



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20461

THIS IS THE BEGINNING OF MUR # 4668

DATE FILMED 3/11/98 CAMERA NO. 2

CAMERAMAN EES

28043862979

Federal Election Commission
Office of General Counsel
999 E. Street, N.W.
Room 657
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

AUG 18 4 55 PM '97

MUR 4468

August 11, 1997

To Whom it May Concern:

I write to you for the purpose of filing a formal complaint against the campaign of Illinois State Representative Janice Schakowsky, candidate for United States Congress in Illinois' 9th Congressional District (File # H8IL09067). I seek the Commission's assistance in holding Ms. Schakowsky responsible to the code of federal regulations, specifically section 100.8 (Expenditure).

According to the code of regulations, section 100.8 (1), "a purchase, payment...or anything of value, made by any persons for the purpose of influencing any election for Federal office is an expenditure." Furthermore, section 104.3 (vi (b)) states that "each report shall disclose the total amount of all disbursements for the reporting period and for the calendar year..."

As the enclosed ad copy from June 7, 1997 illustrates, by referring to Janice Schakowsky as "Candidate for Congress", there is a clear violation. By not disclosing this paid political advertisement, the Schakowsky for Congress committee has engaged in fraudulent campaign activities.

I appreciate the Commission's attention to this matter and look forward to your response.

Sincerely,

Andrew Boron

Andrew Boron
335 W. Beldon Apt. #1
Chicago, IL 60614

Signed and sworn to before me, David A. Gehrke, a Notary Public.

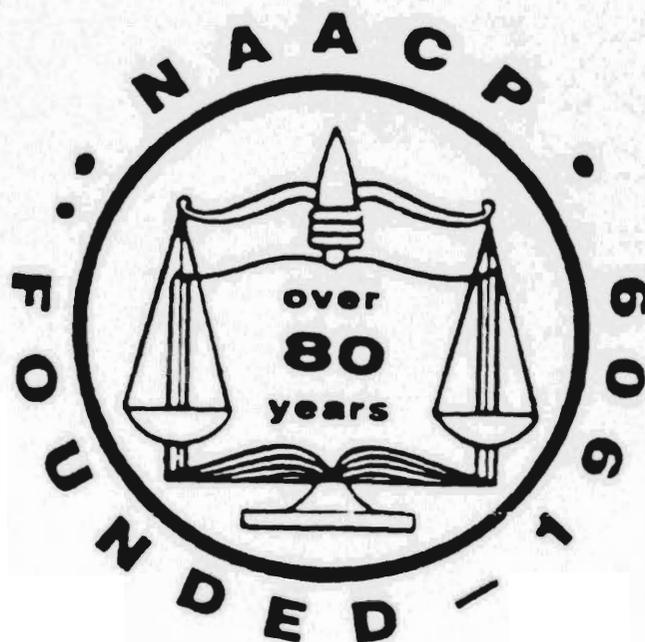
David A. Gehrke 8-14-97



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EVANSTON-NORTH SHORE BRANCH
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED
PEOPLE

*THIRTY-THIRD ANNUAL
FREEDOM FUND
BENEFIT*



JUNE 7, 1997
DOUBLETREE HOTEL
SKOKIE, ILLINOIS

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**Thank You for Your Commitment
to the
Struggle for Justice and Equality**

**Janice D. Schakowsky
State Representative
18th District**

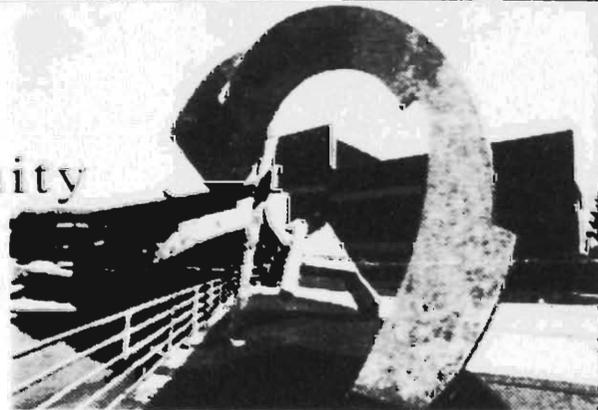
Candidate for U.S. Congress



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FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 22, 1997

Andrew Boron
335 W. Beldon, Apt. #1
Chicago, IL 60614

RE: MUR 4668

Dear Mr. Boron:

This letter acknowledges receipt on August 18, 1997, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended. The respondent(s) will be notified of this complaint within five business 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 notarized and sworn to in the same manner as the original complaint. We have numbered this matter MUR 4668. 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,

F. Andrew Turley by JH

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

98043362393



FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 22, 1997

Larry Suffredin, Treasurer
Schakowsky for Congress
1100 Ridge Avenue
Evanston, IL 60202

RE: MUR 4668

Dear Mr. Suffredin:

The Federal Election Commission received a complaint which indicates that Schakowsky for Congress ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4668. 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.

98043962334

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

F. Andrew Turley by Jtt
F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

Honorable Janice D. Schakowsky

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 22, 1997

Bennett Johnson, President
Evanston NAACP North Shore Branch
1229 Emerson Street, #2E
Evanston, IL 60201

RE: MUR 4668

Dear Mr. Johnson:

The Federal Election Commission received a complaint which indicates that the Evanston NAACP North Shore Branch 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 4668. 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 Evanston NAACP North Shore Branch 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 Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

F. Andrew Turley by JH

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

23043962937

OLDAKER, RYAN, PHILLIPS & UTRECHT

ATTORNEYS AT LAW

818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010

FACSIMILE (202) 728-4044

FEDERAL ELECTION
COMMISSION

SEP 8 2 07 PM '97

September 8, 1997

Mr. F. Andrew Turley, Esq.
Supervisory Attorney
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 4668
Schakowsky for Congress

Dear Mr. Turley:

This letter is to request an extension of time of twenty days until September 29, 1997, in which to respond to the Commission's reason-to-believe finding against Schakowsky for Congress in the above-referenced matter.

An extension of twenty days is necessary to adequately prepare a comprehensive legal and factual response to the reason-to-believe finding. In addition, counsel has numerous other deadlines and commitments during this period.

In light of these circumstances, we request an extension of twenty days (until September 29, 1997) in which to respond to this matter. I would greatly appreciate your assistance in granting this request.

Should you have any questions, please contact me. Thank you.

Sincerely,



Lyn Utrecht

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 9, 1997

Lyn Utrecht, Esquire
OLDAKER, RYAN, PHILLIPS & UTRECHT
818 Connecticut Avenue, Suite 1100
Washington, D.C. 20006

RE: MUR 4668
Schakowsky for Congress
Larry Suffredin, Treasurer

Dear Ms. Utrecht:

This is in response to your letter dated September 8, 1997, which we received on that day, requesting a 20 day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on September 29, 1997.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

Alva E. Smith, Paralegal
Central Enforcement Docket

98043862389

STATEMENT OF DESIGNATION OF COUNSEL

SEP 15 12 57 PM '97

MUR: 4668
Name of Counsel: Lyn Utrecht
Address: Oldaker, Ryan, Phillips & Utrecht
818 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20006
Telephone: (202) 728-1010

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

9/12/97
Date

[Signature]
Signature

Name: Larry Suffredin, Treasurer
Address: Jan Schakowsky for Congress
1100 Ridge Avenue
Evanston, IL 60202
Business Phone: (312) 836-4120

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OLDAKER, RYAN, PHILLIPS & L...

ATTORNEYS AT LAW

818 CONNECTICUT AVENUE, N.W.

SUITE 1100

WASHINGTON, D.C. 20006

RECEIVED
FEDERAL ELECTION
COMMISSION

SEP 29 12 49 PM '97

2021 728-1010

FA SIMILE (202) 728-4044

September 29, 1997

Mr. F. Andrew Turley, Esq.
Supervisory Attorney
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 4668
Schakowsky for Congress

Dear Mr. Turley:

This letter is submitted in response to the above-referenced matter on behalf of Schakowsky for Congress and Larry Suffredin as treasurer.

Since the enclosed communication in question neither included express advocacy or contained a solicitation, it was not required to include a disclaimer. 11 CFR § 110.1. Therefore, the Commission should take no further action with respect to this matter and close its file.

Should you have any questions, please contact me. Thank you.

Sincerely,

Lyn Utrecht
Lyn Utrecht

Enclosure
1. Advertisement

93043362301

Thank You for Your Commitment
to the
Struggle for Justice and Equality

Janice D. Schakowsky
State Representative
18th District

Candidate for U.S. Congress



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Ray Hartstein Campus • 7701 North Lincoln Avenue, Skokie, IL 60077 • 647-635-1400

BEFORE THE FEDERAL ELECTION COMMISSION

FEB 11 3 12 PM '03

In the Matter of)
)
) CASE CLOSURES UNDER
) ENFORCEMENT PRIORITY
)

GENERAL COUNSEL'S REPORT

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 cases permits the Commission to focus its limited resources on more important cases presently

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pending before it. Based upon this review, we have identified 16 cases that do not warrant further action relative to other pending matters.¹ The attachment 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.

B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the means to identify those cases which remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

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¹ These cases are: MUR 4631 (Perro/McClure); MUR 4661 (Cox and Amplicon, Inc.); MUR 4667 (Specter & Greenwood); MUR 4668 (Schakowsky for Congress); MUR 4672 (Friends of John O'Toole); MUR 4673 (Papan for Assembly); MUR 4676 (Warren County Democratic Committee); MUR 4677 (Patrick Kennedy); MUR 4681 (Jack Block); MUR 4683 (Janice Schakowsky for Congress); MUR 4684 (Spartanburg County Republicans); MUR 4694 (Jan Schakowsky for Congress); MUR 4695 (Schakowsky for Congress); MUR 4696 (Janice Schakowsky for Congress); MUR 4703 (Dumont Institute / Robert M. Gre); and Pre-MUR 356 (Pritzker for Congress).

We have identified cases which have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We recommend 27 of these cases be closed.³ Nine of these cases were part of the so-called "Major 96" cases that have not been able to be activated due to a lack of resources to effectively pursue them in a timely fashion.⁴ Since the time period rendering them stale has now passed, we recommend their closure at this time.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective February 24, 1998. Closing

³ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4355 (Aqua-Leisure Industries, Inc.), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Buschultz), MUR 4509 (Wellstone for Senate), MUR 4565 (Bell for Congress), MUR 4570 (Congresswoman Andrea Seastrand), MUR 4571 (Subert for Congress Committee), MUR 4572 (Friends of Dick B. Durbin), MUR 4575 (Dana Corrington), MUR 4585 (Hughes for Congress Committee), MUR 4589 (Congressman Bart Gordon), MUR 4592 (Lower Public Television), MUR 4593 (Public Interest Institute), MUR 4599 (Bruce W. Hapanowicz), MUR 4601 (Ochotnik Nation of Oklahoma), MUR 4602 (WFSB-TV Channel 3), MUR 4604 (Dana Corrington), MUR 4605 (Christian Coalition), Pre-MUR 346 (Coalition of Politically Active Christians), RAD 96NF-09 (O'Sullivan for Congress), RAD 96L-12 (Alaska Democratic Party), and RAD 97NF-02 (Zien for Congress).

⁴ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Buschultz), MUR 4509 (Wellstone for Senate), and MUR 4565 (Bell for Congress).

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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.

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective February 24, 1998, and approve the appropriate letters in the following matters:

- 1. RAD 96NF-09
- 2. RAD 96L-12
- 3. RAD 97NF-02
- 4. Pre-MUR 346
- 5. Pre-MUR 356

B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- 1. MUR 4350
- 2. MUR 4355
- 3. MUR 4372
- 4. MUR 4394
- 5. MUR 4472
- 6. MUR 4483
- 7. MUR 4504
- 8. MUR 4507
- 9. MUR 4509
- 10. MUR 4565
- 11. MUR 4570
- 12. MUR 4571
- 13. MUR 4572
- 14. MUR 4575
- 15. MUR 4585
- 16. MUR 4589
- 17. MUR 4592
- 18. MUR 4593
- 19. MUR 4599
- 20. MUR 4601
- 21. MUR 4602
- 22. MUR 4604
- 23. MUR 4605
- 24. MUR 4631
- 25. MUR 4661
- 26. MUR 4667
- 27. MUR 4668
- 28. MUR 4672
- 29. MUR 4673
- 30. MUR 4676
- 31. MUR 4677
- 32. MUR 4681
- 33. MUR 4683
- 34. MUR 4684
- 35. MUR 4694
- 36. MUR 4695
- 37. MUR 4696
- 38. MUR 4703

93043862306

2/24/98
Date

Lawrence M. Noble
Lawrence M. Noble
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Case Closures Under) Agenda Document
Enforcement Priority) No. X98-13

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 24, 1998, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X98-13:

1. Failed in a vote of 3-2 to pass a motion to approve the General Counsel's recommendations, subject to amendment of the closing date in recommendation A to read March 2, 1998, and subject to deletion of those cases listed in footnote 4 on Page 3 of the staff report.

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

2. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | |
|----------------|----------------|
| 1. RAD 96NF-09 | 4. Pre-MUR 346 |
| 2. RAD 96L-12 | 5. Pre-MUR 356 |
| 3. RAD 97NF-02 | |

(continued)

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B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | | | |
|-----|----------|-----|----------|
| 1. | MUR 4350 | 20. | MUR 4601 |
| 2. | MUR 4355 | 21. | MUR 4602 |
| 3. | MUR 4372 | 22. | MUR 4604 |
| 4. | MUR 4394 | 23. | MUR 4605 |
| 5. | MUR 4472 | 24. | MUR 4631 |
| 6. | MUR 4483 | 25. | MUR 4661 |
| 7. | MUR 4504 | 26. | MUR 4667 |
| 8. | MUR 4507 | 27. | MUR 4668 |
| 9. | MUR 4509 | 28. | MUR 4672 |
| 10. | MUR 4565 | 29. | MUR 4673 |
| 11. | MUR 4570 | 30. | MUR 4676 |
| 12. | MUR 4571 | 31. | MUR 4677 |
| 13. | MUR 4572 | 32. | MUR 4681 |
| 14. | MUR 4575 | 33. | MUR 4683 |
| 15. | MUR 4585 | 34. | MUR 4684 |
| 16. | MUR 4589 | 35. | MUR 4694 |
| 17. | MUR 4592 | 36. | MUR 4695 |
| 18. | MUR 4593 | 37. | MUR 4696 |
| 19. | MUR 4599 | 38. | MUR 4703 |

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

Attest:

2-25-98
Date

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

23043862873



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

March 2, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr Andrew Boron
335 W. Beldon, Apt #1
Chicago, IL 60614

RE: MUR 4668

Dear Mr Boron

On August 18, 1997, 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 March 2, 1998. 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

93043362302

MUR 4668
SCHAKOWSKY FOR CONGRESS

Andrew Boron alleges that Janice Schakowsky, candidate for Illinois' 9th Congressional District, failed to include a disclaimer on a political advertisement.

In response to the complaint, the respondent claims that no disclaimer was required because the communication in question constituted neither express advocacy nor a solicitation.

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20001

March 2, 1998

Ms. Lyn Utrecht, Esquire
Oldaker, Ryan, Phillips & Utrecht
818 Connecticut Avenue, N.W., Suite 1100
Washington, D.C. 20006

RE: MUR 4668
Schakowsky for Congress and Larry Suffredin, Treasurer

Dear Ms. Utrecht:

On August 22, 1997, 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 March 2, 1998.

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

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

93043962201

MUR 4668
SCHAKOWSKY FOR CONGRESS

Andrew Boron alleges that Janice Schakowsky, candidate for Illinois' 9th Congressional District, failed to include a disclaimer on a political advertisement.

In response to the complaint, the respondent claims that no disclaimer was required because the communication in question constituted neither express advocacy nor a solicitation.

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 2, 1998

Mr. Bennett Johnson, President
Evanston NAACP North Shore Branch
1229 Emerson Street, #2E
Evanston, IL 60201

RE: MUR 4668

Dear Mr. Johnson:

On August 22, 1997, 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 Evanston NAACP North Shore Branch. See attached narrative. Accordingly, the Commission closed its file in this matter on March 2, 1998.

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

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

9304386200

MUR 4668
SCHAKOWSKY FOR CONGRESS

Andrew Boron alleges that Janice Schakowsky, candidate for Illinois' 9th Congressional District, failed to include a disclaimer on a political advertisement.

In response to the complaint, the respondent claims that no disclaimer was required because the communication in question constituted neither express advocacy nor a solicitation.

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4668
DATE FILMED 3/11/98 CAMERA NO. 2
CAMERAMAN EES

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