



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF RUL # 2123

Date Filmed 1/29/27 Camera No. --- 2

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Routing cards

Pre-
 12 Day Brief comment sheets
 12 Day Report comment sheets
 Objection sheet

Circulation sheetsRAD infoassignment sheetcirculation agreement (not sent)

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

☒ (1) Classified Information☐ (6) Personal privacy☒ (2) Internal rules and practices☐ (7) Investigatory files☐ (3) Exempted by other statute☐ (8) Banking information☐ (4) Trade secrets and commercial or financial information☐ (9) Well information (geographic or geophysical)☒ (5) Internal Documents

Signed

J. Garr

date

1/13/82

REC 9-21-77

THO
 1/20/87

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1986

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division
U.S. Department of Justice
Washington, DC 20530

RE: MUR 2173
(originally Pre-MUR 152)

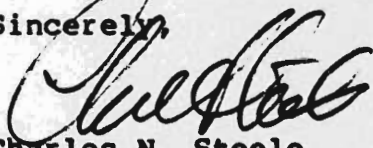
Dear Mr. McDowell:

This in reference to your correspondence to the Commission on January 2, 1986, concerning the failure to include a disclaimer on letters, sent over the signature of Representative Trent Lott, inviting the recipient to attend a fundraiser on behalf of candidate Robert Neall.

Based on your referral, the Commission determined there was reason to believe that the Neall for Congress Committee violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and instituted an investigation in this matter. After an investigation was conducted and a brief of the General Counsel was considered, the Commission determined on October 21, 1986, to take no further action. Accordingly, the file in this matter, numbered MUR 2173, has been closed, and it will become part of the public record within 30 days.

If you have any questions, please contact Shelley Garr the staff member assigned to this matter, at (202) 376-8200.

Sincerely,


Charles N. Steele
General Counsel

87040624517



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1986

Jan W. Baran, Esquire
Wiley, Rein, and Fielding
1776 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2173
Neall for Congress
Committee Richard T.
Wright, Treasurer

Dear Mr. Baran:

This is to advise you that after an investigation was conducted, the Commission concluded on October 21, 1986, to take no further action with respect to your clients, the Neall for Congress Committee and Richard T. Wright, as treasurer. Accordingly the file in this matter, numbered MUR 2173, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days.

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Sincerely,

Charles N. Steele
General Counsel

87040624518



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

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Public Integrity Section
Criminal Division
U.S. Department of Justice
Washington, DC 20530

RE: MUR 2173
(originally Pre-MUR 152)

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Based on your referral, the Commission determined there was reason to believe that the Neall for Congress Committee violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and instituted an investigation in this matter. After an investigation was conducted and a brief of the General Counsel was considered, the Commission determined on October 21, 1986, to take no further action. Accordingly, the file in this matter, numbered MUR 2173, has been closed, and it will become part of the public record within 30 days.

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Sincerely,

Charles N. Steele
General Counsel

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10/22/86

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
Wiley, Rein, and Fielding
1776 K Street, N.W.
Washington, D.C. 20006

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Sincerely,

Charles N. Steele
General Counsel

CS
10/22/86

Reg 10/22/86

87040624520

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Neall for Congress Committee
Richard T. Wright, Treasurer

MUR 2173

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 21, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 2173:

1. Take no further action with respect to the Neall for Congress Committee and Richard T. Wright, as treasurer, as recommended in the General Counsel's Report signed October 10, 1986.
2. Approve and send the letters, as recommended in the General Counsel's Report signed October 10, 1986.
3. Close the file.

Commissioners Aikens, Elliott, Josefiak, McDonald and McGarry voted affirmatively for this decision; Commissioner Thomas did not cast a vote.

Attest:

10-22-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Fri.,	10-17-86,	10:03
Circulated on 48 hour tally basis:	Fri.,	10-17-86,	2:00
Deadline for vote:	Tues.,	10-21-86,	4:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Neall for Congress Committee)
Richard T. Wright, Treasurer)

MUR 2173

GENERAL COUNSEL'S REPORT

I. STATEMENT OF THE CASE

On April 29, 1986, the Commission found reason to believe that the Neall for Congress Committee ("Neall Committee") and Richard T. Wright, as Treasurer, violated 2 U.S.C. § 441d by failing to include a disclaimer on a letter signed by Congressman Trent Lott.

The letter, addressed to "Dear Friend," urged the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letter, however, did not carry a disclaimer reflecting who paid for and who authorized the communication.

In his response to the notification, Counsel explained that 153 individuals "most of whom were political committee representatives" were sent Representative Lott's letter and were solicited for the November 20, 1985, fundraiser.^{1/} The Trent Lott for Congress Committee ("Lott Committee") donated to the Neall Committee campaign the stationery and envelopes used for the mailings which were valued at \$16.20. Postage was paid for by the Neall Committee.

^{1/} Counsel advised that approximately \$8,000 was raised as a result of the fundraiser. The Neall Committee's 1985 Year End Report itemized \$25,595 in contributions from political committees other than political party committees; the 1986 April Quarterly, \$10,476.20.

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OFFICE OF THE FEC
COMMISSION SECRETARY

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This in-kind contribution was reported by the Lott Committee on its 1985 Year End Report and by the Neall Committee on its 1986 April Quarterly Report.

Further, counsel continued, although the Neall Committee "has a policy of placing a notice on all materials where one is required by the Act.... The omission of the notice on the letter was inadvertent."

On July 24, 1986, the Commission sent counsel the General Counsel's Brief recommending that the Commission find probable cause to believe that a violation had occurred.

By letter dated August 27, 1986, counsel responded to the Commission's Brief by reiterating his response to the Commission's reason to believe finding.

In support of his argument, counsel cites MURs 1496, 1498, and 1822, as examples of cases in which "minor inadvertent omissions are usually dismissed... after a reason to believe finding."^{2/}

^{2/} MUR 1496 (Lujan for Congress) involved the omission of a disclaimer on yard signs and billboards. Having noted the oversight, the Committee took immediate corrective action by affixing the appropriate disclaimer.

MUR 1498 (Moshofsky for Congress Committee) involved the respondent's failure to include a disclaimer on 750 solicitation letters which cost \$234.18 to print and mail.

MUR 1822 (Pennsylvania Public Interest Coalition) involved the failure to include a disclaimer on flyers which announced a rally expressly advocating the defeat of a clearly identified candidate. Expenditures totalled \$17.49 for the 500 flyers involved.

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LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441d, whenever an expenditure is made for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate or solicits any contribution through any broadcast station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public advertising, the communication is required to carry a disclaimer identifying the person or committee who paid for, and where required, who authorized the communication.

Counsel's response and accompanying affidavit of Douglas D. Ritter, Jr., campaign manager for the Neall Committee, clearly support the finding that 153 letters were sent inviting the recipient to attend a fundraiser on behalf of candidate Robert Neall. The letters, which cost \$16.20, were donated by the Trent Lott for Congress Committee; the postage, which totalled \$33.66, was paid for by the Neall Committee.

Respondent failed, however, to include a disclaimer reflecting who paid for and authorized the communication as required by 2 U.S.C. § 441d. Counsel has stated that the Neall Committee "inadvertently omitted a disclaimer."

footnote 2/ continued

In each of these MURs, the Commission approved this Office's recommendation of finding that the respective respondents violated either 2 U.S.C. § 441d(a)(1) or § 441d, but take no further action.

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It is the view of the Office of General Counsel that, as the Commission considered in MURS 1496, 1498, and 1822, the apparent inadvertent omission of the disclaimer (and Mr. Ritter's statement that the "Neall campaign will make every effort to insure that this kind of mistake is not repeated"), the number of letters sent, and the minimal expenditures involved in the cost of the stationery and of its printing and postage, all mitigate the seriousness of the violation. Thus, this Office recommends that the Commission take no further action with respect to the Neall for Congress Committee and Richard T. Wright, as treasurer.

RECOMMENDATIONS

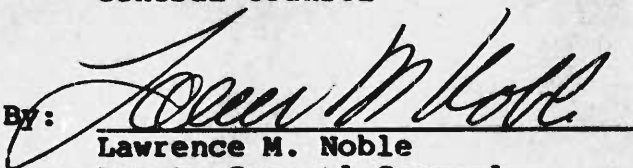
1. Take no further action with respect to the Neall for Congress Committee and Richard T. Wright, as treasurer.
2. Approve and send the attached letters.
3. Close the file.

Charles N. Steele
General Counsel

Date

10/16/86

By:


Lawrence M. Noble
Deputy General Counsel

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WILEY, REIN & FIELDING

AUG 2 AIO: 23

1776 K STREET, N.W.
WASHINGTON, D. C. 20006

JAN W. BARAN
(202) 429-7330

August 27, 1986

55 AUG 2 A 8: 03

COMMISSION SECRETARY

Commission Secretary
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2173

Dear Mme. Secretary:

This letter is in response to the General Counsel's Brief ("Brief") dated July 24, 1986 regarding the above-captioned matter. The Brief recommends that the Federal Election Commission ("FEC") find probable cause to believe that the Neall for Congress Committee and Richard T. Wright, as treasurer, violated 2 U.S.C. § 441d, the so-called disclaimer statute.

Attached is a copy of the Affidavit of Mr. Douglas Ritter previously submitted to the Office of General Counsel. Please be advised that factual representations attributed to counsel in the Brief actually were made by Mr. Ritter under oath.

The undisputed facts of this case are that 153 letters were sent to individuals inviting them to a fundraiser for candidate Bob Neall. The letters valued at \$16.20 were donated by the Trent Lott for Congress Committee. The postage of \$33.66 (153 x .22) was paid by the Neall Committee which inadvertently omitted a disclaimer. The staff is recommending probable cause and, presumably conciliation, over a communication which cost the grand sum of \$49.86!

It is unprecedented for such a matter to reach this stage. Minor inadvertent omissions are usually dismissed by the FEC upon staff recommendation after a reason to believe finding. The FEC has voted to take no further action when disclaimers were omitted from yard signs and billboards (MUR 1496), a mailing of 750 letters on corporate letterhead costing \$234.18 (MUR 1498) and 500 flyers costing \$17.49

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WILEY, REIN & FIELDING

Commission Secretary

August 27, 1986

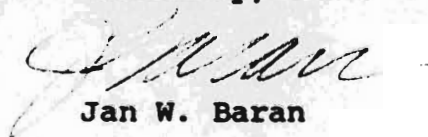
Page 2

(MUR 1822). The General Counsel has referred to 500 flyers as a "small number of flyers." MUR 1822, General Counsel's Report at 4. If 500 is "small", 153 must be more insignificant.

The Neall for Congress Committee has made a concerted effort to comply with election law requirements. The disclaimer was not intentionally or deceitfully omitted. Mr. Ritter has assured the FEC that it is the committee's policy to place disclaimers on materials. He has promised to make every effort to insure that this kind of mistake is not repeated. Surely, this case does not warrant any more of the government's or the campaign's limited time and resources.

We respectfully request that the FEC vote to take no further action in this matter.

Sincerely,



Jan W. Baran

cc: Douglas Ritter
Richard T. Wright

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BEFORE THE FEDERAL ELECTION COMMISSION

CITY OF WASHINGTON)
DISTRICT OF COLUMBIA)

MUR 2173

AFFIDAVIT OF DOUGLAS D. RITTER, JR.

Douglas D. Ritter, Jr., first being duly sworn, deposes and says:

1. My name is Douglas D. Ritter, Jr., and I am the campaign manager for the Neall for Congress Committee.

2. I supervised the reception held for Congressional candidate Bob Neall on November 20, 1985 at the Reserve Officers Association. It is my understanding that this room is used on a regular basis by members of the Washington, D.C. community and that the room is made available without regard to political affiliation.

3. This reception was hosted by Congresswoman Marjorie Holt.

4. In preparing for this reception, the Neall for Congress Committee developed a list of 153 individuals most of whom were political action committee representatives, who were invited to this reception. These were the only people solicited for this reception.

5. A letter from Congressman Trent Lott was sent to the 153 individuals in conjunction with this reception. The stationery and envelopes used in this mailing were donated to

the Neall campaign by the Trent Lott for Congress Committee. This donation was reported to the Federal Election Commission. Postage was paid for by the Neall for Congress Committee.

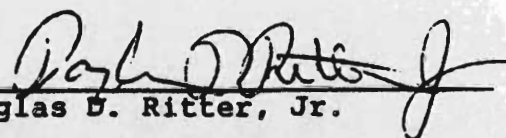
6. The October 2, 1985 disbursement for printing expenses referred to in the General Counsel's Factual and Legal Analysis related to a \$25 per person fundraiser held in Annapolis on October 29, 1985. These expenditures were unrelated to the Lott letter.

7. The December 6, 1985 disbursement for printing expenses related to a fundraiser, held on December 6, 1985, featuring former President Gerald Ford. These expenditures were also unrelated to the Lott letter.

8. The in-kind contribution of postage and stationery from the Friends of Marjorie Holt Committee, dated November 13, 1985, was unrelated to the Lott letter.

9. It is a policy of the Neall for Congress Committee to place a notice on all materials where one is required by the Federal Election Campaign Act.

10. The omission of a notice on the Lott letter was inadvertent. The Neall campaign will make every effort to insure that this kind of mistake is not repeated.


Douglas B. Ritter, Jr.

Subscribed and sworn to
before me this 17 day
of May, 1986.


Notary Public

My Commission Expires October 14, 1987

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Jan W. Baran, Esquire
Wiley, Rein, and Fielding
1776 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2173
Neall for Congress
Committee Richard T.
Wright, Treasurer

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Sincerely,

Charles N. Steele
General Counsel

87040524530



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division
U.S. Department of Justice
Washington, DC 20530

RE: MUR 2173
(originally Pre-MUR 152)

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Sincerely,

Charles N. Steele
General Counsel

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WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006

JAN W. BARAN
(202) 429-7330

August 27, 1986

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
66 AUG 2 A8: 03

Commission Secretary
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

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WILEY, REIN & FIELDING

Commission Secretary

August 27, 1986

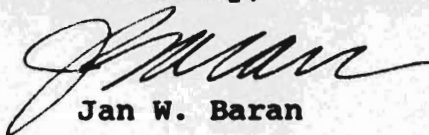
Page 2

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We respectfully request that the FEC vote to take no further action in this matter.

Sincerely,



Jan W. Baran

cc: Douglas Ritter
Richard T. Wright

335423040478

BEFORE THE FEDERAL ELECTION COMMISSION

CITY OF WASHINGTON)

DISTRICT OF COLUMBIA)

MUR 2173

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the Neall campaign by the Trent Lott for Congress Committee. This donation was reported to the Federal Election Commission. Postage was paid for by the Neall for Congress Committee.

6. The October 2, 1985 disbursement for printing expenses referred to in the General Counsel's Factual and Legal Analysis related to a \$25 per person fundraiser held in Annapolis on October 29, 1985. These expenditures were unrelated to the Lott letter.

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10. The omission of a notice on the Lott letter was inadvertent. The Neall campaign will make every effort to insure that this kind of mistake is not repeated.


Douglas D. Ritter, Jr.

Subscribed and sworn to
before me this 17 day
of May, 1986.


Notary Public

My Commission Expires October 14, 1987

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OFFICE OF THE
GENERAL COUNSEL
P 4: 49

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WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D. C. 20006

JAN W. BARAN
(202) 428-7330

August 27, 1986

55 AUG 2 4 8: 03
COMM. SECRETARY
FEC

Commission Secretary
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

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WILEY, REIN & FIELDING

Commission Secretary

August 27, 1986

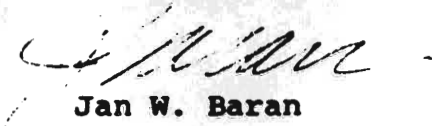
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Sincerely,


Jan W. Baran

cc: Douglas Ritter
Richard T. Wright

37040324537

BEFORE THE FEDERAL ELECTION COMMISSION

CITY OF WASHINGTON)
DISTRICT OF COLUMBIA)

MUR 2173

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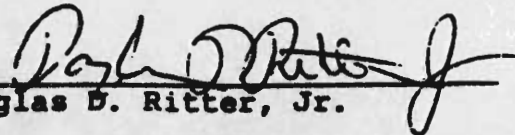
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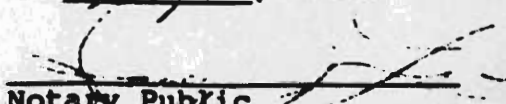
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Douglas D. Ritter, Jr.

Subscribed and sworn to
before me this 27 day
of May, 1986.


Notary Public

My Commission Expires October 14, 1987

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

per m
August 5, 1986

Jan W. Baran
Wiley and Rein
1776 K Street
Washington, D.C. 20006

RE: MUR 2173
Neall for Congress Committee
Richard T. Wright, Treasurer

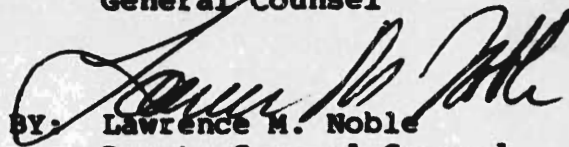
Dear Mr. Baran:

87040524540
This is in reference to Trevor Potter's letter dated July 28, 1986, requesting an extension of time until September 2, 1986, to respond to the Commission's Brief. After considering the circumstances presented in your letter, the Commission has determined to grant you your requested extension. Accordingly, your response will be due on September 2, 1986.

If you have any questions, please contact Shelley Garr, the staff member assigned to this matter at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel


BY: Lawrence M. Noble
Deputy General Counsel

WILEY & REIN

1776 K STREET, N.W.
WASHINGTON, D. C. 20006
(202) 429-7000

WRITER'S DIRECT DIAL NUMBER
(202) 429-7366

July 28, 1986

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

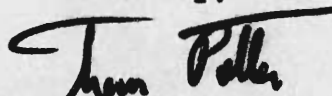
Re: MUR 2173
Neall for Congress Committee
Richard T. Wright, Treasurer

Attn: Shelley Garr

Dear Mr. Steele:

In accordance with your letter to Jan W. Baran of July 24, 1986 concerning the above noted matter, which was received July 28, 1986, I would like to respectfully request on behalf of Mr. Baran a 20 day extension of time in which to file a responsive brief. Since this date falls on Monday, September 1, 1986, a public holiday, I would request that Mr. Baran be allowed to file his reply on Tuesday, September 2, 1986. Mr. Baran is away from the office for two weeks, and he has therefore directed me to ask for this extension to enable him to respond following his return.

Sincerely,


Trevor Potter

100A/1006
JUL 29 4:04
gm

16 JUL 30 3:30

GENERAL COUNSEL

87040524541

RECEIVED THE FEC

600#1086
06 JUL 29 P4: 04

WILEY & REIN

1776 R STREET, N.W.
WASHINGTON, D. C. 20008
(202) 429-7000

WRITER'S DIRECT DIAL NUMBER
(202) 429-7366

July 28, 1986

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

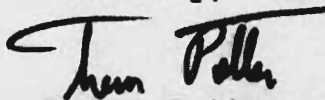
Re: MUR 2173
Neall for Congress Committee
Richard T. Wright, Treasurer

Attn: Shelley Garr

Dear Mr. Steele:

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Sincerely,


Trevor Potter

16 JUL 30 P3:30

RECEIVED
GENERAL COUNSEL

87040524542



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

July 24, 1986

MEMORANDUM

TO: The Commission
FROM: Charles N. Steele
General Counsel
SUBJECT: MUR #2173

86 JUL 24 P 5:14

OFFICE OF THE
COMMISSIONER
SECRETARY

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying counsel for the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on July 24, 1986. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

87040524543

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Neall for Congress Committee) MUR 2173
Richard T. Wright, Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On April 29, 1986, the Commission found reason to believe that the Neall for Congress Committee ("Neall Committee") and Richard T. Wright, as Treasurer, violated 2 U.S.C. § 441d by failing to include a disclaimer on a letter signed by Congressman Trent Lott.

The letter, addressed to "Dear Friend" urged the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letter, however, did not carry a disclaimer reflecting who paid for and who authorized the communication.

On June 2, 1986, the Commission received a response from counsel for the Neall Committee and an attached affidavit from Douglas D. Ritter, Jr., campaign manager for the Neall Committee.

Counsel explained that 153 individuals "most of whom were political committee representatives" were sent Representative Lott's letter and were solicited for the November 20, 1985, fundraiser.^{1/} The Trent Lott for Congress Committee ("Lott

^{1/} Counsel advised that approximately \$8,000 was raised as a result of the fundraiser. The Neall Committee's 1985 year End Report itemized \$25,595 in contributions from political committees other than political party committees; the 1986 April Quarterly, \$10,476.20.

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Committee") donated to the Neall Committee campaign the stationery and envelopes used for the mailings which were valued at \$16.20. Postage was paid for by the Neall Committee.

This in-kind contribution was reported by the Lott Committee on its 1985 Year End Report and by the Neall Committee on its 1986 April Quarterly Report.

Further, counsel continued, although the Neall Committee "has a policy of placing a notice on all materials where one is required by the Act.... The omission of the notice on the letter was inadvertent."

II. LEGAL AND FACTUAL ANALYSIS

Pursuant to 2 U.S.C. § 441d, whenever an expenditure is made for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate or solicits any contribution through any broadcast station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public advertising, the communication is required to carry a disclaimer identifying the person or committee who paid for, and where required, who authorized the communication.

Because 153 letters were sent which advocated the election of Robert Neall to Congress and requested that the recipient attend a fundraiser in his behalf, the letters were required to carry a disclaimer as required by 2 U.S.C. § 441d which included the name of the Neall for Congress Committee.

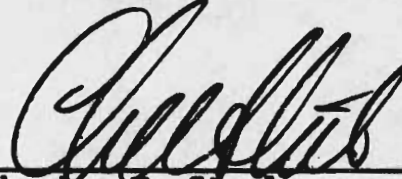
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Thus, it is the view of the Office of General Counsel that there is probable cause to believe that the Neall for Congress Committee and Richard T. Wright, as treasurer, violated 2 U.S.C. § 441d by failing to include a disclaimer on the 153 letters, signed by Representative Lott, which requested attendance at the November 20, 1985 fundraiser.

RECOMMENDATION

The Office of General Counsel recommends that the Commission find probable cause to believe that the Neall for Congress Committee and Richard T. Wright, as treasurer, violated 2 U.S.C. § 441d.

24 July 1986
Date



Charles N. Steele
General Counsel

87040524546



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 24, 1986

Jan Baran
Wiley & Rein
1775 K Street, NW
Washington, DC 20006

98 JUL 24 P 5:15

OFFICE OF THE
COMMISSION SECRETARY

RE: MUR 2173
Neall for Congress Committee
Richard T. Wright, Treasurer

Dear Mr. Baran:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on April 29, 1986, found reason to believe that your clients, the Neall for Congress Committee and Richard T. Wright, as treasurer, had violated 2 U.S.C. § 441d and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

87040524547

Should you have any questions, please contact Shelley Garr,
the staff member assigned to handle this matter, at (202) 376-
8200.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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OGC Ackal

SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 24, 1986

MEMORANDUM

TO: The Commission
FROM: Charles N. Steele
General Counsel
SUBJECT: MUR #2173

CC JUL 24 P 5:14

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying counsel for the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on July 24, 1986. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

87040524549



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 24, 1986

Jan Baran
Wiley & Rein
1775 K Street, NW
Washington, DC 20006

RE: MUR 2173
Neall for Congress Committee
Richard T. Wright, Treasurer

Dear Mr. Baran:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on April 29, 1986, found reason to believe that your clients, the Neall for Congress Committee and Richard T. Wright, as treasurer, had violated 2 U.S.C. § 441d and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

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87 JUL 24 15:15

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Neall for Congress Committee)

Richard T. Wright, Treasurer)

NUR 2173

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On April 29, 1986, the Commission found reason to believe that the Neall for Congress Committee ("Neall Committee") and Richard T. Wright, as Treasurer, violated 2 U.S.C. § 441d by failing to include a disclaimer on a letter signed by Congressman Trent Lott.

The letter, addressed to "Dear Friend" urged the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letter, however, did not carry a disclaimer reflecting who paid for and who authorized the communication.

On June 2, 1986, the Commission received a response from counsel for the Neall Committee and an attached affidavit from Douglas D. Ritter, Jr., campaign manager for the Neall Committee.

Counsel explained that 153 individuals "most of whom were political committee representatives" were sent Representative Lott's letter and were solicited for the November 20, 1985, fundraiser.^{1/} The Trent Lott for Congress Committee ("Lott

^{1/} Counsel advised that approximately \$8,000 was raised as a result of the fundraiser. The Neall Committee's 1985 year End Report itemized \$25,595 in contributions from political committees other than political party committees; the 1986 April Quarterly, \$10,476.20.

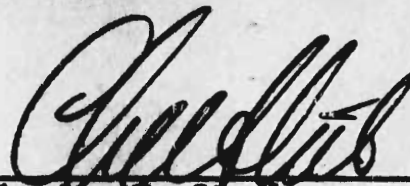
87040524551

Thus, it is the view of the Office of General Counsel that there is probable cause to believe that the Neall for Congress Committee and Richard T. Wright, as treasurer, violated 2 U.S.C. § 441d by failing to include a disclaimer on the 153 letters, signed by Representative Lott, which requested attendance at the November 20, 1985 fundraiser.

RECOMMENDATION

The Office of General Counsel recommends that the Commission find probable cause to believe that the Neall for Congress Committee and Richard T. Wright, as treasurer, violated 2 U.S.C. § 441d.

24 July 1986
Date



Charles N. Steele
General Counsel

87040524552

CC#617
RECEIVED AT THE FEC

86 JUN 2 10:15

WILEY & REIN

1776 K STREET, N.W.
WASHINGTON, D. C. 20006

May 30, 1986

JAN W. BARAN
(202) 429-7330

86 JUN 2 11:06

RECEIVED
GENERAL COUNSEL

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

Attn: Shelley Garr, Esq.

Re: MUR 2173

Dear Mr. Steele:

This letter and the enclosed Affidavit of Douglas D. Ritter, Jr. ("Ritter Affidavit") are submitted by the Neall for Congress Committee ("Committee") and Richard T. Wright, as Treasurer, in response to a letter from Chairman Joan D. Aikens, dated May 1, 1986, pertaining to the above-captioned matter. Chairman Aikens' letter states that the Federal Election Commission ("FEC") has found "reason to believe" that the Committee and Mr. Wright violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The purpose of this letter is to provide the FEC with additional facts.

The violation in question concerns the omission of a notice on a letter signed by Congressman Trent Lott. The circumstances surrounding this letter are as follows.

On November 20, 1985, a reception was held for Congressional candidate Bob Neall at the Reserve Officers Association. Ritter Affidavit ¶ 2. This reception was hosted by Congresswoman Marjorie Holt. Id. ¶ 3.

In preparing for this reception, the Neall for Congress Committee prepared a list of 153 individuals. Id. ¶ 4. Most of these individuals were representatives of political action committees. Id. These were the only people who were solicited for this reception by the Neall for Congress Committee. Id.

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WILEY & REIN

Charles N. Steele, Esq.

May 30, 1986

Page 2

The Lott letter was sent to the 153 individuals in conjunction with this reception. Id. ¶ 5. The Trent Lott for Congress Committee donated to the Neall Campaign the stationery and envelopes used in this mailing. Id. The value of this donation, as was reported to the FEC, was \$16.20. Postage for these letters was paid for by the Neall for Congress Committee. Id.

The additional expenditures referred to in the General Counsel's Factual and Legal Analysis were unrelated to the Lott letter. The October 2, 1985 disbursement for printing expenses related to a fundraiser held in Annapolis on October 29, 1985. Id. ¶ 6. The December 6, 1985 disbursement for printing expenses related to a fundraiser held on December 6, 1985. Id. ¶ 7. The November 13, 1985 in-kind contribution of postage and stationery from the Friends of Marjorie Holt Committee was similarly unrelated to the Lott letter. Id. ¶ 8.

The Trent Lott for Congress Committee donated the \$16.20 worth of stationery and envelopes to the Neall for Congress Committee pursuant to 2 U.S.C. § 431(8)(A)(i) and 11 C.F.R. § 100.7(a)(1)(iii)(A). This contribution was reported by the Neall for Congress Committee on its April 1986 Quarterly report. The Neall for Congress Committee also reported an expenditure for \$16.20, to the Trent Lott for Congress Committee. The stationery and envelopes were used to produce the 153 letters. The room at the Reserve Officers Association which was used for the reception was furnished pursuant to 11 C.F.R. § 100.7(b)(5).

The 153 individuals solicited for this reception were the only individuals who received the letter from Congressman Lott. The Neall for Congress Committee has a policy of placing a notice on all materials where one is required by the Act. Ritter Affidavit, ¶ 9. The omission of the notice on the letter was inadvertent. Id. ¶ 10.

Given the inadvertent nature of the omission in this case, and the de minimis nature of any harm resulting from this omission, the respondents hereby request the Office of

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WILEY & REIN

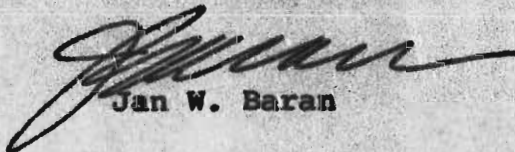
Charles N. Steele, Esq.

May 30, 1986

Page 3

General Counsel to recommend that the FEC take no further action on this matter.

Sincerely yours,



Jan W. Baran

JWB/sll

cc: Douglas D. Ritter, Jr.
Richard T. Wright

87040624555

BEFORE THE FEDERAL ELECTION COMMISSION

CITY OF WASHINGTON)
DISTRICT OF COLUMBIA)

MUR 2173

AFFIDAVIT OF DOUGLAS D. RITTER, JR.

Douglas D. Ritter, Jr., first being duly sworn, deposes and says:

1. My name is Douglas D. Ritter, Jr., and I am the campaign manager for the Neall for Congress Committee.
2. I supervised the reception held for Congressional candidate Bob Neall on November 20, 1985 at the Reserve Officers Association. It is my understanding that this room is used on a regular basis by members of the Washington, D.C. community and that the room is made available without regard to political affiliation.
3. This reception was hosted by Congresswoman Marjorie Holt.
4. In preparing for this reception, the Neall for Congress Committee developed a list of 153 individuals most of whom were political action committee representatives, who were invited to this reception. These were the only people solicited for this reception.
5. A letter from Congressman Trent Lott was sent to the 153 individuals in conjunction with this reception. The stationery and envelopes used in this mailing were donated to

87040624536

the Neall campaign by the Trent Lott for Congress Committee. This donation was reported to the Federal Election Commission. Postage was paid for by the Neall for Congress Committee.

6. The October 2, 1985 disbursement for printing expenses referred to in the General Counsel's Factual and Legal Analysis related to a \$25 per person fundraiser held in Annapolis on October 29, 1985. These expenditures were unrelated to the Lott letter.

7. The December 6, 1985 disbursement for printing expenses related to a fundraiser, held on December 6, 1985, featuring former President Gerald Ford. These expenditures were also unrelated to the Lott letter.

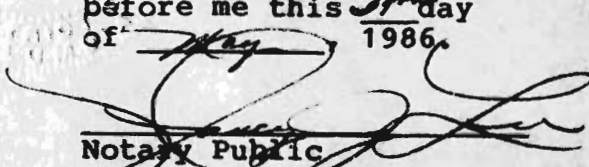
8. The in-kind contribution of postage and stationery from the Friends of Marjorie Holt Committee, dated November 13, 1985, was unrelated to the Lott letter.

9. It is a policy of the Neall for Congress Committee to place a notice on all materials where one is required by the Federal Election Campaign Act.

10. The omission of a notice on the Lott letter was inadvertent. The Neall campaign will make every effort to insure that this kind of mistake is not repeated.


Douglas B. Ritter, Jr.

Subscribed and sworn to
before me this 14th day
of May 1986.


Notary Public

My Commission Expires October 14, 1987

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RECEIVED AT THE FEC
ACC# 511

86 MAY 19 P 1: 31

WILEY & REIN

1776 K STREET, N.W.
WASHINGTON, D.C. 20006

JAN W. BARAN
(202) 428-7330

May 16, 1986

86 MAY 19 P 4: 13

OFFICE OF THE
GENERAL COUNSEL

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

Re: MUR 2173

Dear Ms. Garr:

This letter confirms our telephone conversation today regarding the above-captioned matter. As of this date, this office is representing the Neall for Congress Committee and Richard T. Wright, as treasurer. I have enclosed an executed Statement of Designation of Counsel form for your records.

Our clients have asked me to gather information regarding this matter. We intend to submit a response to the May 1 letter from Chairman Joan Aikens to Mr. Wright on or before May 30, 1986.

Sincerely,



Jan W. Baran

JWB/njl

87040524558

STATEMENT OF DESIGNATION OF COUNSEL

NR 2173

NAME OF COUNSEL: Jan W. Baran, Esq.

ADDRESS: Wiley & Rein

1776 K Street, N.W.

Washington, D.C. 20006

TELEPHONE: (202)429-7330

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.

May 15, 1986
Date

Richard T. Wright
Signature

RESPONDENT'S NAME:

Neall for Congress Committee
Richard T. Wright

ADDRESS:

94B Placid Court
Arnold, Md. 21012

HOME PHONE:

(301) 757-0258

BUSINESS PHONE:

(301) 266-5100

87040324559



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 1, 1986

Richard Wright, Treasurer
Neall for Congress Committee
948 Placid Court
Arnold, MD 21012

RE: MUR 2173
Neall for Congress Committee
Richard Wright, Treasurer

Dear Mr. Wright:

On April 29, 1986, the Federal Election Commission determined that there is reason to believe that the Neall for Congress Committee and you, as treasurer, violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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Richard Wright
Treasurer
Page Two

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Shelley Garr the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

87040624561

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Trent Lott for Congress Committee)
Neall for Congress Committee)
Friends of Marjorie Holt Committee)

Pre-MUR 152

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of April 29, 1986, do hereby certify that the Commission took the following actions in the above-captioned matter:

1. Decided by a vote of 6-0 to open a MUR.

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

2. Decided by a vote of 6-0 to take no action at this time with respect to the Trent Lott for Congress Committee and Thomas Leatherbury, as treasurer.

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

3. Decided by a vote of 6-0 to find reason to believe that the Neall for Congress Committee and Richard T. Wright, as treasurer, violated 2 U.S.C. § 441d.

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

(continued)

87040324562

Federal Election Commission
Certification for Pre-MUR 152
April 29, 1986

Page 2

4. Decided by a vote of 6-0 to take no action at this time with respect to Friends of Marjorie Holt Committee and Robert Podlick, as treasurer.

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

5. Decided by a vote of 6-0 to direct the Office of General Counsel to send the appropriate letters and legal and factual analysis pursuant to the above actions taken this date.

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

Attest:

4-29-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

87040624563

SENSITIVE

FEDERAL ELECTION COMMISSION
999 E. Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT APR 14 1973 3:27

**DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:**

PRE-MUR #152
DATE COMPLAINT RECEIVED
BY OGC: _____
DATE OF NOTIFICATION TO
RESPONDENT: _____
STAFF MEMBER: Garr

COMPLAINANT'S NAME: Department of Justice Referral

RESPONDENT'S NAME: Trent Lott for Congress Committee
Neall for Congress Committee
Friends of Marjorie Holt Committee

RELEVANT STATUTE: 2 U.S.C. § 441d

**INTERNAL REPORTS
CHECKED:** FEC Disclosure Documents

**FEDERAL AGENCIES
CHECKED:**

GENERATION OF MATTER

Congressman Trent Lott was referred to the Office of General Counsel by the Department of Justice. The referral is the result of a complaint filed with the Department regarding a letter sent over Congressman Lott's signature on behalf of the congressional campaign of Maryland State Representative Bob Neall.

SUMMARY OF ALLEGATIONS

The letter, addressed to "Dear Friend" urges the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letter, however, does not carry a disclaimer reflecting who paid for and authorized the communication.

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In his letter to the Commission, counsel for Congressman Lott responded to the Department of Justice referral by advising that only 150 letters were sent. The stationery, which was donated and reported as an in-kind contribution by the Lott Committee (and which was valued at \$16.20), was reported on the Lott Committee's 1985 Year End Report. Further, counsel indicated that the letters were neither printed nor mailed at the expense of Congressman Lott and his committee.

8 7 0 4 0 6 2 4 5 6 5
A review of the Neall for Congress Committee's disclosure documents does reveal that on its 1985 Year End Report, the Committee reported disbursements of \$1,750 for printing expenses on October 2, 1985, and December 6, 1985. The Committee further reported an in-kind contribution of postage and stationery totalling \$200.00 on November 13, 1985, from the Friends of Marjorie Holt Committee. This Office infers the involvement of the Holt Committee based on two factors. Congressman Lott identifies her as the hostess of the event on behalf of Bob Neall. The Holt Committee reports indicate an expenditure for postage and stationery on November 13, 1985, and the fundraiser was apparently held on November 20, 1985. Thus, the approximate time of the distribution of letters generally coincides with the payment date by the Holt Committee for such an effort.

LEGAL AND FACTUAL ANALYSIS

Pursuant to 2 U.S.C. § 441d and 11 C.F.R. § 110.11, whenever an expenditure is made for the purpose of financing a communication which expressly advocates the election or defeat of

a clearly identified candidate, the communication is required to carry a disclaimer identifying the person who paid for, and where required, who authorized the communication.

While the letters requested attendance at a fundraiser for Robert Neall, the letters also advocated his election for Congress, and were required to carry a disclaimer pursuant to 2 U.S.C. § 441d.

It is therefore, recommended that the Commission open a MUR and find reason to believe that the Trent Lott for Congress Committee violated 2 U.S.C. § 441d. In addition, it appears that the Neall for Congress Committee and the Friends of Marjorie Holt Committee may have had some involvement as far as the printing and distribution of the letters in question. However, we do not know to what extent these letters were distributed and how much was expended in that effort. While the Lott Committee reported only a \$16.20 expenditure for the value of the stationery, the letters may have received wider circulation. Thus, this Office also recommends that the Commission find reason to believe that Friends of Marjorie Holt Committee and Neall for Congress Committee violated 2 U.S.C. § 441d.

RECOMMENDATION

The Office of General Counsel recommends that the Commission:

- 1) Open a MUR;
- 2) Find reason to believe that the Trent Lott for Congress Committee and Thomas Leatherbury, as treasurer, violated 2 U.S.C. § 441d;

87040524566

- 3) Find reason to believe that the Neall for Congress Committee and Richard T. Wright, as treasurer, violated 2 U.S.C. § 441d;
- 4) Find reason to believe the Friends of Marjorie Holt Committee and Robert Podlick as treasurer, violated 2 U.S.C. § 441d;
- 5) Approve the attached letters and legal and factual analyses.

Charles N. Steele
General Counsel

April 14, 1966
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

- 1) Department of Justice referral
- 2) Response
- 3) Proposed Letters and Legal and Factual Analyses

87040624567



U.S. Department of Justice

66-1322

Washington, D.C. 20530

16 JAN 2 12:48

GENERAL COUNSEL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Steele:

Charlie

Enclosed please find a copy of an undated communication apparently sent over the signature of Congressman Trent Lott on behalf of the congressional campaign of Maryland State Representative Bob Neall.

The correspondence does not reflect who paid for and authorized the communication. In light of the requirements of the disclaimer statute, 2 U.S.C. §441d, we are referring this matter to the Commission for whatever attention it considers appropriate.

We have advised Congressman Lott of our referral to the Commission. A copy of our letter is also enclosed herein.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

By:

[Signature]
Nancy S. Stewart, Attorney
Public Integrity Section
Criminal Division

Enclosures

IC(1)

87040324568



CONGRESSMAN TRENT LOTT

REPUBLICAN WHIP

WASHINGTON, D. C. 20515

Dear Friend:

As you know Marjorie Holt will be retiring at the end of this term. While we will certainly miss her able leadership in the House, she has endorsed Maryland House Republican Leader Bob Neall to replace her.

Bob has been a key figure in the legislature in his 12 years there and is a successful commercial banker. He is a strong conservative and a friend of the business community. None of these things can be said about Tom McMillen, whose big supporters are Paul Sarbanes and former Senator Joe Tydings.

I know how extremely important this race is to Marjorie. She would not have considered retirement if she didn't feel there was a Republican capable of holding onto the seat. The National Republican Congressional Committee agrees with her assessment of Bob's prospects and is issuing a rare primary endorsement, which indicates that he is clearly the only viable Republican contender.

To show her strong support, Marjorie is hosting a reception for Bob on November 20th from 6 to 8 P.M. at the Reserve Officers Association.

I look forward to seeing you on the 20th.

Sincerely yours,



Office of the Assistant Attorney General

Washington, D.C. 20530

Honorable Trent Lott
House of Representatives
Washington, D.C. 20515

Dear Congressman Lott:

This is to advise that we have recently received a complaint regarding a letter sent over your signature on behalf of the congressional campaign of Maryland State Representative Bob Neall. A copy of this letter is enclosed herein.

The letter, which is addressed to "Dear Friend," urges the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letterhead of the stationery displays, over your name and congressional title, what appears to be a likeness of the great seal of the United States.

Section 713 of Title 18 of the United States Code makes it a federal crime to knowingly display any likeness or facsimile of the great seal of the United States on such items as stationery in a manner reasonably calculated to convey a false impression of sponsorship or approval by the United States Government. Violators of Section 713 are subject to a fine of \$250 and a prison term of up to six months.

In view of the fact that the instant correspondence relates to matters of interest to the Republican Party and not to the official business of the Government of the United States, we believe that such utilization of a likeness of the great seal is proscribed by Section 713.

In addition, we note that although the letter appears to expressly advocate the election of a clearly identified federal candidate, it does not reflect who paid for and authorized the communication, as required by the Federal Election Campaign Act. 2 U.S.C. §441d. We have referred this aspect of the matter to the Federal Election Commission, which has exclusive jurisdiction over civil enforcement of this statute.

We trust that this information will prove useful to you in the event similar communications are contemplated in the future.

Sincerely,

John C. Keeney

John C. Keeney
Acting Assistant Attorney General
Criminal Division
(Pursuant to 28 C.F.R. 0.132)

Enclosure

cc: Mr. Charles Steele
General Counsel
Federal Election Commission

87040524571

FEC
GCC# 9523
06 JAN 22 1986 18:49

WILEY & REIN

1776 K STREET, N.W.
WASHINGTON, D.C. 20005

JAN' W. BARAN
(202) 426-7330

January 20, 1986

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

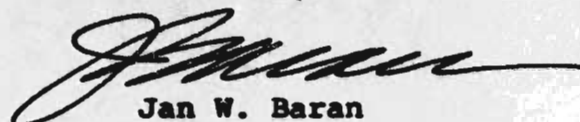
Dear Mr. Steele:

This office represents Congressman Trent Lott. Congressman Lott recently received a letter dated December 27, 1985 from John C. Keeney, Acting Assistant Attorney General, Department of Justice, a copy of which was sent to you. Mr. Keeney's letter states that a matter involving Congressman Lott has been referred to the Federal Election Commission. Specifically, the FEC was sent a copy of a letter signed by the Congressman on behalf of Bob Neall, a candidate for Congress in Maryland (hereafter the "Neall letter").

Congressman Lott has requested me to bring certain relevant facts to the FEC's attention with respect to the Neall letter. First, please be advised that one hundred fifty letters like it were sent. The stationery was donated as an in-kind contribution by the Trent Lott for Congress Committee ("Lott Committee") to the Bob Neall Committee. This donation in the amount of \$16.20 will appear on the January 31, 1986 report. The letters were not printed or mailed by or at the expense of either Congressman Lott or the Lott Committee. Thus, to the extent that a notice is required pursuant to 2 U.S.C. § 441d, it would not require identification of either Congressman Lott or the Lott Committee since neither paid for the Neall letter mailing.

I trust that this information will be useful in evaluating the matter in question.

Sincerely,


Jan W. Baran

JWB/njl
cc: Honorable Trent Lott

II(5)

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
JAN 22 1986 18:49

87040524572



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Jan Baran
Wiley and Rein
1776 K Street, N.W.
Washington, D.C. 2006

RE: MUR
Trent Lott for Congress
Committee, Thomas
Leatherbury, Treasurer

Dear Mr. Baran:

As you know, the Federal Election Commission received a copy from the Department of Justice of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client by the Department of Justice. We acknowledge receipt of your explanation of this matter which was dated January 20, 1986.

On , 198 , the Federal Election Commission determined that there is reason to believe that your clients, the Trent Lott for Congress Committee and Thomas Leatherbury, as Treasurer, violated 2 U.S.C. § 44ld, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your clients. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or

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recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Shelley Garr the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens
Chairman



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Robert Podlich, Treasurer
Friends of Marjorie Holt Committee
P.O. Box 629
Severna Park, Maryland 21146

RE: MUR
Friends of Marjorie Holt
Committee

Dear Mr. Podlich:

On , 198 , the Federal Election Commission determined that there is reason to believe that the Friends of Marjorie Holt Committee and you, as treasurer, violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Robert Podlich, Treasurer
Page 2

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Shelley Garr the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

III (a)

87040324576



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Richard Wright, Treasurer
Neall for Congress Committee
948 Placid Court
Arnold, MD 21012

RE: MUR
Neall for Congress Committee
Richard Wright, Treasurer

Dear Mr. Wright:

On , 198 , the Federal Election Commission determined that there is reason to believe that the Neall for Congress Committee and you, as treasurer, violated 2 U.S.C. § 441d, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Richard Wright
Treasurer
Page Two

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Shelley Garr the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

III (11)

87040524578

**FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS**

MUR NO.
STAFF MEMBER & TEL. NO.
Garr 376-8200

RESPONDENT: Trent Lott for Congress Campaign Fund
Thomas Leatherbury, Treasurer

SUMMARY OF ALLEGATIONS

The letter, addressed to "Dear Friend" urges the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letter, however, does not carry a disclaimer reflecting who paid for and authorized the communication.

In his letter to the Commission, counsel for Congressman Lott responded to the Department of Justice referral by advising that only 150 letters were sent. The stationery, which was donated and reported as an in-kind contribution by the Lott Committee (and which was valued at \$16.20), was reported on the Lott Committee's 1985 Year End Report. Further, counsel indicated that the letters were neither printed nor mailed at the expense of Congressman Lott and his committee.

LEGAL AND FACTUAL ANALYSIS

Pursuant to 2 U.S.C. § 441d and 11 C.F.R. § 110.11, whenever an expenditure is made for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate, the communication is required to carry a disclaimer identifying the person who paid for, and where required, who authorized the communication.

While the letters requested attendance at a fundraiser for Robert Neall, the letters also advocated his election for Congress, and were required to carry a disclaimer pursuant to 2 U.S.C. § 441d.

This Office does not know to what extent these letters were distributed and how much was expended in that effort. While the Lott Committee reported only a \$16.20 expenditure for the value of the stationery, the letters may have received wider circulation. It is therefore recommended that the Commission open a MUR and find reason to believe that the Trent Lott for Congress Committee violated 2 U.S.C. § 441d.

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO.
STAFF MEMBER & TEL. NO.
Garr 376-8200

RESPONDENT: Friends of Marjorie Holt Committee

SUMMARY OF ALLEGATIONS

This matter deals with an undated communication which is addressed to "Dear Friend" and which urges the recipient to support Representative Neall's election to Congress and to attend a November 20, 1985, reception in Mr. Neall's behalf. The letter, however, does not carry a disclaimer reflecting who paid for and authorized the communication.

A review of the Neall for Congress Committee's disclosure documents does reveal that on its 1985 Year End Report, the Committee reported an in-kind contribution of postage and stationery totalling \$200.00 on November 13, 1985, from the Friends of Marjorie Holt Committee.

This Office infers the involvement of the Holt Committee based on two factors. Congressman Lott identifies her as the hostess of the event on behalf of Bob Neall. The Holt Committee reports indicate an expenditure for postage and stationery on November 13, 1985, and the fundraiser was apparently held on November 20, 1985. Thus, the approximate time of the distribution of letters generally coincides with the payment date by the Holt Committee for such an effort.

LEGAL AND FACTUAL ANALYSIS

Pursuant to 2 U.S.C. § 441d, whenever an expenditure is

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made for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate, the communication is required to carry a disclaimer identifying the person who paid for, and where required, who authorized the communication.

While the letters requested attendance at a fundraiser for Robert Neall, the letters also advocated his election for Congress, and were required to carry a disclaimer pursuant to 2 U.S.C. § 441d.

It appears then that the Friends of Marjorie Holt Committee may have had some involvement as far as the printing and distribution of the letters in question. Thus, this Office recommends that the Commission find reason to believe that the Friends of Marjorie Holt Committee violated 2 U.S.C. § 441d.

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO.
STAFF MEMBER & TEL. NO.
Garr 376-8200

RESPONDENT: Neall for Congress Committee

SUMMARY OF ALLEGATIONS

This matter deals with an undated communication which is addressed to "Dear Friend" and which urges the recipient to support Representative Neall's election to Congress and to attend a November 20, 1985, reception in Mr. Neall's behalf. The letter, however, does not carry a disclaimer reflecting who paid for and authorized the communication.

A review of the Neall for Congress Committee's disclosure documents does reveal that on its 1985 Year End Report, the Committee reported disbursements of \$1,750 for printing expenses on October 2, 1985, and December 6, 1985. The Committee further reported an in-kind contribution of postage and stationery totalling \$200.00 on November 13, 1985, from the Friends of Marjorie Holt Committee.

LEGAL AND FACTUAL ANALYSIS

Pursuant to 2 U.S.C. § 441d, whenever an expenditure is made for the purpose of financing a communication which expressly advocates the election or defeat of a clearly identified candidate, the communication is required to carry a disclaimer identifying the person who paid for, and where required, who authorized the communication.

While the letters requested attendance at a fundraiser for

Robert Neall, the letters also advocated his election for Congress, and were required to carry a disclaimer pursuant to 2 U.S.C. § 441d.

It appears then that the Neall for Congress Committee may have had some involvement as far as the printing and distribution of the letters in question. However, we do not know to what extent these letters were distributed and how much was expended in that effort. Thus, this office recommends that the Commission find reason to believe that the Neall for Congress Committee violated 2 U.S.C. § 441d.

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U.S. Department of Justice

RECEIVED
OFFICE OF THE REC
COMMISSION SECRETARY

Cross

26 APR 9 1985
Washington, D.C. 20530

16 JAN 2 1985

GENERAL COUNSEL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

DEC 27 1985

Dear Mr. Steele:

Charlie

Enclosed please find a copy of an undated communication apparently sent over the signature of Congressman Trent Lott on behalf of the congressional campaign of Maryland State Representative Bob Neall.

The correspondence does not reflect who paid for and authorized the communication. In light of the requirements of the disclaimer statute, 2 U.S.C. §441d, we are referring this matter to the Commission for whatever attention it considers appropriate.

We have advised Congressman Lott of our referral to the Commission. A copy of our letter is also enclosed herein.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

By:

Nancy S. Stewart

Nancy S. Stewart, Attorney
Public Integrity Section
Criminal Division

Enclosures

87040524585



CONGRESSMAN TRENT LOTT

REPUBLICAN WHIP

WASHINGTON, D. C. 20515

Dear Friend:

As you know Marjorie Holt will be retiring at the end of this term. While we will certainly miss her able leadership in the House, she has endorsed Maryland House Republican Leader Bob Neall to replace her.

Bob has been a key figure in the legislature in his 12 years there and is a successful commercial banker. He is a strong conservative and a friend of the business community. None of these things can be said about Tom McMillen, whose big supporters are Paul Sarbanes and former Senator Joe Tydings.

I know how extremely important this race is to Marjorie. She would not have considered retirement if she didn't feel there was a Republican capable of holding onto the seat. The National Republican Congressional Committee agrees with her assessment of Bob's prospects and is issuing a rare primary endorsement, which indicates that he is clearly the only viable Republican contender.

To show her strong support, Marjorie is hosting a reception for Bob on November 20th from 6 to 8 P.M. at the Reserve Officers Association.

I look forward to seeing you on the 20th.

Sincerely yours,

87040324586



Office of the Assistant Attorney General

Washington, D.C. 20530

DEC 27 1985

Honorable Trent Lott
House of Representatives
Washington, D.C. 20515

Dear Congressman Lott:

This is to advise that we have recently received a complaint regarding a letter sent over your signature on behalf of the congressional campaign of Maryland State Representative Bob Neall. A copy of this letter is enclosed herein.

The letter, which is addressed to "Dear Friend," urges the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letterhead of the stationery displays, over your name and congressional title, what appears to be a likeness of the great seal of the United States.

Section 713 of Title 18 of the United States Code makes it a federal crime to knowingly display any likeness or facsimile of the great seal of the United States on such items as stationery in a manner reasonably calculated to convey a false impression of sponsorship or approval by the United States Government. Violators of Section 713 are subject to a fine of \$250 and a prison term of up to six months.

In view of the fact that the instant correspondence relates to matters of interest to the Republican Party and not to the official business of the Government of the United States, we believe that such utilization of a likeness of the great seal is proscribed by Section 713.

In addition, we note that although the letter appears to expressly advocate the election of a clearly identified federal candidate, it does not reflect who paid for and authorized the communication, as required by the Federal Election Campaign Act. 2 U.S.C. §441d. We have referred this aspect of the matter to the Federal Election Commission, which has exclusive jurisdiction over civil enforcement of this statute.

87040524587

We trust that this information will prove useful to you in the event similar communications are contemplated in the future.

Sincerely,

/s/ John C. Keeney

John C. Keeney
Acting Assistant Attorney General
Criminal Division
(Pursuant to 28 C.F.R. 0.132)

Enclosure

cc: Mr. Charles Steele
General Counsel
Federal Election Commission

87040624588



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1986

Gerald B. McDowell, Chief
Public Integrity Section
Criminal Division
U.S. Department of Justice
Washington, D.C. 20530

RE: PRE-MUR 152

Dear Mr. McDowell:

This is to acknowledge receipt of your letter of January 2, 1986, advising us of the possibility of a violation of the Federal Election Campaign Act of 1971, as amended, by Congressman Trent Lott. We are currently reviewing the matter and will advise you of the Commission's determination.

If you have any questions or additional information, please call Shelley Garr, the staff member assigned to this matter, at (202) 376-8200. Our file number for this matter is PRE MUR 152.

Pursuant to 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), the Commission's review of this matter shall remain confidential.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

87040524599

RECEIVED AT THE FEC
GCC# 9523
86 JAN 22 8:49
PM 152

WILEY & REIN

1776 K STREET, N.W.
WASHINGTON, D. C. 20006

JAN W. BARAN
(202) 428-7330

January 20, 1986

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

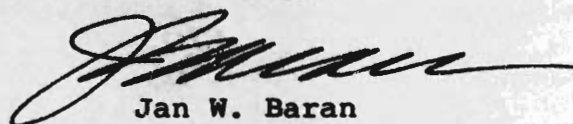
Dear Mr. Steele:

This office represents Congressman Trent Lott. Congressman Lott recently received a letter dated December 27, 1985 from John C. Keeney, Acting Assistant Attorney General, Department of Justice, a copy of which was sent to you. Mr. Keeney's letter states that a matter involving Congressman Lott has been referred to the Federal Election Commission. Specifically, the FEC was sent a copy of a letter signed by the Congressman on behalf of Bob Neall, a candidate for Congress in Maryland (hereafter the "Neall letter").

Congressman Lott has requested me to bring certain relevant facts to the FEC's attention with respect to the Neall letter. First, please be advised that one hundred fifty letters like it were sent. The stationery was donated as an in-kind contribution by the Trent Lott for Congress Committee ("Lott Committee") to the Bob Neall Committee. This donation in the amount of \$16.20 will appear on the January 31, 1986 report. The letters were not printed or mailed by or at the expense of either Congressman Lott or the Lott Committee. Thus, to the extent that a notice is required pursuant to 2 U.S.C. § 441d, it would not require identification of either Congressman Lott or the Lott Committee since neither paid for the Neall letter mailing.

I trust that this information will be useful in evaluating the matter in question.

Sincerely,


Jan W. Baran

JWB/njl
cc: Honorable Trent Lott

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

36 JAN 22 3:27

87040624590



U.S. Department of Justice

GCC-9322

Cross

Washington, D.C. 20530

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

DEC 27 1985

86 JAN 2 PM 12:48

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Dear Mr. Steele: *Charlie*

Enclosed please find a copy of an undated communication apparently sent over the signature of Congressman Trent Lott on behalf of the congressional campaign of Maryland State Representative Bob Neall.

The correspondence does not reflect who paid for and authorized the communication. In light of the requirements of the disclaimer statute, 2 U.S.C. §441d, we are referring this matter to the Commission for whatever attention it considers appropriate.

We have advised Congressman Lott of our referral to the Commission. A copy of our letter is also enclosed herein.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

By:

Nancy Stewart

Nancy S. Stewart, Attorney
Public Integrity Section
Criminal Division

Enclosures

87040624591



CONGRESSMAN TRENT LOTT
REPUBLICAN WHIP

WASHINGTON, D. C. 20515

Dear Friend:

As you know Marjorie Holt will be retiring at the end of this term. While we will certainly miss her able leadership in the House, she has endorsed Maryland House Republican Leader Bob Neall to replace her.

Bob has been a key figure in the legislature in his 12 years there and is a successful commercial banker. He is a strong conservative and a friend of the business community. None of these things can be said about Tom McMillen, whose big supporters are Paul Sarbanes and former Senator Joe Tydings.

I know how extremely important this race is to Marjorie. She would not have considered retirement if she didn't feel there was a Republican capable of holding onto the seat. The National Republican Congressional Committee agrees with her assessment of Bob's prospects and is issuing a rare primary endorsement, which indicates that he is clearly the only viable Republican contender.

To show her strong support, Marjorie is hosting a reception for Bob on November 20th from 6 to 8 P.M. at the Reserve Officers Association.

I look forward to seeing you on the 20th.

Sincerely yours,

87040524592



Office of the Assistant Attorney General

Washington, D.C. 20530

DEC 27 1985

Honorable Trent Lott
House of Representatives
Washington, D.C. 20515

Dear Congressman Lott:

This is to advise that we have recently received a complaint regarding a letter sent over your signature on behalf of the congressional campaign of Maryland State Representative Bob Neall. A copy of this letter is enclosed herein.

The letter, which is addressed to "Dear Friend," urges the recipient to support Representative Neall's election to Congress and to attend a reception in Mr. Neall's behalf. The letterhead of the stationery displays, over your name and congressional title, what appears to be a likeness of the great seal of the United States.

Section 713 of Title 18 of the United States Code makes it a federal crime to knowingly display any likeness or facsimile of the great seal of the United States on such items as stationery in a manner reasonably calculated to convey a false impression of sponsorship or approval by the United States Government. Violators of Section 713 are subject to a fine of \$250 and a prison term of up to six months.

In view of the fact that the instant correspondence relates to matters of interest to the Republican Party and not to the official business of the Government of the United States, we believe that such utilization of a likeness of the great seal is proscribed by Section 713.

In addition, we note that although the letter appears to expressly advocate the election of a clearly identified federal candidate, it does not reflect who paid for and authorized the communication, as required by the Federal Election Campaign Act. 2 U.S.C. §441d. We have referred this aspect of the matter to the Federal Election Commission, which has exclusive jurisdiction over civil enforcement of this statute.

87040624593

We trust that this information will prove useful to you in the event similar communications are contemplated in the future.

Sincerely,

/s/ John C. Keeney

John C. Keeney
Acting Assistant Attorney General
Criminal Division
(Pursuant to 28 C.F.R. 0.132)

Enclosure

cc: Mr. Charles Steele
General Counsel
Federal Election Commission

87040524594



U.S. Department of Justice

62-1532

Washington, D.C. 20530

16 JAN 2 1968

GENERAL COUNSEL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

DEC 27 1965

Dear Mr. Steele:

Charlie

Enclosed please find a copy of an undated communication apparently sent over the signature of Congressman Trent Lott on behalf of the congressional campaign of Maryland State Representative Bob Neall.

The correspondence does not reflect who paid for and authorized the communication. In light of the requirements of the disclaimer statute, 2 U.S.C. §441d, we are referring this matter to the Commission for whatever attention it considers appropriate.

We have advised Congressman Lott of our referral to the Commission. A copy of our letter is also enclosed herein.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

By:

Nancy S. Stewart
Nancy S. Stewart, Attorney
Public Integrity Section
Criminal Division

Enclosures

87040524595



CONGRESSMAN TRENT LOTT

REPUBLICAN WHIP

WASHINGTON, D. C. 20515

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I look forward to seeing you on the 20th.

Sincerely yours,

87040324596



U.S. Department of Justice

Criminal Division

Office of the Assistant Attorney General

Washington, D.C. 20530

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House of Representatives
Washington, D.C. 20515

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87040524597

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Sincerely,

/s/ John C. Keeney

John C. Keeney
Acting Assistant Attorney General
Criminal Division
(Pursuant to 28 C.F.R. 0.132)

Enclosure

cc: Mr. Charles Steele
General Counsel
Federal Election Commission

87040524598

87040524599



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2173

Date Filmed 1/29/87 Camera No. --- 2

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