



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4487

DATE FILMED 6-19-67 CAMERA NO. 1

CAMERAMAN JMW

97043821150

FEC

Re: Citizens for a Strong America (CSA)  
High Frontier (HF)

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

(CSA.996)

mur 4487

Joseph Stern, being duly sworn, deposes and says:  
SEP 27 11 51 AM '96

1. I reside at 421 S. Howes, No. 1102, Fort Collins, CO 80521, Ph. I wish to file a complaint as complainant against Citizens for a Strong America (CSA) and High Frontier (HF) for having violated Federal laws and/or regulations.

2. The enclosed materials (and others) were distributed at a public meeting, sponsored by the College Republicans, at Colorado State University, Lory Student Center, room 228, on Thursday, September 5, 1996. 7 p.m.

3. These materials indicate that CSA has applied for a 501(c)(3) IRS designation and that HF "qualifies under" the same designation.

4. I believe that the enclosed materials and the lecture remarks at the meeting were overwhelmingly partisan and political and may violate Federal laws and/or regulations, relating to permissible activities of tax-exempt organizations.

5. I respectfully urge your agency to investigate these two organizations for possible violation of Federal laws and/or regulations. Please advise the undersigned of your actions.

Joseph Stern  
Joseph Stern

State of Colorado )  
County of Larimer) ss.:

The above document was signed and sworn to before me on September 23<sup>rd</sup>, 1996, by Joseph Stern.

My Commission Expires: 6/29/97 Judy K Elder  
Notary Public

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
SEP 30 10 17 AM '96

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# CITIZENS FOR A STRONG AMERICA

E. GENE VOSSLER, FOUNDER AND CHAIRMAN      HENRY KRIEGEL, EXECUTIVE DIRECTOR  
155 NORTH MICHIGAN AVENUE, SUITE 700, CHICAGO ILLINOIS 60601

*Call Sen. Doolittle*

## Colorado Citizens For A Strong America

Colorado Citizens For A Strong America (CCFSA) is a state chapter of Citizens For A Strong America (CFSA), a national grassroots non-profit non-partisan, educational organization that galvanizes citizens to influence the national policy of the United States toward the immediate deployment of a national ballistic missile defense system for the United States and its allies. Its offices include Chicago, Dallas, and Washington, D.C.

*speaking at 1/5/96 on "Defending America"*

Founded by Gene Vossler on July 4, 1995, the organization has grown to over 100 chapters nationwide. Mr. Vossler, a former Lutheran minister and now serving as Chairman of CFSA, is a former Senior Advisor for High Frontier in Washington, D.C. He is a nationally recognized spokesperson on missile defense and has appeared on hundreds of radio and television programs. The Executive Director is Henry Kriegel, formerly the Executive Director for the Committee For A Free Afghanistan from 1986-1989.

CCFSA serves under the national organization and is dedicated to educating Colorado citizens to the threat America faces from widespread ballistic missile proliferation and increased terrorism. The threat is immediate and requires action by all citizens now!

Consider these facts:

- If a ballistic missile were launched at America today, intentionally or by accident, we could not shoot it down.
- Currently 26 nations possess ballistic missiles, including Iran, Iraq, and Libya.
- The 1972 ABM (Anti-Ballistic Missile) Treaty prevents America from deploying off-the-shelf technologies such as the Aegis System.
- Russia is selling easily concealed ICBM's as launchers for space vehicles to any nation. These turn-key missile launchers can be loaded with nuclear, chemical, or biological warheads within three hours.

CCFSA advocates immediate Congressional action on the following issues:

- Abrogate from the ABM Treaty

COLORADO CITIZENS FOR A STRONG AMERICA

DENVER  
303-984-1844  
FAX 303-984-1853

COLORADO SPRINGS / PUEBLO  
719-523-1106  
FAX 719-523-1106

PORT COLLINS  
970-283-7470  
FAX 970-283-7400

97043821152

*L... Davis*

- Build nationwide ABM defenses and theater ABM defenses as a top priority program using off-the-shelf technology
- Send the fatally flawed START II Treaty back to the Senate for a full debate, and afterwards request that the Senate reconsider its vote
- Reverse the illegal and dangerous amendment to the START I Treaty, which would allow the Russians to sell an unlimited number of ICBM launchers around the world to rogue regimes

CCFSA, its fellow state chapters and the national organization accomplish the following:

- Design and strategically use grassroots programs to educate communities
- Urge constituents to express their concerns to legislators and the local media
- Coordinate a lecture tour utilizing grassroots support and media interviews throughout the United States
- Use radio talk shows to increase awareness of America's vulnerability to terrorism
- Develop a national information network via fax and on-line services
- Develop and publish educational brochures, pamphlets, visual tools (posters, magazine and newspaper ads)
- Conduct Congressional briefings, press conferences and other events designed to attract favorable media attention
- Develop a membership base from media outreach, lectures, and presentations
- Participate in key political conventions in Washington, D.C. and throughout the country
- Provide speakers on ballistic missile defense to network with local, state and national civic and political organizations, and news media in key regions around the U.S.

#### History of Citizens For A Strong America

Chairman and founder Gene Vosseler saw the need for an effective and determined advocacy group on the issue of ballistic missile defense deployment. In July, 1995 he called together a meeting of like-minded individuals and founded Citizens For A Strong America (CFSA). These individuals became CFSA's Board of Governors and represent a cross-section of Americans in age, gender and race. Members of the Board of Governors made financial pledges and contributions to get CFSA launched.

CFSA is founded as an educational organization and has filed for its 501(c)(3) status with the Internal Revenue Service. It utilizes its grassroots chapters, like Colorado Citizens For A Strong America to enlist a broad-based support for ballistic missile defense (bmd). CFSA's Board of Directors include Gene Vosseler, Henry Kriegel,

Fort Collins  
970-414-8600  
282-7470

Colorado Citizens For A Strong America  
Denver  
303-984-1844, FAX 303-984-1853

Colorado Springs/Pueblo  
719-522-0173, FAX 719-522-1165

97043821153



# CITIZENS FOR A STRONG AMERICA

E. GENE VOSSLER, FOUNDER AND CHAIRMAN      HENRY ERJEGEL, EXECUTIVE DIRECTOR  
155 NORTH MICHIGAN AVENUE, SUITE 700, CHICAGO ILLINOIS 60601

## WHERE THE CANDIDATES STAND

### CLINTON:

- Clinton recently allowed Russia to sell easily concealed ICBMs as launchers for space vehicles to any nation - including Iran, Iraq, Libya and Cuba. According to a Congressional technical assessment report, these turn-key missile launchers can be loaded with nuclear, chemical or biological warheads within three hours.
- The Clinton Pentagon refused to spend \$275 million already appropriated by Congress for ballistic missile defense.
- Clinton vetoed the FY 1996 Defense Authorization Bill which would have mandated the deployment of a nation-wide ballistic missile defense system to protect the entire United States by 2003.
- In an agreement reached with President Yeltsin, Clinton committed to "dumb down" (reduce the effectiveness of) our regional defense missile systems. As a result, a U.S. Navy cruiser off the North Korean coast could block an incoming missile on Japan but couldn't block one targeted at the U.S. Russia is under no such obligation.
- Continuing the technology drain of previous administrations, President Clinton has accelerated massive technology transfers from Silicon Valley. He has removed export controls on supercomputers used to research, develop and target ballistic missiles and nuclear warheads.
- The Clinton Administration has expressed no outrage over a recent *New York Times* report in which a senior Chinese official threatened to launch a nuclear strike on Los Angeles if the U.S. ever intervened to protect Taiwan.
- "In the last four years, we have frozen North Korea's nuclear weapons program, and I'm proud to say that tonight there is not a single Russian nuclear missile pointed at an American child." Clinton, Nomination Acceptance Speech, Aug. 28, 1996. [81st time he has used this quote.]
- "President Clinton criticized the Republican plans for a missile defense on Wednesday, saying deployment was not needed and a waste of money." Washington Times, Bill Gertz, May 24, 1996, [article provided, see handout]

### COLORADO CITIZENS FOR A STRONG AMERICA

DENVER  
303-984-1844  
FAX 303-984-1858

COLORADO SPRINGS / PUEBLO  
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FAX 719-522-1166

FORT COLLINS  
970-282-7470  
FAX 970-282-7400

97043821154



# CITIZENS FOR A STRONG AMERICA

E. GENE VOSELLER, FOUNDER AND CHAIRMAN      HENRY KRIEGEL, EXECUTIVE DIRECTOR  
155 NORTH MICHIGAN AVENUE, SUITE 700, CHICAGO ILLINOIS 60601

## WHERE THE CANDIDATES STAND

### DOLE:

- "And on my first day in office, I will put America on a course that will end our vulnerability to missile attack and rebuild our armed forces. It is a course President Clinton has refused to take." Dole, Nomination Acceptance Speech, Aug. 15, 1996.
- "If you had an incoming ballistic missile, and you asked somebody in my state, or any state, what should the president do, they'd say, 'Shoot it down.' We cannot. We have no defense." Dole, Washington Times, May 24, 1996 [article provided, see handout]
- "The ballistic missile threat is on our doorstep. The facts speak for themselves. China, North Korea, and Russia are all engaged in the transfer of missile components and technologies. The North Koreans are developing a ballistic missile which will threaten Alaska and Hawaii in the not-so distant future. Iran has six ballistic missiles and six more in development. Some 25 countries are acquiring ballistic missiles - many capable of carrying weapons of mass destruction. We have a choice. We can leave America vulnerable and hope for the best. Or, we can put American technology - the best in the world - at work to defend our citizens in all 50 states." Dole, Letter to Speaker of the House Newt Gingrich, May 16, 1996, [Letter provided, see handout]
- "Former Clinton administration CIA chief James Woolsey turned his back on his old boss Wednesday and endorsed Republican Bob Dole as a presidential candidate of "courage, intelligence and iron determination." ... "We need consistency, clarity and conviction in U.S. foreign policy," ... "Bob Dole will ensure that our allies will never doubt our intentions, nor our enemies our resolve." Assoc. Press and Colorado Springs Gazette Telegraph, June 27, 1996, [Article provided, see handout]
- "Outlandish estimates are a good way to avoid a serious debate on a most serious issue," Mr. Dole said. "The American people deserve better, because we're talking about the safety and security of their children and their grandchildren and themselves." The administration is using the Congressional Budget Office numbers to criticize plans for a national missile defense, which Mr. Dole said were "budgetary scare tactics and skewed analysis" to "avoid this question" of protecting the United States from missile attacks, Mr. Dole said.-- Washington Times, Bill Gertz, May 24, 1996 [article provided, see handout]

### COLORADO CITIZENS FOR A STRONG AMERICA

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303-984-1844  
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FAX 719-523-1166

FORT COLLINS  
970-283-7478  
FAX 970-283-7460

97043821155

As We Go To Press:

The House National Security Committee and Senate Armed Services Committee have just added around \$800 million to the President's \$2.8 billion request for missile defense programs — nearly a 30 percent increase. Watch C-SPAN for what should be a lively Floor debate during the weeks of 13 May (House) and 20 May (Senate), and urge your Representative and Senators to Defend America Now! ♦

*A Reminder*

For over thirteen years High Frontier has fought to make America more secure. It is our duty to publish the truth about strategic defense and the nation's safety.

In such a spirit we ask you to remember High Frontier when you are making or revising your will. We, and American generations to come, will be most appreciative. ♦

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Time Sensitive Newsletter!  
Please do not delay!

**The Shield**

High Frontier  
2800 Shirlington Road, Suite 405  
Arlington, VA 22206  
(703) 671-4111

Vol. XIII No. 3

Amb. Henry F. Cooper  
Publisher

Aleta Jackson  
Editor

This month's contributors are:  
Amb. Henry F. Cooper; Maj. Gen. J. Milnor Roberts, AUS, (Ret); Col. Steve McCormick, USA, (Ret.) and Elizabeth A. Whitworth.

High Frontier's Shield is published bi-monthly by High Frontier, and is free to any who request it.

If you would like to receive The Shield, or make a contribution to support High Frontier's efforts, please write to us at 2800 Shirlington Road, Suite 405, Arlington, VA 22206, USA. Phone (703) 671-4111 or 800-873-4734 (8-SDI-SDI).

E-mail: highfrontier@bix.com

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## Capitol Hill Closeups

*Continued from page 6*

- A cooperative transition to a regime that is not based on an offensive-only form of strategic stability.
- Urges the President to pursue high-level discussions with Russia to amend the ABM Treaty and permit this needed layered defense.
- Any amendment must be submitted for advice and consent.
- Calls for the President and Congress to consider U.S. withdrawal from the ABM Treaty if the needed amendments are not produced within one year. ♦

*Continued from page 7*

we have the tools to defend our population from such an attack, politicians have prevented us from actually putting them in place.

Public opinion polls show that most Americans do not realize that America's armed services have no way of protecting our cities from even a single missile. A January 1995 nationwide poll conducted by Luntz Research indicated that 73% of Americans are ignorant of this fact. Almost certainly, this is because it is simply unthinkable that despite spending \$250 billion per year on "defense," we are naked and defenseless against third-rate nations and rogue terrorists. Citizens trust that the first responsibility of their national government is "to provide for the common defense," and they accordingly assume that there must be an effective defense against missile attack. But there is not.

How was this dangerous situation allowed to occur? In 1972, when the United States signed the ABM Treaty with the Soviet Union, the USSR was the only nation on earth that threatened us with intercontinental ballistic missiles. The purpose of the treaty was to express both nations' acknowledgment that a nuclear war was not winnable. By obviating the risk of a first strike coupled with an effective defense against retaliation, the ABM Treaty permitted a standoff between two rational, if hostile, opponents. This arrangement, known as "mutual assured destruction," was perhaps justifiable in the real world of a quarter century ago. Today, however, the reality is dramatically different. Where once there was a single major nuclear foe, there may soon be dozens. And where once the foe was (it was hoped) rational,

no such calculation can safely be made about the often insane terrorist threats facing America. Indeed, today the Soviet Union itself is no more. Yet the ABM Treaty still exists. Its only current purpose is to prevent an American self-defense against nuclear missiles launched by foes we may not even have detected.

While acknowledging that these threats exist and even touting non-proliferation as its foreign policy, the Clinton Administration remains wedded to the ABM Treaty, seemingly for its own sake. Worse, they have slashed the relatively meager funds for protecting American territory. President Clinton wiped out over 80 percent of the funding levels recommended by the Bush Administration, even though these represented less than 1% of the defense budget. And when the new Republican-led Congress restored several critical missile defense programs, Clinton deliberately withheld the funding, causing further needless delays.

Unlike Bill Clinton, Republicans believe it is high time that our armed services are permitted to defend American territory as the Constitution demands. We reject the President's impotent "placebo policy."

American citizens should be protected from an already real and growing threat by an effective and affordable anti-missile defense. Current technology already permits this. A solid defense against terrorist-state missiles can be deployed for a tiny fraction of the existing defense budget. It is already provided for within the Republican balanced budget resolution. House Republicans have introduced the Defend

*Continued on page 11*

97043821157



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 7, 1996

Joe Stern  
421 S. Howes  
#S-1102  
Fort Collins, CO 80521

RE: MUR 4487

Dear Mr. Stern:

This letter acknowledges receipt on September 30, 1996, of the complaint you filled 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 4487. 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,

Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

97043821158



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 7, 1996

E. Gene Vossler  
Citizens For A Strong America  
155 North Michigan Avenue,  
Suite 700  
Chicago, IL 60601

RE: MUR 4487

Dear Mr. Vossler:

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 4487. 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.

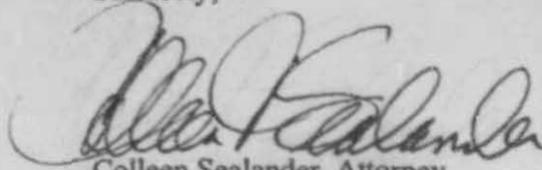
*Celebrating the Commission's 20th Anniversary*

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

97043821159

If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

9704382116C



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 7, 1996

Treasurer  
Citizens For a Strong America  
155 North Michigan Avenue  
Suite 700  
Chicago, IL 60601

RE: MUR 4487

Dear Sir/Madam:

The Federal Election Commission received a complaint which indicates that Citizens For a Strong America 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 4487. 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 Citizens For a Strong America 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.

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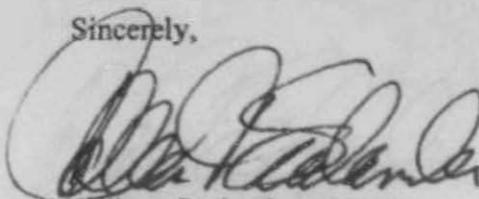
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YESTERDAY, TODAY AND TOMORROW  
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97043821161

If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

97043821162



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 7, 1996

Treasurer  
Colorado Citizens For a Strong America  
c/o Robert Erickson  
6818 Ravencrest Drive  
Colorado Springs, CO 80919-1943

RE: MUR 4487

Dear Sir/Madam:

The Federal Election Commission received a complaint which indicates that Colorado Citizens For a Strong America 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 4487. 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 Colorado Citizens For a Strong America 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.

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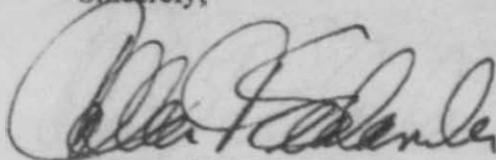
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YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

97043821163

If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

97043821164



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 7, 1996

Treasurer  
High Frontier  
2800 Shirlington Road, Suite 405  
Arlington, VA 22206

RE: MUR 4487

Dear Sir/Madam:

The Federal Election Commission received a complaint which indicates that High Frontier 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 4487. 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 High Frontier 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.

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DEDICATED TO KEEPING THE PUBLIC INFORMED

97043821165

If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

97043821166



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 7, 1996

Treasurer  
College Republicans  
c/o Lory Student Center  
Colorado State University  
Fort Collins, CO 80523

RE: MUR 4487

Dear Sir/Madam:

The Federal Election Commission received a complaint which indicates that College Republicans 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 4487. 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 College Republicans 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.

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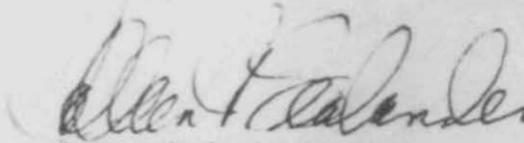
*Celebrating the Commission's 20th Anniversary*

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

97043821167

If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney  
Central Enforcement Docket

Enclosures

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

97043821168

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Oct 17 8 20 AM '96

October 16, 1996

Federal Election Committee  
c/o Erik Morrison  
999 E. Street  
N.W. Washington D.C., 20463  
FAX: 202-219-3923

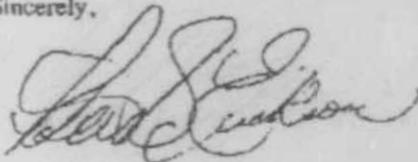
RE: MUR4487

Dear Mr. Morrison:

This letter is to confirm our conversation of October 16, 1996, wherein I advised you that I do not have any affiliation with Colorado Citizens for a Strong America. I am not the treasurer of this group as noted in correspondence previously sent to me by the Federal Election Committee. Please make the necessary changes in your file to correct this.

Thank you for your attention to this matter.

Sincerely,



Robert S. Erickson, III  
6818 Ravencrest Drive  
Colorado Springs, CO 80919

97043821169

HERGE, SPARKS & CHRISTOPHER

ATTORNEYS AT LAW

SUITE 200

8201 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

(703) 848-4700

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OFFICE OF GENERAL  
COUNSEL

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J. CURTIS HERGE  
ROBERT R. SPARKS, JR.  
A. MARK CHRISTOPHER  
MATTHEW SCOTT MCCONNELL  
CHRISTOPHER T. CRAIG

TELECOPIER NUMBER  
(703) 893-7371

October 16, 1996

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

Re: MUR 4487

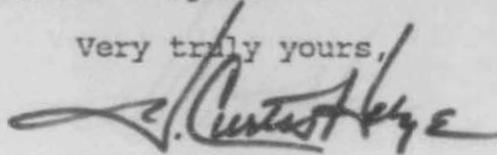
Dear Sir or Madam:

By letter dated October 7, 1996, the Federal Election Commission notified High Frontier that Joseph Stern had filed a complaint alleging that the respondent may have violated provisions of the Federal Election Campaign Act of 1971, as amended. That matter had been numbered MUR 4487.

Enclosed is a Statement of Designation of Counsel, designating the undersigned to represent the respondent before the Federal Election Commission in this matter.

Respondent intends to demonstrate in writing that no action should be taken against it in this matter. To enable me appropriate time to gather and analyze the relevant facts, I respectfully request an extension until Tuesday, November 5, 1996, within which to submit our response.

Very truly yours,



J. Curtis Herge

:sbl

Enclosure

cc: High Frontier

9704382117C

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

OCT 17 3 05 PM '96

Oct 17 2 32 PM '96

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4487

NAME OF COUNSEL: J. Curtis Herge, Esq.

FIRM: Herge, Sparks & Christopher

ADDRESS: 8201 Greensboro Drive, Suite 200

McLean, Virginia 22102

TELEPHONE: (703) 848-4700

FAX: (703) 893-7371

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.

HIGH FRONTIER

Oct. 15, 1996  
Date

By: *J. Schaefer*, Treasurer  
Signature

RESPONDENT'S NAME: High Frontier

ADDRESS: 2800 Shirlington Road

Suite 405A

Arlington, Virginia 22206

TELEPHONE: HOME( ) \_\_\_\_\_

BUSINESS( 703 ) 671-4111

Oct 17 3 05 PM '96

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

97043821171



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 21, 1996

J. Curtis Herge, Esq.  
Herge, Sparks & Christopher  
Suite 200  
8201 Greensboro Drive  
McLean, VA 22102

RE: MUR 4487  
High Frontier, Treasurer

Dear Mr. Herge:

This is in response to your letter dated October 16, 1996 which we received on October 17, 1996 requesting an 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 November 5, 1996.

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

Sincerely,

Erik Morrison, Paralegal  
Central Enforcement Docket

97043821172



# CITIZENS FOR A STRONG AMERICA

Mr. Erik Morrison  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

October 17, 1996

RE: MUR 4487

Dear Mr. Morrison:

It has come to my attention today that a gentleman in Colorado Springs, Robert Erickson, received a letter from the FEC regarding a complaint against High Frontiers and Citizens For A Strong America. The copy of the complaint is being forwarded to us today.

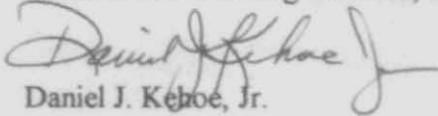
Please be advised that Mr. Ericson has no affiliation with our organization or High Frontier and had not heard of CFSA until he received this complaint in the mail. Please remove his name as a contact person on this matter.

At present, all letters should be sent to myself, Daniel J. Kehoe, Jr.:  
Citizens For A Strong America  
155 North Michigan Avenue, Suite 700  
Chicago, IL 60601

At this juncture we do not have an attorney to serve as our counsel on this matter, but I will inform you when that occurs.

I am requesting an extension of thirty (30) days, if possible, in order that we have time to receive the complaint from the FEC and to consult with an attorney regarding the matter.

If you need to contact me, my telephone number is 888-631-8885. Thank you for your consideration of this request.

Sincerely,  
Citizens For A Strong America, Inc.  
  
Daniel J. Kehoe, Jr.  
Treasurer

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FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
OCT 23 9 49 AM '96

cc: Robert Erickson

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 29, 1996

Daniel J. Kehoe, Jr., Treasurer  
Citizens for a Strong America  
155 North Michigan Avenue  
Suite 700  
Chicago, Illinois 60601

RE: MUR 4487

Dear Mr. Kehoe:

This is in response to your letter dated October 17, 1996, which we received on October 23, 1996, requesting an extension of 30 days to respond to the complaint in the above-referenced 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 December 2, 1996.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Alva Smith".

Alva Smith, Paralegal  
Central Enforcement Docket

97043821174

HERGE, SPARKS & CHRISTOPHER

ATTORNEYS AT LAW

SUITE 200

8201 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

(703) 848-4700

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

OCT 28 11 16 AM '96

J. CURTIS HERGE  
ROBERT R. SPARKS, JR.  
A. MARK CHRISTOPHER  
MATTHEW SCOTT McCONNELL  
CHRISTOPHER T. CRAIG

TELECOPIER NUMBER  
(703) 893-7371

October 22, 1996

Certified Mail -  
Return Receipt Requested

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

Re: MUR 4487; Respondent: High  
Frontier

Dear Sir or Madam:

By letter dated October 7, 1996, the Federal Election Commission notified High Frontier that Joseph Stern had filed a complaint alleging that High Frontier (and another organization) may have violated provisions of the Federal Election Campaign Act of 1971, as amended. That matter had been numbered MUR 4487.

By letter dated October 16, 1996, we submitted to you the Statement of Designation of Counsel of High Frontier, which Statement designated the undersigned as its counsel in this matter. In that letter, we also requested an extension until Tuesday, November 5, 1996, within which to respond to the allegations. By letter dated October 21, 1996, the Commission granted that extension.

We have now had an opportunity to study the assertions made by Mr. Stern in his complaint and have concluded that the Federal Election Commission should take no action on this matter. The reasons for that conclusion follow.

First, the complaint should have been returned to the complainant, as required by 11 CFR § 111.5(b), because it failed to meet the technical requirements of 11 CFR § 111.4(d). That latter provision of the Regulations of the Federal Election Commission requires that a complaint contain "a clear and concise recitation of the facts which describe a violation of a statute or regulation over which the Commission has jurisdiction." 11 CFR § 111.4(d)(3). Mr. Stern's sole attempt to meet that substantive threshold was to suggest that "materials" and "remarks" at a meeting were "partisan and political." The assertion of a

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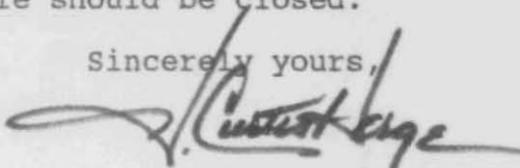
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legal conclusion is an inadequate substitute for the assertion of facts. Mr. Stern failed to include in his complaint a clear and concise recitation of the particular speech he apparently found personally offensive; he failed to include in his complaint a clear and concise recitation of who was responsible for that particular speech; and, he failed to describe in his complaint how that particular speech may have violated a statute or regulation over which the Commission has jurisdiction. The complete lack of specificity in the complaint, e.g. the failure by Mr. Stern to meet the requirements of 11 CFR § 111.4, renders it impossible for us to defend our client and it denies High Frontier its fundamental right of due process.

Second, High Frontier is a non-profit, non-partisan, educational corporation which has been determined by the Internal Revenue Service to be an organization described in Section 501(c)(3) of the Internal Revenue Code. In furtherance of its educational mission, High Frontier addresses issues of general public importance. High Frontier does not endorse candidates and its communications do not expressly advocate the election or defeat of any clearly identified candidate(s) or candidates of a clearly identified political party. Accordingly, High Frontier conducts no activity which is subject to the prohibitions, limitations, or reporting requirements contained in the Federal Election Campaign Act of 1971, as amended. Mr. Stern failed to assert a clear and concise recitation of a single fact which remotely suggests a different conclusion.

Based on the foregoing, it is respectfully suggested that the Federal Election Commission cannot take further action on this matter and the file should be closed.

Sincerely yours,



J. Curtis Herge  
Counsel to High Frontier

:sbl

cc: Gen. J. Milnor Roberts

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Nov 27 10 32 AM '96

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4487

NAME OF COUNSEL: James L. Gitz

FIRM: James L. Gitz, Attorney at Law

ADDRESS: 303. N. VAN Buren Avenue  
Freeport, IL 61032

TELEPHONE: (815) 235-1992

FAX: (815) 235-1865

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.

11-22-96  
Date

*Dennis J. Schaefer Jr.*  
Signature

RESPONDENT'S NAME: Citizens For A Strong America

ADDRESS: 155 North Michigan Avenue  
Suite 700  
Chicago, IL 60601

TELEPHONE: HOME (888) 333-4222

BUSINESS (312) 616-4222

97043821177

**JAMES L. GITZ**  
Attorney at Law  
303 North Van Buren Avenue  
Freeport, Illinois 61032  
(815) 235-1992

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

DEC 2 2 32 PM '96

**Certified Mail**  
**Return Receipt Requested**

Mr. Eric Morrison  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

November 29, 1996

**RE: MUR 4487; Respondent: Citizens for A Strong America**

Dear Mr. Morrison:

On October 7, 1996, the Federal Election Commission ("FEC") notified Citizens for A Strong America ("CFSA") that it had received a complaint alleging that CFSA may have violated the Federal Election Campaign Act of 1971. Daniel Kehoe, Jr., the Treasurer of CFSA then requested and received an extension of time to obtain counsel and answer the complaint. The FEC then gave CFSA until December 2, 1996, in which to respond. CFSA subsequently submitted an appearance form listing the undersigned attorney as CFSA's counsel for the purpose of responding to MUR 4487.

I have reviewed Mr. Joseph Stern's complaint, as filed with the FEC. I believe the complaint is improperly pled, lacks merit and that no further action should be taken on MUR 4487. Our reasons are set forth below.

**I. The Complaint Fails to Meet the Pleading Requirements of 11 CFR 111.4.**

11 CFR §111.4(d) provides that a complaint made to the FEC must: 1) clearly identify each person or entity who allegedly committed a violation; 2) identify the source of information giving rise to the complainant's allegations, and 3) provide a "clear and concise recitation of the facts" describing a violation for which the FEC has jurisdiction, and 4) set forth any accompanying documentation supporting the facts alleged.

The complainant's complaint fails to meet these elementary pleading requirements. First, the complaint fails to identify each person or entity who allegedly committed a violation of federal election law. The complainant lumps all of the respondents together, but does not state what each entity did which constitutes a violation of federal election law.

11 CFR § 111.4(d)(2) further requires that statements not based on personal knowledge should be accompanied by identification of the source of information which gives rise to the complainant's belief of the truth of such statements. Mr. Stern does not indicate whether his complaint is based on personal knowledge, in other words whether he

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Mr. Eric Morrison  
November 29, 1996  
Page 2

attended the meeting identified in his complaint or whether he received any of the materials distributed or heard the lecture remarks he considers to be partisan. If the complaint is not based on personal knowledge, the complainant is obligated to identify his source of information for the complaint. Mr. Stern makes reference to lecture remarks, but fails to identify the speaker, what was said, how the remarks violated federal election law, what statute was violated or the source of his information.

11 CFR § 111.4(d)(3) requires a clear and concise recitation of facts which describe a violation of a statute or regulation over which the FEC has jurisdiction. Paragraph 4 of the complaint contends that the materials and the lecture of the meeting were "partisan and political," but does not cite any specific federal statute or regulation which was thus violated. The complaint is so ambiguous and lacking in specifics as to leave CFSA without notice of its offense. What is CFSA's transgression? Did it allegedly make expenditures on behalf of a partisan candidate? Did it allegedly use general treasury funds for a partisan purpose? Did it coordinate expenditures or activities on behalf of a particular candidate? Did it allegedly endorse a particular candidate through express exhortations to vote or defeat a particular candidate? No one knows, least of all CFSA, because the complainant does not state what federal election law or regulation has been violated or how. No "clear and concise" statement of facts is set forth. CFSA can not defend itself against a charge which is not clearly stated.

The complaint seems to allege that CFSA (and High Frontier) has engaged in partisan political activity as not-for-profit corporations because the complaint makes reference to their 501(c)(3) status. As the Office of General Counsel well knows, this does not state a violation of federal election law, particularly when a non-profit corporation is exercising its right to engage in issue advocacy. The literature exhibits attached to the complaint make it clear that no federal election law or regulation has been violated. None of the exhibits contain any express exhortations urging the recipient to vote for or against Mr. Clinton or Mr. Dole. Indeed, there is no mention made of the November 1996, general election at all. The exhibits merely set forth where the candidates stand on the issue of deploying a missile defense for the United States. Accordingly, the pleading requirements of § 111.4(d)(3) are not met.

11 CFR §111.5 provides that the FEC General Counsel shall review the complaint for substantial compliance with §111.4's technical requirements, and if the requirements are not met, return the complaint to the complaining party. Given the serious deficiencies of the complaint as pled, the complaint should have been returned to complainant pursuant to §111.5(b). Failing that, no further action should be taken on the complaint because it lacks merit, particularly when the allegations of the complaint are considered in light of the exhibits attached to it as documentation of the violations alleged.

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Mr. Eric Morrison  
November 29, 1996  
Page 3

**II. CFSA is a Not-for-Profit Corporation Engaged in Issue Advocacy and has Not Violated any Statute or Regulation Under FEC Jurisdiction.**

CFSA is an Illinois not-for-profit corporation that engages in educational activities. According to its Articles of Incorporation filed with the Illinois Secretary of State, CFSA's purpose for which it was organized is:

to research and disseminate educational materials regarding areas of health, education, welfare, and national defense, and to support activities which lead to a better informed public on these issues and a stronger United States of America.

CFSA is a non-stock corporation which does not engage in any business activity. It has not received any for-profit corporate or labor union funds. CFSA does not and has not endorsed candidates, published voter guides, made expenditures on behalf of candidates, or coordinated its activities with partisan campaigns. Likewise, CFSA is not a "qualified non profit corporation" that is engaged in or has made independent expenditures intended to influence election activities, conduct political training, or similar activities which would subject it to the reporting requirements of 11 CFR 109.2 and 110.11.

CFSA's current educational activities are focused upon the creation and dissemination of education materials and issue papers regarding the need for the deployment of a missile defense system for the United States. These activities constitute issue advocacy as defined by the FEC in its July 1995, Definition of Express Advocacy and Criteria for Qualified Nonprofit Corporations in the wake of Federal Election Commission vs. Massachusetts Citizens for Life, Inc. ("MCFL"), 479 U.S. 238, 107 S.Ct. 616 (1986) and its progeny.

As the FEC has acknowledged in its own guidelines and rules in the wake of MCFL, a nonprofit corporation's issue advocacy does not violate any federal statute or FEC regulation. Indeed, such advocacy is a protected right and is not even subject to FEC jurisdiction. For the complaint at issue to come within the FEC's jurisdiction, the complaint would have to allege that the statements and materials at issue were "express advocacy" as defined by the FEC and delineated by Federal Election Commission vs. Massachusetts Citizens for Life, Inc., 479 U.S. 238, 107 S.Ct. 616 (1986); Maine Right to Life Committee, Inc. v. Federal Election Commission, 914 F.Supp. 8 (D. Me 1996), and Federal Election Commission vs. Christian Action Network, 894 F. Supp. 946 (W.D. Vir. 1995).

The materials attached to the complaint clearly constitute issue advocacy. There are no exhortations to vote for one candidate or to defeat another. There is no reference to the November 1996, election. The materials merely set out where the candidates stand on the issue of missile defense deployment. The candidates' positions and voting records on

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Mr. Eric Morrison  
November 29, 1996  
Page 4

this issue come within the reach of issue advocacy as defined by the foregoing court decisions which discuss express advocacy in detail.

In Christian Action Network, 894 F.Supp. at 951, the court, quoting Buckley v. Valeo, 424 U.S.1, 96 S.Ct. 612 (1976), noted the subtleties of this distinction when it stated:

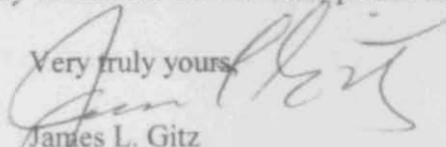
Public discussion of public issues which also are campaign issues readily and often unavoidably draw in candidates and their positions, their voting records and other official conduct. Discussions of those issues, and as well more positive efforts to influence public opinion on them, can naturally and inexorably to exert some influence on voting at elections. Buckley, 424 U.S. at 42

In Christian Action Network, the court held that even a clearly identified negative attack on a particular candidate's issue position was protected speech. There, the court held that negative television advertisements directed against Democratic candidates, Clinton and Gore, did not "constitute express advocacy and are not subject to regulation under FECA." 894 F.Supp. at 959. As in Christian Action Network, the materials attached to the complaint contain no express admonition to take electoral action against a particular candidate. Furthermore, these materials do not even take on the election overtones of a specially printed voter edition guide on candidates, which was protected issue advocacy in MCFL. CFSA has simply utilized its right as a not-for-profit corporation to inform the public about defense issues central to its mission of informing the public and creating a stronger America.

Mr. Stein apparently believes that CFSA has no right to engage in issue advocacy when that advocacy takes the form of setting forth a candidate's position on an issue. This is contrary to established case law and the intent of the First Amendment of the U.S. Constitution. Even if one takes Mr. Stern's allegations as true, his complaint states no cause of action or set of allegations which transgress federal election statutes and provisions over which the FEC has jurisdiction.

If the complainant believes that CFSA has violated its 501(c)(3) tax exempt status, his remedy does not lie with the FEC. Consequently, CFSA urges the FEC to take no further action on the complainant's complaint because of all of the reasons set forth herein.

If you have any questions or require any additional information, please feel free to contact me.

Very truly yours,  
  
James L. Gitz

JLG/ckg

CFSA FEC Issue

97043821181

BEFORE THE FEDERAL ELECTION COMMISSION

MAY 6 2 45 PM '97

In the Matter of

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ENFORCEMENT PRIORITY

GENERAL COUNSEL'S REPORT

**SENSITIVE**

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

II. CASES RECOMMENDED FOR CLOSURE.

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

EPS was created to identify pending cases which, due to the length of their pendency in inactive status or the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria which results in a numerical rating of each case.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified 28 cases which do

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not warrant further action relative to other pending matters.<sup>1</sup> Attachment 1 to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

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<sup>1</sup> These cases are: MUR 4419 (*Weinzapfel for Congress*); MUR 4423 (*Davis for Congress*); MUR 4424 (*Nevadans for "Spike" Wilson*); MUR 4429 (*Delahunt for Congress*); MUR 4430 (*Jean Leising for Congress*); MUR 4431 (*Engel for Congress*); MUR 4433 (*Delahunt for Congress*); MUR 4437 (*DiNicola for Congress Committee*); MUR 4440 (*Sue Kelly for Congress*); MUR 4450 (*National Treasury Employees*); MUR 4452 (*Mid-Suffolk N.O.W.*); MUR 4455 (*City of Milwaukee*); MUR 4456 (*Jackson Mint Ltd.*); MUR 4457 (*U.S. Department of Health and Human Services*); MUR 4458 (*KMA-AM Radio*); MUR 4461 (*Americans For Freedom Of Choice PAC*); MUR 4462 (*Ellen O. Tauscher*); MUR 4464 (*Norwood for Congress*); MUR 4465 (*Lincoln for Congress*); MUR 4469 (*Moseley-Braun for Senate*); MUR 4475 (*Manpower Temporary Services, Inc.*); MUR 4479 (*Owens for Congress Committee*); MUR 4482 (*Mike McCormack for Congress*); MUR 4487 (*Citizens for A Strong America*); MUR 4488 (*Ortiz for Congress*); MUR 4489 (*Gill for Congress*); MUR Pre-MUR 338 (*Richard Chrysler Inc.*); and Pre-MUR 339 (*Mammel & Associates, Inc.*).

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective May 19, 1997. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

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III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective May 19, 1997, and approve the appropriate letters in the following matters:

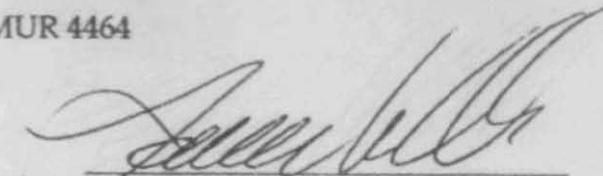
- 1. Pre-MUR 338
- 2. Pre-MUR 339

B. Take no action, close the file effective May 19, 1997, and approve the appropriate letters in the following matters:

- |             |              |              |
|-------------|--------------|--------------|
| 1. MUR 4419 | 10. MUR 4450 | 19. MUR 4465 |
| 2. MUR 4423 | 11. MUR 4452 | 20. MUR 4469 |
| 3. MUR 4424 | 12. MUR 4455 | 21. MUR 4475 |
| 4. MUR 4429 | 13. MUR 4456 | 22. MUR 4479 |
| 5. MUR 4430 | 14. MUR 4457 | 23. MUR 4482 |
| 6. MUR 4431 | 15. MUR 4458 | 24. MUR 4487 |
| 7. MUR 4433 | 16. MUR 4461 | 25. MUR 4488 |
| 8. MUR 4437 | 17. MUR 4462 | 26. MUR 4489 |
| 9. MUR 4440 | 18. MUR 4464 |              |

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5/6/97  
Date

  
Lawrence M. Noble  
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Enforcement Priority. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that the Commission decided by a vote of 5-0 on May 12, 1997, to take the following actions with respect to the General Counsel's May 6, 1997 report on enforcement priority:

A. Decline to open a MUR, close the file effective May 19, 1997, and approve the appropriate letters in the following matters:

- 1. Pre-MUR 338
- 2. Pre-MUR 339

B. Take no action, close the file effective May 19, 1997, and approve the appropriate letters in the following matters:

- |             |              |              |
|-------------|--------------|--------------|
| 1. MUR 4419 | 10. MUR 4450 | 19. MUR 4465 |
| 2. MUR 4423 | 11. MUR 4452 | 20. MUR 4469 |
| 3. MUR 4424 | 12. MUR 4455 | 21. MUR 4475 |
| 4. MUR 4429 | 13. MUR 4456 | 22. MUR 4479 |
| 5. MUR 4430 | 14. MUR 4457 | 23. MUR 4482 |
| 6. MUR 4431 | 15. MUR 4458 | 24. MUR 4487 |
| 7. MUR 4433 | 16. MUR 4461 | 25. MUR 4488 |
| 8. MUR 4437 | 17. MUR 4462 | 26. MUR 4489 |
| 9. MUR 4440 | 18. MUR 4464 |              |

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

Attest:

5-19-97  
Date

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

Received in the Secretariat: Tues., May 06, 1997 2:45 p.m.  
Circulated to the Commission: Wed., May 07, 1997 11:00 a.m.  
Deadline for vote: Mon., May 12, 1997 4:00 p.m.

bjr

97043821186



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 19, 1997

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joe Stern  
421 S. Howes  
#S-1102  
Fort Collins, CO 80521

RE: MUR 4487

Dear Mr. Stern:

On September 30, 1996, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on May 19, 1997. 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,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

97043821187

MUR 4487

**CITIZENS FOR A STRONG AMERICA**

Joseph Stern alleges that Citizens for a Strong America ("CFSA") and High Frontier ("Frontier") distributed "overwhelmingly partisan" materials and made remarks during a meeting at Colorado State University sponsored by College Republicans. Mr. Stern further alleges that the statements by CFSA and Frontier were "overwhelmingly partisan".

Frontier responds that the complainant fails to state a viable claim under the FECA. It asserts that it is a legitimate 501(c)(3) non-profit, non-partisan organization which addresses issues of general public importance without endorsing candidates or expressly advocating their election or defeat. Based upon this, Frontier claims that its activity is protected speech beyond the reach of the FECA.

Respondent CFSA also states that there is no clear and concise recitation of facts which describe a violation of the Federal Election Campaign Act. CFSA states that none of the attachments to the complaint contain any express exhortations urging the recipient to vote for or against a particular candidate and no mention of the upcoming election; rather they show that CFSA is a non-profit organization which engages in issue advocacy and educational activities.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 19, 1997

E. Gene Vossler  
Citizens for a Strong America  
155 North Michigan Avenue  
Suite 700  
Chicago, IL 60601

RE: MUR 4487

Dear Mr. Vossler:

On October 7, 1996, 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 May 19, 1997.

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 Jennifer Henry on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

97043821189

MUR 4487

**CITIZENS FOR A STRONG AMERICA**

Joseph Stern alleges that Citizens for a Strong America ("CFSA") and High Frontier ("Frontier") distributed "overwhelmingly partisan" materials and made remarks during a meeting at Colorado State University sponsored by College Republicans. Mr. Stern further alleges that the statements by CFSA and Frontier were "overwhelmingly partisan".

Frontier responds that the complainant fails to state a viable claim under the FECA. It asserts that it is a legitimate 501(c)(3) non-profit, non-partisan organization which addresses issues of general public importance without endorsing candidates or expressly advocating their election or defeat. Based upon this, Frontier claims that its activity is protected speech beyond the reach of the FECA.

Respondent CFSA also states that there is no clear and concise recitation of facts which describe a violation of the Federal Election Campaign Act. CFSA states that none of the attachments to the complaint contain any express exhortations urging the recipient to vote for or against a particular candidate and no mention of the upcoming election; rather they show that CFSA is a non-profit organization which engages in issue advocacy and educational activities.

This matter is less significant relative to other matters pending before the Commission.

9704382119C



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 19, 1997

James L. Gitz, Esq.  
303 North Van Buren Avenue  
Freeport, IL 61032

RE: MUR 4487  
Citizens for a Strong America and Daniel J. Kehoe, Jr., Treasurer

Dear Mr. Gitz:

On October 7, 1996, the Federal Election Commission notified your clients 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 your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on May 19, 1997.

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 Jennifer Henry on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

97043821191

MUR 4487

**CITIZENS FOR A STRONG AMERICA**

Joseph Stern alleges that Citizens for a Strong America ("CFSA") and High Frontier ("Frontier") distributed "overwhelmingly partisan" materials and made remarks during a meeting at Colorado State University sponsored by College Republicans. Mr. Stern further alleges that the statements by CFSA and Frontier were "overwhelmingly partisan".

Frontier responds that the complainant fails to state a viable claim under the FECA. It asserts that it is a legitimate 501(c)(3) non-profit, non-partisan organization which addresses issues of general public importance without endorsing candidates or expressly advocating their election or defeat. Based upon this, Frontier claims that its activity is protected speech beyond the reach of the FECA.

Respondent CFSA also states that there is no clear and concise recitation of facts which describe a violation of the Federal Election Campaign Act. CFSA states that none of the attachments to the complaint contain any express exhortations urging the recipient to vote for or against a particular candidate and no mention of the upcoming election; rather they show that CFSA is a non-profit organization which engages in issue advocacy and educational activities.

This matter is less significant relative to other matters pending before the Commission.

97043821192



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 19, 1997

J. Curtis Herge, Esq.  
Herge, Sparks & Christopher  
Suite 200  
8201 Greensboro Drive  
McLean, VA 22102

RE: MUR 4487  
High Frontier, Treasurer

Dear Mr. Herge:

On October 7, 1996, the Federal Election Commission notified your clients 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 your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on May 19, 1997.

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 Jennifer Henry on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

97043821193

MUR 4487  
CITIZENS FOR A STRONG AMERICA

Joseph Stern alleges that Citizens for a Strong America ("CFSA") and High Frontier ("Frontier") distributed "overwhelmingly partisan" materials and made remarks during a meeting at Colorado State University sponsored by College Republicans. Mr. Stern further alleges that the statements by CFSA and Frontier were "overwhelmingly partisan".

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Respondent CFSA also states that there is no clear and concise recitation of facts which describe a violation of the Federal Election Campaign Act. CFSA states that none of the attachments to the complaint contain any express exhortations urging the recipient to vote for or against a particular candidate and no mention of the upcoming election; rather they show that CFSA is a non-profit organization which engages in issue advocacy and educational activities.

This matter is less significant relative to other matters pending before the Commission.

97043821194



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 19, 1997

Treasurer  
College Republicans  
c/o Lory Student Center  
Colorado State University  
Fort Collins, CO 80523

RE: MUR 4487

Dear Sir or Madam:

On October 7, 1996, 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 College Republicans and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on May 19, 1997.

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 Jennifer Henry on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

97043821195

MUR 4487

**CITIZENS FOR A STRONG AMERICA**

Joseph Stern alleges that Citizens for a Strong America ("CFSA") and High Frontier ("Frontier") distributed "overwhelmingly partisan" materials and made remarks during a meeting at Colorado State University sponsored by College Republicans. Mr. Stern further alleges that the statements by CFSA and Frontier were "overwhelmingly partisan".

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Respondent CFSA also states that there is no clear and concise recitation of facts which describe a violation of the Federal Election Campaign Act. CFSA states that none of the attachments to the complaint contain any express exhortations urging the recipient to vote for or against a particular candidate and no mention of the upcoming election; rather they show that CFSA is a non-profit organization which engages in issue advocacy and educational activities.

This matter is less significant relative to other matters pending before the Commission.

97043821196



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4487

DATE FILMED 6-19-87 CAMERA NO. 1

CAMERAMAN JMK

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