

91 JUL 31 AM 11:03

July 26, 1991

Federal Election Commission
Lois Lerner,
Associate General Counsel
for Enforcement
999 E Street, N.W.
Washington, D.C. 20463

MUR3365

Dear Ms Learner:

This is a formal complaint by me against Congressman Gerry E. Studds of the Tenth Congressional District of Massachusetts. The complaint concerns activities by Mr. Studds' campaign committee during and after the 1990 Congressional election.

I was the Republican candidate against Congressman Studds in the 1990 Congressional race. As this was a very close election, these activities may have actually been outcome determinative.

I have documentation proving that the Studds' campaign had two full-page political advertisements {exhibits five and six} in the closing days of the campaign that were never paid for. This unreported contribution is a direct violation of USCA 2 sec. 431 (8)(A), 431 (11) and USCA sec. 441 (b)(2).

I will prove that the Studds' campaign, in apparent collusion with the Cape Cod Times (319 Main Street, Hyannis, Massachusetts 02601) newspaper, did receive these two political ads without giving immediate payment required by the Cape Cod Times advertising rate card {exhibit three}.

These free contributions as used were, "expenditures placed in cooperation with, or with the consent of, a candidate, his agents or an authorized committee of the candidate" Buckley v. Valeo, 96 S. Ct. 612. These ads were placed with knowing intent of the parties involved, the Cape Cod Times and the Studds' campaign.

The mailing of the Times "Cape Week" inserts (newspaper) to individuals on the Time's mailing lists also is a violation of USCA 2 sec. 438(a)(4); 629 F. Supp. 317.

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

As you can see from each of the ads, the Studds campaign committee is listed as paying for the ad.

- - - -

Some of the individuals named in the following events, and their jobs are as follows:

a) The November Group - A political consultation group used by Mr Studds. This company approved ad copy, ordered ads and paid for them through the Studds campaign committee and committee chairman as well as Mr. Studds himself.

b) Scott Himstead - President and Publisher, Cape Cod Times newspaper.

c) George Vagenas - Advertising Manager, Cape Cod Times.

d) Gloria Bowman - Advertising Director, Cape Cod Times.

e) Kathy Greenlaw - Account Executive until the last few days of the campaign. Ms Greenlaw handled accounts for both the incumbent member and for myself as opposing candidate.

f) Sonja Sexton - Account Executive who mistakenly handled an ad account for Mr Studds on 10/25/90, and later became the Studds' account executive, replacing Ms Greenlaw.

g) William Wood - Bryan campaign manager.

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On October 25, 1990 the November Group placed an order for a "Baloney" ad {exhibit one} with Kathy Greenlaw to run on 10/30/90. Payment of \$2202.18 was received on 10/26/90 for this ad. Later, on 10/25/90, a second order was placed by the November Group through Sonya Sexton for another "Baloney" ad to run on 11/1/90 {exhibit two} and in two sections of "Cape Week" on 11/2/90. A check for \$2752.72 was received by the Times for these latter ads. A "kill" order was placed on the second order by the Cape Cod Times advertising department. The reason for the "kill" order is that the ad was not in the proper ad executive's account (Kathy Greenlaw). A new order was written for the exact same ad on October 26th (in Greenlaw's account) for the ads to run on 11/1/90 and 11/2/90. The Cape Cod Times has admitted that these ads ran on 11/1 and 11/2/90, as originally ordered by the November Group. This is contrary to Mr Himstead's public explanation on 7/19/91.

Ms Greenlaw was now removed from the Studds account but not the Bryan account. I personally believe this removal was at the insistence of the Studds' campaign following

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Ms Greenlaw's adamant refusal to accept ads in violation of the Times fairness doctrine {exhibit 4, para. 10} and without pre-payment {exhibit 3}.

Another "Baloney" ad was run on 11/04/90 {exhibit five} with the new account executive (Sonja Sexton). The Times' ad department billed the Studds' campaign for \$2,338.35 (\$18.34 per column inch for the Sunday rate). This bill was never paid by the Studds' campaign.

The "Editorial" ad {exhibit six} was run on 11/05 with no pre-payment. The November Group specifically ordered this ad from Washington. William Wood, my campaign manager, protested the double-standard in the application of the Times' own fairness doctrine {exhibit four, para ten} with George Vagenas and by telephone to Gloria Bowman on 11/3/90. Wood also questioned the Times' apparent one-sided "factual verification" policy. Mr. Wood seemingly felt that he received a white-wash. Mr. Wood was told on numerous occasions by Ms Greenlaw that the Times' fairness doctrine strictly prohibited controversial advertisements within the last four publication days of a political campaign.

The Studds' campaign was billed \$1,688.10 (\$13.24 per column inch) for the 11/05/90 ad. The charge should have been \$17.34 per inch PLUS 25% premium for priority placement on page seven {exhibit 3}. The billing of that campaign for many subsequent months is contrary to the Times' account that the ads ran in error. The billed amount closely correlates to the 11/4 and 11/5 ad charges. The correct amount of non-payment by Mr Studds should be \$5,101.91. This is arrived at by 127.5" x \$18.34 Sunday rate for 11/04/90 = \$2,338.35 added to the 11/05/90 ad 127.5" x \$17.34 + 25% = \$2,763.56.

The Studds' campaign is not unfamiliar with campaign financing rules. During three previous occasions the Studds' campaign committee has run afoul of the election laws (1984, 1987, 1989). Surely, a professional political consulting group plus an experienced campaign chairman would understand that they could not receive advertising without payment. It is inexplicable that the Studds' campaign failed to record this in-kind contribution by a prohibited corporate donor.

I respectfully suggest that the following people be sworn to give testimony concerning this blatantly illegal activity:

1. Mr. Scott Himstead, President/Publisher Cape Cod Times
319 Main Street, Hyannis, MA 02602
2. Mr. George Vagenas, Brettwood Rd. South Harwich, MA 02661
3. Gloria Bowman, 345 Camp, W. Yarmouth, MA 02673

- 94030972025
4. Kathy Greenlaw, 10 Follins Pond Rd, Yarmouth, MA 02675
 5. Sonja Sexton, 15 Erickson Way, S. Yarmouth, MA 02664
 6. The November Group, 1611 Connecticut Ave., NW,
Washington, D.C.
 7. William Wood, 18 Agawam Rd., Marstons Mills, MA 02648
- - - - -

The Studds' campaign committee filed FEC Form 3 on January 31, 1991 {exhibit seven} showing cash on hand of \$21,912.33. This campaign committee filed an amended FEC Form 3 on June 20, 1991 {exhibits eight and nine} showing debts and obligations of \$24,430.65. These debts were listed on a form accompanying the amended return. I am amazed that Mr. Studds was unaware of debt totalling over \$6,350.00 to a Master Card account where a bill is certainly sent each month. A debt of \$8,548.00 was owed to a printer during this same time period. I question why these bills were not included on the January 31, 1991 statement.

As a result of Mr. Studds' amended return on 6/20/91, it is now apparent that the campaign was in a net deficit condition. Therefore, the contributions received on 11/1/90 and 11/15/90 {exhibit ten} which were earmarked "primary 1992" were spent improperly in the 1990 election.

With the gross irregularities mentioned above showing a pattern of non-compliance, we ask that a full investigation of the financial aspects of Mr. Studds' 1990 campaign be undertaken forthwith.

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My frustration in dealing with a blatantly biased Cape Cod Times was evident in letters by my campaign staff (3/17/91 and 5/1/91) to Dow Jones Inc. {exhibits eleven and twelve}.

On or about July 10, 1991, I placed a personal telephone call to Mr. Himstead asking why the Times published free advertisements for my opponent. Mr. Himstead's reply was, "That's impossible, all political ads are prepaid".

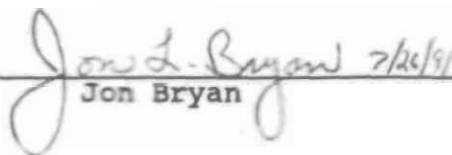
The Boston Herald ran stories regarding this situation on 7/19/91 and 7/20/91 {exhibits thirteen and fourteen}. Please note in the July 19, 1991 story Mr. Vagenas stated, "I have no idea what you are talking about and I prefer not to discuss it". This, from the Retail Advertising Manager who

was personally involved in the Studds/Bryan accounts during the election and in Mr. Wood's strenuous protest in the closing days of the 1990 election.

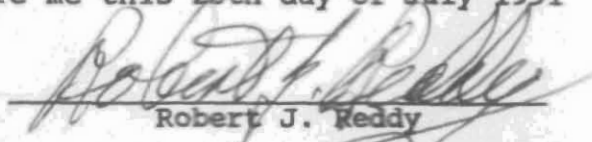
- - - - -

I respectfully request that the Federal Elections Commission thoroughly investigate these matters. I sincerely believe that I have been seriously wronged by an intentional, collusive effort by the Studds' campaign and the Cape Cod Times Newspaper.

I swear the foregoing is true to the best of my knowledge and belief under the pains and penalties of perjury.


Jon Bryan 7/26/91

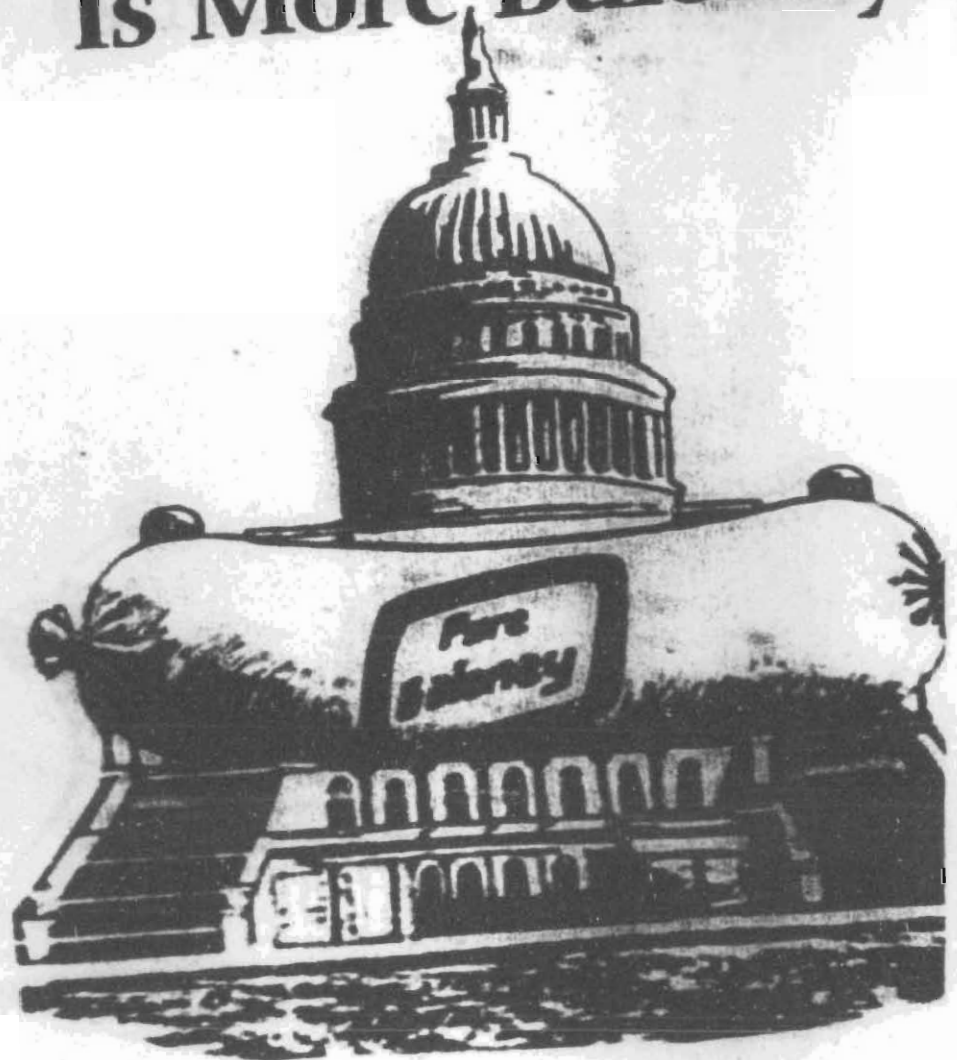
Signed and sworn to before me this 26th day of July 1991


Robert J. Reddy

My commission expires 3/13/92

94030972026

The Last Thing We Need In Congress Is More Baloney.



have listened to some wild changes in this race for Congress. But we
for Bryan "Where's the beef?" — all you get is baloney.

Bryan can't wait to see how Jerry Studds, a "dolphin killer." But of
the Baruch Club, please Studds for passing landmark legislation to protect
and Congress told Bryan to stop deceiving voters.

But the National
Citizens. The National Committee to Preserve Social Security &
and countless other senior organizations give Studds one of the
ratings in Congress.

In Congress today, we have plenty of name callers and more than en

intelligence, courage, hard work and

Exhibit 2

PAGE 38

WOD TIMES, THURSDAY, NOVEMBER 1, 1990

Ed for

Paid Political Advertisement

Paid Political Advertisement

Paid Political Advertisement

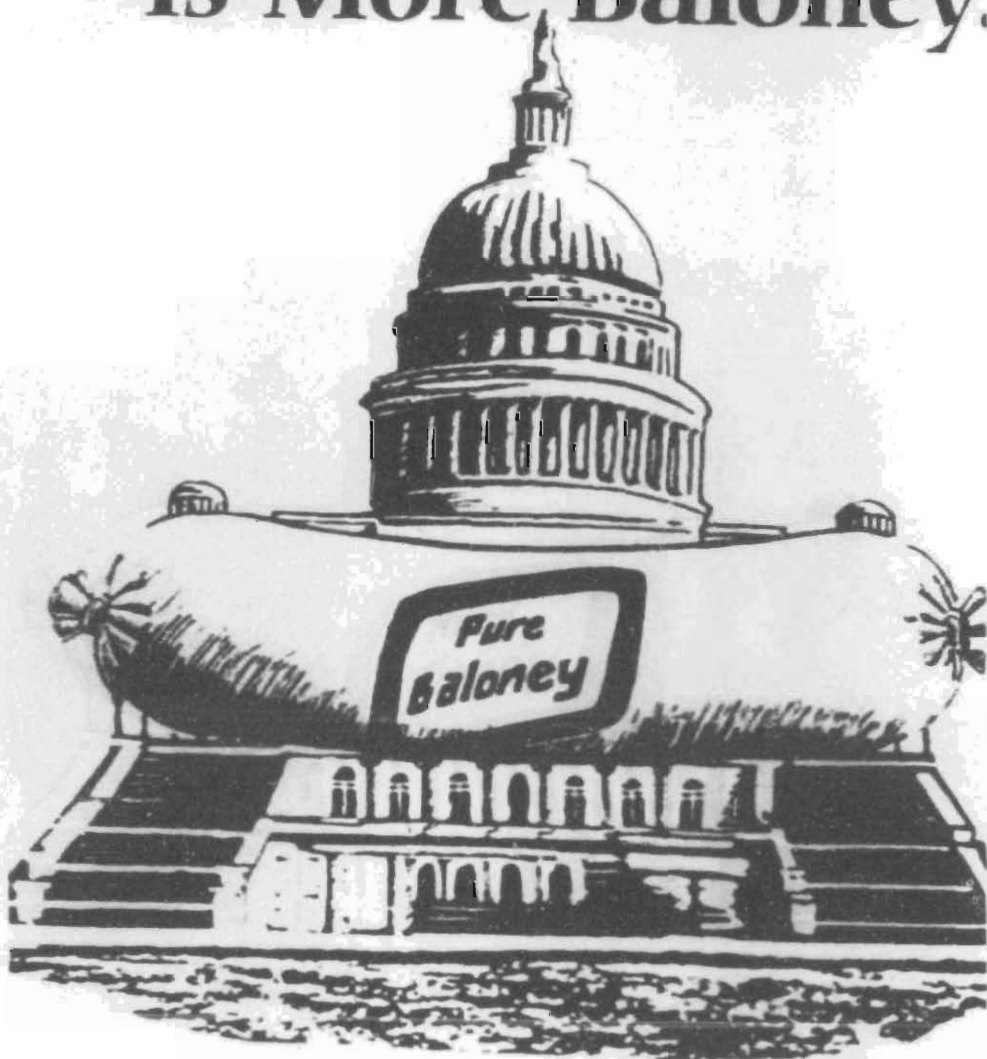
Paid Political Advertisement

Paid Political Advertisement

Paid Political Advertisement

Paid Political Advertisement

The Last Thing We Need In Congress Is More Baloney.



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13. CONTRACT & COPY REVISIONS

See Items three and four.

14. CLOSING SCHEDULE

Deadlines

Materials must be in our office by:

Thursday at 3:00 p.m.....	Monday
Thursday at 3:00 p.m.....	Tuesday
Friday at 3:00 p.m.....	Wednesday
Monday at 3:00 p.m.....	Thursday
Tuesday at 3:00 p.m.....	Friday
Wednesday at 3:00 p.m.....	Saturday
Wednesday at 3:00 p.m.....	Sunday

DEADLINE for advertisements with black plus one color are one day in advance of the regular deadline schedule.

For publication on:

15. MECHANICAL REQUIREMENTS

Standard Page

Full Page Depth.....21 1/4 inches

Column Widths

1 Column.....	2 1/16"
2 Columns.....	4 1/4"
3 Columns.....	6 7/16"
4 Columns.....	8 5/8"
5 Columns.....	10 13/16"
6 Columns.....	13"

The Cape Cod Times is an offset publication and therefore uses photo composition materials.

85 line screen preferred

Line art or black and white glossies for best reproduction

16. SPECIAL CLASSIFICATION RATE

POLITICAL: regular rates apply. All political advertising must be paid for in advance.

Guaranteed Page Position: 25% additional. Subject to availability.

17. CLASSIFIED RATES

All classifications, per agate line.....\$1.68

Blind box advertisement, \$26.25 additional 9 column format - Col. measures. 8.3 picas with 6 pts. between.

Fax: 508/775-7337 - 24 hours

18. COLOR COMICS

Sunday Distribution

(Broadsheet Size)

Full page.....	\$1,516
2/3 page.....	1,108
1/2 page.....	875
1/3 page.....	641
1/6 page.....	408

Send insertion orders to newspaper. Send duplicate order and printing material to Al Johnson, Treasure Chest, 3200 Pomona Boulevard, Pomona, California 91768.

Closing Time:

Twenty - three days prior to publication.

19. MAGAZINES

CapeWeek

CapeWeek Magazine is a locally produced weekly magazine featuring people and events on Cape Cod. CapeWeek also contains classified ads. CapeWeek is mailed each Friday to households not receiving the Cape Cod Times. National advertising is included in 20,000 copies of CapeWeek magazine.

Parade

Parade Magazine is distributed in the Sunday Cape Cod Times.

20. CIRCULATION

Audit Bureau of Circulation Report, September 30, 1989.

Daily 47,189 Sunday 55,999

For complete details on the fastest growing market in Massachusetts, ask for our market brochure.

TOURISM



Over one million tourists visit the Cape Cod National Seashore each August.



21% of the Cape's visitors earn over \$50,000 per year.



Almost 2 out of 10 Cape visitors make at least two trips per year.



40% of the Cape's tourists are from New Jersey, New York and Pennsylvania.

Sources of marketing data available upon request

POLITICAL ADVERTISING PROCEDURES

The Cape Cod Times will accept political advertising providing it is not libelous, does not violate the law and meets the newspaper's standards of fairness and good taste.

When a political advertisement is to be signed by a person other than the individual placing the ad, a witnessed certificate must be presented to the newspaper, stating that the person(s) whose name is being used has, in fact, given permission to print their name in the advertising copy. This is in compliance with General Laws - Chap. 56-Sec. 39, relating to elections. The person whose name appears as signed in the advertisement, responsible therefore, must be a registered voter and must include the place of residence, street and number in the advertisement. When a political ad is placed by the signer, a witness certificate is also required.

For political advertisements containing a list of names (endorsers), it is required that the endorser's name and address be printed in the advertisement. The individual placing the advertisement must furnish the newspaper a signed statement by the endorsers that they have in fact, given permission to print their name in political advertising copy.

For political advertisements containing photographs (groups or individuals), a release signed by each of the persons in the photo will be required.

Circulars (preprinted inserts) must show name of printer and/or publisher.

If a candidate refers to himself as a veteran, he must also state "of what country or nation".

Political advertisements must be paid in advance. Contract rates are available, but only on a rebate basis. Adjustment by rebate will be made after the contract requirements are fulfilled.

Political advertisements for which the charge exceeds \$50. must be paid by check (General Laws - Chap. 55, Sec. 7A).

Each column must be headed by the words, "Paid political advertisement" in a size no smaller than regular news type.

As a doctrine of fairness, the Cape Cod Times will not knowingly publish a political advertisement containing controversial copy later than the fourth publication day prior to the election because there would be no opportunity for the opposing candidate or organization to make timely response. Except as stated above, the Cape Cod Times will accept advertisements containing copy which it considers to be controversial, providing that the individual placing the copy, or the candidate of record, also submits the necessary documented materials to substantiate the claims contained in the advertisement. The publication of political advertisements containing controversial copy must be approved by the Cape Cod Times Retail Advertising Manager.

Exhibit 5

PAGE 56

SUNDAY CAPE COD TIMES, NOVEMBER 4, 1990

Paid Political Advertisement

Paid Political Advertisement

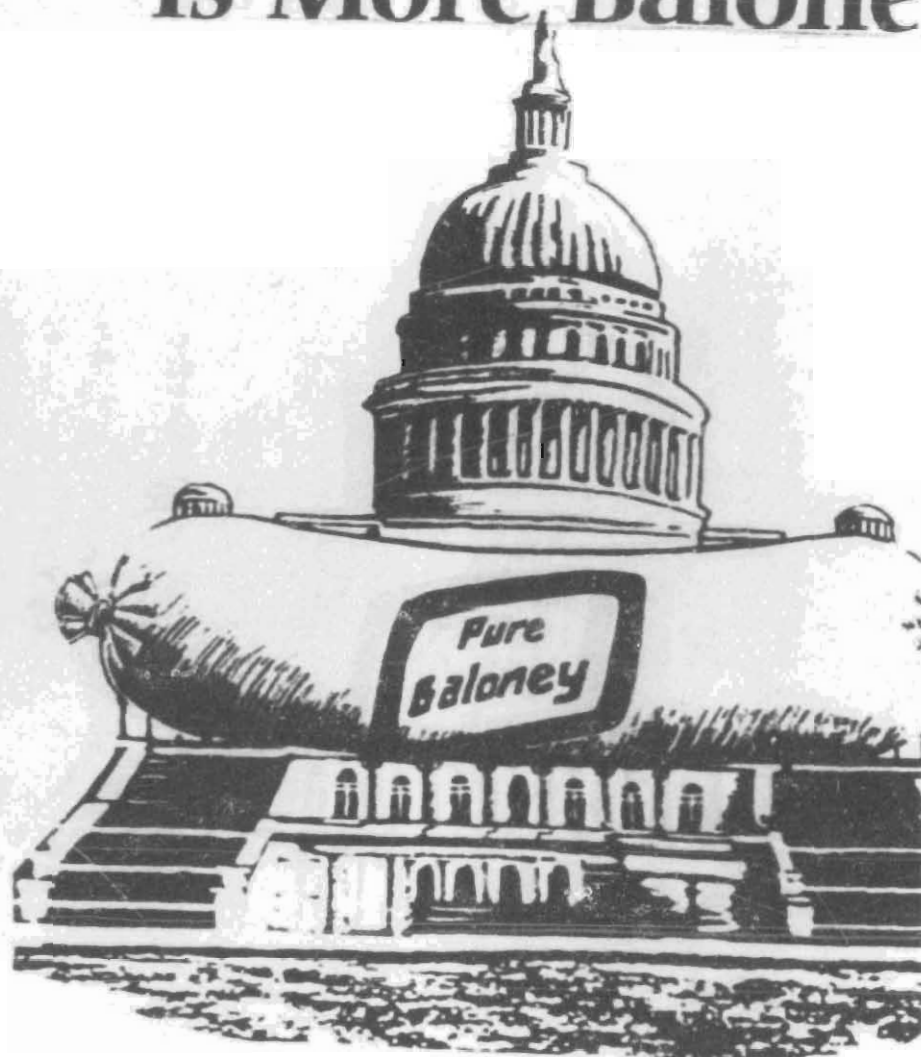
Paid Political Advertisement

Paid Political Advertisement

Paid Political Advertisement

Paid Political Advertisement

The Last Thing We Need In Cong Is More Baloney



94030972031

PAID POLITICAL ADVERTISEMENT

PAID POLITICAL ADVERTISEMENT

PAID POLITICAL ADVERTISEMENT

PAID POLITICAL ADVERTISEMENT

PAID POLITICAL ADVERTISEMENT



Cape Cod Times

THE CAPE AND ISLANDS DAILY NEWSPAPER

October 31, 1990

Congress: Studds

This year Democratic Rep. Gerry Studds is facing the same determined, conservative opponent he faced two years ago, and is hearing the same rhetoric. Once again, Republican Jon Bryan's strategy is not to focus on how well he might serve the people of the 10th Congressional District, but to pound Studds with one negative volley after the other.

All too often his volleys have been composed of half truths and distortions. The issues don't stand a chance and the system is ill-served.

Studds, with few lapses, has represented the 10th Congressional District vigorously and intelligently for 18 years--especially the fishing industry that is so important to the region. As a senior member of the Merchant Marine and Fisheries Committee and in line for its chairmanship, Studds has proved himself an important asset to this district.

He is also an effective advocate of environmental protection, for which he has earned the support of the Sierra Club and Friends of the Earth. And he consistently represents the needs of less organized constituent groups--working people, the elderly and the poor.

Studds is a champion of civil rights. He has been a voice of common sense in the debate over the military budget--especially important now that the military threat to the United States from its communist adversary has all but collapsed--and has been a vocal critic of the agenda of foreign policy. He has, for example, been a consistent and intelligent illustration of single-minded support for the ruthless, military-dominated leadership of H. Salazar--support that discouraged rather than promoted a settlement of that country's civil war.

Studds, who has never held political office and who has failed to win support for his leadership in this country, is a man of enormous energy, but who has been unable to sustain the role of the longest unremittingly.

Studds has paid this in Massachusetts history how many times to unseat Studds that borders on an

When we look at the Congress should be anyone's business. In fact, do we see any evidence that Jon Bryan is doing a better job of looking after this district's interests in Washington?

Studds deserves another term.



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Exhibit 7

MA/10

HAND DELIVERED

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
Under the Federal Election Campaign Act of 1971

RECEIVED

JAN 31 PM 4:03

1. NAME OF COMMITTEE (in full) The Committee to Reelect Congressman Studd		2. FEI IDENTIFICATION NUMBER 040657
ADDRESS (number and street) ☐ Check if different than previously reported P. O. Box 513		
CITY, STATE and ZIP CODE Scituate, MA	STATE DISTRICT MA/10	3. IS THIS REPORT AN AMENDMENT? ☐ YES ☒ NO

4. TYPE OF REPORT

☐ April 15 Quarterly Report	☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
☐ July 15 Quarterly Report	
☐ October 15 Quarterly Report	☐ Thirtieth day report following the General Election on _____ in the State of _____
☒ January 31 Year End Report	
☐ July 31 Mid-Year Report (Non-election Year Only)	☐ Termination Report

This report contains activity for ☐ Primary Election ☒ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-Date
<u>11/27/90</u> through <u>12/31/90</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	14,207.88	460,171.51
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	14,207.88	460,171.51
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	37,003.95	558,229.25
(b) Total Offsets to Operating Expenditures (from Line 14)	16,949.25	18,441.15
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	20,054.70	539,788.10
8. Cash on Hand at Close of Reporting Period (from Line 27)	21,912.33	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0	

For further information contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800-424-9530
Local 202-376-3120

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Edwin M. Martin, Jr.	
Signature of Treasurer <i>Edwin M. Martin, Jr.</i>	Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

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FEC FORM 3
(revised 4/87)

94030972033

Exhibit 8

For an Authorized Committee Only

DATE OF REPORT: 11/20/90

NAME OF COMMITTEE: The Committee to Reelect Congressman Studd

MAILING ADDRESS: P.O. Box 813

CITY, STATE AND ZIP CODE: Scituate, MA 01903

STATE/CONTRACT: MA/10

IS THIS REPORT AN AMENDMENT? ☒ YES ☐ NO

REPORT NUMBER: 040657

4. TYPE OF REPORT

- ☐ April 15 Quarterly Report
- ☐ July 15 Quarterly Report
- ☐ October 15 Quarterly Report
- ☒ January 31 Year End Report
- ☐ July 31 Mid-Year Report (Non-election Year Only)
- ☐ Twelfth day report preceding election on _____ in the State of _____
- ☐ Thirtieth day report following the General Election on _____ in the State of _____
- ☐ Termination Report
- This report contains summary for: ☐ Primary Election ☒ General Election ☐ Special Election ☐ Recall Election

SUMMARY

COVERING PERIOD	COLUMN A This Period	COLUMN B Calendar Year-to-Date
1. Covering Period <u>11/27/90</u> through <u>12/31/90</u>		
2. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	14,207.88	460,171.51
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 2(b) from 2(a))	14,207.88	460,171.51
3. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	37,003.95	558,229.25
(b) Total Offsets to Operating Expenditures (from Line 14)	16,949.25	18,441.15
(c) Net Operating Expenditures (subtract Line 3(b) from 3(a))	20,054.70	539,788.10
4. Cash on Hand at Close of Reporting Period (from Line 27)	21,912.33	
5. Debts and Obligations Owed TO the Committee (Reimburse all on Schedule C and/or Schedule D)	0	
6. Debts and Obligations Owed BY the Committee (Reimburse all on Schedule C and/or Schedule D)	24,430.65	

For further information contact:
Federal Election Commission
950 E Street, NW
Washington, DC 20463
Tel Free 800-424-9630
Local 202-376-3120

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer
Edwin M. Martin, Jr.

Signature of Treasurer
Harry Lee Butler

Date
5.31.91

NOTE: Submission of false, misleading, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

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Name of Debtor in Full	Outstanding Balance Due During This Period	Amount Received This Period	Payment Total	Outstanding Balance at End of This Period
The Committee to Reelect Congressman Studds				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor AMS 600 Winter Street Waltham, MA 02154	0	997.84	0	997.84
Nature of Debt (Purpose):				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor Goldman Associates 195 State St. Boston, MA	4148.70	0	2000.00	2148.70
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor Deschamps Printing 3 Dodge St. Salem, MA	12,569.90	0	4021.50	8548.40
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor Rockland Trust Company 288 Union St. Rockland, MA	5193.11	1394.15	237.00	6350.26
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Fontana Lithograph 3342 Bladensburg Rd. Brentwood, MD 20722	0	2215.40	0	2215.40
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor SIS 240 2nd Avenue Waltham, MA	0	1170.05	0	1170.05
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (continued)				21,430.65
2) TOTAL This Period from page 100 only!				21,430.65
3) TOTAL OUTSTANDING LOANS from Schedule C last page only!				3,000.00
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page last page only!				24,430.65

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Shirley B. Smith 1401 17th Street, NW 6400 Washington, DC 20036		10/20/90	150.00
Prin G. Smith	Agg TTD \$ 250.00		
Carolyn A. Smith 240 Westover Road San Antonio, TX 78209	self-emp	11/05/90	150.00 P
Prin G. Smith	Agg TTD \$ 250.00		
Carol Lee Klags 240 Westover Road San Antonio, TX 78209	self-emp	11/05/90	150.00 P
Prin G. Smith	Agg TTD \$ 250.00		
Sue Ann Sullivan PO Box 599 3 Distillery Road Provincetown, MA 01907		11/01/90	\$ 1,000.00 P
		11/15/90	\$ 300.00 P
Prin G. Smith	Agg TTD \$ 2,000.00		
Peter Sullivan 6 Nelson Avenue Provincetown, MA 01907			1,000.00 P
Prin G. Smith	Agg TTD \$ 2,000.00		
John A. Silberman 15 West 33rd Street, 4140 New York, NY 10019		10/31/90	\$ 1,000.00 P
Prin G. Smith	Agg TTD \$ 1,000.00		
Carolyn Stubbs PO Box 174 South Wellfleet, MA 02663	retired	11/01/90	\$ 100.00 P
Prin G. Smith	Agg TTD \$ 375.00		

Exhibit 11

March 17, 1991

William doCarmo
1057 Phinney's Lane
Centerville, MA 02632
508-771-3202

Dow Jones & Company, Inc.
200 Liberty Street
New York, NY 10281

Att: Mr. James H. Ottaway, Jr.,
Senior Vice-President

Dear Mr. Ottaway:

As chairman of Jon Bryan's congressional campaign in 1990 and 1992, I am writing to bring to your attention certain issues of policy and coverage of the Cape Cod Times. If left unresolved, I feel these matters may be detrimental not only to my candidate, but to the credibility of that newspaper as well. With the 1992 10th district race already heating-up, it may be appropriate to address them at this time.

Before I detail the issues, it is very important to note that Jon Bryan and I, as well as the entire "Bryan for Congress" organization, appreciated the vast majority of the efforts of your two daily papers in the 10th district to provide the readers with balanced information on the race. A special note of thanks to our advertising account representatives at both papers for a job well-done, as well as to the Standard Times news staff for their consistent availability and unbiased coverage of both contestants.

Recent actions and articles in the Cape Cod Times, however, show a disturbing continuation of type of events which took place in the latter part of the 1990 campaign, as Mr. Studds began to look quite vulnerable. I will outline just a few of these issues below:

* In their October 31, 1990 endorsement of Gerry Studds, the Cape Cod Times stated: "The issues don't stand a chance and the system is ill-served" by Jon Bryan's campaign. However, the facts will show that Jon Bryan discussed the issues indefatigably, and submitted many press releases to the Cape Cod Times on critical issues such as taxation, the S&L crisis, education & literacy, fishing, campaign reform, balanced budget & line item veto, etc., often without being reported by the Cape Cod Times. If the "issues" didn't stand a chance in the Cape Cod Times, perhaps it was because of a lack of interest by that organization.

That disturbing trend is continuing. Recently, Mr. Bryan issued a press release on the important and timely issue of "privatization" and his attendance at State Treasurer Joe Malone's conference on same. Experts from around the world spoke at that conference on the effectiveness of privatization in over 100 nations and how it can benefit the beleaguered taxpayers at all levels of government. Mr. Bryan followed-up the release by contacting the Times, which led to a lengthy interview on 3/7/91. Despite the resources spent on that interview and the importance and timeliness of the "issue," no story appeared in the Cape Cod Times. If the Cape Cod Times elects to ignore and fail to convey Mr. Bryan's efforts to address important issues to its readership, it is most unfair to editorially castigate him for their

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conscious decision's not to cover the "issues."

* The Cape Cod Times carefully articulated their policy of not allowing "new" material in our advertisements during the closing days of the campaign. While we adhered to that policy, we note that Mr. Studds did not, with major new initiatives allowed in the closing four days of the campaign. To demonstrate the unfairness of the Cape Cod Times's actions, it is important to note that the material in question was NOT allowed to run in the Standard Times. It was too late for our campaign to respond to this unfair act, which had an incalculable effect on the campaign. I urge you to investigate this alleged violation of corporate policy, so as to prevent its recurrence.

* There continues to be a problem with accuracy in the reporting of this race. In the 1990 contest, it took three corrections in the Cape Cod Times to correct errors in one Ottaway News story.

In the important closing days of the campaign, the Cape Cod Times covered a Studds' press conference and, through deletion, inference, and failure to research material facts, damaged the Bryan campaign. As you can see from the attached enclosure "1," the use of Studds' complete, hyperbolic quote, which was included in the side-by-side page 1 story of the Patriot Ledger, would have damaged Mr. Studds' credibility. The Times story amazingly allowed Mr. Studds to say that his vote on H.R. 1158 (see enc. 2), labeled "Fair Housing/Discrimination Against Pregnant Women" was not a vote "to discriminate in housing against pregnant women." The public was angered by this vote, as were Studds' own supporters, and it was a very effective issue for Mr. Bryan. Yet the Times allowed Studds to label Mr. Bryan with "distortion" because of their failure to investigate the clear language of that vote. Was this the "distortion" which the Cape Cod Times addressed in their Studds' endorsement? Although it is too late to affect the past election, I hope that you will consider requesting an editorial apology for this troubling action by the Cape Cod Times.

* In that same October 30, 1990 Cape Cod Times article, the writer spoke of Mr. Bryan's "business deals" which "apparently (emphasis added) were the source of most of his considerable wealth." Apparently? Why didn't the reporter ask Mr. Bryan if that was the case? If the reporter had, Mr. Bryan would have indicated that "most" of his wealth WAS NOT made from that source. Mr. Bryan would have appreciated the opportunity to discuss his self-made success as an "alternative energy" mail-order and specialty store entrepreneur, a business which he established after being laid-off during the 1973 energy crisis. Or was that too positive a story about Mr. Bryan and "the source of his considerable wealth?" The voters would have enjoyed reading about Mr. Bryan's interest in alternative and renewable energy sources, and what he had done to make a positive contribution to society, including the interesting story of his airline successes. Instead, the "spin" was controlled by Mr. Studds.

* While the Cape Cod Times asked Mr. Bryan if he had loaned some money to the campaign in its closing weeks, based in part upon "48 hour reports" to the FEC, they showed less interest in reporting, at the same time, about the many tens of thousands of dollars in PAC money Mr. Studds' received in the same period.

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* Recently, the Cape Cod Times has labeled Mr. Bryan as the perennial or persistent or non-stop candidate, which is taken by most in a negative connotation. Referring to their endorsement of Mr. Studds, this fosters their attack that Mr. Bryan's "battle to unseat Mr. Studds borders on obsession." While Mr. Bryan harbors no such obsession, he is facing the typically difficult task of unseating an entrenched incumbent, a task which has taken many others three or more campaigns to accomplish. I hope that the Times would consider ceasing their negative attack on the motives of individuals, such as Mr. Bryan, who are willing to participate in our democratic process, at great personal sacrifice.

Also, in a Cape Cod Times article of 3/17/91, the Times reported the attendance of and printed comments from one potential 10th district challenger attending a Republican event on the prior day, yet failed to mention Mr. Bryan's attendance at that same event.

* The voters deserve to know the record of their Congressman. Yet Mr. Bryan was once told that there was sometimes "no room" in the Cape Cod Times for the weekly Congressional voting record. Further, little follow-up or investigative reporting seems to take place. As an example, Mr. Bryan alleged during the campaign that the "unlimited liability" portion of Mr. Studds tanker legislation could endanger our coastal waters by allowing "fly by night" operators, without assets, to fill the void of established firms unwilling to risk their assets. In fact, an AP story of just that eventuality was reported in the 1/18/91 issue of the New Bedford Standard Times which in part stated "Newly authorized unlimited liability laws in many states also are discouraging more reputable carriers from entering some ports, abandoning them to small tanker firms with leaky ships and limited insurance, industry and government officials said."

Similarly, the Cape Cod Times praised Studds for his 1988 marine medical waste legislation, yet they have consistently failed to connect him to the numerous failings of that now-recognized flawed legislation, including the recent report by the Rockefeller Institute of Government report which said "the new federal law to track medical waste will do little to cut down on the used syringes and other infectious trash littering the nation's beaches."

In order to have a "fair" race as well as to provide a public service, I hope that the Cape Cod Times will re-double its efforts to portray all aspects of our Congressman's representation in Washington.

In closing, I am providing the publisher and editor of the Cape Cod Times with a copy of this letter, as well as the president of Ottaway Newspapers, so that they may also evaluate our concerns. Please contact me at your convenience as to your thoughts on how we may best resolve these concerns.

Thank you very much for your consideration.

Sincerely,

William doCarmo

cc: Mr. S. Himstead, Mr. W. Briesky - Cape Cod Times
Mr. John S. Goodreds - Ottaway News
Mr. Peter R. Kann, President - Dow Jones and Company



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Cape Cod Times

THE CAPE AND ISLANDS' DAILY NEWSPAPER

10/30/90

Studds comes home swinging

Calls Bryan 'least-caring, least-honest' opponent

By PEGGY EASTMAN
SENIOR STAFF WRITER

HYANNIS — Arriving home from the marathon budget debate in Congress and with only a week left before the election, Rep. Gerry E. Studds, D-Mass., came out swinging at his Republican opponent yesterday.

At a press conference in his Hyannis campaign headquarters, Studds said that Marston's Mills businessman, airline pilot and college professor Jon L. Bryan is "the least-qualified, least-caring, least-honest opponent I have ever faced."

Studds struck out at Bryan saying he "religiously follows the Republican right's textbook (of negative campaigning) for winning an election." Studds also raised some questions about the fast-paced business deals that Bryan was involved in during the 1980s, which apparently were the source of most of his considerable wealth.

Since 1983, Bryan applied for at least eight Department of Transportation "fitness certifications" to operate commuter airlines. In six cases, Bryan never operated the airline for which he obtained the certification, but sold the airline along with the fitness certification.

According to Carol Woods, a senior analyst in the transportation department's Office of Aviation Analysis, which handles the documents relating to an airline's fitness to operate, said during the early days of deregulation it was not required that an airline owner notify the agency if he sold the airline and the fitness certification. But, she said, it was because of the many deals Bryan put together that made the agency realize it needed a new policy to protect public interest and safety.

Ms. Woods said Bryan's transactions were not in violation of federal rules in existence at the time of the sale.

Called at his home, Bryan said, "You bet I did apply (for all those certifications). I did make a little bit of money at that and I'm proud of it. A lot of people have come to Jon Bryan for business advice because of the business ability I showed with those airlines."

Bryan said he was also proud of the fact that he has managed his finances "so well and carefully" that he was able to build his home without taking a mortgage and has compiled an extensive investment portfolio.

"I don't suppose anyone like Mr. Studds — who can't manage his

own personal finances very well — would understand that," Bryan said.

The congressman, appearing tired and obviously annoyed, said the campaign in this election has seriously deteriorated into negatives. "Jon Bryan has called me names, distorted my record, raised phony issues and ignored real ones."

Studds said he generally let Bryan's negative attacks go during the 1988 election, because "quite rightly, no one was paying the slightest attention" to them. But, this time around, Studds said the political atmosphere of the country is such that voters are paying attention. "Negative campaigning is terrible — everyone says so — but it is working."

"Our supporters have come to us and they are confused (by Bryan's ads) that claim — for example — that I voted to discriminate in housing against pregnant women. That's ridiculous and he knows it. That vote had nothing to do with discrimination, it was a clear vote on abortion."

"Bryan says I voted to kill dolphins. The truth is that my bill — which was approved over strong opposition from the tuna industry — has cut dolphin mortality attrib-



U.S. REP. GERRY STUDDS

utable to the U.S. by 40 percent. Don't forget, it is I — not he — who has been endorsed by Greenpeace and the Sierra Club.

"And third, Jon Bryan says I voted to cut funds for the Coast Guard. That's an outright lie. It is he — not I — who is on record in favor of Coast Guard cuts," Studds said.

Studds referred to a list of 22 votes that Bryan said Studds missed an opportunity to reduce spending and on which Bryan said he would have voted opposite Studds. Studds' votes were for funding for the Coast Guard, drug education and treatment, AIDS research, the Superfund cleanup, health care for disabled veterans, energy conservation, help for the homeless, child nutrition, low-income fuel assistance and student loans.

Studds lists Congress' success on environment

HYANNIS — Reporting to his constituency on the close of the 101st Congress, Rep. Gerry E. Studds, D-Mass., yesterday said "with all its endless haggling over the budget, I believe the 101st Congress deserves high marks for its work on environmental issues — especially coastal issues."

He cited the following bills that were approved by the Congress during the past weeks:

- The Clean Air Bill, to fight acid rain.
- The extension of the Coastal Zone Management Act, establishing new controls on coastal pollution.
- A bill to expand protections for fragile coastal barriers, thereby protecting the environment while saving taxpayers hundreds of millions of dollars.
- A bill to help restore the depleted fisheries of New England rivers.
- A bill to continue, for the ninth year, a moratorium on offshore oil drilling in Georges Bank.
- A bill to encourage fisheries conservation and impose tough new penalties for violating fisheries laws.
- A bill to deter false distress calls to the Coast Guard.
- A bill to ban fishing with large-scale driftnets.
- A bill to establish rules for labeling tuna products to determine whether the tuna was harvested in a manner safe to dolphins.

In foreign policy, Studds said Congress has given final approval in a modified form to a proposal he had drafted to reduce and potentially terminate U.S. military aid to El Salvador with incentives for both sides of the conflict to negotiate seriously for peace.

Though he stated his fears that we may go to war with Iraq, Studds said he joined dozens of other members of Congress of both parties in urging President Bush to continue working with our allies and the United Nations to obtain Iraq's withdrawal from Kuwait — without going to war.

He added that this Congress "had the courage to do what previous Congresses and Presidents did not, and that is to begin the necessary but painful process of reducing the deficit" by passing the most recent version of the federal budget.

"It will reduce spending by \$370 billion and the deficit by almost \$500 billion over five years. And it will do so in a way that is far fairer to middle income people and older Americans than the so-called 'budget summit' agreement that I — and a majority of my colleagues — voted against two weeks ago."

- P.E.

State / Region

May 1, 1991

Dow Jones and Company
200 Liberty Street
New York, NY 10281

Att: Mr. James H. Ottaway, Jr.,
Senior Vice-President

Dear Jim,

In response to your letter, dated April 4, 1991, regarding my concerns about the Cape Cod Times treatment of Jon Bryan's election campaign, I am notifying you as to the results of our meeting with Scott Himstead, Bill Briesky, and Peggy Eastman.

On April 24th, Jon Bryan, John Mitchel (former international publisher for McGraw-Hill and now Cape Cod coordinator for Jon), and I met with the Times' employees to discuss issues that we felt were germane regarding objective reporting, the doctrine of fairness, and the paper's responsibility to fulfill its community obligations to all of its subscribers including minorities.

Following introductions, I opened the meeting raising my concerns as to why the newspaper is failing to report matters of importance to the public-at-large and specifically minorities, and how Congressmen are misleading their constituents into thinking that they are representing them when their records show that they are among the worst offenders of civil rights and certainly cannot be held as role models. Well, the response was that we are going to start a column concerning minority issues. Bill Briesky said he was working on it, and he is meeting with minorities to develop the column. On that basis, I volunteered my services to see whether or not I will be asked to participate since the paper's past performance discloses the fact that they tend to seek out minorities who are afraid to speak out on key issues because they fear for their jobs or are easily intimidated by politicians, etc.

Notwithstanding, an issue which I suggested the paper consider doing was published the next day by the Boston Herald (see enclosed). Such an article could be expanded by the Times in the interest of the Cape and Islands, as well as New Bedford, to disclose that are Congressmen and Senators are not at the forefront of the Civil Rights Bill.

It seems to me that the Times reporters, while being qualified, lack the skills of investigative reporting and are gunshy when it comes to reporting the truth about politicians for what they are and who they are. They seem to want to be in their good graces, not like Orin's gunslingers (smile) who can get down and dirty.

The Cape Troopers wear the white hats and seek to pacify and herein lies the problems as to why expansion and advertising is not doing well. Jim, the paper is dying for

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lack of dynamic leadership and good combat pilots. Though it is your policy to keep hands off, the paper will not survive if changes are not made. The living dead will not resurrect what they are helping to kill.

The foregoing are my personal assessments of leadership which is lacking. Mere words are not enough. Action is needed.

With regard to Jon Bryan, his criticism is not mundane or wisp-of-the-willow type rhetoric as they would have you believe. As a witness, I couldn't believe the excuses I heard from Himstead, Briesky, and Ms. Eastman regarding the issues raised by Jon Bryan and John Mitchel regarding political coverage, accuracy of reporting, advertising violations and the Times' espoused doctrine of advertising fairness (which they clearly violated in favor of Studds in the closing days of the 1990 election).

The Times' staff did not defend themselves well and tried to pass everything off as unimportant, when it happens to be VERY important to both your stockholders and injured parties such as Jon Bryan.

They did not even prepare for the meeting, despite its importance and the fact that it was recommended by you. They could not address the specifics of any of the allegations contained in the letter. They could not cite one example when Jon Bryan asked why they accused him of half truths and distortions in their editorial, which was extremely damaging to a candidate for office, or why they printed that the Fair Housing Bill was an abortion bill. You would not have been pleased with their actions, and Jon Bryan now has no assurance that they will not do exactly the same thing in the next election, including violating his advertising contract in the closing days.

Jim, with all due respect, don't wait too long to really examine your investment. I believe that both you and others as well can see the writing on the wall. Goodwill ambassadors are fine on a mission to try to save souls but not in running a business. The Times needs a Patriot Missile launched beneath its hindquarters to get it out of its silo.

Enclosed are additional articles that can be evaluated for its value and application.

My dear friend, your interest is my interest and I am deeply appreciative of your friendship. Our deeds help to sustain us through the years. Thank you very much for your help. Your interest will not only help Jon Bryan to receive the fairness which has been lacking at the Cape Cod Times, but will be important in making it a better paper for the readership and your stockholders as well.

Very Best Wishes,

Bill doCarmo
1056 Phinney's Lane
Centerville, MA 02632
508-771-3202

BOSTON HERALD

★★

Friday, July 19, 1991

Aide says Studds campaign never asked for free ad

By JOE BATTENFELD

WASHINGTON — U.S. Rep. Gerry Studds received at least one full-page advertisement in the Cape Cod Times free of charge near the end of the 1990 campaign, an aide acknowledged.

Studds' opponent in that race says he plans to file a complaint about the ad.

The ad, which was worth an estimated \$2,700, ran in the paper even though the Studds campaign claims it didn't order it.

Studds spokesman Steve Schwadron said the paper has admitted the ad was an "error" and the campaign is not responsible for paying its cost.

"They are satisfied

that they goofed," Schwadron said.

Scott Himstead, publisher of the Cape Cod Times, did not return repeated phone calls from the Herald. An assistant advertising director, George Vagenas, would not comment on the issue of the ad.

"I have no idea what you're talking about and I prefer not to discuss it," Vagenas said.

The Hyannis paper, with a 56,000 daily circulation, was a strong supporter of Studds. The ad in question was a reprint of the Times' editorial endorsing him over GOP opponent Jon Bryan.

Studds (D-Cohasset) won the bitterly fought race by a 53-47 percent margin.

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Exhibit 14

BOSTON HERALD

Paper takes blame for Studds ads

By JOE BATTENFELD

WASHINGTON — The Cape Cod Times admitted yesterday it printed three full-page advertisements for U.S. Rep. Gerry Studds free of charge during the last week of the 1990 campaign.

Studds' GOP challenger, Jon Bryan, said he believes the Times deliberately printed the ads in order to influence the election, which Studds won by a narrow 53-47 percent margin.

Times Publisher Scott Himstead yesterday denied Bryan's charge, saying an internal investigation showed the advertisements ran by mistake.

"It was pure and simply a slipup on our part, obviously one very embarrassing to the newspaper," Himstead said. "Certainly it was not planned by the newspa-

per to aid a political candidate."

The ads in question, which Himstead said were worth a total of \$3,700, ran on Nov. 1, 2 and 4. The election was Nov. 6.

Himstead said a consultant for the Studds campaign had requested the ads be canceled, but that the "kill order ... was somehow overlooked" by the paper's advertising department.

With a circulation of about 50,000, the Times is one of the major daily papers in Studds' district. In an Oct. 31 editorial, it strongly endorsed Studds for re-election.

The Herald reported yesterday that a Studds aide admitted the campaign received at least one ad which the campaign didn't order.

Yesterday, Studds asked the Federal Elec-



GERRY STUDDS
Denies collusion

tion Commission to review the snafu to determine whether the ads constituted an in-kind corporate contribution.

Studds denied that he conspired with the Times to publish the ads for free.

Bryan said he is filing a complaint with the FEC concerning Studds' overall campaign-finance tactics, including the issue of the ads. FEC spokesman Fred Elland yesterday said he would not comment on the Studds case.

7/20/91 P. 4.

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July 29, 1991

Federal Election Commission
Att: Lois Lerner,
Enforcement Division
999 E Street, NW
Washington, D.C. 20463

Dear Ms. Lerner:

Subsequent to the completion of my original complaint dated July 26, 1991, certain actions of the Cape Cod Times newspaper have come to my attention which show a continuation of bad-faith activities in Studds/Bryan matters. I thought that you should be aware of these actions, since they may bring into question the willingness of Times' management to provide accurate answers to FEC questioning.

I have attached a copy of my "letter to the editor" of the Cape Cod Times, dated July 27th {exhibit 1}, describing that newspaper's alleged efforts to once-again falsely discredit me, despite the impending case before the FEC.

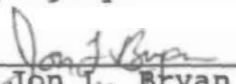
The published correction by their sister newspaper, the Standard Times of New Bedford, MA, is also attached {exhibit 2}.

Further, I have provided copies of the 1990 Cape Cod Times and the Standard Times congressional endorsements {exhibits 3 and 4} for your consideration. These provide additional background as to the atmosphere at the time of the alleged violations of Studds and the Cape Cod Times.

I believe that these documents portray the Cape Cod Times as an organization whose motives and veracity in this matter should be suspect.

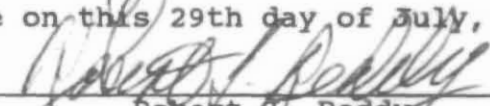
Lastly, we note that Gerry Studds has reported his personal credit card debt in past years on U.S. House ethics filings, but has not done so this year. Given that his 1990 credit card debt was reported in excess of \$20,000 and that his amended campaign credit card debt was substantial, we ask the FEC to review his personal credit card expenses for 1990 to see if non-reported campaign expenditures appear on those records.

I swear the foregoing is true to the best of my knowledge and belief under the pains and penalties of perjury.


Jon L. Bryan

7/29/91

Signed and sworn to before me on this 29th day of July, 1991.


Robert O. Reddy

My commission expires 3/13/92

JON L. BRYAN

215 Prince Avenue, Marstons Mills, MA 02648 • 508-428-3884

Cape Cod Times
319 Main Street
Hyannis, MA 02601

July 27, 1991

Att: William Smith

Letters to the editor,

I am writing concerning your publication of the letter entitled "Studds never endorsed CG user fees," without editorial comment on July 27th.

On Tuesday, July 23rd, you were made aware of material misrepresentations of fact in that letter. You were advised that key portions of the letter were incorporated in an Associated Press story which ran in your sister newspaper, the New Bedford Standard Times on Monday, July 22nd.

The misrepresentations made by the letter's author, Mr. Davis, a Member of Congress and fourteen year colleague of Gerry Studds on his very same committee, were so-inappropriate as to prompt both an Associated Press correction and, separately, a Standard Times correction which was published in that paper on July 24th.

Quoting from a portion of the Standard Times correction, they wrote: "Statements excerpted from letters by Jon Bryan, a candidate for U.S. representative, and Rep. Robert W. Davis, R-Mich., need clarification." ...Rep. Studds and the committee long have opposed the fees, but did, in fact, endorse them in a conference with the Senate Commerce Committee."

The complete text of that correction is attached for your edification.

For you to persist in publishing a letter knowing that key portions of its content were false and damaging to a political candidate was reprehensible. Surely, I could not have objected to its publication if it were followed by the same sort of "disclaimer" which you commonly apply to letters from Bryan supporters.

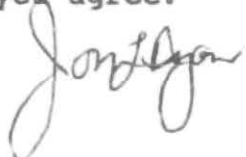
Your actions in this matter are beyond-the-pale, and a continuation of an effort to maliciously discredit a candidate who does not share your political philosophy, and is clearly a threat to Mr. Studds, who you strongly support. I can only hope that the parent company of the Cape Cod Times will intervene and end this ill-conceived endeavor.

The recent disclosure that you provided thousands of dollars in free advertising in the critical, closing days of the election to Mr. Studds has severely damaged your credibility - which is the most important asset of any newspaper.

Your continued false and misguided assaults on me will not help to restore that credibility. While I will respond to any of your misrepresentations, I think it's time to end this nightmare and get back to the business of publishing an unbiased paper in the interest of your readership.

I hope you agree.

Sincerely,



Jon Bryan

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The Standard-Times

Copyright © 1990 The Standard-Times

New Bedford, MA

B-2

7/24/91

Corrections, amplifications

Statements excerpted from letters by Jon Bryan, a candidate for U.S. representative, and Rep. Robert W. Davis, R-Mich., need clarification.

Mr. Bryan, who lost an election fight to Democrat Rep. Gerry Studds, D-Mass., in 1990, again is seeking the office, and has focused on a user fee for recreational boaters.

Mr. Bryan said in a letter published in the Cape Cod Times that Rep. Studds supported the fees. Rep. Robert W. Davis, R-Mich., who wants to repeal the user fee, wrote that Rep. Studds and his Merchant Marine and Fisheries Committee have never endorsed user fees.

Rep. Studds and the committee long have opposed the fees, but did, in fact, endorse them in a conference with the Senate Commerce Committee.

Although the fees later became law, Rep. Davis is leading the charge to repeal them. Last Thursday, the House voted 412-6 for a resolution recommending repeal. Rep. Studds backed the repeal.

□

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Studds for Congress



Cape Cod Times

Wednesday, October 31, 1990

Congress: Studds

This year Democratic Rep. Gerry Studds is facing the same determined, conservative opponent he faced two years ago, and is hearing the same rhetoric. Once again, Republican Jon Bryan's strategy is not to focus on how well he might serve the people of the 10th Congressional District, but to pound Studds with one negative volley after the other.

All too often his volleys have been composed of half truths and distortions. The issues don't stand a chance and the system is ill-served.

Studds, with few lapses, has represented the 10th Congressional District vigorously and intelligently for 18 years — especially the fishing industry that is so important to the region. As a senior member of the Merchant Marine and Fisheries Committee and next in line for its chairmanship, Studds has proved himself an important asset to this district.

He is also an effective advocate of environmental protection, for which he has earned the support of the Sierra Club and Friends of the Earth. And he consistently served the needs of less organized constituent groups — working people, the elderly and the poor.

Studds is a champion of civil rights. He has been a voice of common sense in Congress on the military budget — especially important now that the military threat to the United States from its communist adversary has all but collapsed — and has been an effective voice in the arena of foreign policy. He has, for example, been a consistent critic of the administration's single-minded support for the ruthless, military-dominated, government of El Salvador — support that discouraged rather than promoted a peaceful settlement of that country's civil war.

Jon Bryan, who has never held political office and who has failed to win support among the moderates in his own party, is a man of enormous energy, but who has been running what must be one of the longest unrelentingly negative political campaigns in Massachusetts history — a two-election battle to unseat Studds that borders on an obsession.

While we don't believe Congress should be anyone's lifetime career, neither do we see any evidence that Jon Bryan would do a good job of looking after this district's best interests in Washington.

Gerry Studds deserves another term.

The Standard-Times

Copyright© 1990 The Standard-Times

New Bedford, MA

Sunday, October 28, 1990

It's time for a change: Jon Bryan for Congress

The Standard-Times, through the years, has for the most part been a supporter of U.S. Rep. Gerry Studds. We have endorsed him in election campaigns, and have appreciated much of the work he has done in Congress. But as times change and people change, the old relationships do not always work. This year, we endorse Jon L. Bryan for election to the 10th Congressional District of Massachusetts.

Rep. Studds, a Democrat, is a direct and forceful politician. He defends his political decisions with obvious conviction.

But some of those decisions lately have been troubling, and are a sign that Rep. Studds is gradually losing his political hearing.

If there was one vote in the past two years that serves as a benchmark for members of Congress, it is the pay raise. Rep. Studds was as direct as any House member in defending the raise, for which he voted, as necessary and fair.

Needless to say, millions of people disagreed, then and now, and we added our voice to theirs. The pay raise, approved as it was under the cloak of "reform" and "ethics," was a nauseating display of congressional arrogance at the very moment when a little humility and restraint would have gone a long way. Rep. Studds declared

himself on that issue quite clearly, and we give him credit for his honesty about that. We simply happen to disagree, deeply disagree, about whether that raise — and the ripple effect it had on pensions and a host of other pay scales — was the right thing or the wrong thing to do.

More importantly, we also have a deep disagreement with Rep. Studds about the nature of campaign contributions from political action committees. PAC money, Rep. Studds insists, comes from groups and organizations who are pleased with the work he does on the various committees to which he is assigned. He contends that these PAC contributions have nothing to do with the decisions that he makes, and that alternatives to PACS are potentially worse than the PACs themselves.

We sharply disagree. It is simply not possible to believe that one can receive thousands of dollars from one special interest group after another and not be influenced, at some point, to see things their way. This is largely a matter of perception, naturally, because it is impossible for any member of Congress to prove that he isn't influenced. And there are PACs whose objective we would fully agree with. But please don't ask us to believe that a politician, making political choices, does so without taking into consideration those who have helped him stay in office.

Rep. Studds does not often encounter a challenger of much substance. In most of his races, he has stood so much taller than his opponent that it was easy to dismiss Rep. Studds' promise of long ago not to be a career member of Congress.

That's not the case this year.

Jon Bryan, a Republican who has been campaigning for this office for several years now, is ready for the job. As a college professor, airline pilot and successful independent businessman, he is clearly capable of handling the demands on a congressman.

What's more, he comes to the voter with a fresh new approach to a lot of the old problems that incumbents in Congress, including our own, have failed to solve or even address. For example, Mr. Bryan would certainly be more determined to resolving the endless budget problems than Rep. Studds has been. And while marine and fisheries issues are certainly important to the 10th district, there is no reason why the congressman should be a specialist in them to the exclusion of others.

Mr. Bryan brings an enthusiasm, intelligence and broad range of interests and ideas to the table in his bid for office. In a short time, he, too, will benefit from the knowledge that experience in office brings. We think he has developed into a fine candidate, and we endorse him in this election.

EXHIBIT 4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 5, 1991

Jon Bryan
215 Prince Avenue
Marston Hills, MA 02648

RE: MUR 3365

Dear Mr. Bryan:

This letter acknowledges receipt on July 31, 1991, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Honorable Gerry E. Studds, The Committee to Re-Elect Congressman Studds and Edwin H. Martin as treasurer, The November Group and the Cape Cod Times. The respondents will be notified of this complaint within five days.

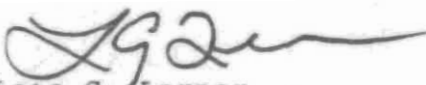
You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3365. 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 Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

94030972050



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 5, 1991

The Honorable Gerry E. Studds
16 Black Horse Lane
Cohasset, MA 02025

RE: MUR 3365

Dear Mr Studds:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3365. Please refer to this number in all future correspondence.

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

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

94030972051

If you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690. 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

94030972052



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 5, 1991

Edwin M. Martin, Treasurer
The Committee to Re-Elect Congressman Studds
P.O. Box 513
Scituate, MA 02066

RE: MUR 3365

Dear Mr. Martin:

The Federal Election Commission received a complaint which alleges that The Committee to Re-Elect Congressman Studds ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3365. Please refer to this number in all future correspondence.

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

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

94030972053

If you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence H. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

94030972054



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 5, 1991

The November Group
1611 Connecticut Avenue, N.W.
Washington, D.C. 20009

RE: MUR 3365

Dear Sirs:

The Federal Election Commission received a complaint which alleges that The November Group 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 3365. Please refer to this number in all future correspondence.

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

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

94030972055

If you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690. 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

94030972056



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 5, 1991

Mr. Scott Himstead, President/Publisher
Cape Cod Times
319 Main Street
Hyannis, MA 02602

RE: MUR 3365

Dear Mr. Himstead:

The Federal Election Commission received a complaint which alleges that the Cape Cod Times 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 3365. Please refer to this number in all future correspondence.

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

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

94030972057

If you have any questions, please contact Jeffrey Long, the staff member assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence H. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

94030972058

Studds for Congress

August 12, 1991

mur 3365

91 AUG 16 AM 11:26

RECEIVED
FEDERAL ELECTION COMMISSION
MAIN CIVIL DIVISION

Lois G. Lerner
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Lerner:

I am writing in response to your letter of August 7, 1991, regarding an allegation that my 1990 reelection campaign colluded with a Massachusetts newspaper to obtain free advertising. This allegation is false.

As you probably know, I have also written to the Federal Election Commission to seek guidance in resolving questions arising from unrequested political advertising during the last election cycle.

The pertinent facts, as my last letter outlined, are as follows. In the final ten days of the last campaign, the November Group, a Washington agency which handled placement of print advertising for the Studds Committee, requested and purchased two political advertisements in the Cape Cod Times newspaper. These advertisements were paid for in full and in advance -- consistent with the firm requirements of the Cape Cod Times and other newspapers -- and they appeared in the newspaper as intended.

In addition, however, the newspaper proceeded to repeat at least one of our advertisements. This additional advertising was not requested, approved, or desired by the November Group or the Studds Committee.

The newspaper subsequently requested payment for the extra, unsolicited advertisement. The November Group requested further review by the newspaper. That review apparently took several months. In June, the newspaper acknowledged its error to the November Group.

Subsequently, my opponent in the 1988 and 1990 election -- who is also one of the candidates for the Republican nomination in 1992 -- made the charges about conspiracy and collusion on which you requested my comments.

The charges are absurd. There was no such collusion.

We all agree that this is an unusual situation. It appears to me that the Cape Cod Times classified advertising department made one or more errors, to which the Studds campaign has been a bystander.

91 AUG 16 PM 3:31

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL

Still, once the newspaper acknowledged its responsibility and I became aware of the error, I wanted to know whether any further steps were appropriate. Accordingly, in my July 19 letter to Chairman McGarry, I asked:

...I want to make sure every "t" is crossed and every "i" dotted as concerns this sequence of events. With that in mind, and now that the Cape Cod Times has confirmed its error, I am writing to seek your guidance.

Specifically, does the FEC require or desire any further detail on this matter? Does the newspaper's mistake constitute a "political contribution"? In the FEC's view, are there any other ramifications or further steps that it would be appropriate for the Studds Committee to take at this time?

I am writing today, in response to your solicitation for comment, to reiterate those thoughts.

Thank you.

Sincerely,

Gerry E. Studds

94030972060

OBC# 2223

Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601
Telephone (508) 775-1200

BUREAUS: Falmouth, Orleans, Bourne, Provincetown, Martha's Vineyard, Nantucket



SCOTT HIMSTEAD
Publisher

August 15, 1991

MUR 3365

91 AUG 16 AM 9:10

RECEIVED
FEDERAL ELECTION COMMISSION
MAIN COPY ROOM

Lois Lerner
Associate General Counsel
Federal Election Commission
999 E Street
Washington, DC 20463

Dear Ms. Lerner,

I have received your notification of the complaint filed with the Federal Election Commission regarding certain advertising published in this newspaper in the 1990 Massachusetts 10th Congressional District election.

I trust that you have received my letter of August 1, 1991, in which I discussed the circumstances surrounding our publication in error of advertising for Rep. Gerry Studds.

In reading over the alleged scenario of events as constructed by Mr. Jon Bryan, I can only repeat that if he had asked to review the matter here at the newspaper it would have been clearly demonstrated to him how the error occurred.

Instead, Mr. Bryan apparently obtained partial information about our billing process for the advertising in question, and then jumped to an unfortunate and erroneous conclusion.

As I mentioned in my earlier communication with you, I am very much interested in setting the record straight on this issue in order to maintain the credibility of this newspaper.

In talking with Mr. Jeffrey Long today, I indicated that I have full documentation of the facts in the matter which I wish to share with your office. Since this documentation does require proper interpretation so that it can be understood, rather than mailing it to you I would be pleased to bring it to Washington so that I can explain it to you and answer any questions that you may have. In fact, I plan to be in Washington on other business on September 12, and I could make myself available that afternoon. I could come at an earlier date if requested, however.

Regarding the matter of confidentiality, I have no desire to keep this confidential and I formally request that any determination or investigation be conducted as a matter of public record.

94030972061

August 15, 1991
Lois Lerner
Associate General Counsel
Federal Election Commission
Page Two

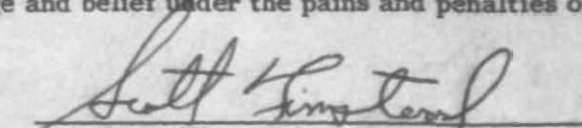
At this point we do not elect to be represented by counsel. If your office does decide to conduct a formal investigation, we will consider appointing counsel.

I would like to comment on the letter sent to you on July 29, 1991 by Mr. Bryan, in which he discussed a letter to the editor which was published in our newspaper on July 27. He also sent to you a copy of a letter to our editorial page editor. I assume these were sent as amendments to his original complaint.

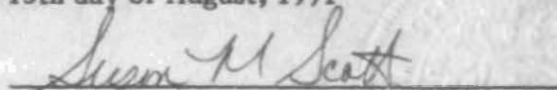
Due to the serious nature of the charges contained in this correspondence, we have conducted a detailed investigation of the subject matter and have concluded that Mr. Bryan's allegations and assumptions are, again, false. I have attached a copy of his letter to us, and our response, which we published in today's edition in order to clarify the matter.

Normally we would not have gone to such lengths to refute falsehoods or criticisms about our newspaper by a reader. But since Mr. Bryan has apparently chosen to hammer our newspaper as part of his election campaign, we felt it necessary to respond.

And in conclusion you asked that my statements be submitted under oath. I therefore swear that the statements made in this letter, and in my communication with you on August 1, 1991, are true to the best of my knowledge and belief under the pains and penalties of perjury.


Scott Himstead

Signed and sworn before me this 15th day of August, 1991


Susan M. Scott

My commission expires 11-14-97

SH:hso

94030972062

Gerry Studds, Jon Bryan and those Coast Guard user fees

I am writing concerning your publication of the letter titled, "Studds never endorsed CG user fees," without editorial comment on July 27.

On Tuesday, July 23, you were made aware of material misrepresentations of fact in that letter. You were advised that key portions of the letter were incorporated in an Associated Press story that ran in your sister newspaper, the New Bedford Standard-Times, on Monday, July 22.

LETTERS

The misrepresentations made by the letter's author, Mr. Davis, a member of Congress and 14-year colleague of Gerry Studds on his very same committee, were so inappropriate as to prompt both an Associated Press correction and, separately, a Standard-Times correction, which was published in this paper July 24.

Quoting from a portion of the Standard-Times correction, they wrote: "Statements excerpted from letters by Jon Bryan, a candidate for U.S. representative, and Rep. Robert W. Davis, R-Mich., need clarification. Rep. Studds and the committee long have opposed the fees, but did, in fact, endorse them in a conference with the Senate Commerce Committee."

The complete text of that correction is attached for your edification.

I for you to persist in publishing a

letter knowing that key portions of its content were false and damaging to a political candidate was reprehensible. Surely, I could not have objected to its publication if it were followed by the same sort of "disclaimer" that you continually apply to letters from Bryan supporters.

Your actions in this matter are beyond the pale, and a continuation of an effort to maliciously discredit a candidate who does not share your political philosophy and is clearly a threat to Mr. Studds, who you strongly support. I can only hope that the parent company of the Cape Cod Times will intervene and end this ill-conceived endeavor.

The recent disclosure that you provided thousands of dollars in free advertising in the critical, closing days of the election to Mr. Studds has severely damaged your credibility — which is the most important asset of any newspaper.

Your continued false and misguided assaults on me will not help to restore that credibility. While I will respond to any of your misrepresentations, I think it's time to end this nightmare and get back to the business of publishing an unbiased paper in the interest of your readership.

I hope you agree.

JON BRYAN
Marston Mills

■ ■ ■
The Cape Cod Times has, as previously announced, urgently requested the Federal Election Commission to investigate candidate

Bryan's charges on the matter of Congressman Studds's advertising. As for those Coast Guard user fees:

The Times did, indeed, publish on July 27, without comment, a letter from Republican Rep. Robert W. Davis of Michigan titled, "Studds never endorsed CG user fees." Congressman Davis is the ranking minority member on the Merchant Marine and Fisheries Committee of the U.S. House of Representatives, and his letter was in rebuttal to a July 6 letter from candidate Bryan, in which Bryan criticized Congressman Studds for being "unable to prevent that tax [Coast Guard user fees] from being sponsored by his very own committee."

And, indeed, candidate Bryansomah persuaded The Associated Press to publish a "clarification" concerning the Davis letter and the position of Mr. Studds and Merchant Marine and Fisheries on the question of user fees. The New Bedford Standard-Times followed suit with a similar "clarification."

"Rep. Studds and the committee long have opposed the fees," the Standard-Times said in its clarification statement, "but did, in fact, endorse them in a conference with the Senate Commerce Committee."

The AP clarification said Merchant Marine and Fisheries "did agree to them (user fees) in a conference with the Senate Commerce Committee."

These "clarifications" — which candidate Bryan condemns the Times for not using — were substan-

tially inaccurate and misleading.

To the best of our knowledge, these are the central facts of the matter:

1. In the first place, the House Merchant Marine and Fisheries Committee did not confer with the Senate Commerce Committee on the matter of user fees. And, says Mark Ruge, of the MM&F staff, "In last year's reconciliation process, there was never a MM&F vote on boat user fees because it was clear that there was no support for user fees."

2. Neither Congressman Studds nor the Merchant Marine and Fisheries Committee participated in the budget reconciliation process during which user fees were approved. Rather, three members of MM&F — Congressman Davis, Rep. Walter B. Jones of North Carolina, and Rep. Billy Tauzin of Louisiana — were appointed by the speaker to meet in a subcommittee, with members of the Budget Committee, the Ways and Means Committee, the Senate Commerce Committee and other Senate committees, to help hammer out a small portion of the federal budget. As Ruge explains it, "The majority of the members of the subcommittee decided to include the boat fee over the objections of the Merchant Marine and Fisheries Committee members." All three MM&F members participating in the subconference objected strenuously to user fees. Ruge says, but were steamrolled by a majority who supported such fees as a means of helping reduce the deficit. (What is more, says Ruge, even if the three MM&F

members had agreed to user fees in the subconference, that would not represent an official position of Merchant Marine and Fisheries. Rather, three members of MM&F were acting as individual conferees, and were in no position to "endorse" or "accept" anything on behalf of the committee.)

So that is why the Cape Cod Times declined to make use of the erroneous "corrections" Mr. Bryan called to our attention prior to our publication of the Davis letter. Neither did we make any use of the ensuing July 27 Jon Bryan press release titled, "CAPE COD TIMES PRINTS FALSE MATERIAL ON STUDDS/BRYAN TODAY. DAYS AFTER LEARNING THAT SISTER PAPER IN NEW BEDFORD HAD ISSUED CORRECTION."

We have subsequently asked Mr. Bryan to tell us how, specifically, he arrived at the conclusion that the Merchant Marine and Fisheries Committee endorsed user fees. He responded by citing an article from the Congressional Quarterly, in which it was stated that "Merchant Marine acquiesced" on user fees during the budget reconciliation process.

Mark Ruge says of this statement: "CQ is wrong. Our committee never acquiesced or agreed."

Says Mike Mills, author of the CQ article in question: "I suppose you could say I was guilty of using imprecise language, but to me the word acquiesce means they gave up. It doesn't imply they took a position

and endorsed the fees. No one in his right mind would accuse Merchant Marine and Fisheries of endorsing user fees, for heaven's sake. For years, they've staved off the user fees that Reagan and Bush wanted, but this time they ran out of things to throw to the wolves, and gave in. I can't see how anyone could say Studds changed his position. He wasn't even on the conference committee. . . . My editors would really have stopped in their tracks if they had thought for a minute I was serving the Merchant Marine and Fisheries endorsed the user fees."

Congressman Studds did in the end vote for the fiscal 1991 federal budget reconciliation package — a 1,225-page document that included the provision for Coast Guard user fees, and that President Bush characterized as "the result of eight months of blood, sweat and tears, the best agreement that can be legislated now." But for candidate Bryan to persist in arguing that this legislation constitutes an endorsement of user fees by Studds and his committee demonstrates either a disregard for the facts of the matter, or a misunderstanding of the process by which user fees were enacted, or both.

The Times has gone to this length on this matter not because we have a strong position on user fees (we do not), but because we believe the reckless charges made in Jon Bryan's letter to the Times, and in his news releases and public statements on the matter of user fees, need to be set straight.

00-C 2289



August 21, 1991

Ms. Lois Lerner
Associate General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

RE: MUR 3365

Dear Ms. Lerner:

I am writing to respond to your request for additional information about the spurious allegations of Republican congressional candidate Jon Bryan that the November Group violated the Federal Election Campaign Act of 1971.

Beginning in mid-October of 1990, I became the November Group's Account Executive for the Committee to Re-Elect Congressman Gerry Studds (the "Committee"). In addition to hiring our firm to produce their direct mail, the Committee asked us to investigate the costs and other requirements associated with paid political advertising in newspapers in the 10th Congressional District of Massachusetts.

I instructed my assistant, Jane Burkett, to call every publication on a list that I provided to her and to request each publication's political advertising rates. I specifically instructed her to make the inquiries under our firm name and instructed her that under no circumstances was she to reveal our client's name to the publications she was calling.

In addition to rate information, we wanted to know the circulation size and distribution area of each publication to determine whether we should recommend that the Committee purchase newspaper print advertising. I asked Ms. Burkett to collect the following information for each publication: the frequency of publication (daily, weekly, bi-weekly); the circulation size; the cost of a full page ad, a half page ad, a quarter page ad, and whether the paper offered any bulk advertising discounts, cash discount or a special political rate.

202-265-2700
1611 CONNECTICUT
AVENUE, NW
FOURTH FLOOR
WASHINGTON DC
2 0 0 0 9

91 AUG 24 AM 12:25

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FEDERAL ELECTION COMMISSION
AUG 21 1991

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Ms. Lerner
Page Two

Ms. Burkett made her initial round of calls on Thursday, October 18, Friday, October 19 and Monday, October 22. In each case, the publication contacted assigned the November Group an account representative to provide information, answer questions and handle the placement of any advertisements that were placed as a result of our inquiries. After collecting all the initial information I requested, Ms. Burkett recorded it on a hand-written sheet (Exhibit 1). Ms. Burkett reported to me on a frequent basis about the progress of her information-gathering, both verbally and with hand-written notes. As you can see from Exhibit 1, she wrote down the name of each account representative who had been assigned to us. The account representative assigned to us by the Cape Cod Times was Sonja Sexton. (Exhibit 2 is additional hand-written notes from Ms. Burkett showing Ms. Sexton as our account executive, along with the price she quoted for a full page ad before she knew the client, as well as the fact that the newspaper required a signed release form prior to publication.)

Once we determined the costs of newspaper advertising, we presented various newspaper advertising budgets to the Studs' Committee, including the costs for running a single full page advertisement, two full page advertisements, or a single full page advertisement and two half-page advertisements.

After consultation with the Committee about their budget, we concluded that we would run a minimum of one full page ad in the Cape Cod Times and proceeded to develop the art work for that ad, later to become the "Baloney" ad. At that time, Ms. Burkett informed me that the Cape Cod Times had the following requirements for any political advertising (Exhibit 3): 1) all political advertising must be pre-paid 2) the newspaper must receive the actual ad slick at least four days in advance of publication 3) the newspaper must receive a release form signed by the candidate on behalf of whom the ad was running.

On October 24 and 25, Ms. Burkett called back those publications from which we decided to purchase paid advertising and informed them that we would be running ads. At that time, I instructed Ms. Burkett to inform them of the client that we were representing, the Committee to Re-Elect Congressman Gerry Studs. Sonja Sexton asked when we would run the ads and we indicated that we were uncertain of the exact dates. We wanted to rotate the ads among the three dailies in the district and the other dailies had schedule requirements that we had to incorporate into our ad placement planning. We informed Ms. Sexton that we tentatively planned to run our ads on November 1 and November 4.

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Ms. Lerner
Page Three

Ms. Sexton faxed us the Cape Cod Times' release form entitled "Political Witness Certificate" on which we indicated that we wanted to run ads on November 1 and November 4. As required, Congressman Studds signed the form (Exhibit 4).

We stressed that these dates were not necessarily our final advertising schedule. Ms. Sexton informed us that the actual dates were not required until the full pre-payment was received, as no political advertisement was permitted to run without full pre-payment. On the night of October 25 at 8:30 p.m., we sent via overnight mail to the Cape Cod Times 1) an ad slick of the Baloney ad and 2) a check for \$2,202.18, the full payment required for one full-page ad without the preferred placement premium (Exhibits 5 and 6 are copies of our canceled checks for ad pre-payment, as well as copies of our internal Check Request form requesting that a company check be written and stating its purpose). We sent the package via overnight mail on October 25 in order to meet the newspaper's four-day-in-advance deadline, so that the ad would arrive in time to run on October 30.

On October 26, we called the Cape Cod Times to give them the new ad schedule, which was to run the ad they had received that day as a full page ad on October 30. That phone call was routed to a new person with whom we had not previously spoken named Kathy Greenlaw. Ms. Greenlaw proceeded to verbally upbraid Ms. Burkett for having spoken to Ms. Sexton (who had been assigned to us by the Cape Cod Times), because, Ms. Greenlaw informed us, she "had handled Studds' advertising for years." So we placed our new ad order with Ms. Greenlaw.

Ms. Burkett indicated to me verbally as well as in a written note that Ms. Greenlaw treated her rudely. (See Exhibit 7, Ms. Burkett's notes to me from October 26 on Ms. Greenlaw's comments to her). She had previously commented to me on how helpful and courteous Ms. Sexton was, so I suggested that she simply request that the newspaper re-assign Ms. Sexton to us, as Ms. Sexton had been handling the account all along. Ms. Burkett made the request of the Cape Cod Times advertising department and began working once again with Ms. Sexton.

On October 30, the day that our first print advertising was published, we asked the campaign what they thought of the ad placement. Their unfavorable response (Exhibit 8) is surely an indicator that we were not receiving any special treatment from the Cape Cod Times.

Next, we placed an order with Ms. Sexton for an additional full page advertisement to run on Monday, November 5, and agreed

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Ms. Lerner
Page Four

to pay the preferred placement premium because the Studds' committee had been so unhappy with the placement of the October 30 ad. On November 1, we sent via overnight mail a new ad slick for our second ad as well as the full pre-payment, a check in the amount of \$2,752.73 (see Exhibits 5 and 6).

After the election was over, during the week of November 12, we reviewed the outcome of our newspaper ad placements and recognized that two ads had run in the Cape Cod Times which we had neither ordered nor paid for (Exhibit 9, Ms. Burkett's memo to me). At the same time, we received a statement from the Cape Cod Times stating that they owed us \$563.27. Ms. Burkett called Ms. Sexton and asked her to straighten out the situation and she said that she would do so.

On November 30, our office manager, Betsy Hubby, called Ms. Sonja Sexton to inquire about the \$563.27 that the newspaper indicated they owed to us in their billing. Ms. Sexton called back and indicated that the rates quoted on the credit were incorrect and that in fact, we owed them \$8 which they would write off.

Then, on December 7, we received a bill dated November 30 showing a balance owed to the Cape Cod Times of \$3,744.47. On January 8, we received another statement saying we owed the Cape Cod Times \$3,781.91. Ms. Hubby again called Ms. Sexton who said that the bill was incorrect and that she would have someone from the Business Department call Ms. Hubby back the following day. We did not receive a follow-up call and assumed that the matter had been cleared up.

In early February, we received an invoice again stating that we owed \$3,781.91, and received the same bill again in March. Ms. Hubby again telephoned Ms. Sexton and mailed her a letter dated March 7 stating that the advertising in question was neither ordered nor pre-paid, as the newspaper required, and requesting that the newspaper make the necessary corrections.

In late March, we received a "dunning" letter dated March 14 stating again that we owed \$3,781.91. Again, Ms. Hubby called Ms. Sexton for assistance and was informed that Ms. Sexton was no longer employed at the Cape Cod Times and was referred to M.J. Taylor in the credit department. Ms. Taylor sent a letter dated April 1 with a complete reconciliation from Sarah Maconga in the business office dated March 18, 1991. We received two more duplicates of the bill, one dated March 31 and one dated April 30.

94030972067

Ms. Lerner
Page Five

We then received another letter dated May 22, 1991 asking for corroboration of our statement that we had not ordered or paid for the extra two ads. On May 28, we sent copies of our documentation to that date to Ms. Taylor. On June 4, we received a letter from Ms. Taylor stating that because Ms. Sexton was no longer in their employ they were "unable to resolve the obviously disputed balance." (See Exhibit 10 for a complete set of correspondence and notes on the disputed payment issue).

On July 18, I spoke directly with Ms. Taylor about the matter. She informed me that she had uncovered a "kill request", an internal newspaper document canceling our tentatively scheduled ads of November 1 and November 4. She also said that she was uncertain of why the "kill request" had not been properly processed and said "that's where our system broke down." She said she was investigating the matter. She stated that she now fully realized that the billing problem had been the newspaper's error and said she would send me a correct reconciliation that included only the two ads we had ordered and for which we had pre-paid.

To make an additional point clear, at the beginning of this July 18, 1991 conversation, I pointed out to Ms. Taylor that there were charges on their March 18, 1991 reconciliation for ads placed in September of 1990, and yet we had never spoken to the Cape Cod Times prior to October 19, 1990.

At that point, Ms. Taylor and I clarified the fact that the first bill we received dated October 31, 1990 was addressed to "Comm to Re Elect Studds, PO Box 5, Norwell, MA 02061" and that the Cape Cod Times business department had, at that time and in every subsequent case, erroneously combined the Studds Committee's account with the November Group's account.

As can be seen from our checks, the November Group paid for the advertisements directly with November Group checks, as advertising agencies traditionally do. Apparently, Ms. Greenlaw had handled these initial Studds' Committee advertisements in September. Perhaps it was her mistaken belief that the November Group was the Studds' Committee, rather than an advertising agency handling ad placement on behalf of the Committee, that led to her abrupt takeover of our account mid-way through the process.

To the best of our knowledge, the accounting matter with the Cape Cod Times was finally and completely settled in July of this year.

94030972068

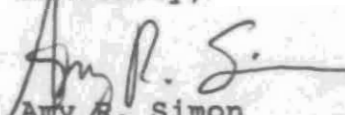
Ms. Lerner
Page Six

I want to state clearly and for the record that at no time did I or anyone associated with the November Group talk with anyone at the Cape Cod Times about receiving "free" advertising. Time and again, the Cape Cod Times employees reiterated to us that it was absolutely impossible to have political advertising printed without full pre-payment in advance of the advertisement running. And at no time did we ever ask for, expect or intend to receive any unpaid advertising.

For your information, I have attached the November Group's internal memorandums, notes, check requests, and outside correspondence that are relevant to this matter in the form of Exhibits 1-10.

If you have any questions or require additional information, please feel free to contact us again. We thank you for your thorough attention to this matter.

Sincerely,


Amy R. Simon

94030972069



MUR 3365

LIST OF EXHIBITS 1-10

Exhibit 1

Hand-written notes by Jane Burkett of the November Group with the results of initial phone calls to publications on their rates. Please note that by each newspaper's name, the name and phone number of the newspaper's account representative is included. Also included are the rates the newspaper quoted to the November Group before they knew who we were representing. The contact person at the Cape Cod Times is Sonja Sexton and the rate for a full-page, weekday ad is \$2,202.18.

Exhibit 2

Additional hand-written notes by Jane Burkett showing that Ms. Sexton was our account representative, that she informed us that a signed release form was required and that she had quoted to us the price of \$2,202.18 for a full page, no-preferred placement advertisement.

Exhibit 3

The "Cape Cod Times Political Advertising Procedures" stating that "Political advertisements must be paid for in advance." It also states the requirement that we provide a signed release.

Exhibit 4

Signed release, called "Cape Cod Times Political Witness Certificate".

Exhibit 5

November Group internal Check Request forms filled out for two separate checks to the Cape Cod Times for two separate full page advertisements.

Exhibit 6

November Group canceled checks to the Cape Cod Times.

Exhibit 7

Ms. Burkett's notes to Amy Simon about Ms. Greenlaw's statements to her.

202-265-2700
1611 CONNECTICUT
AVENUE, NW
FOURTH FLOOR
WASHINGTON DC
2 0 0 0 9

NOVEMBER GROUP EXHIBIT LIST
Page Two

Exhibit 8

This is a note from Jane Burkett to Amy Simon indicating how the Studds' campaign felt about each of the first round of print advertisements that we ran for them. The Cape Cod Times ad ran on Tuesday, October 30 and the campaign was "very unhappy" because it ran so far back in the newspaper. Surely that is not a sign of preferential treatment on the part of the newspaper.

Exhibit 9

November Group internal memo assessing our experiences in placing print ads for the Studds Committee, including a note on the two ads that ran without being ordered.

Exhibit 10

Correspondence and notes on the payment dispute resulting from the publication of two un-ordered ads.

94030972071

94030972072

775-1200 Jonja Serton
X.5 ~~Monday~~
1. Daily
Call 775-1200 ext. 269
CAPE COD TIMES
58,500
48,500
Full 2,329.18
1/2 1,104.09
1/4 550.00
Cape week - mag supp. 3 zones
Zoned Cape week - 3 zones
mon-Fri: 3P FRI
Wed-Fri: 3P FRI
THURS: 3P FRI
Cape week: 3P Mon
FRI - Amusement P. - Mon
Deadline: Sat & Sun: 3P Wed
4% discount for CASH
Cape Cod Times
FRIDAY Paper - 3P Times
Zoned: 410/24in/zone

1. 746-5555
2. (508)
138,675 Total circulation
Sue Burge
MPG
One day a week,
Usually on Wed or Thurs.
SAU 5 columns x 16
TAB 6 " x 21.5
OFF-CAPE for Full page: \$3,274.68
[10 newspapers]
ON-CAPE Full page: \$3,296.00
[12 newspapers]
Reserve space
Deadlines: THURS. a week prior to publication
2% discount
Calling me back
PAID IN ADVANCE

(508) 548-4700
Ruthy O'Neil
3. Falmouth Enterprise
p. 3-5-7 in order 25% premium for hours 8:30-5:30 15%
2 idist ads: 25% off
Monday, Wednesday, Friday
19,000 - Falmouth
9,800 Bourne only on Friday [Free paper]
Total 19,800 [p. 3 Nov. 5]
Nov. 2 - daily rates
p. 3 zone
1/4 - 268.80 Falmouth added to Bourne
+ 75.60
1/2 - 497.28 Falmouth plus Bourne
+ 151.20
Full 994.56 Falmouth
302.40 plus Bourne
Same ad 3 days in a row, pay for 2 / 2 working days prior: DEADLINE

Patricia Smith
Weekly - THURS.
12,000 circulation
1. Dennis 4. Sandwich
2. Yarmouth 5. Barnstable
Columns: 1 7/8"
Full: 10 1/4 wide 16 length
Deadline - prev. Friday
Full page: 139.20
1/2 page: 386.40
1/4 page: 203.70
1% forenoon will take AC via

Alan MacPhail
10 1/4 " x 16 "
THE CAPE CODDER
(508) 255-2121
XX
Twice weekly
Tue./Fri
Summer resort area
Circulation
AV: 13,075
Full page \$882.82
1/2 page \$461.47
1/4 page \$243.28
Same ad 2 days in a row = 40% reduction off 2nd
Deadlines: for Tue - prev THURS
for Fri - prev. TUES
Citing:
1. Harwich 5. Eastham
2. Chatham 6. Truro
3. Brewster 7. Wellfleet
4. Orleans 8. Provincetown

MPG: Did Colony, Tue 6 Reporters - 2,217.88
[7 pages]
WAREHAM, SENTINEL, ADVOCATE
THE CHRONICLE & SPECTATOR
BARNSTABLE Somerset
[5 page SNAP]
12 ON CAPE: \$3,296.00
6,713.88
2% discount
\$6,579.60
*These amounts are probably too high
There is a POLITICAL RATE but these numbers reflect Retire Rate. Look at Register's rates - the 2 are done by same co. and charge same.
Political ads: many on each column
When ad sticks sent DON'T FORGET RELEASE FORM AND CHECK!

2 camera ready ad slicks
① 13" wide x 21 1/2" deep - Old Colony
② 10 1/2" wide x 16" deep
FOR WED 31st
all ad slicks must be in Sue's hand on FRI 26th
Request
← Paid for line
must have signed releases for any named
882
CAPE COD NEWSPAPERS

EXHIBIT #2 (1)

4624852

FAX Numbers!

✓ Patriot Ledger - (617) 786-7298
to: Bill Thomas (617) 786-7092

CAPE Cod Times (508) 775-7337
to: Sonja Sexton

✓ THE STANDARD TIMES (508) 997-7852
to: Bob Brown

✓ THE MARINER (617) 837-9619
to: Claudia Oliver

✓ MPG (508) 747-2148
to: Kathie Barnett

THE REGISTER
AND CAPE CODDER (508) 430-2527
Patti Smith

THE ENTERPRISE (508) 540-8407
(~~508~~)
to: Cathy O'Neil

94030972073

EXHIBIT #2 (page 2)

release

THE

CAPE COD TIMES

319 MAIN St.

Hyannis, MA 02601

Attn: Sonja Sexton

13" x 21 $\frac{1}{4}$ "

~~\$4531.36~~

\$2202.18

94030972074



July, 1988

POLITICAL ADVERTISING PROCEDURES

The Cape Cod Times will accept political advertising providing it is not libelous, does not violate the law and meets the newspaper's standards of fairness and good taste.

When a political advertisement is to be signed by a person other than the individual placing the ad, a witnessed certificate must be presented to the newspaper, stating that the person(s) whose name is being used has, in fact, given permission to print their name in the advertising copy. This is in compliance with General Laws - Chap. 56-Sec. 39, relating to elections. ~~_____~~

~~_____ signed in the advertisement, responsible therefore, _____~~

~~_____ and _____ include the place of residence _____ and _____~~

When a political ad is placed by the signer, a witness certificate is also required.

For political advertisements containing a list of names (endorsers), it is required that the endorser's name and address be printed in the advertisement. The individual placing the advertisement must furnish the newspaper a signed statement by the endorsers that they have in fact, given permission to print their name in political advertising copy.

For political advertisements containing photographs (groups or individuals), a release must be obtained by each of the persons in the photo will be required.

Circulars (pre-printed inserts) must show name of printer and/or publisher.

If a candidate refers to himself as a veteran, he must also state "of what country or nation".

Political advertisements must be paid in advance. Contract rates are available, but only on a rebate basis. Adjustment by rebate will be made after the contract requirements are fulfilled.

Political advertisements for which the charge exceeds \$50. must be paid by check (General Laws - Chap. 55, Sec. 7A).

Each column must be headed by the words, "Paid political advertisement" in a size no smaller than regular news type.

As a doctrine of fairness, the Cape Cod Times will not knowingly publish a political advertisement containing controversial copy later than the fourth publication day prior to the election because there would be no opportunity for the opposing candidate or organization to make timely response. Except as stated above, the Cape Cod Times will accept advertisements containing copy which it considers to be controversial, providing that the individual placing the copy, or the candidate of record, also submits the necessary documented materials to substantiate the claims contained in the advertisement. The publication of political advertisements containing controversial copy must be approved by the Cape Cod Times Retail Advertising Manager.

94030972075

CAPE COD TIMES
POLITICAL WITNESS CERTIFICATE

POLITICAL ADVERTISING
REGULATION

Section 39 of Chapter 56 of the Massachusetts General Laws relating to elections requires candidates to present to a newspaper witnessed certification that the person whose name is used in an endorsement has, in fact, given permission to print his or her name in the advertising copy.

CERTIFICATE

I hereby declare that permission has been given to me to use the name(s) of those who appear as endorser(s) in the political advertisement (s) which is being placed in behalf of GERRY STUDDS, candidate for U.S. CONGRESS/REPRESENTATIVE. This ad(s) will appear in The Cape Cod Times on the date(s) of "1/1/90 and "4/90".

Signature [Signature]

Address Box 513
SCITUATE MA 02066

Witness _____

Address _____

Date _____

94030972076

EXHIBIT #5

CHECK ADMINISTRATION FORM

200

Amy
Simon

DATE: 10/25/90

REQUEST FROM:

PROJECT TITLE: ST00N2 - DAILIES

COPIES

CLIENT: Stu	AMOUNT: _____	DATE: 5346.82
CLIENT: _____	AMOUNT: _____	DATE: _____
CLIENT: _____	AMOUNT: _____	DATE: _____
CLIENT: _____	AMOUNT: _____	DATE: _____
CLIENT: _____	AMOUNT: _____	DATE: _____

PAYABLE TO: Cape Cod Times AMOUNT: \$ ~~5346.82~~
2202.18

✓ PURPOSE OF CHECK: newspaper ad
\$ full days ~~ad 1 to Sunday~~
ST00N2

CHECK NUMBER BY: _____

REQUEST APPROVED BY: A. J. Vin

DATE: _____

CHECK #: _____

PAID
OCT 25 1990
CU #2363

94030972077

THE NOVEMBER GROUP

205

NAME: The Cape Cod Times

CHECK DATE: Oct 25

DATE	ISSUE DATE	GROSS AMOUNT	DISCOUNT TAKEN	NET AMOUNT
060606	Oct 25 90	2,202.18	0.00	2,202.18
TOTAL		2,202.18	0.00	2,202.18

THE NOVEMBER GROUP

1811 CONNECTICUT AVE., N.W., 4TH FL.
WASHINGTON, DC 20002
PH. 202-266-2700

GOVERNMENT BANK
MAIN OFFICE
1001 K STREET, N.W.
WASHINGTON, DC 20003
18-120/5-10

DATE	AMOUNT
OCT 20 90	52,202.18

***** Two Thousand Two Hundred Two and 18/100 *****

The Cape Cod Times
319 Main Street
Hyannis, MA

02601

00023634

519,604.00

410 000 000

NOT NEGOTIABLE

87027603046

CHECK AUTHORIZATION FORM

DATE: Nov. 1, 1990

REQUEST FROM: Jane Burkett

PROJECT TITLE: STUDDS PRINT ADS (#2)

CODES

CLIENT: STU

ACCTG: _____

AMT: \$ _____

CLIENT: _____

ACCTG: _____

AMT: \$ _____

CLIENT: _____

ACCTG: _____

AMT: \$ _____

CLIENT: _____

ACCTG: _____

AMT: \$ _____

CLIENT: _____

ACCTG: _____

AMT: \$ _____

PAYABLE TO: The Cape Cod Times

AMOUNT: \$ \$ 2,752.73

PURPOSE OF CHECK: Front section, full page, Monday Nov 5th
STOD N 3

CHECK NEEDED BY: 6 pm

REQUEST APPROVED BY: [Signature]

DATE: _____

CHECK #: _____

PAID
(NOV 01 1990)

CU # 2411

94030972079

205 4147 Cape Cod Times 0

INVOICE DATE	INVOICE DATE	GROSS AMOUNT	DISCOUNT TAKEN	NET AMOUNT PAID
Nov 01 90	Nov 01 90	2,752.73	0.00	2,752.73
TOTAL			0.00	2,752.73

241

SOVERAN BANK
MAIN OFFICE
1001 K STREET NW
WASHINGTON, DC 20003
16-120/510

DATE	01-90
AMOUNT	2,752.73

THE NOVEMBER GROUP
100 CONNECTICUT AVE. N.W., 4TH FL.
WASHINGTON, DC 20003
TEL 202/203-2700

***** Two Thousand Seven Hundred Fifty-Two and 73/100 *****

Cape Cod Times
315 Main Street
Hyannis, MA

02601

[Handwritten Signature]

NOV 01 1990 11:02:00

94030972081

EXHIBIT
#6

2363

SOVRAN BANK
MAIN OFFICE
1801 K STREET, NW.
WASHINGTON, DC 20006
15-120/540

THE NOVEMBER GROUP
1811 CONNECTICUT AVE., N.W., 4TH FL.
WASHINGTON, DC 20009
PH. 202-898-2700

DATE	OCT 25 90
AMOUNT	\$2,202.18

Two Thousand Two Hundred Two and 18/100 *****

The Cape Cod Times
319 Main Street
Hyannis, MA 02601

Mark

⑈0000220218⑈

410229 01⑈

⑈002363⑈ + ⑈051001204⑈

*FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

9 4 0 3 0 9 7 2 0 8 3

2411

SOVRAN BANK
MAIN OFFICE
1801 K STREET, NW.
WASHINGTON, DC 20008
18-120/540

THE NOVEMBER GROUP
1811 CONNECTICUT AVE., N.W., 4TH FL.
WASHINGTON, DC 20009
PH. 202-265-2700

DATE	01 90
AMOUNT	\$ 752.73

Four Thousand Seven Hundred Fifty-Two and 73/100 *****

PAY

TO THE
ORDER
OF

The Cape Cod Times
170 Main Street
Hyannis, MA

02601

Donald Chen

⑈0000275273⑈

410229 0⑈

⑈002411⑈ ⑈054001204⑈

ENDORSE HERE

PAY TO THE ORDER OF
CAPE COD BANK AND TRUST COMPANY
CAPE COD TIMES

A. Division of Ottawa Newspapers, Inc.
DO NOT WRITE IN THESE SPACES
010-076-5-1111 5842H

647509110
CAPE COD BANK
S. V. H. H. H. H. H.
40110077777

107-910

37000000

00000000

00000000

00000000

10000000

FEDERAL RESERVE BOARD OF GOVERNORS REG. CO.

94030972084

10/26/90

EXHIBIT #7

Comments from Newspapers re: Studds ads

① Falmouth Enterprise Sales Rep. Cathy O'Neil:

"I really hope Studds wins. The ad is great and it has been really great working with you. Good luck."

② Cape Cod Times - Kathy Greenlaw ~ ^(A) "I've been handling

Studds's ads for years; you could've saved yourself a lot of time if you had asked for me in the first place. I don't know why you dealt w/ Sonja on this."

③ Beginning Nov. 2 no opponent's name can be mentioned in any candidate's ad. Only pro candidate, "this is what I stand for" type ads can run 4 days prior to election day. "I have explained this to Jon Bryan's campaign people in no uncertain terms."

③ Standard Times - Bob Brown ~ "Baloney" ad must run on 10/30 to allow the opponent time to respond. "I don't care if you run it every day after that, but it is our policy that the first run of a controversial ad be placed no later than the Tuesday prior to a Tuesday election day." You must prove Dolphin Keller Sr. Citizens and Greenpeace remain

④ The Register - Patti Smith - "I got the ad, it looks great. It has been a pleasure working on this w/ you."

94030972085

BALONEY ADS

TUES 10/30:

CAPE COD TIMES
(BACK TOO FAR)STUDDS'S office
— VERY UNHAPPYTHE STANDARD TIMES
(LOST IN MIDDLE)

— VERY UNHAPPY

WED 10/31:

DARTMOUTH CHRONICLE
(NOT A FULL PAGE)

— UNHAPPY

94030972086

MEMORANDUM

TO: AMY SIMON
FROM: JANE BURKETT
DATE: NOVEMBER 12, 1990

RE: STUDDS PRINT ADS

What follows is a list of all the newspapers (and their representatives) that were contacted for the BALONEY and the CAPE COD ENDORSEMENT ads. Also included are some details of interest.

On Thursday, October 26, 1990, the decision to run BALONEY was made and camera-ready artwork was sent via Federal Express that night to the following newspapers:

PATRIOT LEDGER

WHAT WE ASKED FOR

WHAT WE GOT

Bob Neal

Wed. 10/31 full page,
South Edition only

Demand that all
claims be proven,
which they were via
FAX; ad ran as
requested

CAPE COD TIMES

Sonja Sexton

Tues. 10/30 full page,
preferred placement
requested but not
paid for (CCT will
not guarantee place-
ment, even w/a 25%
charge)

(1) A new sales rep
who insisted she
had handled Studds's
print ad for years
(even though Studds
has never run print
ads)
(2) Two days of
full-page ads we
never ordered
(3) Demand that
claims be proven
(made 3 days after
ad ran the first
time)
(4) Insistence that
policy requires ad
not run after 11/1
due to controversial
copy (and later a
reversal, after copy
was deemed non-
controversial)

94030972087

EXHIBIT #10

PAGE 1

Cape Cod Times

34.09

The Cape and Islands Daily Newspaper
319 Main St. Hyannis, Mass 02601
508-775-1200 FAX 508-775-7337

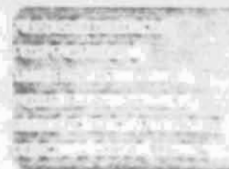
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., N.W., 4th FL
WASHINGTON D.C. 20009

BILLED
ACCT.

COMM TO RE ELECT STUDDS
P.O. BOX 5
NORWELL MA 02061

ADVERTISING STATEMENT/INVOICE

1 INVOICE NO.	2 BILLING DATE	3 BILLING PERIOD
*****	10/31/90	10/01-10/31
4 TERMS	5 ACCOUNT TYPE	6 ADVERTISER NO
7 SEE BELOW	POP DISPLAY	103796



553.27

YOUR SERVICE REPRESENTATIVE - RETAIL

KATHY GREENLAW

10-33-90

HOUSE ACCOUNT

10 DATE	11 REF NO.	12 CHARGES CREDITS 13 DESCRIPTION (PUB. CODES)	14 QUANTITY	15 RATE	16 TOTAL	17
		BALANCE FORWARD:				47.23
10/05	33493	STEPHEN STILLS 4% OFF-CAPEWEEK REDUCTION	2X 5.00	12.00	1 4.1000	47.23
10/12	33585	A CONSTIC EVENT	2X 4.00	12.00	1 17.3400	108.00
10/19	33583	POSTPONED	2X 4.00	12.00	1 13.2400	158.80
10/30	33774	BALONEY	6X21.25	127.50	1 13.2400	1588.10
10/10		CASH DISCOUNTS				3.32
10/10		CASH PAYMENT				190.75
10/16		CASH DISCOUNTS				3.32
10/18		CASH PAYMENT				190.75
10/26		CASH PAYMENT				1202.18

CREDIT BALANCE
DO NOT PAY

DISCOUNTS WILL NOT BE CREDITED UNLESS THEY HAVE BEEN DEDUCTED. YOU ARE ENTITLED TO A 4% DISCOUNT OF \$34.09 ON CURRENT MONTH'S CHARGES PROVIDED BILL IS PAID IN FULL WITHIN 10 DAYS OF DATE OF STATEMENT.

103796 10/01-10/31

120 & OVER	30 DAYS	60 DAYS	90 DAYS	CURRENT	
.00	.00	.00	.00	553.27-	553.27-

Terms: 4% discount on current month's advertising if statement balance is paid in full by the 20th. Net end of month. No discount on preprints, past due charges or on accounts that are not current. Accounts not paid in full by end of month are subject to 1% per month service charge (12% per annum).

94030972088

94030972089

Sonya Sexton

11/30

checking w/
business dept
about credit check.
rates are incorrect
we owe them
\$8.00 but they
will write it off

(Betsy Hubby's
note on 1/30/90
conversation.)

Cape Cod Times

290.52

The Cape and Islands Daily Newspaper
119 Main St. Hyannis, Mass 02601
508-775-1200 FAX 508-775-7337

ADVERTISING STATEMENT/INVOICE

1 INVOICE NO	2 BILLING DATE	3 BILLING PERIOD
*****	11/30/90	11/01-11/30
4 TERMS	5 ACCOUNT TYPE	6 ADVERTISER NO
SEE BELOW	ROP DISPLAY	103796

COMM TO RE ELECT STUDDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON DC 20009

7 TOTAL CHARGES	8 TOTAL CREDITS	9 NET DUE
3,744.47		3,744.47

OUR SERVICE REPRESENTATIVE - RETAIL KATHY GREENLAW HOUSE ACCOUNT-RETA

DATE	REF	DESCRIPTION	CHARGES	CREDITS	BALANCE
BALANCE FORWARD:					563.27
11/01	40904	THE LAST THING	6X21.25 127.50 I 13.2400		1688.10
11/02	41237	THE LAST	6X21.25 127.50 I 7.9800		975.70
		4% OFF-CAPEWEEK REDUCTION 4%			
11/04	41708	THE LAST	6X21.25 127.50 I 14.2400		1915.60
11/05	40711	ROP-RETAIL	6X21.25 127.50 I 13.2400		1688.10
11/30	49074	11/4 AD	6X21.25 127.50 I 4.1000		522.70
		ADJUST RATE TO 18.34			
11/02		CASH DISCOUNTS		114.70	
11/02		CASH PAYMENT		2752.73	
11/30		CASH DISCOUNTS		88.09	
11/30		RETAIL DEBIT			483.50
11/30		RETAIL DEBIT			98.40

RECEIVED
12/7

290.52					ACCOUNT NO	BILLING DATE
					103796	11/01-11/30
10 COVER	30 DAYS	60 DAYS	90 DAYS	CURRENT		
.00	.00	.00	.00	3,744.47	3,744.47	
Terms: 4 % discount on current month's advertising if statement balance is paid in full by the 20th. Net end of month. No discount on preprints, past due charges or on accounts that are not current.						
Accounts not paid in full by end of month are subject to 1% per month service charge (12% per annum).						

94030972090



Cape Cod Times

The Cape and Islands Daily Newspaper
319 Main St. Hyannis, Mass 02601
508-775-1200 FAX 508-775-7337

ADVERTISING STATEMENT/INVOICE

INVOICE NO.	BILLING DATE	BILLING PERIOD
*****	12/31/90	12/01-12/31
TERMS	ACCOUNT TYPE	ADVERTISER NO.
	ROP DISPLAY	103796

BILLED
POST

COMM TO RE-ELECT STUDDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON DC 20009

	3,791.91
--	----------

YOUR SERVICE REPRESENTATIVE - RETAIL:

KATHY GREENLAW

CLASSIFIED

HOUSE ACCOUNT-RETA

DATE REF NO. CHARGES CREDITS
AD DESCRIPTION (PUB. CODES)

12/31 BALANCE FORWARD:
195 SERVICE/INTEREST CHARGES

3744.4
37.

94030972091

DISCOUNTS WILL NOT BE CREDITED UNLESS THEY HAVE BEEN DEDUCTED FROM THE BALANCE
TITLED TO A % DISCOUNT OF 3 IN CURRENT MONTH
CHARGES PROVIDED BILL IS PAID IN FULL WITHIN 20 DAYS OF DATE OF STATEMENT

ACCOUNT NO. 103796
BILLING DATE 12/01-12/

24 AGING					25 TOTAL
120 & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT	
.00	.00	.00	3,744.47	37.44	3,791.91

Terms: % discount on current month's advertising if statement balance is paid in full by the 20th. Net end of month. No discount on preprints, past due charges or on accounts that are not current.
Accounts not paid in full by end of month are subject to 1% per month service charge (12% per annum).

94030972092

Sonya 1/8
to talk to
business Dept
in morning +
have someone
call either
me or Army
tomorrow. ~~BA~~
We do not cue
this.

Betsy Hubby's
note on 1/8/91
conversation with
Sonya Sexton.



Cape Cod Times

The Cape and Islands Daily Newspaper
319 Main St. Hyannis, Mass 02601
508-775-1200 FAX 508-775-7337

ADVERTISING STATEMENT/INVOICE

3 INVOICE NO.	4 BILLING DATE	5 BILLING PERIOD
*****	1/31/91	01/01-01/31
6 TERMS	7 ACCOUNT TYPE	8 ADVERTISER NO.
SEE BELOW	ROP DISPLAY	103796

2
BILLED
ACCT

COMM TO RE ELECT STUDDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON DC 20009

PLEASE DETACH
TOP PORTION
AND RETURN WITH
YOUR REMITTANCE
NAME CHECK PAYABLE
TO CAPE COD TIMES

TOTAL BALANCE
AS PER STATEMENT 3,781.91
LESS
EARNED DISCOUNT
AMOUNT OF
YOUR REMITTANCE

YOUR SERVICE REPRESENTATIVE — RETAIL

HOUSE ACCOUNT—RETAIL

CLASSIFIED

10 DATE	11 REF. NO.	12 13 14 CHARGES/CREDITS AD DESCRIPTION/PUB. CODES	15 AD SIZE	16 TIMES PUB.	17 BILLED UNITS	18 RATE	19 CREDITS	19 AMOUNT
BALANCE FORWARD:								3781.91

CALL — This has been
paid — Credit balance
is in STUDDS
Account —
Ask them to send a letter

DISCOUNTS WILL NOT BE CREDITED UNLESS THEY HAVE BEEN DEDUCTED. YOU ARE ENTITLED TO A % DISCOUNT OF 5 ON CURRENT MONTHS CHARGES PROVIDED BILL IS PAID IN FULL WITHIN 20 DAYS OF DATE OF STATEMENT.

ACCOUNT NO. 103796 BILLING DATE 01/01-01/31

24 AGING					25 TOTAL
120 & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT	
.00	.00	3,744.47	37.44	.00	3,781.91

Terms: % discount on current month's advertising if statement balance is paid in full by the 20th. Net end of month. No discount on preprints, past due charges or on accounts that are not current. Accounts not paid in full by end of month are subject to 1% per month service charge (12% per annum).

94030972093

Cape Cod Times

The Cape and Islands' Daily Newspaper
319 Main St. Hyannis, Mass 02601
508-775-1200 FAX 508-775-7337

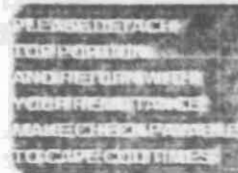
PAGE 1

ADVERTISING STATEMENT/INVOICE

3 INVOICE NO.	4 BILLING DATE	5 BILLING PERIOD
*****	2/28/91	02/01-02/28
6 TERMS	7 ACCOUNT TYPE	8 ADVERTISER NO.
SEE BELOW	ROP DISPLAY	103796

BILLED
ACCT

COMM TO RE ELECT STUDDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON DC 20009



TOTAL BALANCE
AS PER STATEMENT 3,781.91
LESS
EARNED DISCOUNT
AMOUNT OF
YOUR REMITTANCE

YOUR SERVICE REPRESENTATIVE — RETAIL:

SONJA SEXTON

CLASSIFIED:

10 DATE	11 REF NO.	12 13 14 CHARGES/CREDITS AD DESCRIPTION/PUB. CODES	15 AD SIZE	16 BILLED UNITS	17 RATE	18 CREDITS	19 AMOUNT
BALANCE FORWARD:							3781.91

94030972094

DISCOUNTS WILL NOT BE CREDITED UNLESS THEY HAVE BEEN DEDUCTED. YOU ARE ENTITLED TO A % DISCOUNT OF \$ ON CURRENT MONTHS CHARGES PROVIDED BILL IS PAID IN FULL WITHIN 20 DAYS OF DATE OF STATEMENT.

ACCOUNT NO. 103796
BILLING DATE 02/01-02/28

24 AGING					25 TOTAL
120 & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT	
.00	3,744.47	37.44	.00	.00	3,781.91

Terms: % discount on current month's advertising if statement balance is paid in full by the 20th. Net end of month. No discount on preprints, past due charges or on accounts that are not current. Accounts not paid in full by end of month are subject to 1% per month service charge (12% per annum).



March 7, 1991

Ms. Sonya Sexton
Cape Cod Times
319 Main Street
Hyannis, MA 02601

RE: Account #103796

Dear Ms. Sexton,

I am writing in regard to the statement that we received today that shows a balance due from the November Group of \$3,781.91. As I have told your accounting department, Cape Cod Times required full payment for any advertising for the Committee to Re-Elect Congressman Studds in advance. All the advertising for the Committee that was approved by the November Group was paid for up front. Neither the Committee nor the November Group owe this money.

Please issue a credit memo for our records to the November Group as soon as possible. If you have any questions, please let me know.

Thank you in advance for your prompt attention to this matter.

Sincerely,

Betsy Hubby
Betsy Hubby

cc: Martin Davis

encl.

202-265-2700
1611 CONNECTICUT
AVENUE, NW
FOURTH FLOOR
WASHINGTON DC
2 0 0 0 9

94030972095



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601

Telephone (508) 775-1200

BUREAU: Falmouth, Orleans, Bourne, Provincetown



3/14/91

COMM TO RE ELECT STUDDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON

DC 20009

THE CAPE COD TIMES
ACCOUNT NO: 103796
DELINQUENT DUE:\$ 3781.91

DEAR ADVERTISER,

WITH THE CLOSE OF LAST MONTH'S BILLING, THE AMOUNT OF \$ 3781.91,
INCLUSIVE OF FINANCE CHARGES, IS CONSIDERABLY PAST DUE.

FORWARDING YOUR PAYMENT TODAY WILL BRING YOUR ACCOUNT CURRENT AND
ALLOW US TO CONSIDER EXTENDING CREDIT TO YOU IN THE FUTURE.

IF THERE IS A PROBLEM THAT I AM UNAWARE OF, PLEASE DO NOT HESITATE
TO CONTACT ME. YOUR PROMPT ATTENTION TO THIS MATTER IS APPRECIATED.

VERY TRULY YOURS,

M.J.TAYLOR
CREDIT DEPARTMENT

CC: CREDIT FILE

94030972096



March 20, 1991

M.J. Taylor
Credit Department
Cape Cod Times
319 Main Street
Hyannis, MA 02601

RE: Account #103796

Dear Ms. Taylor,

I have enclosed a copy of my letter dated March 7, 1991 to our service representative, Ms. Sonya Sexton.

As I have explained to both Ms. Sexton as well as your accounting department, this amount is not due from the November Group. Cape Cod Times required advance payment from the November Group for all advertising done for the Committee to Re-Elect Congressman Studds. All the advertising that was approved by the November Group was paid for up front.

Please issue a credit memo for our records as soon as possible.

I will be happy to answer any further questions you may have regarding this matter. Thank you in advance for your prompt attention.

Sincerely,

Betsy Hubby

/bh
encl.

202-265-2700
1611 CONNECTICUT
AVENUE, NW
FOURTH FLOOR
WASHINGTON DC
2 0 0 0 9

94030972097

4/1

Spoke w/ MJ Taylor.

They have done a reconciliation
and will mail us a copy.

Sonia Sexton was handling
our acct + she was a
temp. employee. Need to
speak w/ Annie about P.O.'s
or any notes she may
have regarding the original
order. Was it on the
phone? Do they realize they
ran the ad 2x w/out
permission?

BA

94030972098



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601
Telephone (508) 775-1200 EXT. 171

BUREAUS: Falmouth, Orleans, Bourne, Provincetown



M. J. TAYLOR
Credit Manager

April 1, 1991

Betsy Hubby
The November Group
1611 Connecticut Ave N.W.
4th Floor
Washington, DC 20009

Dear Betsy,

Thanks for your offer of assistance with this matter.

I've enclosed a copy of the reconciliation prepared by our accounting department on March 18th. I hope it is somewhat helpful in resolving the discrepancies on the account.

Please feel free to contact me with any additional information which may allow us to pursue it further through our billing systems.

Again, thank you in advance for your help.

Sincerely,


M. J. Taylor
Credit Manager

MJT/tim
ENC: 1

cc: file

94030972099



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601
Telephone (617) 775-1200

BUREAUS: Falmouth, Orleans, Bourne, Provincetown



March 18, 1991

Comm. To Re Elect Studds
The November Group
1611 Connecticut Ave., NW
Fourth Floor
Washington, DC 20009

Dear Sir/Mam:

The following is everything that occurred from 9/27/90 until 12/31/90:

				<u>DIFFERENCE</u>
09/27/90	Cash	\$(209.39)		
	Disc.	(8.72)	(218.11)	
09/30/90	12" @ 14.24	170.88		
10/05/90	CapeWeek	47.24	218.12	.01
10/10/90	Cash	(199.76)		
	Disc.	(8.32)	(208.08)	
10/12/90	12" @ 17.34	208.08	208.08	.00
10/18/90	Cash	(199.76)		
	Disc.	(8.32)	(208.08)	
10/19/90	12" @ 17.34	208.08	208.08	.00
10/26/90	Cash	(2202.18)		
	Disc.	(88.09)	(2290.27)	
10/30/90	127.5" @ 17.34	2210.85	2210.85	(79.42)
11/01/90	127.5" @ 13.24	1688.10		
11/01/90	CapeWeek 2 Zones	976.76		
11/04/90	127.5" @ 18.34	2338.35		
11/05/90	127.5" @ 13.24	1688.10	6691.31	
11/02/90	Cash	(2752.73)		
	Disc.	(114.70)	(2867.43)	3823.88
12/31/90	Interest Charge	37.44		37.44
				<u>\$3781.91</u>

Could the discrepancies have anything to do with the change of address in November?

If there is anything else I can do, please don't hesitate to call me on ext. 133.

Regards,

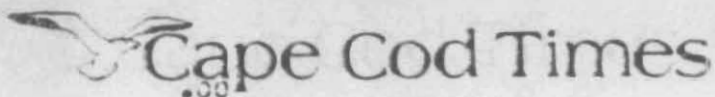
Sarah
Sarah Maconga
Business Office

cc: George Vagenas
M.J. Taylor, Credit Manager
Kathy Greenlaw, Sales Rep.

M.S. Please also see
attached letter.

~~Send it if you think
it should go.~~

94030972100



The Cape and Islands' Daily Newspaper
319 Main St. Hyannis, Mass 02601
508-775-1200 FAX 508-775-7337

PAGE 1

ADVERTISING STATEMENT/INVOICE

3 INVOICE NO.	4 BILLING DATE	5 BILLING PERIOD
*****	3/31/91	03/01-03/31
6 TERMS	7 ACCOUNT TYPE	8 ADVERTISER NO.
SEE BELOW	ROP DISPLAY	103796

2
BILLED
ACCT.

COMM TO RE-ELECT STODDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON DC 20009

PREPARED BY
FOR POSITION
CROSS REFERENCE WITH
YOUR REMITTANCE
CHECKS (CHECK PAYABLE
TO CAPE COD TIMES)

TOTAL BALANCE
AS PER STATEMENT 3,781.91
LESS
EARNED DISCOUNT
AMOUNT OF
YOUR REMITTANCE

YOUR SERVICE REPRESENTATIVE — RETAIL

LOUISE PORTER

CLASSIFIED

10 DATE	11 REF. NO.	12 13 14 CHARGES/CREDITS NO DESCRIPTION/PUB. CODES	15 AD SIZE	16 TIMES BILLED	17 UNITS	18 RATE	19 CREDITS	20 AMOUNT
BALANCE FORWARD:								3781.91

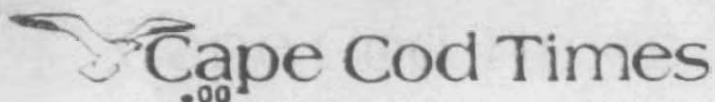
94030972101

DISCOUNTS WILL NOT BE CREDITED UNLESS THEY HAVE BEEN DEDUCTED. YOU ARE ENTITLED TO A % DISCOUNT OF 3 ON CURRENT MONTH'S CHARGES PROVIDED BILL IS PAID IN FULL WITHIN 20 DAYS OF DATE OF STATEMENT.

ACCOUNT NO. 103796
BILLING DATE 03/01-03/31

24 AGING					25 TOTAL
120 & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT	
3,744.47	37.44	.00	.00	.00	3,781.91

Terms: % discount on current month's advertising if statement balance is paid in full by the 20th. Net end of month. No discount on preprints, past due charges or on accounts that are not current. Accounts not paid in full by end of month are subject to 1% per month service charge (12% per annum).



The Cape and Islands' Daily Newspaper
319 Main St. Hyannis, Mass 02601
508-775-1200 FAX 508-775-7337

PAGE 1

ADVERTISING STATEMENT/INVOICE

3 INVOICE NO.	4 BILLING DATE	5 BILLING PERIOD
*****	4/30/91	04/01-04/30
6 TERMS	7 ACCOUNT TYPE	8 ADVERTISER NO.
SEE BELOW	ROP DISPLAY	103796

BILLED
ACCT:

COMM TO RE ELECT STUDDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON DC 20009

PLEASE PRINT
TOP POSITION
AND RETURN WITH
YOUR REMITTANCE
NAME CHECK PAYABLE
TO CAPECODTIMES

TOTAL BALANCE
AS PER STATEMENT 3,781.91
LESS
EARNED DISCOUNT
AMOUNT OF
OUR REMITTANCE

YOUR SERVICE REPRESENTATIVE — RETAIL:

LOUISE PORTER

CLASSIFIED:

10 DATE	11 REF. NO.	12 13 14 CHARGES CREDITS AD DESCRIPTION PUB. CODES	15 ID SIZE	16 TIMES BILLED	17 BILLED UNITS	18 RATE	19 CREDITS	20 AMOUNT
BALANCE FORWARD:								3781.91

94030972102

DISCOUNTS WILL NOT BE CREDITED UNLESS THEY HAVE BEEN DEDUCTED. YOU ARE ENTITLED TO A % DISCOUNT OF \$ ON CURRENT MONTH'S CHARGES PROVIDED BILL IS PAID IN FULL WITHIN 20 DAYS OF DATE OF STATEMENT.

ACCOUNT NO. 103796
BILLING DATE 04/01-04/30

24 AGING					25 TOTAL
120 & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT	
3,781.91	.00	.00	.00	.00	3,781.91

Terms: % discount on current month's advertising if statement balance is paid in full by the 20th. Net end of month. No discount on preprints, past due charges or on accounts that are not current.
Accounts not paid in full by end of month are subject to 1% per month service charge (12% per annum).



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601

Telephone (508) 775-1200

BUREAUS: Falmouth, Orleans, Bourne, Provincetown



5/22/91

Betsy Hubby
COMM TO RE ELECT STUDDS
THE NOVEMBER GROUP
1611 CONNECTICUT AVE., NW
FOURTH FLOOR
WASHINGTON

DC 20009

THE CAPE COD TIMES
ACCOUNT NO: 103796
DELINQUENT DUES: \$ 3791.91

DEAR MS. HUBBY,

THERE HAS BEEN NO RESPONSE TO MY LETTER OF APRIL 1, 1991.

WHEN WE LAST SPOKE YOU HAD OFFERED TO SEND COPIES OF ALL CORRESPONDENCE BETWEEN YOUR OFFICE AND THE ADVERTISING DEPARTMENT HERE AT THE CAPE COD TIMES.

UNLESS YOU CAN SHOW SUBSTANTIATION THAT WE RAN ADS NOT ORDERED, THE AMOUNT OUTSTANDING WILL NEED TO BE PAID PRIOR TO ANY FUTURE ADVERTISING.

PLEASE TAKE THIS OPPORTUNITY TO WORK DIRECTLY WITH US ON THIS MATTER. I MUST HEAR FROM YOU PRIOR TO MAY 31, 1991.

SINCERELY,


M. J. TAYLOR
CREDIT MANAGER

CC: 5/31 PAYMT FILE
FUP 5/31

94030972103



May 28, 1991

Ms. M.J. Taylor
Credit Manager
Cape Cod Times
319 Main Street
Hyannis, MA 02601

RE: Account #103796

Dear Ms. Taylor,

I have enclosed copies of the correspondence between Sonya Sexton and myself per your request, as well as copies of our Check Request forms and the subsequent checks that were cut to Cape Cod Times in the specific amount requested.

The agreement between the November Group and Cape Cod Times was that any advertising done for the Committee to Re-Elect Congressman Studds was to be paid for up front, per your representative, Sonya Sexton. The ad that the November Group authorized was to have run in the newspaper twice. This was all that we requested, and all that we should have been billed for. Our account should show a balance due of \$0.00.

If there is anything else that I can do to be of further assistance to clear up this matter, please do not hesitate to call me. We are anxious to have this problem resolved.

Sincerely,


Betsy Hubby

encl.

cc: Martin Davis

202-265-2700
1611 CONNECTICUT
AVENUE, NW
FOURTH FLOOR
WASHINGTON DC
2 0 0 0 9

94030972104



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601
Telephone (508) 775-1200 EXT. 171

BUREAUS: Falmouth, Orleans, Bourne, Provincetown



M. J. TAYLOR
Credit Manager

June 4, 1991

Ms. Betsy Hubby
November Group
1611 Connecticut Avenue N.W.
4th Floor
Washington, DC 20009

re: 103796 Comm to Reelect Studds

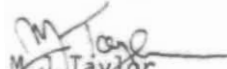
Dear Ms. Hubby,

I have reviewed this account and, as Ms. Sexton is no longer in our employ, am unable to resolve the obviously disputed balance of \$3781.91.

Please accept my assurance that Mr. Studds received not only our endorsement in the 1990 campaign but a considerable amount of advertising we are unable to collect on.

I appreciate the time and effort you have taken in an attempt to settle this matter. If there is a need in future to use the Cape Cod Times for political advertising, please contact me and I will assign a representative who will be able to assist you.

Sincerely,


M. J. Taylor
Credit Manager

cc: Bad Debt File
George Vagenas, Ad.Mngr

94030972105

91 AUG 19 AM 10:57

August 14, 1991

Federal Election Commission
Att: Lois Lerner, Associate
General Council for Enforcement
999 E Street, NW
Washington, D.C. 20463

91 AUG 19 PM 3:24

RECEIVED
FEDERAL ELECTION COMMISSION
MAIN COPY ROOM

Dear Ms. Lerner:

In reference to MUR 3365, I would like to provide you with additional information which has come to my attention:

* Please see attached Exhibit 1. In the page 1 story from the Patriot Ledger newspaper, Mr. Scott Himstead of the Cape Cod Times is reported to have said that Mr. Studds' ads were cancelled because the candidate did not prepay them.

This is significant in that Mr. Himstead is reported as saying that a consultant for the Studds campaign had requested the ads be cancelled, but that the "kill order... was somehow overlooked" (see exhibit 14 of our earlier filing).

Also, Mr. Schwadron of the Studds campaign is quoted in the Cape Cod Times of 7/19/91 (see exhibit 2) as saying: "We contracted for a couple of ads and your advertising department ran three - but that's your problem, not ours."

Thus, it appears that significantly different stories concerning this matter have been presented by the parties.

* I have learned that, allegedly, files have been changed at the Cape Cod Times and that insertion orders have been removed and replaced with other, quite different insertion orders in matters relating to this case.

* The Cape Cod Times would not run a story uncomplimentary to Mr. Studds (see exhibit 3), even after this case was in progress, as did its sister newspaper, the Standard Times. This apparent continuing pattern of selective reporting by the Cape Cod Times may be important in your consideration of their FEC responses.

I swear the foregoing is true to the best of my knowledge and belief under the pain and penalties of perjury.

Jon L. Bryan
Jon L. Bryan

Signed and sworn to before me this 14th day of August, 1991.

Lynn E. Curvick
My commission expires 8-7-92.

94030972106

The Patriot Ledger

1 six days

Front Page 8/6/90 GOP files new charge against Studds

By Brendan Daly
The Patriot Ledger

The Republican State Committee has filed a complaint with the Federal Election Commission against Congressman Gerry Studds, the second such charge filed against the Cohasset Democrat in a week.

The Republicans alleged yesterday that Studds failed to register two campaign committees with the FEC and did not provide significant information about people who donated to his campaign.

Last week, Republican candidate Jon Bryan asked the FEC to investigate whether the Cape Cod Times colluded with Studds by providing

Rep. Frank fined for re-election improprieties — Page 13

two free advertisements just before last November's election.

Steve Schwadron, a spokesman for Studds, dismissed both complaints as "characteristic silliness" by Bryan and the Republicans, designed to get publicity.

"It's almost like, 'If it's Monday, it must be their FEC complaint day,'" Schwadron said. "I wonder what it's going to be next Monday."

The complaints come as Studds is under attack from fishermen — long his most loyal supporters — for his

plan to cut in half the number of fish caught to save the fish stocks from being depleted.

Bryan lost to Studds by 7 percentage points last fall after losing by more than a 2-1 ratio in 1988. He said the controversy over the fishing plan and the FEC complaints show that Studds can be beaten next year.

Schwadron said the two committees cited by the GOP are not committees at all. One, called Change '90 was the slogan of the state Democratic Party during the 1990 campaign. The other, Studds for Congress Committee, was not an official committee, Schwadron said, though he conceded some people may

have mistakenly referred to that as Studds' re-election committee.

The official committee, which was registered with the FEC, is called The Committee to Re-Elect Congressman Studds.

In either case, he said, there was no attempt to mislead voters, since it was clear the money would go to Studds' campaign.

Scott Himstead, the publisher of the Cape Cod Times, said the two ads for Studds ran mistakenly last November. Candidates are required to pay in advance, and when Studds did not pay, he said his ads were cancelled but the newspaper's production department missed the cancellation notice.

Exhibit 1.

9 4 0 3 0 9 7 2 1 0 7



Cape Cod Times

THE CAPE AND ISLANDS' DAILY NEWSPAPER ©1991

Vol. 55, No. 172

74 Pages

Friday, July 19, 1991

Home Delivery: \$2.85/Week

Bryan claims Times aided opponent with free ads

By PEGGY EASTMAN
SENIOR STAFF WRITER

HYANNIS — Congressional candidate Jon Bryan of Marstons Mills has charged that in the final days of last November's election campaign, the Cape Cod Times deliberately ran free political advertising for his opponent, U.S. Rep. Gerry E. Studds, D-Cohasset.

Times publisher Scott Himstead said yesterday that an internal investigation found that three full-page Studds advertisements were indeed not paid for, but that they ran in error.

Himstead said the advertising that ran by mistake should have cost some \$3,700.

Saying the error was "embarrassing and an unfortunate situation that probably makes us look stupid," Himstead said that after

A-2 / CAPE COD TIMES

BRYAN

Continued from A-1

looking carefully into the matter he was satisfied it was a mistake.

Bryan, the Republican challenger in the 10th Congressional District for the second time in 1990, said he does not believe a mistake was made. "What you are telling me is untrue," Bryan said last night, when told of Himstead's explanation. "I'm not satisfied that this explanation by the Cape Cod Times is a full explanation of this issue. I consider this stonewalling."

Bryan said he and his sources, whom he refused to name, "are just beginning to uncover this story." He said he and three lawyers, whom he also declined to name, are preparing evidence to present to the Federal Elections Commission in Washington. He said he is seeking a full investigation by the FEC "into all of Studds' records for the 1990 campaign."

"All I can say is, from the information I have, that when subpoenas are issued you'll find that on the eve of the (last) election the pre-payment (for Studds' ads) was deliberately waived," Bryan said.

"That's preposterous," Himstead responded. "I invite him to come in and provide his proof. We stand ready to open our books to Mr. Bryan or anyone else who has a question about what we're doing. We've been 100 percent truthful about this."

Steve Schwadron, Studds' campaign manager in 1990, said he was aware of only one ad that ran by mistake. "We contracted for a couple of ads," he told the Times last night, "and your advertising department ran three — but that's your problem, not ours."

Studds defeated Bryan last year by the narrowest margin since his first election in 1972, with 53 percent of the vote to Bryan's 47 percent. Bryan announced his intention to run a third time the day after the Nov. 6 election.

Further explaining the placement of the political ads, Himstead said, "An initial schedule placed with the newspaper by the November Group of Washington, D.C. — the agency handling Studds' advertising — was later changed. In the confusion that almost always accompanies last-minute political advertising, written instructions by the Times advertising department to cancel certain previously scheduled advertising was overlooked in the process of preparing advertising layouts."

Please see BRYAN/A-2

94030972108

The Standard-Times

Copyright © 1990 The Standard-Times

New Bedford, MA

Page A8 / The Standard-Times, New Bedford, MA, Wednesday, July 31, 1991

Studds may face challenge to be chairman of merchant marine panel

By Ottaway News Service

WASHINGTON — Rep. Gerry Studds, D-Mass., may have unexpected competition for the top spot on a congressional committee that is important to coastal and fisheries interests in Southeastern Massachusetts.

Rep. Carroll Hubbard, D-Ky., has dropped a bid for the governorship of his state, and there is speculation in the House that he may use his seniority to go after the chairmanship of the House Merchant Marine and Fisheries Committee.

Rep. Studds, who is second in seniority on the panel and has groomed himself for the top spot during the past several years, is widely believed to be the favorite for the job after the retirement of the current chairman, Rep. Walter

Jones, D-N.C. Rep. Jones, 87, is in deteriorating health and is expected to retire soon, possibly next year.

But a story this week in a Capitol Hill newspaper fueled speculation that Rep. Studds might not be a shoo-in. In reporting Rep. Hubbard's decision not to run for governor, an article in Roll Call cited Rep. Hubbard's interest in the Merchant Marine post and the fact that Rep. Studds' close 1990 election and active Republican challenge for 1992 may make him vulnerable for defeat in the upcoming election.

The report also speculated that if Rep. Studds is re-elected, House Democrats might be leery of giving him a chairmanship because of his 1983 censure for having a homosexual affair with a teen-age congressional page.

Rep. Studds said Tuesday he believes he's in no trouble and has the confidence of House Democratic leaders, who ultimately select committee chairmen.

Rep. Hubbard, the number three Democrat on the Merchant Marine panel just behind Rep. Studds, would appear to be an unlikely chairman of the panel which oversees the nation's coastal and fisheries laws. He's from a landlocked state that has little interest in the issues the panel deals with, and he has not been an active member of the committee.

Kentucky political observers say his decision to drop out of the governor's race probably has more to do with politics in his home state than with a race for a committee chairmanship on Capitol Hill.

OBC 2818

RECEIVED
FEDERAL ELECTION COMMISSION
COUNSEL

91 SEP 13 AM 11:01

ORIGINAL INSERTION ORDERS FROM
DATA INPUT

Originals get
returned
to Newspaper
at close of
file

Jacket:
To Perm file:
MUR 3365

94030972110
I already made
copies of the
newspaper data -
still need copies of
other.



Cape Cod Times INSERTION ORDER

First Day Run Date

Advertiser _____
Account No. _____ Order Date _____ Breeze ID No. _____
Salesperson _____ Commission ID No. _____

PUBLICATION

Cape Cod Times ☒CapeWeek: In-Paper ☐ Zone 1 ☒ Zone 2 ☒ Zone 3 ☐Special Section _____ TV Update ☐ Preprint ☐ Color Comics ☐

AD SCHEDULE

Start Date: 11-1 End Date: 11-4
Run Sequence M T W TH F SA SU - TF No. of Insertions: 4

Please Circle:

MONTH	CCT	1	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
	CW	1	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

MONTH	CCT	1	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
	CW	1	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

Schedule Only ☐Bill Only ☐ Kill ☐

AD DESCRIPTION

Size: Columns 6 x Inches 11 1/4 = Total 1
SAU ☒ Tab ☐ Classified ☐ Modular ☐
Copy Key: KEYBOARD Coupon ☐
Color: Spot 1. _____ 2. _____ 3. _____ Process ☐
Position Request: _____

INSTRUCTIONS

Camera Ready ☒ New Ad ☐
Pickup ☐ Pickup Date _____
Page No. _____
Proof ☐
Date Needed _____

BILLING INFORMATION

Data Input: Entered by _____ Input Date _____ Ad ID _____
Pricing Information: Pre Paid ☐ Paid Premium _____ %
Special Rate: _____ Per Inch ☐ Per Line ☐ Each ☐
Discount: M _____ % T _____ % W _____ % TH _____ % F _____ % SA _____ % SU _____ %
Color: Discount _____ % No. Separations _____
New Account: _____ SIC _____
Address _____
City _____ State _____ ZIP _____ Phone _____
New Ad Agency: _____
Address _____
City _____ State _____ Zip _____ Phone _____

PRE-PRINT

Full Run ☐ Zones _____
Standard ☐ Tab ☐
Slipsheet ☐
No. Pages _____
CPM \$ _____
Quantity _____
Total Charge _____

CO-OP / TEARSHEET

No. of Co-op Bills _____ Tears _____
Tears to: Account ☐ Agency ☐
Name: _____

RATE CODE

RETAIL
☐ Weekly Contract
☐ Bulk Contract
☐ Open
☐ Non Profit
☐ Make Good
☐ Standard Rate

CLASSIFIED
☐ Open Non Com.
☐ Open Commercial
☐ Contract
☐ Legal
☐ Funeral
☐ Card of Thanks
☐ Box Charge
☐ Make Good
☐ Standard Rate

NATIONAL
☐ Open
☐ Newsplan
☐ New Bedford/CC Unit
☐ Classified
☐ Make Good
☐ Special Rate
☐ Other

PROMOTION
☐ Editorial
☐ Retail
☐ Circulation
☐ Classified
☐ Trade
☐ Comm Service
☐ Other

PRE - PRINT
☐ Open
☐ Contract
TV UPDATE
☐ Open
☐ Contract
COLOR COMICS
☐ Open

Cape Cod Times INSERTION ORDER

Advertiser COM. TO RE-ELECT GERRY STOLIS
 Account No. 103796 Order Date 10-25 Breeze ID No. _____
 Salesperson Sonja Commission ID No. 110

First Day Run Date

PUBLICATION

Cape Cod Times ☒

CapeWeek: In-Paper ☐ Zone 1 ☒ Zone 2 ☒ Zone 3 ☐

Special Section _____ TV Update ☐ Preprint ☐ Color Comics ☐

AD SCHEDULE

Start Date: THUR 11-1

End Date: SUN 11-4

Schedule Only ☐

Bill Only ☐ Kill ☐

Run Sequence M T W TH F SA SU - TF

No. of Insertions: 4

Please Circle:

MONTH	CCT	1	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
<u>11</u>	<u>CW</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>23</u>	<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	<u>31</u>

MONTH	CCT	1	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
	<u>CW</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>	<u>21</u>	<u>22</u>	<u>23</u>	<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	<u>30</u>	<u>31</u>

AD DESCRIPTION

Size: Columns 6 x Inches 21 1/4 = Total 127.5

SAU ☒ Tab ☐ Classified ☐ Modular ☐

Copy Key: GERRY STOLIS Coupon ☐

Color: Spot 1. _____ 2. _____ 3. _____ Process ☐

Position Request: _____

INSTRUCTIONS

Camera Ready ☒ New Ad ☐

Pickup ☐ Pickup Date _____

Page No. _____

Proof ☐

Date Needed _____

PRE-PRINT

Full Run ☐ Zones _____

Standard ☐ Tab ☐

Slipsheet ☐

No. Pages _____

CPM \$ _____

Quantity _____

Total Charge _____

CO-OP / TEARSHEET

No. of Co-op Bills _____ Tears _____

Tears to: Account ☐ Agency ☐

Name: _____

BILLING INFORMATION

Data Input: Entered by _____ Input Date _____ Ad ID _____

Pricing Information: Pre Paid ☐ Paid Premium _____%

Special Rate: _____ Per Inch ☐ Per Line ☐ Each ☐

Discount: M _____% T _____% W _____% TH _____% F _____% SA _____% SU _____%

Color: Discount _____% No. Separations _____

New Account: _____ SIC _____

Address _____

City _____ State _____ ZIP _____ Phone _____

New Ad Agency: _____

Address _____

City _____ State _____ Zip _____ Phone _____

RATE CODE

RETAIL

- ☐ Weekly Contract
- ☐ Bulk Contract
- ☐ Open
- ☐ Non Profit
- ☐ Make Good
- ☐ Special Rate

CLASSIFIED

- ☐ Open Non Com.
- ☐ Open Commercial
- ☐ Contract
- ☐ Legal
- ☐ Funeral
- ☐ Card of Thanks
- ☐ Box Charge
- ☐ Make Good
- ☐ Special Rate

NATIONAL

- ☐ Open
- ☐ Newspaper
- ☐ New Bedford/CC Unit
- ☐ Classified
- ☐ Make Good
- ☐ Special Rate
- ☐ Other

PROMOTION

- ☐ Editorial
- ☐ Retail
- ☐ Circulation
- ☐ Classified
- ☐ Trade
- ☐ Comm Service
- ☐ Other

PRE - PRINT

- ☐ Open
- ☐ Contract

TV UPDATE

- ☐ Open
- ☐ Contract

COLOR COMICS

- ☐ Open
- ☐ Contract

940309721



Cape Cod Times INSERTION ORDER

Advertiser Comm. to Re-Elect Gerry Stuckis
 Account No. 103796 Order Date 10/17 Breeze ID No. _____
 Salesperson K Greenwald Commission ID No. 271

First Day Run Date



PUBLICATION

Cape Cod Times ☒

CapeWeek: In-Paper ☐ Zone 1 ☐ Zone 2 ☐ Zone 3 ☐

Special Section _____ TV Update ☐ Preprint ☐ Color Comics ☐

AD SCHEDULE

Start Date: 10/19 End Date: 10/19
 Run Sequence M T W TH F SA SU - TF No. of Insertions: 1

Schedule Only ☐

Bill Only ☐ Kill ☐

Please Circle:

MONTH	CCT	1	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
<u>10</u>	CW	1	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

MONTH	CCT	1	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
	CW	1	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

AD DESCRIPTION

Size: Columns 2 x Inches 6 = Total 12
 SAU ☐ Tab ☐ Classified ☐ Modular ☐
 Copy Key: Postponed Coupon ☐
 Color: Spot 1. _____ 2. _____ 3. _____ Process ☐
 Position Request: ROP

INSTRUCTIONS

Camera Ready ☐ New Ad ☐
 Pickup ☒ Pickup Date 10/12
 Page No. 17
 Proof ☐
 Date Needed _____

BILLING INFORMATION

Data Input: Entered by _____ Input Date _____ Ad ID _____
 Pricing Information: Pre Paid ☒ Paid Premium _____%
 Special Rate: _____ Per Inch ☐ Per Line ☐ Each ☐
 Discount: M _____% T _____% W _____% TH _____% F _____% SA _____% SU _____%
 Color: Discount _____% No. Separations _____
 New Account: _____ SIC _____
 Address _____
 City _____ State _____ ZIP _____ Phone _____
 New Ad Agency: _____
 Address _____
 City _____ State _____ Zip _____ Phone _____

PRE-PRINT

Full Run ☐ Zones _____
 Standard ☐ Tab ☐
 Slipsheet ☐
 No. Pages _____
 CPM \$ _____
 Quantity _____
 Total Charge _____

CO-OP / TEARSHEET

No. of Co-op Bills _____ Tears ☒
 Tears to: Account ☒ Agency ☐
 Name: _____

RATE CODE

RETAIL
☐ Weekly Contract
☐ Bulk Contract
☒ Open
☐ Non Profit
☐ Make Good
☐ Special Rate
☐ Other

CLASSIFIED
☐ Open Non Com.
☐ Open Commercial
☐ Contract
☐ Legal
☐ Funeral
☐ Card of Thanks
☐ Box Charge
☐ Make Good
☐ Special Rate
☐ Other

NATIONAL
☐ Open
☐ Newspaper
☐ New Bedford/CC Unit
☐ Classified
☐ Make Good
☐ Special Rate
☐ Other

PROMOTION
☐ Editorial
☐ Retail
☐ Circulation
☐ Classified
☐ Trade
☐ Comm Service
☐ Other

PRE-PRINT
☐ Open
☐ Contract
 TV UPDATE
☐ Open
☐ Contract
 COLOR COMICS
☐ Open
☐ Contract

Cape Cod Times INSERTION ORDER

Advertiser CCM TO RE-ELECT GERRY STODDS
 Account No. 103796 Order Date 11-1 Breeze ID No. _____
 Salesperson Scnjg Commission ID No. 110

First Day Run Date

2/28/2

PUBLICATION

Cape Cod Times ☒ CapeWeek: In-Paper ☐ Zone 1 ☐ Zone 2 ☐ Zone 3 ☐
 Special Section _____ TV Update ☐ Preprint ☐ Color Comics ☐

AD SCHEDULE

Start Date: MON 11-5 End Date: MON 11-5 Schedule Only ☐
 Bill Only ☐ Kill ☐
 Run Sequence (M) T W TH F SA SU - TF No. of Insertions: 1

Please Circle:

MONTH	CCT	1	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
<u>11</u>	CW	1	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

MONTH	CCT	1	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
	CW	1	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

AD DESCRIPTION

Size: Columns 6 x Inches 21 1/4 = Total 127 1/2
 SAU ☒ Tab ☐ Classified ☐ Modular ☐
 Copy Key: _____ Coupon ☐
 Color: Spot 1. _____ 2. _____ 3. _____ Process ☐
 Position Request: FEMALE PAGE 1 OR 2

INSTRUCTIONS

Camera Ready ☐ New Ad ☒
 Pickup ☐ Pickup Date _____
 Page No. _____
 Proof ☐
 Date Needed _____

BILLING INFORMATION

Data Input: Entered by _____ Input Date _____ Ad ID _____
 Pricing Information: Pre Paid ☐ Paid Premium 25 %
 Special Rate: _____ Per Inch ☐ Per Line ☐ Each ☐
 Discount: M _____ % T _____ % W _____ % TH _____ % F _____ % SA _____ % SU _____ %
 Color: Discount _____ % No. Separations _____
 New Account: _____ SIC _____
 Address _____
 City _____ State _____ ZIP _____ Phone _____
 New Ad Agency: _____
 Address _____
 City _____ State _____ Zip _____ Phone _____

PRE-PRINT

Full Run ☐ Zones _____
 Standard ☐ Tab ☐
 Slipsheet ☐
 No. Pages _____
 CPM \$ _____
 Quantity _____
 Total Charge _____

CO-OP / TEARSHEET

No. of Co-op Bills _____ Tears _____
 Tears to: Account ☐ Agency ☐
 Name: _____

RATE CODE

RETAIL
☐ Weekly Contract
☐ Bulk Contract
☐ Open
☐ Non Profit
☐ Make Good
☐ Special Rate
☐ Other

CLASSIFIED
☐ Open Non Com.
☐ Open Commercial
☐ Contract
☐ Legal
☐ Funeral
☐ Card of Thanks
☐ Box Charge
☐ Make Good
☐ Special Rate
☐ Other

NATIONAL
☐ Open
☐ Newspaper
☐ New Bedford/CC Unit
☐ Classified
☐ Make Good
☐ Special Rate
☐ Other

PROMOTION
☐ Editorial
☐ Retail
☐ Circulation
☐ Classified
☐ Trade
☐ Comm Service
☐ Other

PRE - PRINT
☐ Open
☐ Contract
 TV UPDATE
☐ Open
☐ Contract
 COLOR COMICS
☐ Open
☐ Contract

94030972114

Cape Cod Times INSERTION ORDER

Advertiser Comm. To Re-Elect Gerry Studds
 Account No. 03796 Order Date 10/28 Breeze ID No. _____
 Salesperson KMK Commission ID No. 271

First Day Run Date 11/1

PUBLICATION

Cape Cod Times ☒ CapeWeek: In-Paper ☐ Zone 1 ☐ Zone 2 ☐ Zone 3 ☐
 Special Section _____ TV Update ☐ Preprint ☐ Color Comics ☐

AD SCHEDULE

Start Date: Oct 30 End Date: Oct 30 Schedule Only ☐
 Bill Only ☐ Kill ☐
 Run Sequence M T W TH F SA SU - TF No. of Insertions: _____

Please Circle:

MONTH	CCT	1	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
<u>11</u>	CW	1	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

MONTH	CCT	1	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
	CW	1	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

AD DESCRIPTION

Size: Columns 6 x Inches 27 1/4 = Total 127 1/2
 SAU ☒ Tab ☐ Classified ☐ Modular ☐
 Copy Key: WEDNESDAY Coupon ☐
 Color: Spot 1. _____ 2. _____ 3. _____ Process ☐
 Position Request: TOP PAGE - RE-PRINTED

INSTRUCTIONS

Camera Ready ☒ New Ad ☐
 Pickup ☐ Pickup Date _____
 Page No. _____
 Proof ☐
 Date Needed _____

BILLING INFORMATION

Data Input: Entered by _____ Input Date _____ Ad ID _____
 Pricing Information: Pre Paid ☒ Paid Premium _____%
 Special Rate: Bill Per Inch ☐ Per Line ☐ Each ☐
 Discount: M _____% T _____% W _____% TH _____% F _____% SA _____% SU _____%
 Color: Discount _____% No. Separations _____
 New Account: _____ SIC _____
 Address _____
 City _____ State _____ ZIP _____ Phone _____
 New Ad Agency: _____
 Address _____
 City _____ State _____ Zip _____ Phone _____

PRE-PRINT

Full Run ☐ Zones _____
 Standard ☐ Tab ☐
 Slipsheet ☐
 No. Pages _____
 CPM \$ _____
 Quantity _____
 Total Charge _____

CO-OP / TEARSHEET

No. of Co-op Bills _____ Tears ☒
 Tears to: Account ☒ Agency ☐
 Name: _____

RATE CODE

RETAIL
☐ Weekly Contract
☐ Bulk Contract
☐ Open
☐ Non Profit
☐ Make Good
☐ Special Rate
☐ Other

CLASSIFIED
☐ Open Non Com.
☐ Open Commercial
☐ Contract
☐ Legal
☐ Funeral
☐ Card of Thanks
☐ Box Charge
☐ Make Good
☐ Special Rate
☐ Other

NATIONAL
☐ Open
☐ Newspaper
☐ New Bedford/CC Unit
☐ Classified
☐ Make Good
☐ Special Rate
☐ Other

PROMOTION
☐ Editorial
☐ Retail
☐ Circulation
☐ Classified
☐ Trade
☐ Comm Service
☐ Other

PRE - PRINT
☐ Open
☐ Contract
 TV UPDATE
☐ Open
☐ Contract
 COLOR COMICS
☐ Open
☐ Contract

940309721

Cape Cod Times INSERTION ORDER

Advertiser Comm To Elect Gerry Studds
 Account No. 103796 Order Date 10/9 Breeze ID No. _____
 Salesperson K. Green Commission ID No. 271

First Day Run Date _____

PUBLICATION

Cape Cod Times ☒

CapeWeek: In-Paper ☐ Zone 1 ☐ Zone 2 ☐ Zone 3 ☐

Special Section _____ TV Update ☐ Preprint ☐ Color Comics ☐

AD SCHEDULE

Start Date: 10/12 End Date: 10/12

Schedule Only ☐

Bill Only ☐ Kill ☐

Run Sequence M T W TH F SA SU - TF

No. of Insertions: 1

MONTH	CCT	1	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
<u>10</u>	CW	1	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

MONTH	CCT	1	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
	CW	1	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

AD DESCRIPTION

Size: Columns 2 x Inches 6 = Total 12

SAU ☒ Tab ☐ Classified ☐ Modular ☐

Copy Key: Acoustic Evening Coupon ☐

Color: Spot 1. 2 Process ☐

Position Request: Entertainment K+ page

INSTRUCTIONS

Camera Ready ☒ New Ad ☐

Pickup ☐ Pickup Date _____

Page No. _____

Proof ☐

Date Needed _____

BILLING INFORMATION

Data Input: Entered by _____ Input Date _____ Ad ID 730

Pricing Information: Pre Paid ☒ Paid Premium _____%

Special Rate: 17.34 Per Inch ☐ Per Line ☐ Each ☐

Discount: M _____%, T _____%, W _____%, TH _____%, F _____%, SA _____%, SU _____%

Color: Discount _____% No. Separations _____

New Account: _____ SIC _____

Address _____

City _____ State _____ ZIP _____ Phone _____

New Ad Agency: _____

Address _____

City _____ State _____ Zip _____ Phone _____

PRE-PRINT

Full Run ☐ Zones _____

Standard ☐ Tab ☐

Slipsheet ☐

No. Pages _____

CPM \$ _____

Quantity _____

Total Charge _____

CO-OP / TEARSHEET

No. of Co-op Bills _____ Tears _____

Tears to: Account ☐ Agency ☐

Name: _____

RATE CODE

RETAIL
☐ Weekly Contract
☐ Bulk Contract
☒ Open
☐ Non Profit
☐ Make Good
☐ Special Rate

CLASSIFIED
☐ Open Non Com.
☐ Open Commercial
☐ Contract
☐ Legal
☐ Funeral
☐ Card of Thanks
☐ Box Charge
☐ Make Good
☐ Special Rate

NATIONAL
☐ Open
☐ Newspaper
☐ New Bedford/CC Unit
☐ Classified
☐ Make Good
☐ Special Rate
☐ Other

PROMOTION
☐ Editorial
☐ Retail
☐ Circulation
☐ Classified
☐ Trade
☐ Comm Service
☐ Other

PRE - PRINT
☐ Open
☐ Contract
 TV UPDATE
☐ Open
☐ Contract
 COLOR COMICS
☐ Open
☐ Contract

940309721

Cape Cod Times INSERTION ORDER

Advertiser Comm. to Re-Elect Congressman Studds
 Account No. 103796 Order Date 9/25 Breeze ID No. _____
 Salesperson R. Greenup Commission ID No. 271

First Day Run Date 9/30

PUBLICATION

Cape Cod Times ☒

CapeWeek: In-Paper ☐ Zone 1 ☐ Zone 2 ☒ Zone 3 ☐

Special Section _____ TV Update ☐ Preprint ☐ Color Comics ☐

AD SCHEDULE

Start Date: 9/30 End Date: 10/5 CW
 Run Sequence M T W TH F SA SU TF No. of Insertions: 2

Schedule Only ☐
 Bill Only ☐ Kill ☐

MONTH	CCT	1	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
9	CW	1	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
10	CW	1	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

AD DESCRIPTION

Size: Columns 2 x inches 6 = Total 12
 SAU ☒ Tab ☐ Classified ☐ Modular ☐
 Copy Key: Stephen Stills Coupon ☐
 Color: Spot 1. _____ 2. _____ 3. _____ Process ☐
 Position Request: main news F/F 1st page

INSTRUCTIONS

Camera Ready ☐ New Ad ☒
 Pickup ☐ Pickup Date _____
 Page No. _____
 Proof ☐
 Date Needed _____

BILLING INFORMATION

Data Input: Entered by _____ Input Date _____ Ad ID _____
 Pricing Information: Pre Paid ☒ Paid Premium _____%
 Special Rate: _____ Per Inch ☐ Per Line ☐ Each ☐
 Discount: M _____% T _____% W _____% TH _____% F _____% SA _____% SU _____%
 Color: Discount _____% No. Separations _____
 New Account: _____ SIC _____
 Address _____
 City _____ State _____ ZIP _____ Phone _____
 New Ad Agency: _____
 Address _____
 City _____ State _____ Zip _____ Phone _____

PRE-PRINT

Full Run ☐ Zones _____
 Standard ☐ Tab ☐
 Slipsheet ☐
 No. Pages _____
 CPM \$ _____
 Quantity _____
 Total Charge _____

CO-OP / TEARSHEET

No. of Co-op Bills _____ Tears ☒
 Tears to: Account ☒ Agency ☐
 Name: _____

RATE CODE

RETAIL
☐ Weekly Contract
☐ Bulk Contract
☒ Open
☐ Non Profit
☐ Make Good
☐ Special Rate

CLASSIFIED
☐ Open Non Com.
☐ Open Commercial
☐ Contract
☐ Legal
☐ Funeral
☐ Card of Thanks
☐ Box Charge
☐ Make Good
☐ Special Rate

NATIONAL
☐ Open
☐ Newspaper
☐ New Bedford/CC Unit
☐ Classified
☐ Make Good
☐ Special Rate
☐ Other

PROMOTION
☐ Editorial
☐ Retail
☐ Circulation
☐ Classified
☐ Trade
☐ Comm Service
☐ Other

PRE-PRINT
☐ Open
☐ Contract
 TV UPDATE
☐ Open
☐ Contract
 COLOR COMICS
☐ Open
☐ Contract

94030972117

DATE: 11/1/90 DAY: Thurs.

	PAGE	ACCOUNT NUMBER	ACCOUNT NAME	AD HEADING	COLUMNS	INCHES	TOTAL SIZE
1	2	108365	Carl Neuben	Carl Neuben	1	2.5	2.5
2	2		Hospice	Parque & Pine	2	1	2
3	10	19190	Scudder & Taylor	Pledge to it	2	4	8
4	16	102257	Falmouth Restaurant Bank	Are you it?	3	10	30
5	17	109354	The Higher Level	Where's Self	2	3	6
6	15	107948	Hilltop Furniture	What's bigger	2	4	8
7	19	109354	The Higher Level	What's taking	2	2	4
8	19	2830	Butterbills	Hanes too	2	7.5	15
9	25	200336	Botello LUMBER	Boston Colonial	3	12	36
10	26	200001	TRUCK CAPS UNLIMITED	Over 200	1	2	2
11	30	8370	Hyannis EIKS	Budget	1	3	3
12	30	2840	Buzzards Bay Cinema	Entertainment	1	5.25	5.25
13	31	1970	Surprise. Furniture	Repeat	2	5.5	11
14	38	103796	Comm. to Re-elect G. Studds	The last thing	6	21.25	127.5
15							
16							
17							
18							
19							
20							
21							
22							
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26							
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29							
30							
31							
32							

40899

40900

40901

40902

40903

40904

94030972118

DATE: 11/4/90 DAY: Sun.

	PAGE	ACCOUNT NUMBER	ACCOUNT NAME	AD HEADING	COLUMNS	INCHES	TOTAL SIZE	
1	4	101881	Lobster Trap	SALE !!!	3	3	9	4170?
2	6	106172	Dick - Depew	Who would	1	3	3	4072c
3	6	19230	Sears	Correction	1	3	3	4072?
4	17	102092	Gilliam-Dorr	Designer	1	5	5	4085
5	26	108647	Tug boats	Monday -	1	10	10	4170
6	28	109405	Vice Script - NECLDS	Stop - READ	2	7.5	15	4154
7	32	22020	W.C.O.D.	New England	2	5	10	4170
8	42	109387	national ? Key, Lutz	Free Florida	2	8	16 N	3917
9	46	100211	Bishop's Terrace	Same great	2	3	6	4170c
10	47	109288	The Cafe	1/2 price	2	2	4	4170
11	56	103796	Comm. for recycled Studds	The last	6	21.25	127.5	4170
12	64	107514	Electrolux / HYANNIS	Attention!	2	4	8	4170
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9 4 0 3 0 9 7 2 1 1 9

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

91 SEP 13 AM 11:01

COPIES OF CHECKS AND CHECK AUTHORIZATION FORMS
SUPPLIED TO CCTIMES BY
THE NOVEMBER GROUP

(w/letter of May 28th)

94030972120

CHECK AUTHORIZATION FORM

DATE: Nov. 1, 1990

REQUEST FROM: Jane Boukett

PROJECT TITLE: STUDDS PRINT ADS (#2)

CODES

CLIENT: <u>STU</u>	ACCTG: _____	AMT: \$ _____
CLIENT: _____	ACCTG: _____	AMT: \$ _____
CLIENT: _____	ACCTG: _____	AMT: \$ _____
CLIENT: _____	ACCTG: _____	AMT: \$ _____
CLIENT: _____	ACCTG: _____	AMT: \$ _____

=====

PAYABLE TO: The Cape Cod Times AMOUNT: \$ 2,152.73

PURPOSE OF CHECK: Front section, full page, Monday Nov 5
STOD N 3

CHECK NEEDED BY: 6 pm

REQUEST APPROVED BY: [Signature]

DATE: _____

CHECK #: _____

PAID
NOV 01 1990

CU #2411

94030972121

THE NOVEMBER GROUP

VENDOR NO:

NAME:

CHECK DATE:

Nov. 01 90 2411

REFERENCE NUMBER	INVOICE DATE	GROSS AMOUNT	DISCOUNT TAKEN	NET AMOUNT PAID
101-01-01	NOV. 01 90	2,752.73	0.00	2,752.73
TOTAL		2,752.73	0.00	2,752.73

THE NOVEMBER GROUP
1611 CONNECTICUT AVE., N.W., 4TH FL.
WASHINGTON, DC 20003
PH. 202-295-2700

EDWIN B. BROWN
BANK OF AMERICA
1001 K STREET, N.W.
WASHINGTON, DC 20003
10-120/100

2411

NOV 01 90
2,752.73

PAY TO THE ORDER OF TWO THOUSAND SEVEN HUNDRED FIFTY-TWO AND 73/100 *****

THE NOVEMBER GROUP
1611 CONNECTICUT AVE., N.W.
WASHINGTON, DC 20003

NOT NEGOTIABLE

9 4 0 3 0 9 7 2 1 2 2

UNITED STATES GOVERNMENT

*Amig
Gunn*

DATE: 10/25/90

REQUEST FROM: _____

PROJECT NAME: STOONZ - DAILIES

COPIES

COPIES:	<u>STU</u>	ACCTG:	_____	AMT: \$	<u>53-6.8-</u>
COPIES:	_____	ACCTG:	_____	AMT: \$	_____
COPIES:	_____	ACCTG:	_____	AMT: \$	_____
COPIES:	_____	ACCTG:	_____	AMT: \$	_____
COPIES:	_____	ACCTG:	_____	AMT: \$	_____
COPIES:	_____	ACCTG:	_____	AMT: \$	_____

PAID TO: Cape Cod Times AMOUNT: \$ ~~2202.18~~
2202.18

✓ PURPOSE OF FUND: newspaper ad
\$ full days ~~ad~~ ~~STOONZ~~

COPIES MADE BY: _____

REQUEST APPROVED BY: *[Signature]*

DATE: _____

COPIES: _____

FBI
OCT 25 1990
W #2353

94030972123

2081

THE VETERAN

VENDOR NAME: **THE VETERAN** CHECK DATE: **Oct 25 90** 2363

INVOICE NO. 11	INVOICE DATE	GROSS AMOUNT	DISCOUNT TAKEN	NET AMOUNT PAID
1001		2,204.18	0.00	2,204.18

2363,

TYPE OF INVOICE
1911 CONNECTICUT AVE., N.W., #TH FL.
WASHINGTON, D.C. 20001
PH. 202 298 2500

10/11/90
1201 K ST. N.W., #TH FL.
WASHINGTON, D.C. 20001
10-120/273

DATE	10/11/90
AMOUNT	2,204.18

TO THE
ORDER OF
THE
VETERAN

NOT NEGOTIABLE

94030972124

Page 2.

Christines	2
Fabrics to Go	2
Boston Organ	2 1/2
J&D Adver.	2 1/2
Sprinkle	2x2 3/4
Hospice of C.C.	2x7
Lobster Trap	3x3
C.C. Federal Credit	3x8

Page 4.

C.C. 5¢ Savings	3x10 3/4
Comm. to elect Bryan	3x11

Page 5.

Cape Discount Fuel	6
LaZ Boy	5x8

Page 6.

Radio Shack	5x14
-------------	------

Page 7.

Crow Farm	2x3
Evergreen Nursery	2x6
Anderson Little	4x14

Page 8.

Filenes	5x17 1/2
---------	----------

Page 9.

F.A. Eaton	2x2
Bryan for Congress	4x8

Page 10.

Swan River Mkt.	2x5
Home Decor Outlet	2x8
Agway Sandwich	2x3
Scudder & Taylor	2x4
Filenes Basement	4x14
<i>Perseus Place</i>	<i>2x4 1/4</i>
Page 11.	

Carver Sales	2 1/2
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Page 11 Continued:

Filenes	3x7
Dominick & Dominick	2x4 1/2
Bank of Boston	5x14

Page 13.

Harneys	3x9
Puritan	3x12

Page 14.

C.C.B&T	6x3
---------	-----

Page 16.

Kings Lampshades	3
Basketville	4
Fanara	2x5
Falmouth National	3x10
Kents Carpetland	5x10

Page 17.

Type Trend	1 1/2
Highland	5x17 1/2
Higher Level	2x3

Page 18.

Tweeter	5x14
Village Furniture	2x4
Mr. Donut	2x2 1/2
Marina Fish Mkt.	2x4 1/2

Page 19.

Sandwich Comm. School	2x6
Baby & Me	3 3/4
Hali Rug Gallery	2x3 1/2
Buttners	2x7 1/2
Higher Legel	2x2
Pam Latimer	2x4
Hazeltons	2x9

Page 20.

C.C. Hospital	3x8 1/2
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Page 25.

Olympia Sports	3x8
Botello Lumber	3x12

Thursday, november 1st

94030972125

Page 26.

Truck Caps	2
Ortins Photo	3x3
Dennis Pines	3x4½
Hanlon's Shoes	3x4½
Honda Dealers	3x6

Page 31.

Dr. Gagnon	2x2½
Wynn & Wynn	2x5
Surprise Furniture	2x5½

Pages 29 and 30 Entertainment

Page 38.

Comm to elect Jerry Studds 6x21½

Thursday, November 1st

94030972126

PAID POLITICAL ADVERTISEMENT

PAID POLITICAL ADVERTISEMENT

PAID POLITICAL ADVERTISEMENT

od Times

ILY

THINGS TO DO TODAY

DATE STUDDS COMPLETED

1	<u>FULL PAGE</u>	☐
2	<u>MCN FF</u>	☐
3		☐
4		☐
5	<u>CHECK</u>	☐
6	<u>REC SAT AM</u>	☐
7		☐
8	<u>FF MAIN</u>	☐
9	<u>PAGE 1 OF 2</u>	☐
10	<u>\$2752.73</u>	☐
11	<u>25% PREMIUM</u>	☐
12		☐
13		☐
14		☐
15		☐

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 Cape Cod Times

Winner: New England Press Assn. 1983, 1985 and 1987
"All New England General Excellence Award"

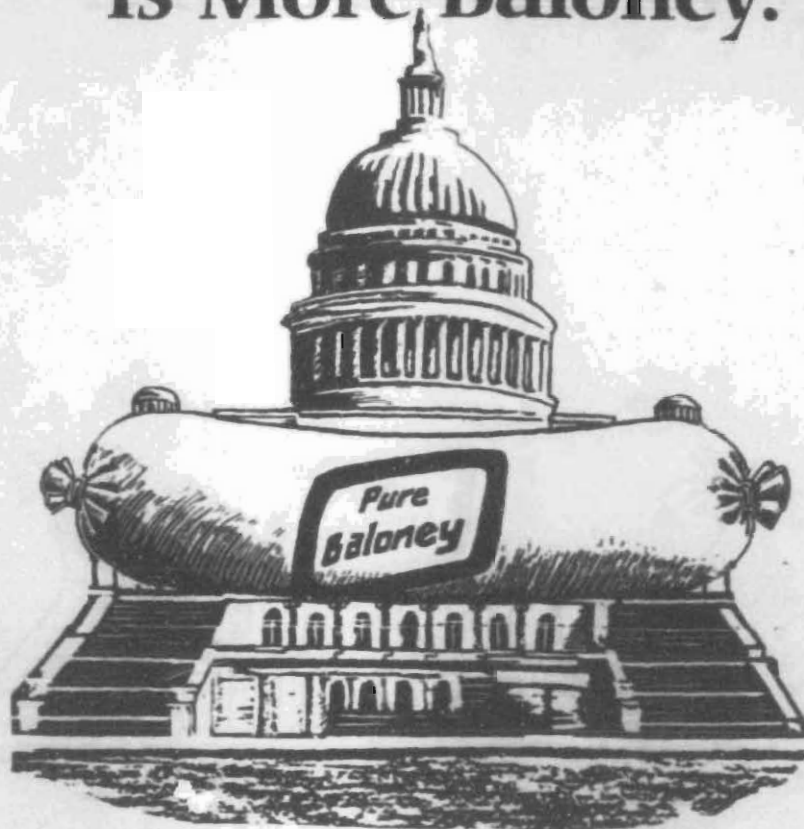
BOURNE
759-7819

FALMOUTH
548-9300

vironm
riends

94030972127

The Last Thing We Need In Congress Is More Baloney.



We've listened to some wild charges in this race for Congress. But when you ask Jon Bryan "Where's the beef?"—all you get is baloney.

Bryan calls our Representative, Gerry Studds, a "dolphin killer." But Greenpeace and the Sierra Club praise Studds for passing landmark legislation to protect our dolphins. And Greenpeace told Bryan to stop deceiving voters.

Bryan charges Studds is "against senior citizens." But the National Council of Senior Citizens, the National Committee To Preserve Social Security & Medicare, and countless other senior organizations give Studds one of the highest ratings in Congress.

In Congress today, we have plenty of name callers and more than enough baloney.

Gerry Studds has given us intelligence, courage, hard work and a strong voice for change.

And if we want to change Congress today, we need more of these qualities. Not less.

Gerry Studds for Congress

Printed by the Committee to Re-elect Congressman Studds, 600 N. Main St., Portland, ME 04101

94030972128

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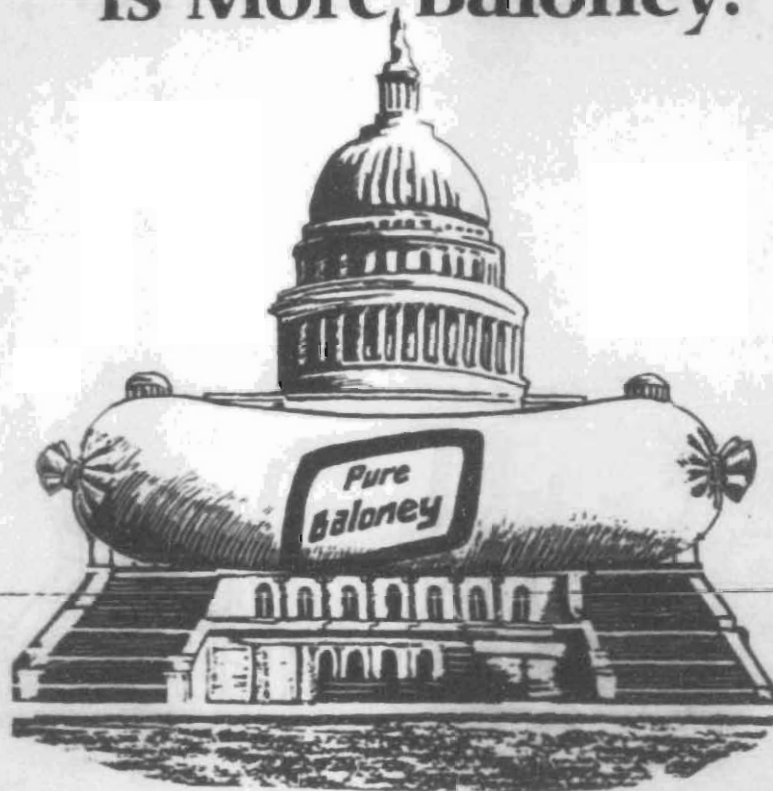
And if we want to change Congress today, we need more of these qualities. Not less.

Gerry Studds for Congress

Paid for by the Committee to Re-elect Congressman Studds, 600 N. Main St., Taunton.

94030972129

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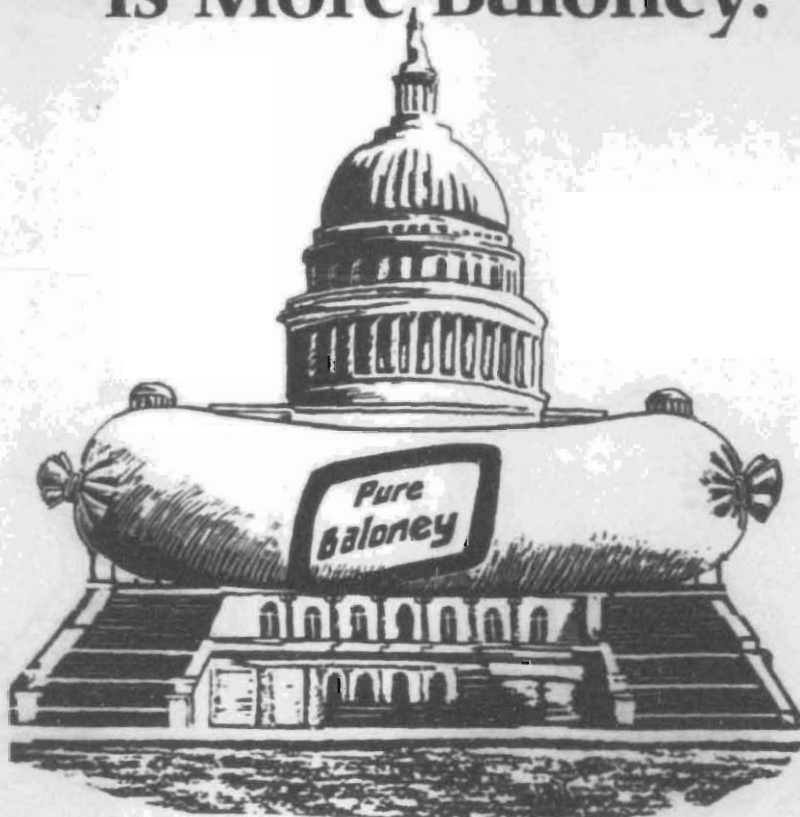
Gerry Studds has given us intelligence, courage, hard work and a strong voice for change.

And if we want to change Congress today, we need more of these qualities. Not less.

Gerry Studds for Congress

Printed by the Committee on the Joint Congressional Staff, 1000 North 1st Street, Boston, MA 02111

The Last Thing We Need In Congress Is More Baloney.



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Gerry Studds has given us intelligence, courage, hard work and a strong voice for change.

And if we want to change Congress today, we need more of these qualities. Not less.

Gerry Studds for Congress

Post by the Committee to Re-elect Congressman Studds, 600 Mt. Vernon St., Taunton, MA 01960

94030972131



Cape Cod Times

THE CAPE AND ISLANDS DAILY NEWSPAPER

October 31, 1990

Congress: Studds

This year Democratic Rep. Gerry Studds is facing the same determined, conservative opponent he faced two years ago, and is hearing the same rhetoric. Once again, Republican Jon Bryan's strategy is not to focus on how well he might serve the people of the 10th Congressional District, but to pound Studds with one negative volley after the other.

All too often his volleys have been composed of half truths and distortions. The issues don't stand a chance and the system is ill-served.

Studds, with few lapses, has represented the 10th Congressional District vigorously and intelligently for 18 years---especially the fishing industry that is so important to the region. As a senior member of the Merchant Marine and Fisheries Committee and next in line for its chairmanship, Studds has proved himself an important asset to this district.

He is also an effective advocate of environmental protection, for which he has earned the support of the Sierra Club and Friends of the Earth. And he consistently served the needs of less organized constituent groups---working people, the elderly and the poor.

Studds is a champion of civil rights. He has been a voice of common sense in Congress on the military budget---especially important now that the military threat to the United States from its communist adversary has all but collapsed---and has been an effective voice in the arena of foreign policy. He has, for example, been a consistent critic of the administration's single-minded support for the ruthless, military-dominated government of El Salvador---support that discouraged rather than promoted a peaceful settlement of that country's civil war.

Jon Bryan, who has never held political office and who has failed to win support among the moderates in his own party, is a man of enormous energy, but who has been running what must be one of the longest unrelentingly negative political campaigns in Massachusetts history---a two-election battle to unseat Studds that borders on an obsession.

While we don't believe Congress should be anyone's lifetime career, neither do we see any evidence that Jon Bryan would do a good job of looking after this district's best interests in Washington.

Gerry Studds deserves another term.



GERRY STUDDS

For Congress

06C 2860



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601
Telephone (508) 775-1200



BUREAUS: Falmouth, Orleans, Bourne, Provincetown, Martha's Vineyard, Nantucket

SCOTT HIMSTEAD
Publisher

September 18, 1991

George Rishel
Jeffrey Long
Federal Election Commission
999 E St., NW
Washington, DC 20463

RE: MUR 3365

Gentlemen,

Thank you for your time last Thursday in permitting me to explain the circumstances surrounding the charges brought against my newspaper by Jon Bryan.

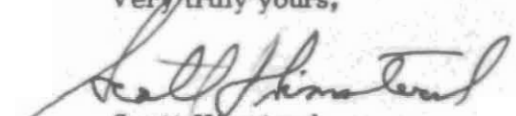
I believe I covered all of the important points in the scenario of events which led to the publication in error of advertising for Gerry Studds.

I also believe that the major points in Mr. Bryan's complaint were addressed.

If, however, you require any further information or explanation, I would be pleased to field any additional inquiries.

I enjoyed our discussion, particularly your explanation of the function of the Federal Election Commission.

Very truly yours,


Scott Himstead

SH:hso

91 SEP 23 AM 11:35

RECEIVED
FEDERAL ELECTION COMMISSION
FEDERAL ELECTION COMMISSION

91 SEP 23 AM 9:26

RECEIVED
FEDERAL ELECTION COMMISSION
FEDERAL ELECTION COMMISSION

94030972133

BC 3835

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

December 6, 1991

91 DEC 17 AM 9:31

91 DEC 18 AM 10:57

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Federal Election Commission
Att: Lois Lerner, Associate
General Council For Enforcement
999 E Street, NW
Washington, D.C. 02463

RE: MUR 3365

Dear Ms. Lerner:

I am writing you to notify the Commission that I have reason to believe that the "The Committee to Re-Elect Congressman Studds" received additional advertising during the 1990 campaign which may not have been paid.

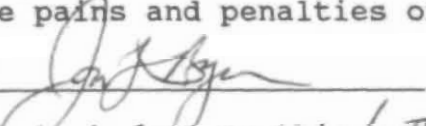
While recently negotiating advertising contracts with cable media for the 1992 campaign, it was alluded that Mr. Studds' committee procured advertising which subsequently was never paid for.

Please understand that, once again, I do not wish to injure the source of this information in a very difficult economy in which to acquire employment. Also, given that this appears to be a wide-spread modus operandi of the Studds campaign, I urge the FEC to investigate all radio, cable television, print, and direct-mail advertisers which Mr. Studds utilized during the 1990 election cycle to uncover any further irregularities.

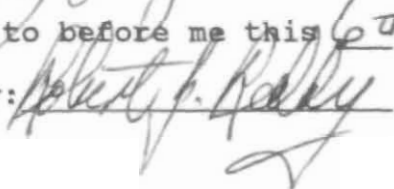
It is very discouraging to any challenger to again learn that a well-funded incumbent has allegedly had free access to advertising while our underfunded campaign paid for same in full.

I thank you for your consideration.

I swear the foregoing is true to the best of my knowledge and belief under the pains and penalties of perjury.

Jon L. Bryan: 

Signed and sworn to before me this 6th day of December, 1991.

Robert J. Reddy: 

My commission expires:

13 March 1992

94030972134



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1991

Jon L. Bryan
215 Prince Avenue
Marston Mills, MA 02655

RE: MUR 3365

Dear Mr. Bryan:

This letter acknowledges receipt on December 18, 1991, of the supplement to the complaint you filed on July 31, 1991, against The Committee to Re-Elect Congressman Studds. The respondent will be sent copies of the supplement. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,

A handwritten signature in cursive script, which appears to read "Jeffrey D. Long", is written above the typed name.

Jeffrey D. Long
Paralegal

94030972135



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1991

Edwin M. Martin, Treasurer
The Committee to Re-Elect Congressman Studts
P.O. Box 513
Scituate, MA 02066

RE: MUR 3365
The Committee to Re-Elect
Congressman Studts and Edwin M.
Martin, as treasurer

Dear Mr. Martin:

On August 5, 1991, you were notified that the Federal Election Commission received a complaint from Jon Bryan alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On December 18, 1991, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey D. Long", is written over a rectangular area.

Jeffrey D. Long
Paralegal

Enclosure

94030972136

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011 • (202) 628-6600

December 18, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 DEC 18 PM 4:00

Lawrence M. Noble, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Attention: Tonda M. Mott

Re: MURs 3365, 3370, 3376, 3438, 3439 - Studds for
Congress Committee and Edwin M. Martin, Jr., as
Treasurer

Dear Mr. Noble:

Enclosed you will find the responses of the Studds for Congress Committee (the "Committee") and Edwin M. Martin, Jr., as Treasurer, to the four complaints most recently filed by Mr. Jon L. Bryan and the Massachusetts Republican Party.¹ Bryan was Congressman Studds' Republican opponent in 1988 and 1990. He has also announced his intention to run in 1992. These complaints represent only the most recent attempts by Bryan to harass the Studds Committee and further his own political ambitions, by appealing to the Commission and other federal agencies to investigate spurious allegations.

As a cornerstone of his campaigns, Bryan has repeatedly and redundantly raised issues in complaints filed with the Commission, only some of which relate to federal election laws. His allegations are based on wild speculation with no legal or factual support. In each instance, Bryan or the Republican Party have used the opportunity to hold a press conference -- in some cases scheduling multiple media appearances -- to announce the filing of another complaint.

¹ On July 26, 1991, Bryan filed a complaint alleging that the Committee placed two advertisements in the Cape Cod Times for which it never paid; he incorrectly concluded that the cost of the ads constituted an illegal in-kind corporate contribution. The Committee, in a letter dated August 12, 1991 and signed by Congressman Studds, responded to these allegations in MUR 3365.

[17141-0001/DA913460.032]

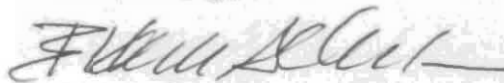
94030972137

Lawrence M. Noble, Esq.
December 18, 1991
Page 2

See Exhibit 1. These groundless attacks constitute an abuse of the Commission's enforcement process, solely for purposes of his own political gain, and should not be condoned.

We request that the five MURs be consolidated for Commission consideration so that the pattern of harassment of these specious allegations is evident. Further, we request that the Commission dismiss these complaints with no further action.

Sincerely,



B. Holly Schadler
Counsel
Studds for Congress Committee

cc: Jeffrey Long

Enclosure

BHS:lja

94030972138



GLOBE STAFF PHOTO / BUREAU REPORT
Her cousin's boat in

municipal n panel

Officer James Hall shot and killed an unarmed teen-ager on a Dorchester street. Internal Affairs had recommended Hall in an earlier shooting of a suspected criminal.

In addition, in the weeks since Christopher Rogers was killed, the Globe has reported that Internal Affairs may have ignored key evidence in seven cases of alleged misconduct by police officers.

Neither Flynn's nor Bolling's ordinance would provide subpoena power to the review boards they propose.

But Frank Jones, Flynn's real property commissioner and a former inspector general for the federal Community Services Administration, said that Flynn may ask the council to approve a home rule petition to the state Legislature requesting subpoena authority.

The creation of an Office of Municipal Investigation was the brainchild of Raymond C. Dooley, formerly the city's director of administrative services and Flynn's chief political lieutenant.

Flynn attempted to establish the office by executive order in 1986, but he council defeated a proposal that would have led to funding and subpoena power after the measure was opposed by the Boston Police Patrolmen's Association and other municipal unions.

GOP ask US to probe Studds election groups

By Peter J. Howe
GLOBE STAFF

The Republican State Committee yesterday called on federal election officials to investigate whether Rep. Gerry E. Studds (D-Mass.) illegally used "shadow campaign committees" in his 1990 reelection bid.

Massachusetts party chairman Leon J. Lombardi said two groups that "printed and distributed thousands of pages of campaign materials promoting Studds' reelection" - the Studds for Congress Committee and Change '90 - failed to register with the Federal Election Commission. A third fund-raising group, the Committee to Reelect Congressman Studds, did register properly, Lombardi said.

Lombardi also accused Studds of failing to list the occupations and employers of a "large percentage" of his campaign donors, which he said was also a violation of federal law. Lombardi mailed a formal complaint to the six-member commission in Washington yesterday asking for an investigation.

Asked to respond, Studds' chief aide, Steven Schwadron, said: "This is pretty silly stuff. Both assertions are false."

Change '90 was the name of the Democratic State Committee group that spent \$500,000 to help all members of the ticket get elected, including about \$40,000 for Studds, said Maureen Garde, committee executive director. Garde said federal officials told the party there was no requirement to register Change '90 separately.

Schwadron said the Studds for Congress Committee was just an alternative name for the Committee to Reelect Congressman Studds. "If that was anybody's idea of hiding who was doing the mailing, that would be pretty stupid," he said.

Lombardi said that in an election marked by massive anti-incumbent sentiment, the nine-term congressman may have dropped the "Committee to Reelect" title in order to hide the fact that he was running for

'This is pretty silly stuff.'

STEVEN SCHWADRON
Studds aide

yet another term in office."

Studds' 1990 GOP opponent, former airline pilot Jon Bryan of Barnstable, called a news conference four days before the election to announce his discovery of Change '90's pro-Studds mailings, which he called a "gotcha dead cold" campaign-law violation. But election commission officials immediately deflated Bryan's claim, saying party committees routinely use different names. No subsequent action was taken by the commission on the charge.

Regarding the lack of identification of some donors' employers and occupations, Schwadron said the committee had met the federal requirement of making a "best effort" to determine such information. "It's false that federal obligations were not fulfilled," Schwadron said.

Studds won reelection to a 10th term with 53 percent of the vote, to Bryan's 47 percent. Bryan ran against Studds in 1986 and plans to run against him again next year. Studds spent \$519,728 in the 1990 election, about twice what Bryan spent. Studds represents Cape Cod and the Islands, New Bedford and eastern Plymouth County.

Another complaint from Bryan to the election commission led to last month's disclosure by the Cape Cod Times that it had failed to bill Studds for three full-page campaign advertisements run during the closing days of the 1990 campaign.

Bryan claimed the newspaper had deliberately run the \$3,750 worth of ads for free to help Studds. But Times publisher Scott Hinstead called it an "embarrassing, stupid" mistake. Studds aides said they had not asked the newspaper to run the ads. The election commission is continuing to review Bryan's complaint, spokesman Scott Mosley said.

Bulger foe picked to lead finance panel

ASSOCIATED PRESS

Gov. Weld yesterday appointed a Boston veterinarian who ran against Senate President William Bulger as the chairman of the Boston Finance Commission.

John Henry de Jong, 34, was a Republican candidate for Bulger's Senate seat in 1990. He owns the

Boston Mobile Veterinary Clinic and is an associate at the Brighton Animal Hospital.

The finance commission monitors the financial operations of the city of Boston.

De Jong received an undergraduate degree from Tufts University in 1978 and a degree in veterinary medicine from Tufts in 1985.

94030972140

Coming full about in Norfolk County

The rehabilitation of roadside Norfolk County Commissioner Bruce Olsen is complete. Olsen, who set off a panic among staff and patients at the county-owned Massachusetts Reformatory Hospital last fall by suggesting that the county might want to get out of the hospital business, has been welcomed back into the fold.

Olsen, a resident of Stoughton, has been named to the board of trustees of the Braintree hospital, which is managed privately. Olsen touched off a firestorm shortly after being elected a county commissioner in November by suggesting that both the county hospital and county golf course be sold to developers or offered to the communities in which they are located.

Both ideas were floated by Olsen's campaign companion, Robert Hall, who ousted former Norfolk County Treasurer Daniel Raymond in the election. The two Republicans met on the campaign trail and came to think of themselves as the Wild and Cuddly of county government, in the words of Olsen.

When Hall suggested selling the hospital and the golf course, he acknowledged that any decision to do so was the domain of the county commissioners. "But I hope I can influence them," Hall said in an interview. His new pal, Olsen, quickly jumped on the bandwagon and then spent the next month or so backpedaling.

First Olsen complained that his original views had been misconstrued. Then he wrote a public letter "clarify" his position after being deluged with letters and phone calls from worried patients and family members.

His turnaround also may have had something to do with the hospital boasting a 90 percent occupancy rate and receiving no funding from the county and the golf course turning a profit.

Six weeks after saying that Hall's proposal to sell the hospital "makes sense," Olsen was writing that "I favor the hospital 100 percent."

Two weeks ago, Olsen wrote another letter praising hospital staff and volunteers for their help at a fund-raiser for the hospital. "If I were in some kind of hell," Olsen wrote, "I would ask everyone to give these people a roasting hand of applause." Four days later, he was a member of the board of trustees.

Stoughton to vote on school board

Stoughton voters go to the polls Tuesday in a special recall election aimed at three of the town's School Committee members. The election caps months of acrimony that began in January after Town Meeting refused to fund a new contract that would have given most teachers a 22 percent pay raise over three years.

The contract debacle sparked a recall petition drive by Maryanne Young, a teacher's aide and former president of the Stoughton Parent Teacher Organization, who accused the School Committee of bungling contract negotiations and bouching a multimillion-dollar school renovation project plagued by cost overruns.

Following protests by teachers and an arbitrator's ruling that the contract had to be renegotiated, the School Committee found \$372,000 in its budget to fund the raise, leading to accusations of "hidden money" and, recall supporters believe, seriously damaging the credibility of the School Committee.

In the two-step election Tuesday, voters will first be asked if they wish to recall each of three School Committee members. Those who answer yes then must choose among three challengers — one for each of the seats being targeted.

The three members subject to recall are Guy Tardavio, a former Stoughton teacher and retired assistant superintendent of schools; Margaret Sewczyk; and Thomas Racupero. The three challengers are former School Committee member Joseph Harrington, who is running for Tardavio's seat; Paul Landry, who running for Sewczyk's seat; and John Anderson, who is running for Racupero's seat.

The polls are open from 7 a.m. until 8 p.m. on Tuesday.

Political Notebook

PATRICIA NEALON

EXHIBIT 1

Boston Globe

8-4-91



EDWARD P. KIRBY ...
AIDS a 'terrible scourge'

Making points on AIDS check-off

What a difference a couple of months and a flurry of negative publicity can make. Last week Republican state Sen. Edward P. Kirby of Whitman, the man whom gay activists have labeled their "most bitter enemy in the Senate" for saying during a State House press conference in May that gays had brought the AIDS epidemic on themselves, was distributing a news release calling the disease "this terrible scourge to our society."

The scolding was the release of figures from the state Department of Revenue showing how much had been collected via a check-off box on state income tax returns to fund AIDS research and prevention programs.

In a shrewd political move, openly gay Boston City Councilor David Scoville asked Kirby last year to file special legislation allowing for the check-off contributions.

According to the DOR, 54,804 people — or 2 percent of those filing returns — donated a total of \$278,372 for AIDS research and prevention programs through the check-off box.

"This amounts to an average donation of more than five dollars," Kirby said in his release. "I think

It shows the people of the Commonwealth are aware of the tragic implications of this disease, and are willing to do what they can to help in the costly search for a cure."

During the height of the fury over his remarks in May, Kirby insisted that he was only referring to promiscuous gays in his now infamous "they brought it on themselves" comment, and not all gay people and certainly not all AIDS victims.

Race to fill seat is taking shape

The campaign to succeed former state Rep. Robert Cernelli, the Quincy Democrat who represented the 3d Norfolk District since 1974, is taking shape with the announcement last week that Russell Marzano, a Quincy School Committee member and boyhood friend of Cernelli's, would run for the seat.

The entrance of Marzano into the race appears to put an end to speculation that Daniel Raymond — another longtime friend of Cernelli and Marzano — would run for the vacant seat in the Oct. 15 special election. Raymond said last month that he would not run against Marzano. Raymond is said to be considering a return to city politics this fall as either a School Committee or City Council candidate.

Marzano, a Democrat, is a former Quincy teacher who has worked as a budget analyst and program evaluator for the House Post Audit and Overnight Bureau, one of Cernelli's former domains. He currently works in the public protection bureau of the attorney general's office.

Cernelli's seat went up for grabs last month with the announcement that he had been named the state's new inspector general. His district includes Quincy Point and South Quincy, along with the Idavell section of Weymouth and a swath running from the westerly side of Weymouth Landing south to the Abington line.

So far, the only political activity on the Weymouth side of the district is from lawyer Jack McGlone, who is already slipping campaign cards under the doors of voters in the district.

Most of the would-be candidates in Quincy tied to one political family or another — the sons of both Norfolk County Sheriff Clifford Marshall, who held the seat before Cernelli, and former Quincy Mayor Arthur Tobin have been mentioned. So McGlone, not surprisingly, is underlining his status as a political outsider and a newsmonger.

Which is not to say that McGlone is politically unconnected. He is a good friend of Weymouth Selectman Jack Carey and next month is to marry Colette Bradley, who has been the secretary in Norfolk District Attorney William B. Delahunt for several years.

Bryan presses over free ads

Jon Bryan, the Cape Cod Republican who is running against US Rep. Gerry E. Studds for the third time, kept up his harangue last week over what he contends was free political advertising run by the Cape Cod Times newspaper in the closing days of last fall's campaign.

During a news conference early in the week, Bryan outlined the 23-page complaint he filed with the Federal Elections Commission alleging, among other things, that the newspaper ran two full-page ads worth more than \$5,000.

The newspaper has acknowledged running three full-page ads worth \$2,700 in error in the closing days of the campaign. The ads were not paid for, which Bryan contends amounts to an illegal corporate campaign contribution. The publisher of the newspaper has labeled these allegations "preposterous."

Studds, meanwhile, has asked the FEC for guidance on how to handle the unusual situation. "The Cape Cod Times goofed," Studds spokesman Steven Schwabach said last week. "As for the suggestion that there was collusion or a premeditated effort to circumvent the election laws, that's silliness. I think you'd be hard pressed to find any newspaper publisher in the middle of an economic recession where they're closing newspapers left and right who would consider giving away free advertising to anyone, much less to a politician."



JON BRYAN ...
23-page complaint



Massachusetts Republican Party

Leon J. Lombardi
State Chairman

Massachusetts Republican State Committee
Nine Glen Street, Watertown, Massachusetts 02172 Telephone (617) 894-8888

**FOR IMMEDIATE RELEASE
MONDAY, AUGUST 5, 1991**

CONTACT: ALAN SAFRAN

REP. STUDDS UNDER FIRE FROM STATE REPUBLICAN PARTY

WATERTOWN--Rep. Gerry Studds (D-MA), who narrowly won reelection to a tenth term in Congress in 1990, allegedly violated several federal election laws in filing reports related to the campaign, according to the Massachusetts Republican State Committee.

The State Republican Party is filing a complaint with the Federal Election Commission which alleges that Studds failed to register two campaign committees with the FEC and failed to provide the FEC with significant donor information. If the FEC finds these allegations to be true, Studds campaign could face civil penalties of up to \$5000 for each allegation.

Acting on information provided by 1990 Republican candidate Jon Bryan, and conducting research on its own, the State Republican Party has determined that there were three campaign committees established to raise funds and spend money on Studds' behalf during the 1990 race. They were the "Committee to Reelect Congressman Studds," the "Studds for Congress Committee," and "Change '90." Of these three, only the Committee to Reelect Congressman Studds registered with the Federal Election Commission as required by federal law. The Studds for Congress Committee and the Change '90 committee printed and distributed thousands of pages of campaign materials promoting Studds' reelection, but did not file reports with the FEC as required.

Also, the State Republicans found that on campaign contributor disclosure reports filed with the FEC, a large percentage of donors were reported without required employer and occupation information. In one report filed 30 days after the general election, nearly one-third of Studds donors were listed as "itemized," without the required information provided.

State Party Chairman Leon J. Lombardi is filing the complaint with the FEC. In announcing the results of the Party's research, Lombardi said, "Congressman Studds apparently had three committees acting on his behalf or promoting his campaign in the 1990 race. While any number of candidate committees are allowed, if they are authorized by the candidate or affiliated with the campaign they must register with the FEC and file separate reports so that the public knows who has donated to the

--more--

94030972141

State GOP again charges Studds broke election laws

By JEFFREY BURT
OTTAWA NEWS SERVICE

NEW BEDFORD — The Republican State Committee fired another shot yesterday at U.S. Rep. Gerry E. Studds, claiming the congressman violated federal election laws in an advertisement run in the local biweekly fishing magazine, *The Barnacle*.

The quarter-page advertisement, with the words "Caring, Fighting, Winning" printed below a photograph of Rep. Studds, did not carry a disclaimer stating the ad was paid for by the Cohasset Democrat's re-election committee.

A statement released by the Republican State Committee claimed that this was just one in a series of election rules violations perpetrated by Studds's campaign.

But Studds's aide Steven Schwadron denied the allegation.

The Studds re-election campaign placed the ad, Schwadron said, but the lack of a disclaimer "was a mistake. I don't know whose mistake, but as you can see,

there is white space at the bottom" of the advertisement for a disclaimer.

"He said the allegation was another in a string of petty partisan attacks by the Republican Committee that 'trivializes the (political) process.'"

"It's petty whining," Schwadron said. "There's no question in the world whose ad this is. . . . I really is like a little baby trying to get attention."

But Jon Bryan, who has lost twice in bids to take Studds' seat, said the issue is important.

"Either (Rep. Studds) feels he is above the law or his committee is disorganized," Bryan said. "Either way, it sends a bad message to the voters of this district."

Alan Safran, a spokesman for the Republican Committee, said the committee is considering bringing the incident to the attention of the Federal Election Commission.

Aug 14, 1991 P 2 CCTimes

94030972142

committees and how their money is being disbursed. Without this disclosure, money may have been received and spent on behalf of the Studds campaign which no one would know."

"Alternatively, Congressman Studds may have realized that the 1890 election was a time of great voter discontent with incumbents who represented the failed policies of the past. To hide the fact that he was running for yet another term in office, Congressman Studds may have dropped the 'Committee to Reelect' title from the name of his campaign committee as he solicited funds and as he distributed promotional materials. If he tried to hide this fact, he should admit it. If he tried to hide it and created shadow campaign committees without registering them with the FEC, then the FEC should find these actions to be in violation of the law," Chairman Lombardi added.

Concerning the non-disclosure of the occupations and employers of a large number of major donors, Lombardi said, "The law was written to allow the public to know who is giving to the campaigns of our elected officials and candidates. If a candidate is embarrassed by who is giving money, the candidate must nonetheless face public scrutiny. At best, it appears that the Studds campaign was not sufficiently well organized to make its best efforts to obtain the required information, and at worst it appears that Rep. Studds may have been trying to hide something from the voters of the Tenth Congressional District."

"I trust that the FEC will get to the bottom of these allegations," Lombardi said. Under the laws governing the Federal Election Commission, once the complaint is received in Washington, Rep. Studds will be provided a copy of the complaint filed by the Massachusetts Republican State Committee, will be asked to respond within fifteen days, and then the FEC will determine if it should investigate the allegations.

94030972143



Massachusetts Republican Party

Don J. Lombardi
Party Chairman

Massachusetts Republican State Committee
Nine Galen Street, Watertown, Massachusetts 02172 Telephone (617) 924-0033

FOR IMMEDIATE RELEASE
TUESDAY, AUGUST 13, 1991

CONTACT: ALAN SAFRAN

REP. STUDDS AGAIN COMMITS APPARENT CAMPAIGN LAW VIOLATION

WATERTOWN--There is a mysterious quarter-page advertisement in the current issue of The Barnacle, a bi-weekly magazine for the New Bedford area fishing industry. It praises Rep. Garry Studds (D-MA) for "caring, fighting, winning," but nowhere does it say who placed the ad or paid for it.

By implication, the omission of a disclaimer suggests that the magazine might have run the ad on its own. In truth, however, the ad was paid for by the Studds reelection campaign committee and apparently violates the federal law which requires that political advertisements state clearly who paid for them.

Last week, the State Republican Party lodged a complaint with the Federal Election Commission alleging that the Studds reelection campaign of 1990 had up to three committees acting on its behalf while only one was duly registered with the federal government.

"Last week, it looked like the Studds campaign had as many as three campaign committees. Now, with this mystery ad in The Barnacle, it appears that the Studds campaign doesn't want to acknowledge having any committees," said Leon J. Lombardi, Party Chairman.

"This continues a pattern of apparent election law violations on the part of the Studds campaign," Lombardi added. "At worst, Congressman Studds seems to think he is above the law, and at best, his campaign for reelection is unsupervised, unorganized or simply unaware of the law."

Lombardi also noted that "It is a clear sign that Rep. Studds is running scared with important segments of his constituency when he runs quarter-page political ads 15 months before the election in the local fishermen's magazine." Rep. Studds has come under fire recently from fishermen on the Cape for a bill he recently introduced which would cut in half the number of fish permitted to be caught.

94030972144

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011 • (202) 628-6600

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

92 JAN 16 PM 12:16

January 13, 1992

CERTIFIED MAIL

Jeffrey D. Long
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 3365

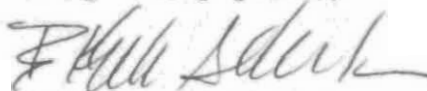
Dear Mr. Long:

This letter responds to your notification dated December 20, 1991 that the Commission received additional information from the complainant in Matter Under Review 3365. Once again, Mr. Bryan's allegations are wholly unsupported by fact.

As the Studts for Congress Committee (the "Committee") stated in its previous response, these repeated groundless attacks are an abuse of the Commission's enforcement procedures. Nevertheless, the Committee wishes to be responsive in providing whatever information may be useful for the Commission's review of this matter. Therefore, enclosed you will find a letter from the Committee's media consultant, Ken Swope, confirming that all media purchases placed on cable television were fully paid for by the Committee. Moreover, it is standard practice for all broadcast stations to require payment in full prior to airing an advertisement.

Pursuant to your request, I have also enclosed a Statement of Designation of Counsel. If you have any questions, please contact the undersigned at (202) 434-1634.

Very truly yours,



B. Holly Schadler

Enclosure

BHS:mah

[17141-0001/DA920100.015]

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL
92 JAN 16 PM 3:38

94030972145

Ken Swope & Associates, Inc.

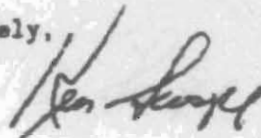
January 7, 1992

Edwin R. Martin, Treasurer
Studds for Congress Committee
PO Box 513
Scituate, MA 02066

Dear Mr. Martin,

We, Ken Swope & Associates, Inc., were contracted in September of 1990 by the Studds for Congress Committee to place the Studds' media buy. Being aware that some questions have arisen concerning the Studds' cable media purchase, let me assure you that every commercial we placed on cable TV was paid for by the campaign. Documentation is available if further verification is necessary.

Sincerely,



Ken Swope
President

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL
92 JAN 16 PM 3:51

351 Newbury Street, Boston, MA 02115 (617) 424-1979

94030972146

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3965

NAME OF COUNSEL:

Holly Schadlar

ADDRESS:

Perkins Coie

607 14th Street, NW

Washington, DC 20005

TELEPHONE:

(202) 434-1634

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL
92 JAN 16 PM 3:51

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.

1/8/92
Date

[Signature]
Signature

RESPONDENT'S NAME:

Hon. Gerry E. Studds; Committee to
Re-Elect Congressman Studds; Studds

ADDRESS:

for Congress Committee (Edwin M. Martin, Treasurer)

Box 513

Scituate, MA 02066

HOME PHONE:

BUSINESS PHONE:

(617) 545-6191

94030972147



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601

Telephone (508) 775-1200

Pre-MUR 246



SCOTT HIMSTEAD
Publisher

BUREAUS: Falmouth, Orleans, Bourne, Provincetown, Martha's Vineyard, Nantucket

July 26, 1991

John W. McGarry
Chairman
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Dear Chairman McGarry,

It is my belief that by this time the Federal Election Commission has heard from both candidates in last year's Massachusetts 10th Congressional District campaign regarding political advertising placed in the Cape Cod Times.

I understand that the commission has been asked by both candidates to conduct an investigation into this matter.

As publisher of the Cape Cod Times, I also request that the FEC look into the situation. An editorial in today's edition, attached, states just that.

We indeed stand ready to disclose all information concerning the charge of candidate Jon Bryan, and we look forward to cooperating with the commission if you choose to investigate.

Very truly yours,


Scott Himstead

SH:hso

91 JUL 30 PM 4:53

RECEIVED
FEDERAL ELECTION COMMISSION
INDEPENDENT COUNSEL

94030972148

IN OUR VIEW

Let the FEC decide

A brouhaha has erupted over the publication by the Cape Cod Times of certain advertising for Democrat incumbent Gerry Studds in last November's 10th Congressional District election.

Republican challenger Jon Bryan alleges that the Times "deliberately waived" pre-payment for several political advertisements, implying that this newspaper ran the ads with the intent of influencing the election in the final days of the campaign.

Studds' campaign manager has stated that the ads were unauthorized, and that because they were not authorized they were not paid for.

Studds has called for an investigation into this matter by the Federal Election Commission.

Bryan says he will do the same.

This newspaper has conducted a thorough internal investigation, and its management has concluded that certain advertising not authorized by the Studds campaign was in fact published, as the result of a mixup in the processing of advertising orders.

The Times has published two news accounts concerning this matter — including Bryan's allegation that the newspaper's explanation is "untrue."

We join Congressman Studds and Mr. Bryan in requesting that the facts of this unfortunate mistake be brought to light by the Federal Election Commission.

We stand ready to disclose all information concerning Mr. Bryan's serious charge — to the FEC and to all parties concerned.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 7, 1991

Scott Himstead, President
Cape Cod Times
319 Main Street
Hyannis, MA 02601

RE: Pre-MUR 246

Dear Mr. Himstead:

This is to acknowledge receipt of your letter dated July 26, 1991, pertaining to the Cape Cod Times. You will be notified as soon as the Federal Election Commission takes action on your submission.

If you have any questions, please call Jeffrey Long, the staff person assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling matters such as this.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to read "L/L", is written over the typed name of Lois G. Lerner.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

94030972150

Studds for Congress

July 19, 1991

Pre-MUR 248

John Warren McGarry, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

91 AUG - 1 AM 9:50

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

Dear Chairman McGarry:

I am writing to request guidance from the Federal Election Commission in resolving questions arising from unrequested political advertising during my 1990 reelection campaign.

During the final ten days of the 1990 election cycle, the Studds for Congress Committee requested and purchased two political advertisements in the Cape Cod Times newspaper. These advertisements were paid for in full and in advance, and they appeared in the newspaper as intended.

In addition, however, the newspaper proceeded to repeat one of our advertisements. This additional advertising was not requested, approved, or desired by the Studds Committee.

The newspaper subsequently requested payment for the extra, unsolicited advertisement. Once the matter was fully reviewed, the newspaper acknowledged its error. Six weeks ago, the newspaper so informed the November Group, which handled placement of the ads for the Studds Committee.

Yesterday, my opponent in the 1988 and 1990 election -- who is also one of the candidates for the Republican nomination for 1992 -- apparently made a variety of charges about conspiracy and collusion between the Cape Cod Times and my own campaign. These charges, like so many which poison the air of today's political environment, are false. They are insulting to me, to newspapers in general, and to Tenth District voters.

At the same time, I want to make sure every "t" is crossed and every "i" dotted as concerns this sequence of events. With that in mind, and now that the Cape Cod Times has confirmed its error, I am writing to seek your guidance.

Specifically, does the FEC require or desire any further detail on this matter? Does the newspaper's mistake constitute a "political contribution"? In the FEC's view, are there any other ramifications or further steps that it would be appropriate for the Studds Committee to take at this time?

My 1990 political opponent and I disagree about almost everything under the sun, and probably on a few things even more distant. However, I share his desire that this unusual matter be reported fully, accurately and promptly.

I appreciate your attention, and look forward to hearing from you.

Sincerely,

Gerry E. Studds

RECEIVED
FEDERAL ELECTION COMMISSION
91 AUG - 1 PM 3:43

06C 2062



Cape Cod Times

"THE CAPE AND ISLANDS' DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601
Telephone (508) 775-1200

Pre-MUR 248



BUREAUS: Falmouth, Orleans, Bourne, Provincetown, Martha's Vineyard, Nantucket

August 1, 1991

SCOTT HIMSTAD
Publisher

Lois Lerner
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Dear Ms. Lerner,

By way of introduction, I am publisher of the Cape Cod Times, a daily newspaper with a circulation of approximately 50,000. Our newspaper is published in Hyannis, Mass., and circulates in Barnstable County as well as the islands of Martha's Vineyard and Nantucket. The Times is owned by Ottaway Newspapers, Inc., which is a wholly-owned subsidiary of Dow Jones & Co., Inc.

I have previously written to John W. McGarry requesting that the Federal Election Commission investigate the serious charges brought against the Cape Cod Times by Jon Bryan, Republican candidate in last year's Massachusetts 10th Congressional District campaign. I wish this investigation in order to maintain the credibility of this newspaper.

Mr. Bryan alleges that the Times conspired with Democratic Congressman Gerry Studds to publish certain political advertising for Mr. Studds for which no payment was received. The implication is that this newspaper ran the advertising for free with the intent of influencing the election during the final days of the campaign.

I have invited Mr. Bryan to come into the newspaper so that we can review the entire situation with him, show him our internal records, correspondence and other documentation to prove that his accusations are false. He has not chosen to take us up on our offer.

Had he done so he would have learned that certain advertising did run which was not authorized by the Studds campaign committee. But the circumstances are quite different than those communicated to you by him on July 29, 1991.

The advertising in question had been scheduled by the Studds campaign committee, but the schedule was altered by the agency which placed Studds' advertising. Written instructions to cancel this advertising were prepared by our advertising department, but in the process of preparing future newspapers for publishing, these instructions were somehow misplaced and the unauthorized advertising was run. This was an honest mistake, one which was greatly embarrassing to this newspaper.

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
91 AUG -2 AM 10:17
91 AUG -2 PM 4:26
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

94030972152

I have attached to this letter an appendix which is titled: "Chronicle of Events." This was prepared after a thorough internal examination of how the unauthorized publication of advertising took place. It goes into some detail, and it serves to counter many of the points which Mr. Bryan states as "facts."

I can only assume that Mr. Bryan has seized upon this mistake for political purposes, since he has already announced that he plans to challenge Mr. Studds in next year's election.

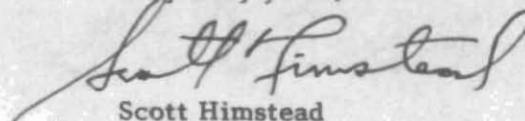
This newspaper supported Mr. Studds editorially in the last election. We did not publish our editorial until late in the campaign, on October 31, after weighing the issues of the contest. And we ran only one editorial on the campaign. On November 4 we published a one paragraph summary of this endorsement in an editorial which recapped all of our positions in the various races which were contested.

If this newspaper had been so intent on seeing to it that Mr. Studds was re-elected, if we were involved in collusion of any sort with Mr. Studds, we certainly would have come on much stronger and much louder than one editorial and a recap. We could have published reams of news and editorial material during the campaign in order to sway voters to cast ballots for "our man". But we did not.

And certainly if there was a conspiracy afoot here we would not have knowingly and consciously published free advertising for Mr. Studds. We wouldn't have been that stupid. We erred on the side of carelessness in the processing of advertising orders, not on the side of giving Studds illegal corporate contributions.

I would be glad to furnish any further information which you feel might be helpful in your assessment of this situation. As I said in my letter to Mr. McGarry, we look forward to cooperating with the commission if you choose to investigate.

Very truly yours,



Scott Himstead

SH:hso

cc: John W. McGarry

94030972153

Chronology of events

As the political advertising season opened, one candidate was placing ads - Jon Bryan. He had been assigned Kathy Greenlaw as account rep. Then a few locally placed ads came in for a benefit for Studds, and Greenlaw also handled them.

Sometime during the fourth week of October (starting Oct. 22) a call was fielded by one of the other "inside" account reps, Sonja Sexton, inquiring about political advertising rates. The caller did not identify herself at first, but after several calls she said she was from the November Group, wishing to discuss an advertising schedule for Gerry Studds. On Oct. 25 she placed a tentative schedule with Sexton, for an ad to run Thurs. Nov. 1 in the Times, Fri. Nov. 2 in our CapeWeek mail publication, and in the Sunday, Nov. 4 edition. These were full-page ads. An insertion order for these ads was prepared on Oct. 25, and the order was placed in the system. The ads would run pending payment in advance from the November Group.

Greenlaw, who had been handling the previous Studds ads, was not in the office on Oct. 25. On Oct. 26 she returned, and upon learning that Sexton had handled the order for the previous day, she informed Sexton that she handled the Studds account. A call from the November Group on Oct. 26 was routed to Greenlaw, who then took a revised order for one insertion of one ad to appear Oct. 30. Payment for this one ads was received and the ad in turn ran on the 30th.

Since there was no payment and no further communication on the advertising tentatively ordered through Sexton, Sexton then wrote "kill" on her insertion order, and forwarded it through proper channels. A copy of the kill order was sent to the business office where it was deleted from the billing system. The kill order was sent to the advertising services department where the newspaper's editions are dummied, where it was misplaced. Since that department had only a live insertion order in its files for the insertions previously ordered by Sexton, the ads were dummied for the 1st and 4th in the newspaper, and the 2nd in CapeWeek and the ads were subsequently published.

The business office reconciliation of each edition, comparing orders in our system with ads which actually appeared in the newspaper, indicated that ads for the Committee to re-elect Studds had run without insertion orders being entered into our billing system. Thus the orders had been killed from the system.

But because the ads did appear, a new insertion order was generated from the reconciliation list, because all advertising which appears in the newspaper must be accounted for in bookkeeping. And the charge for these ads was automatically added to the statements sent to the November Group.

It became evident to management that a problem existed when a balance for the Committee to Re-Elect Congressman Studds continued to be shown on our accounts receivable list into early 1991. Our credit manager thereupon undertook an inquiry with the November Group to resolve the differences and to see what the problem was with the outstanding balance.

It was determined that this was caused by the ads which ran in error, and the amount was written-off of our books.

94030972154

Now, back to the pre-election scenario.

After Greenlaw had taken the ad order for the Oct. 30 ad from Studds, the November Group requested that they be assigned another account rep for the placement of further advertising. This was done because the Studds people did not want to be handled by the same person as was handling the Bryan advertising, and also because they complained that Greenlaw was "rude" to them.

The request for reassignment was received by retail ad manager George Vagenas, and he thereupon reassigned the Studds account to Sexton. She subsequently fielded an order on Nov. 1 for an ad to run Nov. 5. Payment for this ad was received Nov. 2.

This ad was a reprint of the editorial from the Times which endorsed Gerry Studds, which the Times had published on Oct. 31, 6 days in advance of the election. A 25% premium was charged for this ad because of a special position request.

94030972155

IN OUR VIEW

Let the FEC decide

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Republican challenger Jon Bryan alleges that the Times "deliberately waived" pre-payment for several political advertisements, implying that this newspaper ran the ads with the intent of influencing the election in the final days of the campaign.

Studds' campaign manager has stated that the ads were unauthorized, and that because they were not authorized they were not paid for.

Studds has called for an investigation into this matter by the Federal Election Commission.

Bryan says he will do the same.

This newspaper has conducted a thorough internal investigation, and its management has concluded that certain advertising not authorized by the Studds campaign was in fact published, as the result of a mixup in the processing of advertising orders.

The Times has published two news accounts concerning this matter — including Bryan's allegation that the newspaper's explanation is "untrue."

We join Congressman Studds and Mr. Bryan in requesting that the facts of this unfortunate mistake be brought to light by the Federal Election Commission.

We stand ready to disclose all information concerning Mr. Bryan's serious charge — to the FEC and to all parties concerned.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 7, 1991

The Honorable Gerry E. Studds
Studds for Congress Committee
P.O. Box 513
Scituate, MA 02066

RE: Pre-MUR 248

Dear Mr. Studds:

This is to acknowledge receipt of your letter dated July 19, 1991, pertaining to the Cape Cod Times. You will be notified as soon as the Federal Election Commission takes action on your submission.

If you have any questions, please call Jeffrey Long, the staff person assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling matters such as this.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

92 MAR 23 AM 10:58

RECEIVED
F.E.C.
SECRETARIAT

MUR 3365, PRE-MUR 246 and
PRE-MUR 248
DATE COMPLAINTS RECEIVED
BY OGC:
MUR 3365 - July 31, 1991
PRE-MUR 246 - August 5, 1991
PRE-MUR 248 - August 1, 1991
DATE OF NOTIFICATIONS TO
RESPONDENTS: August 5, 1991
STAFF MEMBER: Jeffrey Long

COMPLAINANTS: MUR 3365 Jon Bryan
PRE-MUR 246 Scott Himstead (Sua Sponte)
PRE-MUR 248 Gerry E. Studds (Sua Sponte)

RESPONDENTS: The Honorable Gerry E. Studds
Studds for Congress Committee and
Edwin M. Martin, as treasurer¹
The November Group
Cape Cod Times

RELEVANT STATUTES: 2 U.S.C. § 441b(a)
2 U.S.C. § 441b(b)(2)
2 U.S.C. § 434(b)(8)
11 C.F.R. § 104.11(a)
11 C.F.R. § 104.11(b)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a complaint filed on July 31, 1991, by Jon Bryan of Barnstable, Massachusetts. Attachment 1. Mr. Bryan was Congressman Gerry E. Studds' Republican opponent in the 1988 and 1990 elections in the Tenth Congressional District in Massachusetts. Before being notified by the Commission of

1. On October 25, 1991, the "Committee to Re-Elect Congressman Studds" amended its Statement of Organization, changing the committee's name to "Studds for Congress Committee."

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Mr. Bryan's complaint, Scott Himstead, publisher of the Cape Cod Times ("Times"), and Congressman Studds each made sua sponte submissions on July 30 and August 1 respectively. Attachments 2 and 3.² All three items address the appearance in the Cape Cod Times newspaper of advertisements for the campaign of incumbent Congressman Gerry Studds during the final days of the 1990 general election. Complainant Bryan alleges that the advertisements were not paid for by the Studds campaign and therefore constitute an illegal in-kind corporate contribution. Congressman Studds and the Times both state in their sua sponte submissions that the non-payment for the advertising was the result of internal administrative problems in the newspaper billing office and ask that the Commission investigate the matter to "...make sure every "t" is crossed and every "i" dotted as concerns this sequence of events."

Additionally, Mr. Bryan's complaint addresses the Studds Committee's 1990 Year End Report amendment. Bryan points out that the amendment discloses \$24,430 in debts and obligations not previously reported by the Committee, and also questions the legality of the Committee having a "net deficit" and allegedly improperly spending two contributions earmarked for the 1992 primary election.

Responses to the MUR 3365 complaint were received on August 24 from The November Group and on August 16 from both Scott Himstead at the Cape Cod Times and Congressman Studds on

2. Mr. Himstead also submitted a letter in PRE-MUR 248 which was received on August 1, 1991. Attachment 4.

behalf of his committee. Attachments 5, 6 and 7. On September 12, 1991, staff met with Scott Himstead (at his request) who provided further information and documents to support his position that there existed no collusion between the Studds campaign and his newspaper and that administrative deficiencies alone were the cause of the three unpaid advertisements.

The Commission received letters from Mr. Bryan on August 19 and December 17, 1991. Attachments 8 and 9. Attached to the August 19 letter, Mr. Bryan provided the Commission with copies of news stories appearing in the Cape Cod area newspapers in which the principals in this matter explain their positions. In his December 17 letter, Mr. Bryan alleges that the Studds campaign received free advertising from the cable media, but not wishing "to injure the source of this information," Mr. Bryan urges the Commission to investigate "all radio, cable television, print, and direct-mail advertisers which Mr. Studds utilized...to uncover any further irregularities." The Respondents were provided copies of this additional information on December 20, 1991. On December 18, 1991, Counsel for the Studds campaign filed a response to the original complaint³ and on January 13, 1992, filed a response to the additional information. Attachments 10 and 11. The second response contained a letter from the Committee's media consultant stating that all cable television media purchases were paid in full prior to the airing of the advertisements.

3. The response from counsel was submitted along with the response for MURs 3370, 3376, 3438, and 3439. The response to those MURs will be addressed in a separate report in those matters.

II. FACTUAL AND LEGAL ANALYSIS

a. Advertising

According to the Federal Election Campaign Act of 1971, as amended ("the Act"), it is unlawful for any corporation whatever to make a contribution or expenditure in connection with any election and unlawful for any candidate or political committee to knowingly accept such a contribution. 2 U.S.C. § 441b(a). The Act defines a contribution to include any direct or indirect payment, services, or anything of value to any candidate or campaign committee in connection with any election. 2 U.S.C. § 441b(b)(2).

According to the responses filed by The November Group, Inc. ("NGI"), the Studds for Congress Committee ("Studds Committee"), and the Cape Cod Times, on October 25, 1991, NGI, a Washington, D.C. advertising firm hired by the Studds Committee, placed an order with the Cape Cod Times for two political advertisements to tentatively appear on November 1 and November 4. According to Amy Simon at NGI, the Times provided without charge one additional advertisement to run on November 2 in CapeWeek, an ancillary publication mailed once a week to Cape residents who do not subscribe to the Cape Cod Times.⁴ The order was tentative because

4. On pages two and three of their response, NGI states that it tentatively ordered ads for November 1 and November 4, with no mention of the November 2 ad. Staff from this Office contacted Amy Simon at NGI who informed that the November 2 ad was to run in the CapeWeek publication and was offered at no extra charge to NGI as an incentive to place an advertisement in the other publications. Ms. Simon referred to the top of exhibit 1 of her response where Ms. Bracket of NGI made notes including one which reads "3 ads in one week [could equal] 1 ad in each zone of [CapeWeek]." According to Lorrain O'Donnell at the Cape Cod

NGI had to coordinate ad planning placement with other area newspapers, and because the Time's political advertising policies mandate that all political ads must be prepaid. The insertion order shows that the information was never keyboarded and never put into the system for billing purposes. See attachment 5, page 47. However, the Times operating procedures dictate that the advertising department send the insertion order to the production department to prepare the ad to be published pending full prepayment.

On the evening of October 25, NGI sent via overnight mail to the Times the ad copy and a check for \$2,202.18 to cover the cost of just one full-page ad. That ad reads "[t]he last thing we need in Congress is more baloney." On October 26, NGI called the Times and changed the date of the baloney advertisement from November 1, 2, and 4 to only to appear on October 30, 1991. At that time the Times account executive handling the Studts account placed a kill order on the original tentative NGI order for the baloney ad for November 1, 2, and 4. The ad ran on October 30, 1990, as ordered. However, the baloney ad also ran on November 1, 2, and 4.

On November 1, NGI placed a second order with the Times advertising department for an ad to run on November 5 and sent via overnight mail payment of \$2,752.73 for one full page advertisement with premium placement. That ad was a reprint of a

(Footnote 4 continued from previous page)
Times, such a bonus is given to all ad purchasers as a regular business practice.

October 31, 1990, Times editorial. This editorial ad ran on November 5, 1990, as ordered.

When the Times accounting department compared orders in the billing system with ads that were actually published, it was discovered that five Studds ads ran on October 30, November 1, 2, 4, and 5, (attachment 13) but only the October 30 and November 5 ads had been paid for in advance as required by Times policy.⁵

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According to Mr. Himstead, the accounting office then generated a new insertion order for the unpaid ads from the reconciliation lists "because all advertising which appears in the newspaper must be accounted for in bookkeeping," and added those charges to the billing statements sent to NGI. On November 12, 1990, NGI received the billing statement. Not until July 18, 1991, did the Times finally discover and acknowledge that the November group had canceled the original tentatively ordered ads for November 1, 2 and 4 and removed the charges for those advertisements from the NGI account. Mr. Himstead has stated that the Times account representative initiated the kill order but the kill order never reached the production department.⁶ Hence the additional ads were published but were never paid for by NGI or the Studds campaign.

5. During the few weeks before the election, at least three other ads for Studds were published in the Cape Cod Times that are not at issue here. The orders for these other ads are identified only as a Studds account and do not differentiate between the Studds committee and NGI as to who placed the orders.

6. Mr. Himstead has provided the original October 25th order sheet with the word "kill" written across the page. Attachment 14.

Chart A.

Cape Cod Times, Office Procedures for Receiving an Advertising Order and, if Necessary, "Killing" the Order.

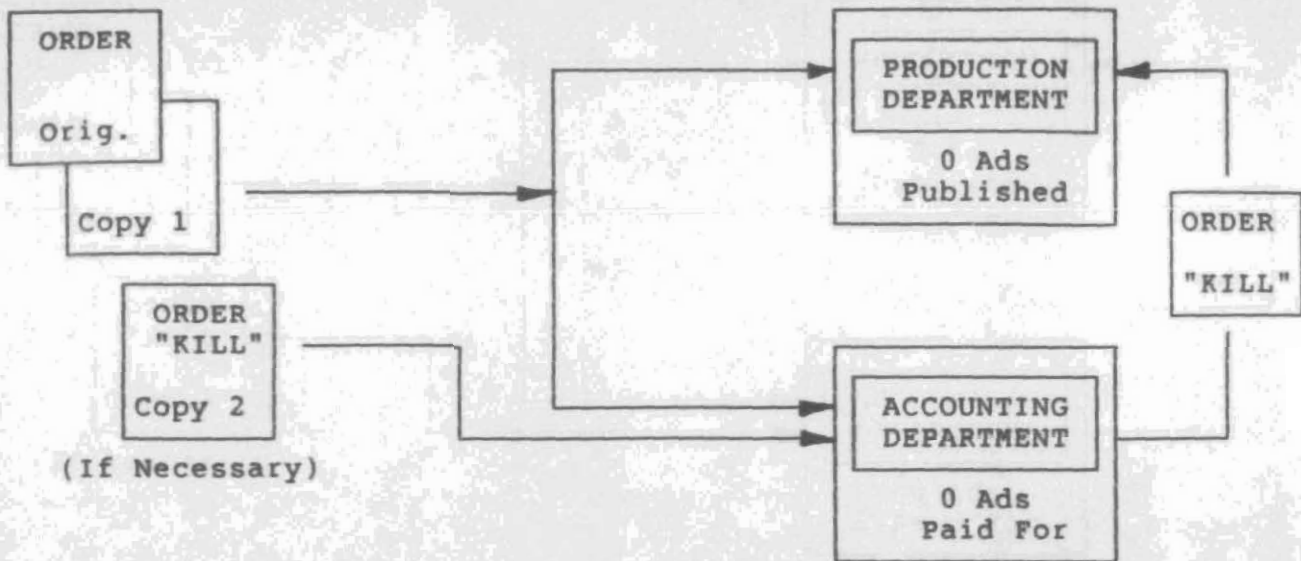
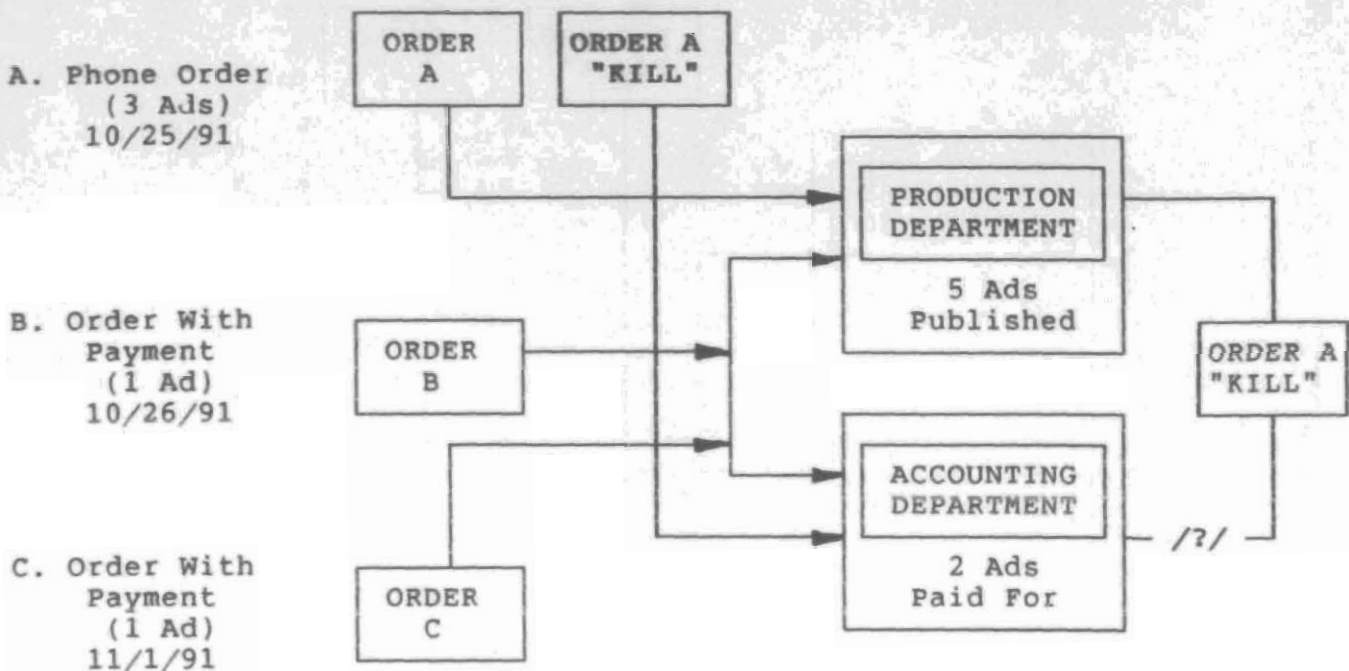


Chart B.

Cape Cod Times Office Procedures Followed Which Resulted in Five Advertisements Published But Only Two Advertisements Paid For.



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The Act defines a contribution as anything of value provided to any candidate or campaign committee in connection with any election. According to the invoices provided by NGI (attachment 5, p. 75) the three advertisements cost \$5,003.21. Free publication of three political advertisements designed by an advertising firm hired by the Studds campaign and published in the candidate's district during the last week before the general election is inarguably a contribution under the Act.

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The complaint was sent to the Cape Cod Times, which responded. Cape Cod Times is not itself a corporation but is a division of Ottaway Newspapers, Inc. in Hyannis, Massachusetts, which is a corporation registered in the state of New York.⁷ Attachment 14. Thus, we conclude that the finding should be made against Ottaway Newspapers doing business as the Cape Cod Times. Therefore, by publishing three political advertisements at no cost and with obvious value and benefit to the Studds campaign, Ottaway Newspapers, Inc., as the corporate owner of Cape Cod Times and doing business as Cape Cod Times, made a corporate contribution in connection with the 1990 congressional general election. The Office of the General Counsel therefore recommends that the Commission find reason to believe that Ottaway Newspapers, Inc., doing business as Cape Cod Times violated 2 U.S.C. § 441b(a).

Although the ads were provided at no cost, it is apparent from the detailed responses filed by the Respondents that the ads

7. Ottaway Newspapers, Inc. is a subsidiary of Dow Jones & Co., Inc. in New York.

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were provided at no cost because of administrative mistakes and deficiencies on the part of the Cape Cod Times and not with knowing intent or in cooperation with the Studds campaign as alleged in Mr. Bryan's complaint. The explanation and documentation provided by Mr. Himstead support and corroborate this conclusion. Therefore, this Office further recommends that the Commission take no further action with regard to Ottaway Newspapers, Inc. We also recommend that the Commission find no reason to believe that Gerry E. Studds, the Studds for Congress Committee and Edwin M. Martin, as treasurer, and The November Group, Inc. violated 2 U.S.C. § 441b(a), because they acted to kill the tentative order for the November 1, 2, and 4 ads and should not be held accountable for the production errors of the Cape Cod Times.

B. Reporting

According to 2 U.S.C. § 434(b)(8), political committees filing reports under the Act shall disclose the amount and nature of outstanding debts and obligations owed by or to such political committees. In addition, debts and obligations which exceed \$500 shall be reported as of the date on which the debt or obligation is incurred and shall be continuously reported until extinguished. 11 C.F.R. §§ 104.11(a) and 104.11(b).

Mr. Bryan's complaint also focuses on the Studds Committee's 1990 Year End Report amendment. According to Mr. Bryan's complaint, the amendment allegedly discloses debts and obligations not previously reported by the Committee. Schedule D of the amended 1990 Year End Report received on June 18, 1991, shows

three vendors with balances outstanding at the beginning of the reporting period for a total of \$21,910 in debts and obligations. Attachment 15. A review of all of the Committee's reports, beginning January 1, 1990, confirms that the three outstanding debts were not previously reported. Therefore, the Office of the General Counsel recommends that the Commission find reason to believe the Studds for Congress Committee and Edwin M. Martin, as treasurer, violated 11 C.F.R. § 104.11(b), for failing to report debts and obligations beginning on the dates that they were incurred.

Furthermore, because the amended report shows only \$21,912 cash on hand and \$24,430 in debts, Mr. Bryan also questions the legality of the Committee having a "net deficit" and consequently, the Committee's allegedly spending contributions earmarked for the 1992 primary election. Mr. Bryan is referring to two contributions received by the Committee on November 1 and November 15, 1990, totaling \$1,500 which are designated for the 1992 primary election. Attachment 16. Mr. Bryan argues that since the Committee has more debt than cash on hand, the Committee has effectively spent all of its funds, including the \$1,500 earmarked for future elections. However, the Act does not prohibit a committee from having debts and obligations in amounts which exceed the committee's available cash on hand. Hence, there is no evidence at this point that the \$1,500 in earmarked contributions have been spent on 1990 debts. Commission Regulations also permit a committee to roll-over debt from one election cycle to the next and permit contributions attributed to the later election cycle to

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be used to retire debts from an earlier cycle. See Advisory Opinions 1980-32 and 1981-9.

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In addition to the allegations in the complaint, this Office notes that the Committee has not been reporting the disputed debt between it and the Times concerning the three advertisements as discussed above. According to 11 C.F.R. § 116.10(a), a political committee shall report a disputed debt if the creditor has provided something of value. The committee shall continue to disclose the debt on the appropriate reports until the dispute is resolved.⁸ On December 7, 1990, NGI received from the Times a bill for advertising showing an unpaid balance of \$3,744. The three ads were billed at \$5,003.21. NGI received for the next six months invoices for the disputed amount and corresponded with the Times credit department until July 18, 1991, when the Times realized that the billing problem had been its error. During that period, beginning on the Committee's 1990 Year End report, the Studds Committee was required to disclose the disputed debt between it and the Times.⁹ Therefore, the Office of the General Counsel recommends that the Commission find reason to believe the Studds for Congress Committee and Edwin M. Martin, as treasurer,

8. Section 116.10 became effective on October 3, 1990.

9. Because NGI was the agent of the Studds Committee for the advertisements, the Studds Committee had the obligation to report the disputed debts even though the Times invoices were mailed to NGI.

violated 11 C.F.R. § 116.10(a), for failing to report a disputed debt.

III. DISCUSSION OF CONCILIATION

IV. RECOMMENDATIONS

1. Open a MUR in Pre-MUR 246 and Pre-MUR 248.
2. Merge the two new MURs into MUR 3365.
3. Find reason to believe that Ottaway Newspapers, Inc., doing business as Cape Cod Times, violated 2 U.S.C. § 441b(a), take no further action, and close the file as to this Respondent.
4. Find no reason to believe that Gerry E. Studds, the Studds for Congress Committee and Edwin M. Martin, as treasurer, and The November Group violated 2 U.S.C. 441b(a) with regard to the ads in the Cape Cod Times on November 1, 2, and 4, 1990.
5. Find reason to believe that the Studds for Congress Committee and Edwin M. Martin, as treasurer, violated 11 C.F.R. §§ 104.11(b) and 116.10(a), and enter into conciliation prior to a finding of probable cause to believe.

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6. Approve the attached Conciliation Agreement, Factual and Legal Analysis and the appropriate letters.

Lawrence M. Noble
General Counsel

Date 3/23/92

BY:

Lois G. Lerner
Associate General Counsel

Attachments

1. Bryan complaint
2. Himstead complaint
3. Studds complaint
4. Himstead letter
5. NGI response
6. Times response
7. Studds response
8. Bryan letter 8/19/91
9. Bryan additional information
10. Studds' Counsel response 12/18/91
11. Studds' Counsel response 1/16/92
12. "Killed" order
13. Five advertisements
14. Standard & Poor's Register
15. Schedule D
16. Earmarked contributions
17. Proposed conciliation agreement
18. Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS /DONNA ROACH *DR*
COMMISSION SECRETARY

DATE: MARCH 26, 1992

SUBJECT: MUR 3365, Pre-MUR 246 and
Pre-MUR 248 - FIRST GENERAL COUNSEL'S RPT.
DATED MARCH 23, 1992.

The above-captioned document was circulated to the
Commission on MONDAY, MARCH 23, 1992 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 McDonald	XXX
Commissioner McGarry	_____
Commissioner Potter	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for TUESDAY, MARCH 31, 1992.

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

94030972171

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

The Honorable Gerry E. Studds;)
Studds for Congress Committee and)
Edwin M. Martin, as treasurer;)
The November Group;)
Cape Cod Times.)

MUR 3365,

Pre-MUR 246, and

Pre-MUR 248

(MURs
(P 246) 3497
3498)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on March 31, 1992, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions with respect to the above-captioned matters:

1. Open a MUR in Pre-MUR 246 and Pre-MUR 248.
2. Merge the two new MURs into MUR 3365.
3. Find reason to believe that Ottaway Newspapers, Inc., doing business as Cape Cod Times, violated 2 U.S.C. § 441b(a), take no further action, and close the file as to this Respondent.
4. Find no reason to believe that Gerry E. Studds, the Studds for Congress Committee and Edwin M. Martin, as treasurer, and The November Group violated 2 U.S.C. § 441b(a) with regard to the ads in the Cape Cod Times on November 1, 2, and 4, 1990.

(continued)

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5. Find reason to believe that the Studds for Congress Committee and Edwin M. Martin, as treasurer, violated 11 C.F.R. §§ 104.11(b) and 116.10(a), and enter into conciliation prior to a finding of probable cause to believe.
6. Approve the Conciliation Agreement, Factual and Legal Analysis and the appropriate letters as recommended in the General Counsel's report dated March 23, 1992.

Commissioners Aikens, Elliott, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner McDonald dissented.

Attest:

4-1-92
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
F.E.C.
SECRETARIAT

92 APR -6 PM 12:54

April 6, 1992

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Lois G. Lerner *42*
Associate General Counsel

SUBJECT: Additional Recommendation in MUR 3365

On March 31, 1992, the Commission made certain findings in MUR 3365. Among these findings was a recommendation to find no reason to believe Gerry Studds, the Studds for Congress Committee and Edwin M. Martin, as treasurer, and The November Group violated 2 U.S.C. § 441b(a) with regard to the ads in the Cape Cod Times on November 1, 2, and 4, 1990.

This recommendation was the only one relating to Gerry Studds and The November Group. It did not also include a recommendation to close the file with respect to these two respondents.

Accordingly, we now make that recommendation.

RECOMMENDATION

Close the file with respect to Gerry Studds and The November Group.

94030972174

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Gerry Studds;
The November Group.

)
)
)
)
MUR 3365

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 9, 1992, the Commission decided by a vote of 6-0 to close the file in MUR 3365 with respect to Gerry Studds and The November Group, as recommended in the General Counsel's Memorandum dated April 6, 1992.

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

Attest:

4-9-92
Date

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

Received in the Secretariat: Mon., April 6, 1992 12:54 p.m.
Circulated to the Commission: Mon., April 6, 1992 4:00 p.m.
Deadline for vote: Thurs., April 9, 1992 4:00 p.m.

dr

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 21, 1992

Holly Schadler, Esquire
Perkins Coie
607 14th Street, NW.
Washington, D.C. 20005

RE: MUR 3365
Studds for Congress
Committee and Edwin M.
Martin, as treasurer

Dear Ms. Schadler:

On August 5, 1991, the Federal Election Commission notified your clients, Studds for Congress Committee and Edwin M. Martin, as treasurer, ("Committee") 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 the Studds for Congress Committee at that time.

Upon further review of the allegations contained in the complaint, and information supplied by the Committee and you, the Commission, on March 31, 1992, found no reason to believe that the Studds for Congress Committee and Edwin M. Martin, as treasurer, violated 2 U.S.C. § 441b(a), with regard to the ads in the Cape Cod Times on November 1, 2, and 4, 1990. However, the Commission found that there is reason to believe the Committee violated 11 C.F.R §§ 104.11(b) and 116.10(a), provisions of the Commission's Regulations. The 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 the Committee. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement

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Holly Schadler, Esquire
Page 2

of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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 the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Jeffrey Long, staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS:

MUR: 3365

Studds for Congress Committee and
Edwin M. Martin, as treasurer

According to 2 U.S.C. § 434(b)(8) of the Federal Election Campaign Act of 1971, as amended ("the Act"), political committees filing reports under the Act shall disclose the amount and nature of outstanding debts and obligations owed by or to such political committees. In addition, debts and obligations which exceed \$500 shall be reported as of the date on which the debt or obligation is incurred and shall be continuously reported until extinguished. 11 C.F.R. §§ 104.11(a) and 104.11(b). Furthermore, according to 11 C.F.R. § 116.10(a), a political committee shall report a disputed debt if the creditor has provided something of value and the committee shall continue to disclose the debt on the appropriate reports until the dispute is resolved.

The complaint filed in this matter alleges that the amended 1990 Year End Report, filed by the Studds for Congress Committee and Edwin M. Martin, as treasurer ("the Respondents"), discloses debts and obligations not previously reported by the Respondents. A review of Schedule D of the amended 1990 Year End Report, received at the Federal Election Commission on June 18, 1991, shows three vendors with balances outstanding at the beginning of the reporting period, for a total of \$21,910 in debts and obligations. A review of all of the Committee's reports,

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beginning January 1, 1990, confirm that the three outstanding debts were not previously reported by the Respondents. Therefore, there is reason to believe the Studds for Congress Committee and Edwin M. Martin, as treasurer, violated 11 C.F.R. § 104.11(b), for failing to report debts and obligations beginning on the dates that they were incurred.

Furthermore, the Respondents arranged through The November Group, Inc. to have two advertisements placed in the Cape Cod Times newspaper. Through an error by the newspaper, three additional advertisements were published and billed to NGI acting as an agent to the Respondents. The ads were billed at \$5,003.21. During the six months that the debt was in dispute (December, 1990 to July, 1991), the Respondents were required by 11 C.F.R. § 116.10(a) to report that debt. A review of the Respondents' disclosure reports indicates that the disputed debt has not been reported. Therefore, there is reason to believe the Studds for Congress Committee and Edwin M. Martin, as treasurer, violated 11 C.F.R. § 116.10(a), for failing to report a disputed debt.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 21, 1992

Ms. Amy R. Simon
The November Group, Inc.
1611 Connecticut Avenue, NW
Fourth Floor
Washington, DC 20009

RE: MUR 3365
The November Group, Inc.

Dear Ms. Simon:

On August 5, 1991, the Federal Election Commission notified The November Group, Inc. of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On March 31, 1992, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe The November Group, Inc. violated 2 U.S.C. § 441b(a) with regard to the ads in the Cape Cod Times on November 1, 2, and 4, 1990. Accordingly, the Commission closed its file in this matter as it pertains to The November Group, Inc.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. 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.

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Ms. Amy R. Simon
The November Group, Inc.
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

94030972181



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 29, 1992

Scott Himstead, President/Publisher
Cape Cod Times
319 Main Street
Hyannis, Massachusetts 02601

RE: MUR 3365
Cape Cod Times

Dear Mr. Himstead:

On March 31, 1992, the Federal Election Commission found reason to believe that Ottaway Newspapers, Inc., doing business as Cape Cod Times, violated, 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file as it pertains to the Cape Cod Times.

The Commission reminds you that publishing a campaign ad that is not paid for appears to be a violation of 2 U.S.C. § 441b(a). You should take immediate steps to insure that this activity does not occur in the future.

This file will be made part of the public record within 30 days after the matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

94030972182

Scott Himstead, Publisher
Page 2

If you have any questions, please direct them to Jeffrey Long, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosure
Factual and Legal Analysis

94030972183

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS:

MUR: 3365

Ottaway Newspapers, Inc.

According to the Federal Election Campaign Act of 1971, as amended ("the Act"), it is unlawful for any corporation whatever to make a contribution or expenditure in connection with any election and unlawful for any candidate or political committee to knowingly accept such a contribution. 2 U.S.C. § 441b(a). The Act defines a contribution to include any direct or indirect payment, services, or anything of value to any candidate or campaign committee in connection with any election. 2 U.S.C. § 441b(b)(2).

On October 25, 1990, the Studds for Congress Committee ("Studds Committee") and the November Group, Inc. ("NGI"), a Washington, D.C. advertising firm hired by the Studds Committee, placed an order with the Cape Cod Times ("Times") for two political advertisements to tentatively appear on November 1 and November 4. According to Amy Simon at NGI, the Times provided without charge one additional advertisement to run on November 2 in CapeWeek, an ancillary publication mailed once a week to Cape residents who do not subscribe to the Cape Cod Times.¹ The order was tentative because NGI had to coordinate ad planning placement with other area newspapers, and because the Times' political

1. According to Lorrain O'Donnell at the Cape Cod Times, such a bonus is given to all ad purchasers as a regular business practice.

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advertising policies mandate that all political ads must be prepaid. The order was never put into the system for billing purposes. However, the Times operating procedures dictate that the advertising department send the order to the production department to prepare the ad to be published pending full prepayment.

On the evening of October 25, NGI sent via overnight mail to the Times the ad copy and a check for \$2,202.18 to cover the cost of just one full-page ad. That ad reads "[t]he last thing we need in Congress is more baloney." On October 26, NGI called the Times and changed the date of the baloney advertisement from November 1, 2, and 4 to only appear on October 30, 1990. At that time the Times account executive handling the Studds account placed a kill order on the original tentative NGI order for the baloney ad for November 1, 2, and 4. The ad ran on October 30, 1990, as ordered. However, the baloney ad also ran on November 1, 2, and 4.

On November 1, NGI placed a second order with the Times advertising department for an ad to run on November 5 and sent via overnight mail payment of \$2,752.73 for one full page advertisement with premium placement. That ad was a reprint of a October 31, 1990, Times editorial. This editorial ad ran on November 5, 1990, as ordered.

When the Times accounting department compared orders in the billing system with ads that were actually published, it was discovered that five Studds ads ran on October 30, November 1, 2, 4, and 5, but only the October 30 and November 5 ads had been paid for in advance as required by Times policy.

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According to Mr. Scott Himstead, Publisher of the Times, the accounting office then generated a new insertion order for the unpaid ads from the reconciliation lists and added those charges to the billing statements sent to NGI. On November 12, 1990, NGI received the billing statement. Not until July 18, 1991, did the Times finally discover and acknowledge that the November Group had canceled the original tentatively ordered ads for November 1, 2, and 4 and removed the charges for those advertisements from the NGI account. Mr. Himstead has stated that the Times account representative initiated the kill order but the kill order never reached the production department. Hence the additional ads were published but were never paid for by NGI or the Studds campaign.

The Act defines a contribution as anything of value provided to any candidate or campaign committee in connection with any election. According to the invoices provided by NGI, the three advertisements cost \$5,003.21. Free publication of three political advertisements designed by an advertising firm hired by the Studds campaign and published in the candidate's district during the last week before the general election is inarguably a contribution under the Act.

The complaint was sent to the Cape Cod Times, which responded. Cape Cod Times is not itself a corporation but is a division of Ottaway Newspapers, Inc. in Hyannis, Massachusetts, which is a corporation registered in the state of New York.² Thus, we conclude that the finding should be made against Ottaway

2. Ottaway Newspapers, Inc. is a subsidiary of Dow Jones & Co., Inc. in New York.

Newspapers doing business as the Cape Cod Times. Therefore, by publishing three political advertisements at no cost and with obvious value and benefit to the Studds campaign, there is reason to believe Ottaway Newspapers, Inc., as the corporate owner of Cape Cod Times and doing business as Cape Cod Times, violated 2 U.S.C. § 441b(a), by making a corporate contribution in connection with the 1990 congressional general election.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 21, 1992

Holly Schadler, Esquire
Perkins Coie
607 14th Street, NW.
Washington, D.C. 20005

RE: MUR 3365
Gerry E. Studds

Dear Ms. Schadler:

On August 5, 1991, the Federal Election Commission notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On March 31, 1992, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Congressman Gerry E. Studds violated 2 U.S.C. § 441b(a) with respect to the ads in the Cape Code Times on November 1, 2, and 4, 1990. Accordingly, the Commission closed its file in this matter as it pertains to Congressman Studds.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. 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

94030972138



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
F.E.C.
SECRETARIAT

92 APR 22 PM 12:20

April 22, 1992

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Lois G. Lerner *LD*
Associate General Counsel

SUBJECT: Additional Recommendation in MUR 3365

On March 31, 1992, the Commission made certain findings in MUR 3365. Among these findings was a recommendation to find reason to believe Ottaway Newspapers, Inc., doing business as the Cape Cod Times, violated 2 U.S.C. § 441b(a), to take no further action and close the file as to this respondent. There was also a recommendation to approve the Factual & Legal Analysis to the Studts for Congress Committee and Edwin M. Martin, as treasurer, for violating 11 C.F.R. §§ 104.11(b) and 116.10(a), but no recommendation to approve the Factual & Legal Analysis for the finding against Ottaway Newspapers, Inc.

Accordingly, we now make that recommendation.

RECOMMENDATION

Approve the attached Factual & Legal Analysis to Ottaway Newspapers, Inc., doing business as the Cape Cod Times.

Attachment

94030972189

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Ottaway Newspapers, Inc., doing) MUR 3365
business as the Cape Cod Times.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 27, 1992, the Commission decided by a vote of 5-0 to approve the Factual & Legal Analysis to Ottaway Newspapers, Inc., doing business as the Cape Cod Times, as recommended in the General Counsel's Memorandum dated April 22, 1992.

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

Attest:

4-27-92
Date

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

Received in the Secretariat: Wed., April 22, 1992 12:20 p.m.
Circulated to the Commission: Wed., April 22, 1992 4:00 p.m.
Deadline for vote: Mon., April 27, 1992 4:00 p.m.

dr

94030972190

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April 29, 1992

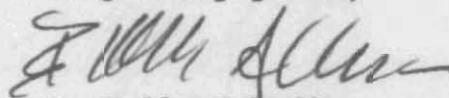
Jeffrey Long
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 3365

Dear Mr. Long:

Pursuant to our telephone conversation, I am requesting an extension of time on behalf of the Studts for Congress Committee, and Edwin M. Martin, as treasurer, to respond to the Commission's notification, dated April 21, regarding MUR 3365. I will be returning from a three month leave of absence on May 11. Therefore, I request an extension until May 19 in order to have an adequate opportunity to prepare a response.

Very truly yours,



B. Holly Schadler

BHS:mah

92 MAY -4 PM 3:35

[09901-9700/DA921200.030]



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1992

B. Holly Schadler, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3365
Studds for Congress Committee
and Edwin M. Martin, as
treasurer

Dear Ms. Schadler:

This is in response to your letter dated April 29, 1992, which we received on May 4, 1992, requesting an extension until May 19 to respond in the above-referenced matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on May 19, 1992. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey D. Long", is written over a light-colored rectangular background.

Jeffrey D. Long
Paralegal

94030972192



Cape Cod Times

"THE CAPE AND ISLANDS" DAILY NEWSPAPER"

319 Main Street, Hyannis, Mass. 02601

Telephone (508) 775-1200

BUREAUS: Falmouth, Orleans, Bourne, Provincetown, Martha's Vineyard, Nantucket



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

May 8, 1992

SCOTT HIMSTEAD
Publisher

RE: MUR³³⁶⁵~~3325~~

92 MAY 11 PM 3:28

To Whom It May Concern:

In response to the letter addressed to me from Joan D. Aikens, chairman, and the Factu and Legal Analysis of this matter, both of which I received May 4, 1992, I wish to make the following statement which I understand will appear on the public record:

From the day that an internal investigation was conducted to determine the facts of this situation, this newspaper has readily agreed that certain advertising was published prior to the November, 1990, election for Rep. Gerry E. Studds which was not authorized by his campaign.

The advertising in question was published through a breakdown in our internal system of processing advertising orders. Written instructions to "kill" this advertising were prepared by an account representative but this kill order inexplicably never reached the production department or was somehow overlooked.

I freely admit that a mistake was made which the Commission has determined creates reason to believe that a violation of the Federal Election Campaign Act took place. I can only assume that the fact that no penalties were assessed by the Commission supports our position that the mistake was simply a human or procedural error and was not a wilful act on our part. The commission was presented with a full chronology of how the error occurred, and I am pleased that the relevant points of that chronology were incorporated into the Commission's written findings.

In no way did the Commission investigation support the allegations of candidate Jon Bryan that the advertising was run deliberately to help Rep. Studds, or did the Commission find any conspiracy or collusion between the Times and the Studds campaign, as Mr. Bryan has contended.

I appreciate the courtesy which was shown to me by George Rishel and Jeffrey Long of the Commission staff when I explained the scenario of events and reviewed the documentation of how the unfortunate error was made.

In a letter to Lois Lerner, associate general counsel, on April 15, 1991, I stated that I have no desire to keep this matter confidential and I formally requested that any determination or investigation be conducted as a matter of public record. I reiterate that position at this time.

Very truly yours,

Scott Himstead
Scott Himstead

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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May 15, 1992

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Lois G. Lerner *LP*
Associate General Counsel

SUBJECT: MUR 3365
Waiver of Confidentiality

On May 11, 1992, Scott Himstead, publisher of the Cape Cod Times ("CCT") submitted the attached waiver.¹ The Commission recently found reason to believe that Ottaway Newspapers, Inc. doing business as CCT, violated 2 U.S.C. § 441b(a) and voted to take no further action and close the file as to the respondent. As to the other respondents in this matter the Commission found no reason to believe and closed the file with respect to Gerry E. Studds and The November Group, Inc. The matter remains open with respect to the Studds for Congress Committee on issues involving the reporting of debts. None of the other respondents in this matter have requested a waiver. The waiver therefore pertains solely to the information in the MUR concerning the CCT.

By making this waiver, Scott Himstead, publisher of CCT, has requested that the Commission not apply the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) to this matter. However, that section merely provides that any notification or investigation shall not be made public by the Commission without the written consent of the person receiving such notification or the person with respect to whom such investigation is made. By its terms, Section 437g(a)(12)(A) does not impose an affirmative duty on the Commission to publicize this matter at this time as it pertains to Ottaway Newspapers, Inc. doing business as Cape Cod Times. Therefore, this Office will respond to requests for information subject to the following considerations. First, requests must be in writing. Second, such requests would be considered by the Commission subject to the provisions of the

1. A previous request, submitted by Mr. Himstead on August 15, 1991, was overlooked.

94030972194

Memorandum
Page 2

Freedom of Information Act, the Government in the Sunshine Act, and all relevant privileges which would limit or preclude the release of such requested information.

RECOMMENDATIONS

Approve the attached letter.

Attachment

1. Waiver
2. Letter

94030972195

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Waiver of Confidentiality.

)
)
) MUR 3365

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 20, 1992, the Commission decided by a vote of 5-0 to approve Waiver of Confidentiality letter, as recommended in the General Counsel's Memorandum dated May 15, 1992.

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

Attest:

5-20-92
Date

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

Received in the Secretariat: Fri., May 15, 1992 10:04 a.m.
Circulated to the Commission: Fri., May 15, 1992 12:00 p.m.
Deadline for vote: Wed., May 20, 1992 4:00 p.m.

dr

94030972196



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 26, 1992

Scott Himstead, Publisher
Cape Cod Times
319 Main Street
Hyannis, Massachusetts 02601

RE: MUR 3365

Dear Mr. Himstead:

This is in response to your letter dated May 8, 1992, wherein you waive your right to confidentiality in the above-captioned matter, pursuant to 2 U.S.C. § 437g(a)(12)(A). The waiver is hereby acknowledged by the Federal Election Commission. We note that your previous request on August 15, 1991, was overlooked.

The Commission will consider requests for information concerning this matter subject to the following considerations. First, requests must be in writing. Second, such requests will be considered by the Commission subject to the provisions of the Freedom of Information Act, the Government in Sunshine Act, and all relevant privileges which limit or preclude the release of such requested information.

Please note that this waiver pertains only to information concerning Ottaway Newspapers Inc. doing business as Cape Cod Times, and does not pertain to any other respondents in this matter. Thus, you may not disclose any information pertaining to the other respondents in this matter until notified by the Commission that the entire file in this matter is closed.

If you have any questions, please contact me, at (202) 219-3690.

Sincerely,

A handwritten signature in cursive script, which appears to read "Jeffrey D. Long", is written over a rectangular area.

Jeffrey D. Long
Paralegal

94030972197

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May 19, 1992

Jeffrey Long, Esq.
Federal Election Commission
Office of the General Counsel
999 E Street, NW
Washington, DC 20463

Re: MUR 3365, Studds for Congress Committee and
Edwin M. Martin, as Treasurer^{1/}

Dear Mr. Long:

This letter constitutes the response on behalf of the Studds for Congress Committee (the "Committee") and Edwin M. Martin, as treasurer ("Respondents") to the Commission's letter dated April 21, 1992 notifying Respondents that the Commission found reason to believe that Respondents violated 11 C.F.R. § 104.11(b) and 116.10(a). The letter also informed Respondents that, on all other allegations raised by Complainant, the Commission found no reason to believe a violation had occurred. Respondents are interested in settling this matter expeditiously

In addition, under separate cover you will receive an affidavit of Amy R. Simon, Account Executive of the November Group, related to the issue of the Cape Cod Times advertisements.

1. Outstanding Debts on 1990 Year End Report

The Factual and Legal Analysis states that the Committee disclosed debts on its amended 1990 Year End Report filed on June 18, 1991 that were not previously reported. During the 1990 campaign, Congressman Studds was forced to respond to repeated attacks and spurious allegations made by his opponent. He has prided himself on running low budget campaigns, relying on grassroots volunteers and personal contact with his constituents. In this election, however, the Committee was suddenly required to spend more than on previous campaigns.

^{1/} The Treasurer of the Committee is now Margaret D. Xifaras as indicated on the amended Statement of Organization filed on April 14, 1992.

90513 11 5:06

94030972198

Jeffrey Long, Esq.
May 19, 1992
Page 2

In the course of this last minute spending, the Committee incurred debts for the first time in over a decade. Because the Committee had not had debts for so long, the Committee's staff was not aware of the related reporting requirements. Immediately upon learning that these outstanding debts must be reported, the Committee amended the Year End Report to reflect these debts. Moreover, in all future reports, all debts were disclosed on Schedule D until fully paid.

These debts were outstanding only as of the post-election period. Therefore, the reports filed prior to the November election, the period most critical to ensure that full financial disclosure is provided for prospective voters, were not affected. The Committee corrected the Year End Report on its own initiative and has diligently monitored any subsequent debts to ensure full disclosure.

2. Cape Cod Times Advertisements

The Commission also found reason to believe that the Committee violated 11 C.F.R. § 116.10(a) for failing to report an allegedly disputed debt related to two advertisements printed erroneously by the Cape Cod Times. The Committee was not aware of any dispute with the Cape Cod Times regarding amounts owed for advertising until it reviewed the complaint in this Matter.

Communications between The November Group ("TNG") and the newspaper filed with the Commission by TNG regarding the invoices for advertising demonstrate that the Committee did not owe the Times any payments for advertising, nor was the Committee aware that the Times was sending invoices to TNG reflecting an outstanding balance. Amy Simon's account and supporting documentation, dated August 21, 1991 and filed with the Commission, support this conclusion.

The Times ran several advertisements in direct contravention to an order from TNG to cancel any further placements. The person handling the Studs account at the Times, Ms. Sonja Sexton, knew the ad should not run again and was aware that the Committee should not be charged for additional placements. Moreover, as a matter of company policy, the Times required all political ads to be paid for in advance of publication. Until December, the Times bill reflected outstanding amounts owed to TNG. Only on

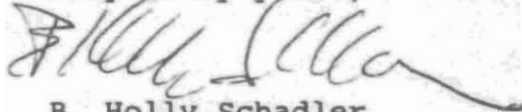
Jeffrey Long, Esq.
May 19, 1992
Page 3

December 7, 1990, after considerable confusion, the Times sent an invoice to TNG showing amounts owed to the newspaper.

TNG did not notify the Committee about amounts allegedly owed or the invoices received. Only after the issue was raised in the press did TNG inform the Committee staff about the erroneous invoices. It was TNG's view that this issue was between TNG and the Times, and did not involve the Committee since TNG had dealt directly with the Times in placing the ads. Any verbal or written agreements and communications were between TNG and the Times.

When TNG realized that the invoices erroneously reflected charges for ads that ran contrary to their instructions, TNG representatives immediately contacted the newspaper. They were repeatedly told that the matter would be resolved. Despite the fact that invoices continued to be sent, each time Ms. Simon or her assistant contacted the Times she was reassured that the problem would be corrected. It appears that this matter took additional time to resolve because of staff changes and lack of communication between departments at the Times, not because there were ever outstanding amounts owed by either TNG or the Committee.

Very truly yours,



B. Holly Schadler
Counsel for Respondents

Attachment

BHS:mah

94030972200

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June 1, 1992

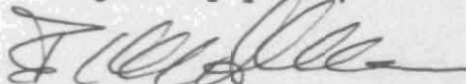
Jeffrey Long, Esq.
Federal Election Commission
Office of the General Counsel
999 E Street, NW
Washington, DC 20463

Re: MUR 3365, Studds for Congress Committee and
Edwin M. Martin, as Treasurer

Dear Mr. Long:

Enclosed is the affidavit of Amy R. Simon, Account
Executive of The November Group, attachment to MUR 3365.

Very truly yours,



B. Holly Schadler
Counsel for Respondents

Attachment

BHS:mah

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL
92 JUN -3 PM 3:20

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[17141-0001/DA921530.030]

BEFORE THE
FEDERAL ELECTION COMMISSION

IN THE MATTER OF
Studds for Congress Committee)
and Edwin M. Martin, as)
Treasurer)

MUR 3365

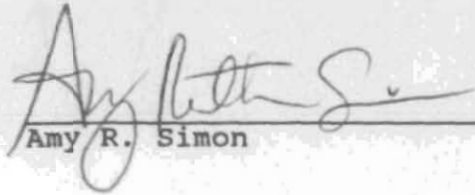
AFFIDAVIT OF AMY R. SIMON

I, Amy R. Simon, under penalty of perjury pursuant to
Section 1746 of Title 28, declare as follows:

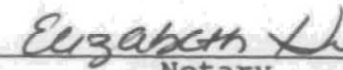
1. I have personal knowledge of the facts set forth herein
and, if called upon to testify in this matter, I would
testify as set forth herein.
2. I am an employee of The November Group, a public
relations consulting firm based in Washington, D.C..
3. In October, 1990 I became the Account Executive for the
Committee to Re-Elect Congressman Studds ("Studds
Committee").
4. I submitted to the Federal Election Commission a detailed
account, dated August 21, 1991, of the facts surrounding
the erroneous placement of and billing for two political
advertisements in the Cape Cod Times.
5. I worked with The November Group's accountant to correct
the billing error for the two unauthorized
advertisements.
6. I did not inform anyone about or discuss with anyone at
the Studds Committee the invoices received from the Cape
Cod Times or the apparent billing error for the two
advertisements until July, 1991.
7. The November Group dealt directly with the newspaper with
regard to the placement of all advertisements and payment
of all invoices. Therefore, I viewed any billing issue
related to the Studds Committee advertisements in the
Cape Cod Times as solely between The November Group and
the newspaper.

94030972202

Further Affidavit sayeth not.


Amy R. Simon

Subscribed and sworn to before me this 1st day of
~~May~~, 1992.
June


Notary
Elizabeth Hubby
Notary Public, District of Columbia
My Commission Expires May 31, 1996

94030972203

09c 0603

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A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

December 13, 1993

Mary Ann Bumgarner
Federal Election Commission
Office of the General Counsel
999 E Street, NW
Washington, DC 20463

Re: MUR 3365

Dear Ms. Bumgarner:

Under separate cover I forwarded to you the conciliation agreement signed on behalf of Respondents in MUR 3365. The agreement reflects that the three debts that were disclosed on the Commission's amended 1990 year-end report, but not previously reported, were incurred during the pre-election period. Respondents will amend the appropriate 1990 report to disclose these debts. As the record demonstrates, Respondents, on their initiative, already amended their 1990 year-end report to disclose the three debts prior to the initiation of this matter.

Pursuant to our discussions and based on the Commission's prior proposal, the penalty reflected in the agreement is \$1,400. Respondents have agreed to sign the agreement and to pay this penalty in an effort to resolve this matter expeditiously. The "disputed debt" with the Cape Cod Times for the advertisements was related to ads mistakenly placed by the newspaper and Respondents had no knowledge of the billing error until July, 1991, at which time the "dispute" was resolved. In light of these facts, Respondents continue to believe that no further action should be taken in this matter. However, again, in order to resolve the matter Respondent has agreed to sign this agreement.

Sincerely,



B. Holly Schadler
Counsel to Respondents

BHS:mah

[17141-0001/DA933400.040]

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94 JUN 27 AM 9:55

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
Studds for Congress Committee) MUR 3365
and Anne Marie Litchfield,)
as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 31, 1992, the Commission found reason to believe that the Studds for Congress Committee and its treasurer ("Respondents") violated 11 C.F.R. § 104.11(b) by failing to report three debts and obligations beginning on the dates that they were incurred and 11 C.F.R. § 116.10(a) by failing to report a disputed debt. On that same date, the Commission decided to enter into negotiations directed towards reaching a pre-probable cause conciliation agreement.

94030972205

This report contains recommendations to assure that this matter conforms to the Court's opinion in FEC v. NRA Political Victory Fund, et al., No. 91-5360 (D.C. Cir. Oct. 22, 1993) ("NRA").

II. RECOMMENDED ACTIONS IN LIGHT OF FEC v. NRA

Based on the complaint, responses, and two sua sponte submissions filed in this matter¹ and consistent with the Commission's November 9, 1993, decisions concerning compliance with the NRA opinion, this Office recommends that the Commission revoke the determinations to: (1) open MURs in Pre-MURs 246 and 248; (2) merge the two new MURs into MUR 3365; (3) find reason to believe the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, violated 11 C.F.R. §§ 104.11(b) and 116.10(a); (4) approve the factual and legal analysis that was attached to the First General Counsel's Report dated March 23, 1992; and (5) enter into

1. The complaint in this matter (MUR 3365) was filed by Jon Bryan, an opponent of Congressman Studds in the 1988 and 1990 elections. Before Respondents were notified by the Commission of the complaint, two sua sponte submissions (Pre-MURs 246 and 248) were filed by the publisher of the Cape Cod Times and Congressman Studds. All three items address the advertisements for Congressman Studds' campaign that were placed in the Cape Cod Times prior to the 1990 general election. The complaint further addresses the Committee's failure to report three outstanding debts at the time they were incurred.

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pre-probable cause conciliation with Respondents. For the Commission's convenience, this Office has attached the certifications in this matter dated April 1, 1992, April 9, 1992 and July 30, 1992. Attachment 1.

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For the reasons stated above and in the interest of closing this matter, this Office recommends that the Commission approve the terms of the attached agreement with the Studds for Congress Committee and Anne Marie Litchfield, as treasurer.

IV. RECOMMENDATIONS

1. Open MURs in Pre-MUR 246 and Pre-MUR 248.
2. Merge the two new MURs into MUR 3365.
3. Find reason to believe that the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, violated 11 C.F.R. §§ 104.11(b) and 116.10(a).
4. Enter into conciliation prior to a finding of probable cause to believe with the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, regarding violations of 11 C.F.R. §§ 104.11(b) and 116.10(a).
5. Approve the factual and legal analysis that was attached to the First General's Report dated March 23, 1992.
6. Approve the attached conciliation agreement.
7. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date

1/26/94

BY:



Lois G. Lerner
Associate General Counsel

94030972211

Attachments

1. Certifications dated April 1, April 9 and July 30, 1992.
2. Proposed conciliation agreement.
3. Response from Committee dated December 13, 1993.

Staff Member: Mary Ann Bumgarner

94030972212

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Studds for Congress Committee and) MUR 3365
Anne Marie Litchfield, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 1, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3365:

1. Open MURs in Pre-MUR 246 and Pre-MUR 248.
2. Merge the two new MURs into MUR 3365.
3. Find reason to believe that the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, violated 11 C.F.R §§ 104.11(b) and 116.10(a).
4. Enter into conciliation prior to a finding of probable cause to believe with the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, regarding violations of 11 C.F.R. §§ 104.11(b) and 116.10(a).
5. Approve the factual and legal analysis that was attached to the First General Counsel's Report dated March 23, 1992.

(continued)

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6. Approve the conciliation agreement, as recommended in the General Counsel's Report dated January 26, 1994.
7. Approve the appropriate letter, as recommended in the General Counsel's Report dated January 26, 1994.

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

Attest:

2-3-94

Date

Deloris Hardy
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., Jan. 27, 1994 9:55 a.m.
Circulated to the Commission: Thurs., Jan. 27, 1994 11:00 a.m.
Deadline for vote: Tues., Feb. 01, 1994 4:00 p.m.

dh

94030972214



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

FEBRUARY 8, 1994

B. Holly Schadler, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3365
Studds for Congress
Committee and Anne Marie
Litchfield, as treasurer

Dear Ms. Schadler:

On March 31, 1992, the Federal Election Commission found reason to believe that the Studds for Congress Committee and its treasurer violated 11 C.F.R. §§ 104.11(b) and 116.10(a), and subsequently entered into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed, (U.S. No. 93-1151, Jan. 18, 1994). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

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B. Holly Schadler, Esquire
Page 2

In this matter, on February 1, 1994, the Commission revoted to find reason to believe that the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, violated 11 C.F.R. §§ 104.11(b) and 116.10(a), and to approve the Factual and Legal Analysis previously mailed to the Studds for Congress Committee on April 21, 1992. You should refer to that document for the basis of the Commission's decision. If you need an additional copy, one will be provided upon request.

Furthermore, the Commission revoted to enter into conciliation negotiations prior to a finding of probable cause to believe, and approved the terms contained in your most recent submission. In view of the NRA decision, and the reconstitution of the Commission as a six member body, it is necessary that you sign the enclosed conciliation agreement reflecting those terms. Please sign and return the enclosed agreement within ten days. The check for the civil penalty should be made payable to the Federal Election Commission.

Given the unique circumstances engendered by the NRA decision, conciliation negotiations, prior to a finding of probable cause to believe, will be limited to a maximum of 30 days. If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

For the Commission,


Trevor Potter
Chairman

Enclosure
Conciliation Agreement

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

RECEIVED
FEDERAL ELECTION COMMISSION
94 MAR -3 PM 4:50
06C 358

March 3, 1994

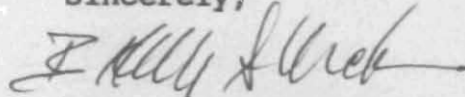
Mary Ann Bumgarner
Federal Election Commission
Office of General Counsel
999 E Street, NW
6th Floor
Washington, DC 20463

Re: MUR 3365

Dear Ms. Bumgarner

Enclosed you will find the signed conciliation agreement in MUR 3365. Also enclosed is a letter to accompany the agreement.

Sincerely,



B. Holly Schadler
Counsel to Respondents

BHS:dma

Enclosures

[17141-0001/LETTER.01]

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RECEIVED
F.E.C.
SECRETARIAT

94 MAR -7 PM 3:43

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
Studds for Congress Committee) MUR 3365
and Anne Marie Litchfield,)
as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a signed conciliation agreement submitted on behalf of the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, ("Respondents"). Attachment 1. It has been signed by counsel for Respondents.

The attached agreement contains no changes from the agreement approved by the Commission on February 1, 1994. A check for the civil penalty has not been received. This Office recommends that the Commission accept the attached conciliation agreement and close the file.

II. RECOMMENDATIONS

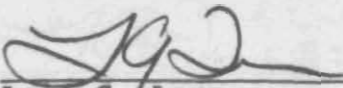
1. Accept the attached conciliation agreement with the Studds for Congress Committee and Anne Marie Litchfield, as treasurer.
2. Approve the appropriate letter.

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3. Close the file.

Lawrence M. Noble
General Counsel

3-7-94
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachment
1. Conciliation Agreement

Staff Assigned: Mary Ann Bumgarner

94030972219

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Studds for Congress Committee and
Anne Marie Litchfield, as
treasurer.

)
)
) MUR 3365
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 11, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3365:

1. Accept the conciliation agreement with the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, as recommended in the General Counsel's Report dated March 7, 1994.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated March 7, 1994.
3. Close the file.

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

Attest:

3-11-94
Date

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

Received in the Secretariat: Mon., Mar. 07, 1994 3:43 p.m.
Circulated to the Commission: Tues., Mar. 08, 1994 11:00 a.m.
Deadline for vote: Fri., Mar. 11, 1994 4:00 p.m.

bjr

94030972220



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MARCH 28, 1994

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jon Bryan
215 Prince Avenue
Marson Mills, MA 02648

RE: MUR 3365

Dear Mr. Bryan:

This is in reference to the complaint you filed with the Federal Election Commission (the "Commission") on July 31, 1991, concerning the Honorable Gerry E. Studds, the Studds for Congress Committee and its treasurer, (the "Committee"), the November Group, Inc. and the Cape Cod Times. On March 31, 1992, the Commission found no reason to believe that the Honorable Gerry E. Studds, the Studds for Congress Committee and its treasurer, and the November Group, Inc. violated 2 U.S.C. § 441b(a), with regard to the ads placed in the Cape Cod Times on November 1, 2, and 4, 1990. Also, on March 31, 1992, the Commission found reason to believe that Ottaway Newspapers, Inc., doing business as the Cape Cod Times, violated 2 U.S.C. § 441b(a), but took no further action. Lastly, on that same date, the Commission also found that there is reason to believe the Committee violated 11 C.F.R. §§ 104.11(b) and 116.10(a) of the Commission's Regulations and conducted an investigation in this matter.

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed, (U.S. No. 93-1151, Jan. 18, 1994). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision, which included adopting specific procedures for revoting or ratifying decisions pertaining to open enforcement matters. In this matter, on February 1, 1994, the Commission revoted to find reason to believe that the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, violated 11 C.F.R. §§ 104.11(b) and 116.10(a).

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Mr. Bryan
Page 2

On March 11, 1994, a conciliation agreement signed by the Committee was accepted by the Commission. Accordingly, the Commission closed the file in this matter on that same date. A copy of this agreement is enclosed for your information.

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

Sincerely,


Mary Ann Bumgarner
Attorney

Enclosure
Conciliation Agreement

94030972222



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MARCH 28, 1994

B. Holly Schadler, Esquire
Perkins Coie
607 14th Street, N.W.
Washington, DC 20005

RE: MUR 3365
The Honorable Gerry E. Studds

Dear Ms. Schadler:

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

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

Sincerely,

Mary Ann Bumgarner
Mary Ann Bumgarner
Attorney

9403097223



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 28, 1994

Amy R. Simon
The November Group, Inc.
1611 Connecticut Avenue, N.W.
Fourth Floor
Washington, DC 20009

RE: MUR 3365
The November Group, Inc.

Dear Ms. Simon:

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

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

Sincerely,

A handwritten signature in cursive script, reading "Mary Ann Bumgarner", is written over a printed name.

Mary Ann Bumgarner
Attorney

9403097224



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

MARCH 28, 1994

Scott Himstead, President/Publisher
Cape Cod Times
319 Main Street
Hyannis, MA 02601

RE: MUR 3365
Cape Cod Times

Dear Mr. Himstead:

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

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

Sincerely,

Mary Ann Bumgarner
Mary Ann Bumgarner
Attorney

94030972225



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

MARCH 28, 1994

B. Holly Schadler, Esquire
Perkins Coie
607 14th Street, N.W.
Washington, DC 20005

RE: MUR 3365
Studds for Congress
Committee and Anne Marie
Litchfield, as treasurer

Dear Ms. Schadler:

On March 11, 1994, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of the Studds for Congress Committee and Anne Marie Litchfield, as treasurer, in settlement of violations of 11 C.F.R. §§ 104.11(b) and 116.10(a) of the Commission's Regulations. Accordingly, the file has been closed in this matter.

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

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

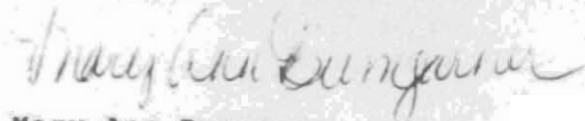
Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that payment

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Ms. Schadler
Page 2

of the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3400.

Sincerely,



Mary Ann Bumgarner
Attorney

Enclosure
Conciliation Agreement

94030972227

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Studds for Congress Committee) MUR 3365
and Anne Marie Litchfield,)
as treasurer)
)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Jon Bryan. The Federal Election Commission ("Commission") found reason to believe that the Studds for Congress Committee and its treasurer ("Respondents") violated 11 C.F.R. §§ 104.11(b) and 116.10(a).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Studds for Congress Committee, formerly the Committee to Re-elect Congressman Studds, is the principal campaign committee of Congressman Gerry Studds and a political committee within the meaning of 2 U.S.C. § 431(4).

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2. The present treasurer of the Studds for Congress Committee is Anne Marie Litchfield. Edwin M. Martin was the treasurer of the Studds for Congress Committee during the time period relevant to this matter.

3. According to 2 U.S.C. § 434(b)(8) of the Federal Election Campaign Act of 1971, as amended ("the Act"), political committees filing reports under the Act shall disclose the amount and nature of outstanding debts and obligations owed by or to such political committees.

4. In addition, debts and obligations which exceed \$500 shall be reported as of the date on which the debt or obligation is incurred and shall be continuously reported until extinguished. 11 C.F.R. §§ 104.11(a) and 104.11(b). For purposes of this reporting requirement, a debt is incurred when goods or services aggregating more than \$500 are provided to a committee.

5. The amended 1990 Year End Report filed by the Studds for Congress Committee and received at the Federal Election Commission on June 18, 1991, shows three vendors with outstanding balances at the beginning of the applicable reporting period. These outstanding balances total \$21,910 in debts and obligations. The debts to these vendors were incurred at the time of the election and, therefore, should have been reported on Respondents' 1990 Post-General Report and its 1990 Year End Report. Prior to any notification from the Federal Election Commission, the Committee amended its 1990 Year End Report to reflect these debts. These debts are no longer outstanding.

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6. A review of Respondents' 1990 Post-General Report confirms that the three outstanding debts were not reported by the Respondents at the time they were incurred.

7. According to 11 C.F.R. § 116.10(a), a political committee shall report a disputed debt if the creditor has provided something of value and the committee shall continue to disclose the debt on the appropriate reports until the dispute is resolved.

8. The November Group, Inc. ("TNG") arranged, on behalf of Respondents, to have two advertisements placed in the Cape Cod Times newspaper. TNG, as an agent of Respondents, paid for each advertisement in advance. The Cape Cod Times requires that the cost of all campaign advertisements be prepaid. Through an error by the newspaper, three additional advertisements were published. After these advertisements were published, TNG received an "invoice" from the Cape Cod Times stating that the newspaper owed TNG \$563.27. However, in December 1990, TNG received another invoice stating that it owed the Cape Cod Times \$3,744.47. TNG received several additional invoices for similar amounts. TNG attempted on several occasions to correct the billing error by the Cape Cod Times.

9. The Cape Cod Times admits that the three additional advertisements were run erroneously and TNG should not have been billed. The Cape Cod Times corrected the billing error in July, 1991.

10. Respondents contend TNG did not inform the Committee of the disputed debt until the filing of the complaint in this matter in July, 1991. During the six months that the debt was in

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dispute, December 1990 to July 1991, Respondents failed to report the disputed debt as required by 11 C.F.R. 116.10(a). A review of Respondents' disclosure reports indicates that the disputed debt has not been reported.

V. Respondents failed to report three debts and obligations beginning on the dates that they were incurred in violation of 11 C.F.R. § 104.11(b) and failed to report a disputed debt in violation of 11 C.F.R. § 116.10(a).

VI. 1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand four hundred dollars (\$1,400.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Respondents will amend the appropriate 1990 reports to disclose the subject debts for the reporting period in which they were incurred.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the

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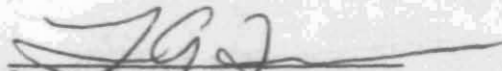
requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

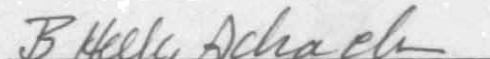
BY:


Lois G. Lerner
Associate General Counsel

Date

3/28/94

FOR THE RESPONDENTS:


Name B Holly Schadler
Position Counsel

Date

3/2/94

94030972232



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3365

DATE FILMED 4-23-94 CAMERA NO. 2

CAMERAMAN Jm H

94030972233



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463



Microfilm

Public Rcds

Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3365.

5/12/94

94030974362

RECEIVED
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

1994 MAY 10 PM 12:21

Hand delivered this date _____
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

CLERK

Records and Registration

0901312

U.S. House of Representatives

ACKNOWLEDGMENT OF RECEIPT

MUR 3365

For Candidate _____

☒ For Committee _____

For Individual _____

The Comm. to Reelect Long Fuda

TYPE OF REPORT

(Check Appropriate Box and Complete, if applicable)

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 12 2 39 PM '94

- | | |
|--|--|
| ☐ Candidate Statement | ☐ Statement of Organization |
| ☐ April 15 Quarterly Report | ☐ Twelfth day report preceding _____
election on _____ in the State of _____ |
| ☐ July 15 Quarterly Report | ☐ Thirtieth day report following the General
Election on _____ in the State of _____ |
| ☐ October 15 Quarterly Report | ☐ Termination |
| ☐ January 31 Year End Report | ☐ Amendment |
| ☐ July 31 Mid Year Report (Non-Election
Year Only) | |

- | ☐ Lobby Report | For | <table border="1"><thead><tr><th colspan="5">QUARTER</th></tr><tr><th>P</th><th>1st</th><th>2d</th><th>3d</th><th>4th</th></tr></thead><tbody><tr><td></td><td></td><td></td><td></td><td></td></tr></tbody></table> | QUARTER | | | | | P | 1st | 2d | 3d | 4th | | | | | | ☐ Termination |
|---|-----|--|---------|-----|------------------------------------|--|--|---|-----|----|----|-----|--|--|--|--|--|--------------------------------------|
| QUARTER | | | | | | | | | | | | | | | | | | |
| P | 1st | 2d | 3d | 4th | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |
| ☐ Lobby Postcard | | | | | ☐ Amendment | | | | | | | | | | | | | |

- | | |
|--|------------------------------------|
| ☐ Ethics in Government Act-Financial Disclosure Statement | ☐ Amendment |
| ☒ Other <i>AC and mts</i> (4) | |

Thirtieth Day 11/6/90
Jan 31 90
July 31-91
Jan 31 year-end 91

Received by *W*

**For An Authorized Committee
(Summary Page)**

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) The Committee to Reelect Congressman Studds		2. FEC IDENTIFICATION NUMBER 040657
ADDRESS (number and street) ☐ Check if different than previously reported. P.O. Box 513		3. IS THIS REPORT AN AMENDMENT? ☒ YES ☐ NO
CITY, STATE and ZIP CODE Scituate, MA 02066	STATE/DISTRICT MA/10	

4. TYPE OF REPORT

☐ April 15 Quarterly Report	☐ Twelfth day report preceding _____ (Type of Election)
☐ July 15 Quarterly Report	election on _____ in the State of _____
☐ October 15 Quarterly Report	☒ Thirtieth day report following the General Election on
☐ January 31 Year End Report	11/6/90 in the State of MA
☐ July 31 Mid-Year Report (Non-election Year Only)	☐ Termination Report

This report contains activity for ☐ Primary Election ☒ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-Date
10/18/90 through 11/26/90		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	146,933.12	445,963.63
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	146,933.12	445,963.63
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	270,338.88	521,225.30
(b) Total Offsets to Operating Expenditures (from Line 14)	1,491.90	1,491.90
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	268,846.98	519,733.40
8. Cash on Hand at Close of Reporting Period (from Line 27)	27,610.36	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-376-3120
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	28,656.18	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer
Anne-Marie Litchfield

Signature of Treasurer

Date

5/5/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

FEC FORM 3

(revised 4/87)

94030974364

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page 1 of 1
LINE NUMBER
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
The Committee to Reelect Congressman Studds				
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Goldman Associates 195 State St. Boston, MA	0	4,148.70	0	4,148.70
Nature of Debt (Purpose): Consulting				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Deschamps Printing 3 Dodge St. Salem, MA	0	12,569.90	0	12,569.90
Nature of Debt (Purpose): Printing				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Rockland Trust Company 288 Union St. Rockland, MA	0	5,193.11	0	5,193.11
Nature of Debt (Purpose): Mastercard				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Cape Cod Times 319 Main St. Hyannis, MA 02607	0	3,744.47 (disputed)	0	3,744.47 disputed debt*
Nature of Debt (Purpose): Advertisement (not requested) *committee believes no payment due				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				25,656.18
2) TOTALS This Period (last page in this line only)				25,656.18
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				3,000.00
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				28,656.18

94030974365

For An Authorized Committee
(Summary Page)

COPY

1. NAME OF COMMITTEE (in full) The Committee to Reelect Congressman Studds		2. FEC IDENTIFICATION NUMBER 040657
ADDRESS (number and street) ☐ Check if different than previously reported. P.O. Box 513		
CITY, STATE and ZIP CODE Scituate, MA 02066	STATE/DISTRICT MA/10	3. IS THIS REPORT AN AMENDMENT? ☒ YES ☐ NO

4. TYPE OF REPORT

☐ April 15 Quarterly Report	☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
☐ July 15 Quarterly Report	
☐ October 15 Quarterly Report	☐ Thirtieth day report following the General Election on _____ in the State of _____
☒ January 31 Year End Report	
☐ July 31 Mid-Year Report (Non-election Year Only)	☐ Termination Report

This report contains activity for ☐ Primary Election ☒ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

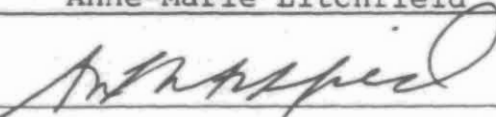
5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-Date
11/27/90 through 12/31/90		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	14,207.88	460,171.51
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	14,207.88	460,171.51
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	37,003.95	558,229.25
(b) Total Offsets to Operating Expenditures (from Line 14)	16,949.25	18,441.15
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	20,054.70	539,788.10
8. Cash on Hand at Close of Reporting Period (from Line 27)	21,912.33	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-376-3120
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	28,175.12	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Anne-Marie Litchfield

Signature of Treasurer



Date

5/5/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

FEC FORM 3

(revised 4-87)

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

LINE NUMBER
(Use separate schedules
for each numbered line)

Name of Committee (in Full) The Committee to Reelect Congressman Studds	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor AMS 600 Winter Street Waltham, MA 02154	0	997.84	0	997.84
Nature of Debt (Purpose): Mailing				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Goldman Associates 195 State St. Boston, MA	4,148.70	0	2,000.00	2,148.70
Nature of Debt (Purpose): Consulting				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Deschamps Printing 3 Dodge St. Salem, MA	12,569.90	0	4,021.50	8,548.40
Nature of Debt (Purpose): Printing				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Rockland Trust Company 288 Union St. Rockland, MA	5,193.11	1,394.15	237.00	6,350.26
Nature of Debt (Purpose): Mastercard				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Fontana Lithograph 3342 Bladensburg Rd. Brentwood, MD 20722	0	2,215.40	0	2,215.40
Nature of Debt (Purpose): Printing				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor SIS 240 2nd Avenue Waltham, MA	0	1,170.05	0	1,170.05
Nature of Debt (Purpose): Computer				
1) SUBTOTALS This Period This Page (optional)				21,430.65
2) TOTALS This Period (last page in this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				

94030974367

SCHEDULE D

(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

 LINE NUMBER 10
 (Use separate schedules
 for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
The Committee to Reelect Congressman Studds				
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Cape Cod Times 319 Main St. Hyannis, MA 02607	3,744.47 (disputed)	0	0	3,744.47 disputed debt *
Nature of Debt (Purpose): Advertisement (not requested) *committee believes no payment due				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				3,744.47
2) TOTALS This Period (last page in this line only)				25,175.12
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				3,000.00
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				28,175.12

94030974368

For An Authorized Committee
(Summary Page)

COPY

1. NAME OF COMMITTEE (in full) The Committee to Reelect Congressman Studds		2. FEC IDENTIFICATION NUMBER 040657
ADDRESS (number and street) ☐ Check if different than previously reported. P.O. Box 513		
CITY, STATE and ZIP CODE Scituate, MA 02066	STATE/DISTRICT MA/10	3. IS THIS REPORT AN AMENDMENT? ☒ YES ☐ NO

4. TYPE OF REPORT

☐ April 15 Quarterly Report	☐ Twelfth day report preceding _____ (Type of Election)
☐ July 15 Quarterly Report	election on _____ in the State of _____
☐ October 15 Quarterly Report	☐ Thirtieth day report following the General Election on _____ in the State of _____
☐ January 31 Year End Report	
☒ July 31 Mid-Year Report (Non-election Year Only)	☐ Termination Report

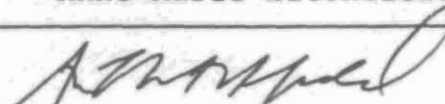
This report contains activity for ☒ Primary Election ☒ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>1/1/91</u> through <u>6/30/91</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	119,032.43	119,032.43
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	119,032.43	119,032.43
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	51,518.89	51,518.89
(b) Total Offsets to Operating Expenditures (from Line 14)	4,524.23	4,524.23
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	46,994.66	46,994.66
8. Cash on Hand at Close of Reporting Period (from Line 27)	94,052.53	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-376-3120
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	20,395.14	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Anne-Marie Litchfield

Signature of Treasurer  Date 5/5/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

LINE NUMBER 10
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
The Committee to Reelect Congressman Studds				
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Deschamps Printing 3 Dodge St. Salem, MA	8,548.40	1,972.95	6,009.52	4,511.83
Nature of Debt (Purpose): Printing				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor SIS 240 2nd Ave. Waltham, MA	1,170.05	0	500.05	670.00
Nature of Debt (Purpose): Computer services				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Rockland Trust Company 288 Union St. Rockland, MA	6,350.26	1,739.18	1,866.00	6,223.44
Nature of Debt (Purpose): Mastercard				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Fontana Lithograph 3342 Bladensburg Road Brentwood, MD 20722	2,215.40	0	0	2,215.40
Nature of Debt (Purpose): Printing				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Cape Cod Times 319 Main St. Hyannis, MA 02607	3,744.47 (disputed)	0	0	3,744.47 disputed debt*
Nature of Debt (Purpose): Advertisement (not requested) *committee believes no payment due				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Goldman Associates 195 State St. Boston, MA	2,148.70	0	2,148.70	0
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				17,365.14
2) TOTALS This Period (last page in this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				

94030974370

SCHEDULE D

(Revised 3/80)

DEBTS AND OBLIGATIONS

Excluding Loans

LINE NUMBER 10
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
The Committee to Reelect Congressman Studds				
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor AMS 600 Winter Street Waltham, MA 02154	997.84	0	997.84	0
Nature of Debt (Purpose):				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTALS This Period (last page in this line only)				17,365.14
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				3,030.00
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				20,395.14

For An Authorized Committee
(Summary Page)

COPY

1. NAME OF COMMITTEE (in full) Studds for Congress		2. FEC IDENTIFICATION NUMBER 040657
ADDRESS (number and street) ☐ Check if different than previously reported. P.O. Box 513		3. IS THIS REPORT AN AMENDMENT? ☒ YES ☐ NO
CITY, STATE and ZIP CODE Scituate, MA 02066	STATE/DISTRICT MA/10	

4. TYPE OF REPORT

☐ April 15 Quarterly Report	☐ Twelfth day report preceding _____ (Type of Election)
☐ July 15 Quarterly Report	election on _____ in the State of _____
☐ October 15 Quarterly Report	☐ Thirtieth day report following the General Election on _____ in the State of _____
☒ January 31 Year End Report	
☐ July 31 Mid-Year Report (Non-election Year Only)	☐ Termination Report

This report contains activity for ☒ Primary Election ☐ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

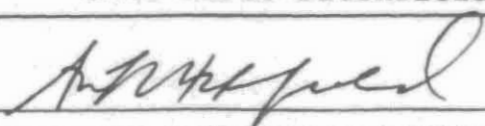
5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-Date
7/1/91 through 12/31/91		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	143,759.58	262,792.01
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	143,759.58	262,792.01
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	132,954.10	184,472.99
(b) Total Offsets to Operating Expenditures (from Line 14)	30.24	4,554.47
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	132,923.86	179,918.52
8. Cash on Hand at Close of Reporting Period (from Line 27)	101,674.83	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-376-3120
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Anne-Marie Litchfield

Signature of Treasurer



Date

5/5/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

FEC FORM 3

(revised 4/87)

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

LINE NUMBER 10
(Use separate schedules
for each numbered line)

3
7
3
4
7
9
0
9
7
4
0
9
4
0

Name of Committee (in Full) Studds for Congress	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Deschamps Printing 3 Dodge Street Salem, MA	4,511.83	14,625.82	19,137.65	0
Nature of Debt (Purpose): Printing				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor SIS 204 2nd Avenue Waltham, MA 02154	670.00	0	670.00	0
Nature of Debt (Purpose): Computer services				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Rockland Trust Company 288 Union Street Rockland, MA 02370	6,223.44	2,103.49	8,326.93	0
Nature of Debt (Purpose): Mastercard				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Fontana Lithograph 3342 Bladensburg Road Brentwood, MD 20722	2,215.40	0	2,215.40	0
Nature of Debt (Purpose): Printing				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor Cape Cod Times 319 Main St. Hyannis, MA 02607	3,447.47 disputed debt	0	0	0*
Nature of Debt (Purpose): Advertisement - dispute resolved; newspaper corrected error				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor no payment due				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTALS This Period (last page in this line only)				0
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				0
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

☒ Microfilm
☐ Public Rcds
☐ Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3365.

5/20/94

94030974374

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005
(202) 628-6600 • FACSIMILE (202) 434-1690

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

APR 26 9 27 AM '94

April 25, 1994

Ms. Mary Ann Bumgarner
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 3365
Studds for Congress Committee and Anne Marie
Litchfield, as treasurer

Dear Ms. Bumgarner:

In accordance with the conciliation agreement in
MUR 3365, enclosed please find a check in the amount of
\$1,400.00 made payable to the Federal Election Commission as
payment of the civil penalty.

If you have any questions, please do not hesitate to
contact the undersigned.

Sincerely,



B. Holly Schadler
Counsel to Respondents

S:dma

Enclosure

2 4 0 3 0 9 7 4 3 7 5

RECEIVED
FEDERAL ELECTION
COMMISSION
ACCOUNTING OFFICE

APR 25 12 49 PM '94

[17141-0001/LETTER.01]

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

APR 26 9 27 AM '94

1613

PERKINS COIE
WORKING FUND
607 - 14TH STREET, NW., SUITE 800
WASHINGTON, DC 20005-2011

FIRST AMERICAN BANK
FIRST AMERICAN BANK, N.A.
WASHINGTON, DC 20005

15-15
211

April 25 1994

PAY Fourteen hundred and no cents----- DOLLARS \$ 1400.00

Federal Election Committee

TO
THE
ORDER
OF

2 SIGNATURES REQUIRED OVER \$500.00

[Signature]
[Signature]

⑈001613⑈ ⑆054000043⑆ ⑆3207188⑈

94030974376

OGC 1099

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

APR 26 9 27 AM '94



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 25, 1994

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Philomena Brooks
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Perkins Coie, check number 11613, dated April 25, 1994, and in the amount of \$1400.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Philomena Brooks
Accounting Technician

FROM: OGC, Docket aa

In reference to the above check in the amount of \$1400.00, the MUR number is 3365 and in the name of Studds for Congress Cmte.. The account into which it should be deposited is indicated below:

- ☐ Budget Clearing Account (OGC), 95F3875.16
- ☒ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

4-26-94
Date

94030974377