FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 417

DATE FILMED 3/19/96 CAMERA NO. 2

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A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
5 24 PM '94

ROBERT F. BAUER
(202) 434-1602

November 1, 1994

MUR 4117

Lawrence Noble
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Dear Mr. Noble:

The Democratic Senatorial Campaign Committee ("DSCC") files this Complaint, alleging serious violations by the Friends of Jim Inhofe campaign of the disclosure and spending limitation requirements of the Federal Election Campaign Act of 1971, as amended.

Introduction

Press reports in Oklahoma show that a paid consultant of the Inhofe campaign has provided multiple copies of a flier attacking Democratic nominee to the Oklahoma Federation of College Republicans ("OFCR"). The flier purports to be an "independent expenditure," but it does not contain any "disclaimer" such as required under section 441d of the Act, stating who paid for and authorized this publication.

It appears that the Inhofe campaign's involvement in the distribution of the flier disqualifies it completely from treatment as an "independent expenditure." Thus, contrary to the expectations of the Inhofe campaign and the OFCR, the monies spent for the production and distribution of the ad are "in-kind contributions" to Inhofe -- subject in full to the statutory limits. Moreover, the Inhofe's campaign involvement makes it a party to a wholesale violation of the "disclaimer" requirements of section 441d of the Act.

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The Flier

The flier in question is a three page attack on the record of Congressman McCurdy, plainly intended to promote his defeat in the current United States Senate campaign in the State of Oklahoma. See Exhibit A. The sponsor of the flier is the "Oklahoma Freedoms Network," a group described in press reports as opposed to gun control.

There is no doubt whatever that the expenditure for this flier is an "independent expenditure." It is focused on a comparison of the records of McCurdy and his Senate opponent, and makes specific reference to questions McCurdy has answered at his own campaign rallies. In the words of the Furgatch case, it obvious that this material, which clearly identifies the candidate in question,

> ". . . . when read as a whole, and with limited reference to external events, [is] susceptible of no other reasonable interpretation but as an exhortation to vote for or against a specific candidate."

Federal Election Commission v. Furgatch, 802 F.2d 857, (9th Cir. 1987), cert. denied, 484 U.S. 850 (1987).

It is equally obvious that the flier was not in fact independent and that the sponsors of the flier have failed to meet the standards for "independence" which would permit them to do what they want -- spend unlimited sums, outside federal law limitations, in support of the Inhofe candidacy. It is also clear that the flier lacks the "disclaimer" properly naming the persons paying and authorizing the advertisement.

1. **Non-Independence of the Independent Expenditure**

The flier in question traveled in bulk from the "Oklahoma Freedoms Network" to a Republican party organization -- by the hand of a paid consultant to the Inhofe campaign. The involvement of this consultant -- an illegal worker retained by Inhofe by the name of Rob Anders -- was quickly admitted by the OFCR, then denied after-the-fact when the legal significance of that admission finally dawned on OFCR officials. See Exhibit B.

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The involvement of the Inhofe campaign through Anders destroys any claim to "independence" the OFN might claim. The regulations of the Commission make clear that an expenditure cannot be independent if it is made "through an individual who is, or has been, receiving any form of compensation from the candidate or candidate's campaign." 11 C.F.R. § 109.1(b)(4)(i)(B). Anders was the delivery man for these fliers, passing them on to the Oklahoma Republicans from the OFN. His involvement disqualifies the expenditure from treatment as "independent" with the following results:

- The OFN payments are in-kind contributions subject to the $1,000 contribution limit for the Inhofe campaign.
- The OFN payments should have been reported by the Inhofe campaign as "contributions in-kind" received.
- If the payments made by the OFN exceeded $1,000 -- and therefore the contribution limits -- the OFN should have registered and reported as a "political committee" to the Federal Election Commission.

2. **The "Disclaimer"**

The flier did not have the appropriate disclaimer if it had been -- as it was not -- a true "independent expenditure." The regulations state clearly that the disclaimer for an "independent expenditure" should have read "paid for by the Oklahoma Freedoms Network and not authorized by any candidate or candidate committee."

But inasmuch as this ad did not represent an "independent expenditure" but rather involved the Inhofe campaign deeply, the disclaimer should have read "Paid for by the Oklahoma Freedoms Network and authorized by the Friends of Jim Inhofe campaign." This was not done.

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Requirement for Immediate Enforcement Action

The Commission has before it the last-minute actions of a campaign dedicated to winning at all costs, including widespread violations of the law. This flier is a legal fraud -- an attempt to style an expenditure as somehow unaffiliated with a Senate campaign when, in fact, the campaign was heavily involved, and an attempt also to conceal the campaign's involvement by omitting the "disclaimer" required by law.

For these reasons, the Commission should act promptly and vigorously to redress these violations, imposing all appropriate penalties provided by law.

Respectfully submitted,

Robert F. Bauer
General Counsel for
Democratic Senatorial
Campaign Committee

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District of Columbia) ss.

SUBSCRIBED AND SWORN to before me this 1st day of November, 1994.

Donna M. Lenhart

Notary Public
My Commission Expires: 2/28/98

Donna M. Lenhart
Notary Public, District of Columbia
My Commission Expires Feb. 28, 1998

EXHIBIT A

The ABCs of Dave McCurdy

ABORTION - Dave McCurdy wants to make abortions as common as haircuts. McCurdy has voted against parental notification of abortion, and has voted to pay for abortions with our tax money. Roll call vote 309. June 30, 1993.

BOUNCED CHECKS - Dave McCurdy bounced 8 checks during the congressional bank scandal. Jim Inhofe bounced none. If McCurdy can't manage his own money how can we trust him to manage OURS?

CLINTON - Dave McCurdy supports Bill Clinton. McCurdy nominated Clinton for President, and votes for Clinton's policies 93% of the time. McCurdy and Clinton have been friends for years, and they CO-founded the DLC together.

DEFENSE CUTS - Dave McCurdy voted to reduce our national defense. McCurdy says that we need to elect him to save our military bases. If he had not voted for Clinton's defense cuts, our bases wouldn't be in jeopardy.

ENERGY TAX - Dave McCurdy voted for the energy tax. Since Oklahoma is an Oil - producing state, this tax would have hurt Oklahoma badly.

FOREIGN AID - Dave McCurdy voted for $13 billion of foreign aid. HR 2295: Roll call vote, June 17, 1993.

GUN CONTROL - Dave McCurdy supports gun - control. He voted for the Brady Bill and the ban on rifles and handguns. When asked about this, McCurdy replied: "Its a start."

HOMOSEXUALITY - Dave McCurdy voted to allow homosexuals into the country to participate in the Gay-Games. He also voted to allow homosexuals in the Military. He supports "Gay Rights", but recently fired one of his employees for homosexual acts.

INVESTIGATION - McCurdy voted against investigating the Congressional Post Office scandal and the House Banking Scandal.

JUNKETS - McCurdy has taken numerous trips to Jamaica, Florida, and Mexico while in congress. These trips were paid for by taxpayers, or lobbyists trying to influence McCurdy's vote

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KIDS - Roll call vote 86, March 23. 1994. Called "Goals 2000" This [illegible]00 million program takes educational decisions away from parents and local school boards and turns them over to federal bureaucracy McCurdy voted for this and also voted to promote homosexuality to school children. (roll call vote 91, March 24, 1994.)

LAND - on May 20, 1993, McCurdy voted for the transfer of 81,000 acres of privately owned land to the federal government.

MILITARY - McCurdy has consistently voted to undermine the U.S. Military through Defense budget cuts, Reduction of Veterans and widows benefits and promotion of homosexuals in the military.

NATIONAL DEBT - McCurdy has voted to increase Federal spending $118 billion.

OUT OF TOUCH - McCurdy is clearly out of touch with Oklahomans and their values as shown by his opposition to term limits, which just passed by a 2 to 1 margin in our state.

PORNOGRAPHY - McCurdy has voted for Taxpayer funding for the NEA which promotes obscene and pornographic art. He has also opposed an amendment to oppose child pornography. These votes occurred on Oct. 11, 1990, Oct. 24, 1991, June 30, 1993 and Oct. 14, 1993.

QUOTAS - McCurdy has voted to keep hiring quotas on private businesses on June 4, 1991. He has also voted for requiring racial quotas for imposition of the death penalty.

RIGHTS - McCurdy voted repeatedly to violate the Constitutional rights of Americans contained in our Bill of Rights. Specifically the 1st, 2nd and tenth amendments.

SPENDING - McCurdy voted for $118 billion in new spending

TAXES - McCurdy has voted in the last two years for Spending and Taxes which total 2.3 trillion, or $8,850 for every man woman and child in the United States. (sources, World Almanac, National Federation of Independent Businesses, NEW AMERICAN magazine and TRIM bulletins.

UNITED NATIONS - On September 20, 1993, McCurdy voted to have U.S. Troops to serve under Foreign Commanders in the United Nations. Dave McCurdy is a member of the CFR. (Council on Foreign Relations., a one world Government organization).

VETERANS - McCurdy has voted to oppose veterans cost of living adjustments and to tax veterans retirement pay. He also voted to reduce military widows and survivors benefits by the amount of their social security benefits.

WELFARE - Dave McCurdy voted to increase welfare spending by $14 billion. HR 2518: Roll call vote, June 30, 1993.

X- ROADS - Oklahoma and our country are at a crossroads. Both Jim Inhofe and Dave McCurdy have voted on exactly the same bills and issues in congress. Their Record speaks for itself and the differences are clear.

YOUR FUTURE - Your children's future, Oklahoma's future and our country's future is at stake. We must not lose Oklahoma's Senate voice by electing Dave McCurdy to effectively cancel Senator Nickles vote in the U.S. Senate.

ZERO RATING - is what Dave McCurdy deserves for not representing Oklahoma's conservative values family values, morality and desire for less government intrusion into our lives.

Sources include: The Christian Coalition, National Taxpayers Union, National Federation of Independent businesses, the Lawton Constitution, the Daily Oklahoman, the TRIM bulletin, the New American magazine, and Personally asked Questions of Congressman McCurdy at one of his Campaign rallies

OKLAHOMA FREEDOMS NETWORK (405) 353-5385

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EXHIBIT B

Inhofe camp may have broken rule

Campaign '94—The battle between senate candidates Jim Inhofe and Dave McCurdy rages on.

By Carlie Lawson and Joy Mathis
© 1994 The Oklahoma Daily

U.S. Rep. Jim Inhofe's U.S. Senate campaign may have violated Federal Election Commission regulations, officials with the Dave McCurdy campaign said. And statements made earlier to *The Oklahoma Daily* seem to confirm the allegation.

One of Inhofe's paid workers may have distributed fliers from an independent source to the Oklahoma Federation of College Republicans.

A flier created by the Oklahoma Freedom Network, a group against gun control, ended up in the hands of the state College Republicans.

Rob Anders, a paid campaign consultant for Inhofe, is suspected of giving the fliers to the OFCR on the fliers.

Since the fliers do not contain that statement, they would be a campaign violation.

But Inhofe's communications director, Jack Edens, said he didn't see where the campaign was in violation.

"I'm not seeing the connection," he said.

Edens refused to comment further, saying he would release a statement later.

Joseph Kitto, OFCR state chairman, told *The Oklahoma Daily* Friday that he received the fliers from Anders.

Kitto said Anders asked him to distribute the fliers across the state.

However, Kitto said Sunday that he must have misunderstood the question and did not, in fact, get the flier from Anders.

When Kitto was told about the possible FEC regulations violations he said, "If I'd known what you just told me, I wouldn't have commented at all."

Kitto, also a field representative for the Oklahoma Republican Party, now says the first time he saw the flier was at his party's headquarters.

McCurdy could file a complaint with the FEC, who could take action against Inhofe but probably won't, said Tom Eisenhauer, a McCurdy Spokesman.

Eisenhauer said he wasn't encouraged by the fact that the FEC took almost three years to fine Inhofe the last time he violated campaign regulations.

In 1986, Inhofe was fined for receiving an illegal campaign con-

The OFN's flyers are considered an independent expenditure by the FEC.

An FEC appendix states that "an expenditure made on behalf of a candidate but directed by a current or former officer or employee of that candidate's committee or by a person who has received compensation or reimbursement from the campaign is presumed not to be independent."

If Anders did handle the fliers, by FEC requirements the disclaimer "paid for by the friends of Jim Inhofe" would have to appear

Please see FLIERS, page 2

Fliers: McCurdy officials query campaign flier distribution

From Page 1

tribution.

"The only people who can make Inhofe pay for his dirty tricks campaign are the voters," he said.

"This is a serious violation of FEC regulations, and I think it's important that the truth come out about what's going on over at the Inhofe campaign," Eisenhauer said.

OFN Director David Dixon said, to his knowledge, the organization did not give any fliers to Anders.

He said it was possible Anders had gotten one from a volunteer who did not know he worked for Inhofe.

The OFN distributed the fliers "at the debate where Anders wore the Pinocchio nose," Dixon said.

Anders donned the nose at a televised debate Wednesday. McCurdy is depicted in an Inhofe TV ad with such a nose.

"He could have gotten them from a thousand sources, but we didn't send them to him," Dixon said. "We circulate this through any avenue we can find," he said.

"We don't even want to be involved in his (Inhofe's) campaign," Dixon said.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 8, 1994

Robert F. Bauer
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 4117

Dear Mr. Bauer:

This letter acknowledges receipt on November 1, 1994, of the complaint you filed on behalf of the Democratic Senatorial Campaign Committee 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 4117. 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 (JTM)
Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

26043724503

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 8, 1994

Richard D. Craig, Treasurer
Friends of Jim Inhofe
3035 Northwest 63rd, Suite 201N
Oklahoma City, OK 73316

RE: MUR 4117

Dear Mr. Craig:

The Federal Election Commission received a complaint which indicates that Friends of Jim Inhofe ("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 4117. 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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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 (JCM)

Mary L. Taksar, Attorney
Central Enforcement Docket

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

cc: Representative James M. Inhofe

2604372450 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 8, 1994

Clinton Key, Chairman
Oklahoma Republican State Committee
4031 N. Lincoln Blvd.
Oklahoma City, OK 73105

RE: MUR 4117

Dear Mr. Key:

The Federal Election Commission received a complaint which indicates that the Oklahoma Republican State Committee ("Committee") and you, as Chairman, 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 4117. 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 Chairman, 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.

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Sincerely,

Mary L. Taksar (JDM)

Mary L. Taksar, Attorney
Central Enforcement Docket

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

2604372245507

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 8, 1994

Joseph Kitto, Chairman
Oklahoma Federation of College Republicans
c/o Oklahoma Republican State Committee
4031 N. Lincoln Blvd.
Oklahoma City, OK 73105

RE: MUR 4117

Dear Mr. Kitto:

The Federal Election Commission received a complaint which indicates that the Oklahoma Federation of College Republicans and you, as Chairman, 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 4117. 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 Oklahoma Federation of College Republicans and you, as Chairman, 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.

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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 (JM)

Mary L. Taksar, Attorney
Central Enforcement Docket

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

2604372245509

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 8, 1994

Rob Anders
4025 N. Meridan #80
Oklahoma, OK 73112

RE: MUR 4117

Dear Mr. Anders:

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 4117. 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.

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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 (JZM)

Mary L. Taksar, Attorney
Central Enforcement Docket

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

2604372451 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 8, 1994

David Dixon, Director
Oklahoma Freedoms Network
c/o 103 S.W. 4th Street
Electronic Maintenance Department
Lawton City Hall
Lawton, OK 73501

RE: MUR 4117

Dear Mr. Dixon:

The Federal Election Commission received a complaint which indicates that the Oklahoma Freedoms Network and you, as Director, 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 4117. 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 Oklahoma Freedoms Network and you, as Director 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.

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Sincerely,

Mary L. Taksar (gm)

Mary L. Taksar, Attorney
Central Enforcement Docket

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

2604372451 3

OKLAHOMA
REPUBLICAN PARTY

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COMMISSION
MAIL ROOM

Nov 23 10 27 AM '94

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

November 21, 1994

Federal Election Commission
999 East Street, N.W.
Washington, DC 20463

RE: MUR 4117

Dear Sirs,

This is in response to your recent correspondence regarding the distribution of a campaign flier which did not have the proper disclaimer.

Until I received your correspondence I had never seen the flier in question. Furthermore, the Oklahoma Republican State Committee has had no involvement in the creation or distribution of this flier.

I had read the news accounts in the Sunday Oklahoman newspaper regarding this matter. Mr. Joseph Kitto, who is Chairman of the Oklahoma Federation of College Republicans and a Field Representative for the Oklahoma Republican State Committee, called me that morning to explain his role in this matter. He informed me, he had not distributed this flier nor had he ever stated as such to the press.

This constitutes the entire connection between this "flier", myself, and the Oklahoma Republican State Committee. I hope this answers any questions regarding this matter.

Sincerely,

Clinton Key

Clinton Key
Chairman
Oklahoma Republican Party

2604372245514

4031 N. Lincoln Blvd. ★ Oklahoma City, Oklahoma 73105
(405) 528-3501

FRIENDS OF JIM INHOFE COMMITTEE

3035 N.W. 63rd Street, Suite 201N
Oklahoma City, Oklahoma 73116

Richard D. Craig
Treasurer

(405) 552-2213

November 23, 1994

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Nov 28 11 48 AM '94

BY FAX - (202) 219-3923
CERTIFIED MAIL

Mary L. Taksar, Esq.
Central Enforcement Docket
Federal Election Commission
Washington, D.C. 20463

Re: Friends of Jim Inhofe Committee
(the "Committee"): MUR 4117

Dear Ms. Taksar:

I received on November 15, 1994, your correspondence dated November 8, 1994 directed towards the Committee and me. The Committee is diligently attempting to determine all facts pertinent to this matter in order to determine whether there was any Committee involvement.

In order to thoroughly investigate this matter and adequately respond to your inquiries, I respectfully request an additional 44 days from today's date, or January 6, 1995, in order to complete our investigation and prepare an appropriate response.

Please call if you have any questions or require any additional information.

Very truly yours,

Richard D. Craig, Treasurer

RDC/reb

2604372245515

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 2, 1994

Richard D. Craig, Treasurer
Friends of Jim Inhofe
3035 Northwest 63rd, Suite 201N
Oklahoma City, OK 73316

RE: MUR 4117

Dear Mr. Craig:

This is in response to your letter dated November 23, 1994, requesting an extension of 44 days until January 6, 1995, to respond to the complaint.

Considering the Federal Election Commission's responsibilities to act expeditiously in the conduct of investigations, the Office of the General Counsel cannot grant your full request, but can only agree to a 30 day extension. Accordingly, the response is due by close of business on December 30, 1994.

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

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OKLAHOMA FEDERATION OF
COLLEGE REPUBLICANS

RECEIVED
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COMMISSION
OFFICE OF GENERAL
COUNSEL
Nov 25 10 29 AM '94

CHAIRMAN
JOSEPH KITTO

OFFICERS
Sheralyn Hepner
1st Vice Chair

John Woods
2nd Vice Chair

Brandon Long
Secretary

Sean Fullerton
Treasurer

Chad Alexander
Executive Director

Lawrence Noble
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

MUR 4117

Dear Mr. Noble:

This correspondence is to serve as an official response to the complaints brought by the Democratic Senatorial Campaign Committee (DSCC) on behalf of the Oklahoma Federation of College Republicans (OFCR) and myself, Joseph Kitto, the State Chairman.

First, it is important to explain the full relationship between the OFCR and the Inhofe campaign. As with any and all Republican campaigns, the OFCR is dedicated to assisting in the campaign as a volunteer force. We, as a body, neither consult, advise nor are we compensated by any campaigns. Secondly, the Inhofe campaign received no more and no less attention from our volunteer pool than anyone else. Finally, any attempts to link the OFCR with the Oklahoma Republican Party (ORP) are equally erroneous. The OFCR is an independent organization that has as its headquarters in Washington DC. The ORP is organized the same way with a completely separate organizational body. The fact that I am employed at the State ORP office has no bearing on my actions in my capacity as State Chairman of the OFCR. I take direction from the College Republican National office exclusively. The DSCC seems to be trying to link together organizations which do not report to one another.

The complaint is based on unreliable sources and flagrantly attempts to create a situation where none exists by the DSCC. The "Press reports" alluded to in the complaint consists of one article of a collegiate newspaper in which the reporters are not old enough to be sued for liable. In fact, the only adults are the faculty sponsors. This can hardly be considered a reliable source.

The interview on the Friday, as indicated in the story, was supposedly focusing on the accomplishments of the OFCR in the past year. There were only a few questions regarding volunteers for the campaigns. Within an hour and a half after the interview a press release came out of the McCurdy campaign stating that I had confirmed that Rob Anders handed out the ABC fliers. Immediately the adult,professional media contacted me and I informed them of the error. I thought the issue was ended. That Sunday evening the student editor of the Oklahoma Daily contacted me and asked to confirm the story information taken on Friday. I informed her of the error and she thanked me and hung up. An hour or so later the original student reporter called me herself and admitted that she had called the McCurdy campaign because they had asked her to find out information on the ABC flyer in the first place. When we finished going over what we remembered from the original interview she realized that she had combined two statements I had made into one and came to a wrong conclusion. She apologized and hung up. Shortly thereafter the student editor again called me and stated that she had spoken with their faculty sponsor and that they were going to print what the reporter had originally written. I was never contacted by the McCurdy campaign regarding the press release. In this complaint the DSCC would have you believe that a reputable press source reported my statements when this is simply untrue. The Oklahoma Daily is a state funded newspaper and therefore should not be working in conjunction with any candidate.

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I will say this for your official records; "I know Rob Anders. I have seen the ABC flier. I have never seen Rob Anders with the flier nor have I received the flier from any campaign. To my knowledge, the Inhofe campaign was not involved in the disbursing of the flier."
Thank you for your time and consideration.

Joseph Lewis Kitto

Joseph Lewis Kitto

State Chairman, OFCR

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dec 15 9 45 AM '94

COVER LETTER

DATE : DEC 06/94

TO : MARY L. TAKSAR

FROM : ROB ANDERS

RE : MUR 4117 - FEC MATERIALS

PGS 2 FOLLOW : NONE

Dear Miss Taksar,

I received your letter on November 28th as I was preparing for a trip to Toronto. I am faxing you this letter as well as following up with a copy in the mail.

As to the charges filed: My role in the campaign was merely to help organize young Republican voters. The first time that I saw "The ABCs of Dave McCurdy" flier was on the night of taping the televised debate. Your letter surprised me as I was not even aware of the existence of an "Oklahoma Freedoms Network" or their activities until your correspondence arrived.

While the media may have been looking for a story this is a simple case of the Democratic Senatorial Campaign Committee barking up the wrong tree. I believe there was an older gentleman distributing the flier in question at the debate. I did not pass out the flier in question. The charges filed against myself and the Friends of Jim Inhofe are false.

ANY QUESTIONS OR CONCERNS? PLEASE CONTACT ME AT:

ROB ANDERS
9209 SANTANA CRESCENT NW
CALGARY, ALBERTA
T3K 3N1
CANADA

HOME (403) 730 8622
FAX (403) 730 8622
VOICE MAIL (403) 680 4442

YOURS TRULY, Rob Anders

2604372245519

LAW OFFICES
MCAFEE & TAFT
A PROFESSIONAL CORPORATION
TENTH FLOOR
TWO LEADERSHIP SQUARE
OKLAHOMA CITY, OKLAHOMA 73102
(405) 235-9621
FAX (405) 235-0439

Gregg B. Eichner

WRITER'S DIRECT DIAL
(405) 552-2276

December 30, 1994

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JAN 4 12 24 PM '95

CERTIFIED MAIL

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

Re: Friends of Jim Inhofe Committee and Richard Craig, Treasurer (collectively referred to as the "Committee"): MUR 4117

Dear Mr. Noble:

The Committee files this response to a complaint (the "Complaint") previously lodged with the Federal Election Commission (the "FEC") by Mr. Robert Bauer, on behalf of the Democratic Senatorial Campaign Committee (the "DSCC"). This response is being timely filed with the FEC pursuant to an extension request granted by Ms. Mary Taksar of the Central Enforcement Docket and dated December 6, 1994, allowing until December 30, 1994, to file a response to the Complaint.

It is our considered view that based on the discovery occurring to date, there exists no factual or legal basis whatsoever on which the FEC should take any action against the Committee. Because this matter may be completely disposed of by an accurate and complete discussion of the facts, little attention will be devoted to the various legal arguments that support the view of no action by the FEC in this matter. The Committee reserves the right, as necessary, to supplement this response with any applicable legal analysis.

As discussed in more detail below, no link exists between the production, transportation or distribution of the flier entitled "The ABCs of Dave McCurdy" (the "Flier" or "Fliers") and any employee or agent of the Committee. Additionally, because the Flier was created, produced, transported and distributed without the cooperation or prior consent of the Committee or any agent thereof, the Committee should not be held responsible for any

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alleged omission of the required "disclaimer." Without conceding any legal or factual issue relevant to these determinations, it is important to note that this analysis and conclusion remains true whether or not Mr. Anders, referenced in the Complaint and discussed more below, is considered affiliated with the Committee.

The Complaint is based entirely on the factual inaccuracies contained in a University of Oklahoma student newspaper article. The student-written article does not purport to contain any information from individuals who actually attended the meeting of the Oklahoma Federation of College Republicans (the "Meeting") at which the Flier was allegedly delivered and distributed by a "paid consultant" to the Committee. Instead, the reporters limited the investigation and scope of their article to the statements of those persons having no actual first hand knowledge of the relevant events. For example, the student reporters interviewed Mr. Joseph Kitto, Oklahoma Federation of College Republicans State Chairman. Mr. Kitto was not at the Meeting that evening and, moreover, has no personal knowledge of any connection between Mr. Anders and the Flier. However, the student reporters quoted Mr. Kitto as having stated that he received copies of the Flier from Mr. Anders at the Meeting and that Mr. Anders had asked for his help in distributing them. The substance of the Complaint rests entirely on the accuracy of Mr. Kitto's statements as quoted in the student newspaper. To our knowledge, the DSCC has offered no other evidence of any connection between Mr. Anders and the Flier. Clearly, the DSCC does not allege that another alleged "paid consultant" of the Committee was involved in any way with the Flier. Therefore, if the student paper is inaccurate in this respect, the Complaint lacks all merit.

Based upon my telephone conversations with Mr. Kitto occurring on December 28, 1994, the statements attributed to him in the student article were not, in fact, made by him and, as corroborated by our factual discovery, simply are not true. It is our understanding that Mr. Kitto has already provided a written disclosure to the FEC in which he denies making these statements. He has no knowledge whatsoever of any connection between Mr. Anders and the Flier. He neither received Fliers from Mr. Anders nor was asked to distribute any Fliers. He is willing to provide a sworn statement to that effect.

As admitted in the Complaint, the Flier was created and produced by the Oklahoma Freedoms Network (the "OFN"). Apparently, the OFN is opposed to gun control and had its own reasons for advocating the defeat of Congressman McCurdy. However, the OFN neither sought nor received the cooperation or the consent of the Committee either before or after producing, transporting or delivering the Flier at the Meeting.

Pursuant to 2 U.S.C. § 431(17), "independent expenditure" is defined as "an expenditure by a person for a communication ...

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which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of such candidate." The DSCC claims that the OFN's expenditure for the Flier falls outside this definition and, thus, is really an "in-kind contribution." However, the DSCC sets forth no evidence more reliable than the student newspaper article to support its allegation of a connection between the Committee and either the production, transportation or distribution of the Flier.

During the course of our discovery, we interviewed individuals who actually attended the Meeting at which the alleged distribution of the Flier by a "paid consultant" to the Committee occurred. One such attendee, Mr. Chad Bradley, has provided an affidavit which states that Mr. Anders, the alleged "paid consultant," was not, in any way, connected to or responsible for either the production, transportation or distribution of the Flier. According to Mr. Bradley, Mr. David Deming, a professor at the University of Oklahoma, produced a box containing copies of the Flier at the Meeting. Because Professor Deming is neither employed by nor an agent of the Committee, nor has he ever been, Professor Demming's actions cannot be attributed to the Committee.

Pursuant to Mr. Bradley's affidavit, Professor Deming was a speaker at the Meeting and encouraged those students present to take and distribute the Fliers. He subsequently left the box of Fliers on the stage. Even though Mr. Anders spoke on the same stage as these Fliers, he did not attempt to distribute any of them. Additionally, Mr. Bradley stated to us that no one employed by or associated with the Committee contributed to, assisted with or gave their consent to the production of the Flier.

Pursuant to my telephone conversation with Professor Deming which occurred on December 29, 1994, he corroborated the fact that he did deliver the Fliers to the Meeting. He printed multiple copies of the Flier with money he had collected with no involvement, direct or indirect, from the Committee. He brought these copies of the Flier to the Meeting himself and intended to give them to members of the College Republicans for distribution. He does not believe any other copies of the Flier were present at the Meeting. Thus, he was responsible for bringing the only available copies. Professor Deming unequivocally stated that Mr. Anders was in no way connected with the production, transportation or distribution of the Flier. Professor Deming neither gave copies of the Flier to Mr. Anders nor saw him handing any out at the Meeting.

In summary, the facts simply do not support the DSCC's allegations of campaign violations. The money spent by Professor Deming is, by definition, an "independent expenditure." This expenditure constitutes an "in-kind contribution" only if it was made "in cooperation, consultation or concert, with, or at the

2604372452 2

request or suggestion of," candidate Inhofe, the Committee or any of their agents. Based on the facts contained in this response and the attached affidavit, an "in-kind contribution" clearly does not exist.

The Committee has affirmatively established that absolutely no link between the Committee or any agent thereof and the Flier exists. At most, an agent of the Committee may have unexpectantly been present at the Meeting at which Professor Deming produced copies of the Flier. However, this fact alone does not turn an "independent expenditure" into an "in-kind contribution." Accordingly, we respectfully request that the General Counsel's report to the FEC recommend that the FEC find no reason to believe that the Complaint sets forth a possible violation of the Federal Election Campaign Act of 1971, as amended, and that the FEC close the file in this matter.

The Committee reserves the right, if necessary, to supplement this response as additional information is obtained. Attached also is a completed Statement of Designation of Counsel allowing me to file this response to the Complaint on behalf of the Committee and Richard Craig.

Please call if you have any questions or I might provide any additional information.

Very truly yours,

Gregg B. Eichner

Gregg B. Eichner

GBE:lt

cc: Mary L. Taksar, Esq.
Central Enforcement Docket
Federal Election Commission
Washington, D.C. 20463

2604372452 3

AFFIDAVIT OF CHAD BRADLEY

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

I, Chad Bradley, of lawful age, after being first duly sworn, depose and state:

1. I am presently a legislative assistant to Senator James M. Inhofe and have first hand knowledge of events which occurred at the meeting of the Oklahoma Federation of College Republicans (the "Meeting") referred to in the complaint filed with the Federal Election Commission by Mr. Robert Bauer, on behalf of the Democratic Senatorial Campaign Committee, and dated November 1, 1994.

2. I have read the complaint and am familiar with the charges filed against the Friends of Jim Inhofe Committee (the "Committee") and Richard Craig. The facts as alleged by Mr. Bauer are incorrect.

3. I traveled to Norman with Mr. Rob Anders to attend the Meeting. According to the complaint, it was at the Meeting that the alleged campaign violations occurred.

4. Neither Mr. Anders nor I was responsible to any degree for or otherwise involved in, directly or indirectly, in any way, developing or approving the content of the fliers, described below.

5. Neither Mr. Anders nor I was responsible to any degree for or otherwise involved in, directly or indirectly, in any way, transporting the fliers entitled "The ABCs of Dave McCurdy" (the "Fliers") to the Meeting.

6. The first speaker at the meeting produced a box of the Fliers and asked the students in attendance for their help in distributing them. This speaker was Mr. David Deming, a professor at the University of Oklahoma.

7. Professor Deming left the box of Fliers on stage after he finished speaking.

8. Mr. Anders was the third speaker of the evening. He spoke about political canvassing. He did not speak about, refer to or distribute any of the Fliers left on stage by Professor Deming.

9. Mr. Anders did distribute information concerning questions and standard format instructions an individual could use when soliciting voters and campaign volunteers during a canvass effort. However, he did not distribute any of the Fliers.

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10. After Mr. Anders spoke, Ms. Whitney Anderson, the woman who had been introducing the speakers that evening, made some closing remarks and reminded those present that Professor Deming's Fliers were on stage along with literature for all of the candidates.

11. Mr. Anders and I remained at the site of the Meeting for about 15 minutes after it had ended. I believe I had ample opportunity to observe Mr. Anders' conduct during the entire Meeting. Based on my observations, Mr. Anders never distributed or handled any of the Fliers at any time during the Meeting or thereafter.

I do solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing are true.

Chad Bradley

Chad Bradley

SUBSCRIBED AND SWORN to before me this 29th day of December, 1994.

Virginia A. Sutton

Notary Public

My commission expires:

4-14-95

2604372452 5

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4117

NAME OF COUNSEL: Gregg B. Eichner
McAfee & Taft

ADDRESS: 10th Floor, Two Leadership Square
Oklahoma City, OK 73102

TELEPHONE: (405) 552-2276

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.

Dec. 30, 1994
Date

Signature

RESPONDENT'S NAME: Friends of Jim Inhofe Committee and
Richard Craig, Treasurer

ADDRESS: 3035 N.W. 63rd St., Suite 201N
Oklahoma City, OK 73116

HOME PHONE:

BUSINESS PHONE: (405) 552-2213

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

FEB 6 12 10 PM '96

In the Matter of)
) Enforcement Priority
)

SENSITIVE

GENERAL COUNSEL'S 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

---

1. These matters are: MUR 4165 (Attachment 2); MUR 4187 (Attachment 3); MUR 4188 (Attachment 4); MUR 4199 (Attachment 5); MUR 4211 (Attachment 6); MUR 4212 (Attachment 7); MUR 4216 (Attachment 8); MUR 4224 (Attachment 9); MUR 4243 (Attachment 10); MUR 4245 (Attachment 11).

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low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 2-11. As the Commission requested, this Office has attached the responses to the complaints for the externally-generated matters and the referrals for matters referred by the Reports Analysis Division in instances where this information was not previously circulated. See Attachments 2-11.

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 33 cases that

do not warrant further investment of significant Commission resources.[2]

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2. These matters are: PM 308 (Attachment 12); RAD 94L-29 (Attachment 13); RAD 94L-34 (Attachment 14); RAD 94NF-10 (Attachment 15); RAD 94NF-13 (Attachment 16); MUR 4027 (Attachment 17); MUR 4028 (Attachment 18); MUR 4033 (Attachment 19); MUR 4042 (Attachment 20); MUR 4045 (Attachment 21); MUR 4047 (Attachment 22); MUR 4049 (Attachment 23); MUR 4057 (Attachment 24); MUR 4059 (Attachment 25); MUR 4062 (Attachment 26); MUR 4065 (Attachment 27); MUR 4066 (Attachment 28); MUR 4067 (Attachment 29); MUR 4069 (Attachment 30); MUR 4070 (Attachment 31); MUR 4077 (Attachment 32); MUR 4079 (Attachment 33); MUR 4086 (Attachment 34); MUR 4089 (Attachment 35); MUR 4095 (Attachment 36); MUR 4099 (Attachment 37); MUR 4102 (Attachment 38); MUR 4104 (Attachment 39); MUR 4111 (Attachment 40); MUR 4113 (Attachment 41); MUR 4117 (Attachment 42); MUR 4127 (Attachment 43); and MUR 4132 (Attachment 44).

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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, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are attached to the report in instances where this information was not previously circulated. See Attachments 12-44.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below in Section III.A and III.B effective February 13, 1996. By closing the cases effective February 13, 1996, 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.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective February 13, 1996 in the following matters:

1) PM 308
2) RAD 94L-29
3) RAD 94L-34
4) RAD 94NF-10
5) RAD 94NF-13

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B. Take no action, close the file effective February 13, 1996, and approve the appropriate letter in the following matters:

1) MUR 4027
2) MUR 4028
3) MUR 4033
4) MUR 4042
5) MUR 4045
6) MUR 4047
7) MUR 4049
8) MUR 4057
9) MUR 4059
10) MUR 4062
11) MUR 4065
12) MUR 4066
13) MUR 4067
14) MUR 4069
15) MUR 4070
16) MUR 4077
17) MUR 4079
18) MUR 4086
19) MUR 4089
20) MUR 4095
21) MUR 4099
22) MUR 4102
23) MUR 4104
24) MUR 4111
25) MUR 4113
26) MUR 4117
27) MUR 4127
28) MUR 4132
29) MUR 4165
30) MUR 4187
31) MUR 4188
32) MUR 4199
33) MUR 4211
34) MUR 4212
35) MUR 4216
36) MUR 4224
37) MUR 4243
38) MUR 4245

2/6/96
Date

Lawrence M. Noble
General Counsel

2604372450

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	Agenda Document #X96-13
Enforcement Priority	)	

CORRECTED CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission, do hereby certify that the Commission decided by votes of 4-0 to take the following action in the above-captioned matter:

A. Decline to open a MUR and close the file effective March 5, 1996, in the following matters:

1) PM 308
2) RAD 94L-29
3) RAD 94L-34
4) RAD 94NF-10
5) RAD 94NF-13

B. Take no action, close the file effective March 5, 1996, and approve appropriate letter in the following matters:

1) MUR 4027
2) MUR 4028
3) MUR 4033
4) MUR 4042
5) MUR 4045
6) MUR 4047
7) MUR 4049
8) MUR 4057
9) MUR 4059

(continued)

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10) MUR 4062
11) MUR 4065
12) MUR 4066
13) MUR 4067
14) MUR 4069
15) MUR 4070
16) MUR 4077
17) MUR 4079
18) MUR 4086
19) MUR 4089
20) MUR 4095
21) MUR 4099
22) MUR 4102
23) MUR 4104
24) MUR 4111
25) MUR 4113
26) MUR 4117
27) MUR 4127
28) MUR 4132
29) MUR 4165
30) MUR 4187
31) MUR 4188
32) MUR 4199
33) MUR 4211
34) MUR 4212
35) MUR 4216
36) MUR 4224
37) MUR 4243
38) MUR 4245

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(continued)

Commissioners Aikens, Elliott, McDonald, and Thomas voted affirmatively on the above-noted decisions. Commissioner McGarry was not present.

Attest:

3/7/96
Date

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

2604372453 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer, Esquire
Perkins Coie
607 14th Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 4117

Dear Mr. Bauer:

On November 1, 1994, the Federal Election Commission received the complaint you filed on behalf of the Democratic Senatorial Congressional Committee alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 199. 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 (BH)

Mary L. Taksar, Attorney
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

9604372453 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1996

Gregg B. Eichner, Esquire
McAfee & Taft
Two Leadership Square, 10th Floor
Oklahoma City, OK 73316

RE: MUR 4117
Friends of Jim Inhofe
Richard D. Craig, as treasurer

Dear Mr. Craig:

On November 8, 1994, the Federal Election Commission notified your clients, Friends of Jim Inhofe and Richard D. Craig, 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 exercised its prosecutorial discretion to take no action against Friends of Jim Inhofe and you, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

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

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar (JBH)

Mary L. Taksar, Attorney
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1996

Clinton Key, Chairman
Oklahoma Republican State Committee
4031 N. Lincoln Boulevard
Oklahoma City, OK 73105

RE: MUR 4117

Dear Mr. Key:

On November 8, 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 exercised its prosecutorial discretion to take no action against the Oklahoma Republican State Committee and you, as Chairman. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

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

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar (JBH)

Mary L. Taksar, Attorney
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1996

Joseph Kitto, Chairman
Oklahoma Federation of College Republicans
C/O Oklahoma Republican State Committee
4031 N. Lincoln Boulevard
Oklahoma City, OK 73105

RE: MUR 4117

Dear Mr. Kitto:

On November 8, 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 exercised its prosecutorial discretion to take no action against the Oklahoma Federation of College Republicans and you, as Chairman. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

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

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar (FBH)

Mary L. Taksar, Attorney
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1996

Rob Anders
4025 N. Meridan #80
Oklahoma, OK 73112

RE: MUR 4117

Dear Mr. Anders:

On November 8, 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 exercised its prosecutorial discretion to take no action against you. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

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

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar (FBH)

Mary L. Taksar, Attorney
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1996

David Dixon, Director
Oklahoma Freedoms Network
C/O 103 S.W. 4th Street
Electronic Maintence Department
Lawton City Hall
Lawton, OK 73501

RE: MUR 4117

Dear Mr. Dixon:

On November 8, 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 exercised its prosecutorial discretion to take no action against the Oklahoma Freedoms Network and you, as Director. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

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

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Mary L. Taksar (FBH)

Mary L. Taksar, Attorney
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 417

DATE FILMED 3/19/96 CAMERA NO. 2

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