee, the challenger to Bill Brock for the Republican nomination for the 1994 Senate seat in Maryland.[1] The complainant alleges that a letter sent to "several Republican office-holders (sic)" which was produced and mailed at the expense of the Bill Brock campaign, contains no disclaimer to identify who paid for the mailed piece.[2]

---

1. Brock won the Republican nomination but lost the general election in November to Senator Paul Sarbanes.

2. By letter dated December 28, 1994, the Complainant asks that his complaint be withdrawn. This Office explained by letter that a request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act, and that his request will become a part of the public record.

95044364453

The one-page letter is type-written on the personalized letterhead stationery of Richard P. Taylor, a Republican National Committee ("RNC") national committeeman in Maryland, and is signed by Mr. Taylor. Upon examination of the copy of the letter supplied by the complainant no disclaimer appears in the communication.

II. FACTUAL AND LEGAL ANALYSIS

Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a candidate, or solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising...such communication shall clearly state that the communication has been paid for by such authorized political committee. 2 U.S.C § 441d.

a. The Responses

In a joint response to the complaint, Richard Taylor and the Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer ("Respondents") first argue that the complaint does not meet the Commission's regulations for a proper complaint because it does not sufficiently describe a violation of the Act. More closely addressing the issue of the case, the Respondents further argue that the subject letter does not require a disclaimer under the Commission's regulations because it does not expressly advocate the election or defeat of a candidate, nor does it solicit contributions. Furthermore, they argue that the letter is also not a general

9 5 0 4 3 6 4 4 4 5 4

public political advertising, but instead a personal letter from Taylor "to a limited number of Maryland Republican officeholders." For these reasons, they claim no disclaimer is required and that the Commission can not regulate this type of communication without overstepping First Amendment political expression.

The Republican National Committee's ("RNC") response states that it provides its committeemen with the stationery that was used for the subject letter, but that it did not pay for, reproduce, see or approve the letter. The RNC states that it does not know if Brock paid for the letter, and asks that this matter be closed with respect to the RNC.

b. The Letter

The letter in question identifies Bill Brock as a candidate for the United States Senate and appears to contain express advocacy. However, the letter does not appear to satisfy the general political advertising requirement. According to the Complainant the letter was produced and mailed at the expense of the Brock Committee. Information provided by both the Complainant and Respondents indicates that the mailing was only "mailed to several Republican officeholders."[3]

In MUR 3936, the Neal for Congress committee prepared and passed out literature concerning its candidate to the local precinct committeemen at the request of the county democratic

---

3. Brock's reports were reviewed to ascertain the scope of the mailing, but the number of mailings done by the Committee during the period makes it difficult to identify the specific expenditures for the subject mailing.

9 5 0 4 3 6 4 4 4 5 5

party to educate the committeemen who were responsible for choosing the party's nominee. In its Statement of Reasons explaining its rejection of the Office of General Counsel's recommendation to find reason to believe that Neal for Congress violated section 441d, the Commission concluded that there was no information that materials were disseminated to the general public.

Not unlike MUR 3936, the subject letter appears to have been prepared by the candidate and mailed only to several party members. There is no information in the present case to indicate that the letter was disseminated to the general public.

c. Conclusion

Although the letter contains language that appears to advocate the election of Bill Brock, the letter does not appear to be a form of general public political advertising. This Office recommends therefore that the Commission find that there is no reason to believe that the Brock Committee violated Section 441d because the mailing does not meet the statutory requirements to necessitate the inclusion of a disclaimer statement.

With regard to the allegations concerning the RNC, the organization's involvement appears to be at most de minimis. The stationery which was used for the subject letter is provided free to all RNC committeemen without restriction on use. There is no evidence to suggest that the RNC's claims of no involvement in the drafting of the letter are untrue. Nor

9 5 0 4 3 6 4 4 4 5 6

is there evidence to support a violation of any kind even if the RNC had been involved. Therefore, this Office recommends that the Commission find no reason to believe the Republican National Committee and William J. McManus, as treasurer, violated any provision of the Act with regard to the complaint filed in MUR 4041.

III. RECOMMENDATIONS

1. Find no reason to believe that Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer violated 2 U.S.C. § 441d.

2. Find no reason to believe the Republican National Committee and William J. McManus, as treasurer, violated any provision of the Act with regard to the complaint filed in MUR 4041.

3. Approve the appropriate letters.

4. Close the file.

Lawrence M. Noble
General Counsel

6/15/95
Date

BY: Lois G. Lerner
Associate General Counsel

Attachment
Joint Response

95044364457

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer; Republican National Committee and William J. McManus, as treasurer.	)	MUR 4041

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 19, 1995, the Commission decided by a vote of 6-0 to take the following actions in MUR 4041:

1. Find no reason to believe that Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer, violated 2 U.S.C. § 441d.

2. Find no reason to believe the Republican National Committee and William J. McManus, as treasurer, violated any provision of the Act with regard to the complaint filed in MUR 4041.

(continued)

95044364458

3. Approve the appropriate letters, as recommended in the General Counsel's Report dated May 15, 1995.

4. Close the file.

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

Attest:

5-22-95
Date

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

Received in the Secretariat:	Tues.,	May 16, 1995	10:01 a.m.
Circulated to the Commission:	Tues.,	May 16, 1995	11:00 a.m.
Deadline for vote:	Fri.,	May 19, 1995	4:00 p.m.

mwd

95044364459

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 25, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dick Sossi, Campaign Coordinator
Franks for U.S. Senate
313 Winchester Creek Road
Grasonville, Maryland 21638

RE: MUR 4041

Dear Mr. Sossi:

The Federal Election Commission reviewed the allegations of your complaint dated July 19, 1994, and found that on the basis of the information provided in your complaint, and information provided by the Respondents, there is no reason to believe that Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer, violated 2 U.S.C. § 441d, and the Republican National Committee and William J. McManus, as treasurer, violated any provision of the Act with regard to the complaint filed in MUR 4041. Accordingly, on May 19, 1995, the Commission closed the file in this matter.

The Federal Election Campaign Act of 1971, as amended ("the Act") allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

9504364440

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 25, 1995

E. Mark Braden, Esquire
Baker and Hostetler
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304

RE: MUR 4041
Richard P. Taylor

Dear Mr. Braden:

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

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Jeffrey D. Long

Jeffrey D. Long
Paralegal

9504364461

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

May 25, 1995

E. Mark Braden, Esquire
Baker and Hostetler
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304

RE: MUR 4041
Friends of Bill Brock for
U.S. Senate, Inc. and
Russell Rourke, as treasurer

Dear Mr. Braden:

On August 19, 1994, the Federal Election Commission notified your clients, Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On May 19, 1995, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Friends of Bill Brock for U.S. Senate, Inc. and Russell Rourke, as treasurer, violated 2 U.S.C. § 441d. Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
GC Report

9504364442

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 25, 1995

Michael A. Hess, Chief Counsel
Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

RE: MUR 4041
Republican National Committee
and William J. McManus,
as treasurer

Dear Mr. Hess:

On August 19, 1994, the Federal Election Commission notified the Republican National Committee and William J. McManus, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On May 19, 1995, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe the Republican National Committee and William J. McManus, as treasurer, violated any provision of the Act with regard to the complaint filed in MUR 4041. Accordingly, the Commission closed its file in this matter.

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

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
GC Report

95044446305

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4041

DATE FILMED 6/16/95 CAMERA NO. 2

CAMERAMAN EES

9 5 0 4 3 6 4 4 4 5 4