



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE BEGINNING OF MUR # 4694

DATE FILMED 3/18/98 CAMERA NO. 2

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL COUNSEL

Nov 6 2 03 PM '97

October 13, 1997

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

MUR 4694

To Whom it May Concern:

I wish to file a formal complaint against the campaign of Jan Schakowsky, Illinois State Representative and candidate for United States Congress in Illinois' 9th Congressional District (File # H8IL09067). To the best of my knowledge, it appears Ms. Schakowsky is in violation of the code of federal regulations, specifically section 110.11 (**Advertising**).

According to the code, section 110.11, "Whenever any person makes an expenditure for the purpose of financing a communication that expressly advocates the election or defeat of a clearly identified candidate...a disclaimer...shall appear and be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice of the identity of persons who paid for and, where required, who authorized the communication."

As the enclosure proves, the adbook from a dinner held on October 12, 1997 lacks any sort of authorization notice. Not only does this break FEC regulations, but it also raises concerns about whether or not Ms. Schakowsky intends to report this as a federal expenditure.

From the perspective of a concerned voter, and given the recent debate about campaign reform in Washington, I hope that your response will be swift and severe. Too many times politicians ignore the law thinking that they will not be punished. I hope that you will prove them wrong.

I thank you in advance for your attention to this matter and I look forward to hearing back from you.

Sincerely,

Barbara J. Donovan

Barbara J. Donovan
8820 N. Ozanam Ave.
Niles, IL 60714

SIGNED AND SWORN TO (OR AFFIRMED) BY
BARBARA J. DONOVAN, BEFORE ME,
THIS 3RD DAY OF NOVEMBER 1997



Alan J. Levin

98043664246

Congressman Yates, thank you for your years of
steadfast progressive leadership.

You are the perfect role model!



Congratulations to DPOE on 45 wonderful years!

Jan FOR CONGRESS
Schakowsky

1101 Ridge Evanston, IL 60202
847/424-1998

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 12, 1997

Barbara J. Donovan
8820 N. Ozanam Avenue
Niles, IL 60714

RE: MUR 4694

Dear Ms. Donovan:

This letter acknowledges receipt on November 6, 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 4694. 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,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 12, 1997

Larry Suffredin, Treasurer
Schakowsky for Congress
1101 Ridge Avenue
Evanston, IL 60202

RE: MUR 4694

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 4694. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact 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
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

cc: The Honorable Janice D. Schakowsky

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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

November 24, 1997

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

NOV 27 1997

16, 1997

RE: MUR 4694
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** nor 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

Enclosure

1. Advertisement
2. Designation of Counsel Statement

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STATEMENT OF DESIGNATION OF COUNSEL

MUR: 4694

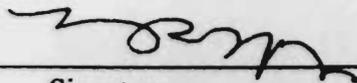
Name of Counsel: Lyn Utrecht

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.

11-19-77
Date


Signature

Name: Larry Suffredin, Treasurer

Address: Jan Schakowsky for Congress
1560 Sherman, Suite 1200
Evanston, IL 60201

Business Phone: (312) 836-4120

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Congressman Yates, thank you for your years of
steadfast progressive leadership.

You are the perfect role model!



Congratulations to DPOE on 45 wonderful years!

Jan FOR CONGRESS
Schakowsky

1101 Ridge Evanston, IL 60202
847/424-1998

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BEFORE THE FEDERAL ELECTION COMMISSION

FEB 11 3 27 PM '93

In the Matter of

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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.

¹ These cases are: MUR 4631 (Pivot/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 (Papani 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 McGee); and Pre-MUR 356 (Pritzler for Congress).

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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-Lessure 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 Bocharov); MUR 4509 (Villstone for Senate); MUR 4565 (Bell for Congress); MUR 4570 (Congresswomen Andrea Sestronch); 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 Bert Gordon); MUR 4592 (Iowa Public Television); MUR 4593 (Public Interest Institute); MUR 4599 (Baker vs. Hapanovic); MUR 4601 (Christian 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 Bocharov); MUR 4509 (Villstone 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

2/24/98
Date

Lawrence M. Noble
Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA R. DAVIS
COMMISSION SECRETARY

DATE: FEBRUARY 19, 1998

SUBJECT: Case Closures Under Enforcement Priority. General
Counsel's Report dated February 11, 1998.

The above-captioned document was circulated to the Commission
on Thursday, February 12, 1998

Objection(s) have been received from the Commissioner(s) as
indicated by the name(s) checked below:

Commissioner Aikens	—
Commissioner Elliott	—
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	—
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for

Tuesday, February 24, 1998

Please notify us who will represent your Division before the Commission on this
matter.

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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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 2, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Barbara J. Donovan
8820 N. Ozanam Avenue
Niles, IL 60714

RE: MUR 4694

Dear Ms. Donovan:

On November 6, 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,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

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MUR 4694
JANICE SCHAKOWSKY FOR CONGRESS

Ms. Barbara Donovan alleges that Janice Schakowsky, candidate for Illinois' 9th Congressional District, failed to include a disclaimer on an advertising book.

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

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

RE: MUR 4694
Schakowsky for Congress and Larry Suffredin, Treasurer

Dear Ms. Utrecht:

On November 12, 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) 424-9531. Our local telephone number is (202) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

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MUR 4694
JANICE SCHAKOWSKY FOR CONGRESS

Ms. Barbara Donovan alleges that Janice Schakowsky, candidate for Illinois' 9th Congressional District, failed to include a disclaimer on an advertising book.

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 DC 20463

THIS IS THE END OF MUR # 4694

DATE FILMED 3/25/98 CAMERA NO. 2

CAMERAMAN EEC

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