



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MJR # 3651

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN Mc

93040991925



NEVADA REPUBLICAN PARTY

September 23, 1992

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
SEP 23 10 18 AM '92

Lawrence M. Noble
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Peter Sferrazza for Congress

Dear Mr. Noble:

Enclosed is a copy of a Complaint sworn to and signed to in the presence of a notary public and notarized alleging violations of the Federal Election Campaign Act of 1991, as amended, Federal Election Commission Regulations, the Internal Revenue Code and the Ethics in Government Act.

I look forward to your prompt attention to the serious issues raised in this Complaint.

Sincerely,

Brian McKay
Brian McKay

BM/jh

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE FEDERAL COUNCIL
92 SEP 28 PM 4:02

BEFORE THE FEDERAL ELECTION COMMISSION

ooOoo

IN RE THE MATTER OF
PETER SFERRAZZA FOR
CONGRESS,

COMPLAINT

92SEP 28 PM 4:02

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
WASHINGTON, D.C. 20541

1. This Complaint is being filed pursuant to 2 USC §437g a, 11 CFR §111.4.

2. Peter Sferrazza for Congress Committee, 4790 Caughlin Parkway, Suite 174, Reno, Nevada 89509 (FEC/ID C002270314), has produced and distributed campaign yard signs with no notice of the identity of who paid or authorized the signs. The failure of the Peter Sferrazza Campaign to place a disclaimer indicting who authorized and paid for Mr. Sferrazza's yard signs is a violation of the Federal Election Campaign Act of 1971 as amended (2 USC §441d) and Federal Election Commission Regulations (11 CFR §110.11).

3. The Peter Sferrazza for Congress committee has run television advertising requesting donations for the committee without the disclaimer stating that contributions are not tax deductible as charitable contributions for federal income tax purposes. The candidate has also distributed a mailer which asked for contributions without the required disclaimer. (See attachment A).

4. The failure to include the required disclosure of nondeductibility of contributions on fund raising solicitations can result in a penalty of \$1,000 for each day on which such a

9304091927

failure occurs up to a maximum annual penalty of \$10,000. IRC §6113.

5. Mr. Sferrazza's original television advertisements failed to present in a clear and conspicuous manner who authorized and paid for them. These advertisements violated 2 USC §441d and 11 CFR §110.11(a)(1). (See attachment B).

6. The Ethics in Government Act of 1978 requires the filing of a personal financial disclosures statement by candidates for the U.S. House of Representatives within 30 days of becoming a candidate (by raising or spending \$5,000) or on or before May 15 of the calendar year in which the individual becomes a candidate which ever is later. The disclosure statement must be filed with the Clerk of the U.S. House of Representatives. Peter Sferrazza's financial disclosure statement was received by the Clerk of the House on August 3, 1992. From an examination of Mr. Sferrazza's Federal Election Commission report, it is apparent that he should have filed his disclosure statement on or before May 15. (5 USC Appendix 6, §§101-111).

7. Mr. Sferrazza's personal financial disclosure report makes no reference to his business or its assets. The instructions for completing candidates' personal financial disclosures statement as provided by the Committee on Standards of Official Conduct of the U.S. House of Representatives specifically provides that reportable items include business interests. Mr. Sferrazza shows

a law office salary yet indicates no interest or value in his law office.

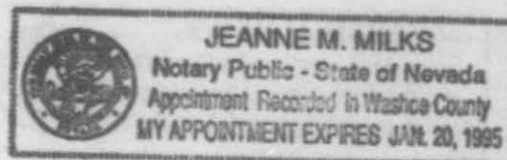
Brian McKay

BRIAN MCKAY, STATE CHAIRMAN
NEVADA REPUBLICAN PARTY
50 West Liberty Street, #1100
Reno, Nevada 89501
(702) 788-8676

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On this 23rd day of September, 1992, personally appeared before me, a notary public, BRIAN MCKAY, who is personally known to me to be the person whose name is subscribed to the above instrument.

Jeanne M. Milks
Notary Public



93040991929

Congressman

**Barbara
Vucanovich**

2nd Nevada District

August 5, 1992

Mr. Lawson Fox
General Manager
KTVN
4925 Energy Way
Reno, Nevada 89502

Dear Mr. Fox:

It has come to my attention that political commercials being run on your station by the Pete Sferrazza for Congress Committee are in violation of Internal Revenue Service and Federal Communications Commission regulations.

The commercials in question are "Balanced Budget," which discusses Congresswoman Vucanovich's and Mayor Sferrazza's pay and requests donations, and "Ten Worst," which discusses Congresswoman Vucanovich's and Mayor Sferrazza's positions on abortion and also requests donations. Both commercials are in violation of federal law.

The specific violations are as follows: 1) The size of the disclaimer in both commercials fails to meet the requirement that it occupy four percent of the screen and be displayed for a total of not less than four seconds per Section 73.4212(a)(2)ii, FCC Regulation interpreting Section 317 of the Federal Communications Act; 2) Requests for donations to a political campaign must be accompanied by a disclaimer stating that contributions to a political campaign are not deductible for federal income tax purposes, per 1987 Amendment Code (see IRS Bulletin, November 28, 1988).

Please cease broadcasting the commercials until they are brought into compliance with the law and advise me that you have done so to avoid the need of a complaint to the appropriate authorities.

I await notification of your action.

Sincerely,

Richard Horton, Chairman
Vucanovich for Congress Committee

Vucanovich For Congress Committee
Post Office Box 21435 • Reno, Nevada 89515

PAID FOR BY VUCANOVICH FOR CONGRESS CAMPAIGN.
PAYMENTS ARE NOT DEDUCTIBLE AS CHARITABLE CONTRIBUTIONS
FOR FEDERAL INCOME TAX PURPOSES

ATTACHMENT A

92 SEP 28 PM 4:02

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
WASHINGTON, D.C. 20543

9304091930

DEAR FELLOW VOTER:

FOR THE PAST ELEVEN YEARS, IT HAS BEEN MY PRIVILEGE TO SERVE AS A COUNCILMAN AND MAYOR OF RENO, NEVADA. WE HAVE ONE OF THE LOWEST TAX RATES IN THE NATION AND A HEALTH ECONOMY. UNDER MY LEADERSHIP, THE CITY OF RENO HAS BALANCED ITS BUDGET EVERY YEAR FOR THE LAST 11 YEARS.

- I CHALLENGED CONGRESSWOMAN VUCANOVICH TO PREPARE A BALANCED FEDERAL BUDGET AND PRESENT IT TO THE VOTERS ON OR BEFORE JULY 1, 1992. SHE REFUSED.
- MY FIRST ACT AS A CONGRESSMAN WILL BE TO INTRODUCE LEGISLATION TO ROLL BACK THE CONGRESSIONAL PAY RAISE FROM \$129,500 TO \$89,500. I REALIZE THAT CONGRESS WILL PROBABLY RESIST THIS, SO I WILL COMMIT TO PERSONALLY CONTRIBUTE THE \$40,000 DIFFERENCE TO SCHOLARSHIP FOR NEVADA STUDENTS.
- I SUPPORT THE FREEDOM OF CHOICE ACT. CONGRESSWOMAN VUCANOVICH DOES NOT.
- I AM OPPOSED TO A HIGH LEVEL NUCLEAR DUMP SITE IN OUR STATE. CONGRESSWOMAN VUCANOVICH HAS FLIP-FLOPPED ON THE DUMPSITE ISSUE SO MANY TIMES THAT WE DON'T KNOW WHERE SHE STANDS. I HAVE CONSISTENTLY OPPOSED IT IN THE PAST AND WILL CONTINUE TO DO SO IN THE FUTURE.
- I BELIEVE THAT OUR SENIOR CITIZENS SHOULD RETIRE WITH DIGNITY. THAT'S WHY I SUPPORT SOCIAL SECURITY, MEDICARE, AND MEDICAL COST CONTAINMENT. MY OPPONENT, CONGRESSWOMAN VUCANOVICH, OPPOSED MEDICAL COST CONTAINMENT AND HAS NOT CONSISTENTLY SUPPORTED SOCIAL SECURITY AND MEDICARE.
- CONGRESSWOMAN VUCANOVICH HAS HAD 10 YEARS OF MEMBERSHIP IN AN ADMINISTRATION THAT PRODUCED A SERIES OF FAILED ECONOMIC, ENVIRONMENTAL AND HEALTH CARE POLICIES. IT'S TIME FOR A CHANGE, AND THAT'S WHY I AM RUNNING FOR CONGRESS.

THANKS FOR YOUR SUPPORT.

Pete

Mail contributions to: Committee to Elect Pete Sferra,
4790 Caughlin Pkwy., Suite 174
Reno, NV 89509



PETE Sferrazza FOR CONGRESS

4790 Caughlin Pkwy., Suite 174
Reno, Nevada 89509

BULK RATE
U.S. POSTAGE
PAID
RENO, NEVADA
PERMIT #618

Got a question for Pete?

Call: Reno 324-7383

Las Vegas 387-2307

**\$129,500 is Too Much!
Roll Back the Pay Raise!**

93040991931

McCalk's

Sferrazza supports the "Freedom of Choice Act", Vucanovich doesn't!





PETE SFERRAZZA FOR CONGRESS

BULK RATE
 ALL POSTAGE
 PAID
 RENO NEVADA
 PERMIT #618

[TO WORST] politicians for women

REP. NEWT GINGRICH
(R-Ga.) This Republican Whip fights health-care, family-leave and child-care bills. His zeal makes him dangerous, activists say.



SEN. ORRIN HATCH (R-Utah) It's no surprise he's on this list too, considering his support of tax credits for private-school tuition and fight against the Civil Rights Act of 1990.



REP. BARRARA VUCANOVICH
(R-Mex.) Watchdogs call her an "opponent of everything" that matters to women, even family leave.



REP. HENRY HYDE (R-Ill.) Best known for his strict anti-abortion position, he is also an opponent of civil rights legislation. In a debate on awarding damages for sexual harassment, he once said, "Someone can show me their buttocks all day."



SEN. JESSE HELMS
(R-N.C.) Notorious for voting against the rights of those with AIDS, he also opposes additional funding for children's education programs, even Head Start. His ultraconservative stance spans the issues from civil rights to school prayer.



SEN. BOB DOLE
(R-Kan.) Hostile to family leave, he opposed child-care reforms and 1990's Civil Rights Act.

-A.T.

PIE
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03-

Dear Friend:

My name is Mylan Hawkins. I was the campaign coordinator for Question 7 and am now Pete Sferrazza's campaign manager.

In the May 1992 issue of McCall's Magazine Rep. Vucanovich is named one of the ten worst politicians for women. McCall's says, "Watchdogs call her an opponent of everything that matters to women, even family leave." I believe women, men and families deserve better representation.

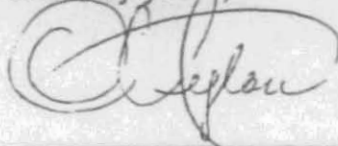
We need a representative who does not want to force women to revert to the back alleys and who does not insist that their personal religious beliefs become the law of the land. Pete will be a strong pro-choice voice in Congress. **Pete Sferrazza supports the "Freedom of Choice Act". Congressman Vucanovich doesn't!**

Let's look at Vucanovich's record concerning other issues that affect women and families.

- 1) Family and Medical Leave Act. Rep. Vucanovich voted against it!
- 2) Funding for the Federal Family Planning Program and Women's Health Initiatives. Rep. Vucanovich voted against it!
- 3) Veto override attempt to remove the "GAG RULE". Rep. Vucanovich voted against it!
- 4) Funding for Research on Breast and Ovarian Cancer, Osteoporosis, Contraception and Infertility. Rep. Vucanovich voted against it!

This will be a tough campaign but Pete is committed to winning. He can't do it alone. He needs the financial support of **people like you** to make it happen. Please do as much as you can to help him **make a change in Washington**. We can't allow Rep. Vucanovich to misrepresent us for yet another term. Join me in working for the election of Pete Sferrazza. Please send in your contribution today.

Sincerely yours,



Make Check Payable To: **The Committee to Elect Pete Sferrazza to Congress**
4790 Caughlin Pkwy., Suite 174
Reno, Nevada 89509

Name: _____
Address: _____ C/S/Zip: _____
Occupation: _____
Name of employer: _____
(If self-employed, please state principal place of business)
Business Address: _____
Home Phone: _____ Business Phone: _____

(This information is requested pursuant to disclosure laws. Paid for by the Committee to Elect Pete Sferrazza. A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C. 20463. We regret we are unable to accept corporate or union funds other than the designated Political Action Committees.)

93040991933



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 2, 1992

Brian McKay
Nevada Republican Party
6114 West Charleston Boulevard
Las Vegas, Nevada 89102

Dear Mr. McKay:

This is to acknowledge receipt on September 28, 1992, of your letter dated September 23, 1992. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ____ day of ____, 19__." A statement by the notary that the complaint was sworn to and subscribed before her also will be sufficient. We are sorry for the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission. The file regarding this correspondence will remain confidential for a 15 day time period during which you may file an amended complaint as specified above. If the defects are not cured and the allegations are not refiled, no additional notification will be provided and the file will be closed.

If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,

Retha Dixon

Retha Dixon
Docket Chief

Enclosure

cc: Peter Sferrazza for Congress Committee

93040991934



NEVADA REPUBLICAN PARTY

MUR 3651

October 8, 1992

OCT 13 12 15 PM '92

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Lawrence M. Noble
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Peter Sferrazza for Congress

Dear Mr. Noble:

Enclosed is an original and three copies of an Amended Complaint sworn to and signed to in the presence of a notary public and notarized alleging violations of the Federal Election Campaign Act of 1991, as amended, Federal Election Commission Regulations, the Internal Revenue Code and the Ethics in Government Act.

I look forward to your prompt attention to the serious issues raised in this Complaint.

Sincerely,

Brian McKay

BM/jh
Enclosures

RECEIVED
FEDERAL ELECTION
COMMISSION
92 OCT 13 PM 3:37

92 OCT 13 PM 3:37

BEFORE THE FEDERAL ELECTION COMMISSION

ooOoo

IN RE THE MATTER OF
PETER SFERRAZZA FOR
CONGRESS,

AMENDED
COMPLAINT

1. This Complaint is being filed pursuant to 2 USC §437g a, 11 CFR §111.4.

2. Peter Sferrazza for Congress Committee, 4790 Caughlin Parkway, Suite 174, Reno, Nevada 89509 (FEC/ID C002270314), has produced and distributed campaign yard signs with no notice of the identity of who paid or authorized the signs. The failure of the Peter Sferrazza Campaign to place a disclaimer indicting who authorized and paid for Mr. Sferrazza's yard signs is a violation of the Federal Election Campaign Act of 1971 as amended (2 USC §441d) and Federal Election Commission Regulations (11 CFR §110.11).

3. The Peter Sferrazza for Congress committee has run television advertising requesting donations for the committee without the disclaimer stating that contributions are not tax deductible as charitable contributions for federal income tax purposes. The candidate has also distributed a mailer which asked for contributions without the required disclaimer. (See attachment A).

4. The failure to include the required disclosure of nondeductibility of contributions on fund raising solicitations can result in a penalty of \$1,000 for each day on which such a

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failure occurs up to a maximum annual penalty of \$10,000. IRC §6113.

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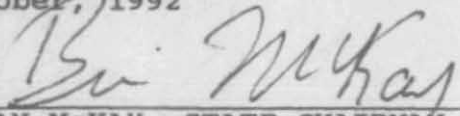
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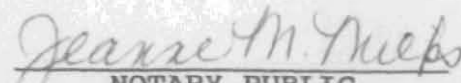
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93040991937

a law office salary yet indicates no interest or value in his law office.

Subscribed and sworn to this 8th day of October, 1992


BRIAN MCKAY, STATE CHAIRMAN
NEVADA REPUBLICAN PARTY
50 West Liberty Street, #1100
Reno, Nevada 89501
(702) 788-8676


NOTARY PUBLIC



My commission expires: Jan. 20, 1995.

93040991938

Congressman

**Barbara
Vucanovich**

2nd Nevada District

RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

92 OCT 13 PM 3:38

August 5, 1992

Mr. Lawson Fox
General Manager
KTVN
4925 Energy Way
Reno, Nevada 89502

Dear Mr. Fox:

It has come to my attention that political commercials being run on your station by the Pete Sferrazza for Congress Committee are in violation of Internal Revenue Service and Federal Communications Commission regulations.

The commercials in question are "Balanced Budget," which discusses Congresswoman Vucanovich's and Mayor Sferrazza's pay and requests donations, and "Ten Worst," which discusses Congresswoman Vucanovich's and Mayor Sferrazza's positions on abortion and also requests donations. Both commercials are in violation of federal law.

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Please cease broadcasting the commercials until they are brought into compliance with the law and advise me that you have done so to avoid the need of a complaint to the appropriate authorities.

I await notification of your action.

Sincerely,

Richard Horton, Chairman
Vucanovich for Congress Committee

Vucanovich For Congress Committee
Post Office Box 21435 • Reno, Nevada 89515

PAID FOR BY VUCANOVICH FOR CONGRESS CAMPAIGN.
PAYMENTS ARE NOT DEDUCTIBLE AS CHARITABLE CONTRIBUTIONS
FOR FEDERAL INCOME TAX PURPOSES

ATTACHMENT A

93040991939

DEAR FELLOW VOTER:

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- CONGRESSWOMAN VUCANOVICH HAS HAD 10 YEARS OF MEMBERSHIP IN AN ADMINISTRATION THAT PRODUCED A SERIES OF FAILED ECONOMIC, ENVIRONMENTAL AND HEALTH CARE POLICIES. IT'S TIME FOR A CHANGE, AND THAT'S WHY I AM RUNNING FOR CONGRESS.

THANKS FOR YOUR SUPPORT.

Pete

Mail contributions to: Committee to Elect Pete Sferra
4790 Caughlin Pkwy., Suite 17-
Reno, NV 89509



PETE Sferrazza FOR CONGRESS

4790 Caughlin Pkwy., Suite 174
Reno, Nevada 89509

BULK RATE
U.S. POSTAGE
PAID
RENO, NEVADA
PERMIT #618

Got a question for Pete?
Call: Reno 324-7383
Las Vegas 387-2307

**\$129,500 is Too Much!
Roll Back the Pay Raise!**

93040991940

230409919

McCalls



PETE

STERRAZZA

FOR CONGRESS

BULK RATE
 \$15 POSTAGE
 PAID
 PERMIT #618

Sterrazza supports the "Freedom of Choice Act", Vucanovich doesn't!

To worst politicians for women

REP. NEWT GINGRICH (R-Ga.) This Republican Whip fights health-care, family-leave and child-care bills. His zeal makes him dangerous, activists say.



SEN. ORRIN HATCH (R-Utah) It's no surprise he's on this list too, considering his support of tax credits for private-school tuition and fight against the Civil Rights Act of 1990.



REP. BARBARA VUCANOVICH (R-Nev.) Watchdogs call her an "opponent of everything" that matters to women, even family leave.

REP. HENRY HYDE (R-Ill.) Best known for his strict anti-abortion position, he is also an opponent of civil rights legislation. In a debate on awarding damages for sexual harassment, he once said, "Someone can show me their buttocks all day."



SEN. JESSE HELMS (R-N.C.) Notorious for voting against the rights of those with AIDS, he also



SEN. BOB DOLE (R-Kan.) Hostile to family leave, he opposed child-care reforms and 1990's Civil Rights Act.

opposes additional funding for children's education programs, even Head Start. His ultraconservative stance spans the issues from civil rights to school prayer.

-A.T.

PIE 105-

Dear Friend:

My name is Mylan Hawkins. I was the campaign coordinator for Question 7 and am now Pete Sferrazza's campaign manager.

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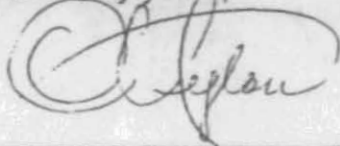
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- 2) **Funding for the Federal Family Planning Program and Women's Health Initiatives**. Rep. Vucanovich voted against it!
- 3) **Veto override attempt to remove the "GAG RULE"**. Rep. Vucanovich voted against it!
- 4) **Funding for Research on Breast and Ovarian Cancer, Osteoporosis, Contraception and Infertility**. Rep. Vucanovich voted against it!

This will be a tough campaign but Pete is committed to winning. He can't do it alone. He needs the financial support of people like you to make it happen. Please do as much as you can to help him make a change in Washington. We can't allow Rep. Vucanovich to misrepresent us for yet another term. Join me in working for the election of Pete Sferrazza. Please send in your contribution today.

Sincerely yours,



Make Check Payable To: **The Committee to Elect Pete Sferrazza to Congress**
4790 Caughlin Pkwy., Suite 174
Reno, Nevada 89509

Name: _____
Address: _____ C/S/Zip: _____
Occupation: _____
Name of employer: _____
(If self-employed, please state principal place of business)
Business Address: _____
Home Phone: _____ Business Phone: _____

(This information is requested pursuant to disclosure laws. Paid for by the Committee to Elect Pete Sferrazza. A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C. 20463. We regret we are unable to accept corporate or union funds other than the designated Political Action Committees.)

93040991942



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20461

October 16, 1992

Brian McKay, State Chairman
Nevada Republican Party
50 West Liberty Street, #1100
Reno, NV 89501

RE: MUR 3651

Dear Mr. McKay:

This letter acknowledges receipt on October 13, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Pete Sferrazza for Congress and Giorgio Nicolato, as treasurer. 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 3651. 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,

A handwritten signature in cursive script, reading "Teresa A. Hennessy", is positioned above the typed name.

Teresa A. Hennessy
Assistant General Counsel

Enclosure
Procedures

93040991943



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

October 16, 1992

Giorgio Nicolato, Treasurer
Pete Sferrazza for Congress
4790 Caughlin Parkway
Suite 174
Reno, NV 89509

RE: MUR 3651

Dear Mr. Nicolato:

The Federal Election Commission received a complaint which indicates that the Pete Sferrazza for Congress ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3651. 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.

93040991944

Giorgio Nicolato, Treasurer
Pete Sferrazza for Congress
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

Enclosures

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

cc: Peter Sferrazza

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PETER J. SFERRAZZA
ATTORNEY AT LAW
4790 CAUGHLIN PARKWAY
SUITE 174
RENO, NEVADA 89509
(702) 324-7383

November 9, 1992

Mary Ann Bumgarner
Federal Election Commission
999 E. Street, N.W.
Washington, DC 20463

Re: Peter Sferrazza for Congress and Barbara Vucanovich for Congress
MUR 3651

Dear Ms. Bumgarner:

Enclosed is an original and three copies of an answer and counterclaim and a copy of statement of designation of counsel in the above entitled matter.

I look forward to your prompt attention to the serious issues raised in this answer and counterclaim.

Sincerely,



Peter J. Sferrazza

PJS/sf

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BEFORE THE FEDERAL ELECTION COMMISSION

RE: MUR 3651

IN RE THE MATTER OF

ANSWER AND COUNTER CLAIM

PETER SFERRAZZA FOR
CONGRESS, and
BARBARA VUCANOVICH FOR
CONGRESS

_____/

1. This answer is being filed pursuant to 11 CFR 11.6. The complaint filed by Brian McKay is invalid in that he did not swear under penalty of perjury that the contents of the complaint are true to the best of his knowledge. 2 USC Section 437g.

2. The charge that campaign signs were produced without a disclaimer is correct. However, as soon as respondent was aware that disclosure was required, disclosure was produced and appended to every campaign and yard sign. An original disclosure is enclosed herewith.

3. The claim that television advertising requesting donations for the committee must have a disclaimer stating that contributions are not tax deductible is erroneous. Internal Revenue Service Code Section 6113 only applies to an organization with gross receipts in any fiscal year in excess of \$100,000. Peter Sferrazza's campaign did not have \$100,000 in contributions at the time of this advertisement.

4. This is in essence the same complaint with respect to printed materials requiring Internal Revenue Code disclosure. Since the campaign did not receive in excess of \$100,000 in contributions Internal Revenue Service Code 6113 is inapplicable.

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5. There were no violations of the Federal Election Code with respect to television advertisements. Every television advertisement did have a clear and conspicuous disclosure and in fact the complaint filed by Mr. Horton was not accepted by Channel 8. The television spots were produced by Camrac Studio and the disclosure was the exact same disclosure used by the complainant in this case, Brian McKay in his campaign for Attorney General and is the exact same disclosure used by U.S. Senator Chick Hecht in his campaign for the U.S. Senate.

6. The Financial Disclosure required by the Ethics in Government Act was postmarked on July 27, 1992 which means that it was filed 30 days before the primary, September 1, 1992, and was accepted by the Clerk of the House. The FEC does not have jurisdiction over this allegation in the complaint. 2 USC Section 437g.

7. Mr. Sferrazza does not own a law office and therefore there is no asset to disclose. He does have a business and did disclose the income from that business. He is a sole practitioner and his law practice does not have value and could not be sold.

COUNTER CLAIM

1. This counter claim is being filed pursuant to 2 USC Section 437 g and 11 CFR Section 111.4.

2. The Demar Dahl for Senate Committee, has produced and distributed campaign yard signs with no notice of identity of who paid or authorized the signs. The failure of the Demar Dahl for Senate Campaign to place a disclaimer indicating who authorized and paid for Mr. Dahl's yard signs is a violation of Federal Election Campaign Act of 1971 as amended (2 USC Section 441d) and Federal Election Commission Regulations (11 CFR Section 110.11).

3. The Nevada Republican Party, the complainant in this case, was aware of this violation by Demar Dahl and took no steps to correct it and filed

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this complaint solely for purposes of making a campaign issue with respect to Mr. Sferrazza.

4. Brian McKay, the complainant in this case, held a press conference on or about September 23, 1992 to announce that he had filed a complaint for violations of the Federal Election Campaign Laws against the Peter Sferrazza for Congress Committee. This press conference violated 2 USC Section 437g (a) (12) (a) in that he did not have the written permission of Peter Sferrazza to make this investigation public. He is subject to a fine of \$5000 for violation of this section.

5. The Barbara Vucanovich campaign ran radio and television commercials alleging that Mr. Sferrazza was under investigation and had been reprimanded for violation of campaign laws and that he had a worse record than Richard Nixon and Saddam Hussein when it comes to violations of campaign laws. These commercials violated 2 USC Section 437g (a) (12) (a) in that she did not have the written permission of Peter Sferrazza to make this investigation public. She is subject to a fine of \$5,000 for violation of this section.

6. The Barbara Vucanovich for Congress Committee has produced and distributed campaign materials without the requisite disclaimers on them. Attached hereto is a document called Health Care in the United States which was distributed as a campaign brochure at numerous functions throughout the State of Nevada. The failure of the Barbara Vucanovich for Congress Committee to place a disclaimer indicating who authorized and paid for these campaign materials is a violation of Federal Election Campaign Act of 1971 as amended (2 USC Section 441d) and Federal Election Commission Regulations (11 CFR Section 110.11).

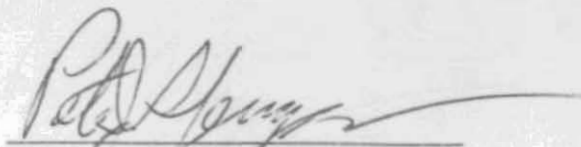
VERIFICATION

STATE OF NEVADA)
)
COUNTY OF WASHOE) ss.

Peter J. Sferrazza under penalties of perjury, being first duly sworn deposes and says:

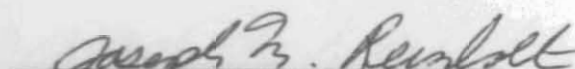
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That he is the respondent/counterclaimant above named; that he has read the foregoing answer and counter claim and knows the contenets thereof; and that the same is true to the best of his knowledge.



PETER J. SFERRAZZA
4790 Caughlin Pkwy Ste. 174
Reno, Nevada 89509
(702) 829-8888

SUBSCRIBED AND SWORN to before
me this 9 of November, 1992.


NOTARY PUBLIC In and for the said
County and State.



93040991950

PREVENTIVE CARE:

Individuals must share the responsibility in our health care system by educating themselves on health issues and taking action. President Bush has recognized the importance of preventive medicine as a means to avert premature deaths, extend average life expectancy, and reduce illness and disability. As a breast cancer survivor, I learned the importance of taking preventive health care steps and have dedicated my legislative career to furthering this knowledge to all Americans. I have cosponsored and introduced several measures which encourage preventive medicine:

Extended Medicare coverage for mammograms — H.R. 1312

This Congress I introduced H.R. 1312 because I saw that there was a need to permit more frequent Medicare coverage of mammography screening for women 65 and older. Current law allows for coverage for every other year, even though an annual mammogram for women 65 and older is recommended by the American Cancer Society and the National Cancer Institute. H.R. 1312 provides for annual Medicare coverage for screening mammographies for this age group. This proposal has received bipartisan support.

Medicare coverage for mammograms — H.R. 1311

I also introduced legislation which requires states to provide coverage for screening mammography under the Medicaid System. This, too, has support from both sides of the aisle.

Medicaid Women's Basic Health Coverage Act of 1991 — H.R. 1129

This bill requires State Medicaid programs to provide coverage of screening mammography and screening pap smears. Currently, state Medicaid programs are not required to offer such coverage.

Employer tax credit provided for mammogram coverage for employees. — H.R. 112

In an effort to encourage employers to take an interest in the health of their employees, I have cosponsored H.R. 112 which allows an employer a tax credit against income tax for the cost of providing mammography screening for their employees. This tax credit would equal 20% of the qualified mammography screening costs.

The Prostate Cancer Public Awareness Act — H.R. 1310

Men, too, should educate themselves about diseases which can be caught with early detection. I have introduced H.R. 1310 to establish a program of public and patient information on prostate cancer for this purpose. Once a taboo subject in homes, the incidence of this deadly disease has increased. We must try to stop this disease in its tracks!

Colon Cancer Preventive Screening — H.R. 1746

This measure amends the Social Security Act to cover colon cancer preventive screening examinations and an annual physical examination if a demonstration project conducted by the Department of Health and Human Services proves such examinations to be cost-effective.

We must all work together in developing solutions to our nation's health care problems. The solutions depend on the public and private sectors, all levels of government, insurers and medical providers working together. I give you my word that I will remain committed to the improvement of our health care system and the availability of health care to all Americans.

If you have further comments or questions, please write:

Congresswoman Barbara Vucanovich
206 Cannon House Office Building
Washington, D.C. 20515



U.S. Representative
Barbara Vucanovich
2nd District, Nevada

Health Care in the United States

The United States has the best quality and most advanced health care in the world, but not every American can afford to obtain the health care they need. Unfortunately health care costs are expected to rise — in fact, some health policy experts have projected that these costs will rise to 20% of our GNP by the turn of the century. In order to successfully change our system we must:

- **Contain Costs**
- **Provide Access**
- **Encourage Preventive Medicine**

1 9 6 1 6 6 0 7 0 2 6

COST CONTAINMENT:

Inflation, medical prices, and health care personnel shortages plague our health care system, not to mention the greater intensity and volume of health care services which are needed in this day and age compared to years past. We must contain these costs! I have cosponsored several pieces of legislation which would keep health care costs down:

The Medical Care Injury Compensation Reform Act of 1991 — H.R. 3516

One factor acknowledged as a credible component of cost containment is malpractice reform. This bill awards grants to States which promote and enhance the development of alternative dispute resolution systems for medical malpractice claims. Currently, Nevada is one of the few states with a successful alternative dispute resolution system and would greatly benefit from this federal funding.

Paperwork Reduction Health Care Act of 1991 — H.R. 2625

Did you know that 24% of funding for health care is spent on administrative costs alone? We must eliminate the duplication and unnecessary paperwork which slows our system. H.R. 2625 requires the Director of the Office of Management and Budget to assess the Federal paperwork burden associated with health care services and establish a goal for reducing the federal pa-

perwork burden on providers by at least 5% for each of the next five years. Hopefully, this cost effective improvement will help reduce health care costs.

Medicare Skilled Nursing Facility and Home Health Benefit Act of 1991 — H.R. 1200

Another way to save costs is to eliminate those requirements in law which demand hospitalization when it is not needed. H.R. 1200 eliminates one such requirement that prohibits Medicare coverage of skilled nursing facility (SNF) stays without prior hospitalization of the patient for three consecutive days. This existing requirement is a good example of providing Medicare coverage for unnecessary hospitalization.

ACCESS TO HEALTH CARE:

Right now, over 34 million Americans have no health care coverage. Of those who do, 20 million have inadequate insurance coverage. Many who do not have adequate coverage are the self-employed. I am a cosponsor of legislation which would address these needs:

The Fairness in Health Insurance Coverage for the Self-Employed Act — H.R. 1629

This bill increases the deduction allowed for health insurance costs of the self-employed and would make the deduction permanent. These changes provide equal tax

treatment to entrepreneurs who are currently allowed to deduct only 25% of their health insurance premiums, while other employees may deduct 100%.

The Health Care Savings Account Act of 1991 — H.R. 702

I believe the federal government should acknowledge and encourage those individuals with foresight who have chosen to save their own money for a health disaster. H.R. 702 allows individuals a credit against income taxes for amounts contributed to a health care savings account. More specifically, contributors would receive a 60% tax credit for their contributions (and interest on these accounts would accumulate tax free), generating a "nest egg" for health care in their retirement. These funds could be used to finance long-term care or long-term care insurance.

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3651

NAME OF COUNSEL: Peter Sferrazza

ADDRESS: 4790 Caughlin Pkwy, Suite 174
Reno, Nevada
89509

TELEPHONE: (702) 324-7383

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.

Nov. 9, 1992
Date

Pete Sferrazza
Signature

RESPONDENT'S NAME: Pete Sferrazza

ADDRESS: 3580 Skyline view
Reno, Nevada 89509

TELEPHONE: HOME (702) 324-7383

BUSINESS (702) 829-8888

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PETER J. SFERRAZZA
ATTORNEY AT LAW
4790 CAUGHLIN PARKWAY
SUITE 174
RENO, NEVADA 89509
(702) 324-7383

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COMMISSION

December 2, 1992

Mary Ann Bumgarner
Federal Election Commission
999 E. Street, N.W.
Washington, DC 20463

Re: Peter Sferrazza for Congress and Barbara Vucanovich for Congress
MUR 3651

Dear Ms. Bumgarner:

Pursuant to 2 USC Section 437g (a) (12) (a), please accept this letter as my
authorization to send the Answer and the Counterclaim in the above
referenced matter to the Complainant and to Respondent Vucanovich.

Sincerely,


Peter J. Sferrazza

PJS/sf

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MUR # 3651

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

THIS IS THE End of MUR# 3651

DATE FILMED 10/29/93 CAMERA NO. 2

CAMERAMAN MC

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20461

☒ Microfilm
☐ Public Records
☐ Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3651.

12/10/93

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**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.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Peter Sferrazza, Treasurer
Peter Sferrazza for Congress
4790 Caughlin Parkway
Suite 174
Reno, NV 89509

DEC 10 1993

RE: MUR 3651

Dear Mr. Sferrazza:

On October 16, 1992, the Federal Election Commission notified Peter Sferrazza for Congress and its treasurer 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 Peter Sferrazza for Congress and you, as treasurer. 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

Attachment
Narrative

Date the Commission voted to close the file: DEC 09 1993

23043543392

NUR 3651

Pete Sferrazza For Congress

This matter was generated by a complaint from the Nevada Republican Party. Complainant alleges that the Sferrazza Committee failed to include the required disclaimer on campaign yard signs and television advertisements apparently in the 1992 election cycle. The amount of such campaign materials in distribution is unknown. Respondents concede the violation in regard to the yard signs. However, respondents state that as soon as they became aware that disclosure was required, they placed the requisite disclaimer on each campaign yard sign. Respondents also state that the television advertisements included the appropriate disclaimers.

This matter has little or no impact on the process, reflects no indication of serious intent by respondents to violate the FECA, involves no significant issue relative to the other issues pending before the Commission, involves no substantial amounts of money, and reflects significant remedial action.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Brian McKay, State Chairman
Nevada Republican Party
50 West Liberty Street
Suite 1100
Reno, NV 89501

RE: MUR 3651

Dear Mr. McKay:

On October 13, 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 Peter Sferrazza for Congress and Peter Sferrazza, as treasurer. 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

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MUR 3651

Pete Sferrazza For Congress

This matter was generated by a complaint from the Nevada Republican Party. Complainant alleges that the Sferrazza Committee failed to include the required disclaimer on campaign yard signs and television advertisements apparently in the 1992 election cycle. The amount of such campaign materials in distribution is unknown. Respondents concede the violation in regard to the yard signs. However, respondents state that as soon as they became aware that disclosure was required, they placed the requisite disclaimer on each campaign yard sign. Respondents also state that the television advertisements included the appropriate disclaimers.

This matter has little or no impact on the process, reflects no indication of serious intent by respondents to violate the FECA, involves no significant issue relative to the other issues pending before the Commission, involves no substantial amounts of money, and reflects significant remedial action.

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