



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE BEGINNING OF MUR # 3641

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN Mc

93040991637

OCT 5 11 51 AM '92

October 1, 1992

MUR 3641

92OCT-5 PM 3:50

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE

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

RE: Young Republicans of Whatcom County, Washington
C/O POB 5292, Bellingham, Wa 98227
Washington State 2nd Congressional District

I would like to request the Federal Election Commission to take action against the Young Republicans of Whatcom County for failure to supply authorization notice in an advertisement expressly advocating the defeat of U.S. Representative Al Swift.

The advertisement ran on several radio stations in Whatcom County the week preceding our State's primary election. I've supplied a cassette tape with the ad as it was heard on KGMI, 2219 Yew Street Rd, Bellingham, Wa 98226.

Judging by the frequency of advertisements and the number of radio stations where time was bought in Whatcom County, the Young Republicans of Whatcom County must have spent in excess of \$1000 dollars on their radio advertisements. They should have filed a report with your agency if such is the case. Please find out where they got their money? What was the source? A Corporation? A candidate?

When you hear the tape, I would like you take account of the deliberate, although poor, attempt to skirt our Federal Election Regulations. This type of cavalier attitude towards the public right to know should be dealt with more harshly than an occasional partisan party breaking FEC regulation in ignorance of the law..

Jim Cozad

Subscribed and sworn before me on
this 1st day of October, 1992.

Jim Cozad
1606 Diamond Loop
Bellingham, Wa 98226

Soni Marie Chavanna

Subscribed and sworn before me on
this 1st day of October, 1992.

Notary Public in and for
the State of Washington,
My Commission expires

4-13-94

9304091638

WHAT WE NEED IS A

SWIFT REPLACEMENT

IN CONGRESS

ARE YOU SICK AND TIRED OF
OUR COUNTRYS PROBLEMS?

WANT CHANGE?

There is nothing wrong with our country that President Bush could not quickly fix with a Republican Congress.

A Liberal Democratic Congress has brought us to the edge of destruction.

Slick Willy and Gouge the taxpayer Gore will ruin our country if voters do not change Congress and re-elect President Bush!

Message paid for by The Whatcom County Young Republicans

If you would like to help us get this message out - please send a small contribution to . . .

WHATCOM COUNTY YOUNG REPUBLICANS

Suite B-2, 1301 Meador Avenue
Bellingham, WA 98226

\$5.00

\$10.00

\$25.00

A \$10.00 donation will help us send out 20 more cards! Our goal is to distribute 5,000 by election day.

93040991639

R E M E M B E R

This Election year remember to vote for the change we really need! Remember the things that Congress wants you to forget!

CONGRESS . . .

Controlled a Post Office where illegal drugs were sold.

Has raised Taxes to an historical high.

Also budgets and spends every penny of federal money.

Now refuses a Balanced Budget Amendment. Why?

Gave themselves a pay raise and gave our children a \$4 trillion debt to carry.

Expects us to forget their bounced check scandal, S & L scandal, etc.

VOTE FOR CHANGE - Throw the bums out and let's give our country a **GOOD CHANGE!**

WHATCOM COUNTY YOUNG REPUBLICANS

Suite B-2, 1301 Meador Avenue
Bellingham, WA 98226

93040991640



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 13, 1992

Jim Cozad
1606 Diamond Loop
Bellingham, WA 98226

RE: MUR 3641

Dear Mr. Cozad:

This letter acknowledges receipt on October 5, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Whatcom County Young Republicans, and its treasurer and KGMI Radio. 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 3641. 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.

Sincerely,

Teresa A. Hennessy

Teresa A. Hennessy
Assistant General Counsel

Enclosure
Procedures

93040991641



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 13, 1992

Treasurer
Whatcom County Young Republicans
Suite B-2
1301 Meador Avenue
Bellingham, WA 98226

RE: MUR 3641

Dear Treasurer:

The Federal Election Commission received a complaint which indicates that the Whatcom County Young Republicans ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the written complaint is enclosed. The complainant also submitted an audio tape. We have numbered this matter MUR 3641. 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 the supporting materials. If no response is received within 15 days of receipt of the materials, 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.

93040991642

Treasurer
Whatcom County Young Republicans
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Teresa A. Hennessy

Teresa A. Hennessy
Assistant General Counsel

93040991643



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 13, 1992

William F. Day, General Manager
KGMI Radio
2219 Yew Street Road
Bellingham, WA 98226

RE: MUR 3641

Dear Mr. Day:

The Federal Election Commission received a complaint which indicates that KGMI Radio may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the written complaint is enclosed. The complainant also submitted a cassette tape. We have numbered this matter MUR 3641. 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 KGMI Radio 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 the supporting materials. If no response is received within 15 days of receipt of the materials, the Commission may take further action based on the available information.

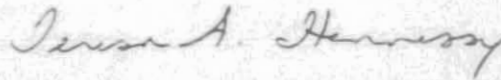
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed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

93040991644

William F. Day, General Manager
KGMI Radio
Page 2

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Teresa A. Hennessy
Assistant General Counsel

93040991645



RECEIVED
FEDERAL ELECTION
COMMISSION
MAIN COPY ROOM

Nov 2 11 08 AM '92

Mary Ann Bumgarner
Federal Election Commission
Enforcement Division
999 E Street, NW
Washington D. C. 20463

October 28, 1992

Ms. Bumgarner,

As per your office's letter of October 13, 1992 regarding matter MUR 3641 that indicates that KGMI Radio may have violated the Federal Election Campaign Act, we are hereby responding to that letter.

When the commercial for the Whatcom County Young Republicans can in, we saw it as a membership meeting announcement encouraging new members to join. KGMI did not deem it to be a political advertisement endorsing or attacking an opponent. Had it been a commercial encouraging people to vote for a specific candidate, KGMI would have required the political notice indicating who paid for the announcement.

As far as the Young Republicans of Whatcom County spending in excess of \$1000 for this advertisement, I have enclosed a copy of the KGMI order which totals only \$245. Far short of the \$1000 level which would have required the Young Republicans to register with your agency. We are not aware of ad dollars they may have spent on other media, but it was only \$245 on KGMI.

The individual who filed the complaint is Mr. Jim Cozad who is a weekly guest on a KGMI talk show. I spoke with him about the complaint he has filed. He indicated that he didn't feel KGMI was an accomplice to the Young Republicans failure to identify who paid for the ad but were part of their media purchase.

Had we deemed the ad to be a political ad, KGMI would have included the political notice of who paid for the ad, however we felt the commercial was simply a membership recruitment ad. Please advise us if further action is required by KGMI.

Best regards,

Rick W. Staeb
General Manager

92 NOV -2 PM 4:11
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE

93040991646

KGMI 790

2219 YEW ST. RD.
BELLINGHAM, WA 98225
206-734-9790

DATE Sept 1 1992

ACCOUNT NO.

NEW ACCOUNT

YES

☐

NO

☒

NAME

AGENCY

ADDRESS

CITY

Whitcom County Young Republicans

DAY PARTING

AAA

IMPACT

NEWS

R.O.S.

CAPS

60

☐

30

☐

AA

A

B

T.A.P.

60

☐

30

☐☐☐☐

Additional
Instructions

START DATE

9-1-92

END DATE

9-8-92

AGENCY

COOP

COPY

AFFID

TIMES

PRODUCT

POLITICAL ORGANIZATION MEETING

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
				4-5p ¹⁴		
				2x		
Rush ¹⁷ 2x	Rush ¹⁸ 3x					

NUMBER OF TIMES

7

RATE

\$35.00

TOTAL

\$245.00

SALESMAN

Don HAMMANG

ACCOUNT APPROVED

per Mike K. T.

9304099647

SHORTER VERSION

KGMI 790 KHZ

2219 Yew Street Road
Bellingham, WA 98226

Co-op:
Phone:
V/O:

Account: WHATCOM COUNTY
YOUNG REPUBLICANS
Code: W086B892
Sales: DF
Author: CLIENT
Length: 60 SEC
Start:
End:

Comments:

IT'S TIME!

(sfx: clock ticking loudly in background. louder and faster... then silence)

IT'S TIME FOR A CHANGE... FOR A NEW, ENERGETIC CONGRESS WHO

REPRESENTS US... A CONGRESS THAT'S EAGER TO S L O W DOWN

SPENDING. A CONGRESS WITH A FUTURE AND NO CRIMINAL PAST. IF

YOU AGREE THAT OUR LOCAL CONGRESSMAN IS SPENDING OUR HARD-

EARNED DOLLARS FAR TOO SWIFTLY, AND YOU'RE TIRED OF PORK-

BARREL POLITICS EMPTYING YOUR WALLET, YOU CAN DO SOMETHING

ABOUT IT. IF YOU'RE BETWEEN 16 AND 40, JOIN THE YOUNG

REPUBLICANS THIS TUESDAY NIGHT AT 7:30 AT ROUND TABLE PIZZA'S

SEHOME VILLAGE LOCATION, AND HELP US CREATE REAL CHANGE. BY

GETTING INVOLVED WE CAN GET PEOPLE LIKE MR. SWIFT OUT OF

EVERYONE'S WALLET. YOUNG REPUBLICANS KNOW WHO'S GONNA HAVE

TO PICK UP THE CHECK... AND YOUNG REPUBLICANS ARE DETERMINED

TO STOP CONGRESS FROM WRITING CHECKS ON OUR ACCOUNT.

(sfx: alarm clock ring)

WAKE UP AND GET INVOLVED WITH YOUNG REPUBLICANS, 7:30 TUESDAY

NIGHT AT ROUND TABLE PIZZA IN SEHOME VILLAGE.

93040991648

Handwritten notes and signatures, including "al 9/2/92".

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIN COPY ROOM

Nov 9 10 35 AM '92 Nov. 2, 1992

Teresa A. Hennessy
Assistant General Counsel
Federal Election Commission
Washington, D.C.
20463

Dear Teresa,

RE: MUR 3641

Please accept my apologies for the delayed response.

The Whatcom County Young Republicans have no treasurer and at the time of receipt of your letter (received by me on Oct. 22, 1992) I was temporary Club President.

As temporary President I can respond to the complaint filed against us by Jim Cozad.

1.) The advertisement referred to was run on only one radio station.

2.) The advertisement was primarily a meeting notice for our September Club meeting and it ran a total of 7 times at a total cost of \$ 245.00 for all spots. (Please see receipt attached).

3.) The source of the Whatcom County Young Republicans entire funding is a five dollar per person membership fee from each member plus the net proceeds from selling coffee and sandwiches at the County Convention. We have never received nor spent \$ 1,000 during an entire fiscal year in our history, let alone on this one advertisement. We have never received a single donation from any corporation nor candidate.

4.) Although the complaint came to us with a photo copy of a card that the Whatcom County Young Republicans did produce, this card was not mentioned in the complaint. Please let me address this anyway by saying that the card does state that we paid for it and the total cost was less than \$ 200.00. The return on this fund raising activity was not enough to cover costs and again, we received no corporate nor candidate contributions.

In closing let me say that being involved in the Young Republicans is supposed to be a learning experience and I hope that we can learn from this situation.

92 NOV -9 PM 3:32

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

93040991649

Can you help me? Can you please tell us what we should do in the future in order to avoid similar situations?

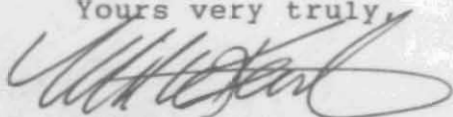
I honestly think that Mr. Cozad over reacted to our advertisement and did so for the publicity that he subsequently enjoyed simply for filing his complaint.

You may be interested to know that Mr. Cozad may be additionally upset that the one advertisement he has objected to ran during a Radio program that he co-hosts.

Please let me know if I can provide anymore information.

As temporary President I would really like to help clear up this situation and help our members conduct club business properly.

Yours very truly,



Mike Kent

93040991650

KGMI 790
2219 YEW ST. RD.
BELLINGHAM, WA 98225
206-734-9790

DATE *Sept 1, 1992*

ACCOUNT NO.

NEW ACCOUNT

YES

☐

NO

☒

NAME

AGENCY

ADDRESS

CITY

Whitcom County Young Republicans

DAY PARTING

AAA

60

☐

IMPACT

☐

NEWS

☐

R.O.S.

☐

CAPS

☐

30

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60

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B

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T.A.P.

☐

30

☐☐☐☐Additional
Instructions

START DATE

9-6-92

END DATE

9-8-92

AGENCY

COOP

COPY

AFFID

TIMES

PRODUCT *POLITICAL ORGANIZATION MEETING*

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
				4-P-5P ¹⁴		
				2x		
Rust ¹⁷ 2x	Rust ¹⁸ 3x					

NUMBER OF TIMES

7

RATE

\$35.00

TOTAL

\$245.00

SALESMAN

DAN FLAMMANG

ACCOUNT APPROVED

per Mike Kent

MUR # 3641

ADDITIONAL DOCUMENTS WILL BE ADDED TO THIS FILE AS THEY
BECOME AVAILABLE. PLEASE CHECK FOR ADDITIONAL MICROFILM
LOCATIONS.

93040991652



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3641

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN MC

93040991653



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

☒ Microfilm
☐ Public Records
☐ Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3641.

12/10/93

93043543337

**THE READER IS REFERRED TO ADDITIONAL MICROFILM LOCATIONS
FOR THE FOLLOWING DOCUMENTS PERTINENT TO THIS CASE**

1. Memo, General Counsel to the Commission, dated September 22, 1992, Subject: Priority System Report.
See Reel 354, pages 1590-94.
2. Memo, General Counsel to the Commission, dated April 14, 1993, Subject: Enforcement Priority System.
See Reel 354, pages 1595-1620.
3. Certification of Commission vote, dated April 28, 1993.
See Reel 354, pages 1621-22.
4. General Counsel's Report, In the Matter of Enforcement Priority, dated December 3, 1993.
See Reel 354, pages 1623-1740.
5. Certification of Commission vote, dated December 9, 1993.
See Reel 354, pages 1741-1746.

2 3 0 4 3 5 4 3 3 3 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 10 1992

Jim Cozad
1606 Diamond Loop
Bellingham, WA 98226

RE: MUR 3641

Dear Mr. Cozad:

On October 5, 1992, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Whatcom County Young Republicans, KGMI Radio and William F. Day, as General Manager. See attached narrative. Accordingly, the Commission closed its file in this matter. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary Ann Bumgarner

Mary Ann Bumgarner

Attachment
Narrative

Date the Commission voted to close the file: DEC 09 1992

93043543339

MUR 3641

Young Republicans of Whatcom County

This matter was generated by a complaint from Jim Cozad in which he alleges that the Young Republicans of Whatcom County ran an advertisement on several radio stations costing over \$1,000. Thus, complainant alleges the Young Republicans were required to register and report with the Commission. He also questioned the source of the organization's funds, thus raising issues of possible corporate and excessive contributions. In addition, the complainant alleged that the advertisement lacked the required disclaimer. According to respondents, the cost of the advertisement was \$245 and was run on only one radio station. The source of funds for the advertisement was the club's membership fees. Respondents also state that the purpose of the advertisement was to serve as a notice for the club's next meeting.

This matter has little or no impact on the process, reflects no indication of serious intent by respondents to violate the FECA, involves insubstantial amounts of money, and involves inexperienced actors.

23043543340



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

William F. Day, General Manager
KGMI Radio
2219 Yew Street Road
Bellingham, WA 98226

RE: MUR 3641

Dear Mr. Day:

On October 13, 1992, the Federal Election Commission notified KGMI Radio and you, as General Manager, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against KGMI Radio and you, as General Manager. See attached narrative. Accordingly, the Commission closed its file in this matter.

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

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner
Mary Ann Bumgarner

Attachment
Narrative

Date the Commission voted to close the file:

DEC 09 1993

23043543341

MUR 3641

Young Republicans of Whatcom County

This matter was generated by a complaint from Jim Cozad in which he alleges that the Young Republicans of Whatcom County ran an advertisement on several radio stations costing over \$1,000. Thus, complainant alleges the Young Republicans were required to register and report with the Commission. He also questioned the source of the organization's funds, thus raising issues of possible corporate and excessive contributions. In addition, the complainant alleged that the advertisement lacked the required disclaimer. According to respondents, the cost of the advertisement was \$245 and was run on only one radio station. The source of funds for the advertisement was the club's membership fees. Respondents also state that the purpose of the advertisement was to serve as a notice for the club's next meeting.

This matter has little or no impact on the process, reflects no indication of serious intent by respondents to violate the FECA, involves insubstantial amounts of money, and involves inexperienced actors.

23043543342



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1992

Mike Kent, Club President
Whatcom County Young Republicans
Suite B-2
1301 Meador Avenue
Bellingham, WA 98226

RE: MUR 3641

Dear Mr. Kent:

On October 13, 1992, the Federal Election Commission notified Whatcom County Young Republicans of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Whatcom County Young Republicans. See attached narrative. Accordingly, the Commission closed its file in this matter.

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

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary Ann Bumgarner
Mary Ann Bumgarner

Attachment
Narrative

Date the Commission voted to close the file: DEC 09 1992

23043543343

MUR 3641

Young Republicans of Whatcom County

This matter was generated by a complaint from Jim Cozad in which he alleges that the Young Republicans of Whatcom County ran an advertisement on several radio stations costing over \$1,000. Thus, complainant alleges the Young Republicans were required to register and report with the Commission. He also questioned the source of the organization's funds, thus raising issues of possible corporate and excessive contributions. In addition, the complainant alleged that the advertisement lacked the required disclaimer. According to respondents, the cost of the advertisement was \$245 and was run on only one radio station. The source of funds for the advertisement was the club's membership fees. Respondents also state that the purpose of the advertisement was to serve as a notice for the club's next meeting.

This matter has little or no impact on the process, reflects no indication of serious intent by respondents to violate the FECA, involves insubstantial amounts of money, and involves inexperienced actors.

2304354344