



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 2683^E

DATE FILMED 4/5/89 CAMERA NO. 4

CAMERAMAN AS

39040730069

Paul C. Keeton
John Reid Tait
Gordon W. Petrie

Law Office of
Keeton, Tait and Petrie

P. O. BOX 2
312 FULLER STREET
Lewiston, Idaho
83501

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

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AREA CODE 208
743-8231

IDaho ONLY
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26 August 1988

Federal Election Commission
999 "E" Street NW
Washington, D.C. 20463

Attention: General Counsel

Gentlemen:

Re: In the Matter of Larry Craig
Idaho Democratic Party, Complainant
Larry Craig, Respondent

Enclosed find the original and three copies of a Complaint, In the Matter of Larry Craig, to be filed on behalf of the Complainant, Idaho Democratic Party, Conley Ward, Chairman, 277 N. 6th Street, Boise, Idaho 83702.

I request that this Complaint be filed pursuant to 11 CFR 111.1 et seq. (2 U.S.C 437g). If there are any questions concerning substantial compliance with the requirements for a complaint under 11 CFR 111.4, please contact me as soon as possible.

Very truly yours,



John Reid Tait

JRT/dh

Encls.

CC: Mr. Conley Ward, Chairman
Idaho Democratic Party

88 AUG 30 PM 2:16

89040730070

John Tait
Keeton, Tait & Petrie
P.O. Drawer E
Lewiston, Idaho 83501
Telephone: (208) 743-6231

ATTORNEYS FOR COMPLAINANT

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter Of)
)
LARRY CRAIG) COMPLAINT
)
_____)

I

PRELIMINARY STATEMENT

1. This is a formal Complaint for violation of the federal election laws 2 USC 431 et seq., 11 CFR 100.1 et seq. Specifically, the Complaint is for soliciting contributions in violation of 2 USC 438(a)(4) and 11 CFR 104.15(a). The Complaint requests that maximum civil penalties be imposed for each of the violations pursuant to 2 USC 437g.

II

FACTS

2. Mr. Larry Craig is a Member of Congress running for re-election this November.

3. Mr. Craig mailed solicitation for contributions to hundreds or thousands of Idaho voters dated August 1, 1988. A copy of one contribution solicitation package is attached as Appendix A and is incorporated herein. It consists of an invitation to a "Steak Barbecue" in Boise,

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Idaho, a letter signed by Mr. Craig and a copy of Mr. Craig's opponent's FEC Report Schedule A.

A copy of another contribution solicitation package is attached as Appendix B. It consists of an invitation to an "Ice Cream Social" in Coeur d'Alene, Idaho, a letter signed by Mr. Craig, and a copy of Mr. Craig's opponent's FEC Report Schedule A.

4. The letters signed by Mr. Craig in Appendix A and B clearly solicited contributions, stating "please support my candidacy; contribute what you can." Craig Solicitation Letter p 2. The contributions are solicited from individuals other than the committees shown on Mr. Craig's opponent's FEC Report Schedule A.

5. 2 USC 438(a)(4) specifically prohibits the use of copies of FEC reports for the purpose of soliciting contributions. It states in relevant part:

"within 48 hours after the time of the receipt by the Commission of reports and statements filed within, make them available for public inspection, and copying, at the expense of the person requesting such copying, except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee."

2 USC 438(a)(4)
(emphasis added)

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6. 11 CFR 104.15 prohibits the use of copies of FEC reports for the purpose of soliciting contributions. It states in relevant part:

"Any information copied, or otherwise obtained, from any report or statement, or any copy, reproduction, or publication thereof, filed with the Commission, Clerk of the House, Secretary of the Senate, or any Secretary of State or other equivalent State officer, shall not be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose, except that the name and address of any political committee may be used to solicit contributions from such committee.

(b) For purpose of 11 CFR 104.15, 'soliciting contributions' includes soliciting any type of contribution or donation, such as political or charitable contributions."

11 CFR 104.15(a) & (b)
(emphasis added)

7. Printing on both sides of Schedule A of the FEC Report specifically prohibits the use of that schedule for the purpose of soliciting contributions. It states:

"Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee."

FEC Schedule A

8. The inclusion of Schedule A in the contribution solicitation package and reference to information contained on it in the contribution solicitation letter constitute a specific violation of 2 USC 438(a)(4) and 11 CFR 104.15(a).

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9. Since the solicitation is made to individuals other than the committees detailed on the Schedule A, the solicitation is not authorized under the limited exception which authorizes one to "solicit contributions from such committee" 2 USC 438(a)(4).

10. By creating the limited exception allowing contribution solicitation from the actual committee which is detailed on the Schedule A, Congress has specifically precluded any other exceptions to the general rule prohibiting Congressional candidates from using a FEC Report for fundraising purposes, "Inclusio unis est exclusio alterius," or "Inclusion of one is exclusion of others."

11. The use by Mr. Craig of his opponent's FEC Report was done "knowingly and willfully" within the meaning of 3 USC 437g(a)(b)(c) and 2 USC 437g(d)(1)(A) as shown by the statements to the media by Mr. Craig's campaign manager. See Appendix C which is incorporated herein.

12. All allegations in this Complaint are upon information and belief.

III

COUNT ONE

13. All other paragraphs are incorporated herein.

14. This Count relates only to the contribution solicitation package containing the steak barbecue invitation for Boise, Idaho, Appendix A.

15. The contribution solicitation package which is attached as Appendix A is unlawful. The Commission should find "reason to believe" and "probable cause" to believe that Mr. Craig has violated the Federal Election Campaign Act as set out above in 2 USC 437g(a)(2) and 2 USC 437g(a)(3).

16. If the amount of the contributions received from the contribution solicitation letter and the steak barbecue is less than \$2,000 in the aggregate, the Commission should enter into a conciliation agreement with Mr. Craig, or assess a civil penalty against Mr. Craig or file suit against Mr. Craig each for the greater of \$10,000 or an amount equal to 200 percent of any contributions received. 2 USC 437g(a)(5)(B).

17. If the aggregate amount received from the contribution solicitation letter and the steak barbecue is greater than \$2,000, the Commission should enter into a conciliation agreement with Mr. Craig, or assess a civil penalty against Mr. Craig or file suit against Mr. Craig each for the greater of \$25,000 or an amount equal to 300 percent of any contributions received. 2 USC 437g(d)(1)(A).

IV

COUNT TWO

18. All other paragraphs are incorporated herein.

19. This Count relates only to the contribution solicitation package containing the ice cream social invitation for Coeur d'Alene, Idaho.

20. The contribution solicitation package which is attached as Appendix A is unlawful. The Commission should find "reason to believe" and "probable cause" to believe that Mr. Craig has violated the Federal Election Campaign Act as set out above in 2 USC 437g(a)(2) and 2 USC 437g(a)(3).

21. If the amount of the contributions received from the contribution solicitation letter and the ice cream social is less than \$2,000 in the aggregate, the Commission should enter into a conciliation agreement with Mr. Craig, or assess a civil penalty against Mr. Craig or file suit against Mr. Craig each for the greater of \$10,000 or an amount equal to 200 percent of any contributions received. 2 USC 437g(a)(5)(B).

22. If the aggregate amount received from the contribution solicitation letter and the ice cream social is greater than \$2,000, the Commission should enter into a conciliation agreement with Mr. Craig, or assess a civil penalty against Mr. Craig or file suit against Mr. Craig each for the greater of \$25,000 or an amount equal to 300

percent of any contributions received. 2 USC
437g(d)(1)(A).

WHEREFORE, it is prayed that:

1. The Commission find "reason to believe" that Mr. Craig has committed a violation of the Federal Election Campaign Act as set out in both Count One and count Two above.

2. The Commission find "probable cause to believe" that Mr. Craig has committed a violation of the Federal Election Campaign Act as set out in Count One and Count Two above.

3. The Commission find that this violation of the Federal Election Campaign act was "knowingly and willfully" done.

4. The Commission either enter into a conciliation agreement with Mr. Craig for the maximum amounts set out in Count One and Count Two, require payment from Mr. Craig of the maximum of those amounts or bring civil suit against Mr. Craig for those maximum amounts.

5. The Commission grant such other relief as is deemed appropriate.

33040730077

DATED this 24th day of August, 1988.

Conley Ward

Conley Ward, Chairman
Idaho Democratic Party
277 N 6th
Boise, ID 83702

89040730078

VERIFICATION

STATE OF IDAHO)
COUNTY OF Ada) ss.

I hereby verify that I have read the foregoing Complaint and understand its contents; the statements contained therein are the truth, except for those statements which are based upon information or belief, and as to those statements, I believe them to be true.

DATED this 24th day of August, 1988.

Conley Ward
Conley Ward, Chairman
Idaho Democratic Party

SUBSCRIBED AND SWORN TO before me this 24th day of August, 1988.

Gena Cameron
Notary Public for Idaho
Residing at 9/22/88
Commission Expires: Base

99040730079

RESERVATION FORM

PLEASE MAKE CHECKS PAYABLE TO:

Craig for Congress

P.O. Box 2754 • Boise, ID 83701 • 336-0559

— NO CORPORATE CHECKS PLEASE —

paid Craig for Congress

Contributions to Craig for Congress are not deductible as charitable contributions for Federal income tax purposes.

APPENDIX A

**JOIN
CONGRESSMAN LARRY CRAIG**

**For A
Good Old Fashioned
Ice Cream Social**

**Wednesday, August 24, 1988
6:00 p.m.**

**At the home of Bud and Virginia McDonald
1415 E. Lakeshore Dr., Coeur d'Alene, Idaho**

**\$10.00 per person
\$25.00 per family**

*Bring your family and friends for ice cream and
an opportunity to visit with Larry.*

RESERVATION FORM

(please return in enclosed envelope)

_____ Yes, I would like to attend Congressman Craig's Ice Cream Social. Enclosed is \$_____ for _____ reserva-
tions. (\$10.00 per person, \$25.00 per family)

_____ No, I will be unable to attend, however I would like to show my support for Congressman Craig. Enclosed
is \$_____

NAME _____ SPOUSE _____

ADDRESS _____

CITY _____ ZIP _____

OCCUPATION _____

EMPLOYER _____

PLEASE MAKE CHECKS PAYABLE TO: **Craig for Congress**

P.O. Box 2754 • Boise, ID 83701 • 336-0559

— NO CORPORATE CHECKS PLEASE —

Contributions to Craig for Congress are not deductible as charitable contributions for Federal income tax purposes.

paid Craig for Congress
APPENDIX B

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LARRY CRAIG

Idaho's Congressman

August 1, 1988

"Help me create a campaign that rips Craig and his senseless, cruel and compassionless voting record apart at the seams." Jeanne Givens - June 19, 1988 - The Idaho Statesman

Dear Friend:

When Idaho voters go to the polls in fourteen weeks, will they vote on fact or misinformation? I hope that the voters will make a logical and informed decision. My campaign strategy is simple: let the voters know my philosophy, my record and what I have done for our country and Idaho.

The race for Idaho's First Congressional seat will hinge on two questions.

- #1. Will subjective or objective decisions motivate the electorate?
- #2. Will Mrs. Givens be able to solidify the support of the traditional Democratic constituencies?

The answer to both one and two will be NO, if you will help implement my campaign strategy of letting the voters know where I stand and what I have done. When I am able to do that, comparisons and contrasts will be drawn between Mrs. Givens and myself. Idahoans will see my opponent as a 1960's liberal, supporting more government and more taxes.

Her endorsement from the I.E.A. and the AFL CIO, which provide her much-needed support, may diminish once the rank and file sees her true colors.

For example, union endorsements may not be of much value to Mrs. Givens if she has to explain her extreme environmentalist positions in the state legislature as they relate to jobs, or why she has not taken a position on the Special Isotope Separator project at INEL. Loggers and mill workers are curious to know why Mrs. Givens refuses to discuss the economic impact of wilderness on our logging communities.

Closer looks at her positions reveal contradictions in her so-called support of education and senior citizens.

Campaigns are won by the support candidates can generate. Mrs. Givens is currently trying to shore hers up. Likewise, I need your help if I am to implement my strategy and win. If you believe, as I do, that campaigns of philosophy and issues best serve the electoral process, then your contribution will be put to good use. With your help I will stay out in front and set a standard Idahoans can be proud of.

Since being elected to Congress, I have taken strong positions on issues confronting Idaho and our nation. Fortunately, your support has enabled me to vote my conscience without worrying about liberal lobbyists and special interest groups.

Because of that, they would like nothing better than to see me defeated.

PO Box 2754 ★ Boise, Idaho 83701 ★ Phone (208) 336-0559

Contributions to the Craig for Congress Committee are not deductible as
charitable contributions for Federal Income Tax purposes.
Paid to the CRAIG FOR CONGRESS Committee

Mrs. Givens has powerful allies in the leadership of both the National Education Association and the AFL/CIO. The NEA has already contributed \$2,500 to her campaign, and Mrs. Givens says she has raised about \$26,000 toward her minimum goal of \$200,000. *That is more money than I had planned to raise this year!* We cannot underestimate the wealth and power of the special interest groups.

If Mrs. Givens meets her \$200,000 goal and hangs on to the support of her endorsement, she will be a viable candidate, despite being out of step with Idaho's electorate.

Let there be no mistake what I stand for:

A Balanced Budget Amendment - I am the recognized National leader in the effort to make Congress responsible to the Constitution and control its appetite to spend.

An Across-the-Board Budget Freeze - In 1982, I recognized that the majority in Congress could not look at funding on a program-by-program basis. If Congress had heeded my call for a freeze, we would now be enjoying a surplus in our Nation's treasury.

Fair Trade - I helped keep our timber workers employed by seeing a countervailing duty instituted when subsidized Canadian timber was dumped on us. I have been instrumental in keeping Idaho's electronics and mining industries operating in the face of unfair foreign competition.

A 10% Flat Tax - I oppose the so called Tax Reform of 1986, because for many working Idaho men and women, it was a tax increase.

Education - I strongly support local funding and local control over our schools and curricula and oppose Federal programs that would have bureaucrats in Washington, D.C. dictating school policy.

Senior Citizens - I have fought hard to protect the integrity of the Social Security Trust Fund and opposed efforts that would undermine it.

Constitution - I have successfully opposed efforts to strip away your rights, especially the Second Amendment guaranteeing your right to keep and bear arms.

"Hard-hitting discussion of issues will not move to the fore until the fall, she (Givens) said. By waiting, she hopes to give Craig less time to prepare responses to her challenges, she said." June 19, 1988-Spokesman Review

If you believe that issues and philosophy are what campaigns for public office should be about, please support my candidacy; contribute what you can.

Sincerely,



Larry Craig
Member of Congress

P.S. Money is critical in today's political environment, but it is not a cure-all. Volunteer support is an essential component of my reelection effort. Your completing the inner flap of the return envelope and marking the volunteer box would be a great help to me.

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SCHEDULE A

ITEMIZED RECEIPTS

separate schedule(s)
for each category of the
Detailed Summary Page

PAGE 1 OF 2
FOR LINE NUMBER 11(c)

OTHER POLITICAL COMMITTEES

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

GIVENS '88 COMMITTEE

A. Full Name, Mailing Address and ZIP Code Machinists Non-Partisan Political League 1300 Connecticut Ave. N.W. Washington DC 20036 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$ 2,000	Date (month, day, year) 6/14/88	Amount of Each Receipt this Period 2,000.00
B. Full Name, Mailing Address and ZIP Code NOW PAC P.O. Box 7157 Washington DC 20044 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$ 500	Date (month, day, year) 6/13/88	Amount of Each Receipt this Period 500.00
C. Full Name, Mailing Address and ZIP Code Transportation Political Education League 14600 Detroit Ave. Cleveland, OH 44107 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Date > \$ 500	Date (month, day, year) 5/27/88	Amount of Each Receipt this Period 500.00
D. Full Name, Mailing Address and ZIP Code National Education Association PAC 1201 - 16th St. N.W. Washington DC Receipt For: ☐ Other	Name of Employer Occupation Aggregate Year-to-Date 2,500	Date (month, day, year) 5/20/88	Amount of Each Receipt this Period 2,500.00
E. Full Name, Mailing Address and ZIP Code John Evan P.O. Box 1 Burley, ID Receipt For: ☐ Other (specify):	Name of Employer Occupation	Date (month, day, year) 6/13/88	Amount of Each Receipt this Period 500.00
F. Full Name, Mailing Address and ZIP Code Plasterers' & Action Committee 1125 - 17th St. Washington DC 20006 Receipt For: ☐ Primary ☐ Other (specify):	Name of Employer Occupation	Date (month, day, year) 30/88	Amount of Each Receipt this Period 300.00
G. Full Name, Mailing Address and ZIP Code United Food & Commercial Int'l Union Active 1775 K Street Washington DC 20006 Receipt For: ☐ Primary ☐ Other (specify):	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt this Period 2,000.00

Richard W. Jackson, CPA
Treasurer
Craig for Congress

MEMORANDUM

DATE: July 20, 1988
TO: Larry J. Givens
SUBJECT: Please review the attached FEC report from Mr. Givens's June FEC report. The eastern liberal PAC's are contributing to her. We need to monitor and step up our fund raising efforts.

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

99040730084

SCHEDULE A

ITEMIZED RECEIPTS

 See separate schedule(s)
for each category of the
Detailed Summary Page

 PAGE 2 OF 2
FOR LINE NUMBER
11(c)

OTHER POLITICAL COMMITTEES

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

GIVENS '88 COMMITTEE

A. Full Name, Mailing Address and ZIP Code United Steelworkers of America Political Action Fund Philadelphia, Pennsylvania Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$2,500	Date (month, day, year) 6/23/88	Amount of Each Receipt this Period 2,500.00
B. Full Name, Mailing Address and ZIP Code Women's Campaign Fund 815 - 15th Street Washington DC 20005 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$2,000	Date (month, day, year) 6/23/88	Amount of Each Receipt this Period 1,000.00
C. Full Name, Mailing Address and ZIP Code Voters for Choice/Friends of Family Planning 2000 P St. N.W. Washington DC 20036 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$1,500	Date (month, day, year) 6/22/88	Amount of Each Receipt this Period 1,500.00
D. Full Name, Mailing Address and ZIP Code NARFE-PAC 1533 New Hampshire Ave. N.W. Washington DC 20036 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$3,000	Date (month, day, year) 6/16/88	Amount of Each Receipt this Period 3,000.00
E. Full Name, Mailing Address and ZIP Code Carpenters Legislative Improve- ment Committee 101 Constitution Ave. N.W. Washington DC 20001 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$2,500	Date (month, day, year) 6/16/88	Amount of Each Receipt this Period 1,500.00
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

17,800.00

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Craig, Givens trade barbs as House contest heats up



JEANNE GIVENS
Accepted pro-choice funds

Associated Press
As Idaho Republican Rep. Larry Craig lashes Democratic challenger Jeanne Givens over her stand on abortion, Givens is hitting back over Craig's use of the congressional postal privilege.

Craig's re-election campaign has distributed copies of Givens' election financial disclosure report, which shows the Coeur d'Alene lawmaker accepted funds from pro-abortion groups.

The package, mailed Friday to an undisclosed number of potential contributors, is designed to raise funds for the Idaho Republican and to label Givens as a tool of special interests, Craig campaign manager Christopher Rich said.

"It backs up the contention that a very select and small group of liberals are supporting Givens," Rich said.

Givens, meanwhile, accused Craig of using his franking privileges for political ends in mailing a four-page summer newsletter to constituents.

"I find it particularly interesting that Mr. Craig is using \$75,000 of taxpayers' money (for a mailing to 1st Congressional District postal patrons) at a time when he is claiming to be a champion of the balanced budget," the Coeur d'Alene legislator said Thursday.

The newsletter deals with the Midvale Republican's views on taxation, families, Idaho's north-south highway U.S. 95, water quality and the drought.

Craig press aide David Fish said the newsletter was an appropriate use of the congressman's postage privileges, and has been reviewed by a House committee prior to being mailed.

Craig's campaign mailing injects the issue of abortion into the campaign by showing Givens, a two-term state representative, has accepted \$1,500 from the Voters for Choice-Friends of Family Planning, \$2,000 from the Women's Campaign Fund and another \$500 from the National Organization for Women, all of which support a pro-choice stance on abortion.

"I support abortion as it is legal now," said Givens, who describes herself as a pro-choice Catholic. "I would like for it to stay the way it is. The decision should be made between the patient and the doctor. Government should stay out of this very important matter."

In all, Givens had received about \$32,419 in campaign contributions up to June 30, according to the Federal Election Commission report

filed July 15. About \$17,800 of it came from political action committees.

For the same period, Craig received \$90,604, plus the \$103,264 he raised during 1987.

"It shows a lack of confidence on his part," she said. "He should be a comfortable sitting incumbent. And use of the FEC report, I feel, is inappropriate for fund-raising purposes."

Givens' campaign manager Mike Brush said that only a portion of her report was distributed.

"I don't think he's got the full list there. If he did, he'd see that Jeanne has a broad base of support in her district and that broad base is growing," Brush said.

Rich declined to interpret the meaning of the contributions from the pro-abortion groups, saying only that Craig's opposition to abortion is clear.

"If you accept the money, you must to some degree agree with their philosophy and positions," Rich said. "We don't take money from those we don't agree with."

"Larry Craig takes political action money and we've seen his FEC reports for the last couple elections," Givens said.



Rep. LARRY CRAIG
Using mailing privileges

Spokesman Review

8/12/88

Craig attacks Givens' funds

LEWISTON (AP) — Republican Congressman Larry Craig's re-election campaign has distributed copies of Democratic challenger Jeanne Givens' election financial disclosure report, which shows the Coeur d'Alene lawmaker accepted funds from pro-abortion groups.

The package, mailed Friday to an undisclosed number of potential contributors, is designed to raise funds for the Idaho Republican and to label Givens as a tool of special interests, Craig campaign manager Christopher Rich said.

"It backs up the contention that a very select and small group of liberals are supporting Mrs. Givens," Rich said.

The campaign mailing injects the issue of abortion into the campaign by showing Givens, a two-term state representative, has accepted \$1,500 from the Voters for Choice-Friends of Family Planning, \$2,000 from the Women's Campaign Fund and another \$500 from the National Organization for Women, all of which support a pro-choice stance on abortion.

"I support abortion as it is legal now," said Givens, who describes herself as a pro-choice Catholic. "I would like for it to stay the way it is. The decision should be made between the patient and the doctor. Government should stay out of this very important matter."

Coeur d'Alene Press
8/12/88



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 7, 1988

Mr. John Reid Tait
PO Drawer 5
312 Miller Street
Lewiston, ID 83501

RE: MUR 1683

Dear Mr. Tait:

This letter acknowledges receipt on August 10, 1988, of your client's complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by the Honorable Larry Craig. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 1683. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints. If you have any questions, please contact Betta Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel


By: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

cc: Conley Ward, Chairman
Idaho Democratic Party
277 N. 6th Street
Boise, ID 83702

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 7, 1988

Richard W. Jackson, Treasurer
Craig For Congress
PO Box 1593
1150 W. State Street
Boise, ID 83700

RE: MUR 2683
Craig For Congress and
Richard W. Jackson, as
treasurer

Dear Mr. Jackson:

The Federal Election Commission received a complaint which alleges that Craig For Congress 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 2683. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and Craig For Congress 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.

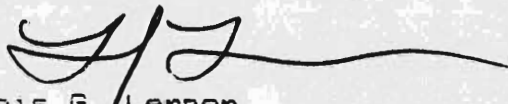
This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing 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.

89040730098

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

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures

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

cc: The Honorable Lawrence Craig
PO Box 97
Boise, ID 83709

83040730089

M. ALLYN DINGEL, JR.

ATTORNEY AT LAW

SUITE 1010 FIRST INTERSTATE BANK BUILDING

POST OFFICE BOX 1559

BOISE, IDAHO 83701

September 23, 1988

VIA FEDERAL EXPRESS

Lawrence M. Noble, Esq.
General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, DC 20004

Attn: Jim Brown

RE: MUR 2683
Craig for Congress and
Richard W. Jackson, as Treasurer

Dear Mr. Noble:

On September 12, 1988, the Craig for Congress Committee and its treasurer, Richard Jackson, received notice of a complaint filed with the F.E.C. alleging there was a violation of federal laws or regulations. Enclosed is the answer to the complaint.

As set forth in the answer, no violation occurred. Therefore, we urge you to dismiss the matter.

If I can be of any further assistance in resolving this matter, please do not hesitate to contact me.

Sincerely,


M. Allyn Dingel, Jr.

MAD:ph

Enclosure

0040730000

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2683

NAME OF COUNSEL: M. Allyn Dingel, Jr.

ADDRESS: P.O. Box 1559
Boise, ID 83701

TELEPHONE: 208-343-5454

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.

September 23, 1988
Date


Signature

RESPONDENT'S NAME:

Craig for Congress Campaign,
Richard W. Jackson, Treasurer

ADDRESS:

1150 W. State Street
Boise, ID 83701

HOME PHONE:

BUSINESS PHONE:

208-345-2350

92040730001

M. Allyn Dingel, Jr.
P.O. Box 1559
Boise, Idaho 83701
(208) 343-5454

Attorney for Richard W. Jackson, Treasurer
Craig for Congress

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Larry Craig)
)
) MUR 2683
)
) Affidavit of Susan Bloom

STATE OF IDAHO)
County of Ada) ss.:

SUSAN BLOOM, being first duly sworn on oath, deposes and
says:

1. I am the secretary for Presnell, Gage and Co. and
for Richard Jackson.
2. As secretary for Presnell, Gage and Mr. Jackson, it
is my duty to collect and open all the mail which is addressed to
P.O Box 1693, Boise, Idaho 83701.
3. I collect and open the arriving mail every day.
4. An envelope from the Federal Election Commission
addressed to Mr. Jackson arrived at P.O. Box 1693, Boise, Idaho
83701 on September 12, 1988.
5. I opened the envelope and found it contained a
letter from the Federal Election Commission advising Mr. Jackson
about a complaint filed against him and Craig for Congress. A
copy of the letter is attached as Exhibit A.

290937040092

Susan Bloom
Susan Bloom

SUBSCRIBED AND SWORN To before me this 22nd day of
September, 1988.

T. L. Ha
Notary Public for Idaho
Residing at Boise
My commission expires: 9-15-93

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

88 SEP 26 AM 11:43

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

88 SEP 26 PM 10:55

DGC
464

M. Allyn Dingel, Jr.
P.O. Box 1559
Boise, Idaho 83701
(208) 343-5454

Attorney for Richard W. Jackson, Treasurer
Craig for Congress

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Larry Craig) MUR 2683
)
) Answer

I.

PRELIMINARY STATEMENT

This is a formal answer to the complaint filed against U.S. Congressman Larry Craig and the treasurer of his campaign committee, Richard W. Jackson. This answer is filed pursuant to regulations issued by the Federal Election Commission ("F.E.C.") which provide that:

(a) A respondent shall be afforded an opportunity to demonstrate that no action should be taken on the basis of a complaint by submitting, within fifteen (15) days from receipt of a copy of the complaint, a letter or memorandum setting forth reasons why the Commission should take no action.

11 C.F.R. § 111.6. The facts will show that no action should be taken regarding MUR 2683 except to dismiss the complaint.

II.

FACTS

This matter came under review as a result of a complaint filed by the Idaho Democratic Party and its chairman, Conley

ANSWER-1

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Ward. The complaint alleges that a mailing which Congressman Craig's campaign committee sent out violates 2 U.S.C. 438(a)(4) and 11 C.F.R. 104.15(a) by improperly soliciting campaign contributions.

The mailing to which the complaint refers consisted merely of invitations to a local political gathering such as a steak barbecue in honor of Congressman Craig. Included in each invitation was a copy of a small portion of Congressman Craig's opponent's (Jeanne Givens) F.E.C. Report Schedule A.

Significantly, the F.E.C. Report contained in the mailer did not contain the name or address of a single private contributor as prohibited by the Federal Election Campaign Act of 1971 as amended. Nor did the mailer attempt to solicit campaign donations from anyone on the list, including PACs. The F.E.C. report was intended merely to provide the public with information about which PACs were funding Jeanne Givens' campaign in hopes that such information will elucidate voters on Ms. Givens' political views.

III.

ARGUMENT

A. There Was No "Solicitation" or "Commercial Use" as Prohibited by Law or Regulation Because The Federal Election Campaign Act Allows The Use of F.E.C. Reports to Reveal the Name and Address of Political Committees to Solicit Contributions

Congress established definite laws about conduct during federal elections in the Federal Election Campaign Act, later amended. The Act requires candidates for the U.S. Congress to

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file periodic reports listing their contributions. 2 U.S.C.
§ 438(a)(4) restricts the use of those required F.E.C. reports.
It states in relevant part:

[A]ny information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Conley Ward and the Idaho Democratic Party claim the prohibitions on using F.E.C. reports are blanket prohibitions. While that view suits their partisan purpose at this point in time, that conclusion is unsupported by sound analysis. Such an interpretation of the Federal Election Act is not only extreme, it is unsound.

The plain meaning of the Act provides an express exception to the prohibition of using contributor information relating to political committees. It is significant that every name contained on the F.E.C. report contained in the letters sent out by the Craig Committee was that of a political committee, not an individual.

This view of the Act is consistent with the purpose of the rule and with F.E.C. advisory opinions which have interpreted it. A 1980 advisory opinion addressed this very issue. FEC Advisory Opinion 1980-101 1 Fed. Election Camp. Fin. Guide (CCH), Para. 5551 (1980) interpreted the legislative purpose of the 1979 amendments to the Act. That opinion states: "[A] commercial

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vendor may compile the names and address of political committees for the purpose of selling those names but that the prohibition on copying and use of names and addresses of individual contributors is crucial and so was maintained."

That advisory opinion specifically allowed the publication and sale of a directory of comprehensive information about Political Action Committees, not individuals, to help candidates target their funding requests.

The advisory opinion clearly reinforces what is obvious from the plain language of the Act and supporting regulations: Political Action Committees are not protected to the same degree that individual contributors are protected.

More recently, a 1984 opinion upheld the same reasoning, FEC Advisory Opinion 1981-38 1 Fed. Election Camp. Fin. Guide (CCH), Para. 5551 (1980). This opinion allowed the publisher of a newsletter about federal campaigns to use certain information from F.E.C. filings for stories and for contacting leads for news stories. The opinion further explains the purpose of 2 U.S.C. § 438(a)(4): "The focus of the proponents of 2 U.S.C. § 438(a)(4) centered on protecting the privacy of the 'very public spirited citizens' who make contributions to campaigns." Thus, the official advisory opinions of the F.E.C. allow use of contributor information from PACs when it is recopied and sold. To argue disallowance of the use of this same PAC information

merely because it is not retyped is a ridiculous recognition of form over substance.

B. Federal Election Commission Regulations Allow the Use of Information About Political Action Committees

11 C.F.R. § 104.15 elaborates on § 438(a)(4) and restricts the use of information obtained from Congressional candidates' F.E.C. forms. The rule, however, was never intended to establish a blanket restriction on the use of information obtained from F.E.C. reports. Most significant to this matter is the broad exception for using information about Political Action Committees. 11 C.F.R. § 104.15(a) provides in relevant part: "[T]he name and address of any political committee may be used to solicit contributions from such committee." The plain language of the regulation establishes an exception from the general prohibition against using information from F.E.C. reports.

In this matter, the plaintiffs allege a violation occurred when Congressman Larry Craig sent out a letter containing a page of Jeanne Givens' F.E.C. report (attached as Exhibit A). However, every contributor contained on that page was a political committee. Not a single individual contributor was named. The fact that no individual names were used is not a coincidence. The Craig Campaign was concerned about the federal prohibitions and about complying with the letter of the law. Therefore, the Campaign contacted an attorney before sending out the letters. The Campaign was told that while federal laws and

2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

regulations prohibit the use of F.E.C. reports to solicit private individuals who contribute to a campaign, no such prohibition exists on the use of F.E.C. reports to reveal political committees who contribute. Based upon this legal advice, the Craig Campaign proceeded to disseminate limited information from the F.E.C. report.

Other regulations support the view that the restrictions against using F.E.C. records are aimed at protecting individual privacy and not the privacy of political action committees. For example, 11 C.F.R. § 5.2 sets forth the policy on disclosure of records. It provides in pertinent part: "(a) The Commission will make the fullest possible disclosure of records to the public, consistent with the rights of individuals to privacy." This section clearly supports the notion that although the F.E.C. and Congress restrict the use of F.E.C. reports, they do so with the understanding that necessary restrictions must be balanced against the full disclosure of information. The narrowness of the restriction is further emphasized by the phrase "rights of individuals to privacy." It is clear that Congress and the F.E.C. are trying to protect individual contributors from being repeatedly solicited for money or excessively scrutinized for their political views. The Craig for Congress Committee supports that policy. Accordingly, the Craig Committee never disclosed information pertaining to a single individual contributor.

There is no similar protection, however, for political action committees. In fact, there are specific exceptions to the restrictions aimed at PACs. Both Congress and the F.E.C. have specifically recognized the distinction between using individual contributor information and PAC information. There has been no violation of law or regulation by the Craig for Congress Committee.

C. The Craig for Congress Committee Relied in Good Faith on Advisory Opinions of the F.E.C. in Mailing Out Information About Political Committees and is Therefore Protected From Future Sanctions

11 C.F.R. § 112.1 et seq., provides for the issuance of advisory opinions by the F.E.C. to aid campaigns and others in complying with the law. Several advisory opinions have already interpreted the restrictions on using F.E.C. reports for solicitation. As discussed above, those advisory opinions indicate there is no restriction on using contributor information about political committees.

Before the mailers complained of under MUR 2683 were sent out, the Craig Campaign reviewed the pertinent F.E.C. advisory opinions and contacted an attorney to assure compliance with those opinions. The Craig Committee relied on the advisory opinions discussed above in deciding to include the information about PACs. 11 C.F.R. § 112.5(a)(2) provides that an advisory opinion rendered by the F.E.C. may be relied on by "any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the

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transaction or activity with respect to which such advisory opinion is rendered." The Craig Committee relied on the advisory opinions in two material aspects of the transaction: 1) that PAC contributions, unlike individual contributions, are not protected from disclosure; and 2) that such PAC information may be disseminated or used for commercial purposes. Therefore, the Craig for Congress Committee relied on those opinions as sanctioned by 11 C.F.R. § 112.5(a)(2).

The rule furthermore protects anyone who relied in good faith on advisory opinions. 11 C.F.R. § 112.5(b) states:

(b) Notwithstanding any other provision of law, any person who relies upon an advisory opinion in accordance with 11 CFR 112.5(a) and who acts in good faith in accordance with that advisory opinion shall not, as a result of any such act, be subject to any sanction provided by the Federal Election Campaign Act of 1971, as amended, or by chapters 95 or 96 of the Internal Revenue Code of 1954.

Therefore, the Craig for Congress Committee and its treasurer, Richard W. Jackson, are insulated from any sanctions since they relied in good faith on the F.E.C.'s advisory opinions.

IV.

PRAYER FOR RELIEF

The respondents, U.S. Congressman Larry Craig and Richard Jackson, treasurer of the Craig for Congress Committee, pray that:

2. The Commission dismiss this matter under review.


Richard W. Jackson

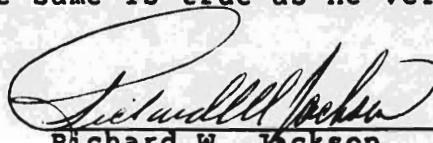
ANSWER-9

VERIFICATION

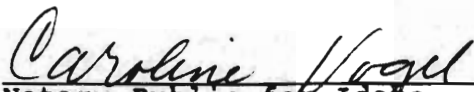
STATE OF IDAHO)
County of Ada) ss.

Richard W. Jackson, being first duly sworn deposes and says:

That he is the treasurer of the Craig for Congress Campaign; that he has read the foregoing instrument, knows the contents thereof and that the same is true as he verily believes.


Richard W. Jackson

SUBSCRIBED AND SWORN To before me this 23^d day of September, 1988.


Notary Public for Idaho
Residing at Boise
My commission expires: 7/18/94

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

EXECUTIVE SESSION

NOV 15 1988

NUR 2683

DATE COMPLAINT RECEIVED BY

OGC: August 30, 1988

DATE OF NOTIFICATION TO

RESPONDENTS: September 7, 1988

STAFF MEMBER: James Albert Brown

COMPLAINANT: Conley Ward

RESPONDENTS: The Craig for Congress Committee and Richard W. Jackson, as treasurer

U.S. Representative Larry Craig

RELEVANT STATUTES: 2 U.S.C. § 438(a)(4)
11 C.F.R. 104.15(a)

INTERNAL REPORTS CHECKED: Jeanne Givens July 1988 Quarterly Schedule A

FEDERAL AGENCIES CHECKED: NONE

I. GENERATION OF MATTER

Conley Ward, Chairman of the Idaho Democratic Party, filed a complaint on August 30, 1988, by counsel, which alleges two counts of violation by the above captioned respondents of Section 438(a)(4) of the Act and Part 104.15(a) of the Commission's Regulations. Complainant alleges that respondents mailed solicitations to individuals in Idaho on August 1, 1988, which consisted of an invitation to a "Steak Barbecue," a letter signed by Representative Craig, and a copy of of Mr. Craig's opponent's FEC July 1988 Quarterly Report Schedule A. A similar solicitation mailing is alleged to have been made by the respondents substituting an "Ice Cream Social" for the "Steak Barbecue" invitation. Both the mailings contained

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letters from Representative Craig stating "please support my candidacy; contribute what you can." The copied portions of Representative Craig's opponent's FEC Report Schedule A reveal the identity of several political action committee contributors and the amount of their donations. According to Complainant's interpretation, the alleged violation involved this usage of Craig's opponent's FEC Report Schedule A in contradiction to specific language in Section 438(a)(4) of the Act. All allegations by Complainant were made upon information and belief. In support of its position Complainant submitted Appendices which include the contents from each mailing. Also attached were copies of two newspaper articles from the Associated Press concerning the mailings at issue here.

On September 26, 1988, a response was filed by counsel on behalf of Richard W. Jackson, as the treasurer of the Craig for Congress Committee. Attachment I. This response asserts that there has been no violation because there was no "solicitation" or "commercial use" as prohibited. It is Respondent's position that the Federal Election Campaign Act ("FECA") allows the use of FEC reports to reveal the name and address of political committees to solicit contributions. Further, the Craig for Congress Committee and Richard W. Jackson, as treasurer, ("the Craig Committee") claim to have relied in good faith on FEC Advisory Opinions supporting their position in proceeding with mailings of this type.

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II. FACTUAL AND LEGAL ANALYSIS

Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), addresses the use of copies of FEC reports in the following manner:

[The Commission shall] within 48 hours after the time of the receipt by the Commission of reports and statements filed with it, make them available for public inspection, and copying, at the expense of the person requesting such copying, except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. [emphasis added] 2 U.S.C. § 438(a)(4).

The Commission's Regulations reiterate the specific prohibitions on the use of information copied from FEC filings. Those regulations also seem to restrict such usage to the obtainment of the names and addresses of political committees so that such committees may be solicited for contributions.

Analysis

Respondent's mailings contained actual copies of the FEC Report Schedule A listing political action committee donors to respondent's opponent and the amount these committee donors contributed. These same mailings solicit political contributions and were sent to individuals other than the committees listed in the reports. Complainant argues that the

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specific allowance in Section 438(a)(4) of the use of names and addresses from FEC filings to solicit contributions from the listed political committees, thereby excludes all other uses of such filings. Complainant notes that both sides of Schedule A FEC Reports contain printing to the following effect:

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

As the Respondent correctly responds, Part 5.2 of the Commission Regulations sets forth the policy that "[t]he Commission will make the fullest possible disclosure of records to the public, consistent with the rights of individuals to privacy." See 11 C.F.R. 5.2(a). Respondent also points out that in line with that policy the primary purpose of Section 438(a)(4) is to promptly make contributor lists available for public inspection so as to disclose the associations of candidates and provide insight into the candidates political views.

The Commission has indicated in past advisory opinions related to Section 438(a)(4) that any information on political action committees available from the Federal Election Commission, except information on individual contributors, may be used for commercial purposes. See Advisory Opinion 1980-101. In that, and subsequent opinions, the Commission has focused on the apparent Congressional intent behind 2 U.S.C. § 438(a)(4). The Commission has interpreted the congressional

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intent behind this section to be the prevention of list brokering which might discourage continued contributions from "public spirited citizens," not the suppression of financial information. See Advisory Opinions 1980-78, 1981-38, and 1983-44. In such instances the Commission has interpreted its statutory mandate to be limited to the protection of individuals listed from being commercially solicited, and not to extend such protection to political committees. See AO 1981-38. Thus Respondent's reliance on past Advisory Opinions seems well founded for the propositions that: 1) PAC contributions, unlike individual contributions, are not protected from disclosure; and 2) such PAC information may be disseminated or used for commercial purposes. While the current situation is somewhat distinctive in that, unlike past cases, those named on the reports here are not themselves being solicited, the congressional intent and purpose of the section remain the same. Respondents copied and distributed FEC Report Schedules that did not contain the name or address of a single private contributor. This is all that the FECA, as amended, prohibits.

Rather than besieging public spirited donors listed on the FEC reports with pleas for money, Respondents intended primarily to provide the public with information about which PACs were funding the opponent and to enlighten the voters about the opponents political views. Respondent's used their own mailing lists and thus the FEC Reports were not used as a source from which to solicit potential contributors. Newspaper

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articles submitted by the Complainant tend to confirm Respondents rationale for the mailing. These articles quote the respondent treasurer as saying that the mailings were designed to label the opponent as obliged to special interests. The separate request for funds is stated on a separate sheet of paper and in the form: "please support my candidacy; contribute what you can." Thus, this solicitation does not violate Section 438(a)(4).

Advisory Opinion 1981-38 may provide some guidance to the present situation when it states: "the principal, if not sole, purpose of the restriction on the use of information was to protect contributor information and lists from being used for commercial purposes." See AO 1981-38. This opinion allowed the publisher of a newsletter about federal campaigns to use certain information from FEC filings for stories and for contacting leads for news stories. In the same vein, here FEC filings are being used as public information without invading individual privacy. The fact that these are copies of the actual Schedule A filed with the FEC is merely a different form of the same substantive act allowed in AO 1981-38.

Accordingly, this Office recommends that the Commission find no reason to believe that United States Representative Larry Craig, the Craig for Congress Committee, and Richard W. Jackson, as treasurer, violated 2 U.S.C. § 438(a)(4) or 11 C.F.R. 104.15(a).

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III. RECOMMENDATIONS

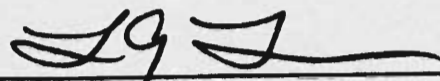
1. Find no reason to believe that United States Representative Larry Craig, the Craig for Congress Committee, and Richard W. Jackson, as treasurer, violated 2 U.S.C. § 438(a)(4) or 11 C.F.R. 104.15(a).
2. Approve the attached letters.
3. Close the file.

Lawrence M. Noble
General Counsel

Date

11/1/88

BY:


Lois G. Lerner
Associate General Counsel

Attachments

- | | |
|------|--|
| I. | Respondents' response |
| II. | July 1988 Quarterly Reports of Jeanne Givens |
| III. | Letters to Respondent and Complainant |

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN
COMMISSION SECRETARY

DATE: NOVEMBER 4, 1988

SUBJECT: OBJECTION TO MUR 2683 - FIRST GENERAL COUNEL'S REPORT
SIGNED NOVEMBER 1, 1988

The above-captioned document was circulated to the
Commission on Wednesday, November 2, 1988 at 4:00 p.m.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____ X _____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for November 15, 1988.

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Craig for Congress Committee) MUR 2683
and Richard W. Jackson, as)
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 15, 1988, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2683:

1. Find no reason to believe that United States Representative Larry Craig, the Craig for Congress Committee, and Richard W. Jackson, as treasurer, violated 2 U.S.C. § 438(a)(4) or 11 C.F.R. § 104.15(a).
2. Approve the letters attached to the General Counsel's report dated November 1, 1988.
3. Close the file.

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

Attest:

11-17-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 22, 1988

M. Allyn Dingel, Jr.
P.O. Box 1559
Boise, Idaho
83701

RE: MUR 2683

Respondents: Craig for Congress Committee and
Richard W. Jackson, as treasurer

U.S. Representative Larry Craig

Dear Mr. Dingel:

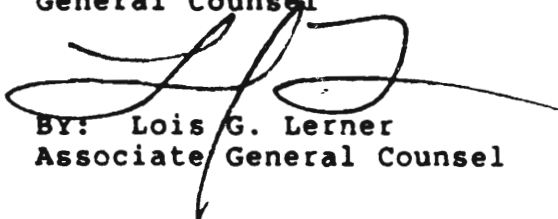
On September 7, 1988, the Federal Election Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On November 15, 1988, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe U.S. Representative Larry Craig, the Craig for Congress Committee or Richard W. Jackson, as treasurer, violated 2 U.S.C. § 438(a)(4) or 11 C.F.R. 104.15(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

89040730113



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 22, 1988

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

John Reid Tait
P.O. Drawer E
312 Miller Street
Lewiston, Idaho
83501

RE: MUR 2683

Dear Mr. Tait:

On November 15, 1988, the Federal Election Commission reviewed the allegations of your complaint dated August 26, 1988, and found that on the basis of the information provided in your complaint, and information provided by the attorney for the Respondents, there is no reason to believe U.S. Representative Larry Craig, the Craig for Congress Committee, or Richard W. Jackson, treasurer violated 2 U.S.C. 438(a)(4) or 11 C.F.R. 104.15(a). Accordingly, on November 15, 1988, the Commission closed the file in this matter. The Federal Election Campaign Act of 1971, as amended ("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,
Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

cc: Conley Ward
Chairman
Idaho Democratic Party
277 N.6th St.
Boise, Idaho
83702

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2683^E

DATE FILMED 4/5/89 CAMERA NO. 4

CAMERAMAN A.S.

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