



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4098

DATE FILMED 7/31/85 CAMERA NO. 1

CAMERAMAN SES

95043664410

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Oct 21 11 51 AM '94

MUR 4098

October 20, 1994

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

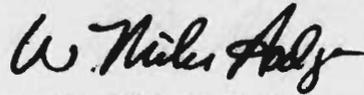
Dear Sir or Madam:

I would like to file a complaint with the FEC about a violation I believe occurred involving candidate Larry Bigham who is running for Congress in the Fifth Congressional District in South Carolina.

On October 11, 1994, the attached insert was included in my daily newspaper, The ITEM. As you will note, there is no disclaimer on the insert. I believe this is in violation of FEC regulations which state that a communication must include an authorization notice if the communication expressly advocates the election or defeat of a candidate for federal office (2.USC 441d:11 CFR 110.11(a)) as reported in your FEC brochure.

Thank you for your assistance.

Sincerely,



W. Miles Hodge

W. Miles Hodge
201 West Calhoun Street
Sumter, South Carolina 29150
Enclosures

SWORN to before me on this
19 day of October, 1994

Debra L. Johnson
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 9/18/2001

95043664411

10/11/92
John
SD
with

Larry Bigham For U.S. Congress
A Campaign To Reclaim America!!

Larry Bigham

• Term Limits • Family Values • No New Taxes

This election year, the citizens of South Carolina's 5th Congressional District have the opportunity to elect a young, dynamic conservative to represent us in Congress.

After graduating from the Citadel in 1972, Larry married his wife Kathy, also from Chester, and moved to Rock Hill. He has been an independent businessman for 18 years. Larry and Kathy have two daughters, Amy and Kelly.

Larry is active in his church, where he is an ordained Deacon, and in his community, where he served on the Rock Hill District Three School Board for 10 years. He currently serves on the Rock Hill Economic Development Corporation Board of Directors and the Advisory Board of First Union Bank.

Larry Bigham is taking a bold stand against the liberal social policies that are chipping away at the foundations of American society.

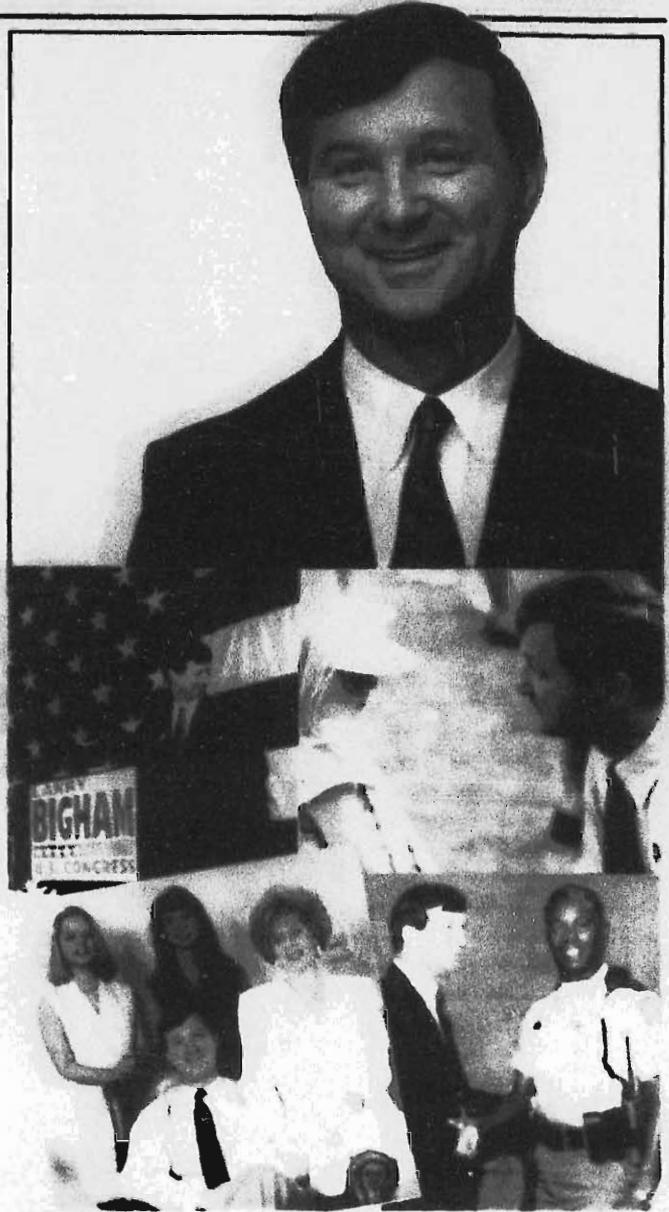
He is willing to go to Washington and take that stand for you against the liberals in Congress who scoff at family values, who constantly demand more of our hard earned money to spend like it is their own, and who are waging a relentless assault on our personal freedoms.

Larry Bigham will fight for you and your family everyday.

This election is not simply about electing Larry to Congress, it is about a fundamental change in the direction of our country.

The liberal career politicians have had their chance to make America better. They have failed miserably. It is time for a change. It is time to see what one of us can do.

*If you want to change America,
you have to change Congress!
To change Congress,
you change the people in it!*



95043664412

US Congressional District #5

The Right Choice....

Larry Bigham

★ Republican ★ Republican ★ Republican ★ Republican



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1994

W. Miles Hodge
201 West Calhoun Street
Sumter, South Carolina 29150

RE: NUR 4098

Dear Mr. Hodge:

This letter acknowledges receipt on October 21, 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 NUR 4098. 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

95043664413



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1994

Larry L. Bigham
1528 Blanchard Bend
Rock Hill, SC 29732

RE: MUR 4098

Dear Mr. Bigham:

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 4098. 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.

95043664414

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

95043664415



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1994

**Christopher L. Cramer, Treasurer
Larry Bigham for Congress
1708 Ebenezer Road
Rock Hill, SC 29732**

RE: NUR 4098

Dear Mr. Cramer:

The Federal Election Commission received a complaint which indicates that Larry Bigham 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 NUR 4098. 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.

9504366416

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. Takser

Mary L. Takser, Attorney
Central Enforcement Docket

Enclosures

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

95043664417

**LARRY
BIGHAM
U.S. CONGRESS**

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Nov 14 9 36 AM 1994

Mary L. Taksar
General Counsel's Office
Federal Election Commission
Washington, D.C. 20463

November 10, 1994

Dear Ms. Taksar:

The Larry Bigham For Congress campaign received notice of a possible violation of the Federal Election Campaign Act of 1971 on Monday, October 31, 1994.

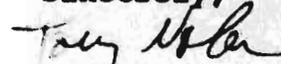
The complaint, designated MUR 4098 by the FEC, concerned a flyer that ran as an insert in the Sumter Item on October 11, 1994. The disclaimer, that should have read PAID FOR BY LARRY BIGHAM FOR CONGRESS, was omitted inadvertently by production personnel in the advertising department of the newspaper.

The production of the flyer was coordinated by our campaign committee volunteers in Sumter. As campaign manager, I approved and authorized the flyer but failed to notice on the proof that our volunteers faxed me that the disclaimer did not appear on the flyer.

The Sumter Item has acknowledged the omission and I am including with this response a letter from the Item to that effect. The newspaper also ran a correction in the paper.

The Larry Bigham For Congress campaign regrets the omission and I assure you that no one associated with the campaign intended to violate any FEC regulation.

Sincerely,



Tony Nolan
Manager
Bigham For Congress
Campaign

TN:db
enc.

95043664418



P.O. Box 1677
29 N. Magnolia Street
Sumter, S.C. 29151

Published daily by
Osteen Publishing Co., Inc.

November 3, 1994

To Whom It May Concern:

Correction:

The disclaimer was omitted from the Larry Bigham insert that some readers received in *The Item* on October 11th. The ad was paid for by the Larry Bigham for Congress Committee.

Sincerely,

Bonnie Cole

NOV 14 10 21 AM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

95043664419

BEFORE THE FEDERAL ELECTION COMMISSION

FEDERAL ELECTION COMMISSION
JAN 13 3 40 PM '95

In the Matter of

)
) Enforcement Priority
)

SENSITIVE

GENERAL COUNSEL'S MONTHLY REPORT

I. INTRODUCTION

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

II. CASES RECOMMENDED FOR CLOSING

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

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 10 cases which do not warrant further pursuit relative to the other pending cases.¹ A short description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each

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

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

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 34 cases that

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

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

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

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

III. RECOMMENDATIONS

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

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

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

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

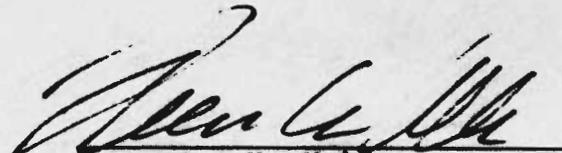
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- 4) MUR 3866
- 5) MUR 3876
- 6) MUR 3879
- 7) MUR 3890
- 8) MUR 3893
- 9) MUR 3895
- 10) MUR 3896
- 11) MUR 3898
- 12) MUR 3902
- 13) MUR 3903
- 14) MUR 3904
- 15) MUR 3905
- 16) MUR 3907
- 17) MUR 3908
- 18) MUR 3912
- 19) MUR 3933
- 20) MUR 3958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

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

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

June 17, 1995
Date


Lawrence M. Noble
General Counsel

95043664423

BEFORE THE FEDERAL ELECTION COMMISSION

**In the Matter of
Enforcement Priority**

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)
)

**Agenda Document
EX95-52**

CERTIFICATION

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

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

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

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

- 1) NUR 3857
- 2) NUR 3858
- 3) NUR 3862

(continued)

95043664424

Federal Election Commission
Certification: Enforcement Priority
June 27, 1995

Page 2

- 4) HUR 3866
- 5) HUR 3876
- 6) HUR 3879
- 7) HUR 3890
- 8) HUR 3893
- 9) HUR 3895
- 10) HUR 3896
- 11) HUR 3898
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- 26) HUR 4093
- 27) HUR 4096
- 28) HUR 4097
- 29) HUR 4098
- 30) HUR 4100
- 31) HUR 4103
- 32) HUR 4106
- 33) HUR 4114

(continued)

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

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

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

Attest:

6-30-95
Date

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

95043664426



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 6, 1995

W. Miles Hodge
201 West Calhoun St.
Sumter, SC 29150

RE: MUR 4098

Dear Mr. Hodge:

On October 21, 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 respondent. See attached narrative. Accordingly, the Commission closed its file in this matter on July 5, 1995. This matter will become part of the public record within 30 days.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

95043664427

MUR 4098

LARRY BIGHAM FOR CONGRESS COMMITTEE

W. Miles Hodge filed a complaint alleging that the Larry Bigham for Congress Committee failed to include a disclaimer for a communication advocating the election of Larry Bigham that was an insert in the Sumter Daily Item.

In response to the complaint, the Larry Bigham for Congress Committee states that the production personnel in the newspaper's advertising department inadvertently omitted the disclaimer. The Committee states that the newspaper subsequently ran a correction.

This matter is less significant relative to other matters pending before the Commission and the respondent took remedial action upon knowledge of the violation.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 6, 1995

Larry L. Bigham
1528 Blanchard Bend
Rock Hill, SC 29732

RE: MUR 4098

Dear Mr. Bigham:

On October 27, 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 on July 5, 1995.

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

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

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

95043664429

HUR 4098

LARRY BIGHAM FOR CONGRESS COMMITTEE

W. Miles Hodge filed a complaint alleging that the Larry Bigham for Congress Committee failed to include a disclaimer for a communication advocating the election of Larry Bigham that was an insert in the Sunter Daily Item.

In response to the complaint, the Larry Bigham for Congress Committee states that the production personnel in the newspaper's advertising department inadvertently omitted the disclaimer. The Committee states that the newspaper subsequently ran a correction.

This matter is less significant relative to other matters pending before the Commission and the respondent took remedial action upon knowledge of the violation.

95043664430



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1995

Christopher L. Cramer, Treasurer
Larry Bigham for Congress
1708 Ebenezer Rd
Rock Hill, SC 29732

RE: NUR 4098

Dear Cramer:

On October 27, 1994, the Federal Election Commission notified you of a complaint alleging that Larry Bigham for Congress ("Committee") and you, as treasurer, may have violated 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 Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on July 5, 1995.

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

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

Sincerely,

Mary J. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

95043664431

NUR 4098

LARRY BIGHAM FOR CONGRESS COMMITTEE

W. Niles Hodge filed a complaint alleging that the Larry Bigham for Congress Committee failed to include a disclaimer for a communication advocating the election of Larry Bigham that was an insert in the Sunter Daily Item.

In response to the complaint, the Larry Bigham for Congress Committee states that the production personnel in the newspaper's advertising department inadvertently omitted the disclaimer. The Committee states that the newspaper subsequently ran a correction.

This matter is less significant relative to other matters pending before the Commission and the respondent took remedial action upon knowledge of the violation.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4098

DATE FILMED 7/31/55 CAMERA NO. 1

CAMERAMAN SES

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