



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3920

DATE FILMED 8-31-94 CAMERA NO. 2

CAMERAMAN JM14

94043564368

0694

RECEIVED  
FEDERAL ELECTION COMMISSION

94 JAN 10 AM 11:54

FEDERAL ELECTION COMMISSION

William D. White, et al.  
complainants,  
-vs-

MUR                     

Commonwealth of Pennsylvania,  
Secretary of the Commonwealth,  
Commissioner of Elections,  
Boards of Commissioners for  
the Pa. counties of:  
Adams, Allegheny, Armstrong,  
Beaver, Bedford, Berks,  
Blair, Bradford, Bucks,  
Butler, Cambria, Cameron,  
Carbon, Centre, Chester,  
Clarion, Clearfield, Clinton,  
Columbia, Crawford,  
Cumberland, Dauphin,  
Delaware, Elk, Erie, Fayette,  
Forest, Franklin, Fulton,  
Greene, Huntingdon, Indiana,  
Jefferson, Juniata,  
Lackawanna, Lancaster,  
Lawrence, Lebanon, Lehigh,  
Luzerne, Lycoming, McKean,  
Mercer, Mifflin, Monroe,  
Montgomery, Montour,  
Northampton, Northumberland,  
Perry, Philadelphia, Pike,  
Potter, Schuylkill, Snyder,  
Somerset, Sullivan,  
Susquehanna, Tioga, Union,  
Venango, Warren, Washington,  
Wayne, Westmorland, Wyoming  
and York,  
respondents.

94043564369

COMPLAINT

The Commonwealth of Pennsylvania has held in the past, and is planning to hold in 1994, a closed, primary election for Federal office, including United States Senator. This is a violation of 2 USCS §441a(a)(1)(A).

§431(8)(A)(i) defines a contribution as "anything of value made by any person for the purpose of influencing any election for Federal office". Further, (ii) states that a contribution is "the payment by any person of compensation for the personal services of another person which are rendered to a political committee without charge for any purpose."

The Commonwealth of Pennsylvania, Bureau of Elections, and its local agents, the County Boards of Election consisting of the Board of County Commissioners in each of 67 counties in Pennsylvania, is a "person" within the meaning of §431(11). "The term "person" includes...any other organization or group of persons". The definition is all encompassing of any living or legal entity. In this circumstance, the State should be regarded as a "connected organization", if not as a person.

This "person" or "connected organization" provides, without cost to those candidates that qualify to request it, all personnel and facilities, including payments for personal services, necessary for the conduct of a primary election that influences an election for Federal office. The influence is directed to only party candidates and specifically excludes independent or non-

9  
4  
0  
4  
3  
5  
6  
4  
3  
7  
0

Party affiliated candidates by selecting only party candidates to appear on the ballot of the November general election.

The value of this contribution is enormous and greatly exceeds all contribution limitations imposed under FECA. There are approximately 9500 polling locations throughout the state. Many are schools and other public facilities, although many are private facilities that are rented for use. Included at each polling location is a Judge of Election and various subsidiary officers, some or all of which are paid for their services. Also included are the recordkeeping and logistical supplies and support system to conduct the primary election. These are not independent expenditures, as party candidates must request and qualify for inclusion on the primary ballot.

This may also be a violation of §441f by making this contribution in the name of the people of the Commonwealth of Pennsylvania, and against the express wishes (as demonstrated by the affiliation registration information) of electors that do not adhere to the parties or candidates that are allowed to participate in the primary election.

Likewise, the State cannot claim that this is an activity similar to political activities directed to the members of a membership organization, as some members (independents qualifying to vote in the November election) are excluded from participation in the primary elections.

§453 expressly provides that the Federal Election Campaign Act supercedes State law in regards to the conduct of Federal elections. It seems clear that Federal law prohibits massive contributions by anyone, even a State, to only a few selected candidates. Any exemption that might apply, such as a get out the vote type of exemption, cannot be applied to only certain political parties or less than all the candidates.

In essence, under color of State law, the Commonwealth of Pennsylvania makes excessive and prohibited contributions to political parties and their candidates to conduct the internal selections of candidates by primarily the Republican and Democrat parties.

William D. White brings this complaint as a representative of the class that includes registered electors in the Commonwealth of Pennsylvania, and those electors that are not members of any political party that are subjected to this violation of the FECA.

The following is a listing of the counties and county seats in Pennsylvania. The Board of County Commissioners is, by State law, also the Board of Elections for each county. Each County Board of Elections should be considered a respondent to this complaint.

County Name	County Seat, State	Zip Code
Adams County	Gettysburg, Pa.	7325
Armstrong County	Kittanning, Pa.	6201
Bedford County	Bedford, Pa.	15522
Blair County	Hollidaysburg, Pa.	16648
Bucks County	Dovlestown, Pa.	18901

9  
4  
0  
4  
3  
5  
6  
4  
3  
7  
1

Cambria County  
Ebensburg, Pa. 15931

Carbon County  
Jim Thorpe, Pa. 18229

Chester County  
West Chester, Pa. 19380

Clearfield County  
Clearfield, Pa. 16830

Columbia County  
Bloomsburg, Pa. 17815

Cumberland County  
Carlisle, Pa. 17013

Delaware County  
Media, Pa. 19063

Erie County  
Erie, Pa. 16501

Forest County  
Tionesta, Pa. 16353

Fulton County  
McConnellsburg, Pa. 00000

Huntington County  
Huntingdon, Pa. 16652

Jefferson County  
Brookville, Pa. 15825

Lackawanna County  
Scranton, Pa. 18503

Lawrence County  
New Castle, Pa. 16101

Lehigh County  
Allentown, Pa. 18105

Lycoming County  
Williamsport, Pa. 17701

Mercer County  
Mercer, Pa. 16137

Monroe County  
Stroudsburg, Pa. 18360

Montour County  
Danville, Pa.

Northumberland County  
Sunbury, Pa. 17801

Philadelphia County  
Philadelphia, Pa. 19107

Potter County  
Coudersport, Pa. 16915

Snyder County  
Middleburg, Pa. 17842

Sullivan County  
Laporte, Pa.

Tioga County  
Wellsboro, Pa. 16901

Venango County  
Franklin, Pa. 16323

Washington County  
Washington, Pa. 15301

Westmorland County  
Greensburg, Pa. 15601

York County  
York, Pa. 17401

A letter was sent to each County in March of 1992, requesting that White's official Nomination Paper be placed in each of the polling places on primary election day. The State refused to provide these forms, and the State has refused to respond to White's latest request for forms. Approximately half of the Counties failed to respond in any way, most responding counties refused to comply, and only Greene County agreed to the placement, although requiring White to provide the forms, a violation of State law that requires the Board of Elections to provide all materials necessary to conduct the election.

White will provide a copy of the various responses of the Counties and State to the Commission, but the Commission must pay the cost of reproduction and postage, as White does not have the resources to do so.

Pursuant to the enforcement provisions of 2 USC, the Commission must notify each respondent within 5 days of receipt of this complaint. Also, the Commission must determine, by affirmative vote of 4 of its members 15 days after notification, whether or not there is reason to believe the complaint. White's previous experience with the Commission indicates that the Commission is negligent in adhering to the requirements of law in this regard. The Commission is hereby put on notice that White will seek judicial review of the Commission's actions, or failure to act, if these time requirements are not met. It is extremely important to the conduct of a free and fair election that this complaint be dealt with promptly. The Commission is reminded that FECA provides for assistance from other government agencies to enforce FECA [2 USCS §437c(f)(3)].

White also contends that, as the principal complainant, he is not to be considered as the "public", and the Commission may not withhold information from White concerning this complaint under the confidentiality statute. The Commission is instructed to promptly inform White of its activities and the status of this complaint. White agrees to the provisions of the confidentiality statute, and will not publicly reveal information while this matter is under investigation.

9  
4  
0  
4  
3  
5  
6  
4  
3  
7  
2

I swear that the foregoing complaint is true and correct to the best of my knowledge, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

*William D. White*

William D. White  
January 1, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

*January 3rd 1994*

*Mary Lou Finello*

Notarial Seal  
Mary Lou Finello, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires May 19, 1997  
Member, Pennsylvania Association of Notaries

94043564373

Brenda K. Mitchell  
Secretary of the Commonwealth  
302 North Office Building  
Harrisburg, Pennsylvania 17120-0029  
Certified Mail # P 071 892 498

November 4, 1993

Dear Ms. Mitchell,

This letter will serve as official notification to the Commonwealth of Pennsylvania that I will seek nomination and election to the United States Senate in the election to be held in November, 1994.

I am a registered elector with no party affiliation. I will seek nomination and election as an independent.

I require official nomination forms to be placed in each polling place in the State during the 1994 primary election, pursuant to 25 P.S. § 2642 (b) and (c) and 25 P.S. § 2753.

I require sufficient Nomination Paper forms (approximately 57,000) to be provided to me to obtain these nomination signatures. These forms must be provided to me immediately due to the extensive task of imprinting these forms with information unique to my candidacy. If the State will not pre-print this information, I require the State to pre-pay the cost of printing services at a printers of my choice. I am estimating the need for 6 Nomination Papers at each of the 9500 polling places throughout the State.

I think it would be wise to consider a modified form that need not be pre-printed, and can readily be amended to a pre-printed form, to accommodate the possibility of each voter in a precinct desiring to sign a Nomination Paper. It seems wasteful to prepare forms that may not be needed, but the statutes require the election authority to be prepared to record every lawful vote or nomination signature.

I will require sufficient resources to post the forms, and may have to hire several persons to handle the logistics of this procedure. All expenses are the responsibility of the State, if the State or county election authority refuse to provide these services.

If the Commonwealth cannot or will not provide these forms, and the associated printing and services, I require you to immediately notify me of that fact, and to provide a detailed explanation of why the forms and services will not be provided. Failure to respond to this instruction will be considered as a breach of office and a refusal to carry out the instruction. I will take appropriate legal action against the Commonwealth to force compliance with Pennsylvania statutes in this regard.

I require you to provide a certified vote tally for the November, 1992 United States Senate Election, showing votes in my name from each county. I have documents indicating that I received 37 or 38 write-in votes in Allegheny County, but the County refuses to provide a certified vote tally including my write-in votes, nor a separate certified vote tally concerning only my

24043564374

votes for this election.

I requested each county in Pennsylvania, and the Commonwealth, to provide nomination materials and voter registration materials during the 1992 United States Senate election. Response of the counties varied greatly from no response at all, to refusal to comply, to compliance with some of the provisions of Pennsylvania statutes, including placement of my Nomination Papers in some polling places during the primary. The refusal of the Commonwealth to supervise and direct the various county election boards in this regard resulted in chaos. I will not tolerate this type of malfeasance and negligence on the part of the Commonwealth, nor the counties, during the coming election cycle.

I require an explanation of what mechanism Mr. Wofford has employed to inform the State that he will abandon the United States Senate seat he was elected to in 1991. The Constitution of the United States specifically states that Senators are elected for six years, but it appears that Mr. Wofford will only serve for three.

The Pennsylvania Association of Broadcasters committed numerous violations of the Federal Election Campaign Act in connection with the 1991 and 1992 United States Senate elections of Mr. Wofford and Mr. Spector, which amount to election fraud. The Federal Election Commission also appears to have been involved in a delay and subsequent refusal to take statutorily required enforcement and corrective action<sup>1</sup>. I will soon bring civil action in Federal Court to correct the violations of law, and will seek to have the results of these two elections voided thru litigation already in progress, under Article IV, §4 of the Constitution. I require the State to take appropriate action under State law to correct the violations found by the Federal Election Commission.

I require the Commonwealth to immediately provide complete instructions, and a copy of the current Title 25 of Pa. statutes concerning elections, stating any and all reporting or registration requirements required of me to be a candidate. Failure to provide this information, or respond to inquiries concerning statutory requirements, will be construed as the State having waived those requirements, if any should later be discovered. As you do not have the authority to modify the statutes, you will be held personally accountable for negligence, malfeasance and civil damages, as appropriate.

The Federal Election Commission, which establishes numerous reporting requirements for candidates in Federal elections, has been found to be unconstitutional<sup>2</sup>, and as a consequence has no

See MUR 3714 and MUR 3612, Federal Election Commission.

2. "We believe that the Commission lacks authority to bring this enforcement action because its composition violates the Constitutions separation of powers. Congress exceeded its legislative authority when it placed its agents, the Secretary of the Senate and the Clerk of the House of Representatives, on the  
continued...

94043564375

power to impose or enforce these requirements. I require the Commonwealth to provide a legal opinion concerning to what degree the State will wish to require compliance with Federal regulations in this circumstance, including citations to appropriate statutes.

I have reviewed your letter to me when I complained about Mr. Boehm and yourself, and you assured me that there would be a substantive response. I'm still waiting for an explanation of your behavior and his.

Sincerely,

William D. White  
16 East Manilla Avenue  
Pittsburgh, Pa. 15220  
412-922-3834

9 4 0 4 3 5 6 4 3 7 6

2. (...continued)  
independent Commission as non-voting ex officio members."  
Federal Election Commission v. NRA Political Victory Fund, et  
al., C.A.D.C No. 91-5360 (1993), @ p.2.

I swear that the foregoing letter is a true and accurate copy of the letter sent to the Commonwealth of Pennsylvania, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

*William D. White*

William D. White  
January 3, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

*January 3rd 1994*  
*Mary Lou Finello*

Notarial Seal  
Mary Lou Finello, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires May 19, 1997  
Member, Pennsylvania Association of Notaries

94043564377



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

JANUARY 13, 1994

William D. White  
16 E. Manilla Ave.  
Pittsburgh, PA 15220

Dear Mr. White:

This acknowledges receipt of your letter dated January 1, 1994. 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. Although your letter was notarized, there is no indication that it was sworn to and signed in the presence of the notary.

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. If you have any questions concerning this matter, please contact Maura Callaway at (202) 219-3690.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in black ink, appearing to read "Lerner", written over a horizontal line.

BY: Lois G. Lerner  
Associate General Counsel

cc: Commonwealth of Pennsylvania

94043564378

JAN 28 2 18 PM '94

FEDERAL ELECTION COMMISSION

William D. White, et al.  
-vs- complainants,

MUR 3920

Commonwealth of Pennsylvania,  
Secretary of the Commonwealth,  
Commissioner of Elections,  
Boards of Commissioners for  
the Pa. counties of;  
Adams, Allegheny, Armstrong,  
Beaver, Bedford, Berks,  
Blair, Bradford, Bucks,  
Butler, Cambria, Cameron,  
Carbon, Centre, Chester,  
Clarion, Clearfield, Clinton,  
Columbia, Crawford,  
Cumberland, Dauphin,  
Delaware, Elk, Erie, Fayette,  
Forest, Franklin, Fulton,  
Greene, Huntingdon, Indiana,  
Jefferson, Juniata,  
Lackawanna, Lancaster,  
Lawrence, Lebanon, Lehigh,  
Luzerne, Lycoming, McKean,  
Mercer, Mifflin, Monroe,  
Montgomery, Montour,  
Northampton, Northumberland,  
Perry, Philadelphia, Pike,  
Potter, Schuylkill, Snyder,  
Somerset, Sullivan,  
Susquehanna, Tioga, Union,  
Venango, Warren, Washington,  
Wayne, Westmorland, Wyoming  
and York,  
respondents.

RECEIVED  
FEDERAL ELECTION COMMISSION  
JAN 28 PM 4:39

94043564379

COMPLAINT

The Commonwealth of Pennsylvania has held in the past, and is planning to hold in 1994, a closed, primary election for Federal office, including United States Senator. This is a violation of 2 USCS §441a(a)(1)(A).

§431(8)(A)(i) defines a contribution as "anything of value made by any person for the purpose of influencing any election for Federal office". Further, (ii) states that a contribution is "the payment by any person of compensation for the personal services of another person which are rendered to a political committee without charge for any purpose."

The Commonwealth of Pennsylvania, Bureau of Elections, and its local agents, the County Boards of Election consisting of the Board of County Commissioners in each of 67 counties in Pennsylvania, is a "person" within the meaning of §431(11). "The term "person" includes...any other organization or group of persons". The definition is all encompassing of any living or legal entity. In this circumstance, the State should be regarded as a "connected organization", if not as a person.

This "person" or "connected organization" provides, without cost to those candidates that qualify to request it, all personnel and facilities, including payments for personal services, necessary for the conduct of a primary election that influences an election for Federal office. The influence is directed to only party candidates and specifically excludes independent or non-

party affiliated candidates by selecting only party candidates to appear on the ballot of the November general election.

The value of this contribution is enormous and greatly exceeds all contribution limitations imposed under FECA. There are approximately 9500 polling locations throughout the state. Many are schools and other public facilities, although many are private facilities that are rented for use. Included at each polling location is a Judge of Election and various subsidiary officers, some or all of which are paid for their services. Also included are the recordkeeping and logistical supplies and support system to conduct the primary election. These are not independent expenditures, as party candidates must request and qualify for inclusion on the primary ballot.

This may also be a violation of §441f by making this contribution in the name of the people of the Commonwealth of Pennsylvania, and against the express wishes (as demonstrated by the affiliation registration information) of electors that do not adhere to the parties or candidates that are allowed to participate in the primary election.

Likewise, the State cannot claim that this is an activity similar to political activities directed to the members of a membership organization, as some members (independents qualifying to vote in the November election) are excluded from participation in the primary elections.

§453 expressly provides that the Federal Election Campaign Act supercedes State law in regards to the conduct of Federal elections. It seems clear that Federal law prohibits massive contributions by anyone, even a State, to only a few selected candidates. Any exemption that might apply, such as a get out the vote type of exemption, cannot be applied to only certain political parties or less than all the candidates.

In essence, under color of State law, the Commonwealth of Pennsylvania makes excessive and prohibited contributions to political parties and their candidates to conduct the internal selections of candidates by primarily the Republican and Democrat parties.

William D. White brings this complaint as a representative of the class that includes registered electors in the Commonwealth of Pennsylvania, and those electors that are not members of any political party that are subjected to this violation of the FECA.

The following is a listing of the counties and county seats in Pennsylvania. The Board of County Commissioners is, by State law, also the Board of Elections for each county. Each County Board of Elections should be considered a respondent to this complaint.

County Name  
County Seat, State Zip Code

Adams County  
Gettysburg, Pa. 17325

Armstrong County  
Kittanning, Pa. 16201

Bedford County  
Bedford, Pa. 15522

Blair County  
Hollidaysburg, Pa. 16648

Bucks County  
Doylestown, Pa. 18901

9  
4  
0  
4  
3  
5  
6  
4  
3  
8  
0

Cambria County  
 Ebensburg, Pa. 15931  
 Carbon County  
 Jim Thorpe, Pa. 18229  
 Chester County  
 West Chester, Pa. 19380  
 Clearfield County  
 Clearfield, Pa. 16830  
 Columbia County  
 Bloomsburg, Pa. 17815  
 Cumberland County  
 Carlisle, Pa. 17013  
 Delaware County  
 Media, Pa. 19063  
 Erie County  
 Erie, Pa. 16501  
 Forest County  
 Tionesta, Pa. 16353  
 Fulton County  
 McConnellsburg, Pa. 00000  
 Huntington County  
 Huntingdon, Pa. 16652  
 Jefferson County  
 Brookville, Pa. 15825  
 Lackawanna County  
 Scranton, Pa. 18503  
 Lawrence County  
 New Castle, Pa. 16101  
 Lehigh County  
 Allentown, Pa. 18105  
 Lycoming County  
 Williamsport, Pa. 17701  
 Mercer County  
 Mercer, Pa. 16137  
 Monroe County  
 Stroudsburg, Pa. 18360  
 Montour County  
 Danville, Pa.  
 Northumberland County  
 Sunbury, Pa. 17801  
 Philadelphia County  
 Philadelphia, Pa. 19107  
 Potter County  
 Coudersport, Pa. 16915

94043564381

Snyder County  
Middleburg, Pa. 17842

Sullivan County  
Laporte, Pa.

Tioga County  
Wellsboro, Pa. 16901

Venango County  
Franklin, Pa. 16323

Washington County  
Washington, Pa. 15301

Westmorland County  
Greensburg, Pa. 15601

York County  
York, Pa. 17401

A letter was sent to each County in March of 1992, requesting that White's official Nomination Paper be placed in each of the polling places on primary election day. The State refused to provide these forms, and the State has refused to respond to White's latest request for forms. Approximately half of the Counties failed to respond in any way, most responding counties refused to comply, and only Greene County agreed to the placement, although requiring White to provide the forms, a violation of State law that requires the Board of Elections to provide all materials necessary to conduct the election.

White will provide a copy of the various responses of the Counties and State to the Commission, but the Commission must pay the cost of reproduction and postage, as White does not have the resources to do so.

Pursuant to the enforcement provisions of 2 USC, the Commission must notify each respondent within 5 days of receipt of this complaint. Also, the Commission must determine, by affirmative vote of 4 of its members 15 days after notification, whether or not there is reason to believe the complaint. White's previous experience with the Commission indicates that the Commission is negligent in adhering to the requirements of law in this regard. The Commission is hereby put on notice that White will seek judicial review of the Commission's actions, or failure to act, if these time requirements are not met. It is extremely important to the conduct of a free and fair election that this complaint be dealt with promptly. The Commission is reminded that FECA provides for assistance from other government agencies to enforce FECA [2 USCS §437c(f)(3)].

White also contends that, as the principal complainant, he is not to be considered as the "public", and the Commission may not withhold information from White concerning this complaint under the confidentiality statute. The Commission is instructed to promptly inform White of its activities and the status of this complaint. White agrees to the provisions of the confidentiality statute, and will not publicly reveal information while this matter is under investigation.

94043564382

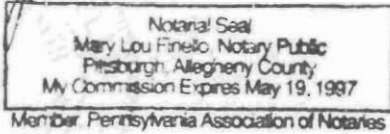
I swear that the foregoing complaint is true and correct to the best of my knowledge, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

*William D. White*

William D. White  
January 1, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 24th day of January, 1994.

*Mary Lou Finello*



94043564383

Brenda K. Mitchell  
Secretary of the Commonwealth  
302 North Office Building  
Harrisburg, Pennsylvania 17120-0029  
Certified Mail # P 071 892 498

November 4, 1993

Dear Ms. Mitchell

This letter will serve as official notification to the Commonwealth of Pennsylvania that I will seek nomination and election to the United States Senate in the election to be held in November, 1994.

I am a registered elector with no party affiliation. I will seek nomination and election as an independent.

I require official nomination forms to be placed in each polling place in the State during the 1994 primary election, pursuant to 25 P.S. § 2642 (b) and (c) and 25 P.S. § 2753.

I require sufficient Nomination Paper forms (approximately 57,000) to be provided to me to obtain these nomination signatures. These forms must be provided to me immediately due to the extensive task of imprinting these forms with information unique to my candidacy. If the State will not pre-print this information, I require the State to pre-pay the cost of printing services at a printers of my choice. I am estimating the need for 6 Nomination Papers at each of the 9500 polling places throughout the State.

I think it would be wise to consider a modified form that need not be pre-printed, and can readily be amended to a pre-printed form, to accommodate the possibility of each voter in a precinct desiring to sign a Nomination Paper. It seems wasteful to prepare forms that may not be needed, but the statutes require the election authority to be prepared to record every lawful vote or nomination signature.

I will require sufficient resources to post the forms, and may have to hire several persons to handle the logistics of this procedure. All expenses are the responsibility of the State, if the State or county election authority refuse to provide these services.

If the Commonwealth cannot or will not provide these forms, and the associated printing and services, I require you to immediately notify me of that fact, and to provide a detailed explanation of why the forms and services will not be provided. Failure to respond to this instruction will be considered as a breach of office and a refusal to carry out the instruction. I will take appropriate legal action against the Commonwealth to force compliance with Pennsylvania statutes in this regard.

I require you to provide a certified vote tally for the November, 1992 United States Senate Election, showing votes in my name from each county. I have documents indicating that I received 37 or 38 write-in votes in Allegheny County, but the County refuses to provide a certified vote tally including my write-in votes, nor a separate certified vote tally concerning only my

94043564384

votes for this election.

I requested each county in Pennsylvania, and the Commonwealth, to provide nomination materials and voter registration materials during the 1992 United States Senate election. Response of the counties varied greatly from no response at all, to refusal to comply, to compliance with some of the provisions of Pennsylvania statutes, including placement of my Nomination Papers in some polling places during the primary. The refusal of the Commonwealth to supervise and direct the various county election boards in this regard resulted in chaos. I will not tolerate this type of malfeasance and negligence on the part of the Commonwealth, nor the counties, during the coming election cycle.

I require an explanation of what mechanism Mr. Wofford has employed to inform the State that he will abandon the United States Senate seat he was elected to in 1991. The Constitution of the United States specifically states that Senators are elected for six years, but it appears that Mr. Wofford will only serve for three.

The Pennsylvania Association of Broadcasters committed numerous violations of the Federal Election Campaign Act in connection with the 1991 and 1992 United States Senate elections of Mr. Wofford and Mr. Spector, which amount to election fraud. The Federal Election Commission also appears to have been involved in a delay and subsequent refusal to take statutorily required enforcement and corrective action<sup>1</sup>. I will soon bring civil action in Federal Court to correct the violations of law, and will seek to have the results of these two elections voided thru litigation already in progress, under Article IV, §4 of the Constitution. I require the State to take appropriate action under State law to correct the violations found by the Federal Election Commission.

I require the Commonwealth to immediately provide complete instructions, and a copy of the current Title 25 of Pa. statutes concerning elections, stating any and all reporting or registration requirements required of me to be a candidate. Failure to provide this information, or respond to inquiries concerning statutory requirements, will be construed as the State having waived those requirements, if any should later be discovered. As you do not have the authority to modify the statutes, you will be held personally accountable for negligence, malfeasance and civil damages, as appropriate.

The Federal Election Commission, which establishes numerous reporting requirements for candidates in Federal elections, has been found to be unconstitutional<sup>2</sup>, and as a consequence has no

See MUR 3714 and MUR 3612, Federal Election Commission.

2. "We believe that the Commission lacks authority to bring this enforcement action because its composition violates the Constitutions separation of powers. Congress exceeded its legislative authority when it placed its agents, the Secretary of the Senate and the Clerk of the House of Representatives, on the  
continued...)

94043364385

power to impose or enforce these requirements. I require the Commonwealth to provide a legal opinion concerning to what degree the State will wish to require compliance with Federal regulations in this circumstance, including citations to appropriate statutes.

I have reviewed your letter to me when I complained about Mr. Boehm and yourself, and you assured me that there would be a substantive response. I'm still waiting for an explanation of your behavior and his.

Sincerely,

William D. White  
16 East Manilla Avenue  
Pittsburgh, Pa. 15220  
412-922-3834

94043564386

LTR92072

2. (...continued)  
independent Commission as non-voting ex officio members."  
Federal Election Commission v. NRA Political Victory Fund, et  
al., C.A.D.C No. 91-5360 (1993), @ p.2.

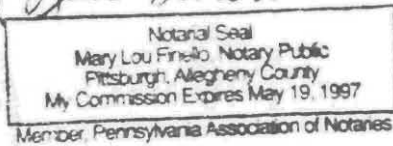
I swear that the foregoing letter is a true and accurate copy of the letter sent to the Commonwealth of Pennsylvania, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

*William D. White*

William D. White  
January 3, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 24th day of January, 1994.

*Mary Lou Finello*



24043564387



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20541

February 4, 1994

William D. White  
16 East Manilla Ave.  
Pittsburgh, PA 15220

RE: MUR 3920

Dear Mr. White:

This letter acknowledges receipt on January 28, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 3920. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Takkar*

Mary L. Takkar, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

24043564388



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Elk County Board of Commissioners  
P.O. Box 448  
Ridway, PA 15853

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Elk County Board of Commissioners 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 3920. 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 Elk County Board of Commissioners 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.

24043564389

Elk County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564390



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Delaware County Council  
Grover Center Building  
Media, PA 19063

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Delaware County Council 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 3920. 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 Delaware County Council 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.

94043564391

Delaware County Council  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564392



FEDERAL ELECTION COMMISSION

WASHINGTON

February 4, 1994

Dauphin County Board of Commissioners  
Dauphin County Court House  
P.O. Box 1295  
Harrisburg, PA 17108

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Dauphin County Board of Commissioners 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 3920. 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 Dauphin County Board of Commissioners 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.

24043564393

Dauphin County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564394



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

February 4, 1994

Cumberland County Board of Commissioners  
1 Court House Square  
Carlisle, PA 17013

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Cumberland County Board of Commissioners 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 3920. 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 Cumberland County Board of Commissioners 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.

24043564395

Cumberland County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564396



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Crawford County Board of Commissioners  
903 Diamond Park  
Meadville, PA 16335

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Crawford County Board of Commissioners 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 3920. 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 Crawford County Board of Commissioners 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.

24043564397

Crawford County Board of Commissioners

Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564398



FEDERAL ELECTION COMMISSION

February 4, 1994

Columbia County Board of Commissioners  
P.O. Box 380  
Bloomsburg, PA 17815

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Columbia County Board of Commissioners 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 3920. 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 Columbia County Board of Commissioners 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.

94043564399

Columbia County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564400



FEDERAL ELECTION COMMISSION

February 4, 1994

Clinton County Board of Commissioners  
P.O. Box 928  
Lock Haven, PA 17745

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Clinton County Board of Commissioners 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 3920. 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 Clinton County Board of Commissioners 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.

94043564401

Clinton County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564402



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Lancaster County Board of Commissioners  
50 North Duke Street  
Lancaster, PA 17603

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Lancaster County Board of Commissioners 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 3920. 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 Lancaster County Board of Commissioners 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.

94043564403

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564404



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20542

February 4, 1994

Lackawanna County Board of Commissioners  
Lackawanna County Administration Building  
200 Adams Avenue  
Scranton, PA 18503

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Lackawanna County Board of Commissioners 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 3920. 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 Lackawanna County Board of Commissioners 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.

94043564405

Lackawanna County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564406



FEDERAL ELECTION COMMISSION

February 4, 1994

Juniata County Board of Commissioners  
P.O. Box 68  
Mifflintown, PA 17059

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Juniata County Board of Commissioners 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 3920. 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 Juniata County Board of Commissioners 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.

94043564407

Juniata County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564408



FEDERAL ELECTION COMMISSION

Washington, D.C. 20543

February 4, 1994

Huntingdon County Board of Commissioners  
Court House  
223 Penn Street  
Huntingdon, PA 16652

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Huntingdon County Board of Commissioners 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 3920. 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 Huntingdon County Board of Commissioners 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.

94043564409

Huntingdon County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564410



FEDERAL ELECTION COMMISSION

February 4, 1994

Greene County Board of Commissioners  
93 High Street  
Waynesburg, PA 15370

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Greene County Board of Commissioners 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 3920. 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 Greene County Board of Commissioners 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.

74043564411

Greene County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnergy at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564412



FEDERAL ELECTION COMMISSION

February 4, 1994

Fulton County Board of Commissioners  
201 North Second Street  
McConnellsburg, PA 17233

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Fulton County Board of Commissioners 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 3920. 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 Fulton County Board of Commissioners 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.

24043564413

Fulton County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564414



FEDERAL ELECTION COMMISSION

February 4, 1994

Franklin County Board of Commissioners  
157 Lincoln Way East  
Chambersburg, PA 17201

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Franklin County Board of Commissioners 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 3920. 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 Franklin County Board of Commissioners 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.

94043564415

Franklin County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564416



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

February 4, 1994

Forest County Board of Commissioners  
P.O. Box 126  
Tionesta, PA 16353

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Forest County Board of Commissioners 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 3920. 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 Forest County Board of Commissioners 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.

24043564417

Forest County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnergy at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564418



FEDERAL ELECTION COMMISSION

February 4, 1994

Fayette County Board of Commissioners  
61 East Main Street  
Uniontown, PA 15401

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Fayette County Board of Commissioners 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 3920. 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 Fayette County Board of Commissioners 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.

94043564419

Fayette County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564420



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Erie County Council  
140 West 6th Street  
Erie, PA 16501

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Erie County Council 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 3920. 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 Erie County Council 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.

94043564421

Erie County Council  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564422



FEDERAL ELECTION COMMISSION

February 4, 1994

Northumberland County Board of Commissioners  
201 Market Street  
Sunbury, PA 17801

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Northumberland County Board of Commissioners 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 3920. 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 Northumberland County Board of Commissioners 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.

94043564423

Northumberland County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564424



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20542

February 4, 1994

Northhampton County Council  
669 Washington Street  
Easton, PA 18042

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Northhampton County Council 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 3920. 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 Northhampton County Council 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.

94043564425

Northhampton County Council  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564426



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Montour County Board of Commissioners  
29 Mill Street  
Danville, PA 17821

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Montour County Board of Commissioners 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 3920. 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 Montour County Board of Commissioners 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.

94043564427

Montour County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564428



FEDERAL ELECTION COMMISSION

Washington, D.C. 20541

February 4, 1994

Montgomery County Board of Commissioners  
Court House  
Norristown, PA 19404

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Montgomery County Board of Commissioners 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 3920. 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 Montgomery County Board of Commissioners 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.

24043564429

Montgomery County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564430



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Monroe County Board of Commissioners  
Court House Square  
Stroudsburg, PA 18360

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Monroe County Board of Commissioners 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 3920. 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 Monroe County Board of Commissioners 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.

24043564431

Monroe County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564432



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20542

February 4, 1994

Mifflin County Board of Commissioners  
20 North Wayne Street  
Lewistown, PA 17004

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Mifflin County Board of Commissioners 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 3920. 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 Mifflin County Board of Commissioners 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.

94043564433

Mifflin County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564434



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Mercer County Board of Commissioners  
103 Court House  
Mercer, PA 16137

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Mercer County Board of Commissioners 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 3920. 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 Mercer County Board of Commissioners 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.

24043564435

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564436



FEDERAL ELECTION COMMISSION

February 4, 1994

McKean County Board of Commissioners  
McKean County Court House  
500 West Main Street  
Smethport, PA 16749

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the McKean County Board of Commissioners 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 3920. 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 McKean County Board of Commissioners 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.

94043564437

McKean County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564438



FEDERAL ELECTION COMMISSION

1115 G ST., N.W. WASHINGTON, D.C. 20543

February 4, 1994

Lycoming County Board of Commissioners  
48 West Third Street  
Williamsport, PA 17701

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Lycoming County Board of Commissioners 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 3920. 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 Lycoming County Board of Commissioners 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.

24043564439

Lycoming County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564440



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

February 4, 1994

Luzerne County Board of Commissioners  
200 North River Street  
Wilkes-Barre, PA 18711

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Luzerne County Board of Commissioners 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 3920. 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 Luzerne County Board of Commissioners 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.

24043564441

Luzerne County Board of Commissioners  
Pagd 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564442



FEDERAL ELECTION COMMISSION

February 4, 1994

Lehigh County Board of Commissioners  
P.O. Box 1548  
Allentown, PA 18105

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Lehigh County Board of Commissioners 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 3920. 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 Lehigh County Board of Commissioners 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.

74043564443

Lehigh County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564444



FEDERAL ELECTION COMMISSION

February 4, 1994

Lebanon County Board of Commissioners  
400 South 8th Street, Room 207  
Lebanon, PA 17042

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Lebanon County Board of Commissioners 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 3920. 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 Lebanon County Board of Commissioners 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.

9404356445

Lebanon County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564446



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

February 4, 1994

Lawrence County Board of Commissioners  
430 Court Street  
New Castle, PA 16101-3593

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Lawrence County Board of Commissioners 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 3920. 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.

94043564447

Lawrence County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564448



FEDERAL ELECTION COMMISSION

February 4, 1994

Tioga County Board of Commissioners  
118 Main Street  
P.O. Box 589  
Wellsboro, PA 16901

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Tioga County Board of Commissioners 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 3920. 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 Tioga County Board of Commissioners 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.

94043564449

Tioga County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564450



FEDERAL ELECTION COMMISSION

February 4, 1994

Susquehanna County Board of Commissioners  
Court House  
P.O. Box 218  
Montrose, PA 18801

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Susquehanna County Board of Commissioners 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 3920. 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 Susquehanna County Board of Commissioners 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.

24043564451

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564452



FEDERAL ELECTION COMMISSION

February 4, 1994

Sullivan County Board of Commissioners  
Sullivan County Court House  
Laporte, PA 18626

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Sullivan County Board of Commissioners 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 3920. 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 Sullivan County Board of Commissioners 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.

94043564453

Sullivan County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564454



FEDERAL ELECTION COMMISSION

Washington, D.C. 20543

February 4, 1994

Somerset County Board of Commissioners  
P.O. Box 30  
Court House  
Somerset, PA 15501

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Somerset County Board of Commissioners 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 3920. 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 Somerset County Board of Commissioners 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.

24043564455

Somerset County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564456



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Snyder County Board of Commissioners  
P.O. Box 127  
Middleburg, PA

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Snyder County Board of Commissioners 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 3920. 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 Snyder County Board of Commissioners 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.

94043564457

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564458



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Schuylkill County Board of Commissioners  
401 North Second Street  
Pottsville, PA 17901

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Schuylkill County Board of Commissioners 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 3920. 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 Schuylkill County Board of Commissioners 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.

24043564459

Schuykill County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564460



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Potter County Board of Commissioners  
Potter County Court House  
1 East Second Street, Room 22  
Coudersport, PA 16915

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Potter County Board of Commissioners 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 3920. 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 Potter County Board of Commissioners 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.

24043564461

Potter County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564462



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

February 4, 1994

Pike County Board of Commissioners  
506 Broad Street  
Milford, PA 18337

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Pike County Board of Commissioners 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 3920. 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 Pike County Board of Commissioners 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.

94043564463

Pike County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564464



FEDERAL ELECTION COMMISSION

February 4, 1994

Philadelphia Board of Commissioners  
c/o City Hall, Room 138  
Philadelphia, PA 19107

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Philadelphia Board of Commissioners 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 3920. 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 Philadelphia Board of Commissioners 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.

24043564465

Philadelphia Board of Commissioners

Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564466



FEDERAL ELECTION COMMISSION

February 4, 1994

Perry County Board of Commissioners  
P.O. Box 37  
New Bloomfield, PA 17068

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Perry County Board of Commissioners 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 3920. 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 Perry County Board of Commissioners 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.

24043564467

Perry County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564468



FEDERAL ELECTION COMMISSION

Washington, D.C. 20546

February 4, 1994

Ernest D. Preate, Jr.  
Attorney General  
Commonwealth of Pennsylvania  
Strawberry Square, 16th Floor  
Harrisburg, PA 17120

RE: MUR 3920

Dear Mr. Preate:

The Federal Election Commission received a complaint which indicates that the Commonwealth of Pennsylvania 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 3920. 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 Commonwealth of Pennsylvania 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.

24043564469

Ernest D. Preate, Jr.  
Attorney General  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564470



FEDERAL ELECTION COMMISSION

February 4, 1994

York County Board of Commissioners  
One West Marketway  
York, PA 17401

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the York County Board of Commissioners 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 3920. 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 York County Board of Commissioners 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.

94043564471

York County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564472



FEDERAL ELECTION COMMISSION

February 4, 1994

Wyoming County Board of Commissioners  
One Court House Square  
Tunkhannock, PA 18657

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Wyoming County Board of Commissioners 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 3920. 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 Wyoming County Board of Commissioners 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.

24043564473

Wyoming County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564474



FEDERAL ELECTION COMMISSION

February 4, 1994

Westmoreland County Board of Commissioners  
101 Court House Square  
Greensburg, PA 15601

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Westmoreland County Board of Commissioners 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 3920. 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 Westmoreland County Board of Commissioners 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.

94043564475

Westmoreland County Board of Commissioners

Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564476



FEDERAL ELECTION COMMISSION

February 4, 1994

Wayne County Board of Commissioners  
925 Court Street  
Honesdale, Pa 18431

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Wayne County Board of Commissioners 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 3920. 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 Wayne County Board of Commissioners 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.

94043564477

Wayne County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564478



FEDERAL ELECTION COMMISSION

February 4, 1994

Washington County Board of Commissioners  
Court House Square  
100 West Beau Street  
Washington, PA 15301

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Washington County Board of Commissioners 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 3920. 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 Washington County Board of Commissioners 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.

24043564479

Washington County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564480



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Warren County Board of Commissioners  
204 Fourth Avenue  
Warren, PA 16365

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Warren County Board of Commissioners 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 3920. 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 Warren County Board of Commissioners 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.

24043564401

Warren County Board of Commissioners

Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564482



FEDERAL ELECTION COMMISSION

ADMINISTRATIVE

February 4, 1994

Venango County Board of Commissioners  
1283 Liberty Street  
Franklin, PA 16323

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Venango County Board of Commissioners 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 3920. 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 Venango County Board of Commissioners 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.

94043564403

Venango County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564484



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Union County Board of Commissioners  
103 South Second Street  
Lewisburg, PA 17837

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Union County Board of Commissioners 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 3920. 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 Union County Board of Commissioners 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.

94043564465

Union County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043664486



FEDERAL ELECTION COMMISSION

ASSISTANT ATTORNEY GENERAL

February 4, 1994

Jefferson County Board of Commissioners  
Court House  
200 Main Street  
Brookville, PA 15825

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Jefferson County Board of Commissioners 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 3920. 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 Jefferson County Board of Commissioners 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.

74043564487

Jefferson County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564488



FEDERAL ELECTION COMMISSION

February 4, 1994

Indiana County Board of Commissioners  
824 Philadelphia Street  
Indiana, PA 15701

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Indiana County Board of Commissioners 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 3920. 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 Indiana County Board of Commissioners 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.

94043564489

Indiana County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564490



FEDERAL ELECTION COMMISSION

WASHINGTON, D. C. 20541

February 4, 1994

Clearfield County Board of Commissioners  
1 North Second Street  
Clearfield, PA 16830

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Clearfield County Board of Commissioners 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 3920. 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 Clearfield County Board of Commissioners 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.

94043564491

Clearfield County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564492



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Clarion County Board of Commissioners  
Court House  
Main Street  
Clarion, PA 16214

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Clarion County Board of Commissioners 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 3920. 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 Clarion County Board of Commissioners 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.

94043564493

Clarion County Board of Commissioners

Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564494



FEDERAL ELECTION COMMISSION

February 4, 1994

Chester County Board of Commissioners  
Chester County Court House  
2 North High Street, Suite 512  
West Chester, PA 19380-3066

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Chester County Board of Commissioners 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 3920. 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 Chester County Board of Commissioners 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.

94043564495

Chester County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

94043564496



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Centre County Board of Commissioners  
420 Holmes Street  
Bellefonte, PA 16823-4188

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Centre County Board of Commissioners 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 3920. 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 Centre County Board of Commissioners 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.

94043564497

Centre County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564498



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

February 4, 1994

Carbon County Board of Commissioners  
P.O. Box 129  
Jim Thorpe, PA 18229

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Carbon County Board of Commissioners 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 3920. 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 Carbon County Board of Commissioners 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.

94043564499

Carbon County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564500



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Cameron County Board of Commissioners  
Cameron County Court House  
East Fifth Street  
Emporium, PA 15834

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Cameron County Board of Commissioners 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 3920. 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 Cameron County Board of Commissioners 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.

94043564501

Cameron County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

94043564502



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Cambria County Board of Commissioners  
Cambria County Court House  
South Center Street  
Ebensburg, PA 15931

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Cambria County Board of Commissioners 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 3920. 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 Cambria County Board of Commissioners 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.

24043564503

Cambria County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564504



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Butler County Board of Commissioners  
P.O. Box 1208  
Butler, PA 16003

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Butler County Board of Commissioners 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 3920. 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 Butler County Board of Commissioners 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.

94043564505

Butler County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564506



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

February 4, 1994

Bucks County Board of Commissioners  
Bucks County Court House  
Main and Court Street  
Doylestown, PA 18901

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Bucks County Board of Commissioners 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 3920. 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 Bucks County Board of Commissioners 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.

24043564507

Bucks County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564508



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

February 4, 1994

Bradford County Board of Commissioners  
301 Main Street  
Towanda, PA 18848

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Bradford County Board of Commissioners 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 3920. 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 Bradford County Board of Commissioners 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.

94043564509

Bradford County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564510



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

February 4, 1994

Blair County Board of Commissioners  
423 Allegheny Street  
Hollidaysburg, PA 16648

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Blair County Board of Commissioners 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 3920. 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 Blair County Board of Commissioners 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.

24043564511

Blair County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564512



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Berks County Board of Commissioners  
633 Court Street  
Reading, PA 19601

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Berks County Board of Commissioners 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 3920. 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 Berks County Board of Commissioners 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.

24043564513

Berks County Board of Commissioners

Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564514



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20543

February 4, 1994

Bedford County Board of Commissioners  
P.O. Box 166  
Bedford, PA 15522

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Bedford County Board of Commissioners 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 3920. 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 Bedford County Board of Commissioners 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.

94043564515

Bedford County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564516



FEDERAL ELECTION COMMISSION

February 4, 1994

Beaver County Board of Commissioners  
810 Third Street  
Beaver, PA 15009-2193

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Beaver County Board of Commissioners 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 3920. 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 Beaver County Board of Commissioners 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.

24043564517

Beaver County Board of Commissioners

Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564518



FEDERAL ELECTION COMMISSION

February 4, 1994

Armstrong County Board of Commissioners  
Armstrong County Court House  
450 East Market Street  
Kittanning, PA 16201

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Armstrong County Board of Commissioners 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 3920. 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 Armstrong County Board of Commissioners 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.

94043564519

Armstrong County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564520



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20547

February 4, 1994

Allegheny County Board of Commissioners  
119 Court House  
Pittsburgh, PA 15219

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Allegheny County Board of Commissioners 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 3920. 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 Allegheny County Board of Commissioners 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.

94043564521

Allegheny County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

24043564522



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20542

February 4, 1994

Adams County Board of Commissioners  
Baltimore Street  
Gettysburgh, PA 17325

RE: MUR 3920

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Adams County Board of Commissioners 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 3920. 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 Adams County Board of Commissioners 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.

94043564523

Adams County Board of Commissioners  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564524



FEDERAL ELECTION COMMISSION

February 4, 1994

William P. Boehm  
Commissioner of Elections  
Bureau of Commissions, Elections & Legislation  
305 North Office Building  
Harrisburgh, PA 17120

RE: MUR 3920

Dear Mr. Boehm:

The Federal Election Commission received a complaint which indicates 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 3920. 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.

24043564525

William P. Boehm  
Commissioner of Elections  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosures

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

24043564526



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

February 4, 1994

Brenda K. Mitchell  
Secretary of the Commonwealth  
302 North Office Building  
Harrisburg, PA 17120

RE: MUR 3920

Dear Ms. Mitchell:

The Federal Election Commission received a complaint which indicates that you, as the 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 3920. 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.

24043564527

Brenda K. Mitchell  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

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

2 4 0 4 3 5 6 4 5 2 8

STATEMENT OF DESIGNATION OF COUNSEL

PERMISSION  
COMMISSION  
MAIL ROOM

MUR 3920

FEB 14 11 15 AM '94

NAME OF COUNSEL: Robert W. McFate

ADDRESS: McFate Law Firm

229 Elm Street

Oil City, PA 16301

TELEPHONE: ( 814 ) 676-2736

RECEIVED  
FEB 14 PM 3:45

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.

2/11/94  
Date

Walter L. Schafer  
Signature

RESPONDENT'S NAME: Walter L. Schafer, Chairman  
Board of County Commissioners

ADDRESS: Venango County Courthouse Annex

1174 Elk Street

Franklin, PA 16323

TELEPHONE: HOME( 814 ) 437-7949

BUSINESS( 814 ) 432-9501

24043564529



FEDERAL ELECTION COMMISSION MAIL ROOM  
FEB 16 11 28 AM '94

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
HARRISBURG, PENNSYLVANIA  
17120

94 FEB 15 PM 2:10

OFFICE OF THE  
SECRETARY OF THE COMMONWEALTH  
717-787-7830

February 15, 1994

Joan McEnery  
Office of General Counsel  
Federal Election Commission  
Washington, DC 20463

Re: William D. White, et al. v. Commonwealth of Pennsylvania,  
et al.  
MUR 3920

Dear Ms. McEnery:

This is to confirm our conversation of February 10, 1994, wherein I requested a reasonable extension of time on behalf of defendant, Secretary of the Commonwealth, to reply to the above Complaint. Pursuant to your instructions, I am formally requesting, in writing, an extension.

A copy of the Complaint was received in our office on February 9, 1994. Additional time is needed inasmuch as the Complaint is being referred to the Office of Attorney General to represent the Commonwealth's interest in this action. Transmittal documents must be prepared, and an attorney designated to handle this case. We will also need time to coordinate a reply on behalf of the multiple defendants involved, as well as to pull together the necessary information to adequately and accurately respond.

Lastly, due to unprecedented winter weather conditions, the State offices have not been able to operate at full capacity, thus creating delays and backlog of normal work flow.

Thank you for your office's consideration of this request. It is my understanding that a ten (10) day extension may be granted, and such is respectfully requested. This request is not intended

94043564530

to prejudice any request for an extension which may be deemed necessary once the case is received and reviewed by designated counsel.

Sincerely,



Pamella J. Raison  
Chief Counsel

CC: Brenda K. Mitchell  
Secretary of the Commonwealth

Gregory E. Dunlap  
Executive Deputy General Counsel

John G. Knorr, III  
Chief Deputy Attorney General

William P. Boehm, Commissioner  
Bureau of Commissions, Elections and Legislation

94043564531

SNOWISS, STEINBERG, FAULKNER & RAE

ALVIN L. SNOWISS  
DONALD L. FAULKNER  
LEWIS G. STEINBERG  
DONNA L. RAE  
WESLEY J. RISH

ATTORNEYS AT LAW  
LOCK HAVEN, PENNSYLVANIA 17745  
THE HISTORIC CARSKADDON HOUSE  
333 N. VESPER STREET

TELEPHONE 748-2961  
FAX 748-8182  
AREA CODE 717  
OF COUNSEL  
MICHAEL K. HANNA

February 15, 1994

Mary L. Taksar, Esquire  
Federal Election Commission  
Office of General Counsel  
999 E. Street, N.W. Room 657  
Washington, DC 20463

Re: William D. White vs. Commonwealth of  
Pennsylvania, et al.  
MUR 3920

Dear Ms. Taksar:

I am writing on behalf of the Board of Commissioners of Clinton County in connection with the above referenced matter. I have enclosed herewith a Statement of Designation of Counsel acknowledging that I am the attorney for the Board of Commissioners.

It is our opinion that no further action should be taken against the Clinton County Board of Commissioners in this matter. Pursuant to Pennsylvania Law, there is a County Board of Elections and it consists of the County Commissioners. The powers and duties of the County Boards are specifically set forth in 25 Purdon's Section 2642. I have enclosed herewith a copy of the aforementioned Section. As you can see, the County Boards do not have any input with regard to federal elections.

Section 2621 sets forth the powers and duties of the Secretary of the Commonwealth of Pennsylvania which includes the responsibility of certifying "to County Boards of Elections for primaries and elections the names of the candidates for . . . United States Senators. . . ." Also enclosed is a copy of that Section.

It is, therefore, the position of the Board of Commissioners of Clinton County that all matters involving the subject Complaint need to be addressed by the Commonwealth of Pennsylvania and not the 67 counties.

Very truly yours,

*Lewis G. Steinberg*  
Lewis G. Steinberg

LGS:lac

cc: The Board of Commissioners  
William D. White  
Secretary of the Commonwealth

94 FEB 17 PM 3:36

FEB 17 8 53 AM '94

74043564532

RECEIVED  
FEB 17 1994  
MAIL ROOM

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: Lewis G. Steinberg

ADDRESS: Shawiss Steinber, Faulkner and Roe  
333 N. Vesper St.  
Lock Haven, PA 17745

TELEPHONE: (717) 748-2961

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.

2/15/94  
Date

Robert C. Elger  
Signature

RESPONDENT'S NAME: Board of Commissioners of  
County of Clinton

ADDRESS: Court house  
Jay & Water Streets  
Lock Haven, PA 17745

TELEPHONE: HOME( ) \_\_\_\_\_

BUSINESS( 717 ) 893-4000

94043564533

94 FEB 17 PM 3:30

Charter, the President Judge of the Court of Common Pleas shall appoint judges or electors of the county to serve in the stead of the county commissioners. Appointees who are not currently elected office holders shall receive compensation for such service as determined by the salary board plus mileage as specified by the county for expenses incurred when performing election board business.

As amended 1976, Dec. 2, P.L. 1221, No. 269, § 1, imd. effective; 1978, June 1, P.L. 456, No. 58, § 1, imd. effective; 1979, July 21, P.L. 189, No. 63, § 1, imd. effective; 1982, June 10, P.L. 458, No. 185, § 1, effective in 60 days.

### Notes of Decisions

#### 1. Construction and application

Since plaintiffs as residents and electors of councilmanic districts of city of Philadelphia were attacking use of state party lever which was required to be used pursuant to state election code, and since the ballot included elections for both statewide and local offices, the Philadelphia county board of elections and its chairman and commissioners were performing a state function when they placed a state party lever on voting machines and hence they were "state officers" within meaning of 28 U.S.C.A. § 2281 requiring a three-judge court. *De Felice v. Philadelphia Bd. of Ed.*, 306 F.Supp. 1345, D.C. 1969, affirmed 432 F.2d 1358.

Where two county commissioners, who by this section were specifically designated to serve as members of county board of elections were candidates for nomination in coming primary election, court of common pleas, though it had limited power under § 3153 of this title to appoint two members of court to serve as return board to compute and canvass returns of elections, exceeded its authority in designating three members of court to act as county board of elections. In re *Primary Election*, 1963, Delaware County, 191 A.2d 96, 411 Pa. 154, 1963.

#### § 2642. Powers and duties of county boards

The county boards of elections, within their respective counties, shall exercise, in the manner provided by this act, all powers granted to them by this act, and shall perform all the duties imposed upon them by this act, which shall include the following:

[See main volume for text of (a) to (j)]

(k) To receive from district election officers the returns of all primaries and elections, to canvass and compute the same, and to certify, no later than the third Monday following the primary or election, the results thereof to the Secretary of the Commonwealth, as may be provided by law, and to such other authorities as may be provided by law. The certification shall include the number of votes received in each election district by each candidate for the General Assembly.

As amended 1965, Dec. 15, P.L. 1109, § 1.

[See main volume for text of (l)]

(m) To prepare and submit, not less than twenty days prior to each primary, municipal and general election, a report to the Secretary of the Commonwealth in the form prescribed by him, which shall contain a statement of the total number of electors registered in each election district, together with a breakdown by party registration. Copies of said statement shall be furnished, upon request, to the county chairman of each political party and political body.

As amended 1965, Oct. 13, P.L. 578, § 1.

[See main volume for text of (n) and (o)]

### Cross References

Time of filing of nomination for election of candidates for government study commission for adoption of home rule charter, see 53 P.S. § 1-203.

### Notes of Decisions

#### Nonbinding referendum 6

*Gilbool v. Chairman and Com'rs, Philadelphia County Bd. of Elections*, 306 F.Supp. 1202, D.C. 1969.

#### 1. Governmental functions

Whether county board of elections and its chairman and commissioners be denominated as state or local officers, crucial issue for purpose of deciding whether a three-judge Federal district court should be convened is whether these officials are performing a local or state function in carrying out the actions which plaintiffs seek to enjoin.

#### 6. Nonbinding referendum

Election Code does not give election board discretion to place nonbinding referendum on ballot. *Hempfield School Dist. v. Election Bd. of Lancaster County*, 574 A.2d 1190, 133 Pa. Cmwlth 85, 1990, appeal denied 581 A.2d 575, 525 Pa. 650.

#### § 2644. Regulation; subpoenas; witnesses; fees

[See main volume for text of (a)]

(b) Any person filing any petition with a county board or opposing the same shall have the privilege of having subpoenas issued by the board to compel the attendance of witnesses, upon condition that all witnesses so subpoenaed shall be paid witness fees, in the manner herein provided.

As affected 1978, April 28, P.L. 202, No. 53, § 2(a)[1193], effective June 27, 1978.

[See main volume for text of (c) and (d)]

#### § 2645. Expenses of county boards and of primaries and elections to be paid by county; expenses of special elections; boards to be provided with offices

(a) The county commissioners or other appropriating authorities of the county shall appropriate annually, and from time to time, to the county board of elections of such county, the funds that shall be necessary for the maintenance and operation of the board and for the conduct of primaries and elections in such county, including the payment of the compensation of the employees of the board, custodians, election officers, and other assistants and employees herein provided for, and the fees of witnesses as herein provided; for the purchase or printing, under contracts made by the board, of all ballots and other primary and election supplies required by this act, or which the board shall consider necessary to carry out the provisions of this act; for the purchase, under contracts made by the board, and maintenance, of voting machines, when adopted as herein provided, and of all other primary and election equipment required by this act, or which the board shall consider necessary to carry out the provisions of this act; for the publication of notices authorized by this act, under contracts made by the board, and for all other necessary expenses hereunder. Provided, however, That bonds or other evidences of indebtedness, payable not later than thirty years from their dates of issuance, may be issued by the county commissioners or other appropriating authorities of the county in accordance with the provisions of law relating to the increase of indebtedness of such county, to meet all or any part of the cost of voting machines.

1. The county shall be liable for the expenses of holding special elections for any city, borough, township, school district or other municipality or incorporated district contained therein, which is held on the day of any general, municipal or primary election, and on any special question which is required by law to be, or which is, at the discretion of the county board, as hereinafter provided, printed on the regular ballot after the list of the candidates, or on the same voting machine as the list of candidates.

2. Any city, borough, township, school district or other municipality or incorporated district contained in any county, holding a special election, as authorized by law, on the question of increase of indebtedness or any other question to be voted on by the electors of such subdivision, which special election is held on the day of any general, municipal or primary election and which is required by law to be conducted or at the discretion of the county board, as hereinafter provided, is conducted by special ballots for such question, shall be liable to the county for the expenses necessarily incurred in the printing of such special ballots.

### § 2605. Effective date

Except as otherwise provided herein, this act shall be in force and take effect from and after its final enactment. 1937, June 3, P.L. 1333, art. I, § 105.

### § 2606. Publication of notices

Whenever under the provisions of this act<sup>1</sup> notice is required to be given by newspaper publication in any county or in any municipal subdivision thereof, such notice shall be published in at least two and not more than three newspapers of general circulation as defined in the "Newspaper Advertising Act," approved May 16, 1929 (Pamphlet Laws 1784).<sup>2</sup> At least one of said newspapers shall represent the majority party, and at least one shall represent the minority party, if there be that many published within the limits of such county or municipal subdivision. If there are not two such newspapers, then publication shall be made in at least either one newspaper of general circulation representing the majority party or at least one newspaper of general circulation representing the minority party, whichever is published in such county, and at least one newspaper of general circulation representing the other party published in an adjacent county and circulating in such county or municipal subdivision in which such notice is required to be published: Provided, however, That if in any such county, or in any municipal subdivision thereof, there are at least three newspapers of general circulation published within the limits of such county or municipal subdivision, the foregoing provisions of this section shall be deemed complied with if publication shall be made in all of the said newspapers in the county or municipal subdivision, notwithstanding that all such newspapers may represent either the majority party or the minority party. Whenever such notice relates to any matter or proceeding in court or to the sale of bonds or increase of indebtedness, the same shall also be published in the legal newspaper, if any in the proper county, provided publication can be made therein on the same day or days as publication is made in newspapers of general circulation. 1937, June 3, P.L. 1333, art. I, § 106; 1947, June 28, P.L. 1057, § 1.

<sup>1</sup> Section 2601 et seq. of this title.

<sup>2</sup> Sections 1-11 of Title 45, Legal Notices and Advertisements.

#### Notes of Decisions

##### Library references

Elections § 39 et seq.  
C. I. S. Elections § 71 et seq.  
P. L. J. Elections § 10.

##### Construction and application

A notice that an election will be held "at the usual polling places", while not in strict compliance with this section.

is sufficient where the township polling place has been at the same location for more than 50 years. Appeal of Kimmell, 52 D. & C. 278, 1945, appeal dismissed 41 A.2d 436, 157 Pa. Super. 59.

A notice that "the question of local option" is to be voted on at an ensuing primary election "both as regards liquor and malt beverages" sufficiently

informs the eligible voters as to the subject matter of the referendum, although the text of the question to be submitted is not set forth in compliance with this section. Id.

Notice of a local option referendum by publication once a week for two successive weeks more than 10 days before the election, although not during

the two successive weeks immediately prior thereto, is in substantial compliance with this section; the time of publication is not so fundamentally of the essence of the statutory requirement as to invalidate an election because the notice appeared about seven weeks before. Id.

## ARTICLE II—THE SECRETARY OF THE COMMONWEALTH

### § 2621. Powers and duties of the secretary of the commonwealth

The Secretary of the Commonwealth shall exercise in the manner provided by this act all powers granted to him by this act, and shall perform all the duties imposed upon him by this act, which shall include the following:

(a) To determine, in accordance with the provisions of this act, the forms of nomination petitions and papers, expense accounts and all other forms and records, the form of which he is required to determine under the provisions of this act.

(b) To examine and reexamine voting machines, and to approve or disapprove them for use in this State, in accordance with the provisions of this act.

(c) To certify to county boards of elections for primaries and elections the names of the candidates for President and Vice President of the United States, presidential electors, United States senators, representatives in Congress and all State offices, including senators, representatives, and judges of all courts of record, and delegates and alternate delegates to National conventions, and members of State committees, and the form and wording of constitutional amendments or other questions to be submitted to the electors of the State at large.

(d) To receive and determine, as hereinafter provided, the sufficiency of nomination petitions, certificates and papers of candidates for President of the United States, presidential electors, United States senators, representatives in Congress and all State offices, including senators, representatives and judges of all courts of record, and delegates and alternate delegates to National Conventions and members of State committees.

(e) To receive such reports from county boards of elections as are required by this act, and to demand such additional reports on special matters as he may deem necessary.

(f) To receive from county boards of elections the returns of primaries and elections, to canvass and compute the votes cast for candidates and upon questions as required by the provisions of this act; to proclaim the results of such primaries and elections, and to issue certificates of election to the successful candidates at such elections, except in cases where that duty is imposed by law on another officer or board.

(g) To perform such other duties as may be prescribed by law. 1937, June 3, P.L. 1333, art. II, § 201.

#### Notes of Decisions

##### Petition 2 Powers in general 1

##### Library references

Elections § 54.  
C.J.S. Elections § 54 et seq.  
P.L.E. Elections § 6.

##### Powers in general

Since the Secretary of the Commonwealth, in pursuance of the power vested in him by this act to determine what are "Political Parties," has determined that there are but three parties (Democratic, Republican and Social Oaks) and since he has accepted the papers of the Socialist Labor Party, he properly refused to accept the nom-

ination papers thereafter submitted by the Socialist Party of Pennsylvania, in view of section 2936 of this title. In re Objections to Nomination Papers, 46 Dauph. 27, 1929.

##### 2. Petition

Equity has no jurisdiction to require Secretary of Commonwealth to reject nomination petitions of candidates for offices of Superior Court judges because of deviation of candidates' appended affidavits from form required by statute and prescribed by Secretary, in view of complete and adequate remedy under Election Code by presentation of petitions in common pleas court of county where nomination petitions were filed to set them aside. *Thompson v. Morrison*, 11 A 2d 15, 352 Pa. 616, 1946.

## § 2622. Records and documents to be open to public inspection

The records of the Secretary of the Commonwealth and all returns, nomination petitions, certificates and papers, other petitions, accounts, contracts, reports and other documents and records in his custody shall be open to public inspection, and may be inspected and copied by any qualified elector of the State during ordinary business hours at any time when they are not necessarily being used by the Secretary of the Commonwealth, or his deputy or employes having duties to perform in reference thereto: Provided, however, That such public inspection thereof shall only be in the presence of the Secretary of the Commonwealth, or his deputy or one of his authorized employes, and shall be subject to proper regulation for safe-keeping of the records and documents, and subject to the further provisions of this act. 1937, June 3, P.L. 1333, art. II, § 202.

Library references: Records § 214; C.J.S. Records § 25 et seq.; P.L.E. Records

## § 2623. Preservation of records

All documents and records in the office of the Secretary of the Commonwealth shall be preserved therein for a period of two years, unless otherwise provided in this act. 1937, June 3, P.L. 1333, art. II, § 203.

Library references: Records § 13; C.J.S. Records §§ 24, 40; P.L.E. Records § 8.

### ARTICLE III—COUNTY BOARDS OF ELECTIONS

## § 2641. County boards of elections; membership

(a) There shall be a county board of elections in and for each county of this Commonwealth, which shall have jurisdiction over the conduct of primaries and elections in such county, in accordance with the provisions of this act.

(b) In each county of the Commonwealth, the county board of elections shall consist of the county commissioners of such county ex officio, or any officials or board who are performing or may perform the duties of the county commissioners, who shall serve without additional compensation as such. 1937, June 3, P.L. 1333, art. III, § 301.

#### Notes of Decisions

##### Library references

Elections § 49.  
C.J.S. Elections § 56.  
P.L.E. Elections § 6.

##### 1. Construction and application

Where all three members of the existing board of county commissioners are candidates at a primary election to

succeed themselves and the only additional law judge of the county is likewise a candidate for nomination to that office, the president judge of the county, not a candidate in the election, is constituted an acting return board and acting county board of elections. *Petition of Harer*, 49 D. & C. 244, 1944.

## § 2642. Powers and duties of county boards

The county boards of elections, within their respective counties, shall exercise, in the manner provided by this act, all powers granted to them by this act, and shall perform all the duties imposed upon them by this act, which shall include the following:

(a) To investigate and report to the court of quarter sessions their recommendations on all petitions presented to the court by electors for the division, redivision, alteration, change or consolidation of election districts, and to present to the court petitions for the division, redivision, alteration, change or consolidation of election districts in proper cases.

(b) To select and equip polling places.

(c) To purchase, preserve, store and maintain primary and election equipment of all kinds, including voting booths, ballot boxes and voting machines, and to procure ballots and all other supplies for elections.

(d) To appoint their own employes, voting machine custodians, and machine inspectors.

(e) To issue certificates of appointment to watchers at primaries and elections.

(f) To make and issue such rules, regulations and instructions, not inconsistent with law, as they may deem necessary for the guidance of voting machine custodians, elections officers<sup>1</sup> and electors.

(g) To instruct election officers in their duties, calling them together in meeting whenever deemed advisable, and to inspect systematically and thoroughly the conduct of primaries and elections in the several election districts of the county to the end that primaries and elections may be honestly, efficiently, and uniformly conducted.

(h) To prepare and publish, in the manner provided by this act, all notices and advertisements in connection with the conduct of primaries and elections, which may be required by law.

(i) To investigate election frauds, irregularities and violations of this act, and to report all suspicious circumstances to the district attorney.

(j) To receive and determine, as hereinafter provided, the sufficiency of nomination petitions, certificates and papers of candidates for county, city, borough, township, ward, school district, poor district, election offices, and local party offices required by law or by party rules to be filed with the board.

(k) To receive from district election officers the returns of all primaries and elections, to canvass and compute the same, and to certify, no later than the third Monday following the primary or election, the results thereof to the Secretary of the Commonwealth, as may be provided by law, and to such other authorities as may be provided by law.

(l) To publicly announce by posting at its office the results of primaries and elections for county, city, borough, township, ward, school district, poor district, election offices, and party offices, if any, and to issue certificates of election to the successful candidates for said offices.

(m) To prepare and submit, not more than thirty days nor less than ten days prior to each primary, municipal and general election, a report to the Secretary of the Commonwealth in the form prescribed by him, which shall contain a statement of the total number of electors registered in each election district, together with a breakdown by party registration. Copies of said statement shall be furnished, upon request, to the county chairman of each political party and political body.

(n) To annually prepare and submit to the county commissioners or other appropriating authorities of the county an estimate of the cost of primaries and elections and of the expenses of the board for the ensuing fiscal year.

(o) To perform such other duties as may be prescribed by law. 1937, June 3, P.L. 1333, art. III, § 302; 1943, May 21, P.L. 353, § 1; 1961, June 7, P.L. 243, § 1.

<sup>1</sup> So in enrolled bill.

**Cross References**

Bureau of Municipal Affairs, information to be furnished by county board of elections, see sections 966.2 and 966.3 of Title 71, State Government.

**Notes of Decisions**

- Canvassing votes 4
- Construction and application 1
- Governmental functions 2
- Laches 5
- Suspension during war 3

Philadelphia v. Rader, 58 A 2d 187, 182 Pa Super. 499, 1948.

A borough which permitted county to hold election in fire department portion of municipal building was not liable for injuries suffered by voter while entering, since borough was not using the building. *Krausling v Borough of Dormont*, 44 A 2d 271, 352 Pa. 611, 164 A.L.R. 479, 1945.

Section 2661 et seq., of this title, makes the county board of elections more than a mere ministerial body; it clothes the board with quasi-judicial functions. In re *Whitpain Tp. Election Case*, 45 D & C 279, 28 Montg. 291, 1942.

Where the law gives discretion to certain county officials to conduct election and no power of review is given to the Court, the latter has no jurisdiction to direct how that power is to be exercised. *Petition of O'Neill*, 26 Luz. L. Reg. Rep. 265, 1943.

Court has no power to direct the county election board to do something, which the board has no legal authority to do. *Shroyer v. Thomas*, 22 Northumb. L. J. 187, 1952, affirmed 81 A 2d 435, 368 Pa. 79.

The duties of the county board of elections are purely ministerial, as prescribed by the Election Code, section 2661 of this title, and are not discretionary. 14.

**2. Governmental functions**

A county was exercising a "governmental function" in conducting election and hence was not liable to voter injured by stumbling on portion of garage door while entering the voting place. *Krausling v. Borough of Dormont*, 44 A. 2d 271, 352 Pa. 611, 164 A.L.R. 479, 1945.

**3. Suspension during war**

Under 1943 Army Absent to the Election Code, whereby canvass of military ballots cannot be begun until third Wednesday following election, and under statute providing that county board

**Library references**

- Elections 654
- C.J.S. Elections § 54 et seq.
- P.L.E. Elections \* 6.

**1. Construction and application**

The word "paper" in subdivision (j) of this section, includes a paper purporting to withdraw a nomination for public office, so that board may refuse to accept such paper, if satisfied that it is spurious or was fraudulently obtained, and mere physical receipt or filing thereof is not per se a legal determination of its sufficiency. *Boord v. Maurer*, 22 A 2d 902, 243 Pa. 399, 1942; *Boord v. Maurer*, 22 A 2d 905, 243 Pa. 215, 1942.

Writ of mandamus would not issue to compel county commissioners acting as registration commission and as board of elections of county to inspect conduct of primaries and elections and to investigate election frauds since such inspection and investigation involves a long series of continuous acts. *Dorris v. Lloyd*, 199 A 2d 924, 375 Pa. 474, 1954, certiorari denied 74 S.Ct. 632, 347 U.S. 936, 98 L. Ed. 1956.

Duties of county board of elections as prescribed by election code are purely ministerial and allow for no exercise of discretion by board. *Shroyer v. Thomas*, 81 A 2d 435, 368 Pa. 79, 1951.

Where county election board of Philadelphia designated date for examination and investigation into signing and preparation of nomination paper and certain persons who appeared before the board in response to its subpoena refused to answer certain questions, the common pleas court could not punish the parties for contempt. *County Election Bd. of*

7 5 5 4 9 5 3 4 9 4 0 4 3 5 6 4 5 3 7

cannot certify results of election until five days after computation is completed. Legislature intended by necessary implication to suspend for duration of the year, and six months thereafter, the 1911 Amendment which requires committee board to certify, not later than third Tuesday following the primary or election, the results thereof. *Petition to Open and Reopen Ballot Box of Coal Twp., Johnson City, 42 A.2d 125, 122 Pa. 63, 1945.*

#### 4. Canvassing votes

When write-in candidate's petition to nominate was filed within five-day period after completion of computation, election board was duty bound to delay final certification of primary election results until appropriate proceedings ensued to determine questions presented, and when second candidate personally appeared 7 days after filing of the petition, and requested cancellation of his name and increase of vote for that office was still in progress, second candidate's petition could be considered. *Appeal of Antonelli, 171 A.2d 107, 165 Pa. 119, 1961.*

In event of filing of petition to enquire, election board must ascertain through appropriate proceedings candidate for whom write-in votes were cast in primary election, before final certification is recorded. *Id.*

Canvassing and computing election returns by County Board of Elections necessarily endures acts of discretion. *Appeal of McYurken, 55 A.2d 787, 375 Pa. 522, 1952.*

A county board of election has power to determine the intention of the voter and to canvass ballot write-in votes for any candidate, ascertained through appropriate proceedings to be entitled to them. *Petition of Werner, 51 Sch.L.R. 98, 1954.*

#### 5. Laches

Board's non-compliance with subsection (f) of this section relieved contestant of charge of laches. *In re Twenty-Sixth Election Dist., Second Ward, Borough of Lehigh, 42 A.2d 627, 341 Pa. 511, 1945.*

### § 2643. Decisions by majority vote; employes

(a) All actions of a county board shall be decided by a majority vote of all the members, except as may be otherwise provided herein.

(b) Each county board may appoint a chief clerk, who shall have authority to administer oaths and to sign vouchers, and such other employes and assistants as, from time to time, the board may deem necessary to carry out the provisions of this act. The county board may appoint the chief clerk and other employes of the county commissioners to act as such for the county board of elections without any additional compensation as such. 1937, June 3, P.L. 1333, art. III, § 303.

**Library references:** Elections §264; C.J.S. Elections § 54 et seq.; P.L.E. Elections § 6.

### § 2644. Regulations; subpoenas; witnesses; fees

(a) Each county board of elections may make regulations, not inconsistent with this act or the laws of this Commonwealth, to govern its public sessions, and may issue subpoenas, summon witnesses, compel production of books, papers, records and other evidence, and fix the time and place for hearing any matters relating to the administration and conduct of primaries and elections in the county under the provisions of this act. All subpoenas issued by the county board shall be in substantially the same form and shall have the same force and effect as subpoenas issued by the court of common pleas of such county, and, upon application, the board shall be entitled to the benefit of the process of

such court if necessary to enforce any subpoena issued by them. Each member of the county board shall have the power to administer oaths and affirmations. Each person testifying before any county board shall be first duly sworn or affirmed.

(b) Any person filing any petition with a county board or opposing the same shall have the privilege of having subpoenas issued by the board to compel the attendance of witnesses, upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents (\$2.50) each per day as witness fees, in the manner herein provided.

(c) Witnesses subpoenaed by the county board shall each also be entitled to daily witness fees at the rate aforesaid, to be paid by the board: Provided, however, That election officers, clerks, machine inspectors, overseers and watchers, when subpoenaed by the county board to appear before the board, sitting for the computation and canvassing of votes cast at an election, shall not be entitled to witness fees.

(d) No subpoena shall be issued for the benefit of any person other than the county board until he shall have paid the board a fee of twenty-five (.25) cents for issuing the same and deposited with the board one day's witness fees for each witness to be summoned thereby, whose names shall be given to the board and entered by it in such subpoena and among its records, and no such subpoena shall be effective to require the further attendance of any witness after the day mentioned therein, unless the hearing be postponed or continued by the board, and unless, before four o'clock P.M. of said day, the person for whose benefit it be issued shall have deposited with the board an additional day's witness fees for each witness whose further attendance is desired. As soon as convenient after any hearing is concluded, postponed or continued on any day, the county board shall disburse the fees deposited with it by any persons aforesaid, among those witnesses who have appeared in response to subpoenas issued as aforesaid, and shall return to the person who deposited the same any fees deposited for others who did not attend, and shall also pay like fees to any witnesses summoned by the board as aforesaid, taking their receipts therefor, so long as there are sufficient funds available for such payments. The county board shall pay over to the county treasurer all fees received for subpoenas. 1937, June 3, P.L. 1333, art. III, § 304.

#### Notes of Decisions

Construction and application 1  
Review 2

P.L.E. Elections § 6.  
P.L.E. Witnesses §§ 7, 8, 9

#### 1. Construction and application

#### Library references

Elections §264.  
Witnesses §8, 10, 24.  
C.J.S. Elections, § 54 et seq.  
C.J.S. Witnesses §§ 13, 19 et seq., 25.  
§ 26 et seq.

This section makes county board of elections more than a mere "ministerial body", and clothes it with "quasi-judicial functions". *Board v. Maurer, 22 A.2d 292, 243 Pa. 305, 1942.* *Board v. Maurer, 22 A.2d 295, 241 Pa. 315, 1942.*

**L. Carter Anderson**  
Attorney at Law  
R.R.3, Box 130B  
Montrose, PA 18801

FEB 17 8 53 AM '94

717-967-2437

February 15, 1994

Federal Election Commission  
Office of General Counsel  
999 "E" St., N.W., Rm.657  
Washington, D.C. 20463

RECEIVED  
FEB 17 PM 3:30

Re: William D. White, MUR 3920  
Complaint against Susquehanna County, Pa.

To the General Counsel:

This is in regard to the letter from Mary L. Taksar, Esq. dated February 4 and received by the County Commissioners of Susquehanna County, Pa. on February 9, 1994. The letter enclosed copies of a Complaint filed by Mr. White before the Federal Election Commission. I represent Susquehanna County, and this is the response of the County to Mr. White's Complaint.

On or about April 3, 1992 the County Commissioners received a letter dated March 28, 1992, from Mr. White. I enclose a copy for your review. That letter requested County election officials to post Mr. White's nomination petitions in our polling places during the primary election of 1992. I responded by a letter dated April 9, 1992, a copy of which is also enclosed. I advised Mr. White that we do not circulate petitions for candidates, nor can we post their material in our polling places. My reason for so stating was that such activity would be in conflict with various sections of the Pennsylvania Election Code, including but not limited to 25 P.S. 3060(c). We did send Mr. White some nomination petitions as he requested. I also offered to compile a list of our polling places if he needed that information.

Mr. White's Complaint seems to be based on the argument that the system of party primaries constitutes an illegal contribution to the party candidates in violation of federal law. I consider this argument to be frivolous, in that it would require discarding the

24043564539

entire basis for the party system in this country, and I do not believe that is what was contemplated by the federal law. We therefore request that the Complaint be dismissed.

We hereby notify you, pursuant to Ms. Taksar's letter, that we do not consider this matter confidential and would prefer to make it public.

I enclose herewith the designation of counsel statement executed by the County Commissioners.

Please advise me of the Commission's decision in this matter.

Very sincerely,



L. Carter Anderson, County Solicitor

cc: Jerry Myers, Chief Clerk

24043564540

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: L. Carter Anderson

ADDRESS: R. R. I, Box 130 B  
Montrose, Pa. 18501

TELEPHONE: (717) 967-2437

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.

2/14/94  
Date

Walter R. Williams  
Signature  
County Commissioner

RESPONDENT'S NAME: Jessie Hanna County, Pa.

ADDRESS: Courthouse  
Montrose, PA 18501

TELEPHONE: HOME ( ) \_\_\_\_\_

BUSINESS (717) 278-4600

24043564541

94 FEB 17 PM 3:39

RECEIVED  
GENERAL COMMISSION

Bill White for U.S. Senate Committee  
P.O.Box 16204  
Pittsburgh, Pa. 15242

March 28, 1992

To The Chief Election Official of SUSQUEHANNA County:

Immediately place copies of the enclosed NOMINATION PAPER form on public display in the County Election Office(s). Please limit access to only qualified electors in the County.

Copies of this form are to be placed in all polling locations on April 28, 1992 during the primary election. Again, access should be limited to qualified electors. Any qualified elector of ANY party or no party affiliation may sign the NOMINATION PAPER and still vote in their primary.

Complete the 'AFFIDAVIT OF QUALIFIED ELECTOR' as appropriate and return the form to;

Bill White for U.S. Senate Committee  
P.O.Box 16204  
Pittsburgh, Pa. 15242

If you are unable to reproduce or distribute the forms as requested, IMMEDIATELY notify;

Bill White  
16 East Manilla Avenue  
Pittsburgh, Pa. 15220  
412-922-3834

Incomplete NOMINATION PAPER forms should be returned no later than July 15, 1992 to the above address.

Please forward 25 voter registration forms for your county.

Please provide a count of the total number of polling places in the County. A complete listing of the locations of each will be necessary if the NOMINATION PAPER forms cannot be distributed prior to the primary.

Please don't hesitate to contact me if I can be of any assistance. Thank you for your attention.

Sincerely,



William D. White

0058

MAR 30 1992

MAR 31 1992

24043564542

L. CARTER ANDERSON  
Attorney At Law  
R.R. 3, Box 130 B  
Montrose, PA 18801  

---

  
(717) 967-2437

April 9, 1992

William D. White  
16 East Manilla Ave.  
Pittsburgh, PA 15220

Re: Susquehanna County, PA

Dear Mr. White:

I am returning the nomination form which you sent to our voter registration office. We do not circulate nomination petitions for candidates, nor can we post them in our polling places. If you wish to have registered voters in this county sign your petition, it will be necessary for you to have someone handle the petition here on your behalf.

Linda Hollenbeck of our voter registration office is sending you, under separate cover, the voter registration forms which you requested.

There are 43 polling places in the county. If you require the addresses, please let me know why they are needed, and I will see if a listing can be made available.

Very sincerely,



L. Carter Anderson,  
Susquehanna County Solicitor

cc: Linda Hollenbeck

24043564543

LAW OFFICES

HOWELL, KRAUSE & SCHLOESSER

HONESDALE, PENNA. 18431

FOSTER BUILDING

109 Ninth Street

DEPT. OF  
COMMISSION  
MAIL ROOM

FEB 18 9 02 AM '94

A. Erierson Howell, 1910-1979  
Alfred J. Howell, 1965  
Lee C. Krause, 1973  
Warren Schloesser, 1975

Honesdale, PA 717-253-2520  
717-253-3745  
FAX 717-253-7896  
Lakewood, PA 717-798-2920

February 15, 1994

Mary L. Taksar, Esquire  
Central Enforcement Docket  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3920

Dear Attorney Taksar:

In response to your communication of February 4, 1994, Wayne County responds to the allegations as outlined in the enclosed response. I remain,

Sincerely yours,

HOWELL, KRAUSE AND SCHLOESSER

BY: Lee C. Krause (ek)  
LEE C. KRAUSE, ESQUIRE

LCK/ek

Enclosure

24043564544

RECEIVED  
FEB 18 PM 3:46

FEDERAL ELECTION COMMISSION

WILLIAM D. WHITE, ET AL., : MUR 3920  
 COMPLAINANTS :  
 VS. :  
 COMMONWEALTH OF PENNSYLVANIA :  
 SECRETARY OF THE COMMONWEALTH :  
 COMMISSIONERS OF ELECTIONS, :  
 BOARDS OF COMMISSIONERS FOR :  
 THE PA. COUNTIES OF: :  
 ADAMS, ALLEGHENY, ARMSTRONG, :  
 BEAVER, BEDFORD, BERKS, :  
 BLAIR, BRADFORD, BUCKS, :  
 BUTLER, CAMBRIA, CAMERON, :  
 CLARION, CLEARFIELD, CLINTON :  
 COLUMBIA, CRAWFORD, :  
 CUMBERLAND, DAUPHIN, :  
 DELAWARE, ELK, ERIE, FAYETTE :  
 FOREST, FRANKLIN, FULTON, :  
 GREENE, HUNTINGTON, INDIANA, :  
 JEFFERSON, JUNIATA, :  
 LACKAWANNA, LANCASTER, :  
 LAWRENCE, LEBANON, LEHIGH, :  
 LUZERNE, LYCOMING, McKEAN, :  
 MERCER, MIFFLIN, MONROE, :  
 MONTGOMERY, MONTOUR, :  
 NORTHAMPTON, NORTHUMBERLAND, :  
 PERRY, PHILADELPHIA, PIKE, :  
 POTTER, SCHUYKILL, SNYDER, :  
 SOMERSET, SULLIVAN, :  
 SUSQUEHANNA, TIOGA, UNION, :  
 VENANGO, WARREN, WASHINGTON :  
 WAYNE, WESTMORLAND, WYOMING :  
 AND YORK, :  
 RESPONDENTS :

24043564545

RECEIVED  
FEDERAL ELECTION COMMISSION  
OCT 11 1978

.....

ANSWER TO COMPLAINT

.....

COMES NOW, Wayne County Board of Commissioners and Wayne County Board of Elections by and through their counsel, Lee C. Krause, Esquire, and represents to the Federal Election Commission as follows:

1. Complaint fails to set forth a claim under various sections cited by the Complainant.

2. Wayne County Board of Elections is not violative of any practices or procedures with regard to Mr. White.

3. That an interpretation of the laws of the Commonwealth of Pennsylvania which were filed by Wayne County Board of Elections clearly indicates that Mr. White has no claim for relief.

4. Mr. White request for nomination paper forms to be placed at polling places is not required by the Elections Code and may very well be violative of other sections of the Code.

5. Mr. White's claim is frivolous and without merit.

Wherefore, it is requested that the Complaint be dismissed against the Wayne County Board of Commissioners and the Wayne County Board of Elections.

HOWELL, KRAUSE AND SCHLOESSER

BY: 

LEE C. KRAUSE, ESQUIRE

109 NINTH STREET  
HONESDALE, PENNSYLVANIA 18431  
(717)253-2520  
ATTORNEY I.D. 17789

24043564546

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: Lee C. Krause, Esquire

ADDRESS: Howell, Krause and Schloesser  
109 Ninth Street  
Honesdale, PA 18431

TELEPHONE: ( 717 ) 253-2520

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.

2/15/94  
Date

[Signature]  
Signature

RESPONDENT'S NAME: Wayne County Board of Commissioners

ADDRESS: Wayne County Court House  
925 Court Street  
Honesdale, PA 18431

TELEPHONE: HOME (        )                     

BUSINESS ( 717 ) 253-5970

OFFICE OF THE  
CLERK OF THE  
COMMISSION  
MUNICIPAL GOVERNMENT

94043564547

STATEMENT OF DESIGNATION OF COUNSEL

RECEIVED  
GENERAL ELECTRIC  
COMMISSION  
MAIL ROOM

FEB 22 10 55 AM '94

MUR 3920

NAME OF COUNSEL: Robert Knupp

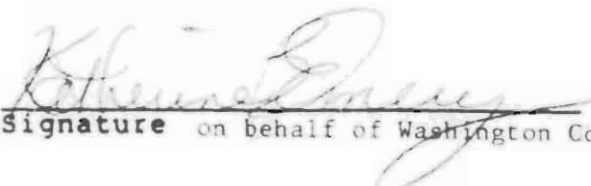
ADDRESS: Knupp & Kodak  
P. O. Box 11848  
Harrisburg, PA 17108

TELEPHONE: ( 717 ) 238-7151  
FAX: ( 717 ) 238-7158

RECEIVED  
FEB 23 11:10:23

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.

2/17/94  
Date

  
Signature on behalf of Washington County

RESPONDENT'S NAME: WASHINGTON COUNTY, PENNSYLVANIA

ADDRESS: c/o Solicitor's Office  
703 Courthouse Square  
Washington, Pennsylvania 15301

TELEPHONE: HOME (            )                                     
BUSINESS ( 412 ) 228-6805

24043564548

oqc 1166

LAW OFFICES OF  
KNUPP & KODAK, P.C.

CAMERON MANSION  
407 NORTH FRONT STREET  
P.O. BOX 11848  
HARRISBURG, PA 17108 1848  
717/238 7151  
FAX 717/238 7158

FEB 22 9 45 AM '94

ROBERT EWING KNUPP  
(1932-1976)  
ROBERT L. KNUPP  
ROBERT D. KODAK  
GARY J. IMBLUM  
MATTHEW J. HOLDEN

OF COUNSEL  
ROBERT H. MAURER

February 18, 1994

MARY L. TAKSAR, ATTORNEY-AT-LAW  
FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

Re: Complaint No. MUR 3920  
White v. Commonwealth of Pennsylvania, et al.

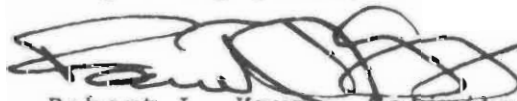
Dear Ms. Taksar:

The undersigned represents the County Commissioners Association of Pennsylvania (CCAP). CCAP has been authorized by its member counties to respond on behalf of the Boards of Commissioners of the counties named in the above-referenced Complaint to the allegations raised by the Complainants, William D. White, et al.

The basis for the response is extremely simple and direct: The counties have no legal authority to do anything in the election of a United States Senator other than to follow the explicit instructions of the Bureau of Elections of the Commonwealth of Pennsylvania. Accordingly, the only party defendant that is necessary to adjudicate this Complaint is the Commonwealth of Pennsylvania. The counties should all be dismissed.

Please favor me with your immediate response.

Very truly yours,



Robert L. Knupp, Solicitor  
County Commissioners Association  
of Pennsylvania

RLK/pm  
Enclosure

cc: ERNEST D. PREATE JR. ATTORNEY GENERAL  
COMMONWEALTH OF PENNSYLVANIA  
15TH FLOOR STRAWBERRY SQUARE  
FOURTH & WALNUT STREETS  
HARRISBURG PA 17120

24043564549

RECEIVED  
FEB 22 1994  
FEDERAL ELECTION COMMISSION  
WASHINGTON, DC

FEDERAL ELECTION COMMISSION

WILLIAM D. WHITE, et al. :  
Complainants :  
 :  
v. :  
 :  
COMMONWEALTH OF PENNSYLVANIA, : MUR 3920  
SECRETARY OF THE COMMONWEALTH, :  
COMMISSIONER OF ELECTIONS, :  
BOARDS OF COMMISSIONERS FOR :  
THE PENNSYLVANIA COUNTIES OF: :  
ADAMS, ALLEGHENY, ARMSTRONG, :  
BEAVER, BEDFORD, BERKS, BLAIR, :  
BRADFORD, BUCKS, BUTLER, :  
CAMBRIA, CAMERON, CARBON, :  
CENTRE, CHESTER, CLARION, :  
CLEARFIELD, CLINTON, COLUMBIA, :  
CRAWFORD, CUMBERLAND, DAUPHIN, :  
DELAWARE, ELK, ERIE, FAYETTE, :  
FOREST, FRANKLIN, FULTON, :  
GREENE, HUNTINGDON, INDIANA, :  
JEFFERSON, JUNIATA, LACKAWANNA: :  
LANCASTER, LAWRENCE, LEBANON, :  
LEHIGH, LUZERNE, LYCOMING, :  
MCKEAN, MERCER, MIFFLIN, :  
MONROE, MONTGOMERY, MONTOUR, :  
NORTHAMPTON, NORTHUMBERLAND, :  
PERRY, PHILADELPHIA, PIKE, :  
POTTER, SCHUYLKILL, SNYDER, :  
SOMERSET, SULLIVAN, :  
SUSQUEHANNA, TIOGA, UNION, :  
VENANGO, WARREN, WASHINGTON, :  
WAYNE, WESTMORELAND, WYOMING, :  
and YORK, :  
Respondents :

RESPONSE OF RESPONDENT COUNTIES OF ADAMS, ALLEGHENY,  
ARMSTRONG, BEAVER, BEDFORD, BERKS, BLAIR, BRADFORD,  
BUCKS, BUTLER, CAMBRIA, CAMERON, CARBON, CENTRE,  
CHESTER, CLARION, CLEARFIELD, CLINTON, COLUMBIA,  
CRAWFORD, CUMBERLAND, DAUPHIN, DELAWARE, ELK, ERIE,  
FAYETTE, FOREST, FRANKLIN, FULTON, GREENE, HUNTINGDON,  
INDIANA, JEFFERSON, JUNIATA, LACKAWANNA LANCASTER,  
LAWRENCE, LEBANON, LEHIGH, LUZERNE, LYCOMING, MCKEAN,  
MERCER, MIFFLIN, MONROE, MONTGOMERY, MONTOUR,  
NORTHAMPTON, NORTHUMBERLAND, PERRY, PHILADELPHIA, PIKE,  
POTTER, SCHUYLKILL, SNYDER, SOMERSET, SULLIVAN,  
SUSQUEHANNA, TIOGA, UNION, VENANGO, WARREN, WASHINGTON,  
WAYNE, WESTMORELAND, WYOMING, and YORK.

24043564550

AND NOW, this 18th day of February, 1994, comes Robert L. Knupp, Knupp & Kodak, P.C., on behalf of the above-named Counties and files this Response stating the following:

1. The Board of Commissioners and Boards of Election of the Respondent Counties respond to the above captioned Complaint by asserting that the Counties have abided, at all times, with the provisions of the Pennsylvania Election Code (Act of June 3, 1937, P.L. 1333 et seq., as amended).

2. Under the provisions of §§913, 915 and 984 (25 P.S. §2873, 2875 and 2944) of the Pennsylvania Election Code (the "Code"), it is the responsibility of the Bureau of Elections of the Commonwealth of Pennsylvania to receive petitions and certify candidacies of candidates for statewide office, and to determine their relative positions on the ballot. See, e.g., Exhibit "A" attached hereto and made a part hereof. While Counties perform these duties for local offices, the Code affords no County the ability to alter the certification process for a statewide candidate nor does the Code afford any County a role other than purely ministerial in the certification process for statewide offices.

24043564551

24043564552

3. Article X of the Code (25 P.S. §2961, et seq.) requires Counties to administer elections, including preparation of the ballots. Offices of statewide candidates are certified by the Bureau of Elections of the Commonwealth of Pennsylvania. Section 1004 of the Code (25 P.S. §2964) requires Counties to place candidates as certified by the Commonwealth on the ballots prepared by the Counties. The Counties must place the certified candidates on the ballots, in the order and fashion so certified, without variation. No County can add to, subtract from, or otherwise modify the certified list of candidates as furnished by the Bureau of Elections of the Commonwealth of Pennsylvania. See Exhibit "B" attached hereto and made a part hereof.

4. The Complainant's suggestion that the Respondent Counties have failed to fulfill their duties to provide him a position on the ballot is incorrect because the Complainant was seeking statewide elective office. Under the Pennsylvania Election Code, the Counties have no duty, nor do they have any statutory authority, discretionary or otherwise, to recognize the Complainant's request.

WHEREFORE, it is respectfully requested that the Boards of Commissioners, the Boards of Elections of the Respondent Counties and the Counties named in the Complaint be removed as parties to the above matter.

Respectfully submitted,

KNUPP & KODAK, P. C.

BY:



Robert L. Knupp  
PO Box 11848  
407 North Front Street  
Harrisburg, PA 17108  
(717) 238-7151

24043564553

25 P.S. ELECTIONS, ELECTORAL DISTRICTS

§ 2941. Certification of nominees by Secretary of the Commonwealth to county boards

The Secretary of the Commonwealth shall, as soon as possible after the last day fixed for the filing of substituted nomination certificates for any November election of presidential electors, United States Senator, Representative in Congress or State officers, including judges of courts of record, senators and representatives, or upon constitutional amendments or other questions to be submitted to the electors of the State at large, transmit to the county board of elections of each county, in which such election is to be held, an official list, certified by him, of all of the candidates who have been nominated in accordance with the provisions of this act, to be voted for in such county at such election, substantially in the form of the ballots to be used therein, and also a copy of the text of all constitutional amendments and other questions to be voted upon at such election, together with a statement of the form in which they are to be printed on the ballots or ballot labels.

As amended 1963, Aug. 13, P.L. 707, § 14, effective Jan. 1, 1964.

94043564554

2 4 0 4 3 5 6 4 5 5 5

§ 2964. Form of ballots; printing ballots; stubs; numbers

From the lists furnished by the Secretary of the Commonwealth under the provisions of sections 915 and 984,<sup>1</sup> and from petitions and papers filed in their office, the county election board shall print the official primary and election ballots in accordance with the provisions of this act: Provided, however, That in no event, shall the name of any person consenting to be a candidate for nomination for any one office, except the office of judge of a court of common pleas, the Philadelphia Municipal Court or the Traffic Court of Philadelphia, or the office of school director in districts where that office is elective or the office of justice of the peace be printed as a candidate for such office upon the official primary ballot of more than one party. All ballots for use in the same election district at any primary or election shall be alike. They shall be at least six inches long and four inches wide, and shall have a margin extending beyond any printing thereon. They shall be printed with the same kind of type (which shall not be smaller than the size known as "brevier" or "eight point body") upon white paper of uniform quality, without any impression or mark to distinguish one from another, and with sufficient thickness to prevent the printed matter from showing through. Each ballot shall be attached to a stub, and all the ballots for the same election district shall be bound together in books of fifty, in such manner that each ballot may be detached from its stub and removed separately. The ballots for each party to be used at a primary shall be bound separately. The stubs of the ballots shall be consecutively numbered, and in the case of primary ballots, the number shall be preceded by an initial or abbreviation designating the party name. The number and initial or abbreviation which appears upon the stub shall also be printed in the upper right hand corner of the back of the ballot, separated from the remainder of the ballot by a diagonal perforated line so prepared that the upper right hand corner of the back of the ballot containing the number may be detached from the ballot before it is deposited in the ballot box and beside that corner shall also be printed, "Remove numbered stub immediately before depositing your ballot in ballot box."

As amended 1972, July 7, P.L. 732, No. 171, § 4, imd. effective; 1974, June 27, P.L. 413, No. 146, § 2, imd. effective; 1974, Dec. 10, P.L. 835, No. 280, § 3; 1986, Feb. 19, P.L. 29, No. 11, § 12, imd. effective.

<sup>1</sup> Sections 2875 and 2944 of this title.

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF DAUPHIN :

On this 17TH day of FEBRUARY, 1994, personally appeared before me DOUGLAS E. HILL, who being duly sworn according to law, deposes and says that he is the EXECUTIVE DIRECTOR OF THE COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA AND AUTHORIZED REPRESENTATIVE OF THE COUNTIES OF ADAMS, ALLEGHENY, ARMSTRONG, BEAVER, BEDFORD, BERKS, BLAIR, BRADFORD, BUCKS, BUTLER, CAMBRIA, CAMERON, CARBON, CENTRE, CHESTER, CLARION, CLEARFIELD, CLINTON, COLUMBIA, CRAWFORD, CUMBERLAND, DAUPHIN, DELAWARE, ELK, ERIE, FAYETTE, FOREST, FRANKLIN, FULTON, GREENE, HUNTINGDON, INDIANA, JEFFERSON, JUNIATA, LACKAWANNA, LANCASTER, LAWRENCE, LEBANON, LEHIGH, LUZERNE, LYCOMING, MCKEAN, MERCER, MIFFLIN, MONROE, MONTGOMERY, MONTOUR, NORTHAMPTON, NORTHUMBERLAND, PERRY, PHILADELPHIA, PIKE, POTTER, SCHUYLKILL, SNYDER, SOMERSET, SULLIVAN, SUSQUEHANNA, TIOGA, UNION, VENANGO, WARREN, WASHINGTON, WAYNE, WESTMORELAND, WYOMING, and YORK, that as such, he is authorized to execute this Verification; and that the facts contained in the within Response are true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_

Sworn to and subscribed before me  
this 17 day of February, 1994.

  
\_\_\_\_\_

Notary Public  
My commission expires:

(SEAL)



24043564556

PROOF OF SERVICE

Pursuant to Pa.R.App.P. 122, I hereby certify that a true and correct copy of the within document of the County Commissioners Association of Pennsylvania was served on the following persons on the 17th day of February, 1994 by United States First Class Mail, postage prepaid.

ERNEST D. PREATE, JR., ATTORNEY GENERAL  
COMMONWEALTH OF PENNSYLVANIA  
15TH FLR. STRAWBERRY SQUARE  
HARRISBURG PA 17120

MR. WILLIAM D. WHITE  
16 EAST MANILLA AVENUE  
PITTSBURGH, PA 15220

  
Robert L. Knupp

24043564557



# SOMERSET COUNTY COMMISSIONERS

P. O. Box 30, Courthouse  
Somerset, Pennsylvania 15501  
814•443•1434

FEDERAL  
COMMISSION  
FEB 22 11 19 AM '94

February 14, 1994

Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3920

Dear Sir or Madam:

This is written in my capacity as Solicitor for the Somerset County Board of Commissioners with regard to the above-captioned complaint. The Somerset County Board of Commissioners is one of the named parties in MUR 3920 and on behalf of the county I have reviewed the complaint.

Based on my review of the complaint it is the position of the Somerset County Board of Commissioners that the Somerset County Board of Commissioners acted in compliance with all state election statutes and acted in accordance with directives issued by the Pennsylvania Elections Bureau. All actions taken by the Somerset County Board of Commissioners were taken in accordance with said statutes and directives and for that reason it is requested that the complaint against the Somerset County Board of Commissioners be dismissed.

The County of Somerset should be removed as a Respondent because Somerset County can only carry out what is certified by the Pennsylvania Bureau of Elections. Somerset County has no participation in the election certification process.

No action taken by the Somerset County Board of Commissioners in any manner violated the rights of William D. White, et al, complainants. Any correspondence or written directive which is to be complied with by the Somerset County Board of Commissioners should be directed to the undersigned at the above address. Enclosed herewith is the statement of designation of counsel form executed by the Somerset County Board of Commissioners. Thank you for your consideration of this matter.

Very truly yours,  
*Kim R. Gibson*  
Kim R. Gibson

KRG/rlg  
Enclosures  
pc: Commissioners

- ROBERT J. WILL  
Chairman
- BRAD COBER  
Vice-Chairman
- DAVID L. MANKAMYER  
Secretary
- KAY F. SLOPE  
Chief Clerk
- CAROLYN ZAMBANINI  
Asst. Chief Clerk

- 8 KIM R. GIBSON  
Solicitor
- 7 DANIEL W. RULLO  
Asst. Solicitor

2 4 7 4 3 5 6 4 5

94 FEB 23 11 10 AM '94  
RECEIVED  
FEDERAL ELECTION COMMISSION

STATEMENT OF DESIGNATION OF COUNSEL

REC  
COMMISSION  
MAIL ROOM

FEB 22 11 19 AM '94

MUR 3920

NAME OF COUNSEL: Kim R. Gibson, Attorney

ADDRESS: 160 West Main Street

P. O. Box 263

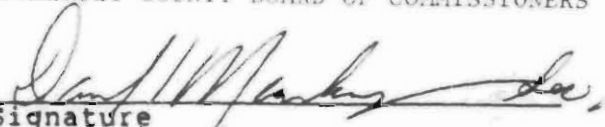
Somerset, PA 15501

TELEPHONE: ( 814 ) 443-4821

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.

SOMERSET COUNTY BOARD OF COMMISSIONERS

2/18/94  
Date

  
Signature

RESPONDENT'S NAME: Somerset County Board of Commissioners

ADDRESS: Courthouse, P. O. Box 30

Somerset, PA 15501

TELEPHONE: HOME(        ) N/A

BUSINESS( 814 ) 443-1434

94043564559

RECEIVED  
GENERAL INVESTIGATION  
FEB 23 AM 10:22

STATEMENT OF DESIGNATION OF COUNSEL

HUR 3920

FEB 22 11 34 AM '94  
COMMISSION  
MAIL ROOM

NAME OF COUNSEL: ROBERT KNUPP

ADDRESS: KNUPP AND KODAK

PO BOX 11848

HARRISBURG PA 17108

TELEPHONE: ( 717 ) 238-7151  
717 238-7158/FAX

RECEIVED  
FEDERAL ELECTION COMMISSION  
94 FEB 23 11 AM '94

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.

2/16/94  
Date

*Thomas Capue*  
Signature

RESPONDENT'S NAME: INDIANA COUNTY BOARD OF COMMISSIONERS

ADDRESS: INDIANA COUNTY COURTHOUSE

825 PHILADELPHIA ST.

INDIANA, PA 15701-3972

TELEPHONE: HOME ( )

BUSINESS ( 412 ) 465-3800  
412 465-3953/FAX

24043564560

OLIVER, PRICE & RHODES

ATTORNEYS AT LAW

SUITE 300

220 PENN AVE.

P.O. BOX 1409

SCRANTON, PENNSYLVANIA 18501-1409

(717) 343-6581

TELECOPY (717) 343-3929

FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

FEB 22 11 47 AM '94

PAUL D. HORGER  
ROBERT P. BROWNING  
DORRANCE B. BELIN  
JOSEPH A. O'BRIEN  
ALFRED J. WEINSCHENK  
JAMES W. REID  
JOHN R. O'BRIEN  
JAMES J. GILLOTTI  
MARY T. GARDNER PATERSON  
WILLIAM F. DUNSTONE  
JOSEPH E. MARIOTTI

OF COUNSEL  
KENNETH A. RHODES  
PAUL H. PRICE  
DANIEL J. HOULIHAN  
WILLIAM J. OLIVER  
(1960-1991)


February 17, 1994

Federal Election Commission  
Washington, D.C. 20463

RE: MUR 3920

Gentlemen:

I am the county solicitor for Lackawanna County, Pennsylvania. Lackawanna County submits that the money it spends to conduct primary elections do not constitute a contribution to a political party because within the meeting of the Federal Election Campaign Act of 1971 because they are not made "for the purpose of influencing any election" and because they are not "rendered to a political committee". Accordingly, Lackawanna County requests that the complaint be dismissed.

  
\_\_\_\_\_  
Joseph A. O'Brien, Esquire

JAOB/ww

2 4 0 4 3 5 6 4 5 6 1

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
94 FEB 23 11:03:20

STATEMENT OF DESIGNATION OF COUNSEL

FEDERAL ELECTRICITY COMMISSION MAIL ROOM

FEB 22 12 21 PM '94

MUR 3920

NAME OF COUNSEL: Robert Knupp

ADDRESS: Knupp and Kodak

P. O. Box 11848

Harrisburg, PA 17108

TELEPHONE: ( 717 ) 238-7151

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.

2/16/94  
Date

*Anthony C. Moscato*  
Signature

RESPONDENT'S NAME: Anthony C. Moscato, Chairman

ADDRESS: Cameron County Board of Commissioners

East Fifth Street

Emporium, PA 15834

TELEPHONE: HOME(        )                     

BUSINESS( 814 ) 486-2315

24043564562

94 FEB 23 AM 10:10

STORAGE - FEED



COUNTY OF NORTHAMPTON

FEDERAL ELECTION COMMISSION  
FEB 22 12 25 PM '94

OFFICE OF THE SOLICITOR  
NORTHAMPTON COUNTY GOVERNMENT CENTER  
669 WASHINGTON STREET  
EASTON, PENNSYLVANIA 18042-7463  
Area Code 610 559-3184  
FAX# 610 559-3001

PRESTON W. MORITZ  
County Solicitor  
CRAIG A. DALLY, Assistant  
KEENE LABROUR, Assistant  
ROSEANN B. JOSEPH, Assistant

94 FEB 23 AM 10:14

February 16, 1994

Mary L. Taksar, Esquire  
Central Enforcement Docket  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 3920

Dear Ms. Taksar:

Enclosed please find the completed Statement of Designation of Counsel submitted to you on behalf of Northampton County. Attorney Ronald Knupp will be providing a response to the complaint of William D. White on behalf of Northampton County and other counties, which are members of the County Commissioners Association of Pennsylvania.

Thank you.

Very truly yours,

Craig A. Dally  
Assistant County Solicitor

CAD:ve  
1-7  
Enclosure  
cc: A. L. Brackbill, Jr.  
Preston W. Moritz, Esquire  
Frank E. Flisser  
Richard Benner

94043564563

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: ROBERT KNUPP, ESQUIRE

ADDRESS: P. O. Box 11848

Harrisburg, PA 17108

TELEPHONE: ( 717 ) 238-7151

54 FEB 23 AM 10:14

RECEIVED

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.

2/16/94  
Date



Signature CRAIG A. DALLY  
ASSISTANT COUNTY SOLICITOR

RESPONDENT'S NAME: COUNTY OF NORTHAMPTON

ADDRESS: 669 Washington Street

Easton, PA 18042

TELEPHONE: HOME(          )                                 

BUSINESS( 610 ) 559-3184

24043564564



# COUNTY OF BUCKS

## OFFICE OF THE COMMISSIONERS

Administration Building, Doylestown, Pa. 18901

(215) 348-6000

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM  
FEB 22 12 25 PM '94

County Commissioners  
ANDREW L. WARREN, Chairman  
MARK S. SCHWEIKER  
SANDRA A. MILLER

County Solicitor  
PETER A. GLASCOTT, ESQ.

February 16, 1994

Federal Election Commission  
999 "E" Street, NW  
Washington, DC 20463

RE: MUR 3920

Gentlemen:

I am forwarding herewith the Bucks County Board of Commissioners and Board of Election Statement of Designation of Counsel to be the Bucks County Solicitor.

I am also enclosing herewith, the County's Response to Mr. White's Complaint. The Response simply states that, at the county level, we have no choice under Pennsylvania law but to accept the names as certified to it by the State Board of Elections.

Sincerely yours,

Peter A. Glascott  
County Solicitor

PAG:ra  
enclosures

24043564565

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
94 FEB 23 AM 11:15

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: Peter A. Glascott, Esquire  
County of Bucks Solicitor

ADDRESS: County of Bucks  
Broad and Court Streets  
Doylestown, PA 18901

TELEPHONE: ( 215 ) 348-6464

94 FEB 23 AM 10:15

RECEIVED  
GENERAL INVESTIGATIVE DIVISION

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.

2/14/94  
Date

  
Signature

RESPONDENT'S NAME: David G. Steinbach, County Administrator  
County of Bucks

ADDRESS: County of Bucks  
Broad and Court Streets  
Doylestown, PA 18901

TELEPHONE: HOME (          )         

BUSINESS ( 215 ) 348-6432

94043564566

FEDERAL ELECTION COMMISSION

91 FEB 23 AM 10:15

RECEIVED  
FEDERAL ELECTION COMMISSION

WILLIAM D. WHITE, et al.	:	MUR	3920
Complainants	:		
	:		
vs.	:		
	:		
COMMONWEALTH OF PENNSYLVANIA,	:		
et al, and	:		
COUNTY OF BUCKS, et al.	:		
Respondents	:		

RESPONSE OF RESPONDENT COUNTY OF BUCKS

The Bucks County Board of Commissioners and Board of Elections would respond to the above captioned Complaint by stating that the County of Bucks has abided, at all times, to the Pennsylvania Election Code (1937, June 3, P.L. 1333, et seq. and amendments thereto) as adopted by the Pennsylvania Legislature.

Under the Pennsylvania Election Code, it is the responsibility of the Commonwealth of Pennsylvania, Bureau of Elections, to certify candidates to be placed on the ballot and the County of Bucks has no influence or role in the certification process and is required, by Pennsylvania law, to place on the ballot only those candidates as certified by the Commonwealth of Pennsylvania, Bureau of Elections.

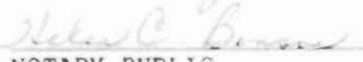
WHEREFORE, it is respectfully requested that the Bucks County Board of Commissioners and the Bucks County Board of Elections be removed as party respondents in the above matter.

Respectfully submitted,  
County of Bucks  
By:



Peter A. Glascott, Esquire  
County Solicitor  
Attorney I.D. No. 16116  
Administration Building  
Broad and Court Streets  
Doylestown, PA 18901  
(215) 348-6464

Sworn to and subscribed  
before me this 16th day  
of February, 1994.



NOTARY PUBLIC  
My commission expires:  
HELEN G. BENSON, Notary Public  
Doylestown, Bucks County  
My Commission Expires July 27, 1996

94047564567

*Law Offices*  
**Calarie and Owen**

THE OLD LIBRARY  
200 NORTH JEFFERSON STREET  
KITTANNING, PENNSYLVANIA 16201

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

OG C# 239

FEB 24 9 07 AM '94

TELEPHONE  
(412) 548-8165  
(412) 543-1527

PETER CALARIE  
JAMES H. OWEN  
LEE J. CALARIE

February 20, 1994

Federal Election Commission  
Washington, D.C. 20463

RE: William D. White, et al v.  
Commonwealth of Pennsylvania, et al  
MUR 3920

94 FEB 24 PM 4:11

RECEIVED  
FEDERAL ELECTION COMMISSION

Dear Sir or Madam:

Please be advised that I am writing as the Solicitor for the Commissioner of Elections and Board of Commissioners of Armstrong County, Pennsylvania, in reference to the above matter. I apologize for the lateness of this response. Unfortunately, our county commissioners did not receive a copy of this Complaint until the week of February 14, 1994.

We would hereby request that the Armstrong County Commissioner of Elections and Board of Commissioners be removed as parties respondent to this action. I believe that this request is well supported by statute as well as the facts of this case which absolves the county officers/agencies of any liability to Mr. White or under the purview of the Federal Election Campaign Act of 1971.

Pennsylvania Statute specifically provides that "nomination papers for candidates for presidential electors, United States Senators, Representatives in Congress . . . shall be filed with the Secretary of the Commonwealth." This being the case, when Mr. White submitted to the county under cover of letter of March 28, 1992 a Nomination Paper with his request for public display it was returned to him as this is not the office in which these documents are filed nor is this office authorized to display Nomination Papers for any individuals for any office. (See 25 Pa. §2913; see also Weyant's Nomination Certificate, 13 C.C. 561, 2 Dist. 818 (1893))

24018504568

94043564569

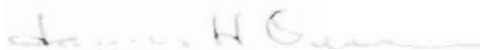
By letter of March 28, 1992, the Complainant writing on behalf of the "Bill White for U.S. Senate Committee" requested public display of the Nomination Paper in the County Election Office and also that copies of this form be placed in all "poling" (sic) locations during the Primary Election. Pennsylvania Statute specifically prohibits, at polling places, electioneering or solicitation of votes for any political party, political body or candidate and further prohibits any written or printed matter to be posted within the polling place except as required by the act. (See 25 Pa. §3060) The document which Mr. White requested be posted certainly appears to be a solicitation of votes as well as the posting of a document that is not required by the Act.

Finally, Mr. White's letter requested that the "Chief Election Official" forward twenty-five (25) voter registration forms for Armstrong County. In fact, by letter of April 10, 1992 from the Director of Elections not only was the Nomination Paper returned but likewise the requested twenty-five (25) voter registration forms were sent to the "Bill White for U.S. Senate Committee". Again, we would assert that for the reasons enumerated above, the Commissioner of Elections and the Board of Commissioners of Armstrong County should be removed as parties respondent in this matter.

If you have any questions or comments concerning any of the matters contained herein, please feel free to contact me.

Very truly yours,

CALARIE AND OWEN



James H. Owen

JHO/mo



STATEMENT OF DESIGNATION OF COUNSEL

060# 230

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION  
MAIL ROOM

MUR 3920

NAME OF COUNSEL: Robert Knupp, Esq. **FEB 24 11 38 AM '94**

ADDRESS: Knupp & Kodak  
P.O. Box 11848  
Harrisburg PA 17108

TELEPHONE: ( 717 ) 238-7151

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.

2/22/94  
Date

Richard P. Campbell  
Signature

RESPONDENT'S NAME: Warren County  
(Richard P. Campbell, Chair, Commissioners)

ADDRESS: Court House, 204 Fourth Avenue,  
Warren, PA 16365

TELEPHONE: HOME ( 814 ) 726-3495

BUSINESS ( 814 ) 723-7550 ext. 222

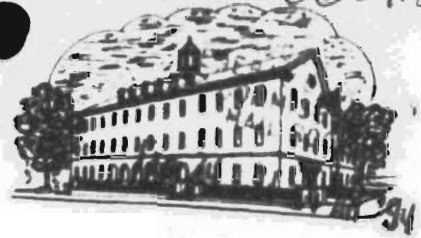
24043564571

94 FEB 24 PM 4:18

RECEIVED

County Commissioners of Mifflin County

0604234



CHIEF CLERK  
PEGGY G. FINKENBINER  
SOLICITOR  
JOSEPH E. SIKORSKY

20 NORTH WAYNE STREET  
LEWISTOWN, PENNSYLVANIA 17044  
TELEPHONE: 717-248-6733  
FAX: 248-3695  
800-248-CNTY (IN PA ONLY)

COMMISSIONERS  
ORA H. SUNDERLAND  
JAMES L. BECKWITH  
MURRAY W. LAITE

February 22, 1994

Federal Election Commission  
999E North West  
Office of General Counsel  
Washington, D.C. 20463

Gentlemen:

Enclosed please find the Statement of Designation of  
Counsel for the County of Mifflin in the matter of MUR 3920.

Should you need any further information, please do not  
hesitate to contact our office.

Very truly yours,

MIFFLIN COUNTY COMMISSIONERS

By Peggy G. Finkenbinder, Chief Clerk

Enc.

cc: Robert Knupp, Esq

940435645/2

94 FEB 24 PM 4:12

RECEIVED

10/1/94

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: Robert Knupp, Esq.

ADDRESS: Knupp and Kodak

P. O. Box 11848

Harrisburg, PA 17108

TELEPHONE: ( 717 ) 238-7151

Fax: 717 238-7158

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.

2/18/94  
Date

*Ora H. Sunderland*  
Signature Ora H. Sunderland,  
Chairman

RESPONDENT'S NAME: County of Mifflin

ADDRESS: 20 N. Wayne Street

Lewistown, PA 17044

TELEPHONE: HOME ( \_\_\_\_\_ ) \_\_\_\_\_

BUSINESS ( 717 ) 248-6733

94043564573



FEDERAL ELECTION COMMISSION MAIL ROOM

FEB 25 8 56 AM '94

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL

February 23, 1994

ERNEST D. PREATE, JR.  
ATTORNEY GENERAL

Reply To:

15th Floor, Strawberry Square  
Harrisburg, PA 17120  
(717) 783-1471  
(717) 772-4526 (FAX)

FEDERAL ELECTION COMMISSION RECEIVED  
FEB 23 1994

Joan McEnery, Esq.  
Office of General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: White v. Commonwealth of Pennsylvania,  
MUR 3920

Dear Ms. McEnery:

I am with the Pennsylvania Office of Attorney General. I represent the Commonwealth of Pennsylvania; the Secretary of the Commonwealth, Brenda K. Mitchell; and the Commissioner of the Bureau of Commissions, Elections and Legislation, William P. Boehmn, in the above-referenced matter.

The purpose of this letter is to confirm my understanding that your office has granted my clients a ten-day extension of time to respond to the complaint filed by Mr. White. Initially, my clients were to have responded within fifteen days of receipt of the complaint. My clients received the complaint on February 9, 1994, so that the response date would have been February 24, 1994. However, Pamela Raison, Esquire, requested an additional ten-day period so that my office could respond to the complaint, which, I understand, was granted. Therefore, the response date is now March 7, 1994.

If I have misunderstood the communications between Ms. Raison and you, please advise me promptly. Otherwise, my clients will file a response to the complaint on or before March 7, 1994.

Thank you for your attention to this matter.

Sincerely,

KATE L. MERSHIMER  
Senior Deputy Attorney General

KLM:je  
cc: Pamela Raison, Esq.  
William D. White

24043564574

Terry R. Marolt  
Commissioner

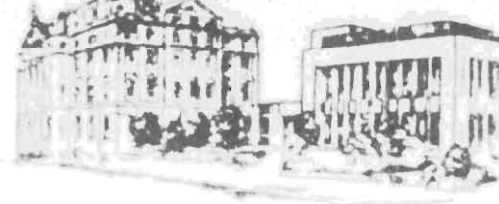
Richard F. Vidmer  
Chairman

RECEIVED  
FEDERAL COLLECTION

Ted Simon  
Commissioner

# Westmoreland County Pennsylvania

OAC 261



OFFICE OF  
COUNTY SOLICITOR  
103 Courthouse Square  
Greensburg, Pennsylvania 15601

Phone: (412)830-3145  
(800)442-6926  
FAX (412)830-3029  
TDD 830-3802

February 22, 1994

General Counsel's Office  
999 E. Street, Northwest  
Washington DC 20463

RE: William D. White, et al.  
vs.  
Commonwealth of Pennsylvania, et al.  
No. MUR 3920

94 FEB 25 11 2: 25

Dear Sir or Madam:

Enclosed for filing are the original and one (1) copy of the Response To Complaint and the Statement of Designation of Counsel in the above captioned matter.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

OFFICE OF COUNTY SOLICITOR

*R. Mark Gesalman, Esq.*

R. Mark Gesalman, Esquire  
County Solicitor

RMG:la  
Encls. (3)

24043564575

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: R. Mark Gesalman, County Solicitor

ADDRESS: 103 Courthouse Square

Greensburg PA 15601

TELEPHONE: ( 412 ) 830-3145

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.

Jul 22, 1994  
Date

Richard K. Kimer  
Signature

RESPONDENT'S NAME: County of Westmoreland  
Board of Commissioners

ADDRESS: 101 Courthouse Square

Greensburg PA 15601

TELEPHONE: HOME ( \_\_\_\_\_ ) \_\_\_\_\_

BUSINESS ( 412 ) 830-3106

24043564576

FEDERAL ELECTION COMMISSION

William D. White, et al. )  
Complainants, )  
 )  
vs. ) MUR 3920  
 )  
Commonwealth of Pennsylvania, et al. )  
Respondents. )

RESPONSE TO COMPLAINT

The Complaint filed by William D. White at MUR No. 3920 is essentially an attack against the primary election system statutorily enacted by the General Assembly of the Commonwealth of Pennsylvania. Respondent Board of Commissioners of the County of Westmoreland is named as a party solely because of the Board's statutory responsibility to conduct primary elections in accordance with the Election Code enacted by the General Assembly.

It is denied by Respondent that Respondent's cost of conducting a primary election constitutes a "contribution" under 2 U.S.C. §431(8)(A)(i) or (ii) since the cost of the primary election is not incurred "for the purpose of influencing any election for Federal office", but rather for the purpose of providing the election itself.

Complainant's only specific factual allegations concerning alleged actions by Respondent (and the other Boards of County Commissioners) relate to the alleged refusal of or failure to respond to Complainant's alleged demand in March of 1992 that his "official Nomination Paper" be placed in each polling place on primary election day. This is prohibited by Section 1220 of Pennsylvania's Election Code [25 P.S. §3060(c)], which reads as

94043564577

follows:

"No person, when within the polling place, shall electioneer or solicit votes for any political party, political body or candidate, nor shall any written or printed matter be posted up within the said room, except as required by this act."

What Complainant seeks from County Boards of Elections such as the Respondent is not required by the Federal Election Campaign Act of 1971, and is prohibited by Pennsylvania's Election Code.

The Respondent stands ready to provide to Complainant blank forms approved by the Secretary of the Commonwealth for use as nomination papers [see 25 P.S. §2911(a)] for any local public office for which the papers are by law to be filed with the Respondent. Such blank forms for statewide offices such as United States Senator, the office for which Complainant seeks to run, must be obtained from the office of the Secretary of the Commonwealth.

As a matter of law, none of the Complainant's factual allegations amount to a violation of the Federal Election Campaign Act of 1971, and therefore, no action should be taken against Respondent Westmoreland County Board of Commissioners.

Respectfully submitted,

OFFICE OF COUNTY SOLICITOR



R. Mark Gesalman, Esquire  
County Solicitor

DATE: February 22, 1994

94045564578



COUNTY OF LEHIGH  
Department of Law

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

09c 288

FEB 28 11 43 AM '94

Hon. Madaline Palladino  
County Solicitor

94 FEB 28 PM 3:31

FEDERAL RECEIVED

February 22, 1994

General Counsel's Office  
Federal Election Commission  
Washington, DC 20463

RE: MUR 3920

Dear Sir or Madam:

Enclosed please find a Statement designating the undersigned as counsel for the Lehigh County Board of Commissioners and the original of the Response to Complaint by Respondent, County of Lehigh Board of Commissioners in the above-referenced matter.

Please direct any notifications and other communications from the Commission to the undersigned.

Sincerely,

John M. Ashcraft, III  
Assistant County Solicitor

JMA:mlh

Enclosures

cc: Mary L. Taksar, Attorney/Central Enforcement Docket (w/enc.)  
Mr. William D. White (w/enc.)  
J. Matthew Hurlburt, Esquire (w/enc.)  
Hon. Madaline Palladino (w/enc.)  
Martha E. Falk, Chairwoman for Lehigh County Board of Commissioners

94043564579

Courthouse, P.O. Box 1548  
Allentown, Pennsylvania 18105  
Phone: 610-820-3453  
Fax: 610-820-2093

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: John M. Ashcraft, III, Esquire

ADDRESS: Lehigh County Courthouse  
Department of Law  
455 Hamilton Street, P.O. Box 1548  
Allentown, PA 18105

TELEPHONE: ( 610 ) 820-3180

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.

4/17/84  
Date

[Signature]  
Signature  
Chair, Lehigh County Board of Commissioners

RESPONDENT'S NAME: Lehigh County Board of Commissioners

ADDRESS: Lehigh County Courthouse  
455 Hamilton Street, P.O. Box 1548  
Allentown, PA 18105

TELEPHONE: HOME ( \_\_\_\_\_ ) \_\_\_\_\_

BUSINESS ( 610 ) 820-3050

24043564580

FEDERAL ELECTION COMMISSION

WILLIAM D. WHITE, et al., :  
 Complainants, :  
 vs. : MUR 3920  
 COMMONWEALTH OF PENNSYLVANIA, :  
 SECRETARY OF THE COMMONWEALTH, :  
 COMMISSIONER OF ELECTIONS, BOARDS :  
 OF COMMISSIONERS FOR THE PA :  
 COUNTIES OF: ADAMS, ALLEGHENY, :  
 ARMSTRONG, BEAVER, BEDFORD, BERKS, :  
 BLAIR, BRADFORD, BUCKS, BUTLER, :  
 CAMBRIA, CAMERON, CARBON, CENTRE, :  
 CHESTER, CLARION, CLEARFIELD, :  
 CLINTON, COLUMBIA, CRAWFORD, :  
 CUMBERLAND, DAUPHIN, DELAWARE, ELK, :  
 ERIE, FAYETTE, FOREST, FRANKLIN, :  
 FULTON, GREENE, HUNTINGTON, :  
 INDIANA, JEFFERSON, JUNIATA, :  
 LACKAWANNA, LANCASTER, LAWRENCE, :  
 LEBANON, LEHIGH, LUZERNE, LYCOMING, :  
 MCKEAN, MERCER, MIFFLIN, MONROE, :  
 MONTGOMERY, MONTOUR, NORTHAMPTON, :  
 NORTHUMBERLAND, PERRY, PHILADELPHIA :  
 PIKE, POTTER, SCHUYKILL, SNYDER, :  
 SOMERSET, SULLIVAN, SUSQUEHANNA, :  
 TIOGA, UNION, VENANGO, WARREN, :  
 WASHINGTON, WAYNE, WESTMORLAND, :  
 WYOMING and YORK, :  
 Respondents :

RESPONSE TO COMPLAINT BY RESPONDENT,  
COUNTY OF LEHIGH BOARD OF COMMISSIONERS

In response to the above-referenced Complaint come the Respondent Board of Commissioners of the County of Lehigh, by and through their counsel, Assistant County Solicitor, John M. Ashcraft, III, Esquire, and aver as follows:

1. The Pennsylvania Election Code, 25 P.S. Section 2861 et seq., provides the scheme for the nomination of candidates in the Pennsylvania Primary Election System. As clearly shown by the statutory scheme in general and by the facts

24043564561

that under 25 P.S. Section 2873(a) U.S. Senate candidates are to file their nominating petitions with the Secretary of the Commonwealth and under Section 2876, the Secretary of the Commonwealth is to furnish to the County Boards of Election the list of federal and statewide candidates to appear on the ballot, the Boards act merely as agents for, and act under the instruction of, the Pennsylvania Secretary of the Commonwealth and the Commissioner of Elections.

2. The Board of Commissioners of Lehigh County are not the Election Board for Lehigh County. Pursuant to procedures established under the Pennsylvania Constitution and the Pennsylvania Home Rule Charter Enabling Act, 53 P.S. Section 1-101 et seq., the County of Lehigh fulfilled the requirements for adopting a Home Rule Charter form of government and the County has been operating under a Home Rule Charter since January of 1978. Under Section 605 of the Lehigh County Home Charter, the Election and Registration Commission of Lehigh County consists of three (3) members, one of whom is the County Executive, who serves as chairwoman, and two members appointed for four-year terms by the Board of Commissioners of Lehigh County. Therefore, the Board of Commissioners of Lehigh County is not a proper party to be named as a respondent in this matter.

94043564502

94043564583

3. The Pennsylvania Election Code provides a complete procedure for independent candidates and candidates of political bodies and minor political parties to obtain ballot positions as candidates in every November election. 25 P.S. Section 2911 et seq. The requirements of these state law provisions have been upheld in Perry vs. Grant, 775 Fed.Supp. 821 (M.D. Pa. 1991) and Salera vs. Tucker, 399 Fed.Supp. 1258 (M.D. Pa. 1975), affirmed 424 U.S. 959. This separate procedure requires the expenditure of funds, time and effort by state and county officials exclusively for such candidates in a manner similar to the alleged expenditure of funds, time and effort exclusively for candidates selected through the primary election process.

4. The Complainant is essentially saying that the primary system is unconstitutional or in violation of the Federal Election Code. Article I, Section 4 of the United States Constitution provides in part:

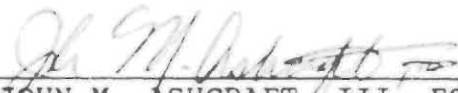
The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Place of Choosing Senators.

The Federal Election Code was not intended, and does not, alter the primary election method of choosing major party candidates.

5. Lehigh County did not refuse any request of the Complainant because it did not have authority to render such a decision under the Pennsylvania Election Code as indicated in paragraph 1 above.

6. As cited by the Complainant in footnote 2, pages 7-8 of his November 4, 1993 letter to the Secretary of the Commonwealth, the Federal Election Commission does not have authority, and hence jurisdiction, of this matter under Federal Election Commission vs. NRA Political Victory Fund, et al., C.A.D.C. No. 91-5360 (1993).

Respectfully submitted,

  
\_\_\_\_\_  
JOHN M. ASHCRAFT, III, ESQUIRE  
Assistant Solicitor, County of  
Lehigh Department of Law  
I.D. #21694

Lehigh County Courthouse  
455 Hamilton Street  
P.O. Box 1548  
Allentown, PA 18105  
(610) 820-3180  
(610) 434-6525


94043564584

COMMONWEALTH OF PENNSYLVANIA :  
: SS.:  
COUNTY OF LEHIGH :

Before me, the undersigned, a Notary Public for the Commonwealth of Pennsylvania, personally appeared MARTHA E. FALK, CHAIRWOMAN FOR THE BOARD OF COMMISSIONERS FOR THE COUNTY OF LEHIGH, one of the Respondents in the foregoing Response to Complaint, who deposes and says that she is authorized to make this affidavit and that the facts contained therein are true and correct to the best of her knowledge, information and belief.

  
MARTHA E. FALK

Sworn to and subscribed  
before me this 17<sup>th</sup> day  
of February, 1994.

  
Notary Public

Notarial Seal  
Robin E. Hanisits, Notary Public  
Allentown, Lehigh County  
My Commission Expires May 9, 1994  
Member, Pennsylvania Association of Notaries

24043564585

PETE FLAHERTY  
COMMISSIONER

TOM FOERSTER  
CHAIRMAN

OGC 327  
LARRY DUNN  
COMMISSIONER



DEPARTMENT OF LAW

# County of Allegheny

Mar 2 9 00 AM '94

300 FORT PITT COMMONS BLDG. • 445 FORT PITT BLVD.  
PITTSBURGH, PA 15219-1308 • TELEPHONE: (412) 644-1120  
FAX NUMBER: (412) 644-1174

IRA WEISS  
COUNTY SOLICITOR

GEORGE M. JANOCKO  
DEPUTY COUNTY SOLICITOR

February 28, 1994

Mary L. Taksar, Attorney  
Central Enforcement Docket  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 3920

Dear Attorney Taksar:

Enclosed for filing with the Commission is Respondant,  
Allegheny County's Response To Complaint in the above matter.

Very truly yours,

Allan J. Opsitnick  
Assistant County Solicitor

AJO:fab

Enclosure

24743564556

55 MAR 2 - 2 PM '94

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3920

NAME OF COUNSEL: Ira Weiss, County Solicitor  
Allan Opsitnick, Asst. Solicitor

ADDRESS: Allegheny County Law Department  
445 Fort Pitt Blvd., Suite 300  
Pittsburgh, PA 15219

TELEPHONE: (412) 644-1189/1120

93 MAR -2 PM 3:13

RECEIVED  
FEDERAL RESERVE BANK  
PITTSBURGH, PA

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.

\_\_\_\_\_  
Date

Allan J. Opsitnick  
\_\_\_\_\_  
Signature

RESPONDENT'S NAME: Allan J. Opsitnick, Assistant Solicitor

ADDRESS: ALLEGHENY COUNTY LAW DEPARTMENT  
445 FORT PITT BOULEVARD, SUITE 300  
PITTSBURGH, PA 15219

TELEPHONE: HOME( \_\_\_\_\_ ) \_\_\_\_\_

BUSINESS( 412 ) 644-1189/1120

94043564587

FEDERAL ELECTION COMMISSION

SEARCHED - 2  
INDEXED - 10

WILLIAM D. WHITE, et al., )

Complainants, )

v. )

MUR 3920 )

COMMONWEALTH OF PENNSYLVANIA, SECRETARY OF THE )  
COMMONWEALTH, COMMISSIONER OF ELECTIONS, BOARDS OF )  
COMMISSIONERS FOR THE PA COUNTIES OF: ADAMS, )  
ALLEGHENY, ARMSTRONG, BLAIR, BRADFORD, BUCKS, )  
BUTLER, CAMBRIA, CAMERON, CARBON, CENTRE, CHESTER, )  
CLARION, CLEARFIELD, CLINTON, COLUMBIA, CRAWFORD, )  
CUMBERLAND, DAUPHIN, DELAWARE, ELK, ERIE, FAYETTE, )  
FOREST, FRANKLIN, FULTON, GREENE, HUNTINGTON, )  
INDIANA, JEFFERSON, JUNIATA, LACKAWANNA, )  
LANCASTER, LAWRENCE, LEBANON, LEHIGH, LUZERNE, )  
LYCOMING, MCKEAN, MERCER, MIFFLIN, MONROE, )  
MONTGOMERY, MONTOUR, NORTHAMPTON, NORTHUMBERLAND, )  
PERRY, PHILADELPHIA, PIKE, POTTER, SCHUYLKILL, )  
SNYDER, SOMERSET, SULLIVAN, SUSQUEHANNA, TIOGA, )  
UNION, VENANGO, WARREN, WASHINGTON, WAYNE, )  
WESTMORELAND, WYOMING, AND YORK, )

Respondents. )

RESPONSE TO COMPLAINT

AND NOW COMES the Allegheny County Board of Elections by its  
counsel, Ira Weiss, County Solicitor, and Allan J. Opsitnick,  
Assistant County Solicitor, and brings the following response to the  
Complaint of William D. White, and in support thereof, states the  
following:

It is the position of the Allegheny County Board of Elections  
(Allegheny County) that Complainant, William D. White, (White) fails  
to state any viable claim against Allegheny County within the purview  
of the Federal Elections Commission. White is apparently aggrieved  
because Allegheny County, and the other counties within the

24043564588

Commonwealth of Pennsylvania did not accede to his demand to provide nominating papers for United States Senate for the Commonwealth of Pennsylvania, in each and every polling place throughout the Commonwealth. As a result, White was not a candidate for this office in 1992 and feels aggrieved.

The Pennsylvania Election Code at 25 P.S.C.A. §3042 enumerates those items that county boards of elections are authorized to forward to and have disseminated at the polling places within their jurisdiction. Section 3042 does not permit the dissemination of independent nominating papers. This Section is attached.

In addition, White contends that he has requested a certified copy of his election results in the General Election of November 1992 when White ran in Allegheny County, as a write-in candidate for the office of United States Senator for the Commonwealth of Pennsylvania.

No such request has been transmitted to the personnel of the Allegheny County Department of Elections. Should a request be transmitted to the Allegheny County Department of Elections it will be responded to in the normal fashion.

In the alternative, if this Commission feel that White establishes some cognizable legal claim, the claim and any subsequent remedy would be one directed solely to the Commonwealth of Pennsylvania, rather than the individual counties, since the Commonwealth is the entity that has established and can amend the Pennsylvania Election Code. Allegheny County is an instrumentality solely carrying out the provisions of the Pennsylvania Election Code

94043564589

in a manner so as to conduct legal, fair, and accurate primary and general elections. Therefore, to the extent that this matter should proceed further, the action should consist solely of White versus the Commonwealth of Pennsylvania.

In conclusion, Allegheny County respectfully requests that no further action be taken against it in this matter and that, to the extent that future proceedings are held, Allegheny County be excluded from these proceedings.

Respectfully Submitted:



IRA WEISS  
County Solicitor



ALLAN J. OPSITNICK  
Assistant County Solicitor

Counsel for Respondent:  
COUNTY OF ALLEGHENY

ALLEGHENY COUNTY LAW DEPARTMENT  
445 Ft. Pitt Blvd., Suite 300  
Pittsburgh, PA 15219  
(412) 644-1189/1120

24043564590

VERIFICATION

10:34 6-2015

INDIANAPOLIS  
COMMISSION  
DIRECTOR

I, MARK WOLOSIK, Director verify that the foregoing  
Dept. of Elections  
Response To Complaint is/are true and correct to  
the best of my personal knowledge, information and belief.

This verification is made subject to the penalties of 18  
Pa. C.S. §4904 relating to unsworn falsification to authorities  
which provides that if I make knowingly false averments, I may be  
subject to criminal penalties.

Date: Feb. 28, 1994

  
Mark Wolosik, Director

24043564591

RECEIVED

060 342



Mar 2 11 21 AM '94

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL

March 1, 1994

ERNEST D. PREATE, JR.  
ATTORNEY GENERAL

Reply To:

15th Floor, Strawberry Square  
Harrisburg, PA 17120  
(717) 783-1471  
(717) 772-4526 (FAX)

Via Express Mail

Joan McEnery, Esq.  
Office of General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: White v. Commonwealth of Pennsylvania,  
MUR 3920

Dear Ms. McEnery:

I am counsel for the Commonwealth of Pennsylvania; the Secretary of the Commonwealth, Brenda K. Mitchell; and the Commissioner of the Bureau of Commissions, Elections and Legislation, William P. Boehm in the above-referenced matter. This letter brief is written to explain why no action should be taken against my clients.

Although the complaint that William D. White submitted to the Federal Election Commission is somewhat confusing, Mr. White alleges that the Commonwealth of Pennsylvania ("Commonwealth") has violated 2 U.S.C. §441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §§431-455 ("the Act"). Specifically, Mr. White alleges that the Commonwealth, by holding primaries, has violated the Act's limitations on contributions that can be made to a candidate or his/her authorized political committees. As we understand Mr. White's complaint, the Commonwealth uses its resources to hold primaries for major political parties to select their candidates for the general election while independent candidates must gather a certain number of signatures to be placed on the general election ballot. Mr. White believes that this process violates the contribution limitations imposed by the Act. He is mistaken.

24043564592

Joan McEnery, Esq.  
March 1, 1994

PAGE TWO

### Pennsylvania's Electoral Scheme

In order to provide some background information, Pennsylvania's statutory scheme is set forth in the Pennsylvania Election Code, as amended, 25 P.S. §§2600-3573 (Purdon's & Pkt. Pt). Section 2831(a) defines a "political party" as any political body whose candidates received at least 2% of the largest vote cast in the Commonwealth for any elected candidate in the last general election. 25 P.S. §2831(a). Political parties are divided into major and minor political parties. A "major political party" is a party whose statewide registration exceeds 15% of the combined statewide registration for all statewide political parties; a "minor political party" is a political party whose statewide registration is less than 15%. Id., §2872.2(a).

The Election Code requires major political parties to use primaries to determine their party candidates for the general election; each party candidate for the primary must obtain the signatures of 1,000 qualified electors registered in that candidate's party. Id., §§2862, 2872.1(8). The candidate who wins the majority of his party's votes at the primary is listed as the party's candidate on the general election ballot. See, e.g. 25 P.S. §§2862, 2753(a).

On the other hand, minor political parties do not use primaries; rather, they nominate their candidates by collecting signatures on nomination papers in accordance with 25 P.S. §2911. 25 P.S. §2872.2(a). Likewise, independent candidates can place their name on the ballot for the general election by submitting nomination papers under §2911. To accomplish this, an independent candidate must obtain the signatures of qualified electors equivalent to 2% of the largest vote cast for an elected candidate in the last general election.<sup>1</sup> Id. §2911.

### The Commonwealth's Use of Primaries Does Not Violate The Federal Election Campaign Act.

Pennsylvania's use of the above-described statutory scheme simply does not implicate the Federal Election Campaign Act

---

<sup>1</sup> Any qualified elector can sign a person's nominating papers, regardless whether the elector belongs to a party or is registered nonpartisan, and regardless whether that elector voted in the preceding primary.

24043564593

Joan McEnery, Esq.  
March 1, 1994

PAGE THREE

nor its limitations on contributions that can be made to candidates and their committees. Section 441a(a)(1)(A) states:

No person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, if the aggregate, exceed \$1,000 ....

2 U.S.C. §441a(a)(1)(A) (emphasis added).

Under its plain language, §441a(a)(1) is limited to "persons." The definition of "person" in the Act does not include a "state," which is defined elsewhere. See 2 U.S.C. §431(11), (12). Thus, §441a(1), by definition, does not apply to the Commonwealth of Pennsylvania.

More importantly, there is nothing about the Act that limits or prohibits a state from holding primaries. It has long been recognized that states can substantially regulate elections to be sure that they are fair and honest and to ensure some sort of order, rather than chaos, to the democratic process. Storer v. Brown, 415 U.S. 724, 731 (1972). "[T]he State's interest in keeping its ballots within manageable, understandable limits is of the highest order." Lubin v. Parish, 415 U.S. 709, 715-716 (1974).

Thus, a state has a legitimate interest in regulating the number of candidates on the ballot to prevent clogging the election machinery, avoiding voter confusion, and assuring that the winner is the choice of a majority or, at least a strong plurality, of those voting. Bullock v. Carter, 405 U.S. 134, 145 (1972). In fact, in avoiding overcrowded ballots, the "State has an interest, if not a duty, to protect the integrity of its political processes from frivolous or fraudulent candidates." Id. at 145; Jenners v. Fortson, 403 U.S. 431, 442 (1971). See also Munro v. Socialist Workers Party, 479 U.S. 189, 195 (1986).

In sum, the states can regulate the election process, including authorizing the use of primaries to select major parties' candidates while requiring other methods for placing minor parties' candidates or independent candidates on the ballots. American Party of Texas v. White, 415 U.S. 767 (1974). The Federal Election Campaign Act, by its very terms, does not alter this principle; nor does the Act attempt in any way to regulate any state's use or non-use of primaries. Rather, the Act limits contributions persons can make to individual candidates or their committees to limit the actuality and appearance of corruption from large individual

94043564594

Joan McEnery, Esq.  
March 1, 1994

PAGE FOUR

financial contributions. Buckley v. Valeo, 424 U.S. 1, 26-27 (1976). A state's holding of a primary simply does not violate either the letter or the spirit of the Act.

Accordingly, we ask that the Commission dismiss Mr. White's complaint.<sup>2</sup> We do not wish this matter to be made public.

If you have any questions, I will be happy to answer them.

Sincerely,



KATE L. MERSHIMER  
Senior Deputy Attorney General  
Counsel for the Commonwealth  
of Pennsylvania

KLM:je

---

<sup>2</sup> To the extent that Mr. White's complaint desires to have the Commonwealth and the counties place nominating papers for him in polling places on primary day, such is not authorized by state law. Nor would this aspect of Mr. White's complaint be a violation of 2 U.S.C. §441a(a)(1)(A).

94043564595

STATEMENT OF DESIGNATION OF COUNSEL

FEDERAL  
COMMISSION  
MAIL ROOM

MUR 3920

MAR 29 9 00 AM '94

NAME OF COUNSEL: Kate L. Mershimer, Senior Deputy Attorney General

ADDRESS: Pennsylvania Office of Attorney General  
15th Fl., Strawberry Square  
Harrisburg, PA 17120

TELEPHONE: ( 717 ) 783-1471

RECEIVED  
FEDERAL COMMISSION  
MAR 29 7:11:12

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.

2/28/94  
Date

Kate L. Mershimer  
Signature

RESPONDENT'S NAME: Commonwealth of Pennsylvania;  
Brenda K. Mitchell, Secretary of the Commonwealth  
William P. Boehm, Commissioner of the Bureau of

ADDRESS: Commissions, Elections and Legislation  
305 North Office Building  
Harrisburg, PA 17120-0029

TELEPHONE: HOME(        ) Unavailable

BUSINESS( 717 ) 787-7630, 787-5280

94043564596

FEDERAL ELECTION COMMISSION

MUR 3920

William D. White, et al.  
complainants,

-vs-

Commonwealth of Pennsylvania,  
Secretary of the Commonwealth,  
Commissioner of Elections,  
Boards of Commissioners for  
the Pa. counties of;  
Adams, Allegheny, Armstrong,  
Beaver, Bedford, Berks,  
Blair, Bradford, Bucks,  
Butler, Cambria, Cameron,  
Carbon, Centre, Chester,  
Clarion, Clearfield, Clinton,  
Columbia, Crawford,  
Cumberland, Dauphin,  
Delaware, Elk, Erie, Fayette,  
Forest, Franklin, Fulton,  
Greene, Huntingdon, Indiana,  
Jefferson, Juniata,  
Lackawanna, Lancaster,  
Lawrence, Lebanon, Lehigh,  
Luzerne, Lycoming, McKean,  
Mercer, Mifflin, Monroe,  
Montgomery, Montour,  
Northampton, Northumberland,  
Perry, Philadelphia, Pike,  
Potter, Schuylkill, Snyder,  
Somerset, Sullivan,  
Susquehanna, Tioga, Union,  
Venango, Warren, Washington,  
Wayne, Westmorland, Wyoming  
and York,  
respondents.

RECEIVED  
MAR 3 9 05 AM '94

94043564597

OBJECTION TO RESPONSE OF THE COUNTY COMMISSIONERS  
ASSOCIATION OF PENNSYLVANIA

The Board of Elections for each county in Pennsylvania consists of the locally elected Board of County Commissioners. There is no provision in the elections code for the 67 counties to act collectively as a single entity in matters of elections and election procedures. The CCAP has no legal standing in this matter, as it is not named in the complaint and took no actions in the matter complained of.

At the very least, each county would have to designate the CCAP, and Mr. Knupp, as its legal representative in this matter, but, each county has a county solicitor or attorney, and it is

highly irregular to retain legal counsel outside of the county jurisdiction. Also, Clinton and Lehigh counties, at least, have filed separate responses, although named as having responded thru the CCAP. It would appear that the CCAP is attempting to disrupt these proceedings.

Further, each county acted individually when dealing with the elections complained of, each county adopting its own policy and procedures. This directly contradicts the statement of paragraph numbered 1, "...the Counties have abided, at all times, with the provisions of the Pennsylvania Election Code". Some counties complied with elements of the required procedures while others refused to perform the identical procedures, and the refusals ranged from policies, philosophies, claims of illegal procedure or blatant partisan hostility. They can't have it both ways.

In paragraph numbered 2, the assertion is made that the counties have no flexibility under Pennsylvania's election code. This is not supported by the actions of each county. In fact, the State refused to issue guidelines, in spite of repeated requests from me, and directed me to negotiate with each county separately. Approximately half the counties did not bother to respond, most of the rest refused to comply with the requests for placement of the official documents, and one county (Greene), placed my official Nomination Papers in the polling places as required, but did not return approximately half of them.

The FEC should subpoena all documents relating to the response of each county to my March, 1992 request to each county. Likewise, the FEC should subpoena all documents and take depositions from all parties involved at the state level.

The counties of Pennsylvania, as well as the State of Pennsylvania, do everything possible to contribute government resources to only the Republican and Democrat parties, while obstructing independents, such as myself.

I am currently being denied any supply of the official Nomination Paper forms that I would begin to circulate on March 2, 1994. The State has ignored a second request pursuant to 42 USCS §1973ee to provide large type Nomination Paper forms and federally mandated placement of large type Nomination Paper forms in the polling places. Again, the State is donating vast resources to only the Republican and Democrat candidates to conduct a primary election, and deliberately withholding information and materials from me to conduct my equivalent of a primary, which is an intangible, but substantial, contribution to opposing candidates.

The Commission has apparently granted a 10 day extension, until March 7, 1994, to the Commonwealth of Pennsylvania to respond to the Commission. The Commission is reminded that the State has consistently refused to respond promptly to me, and has now caused a delay beyond the date upon which I would begin circulating my Nomination Papers (March 2, 1994). The State has ignored two written requests for these forms and has now made the Commission a party to the State's practice of obstruction of independent candidates

24043564598

There is no reason apparent why the Commission cannot immediately take a vote on reason to believe this complaint. 2 USCS §437d(a)(9) empowers the Commission to act expeditiously, something that the Commission has not, and is not doing. Further, there is no provision in FECA under which the FEC can grant any extension of the times prescribed under 2 USCS §437g.

Commissioner Joan D. Aikens is reported<sup>3</sup> to have been an officer in several Republican organizations in Pennsylvania, and is likely to have current relationships with the Republican party leadership in Pennsylvania. Commissioner Aikens is also reportedly serving on two governing bodies, other than the Federal Election Commission, in the State of Pennsylvania, which is a violation of 2 USCS §437c(a)(3) - "...members of the Commission shall not engage in any other business, vocation, or employment."

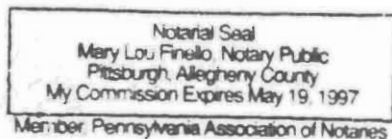
I request that Commissioner Aikens recuse herself from any and all complaints involving Pennsylvania.

Further, Commissioner Aikens should either resign from the Federal Election Commission or resign from the Board of Directors of Ursinus College<sup>4</sup> and the Commonwealth Board of the Medical College of Pennsylvania<sup>5</sup>

*William D. White*

William D. White  
February 27, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 26th day of February, 1994.



*Mary Lou Finello*

3. Federal Election Commission Annual Report 1992, p.79

4. Ursinus College is a private college located at Collegeville, Pa

5. The Medical College of Pennsylvania is a private, State-aided institution located in Philadelphia, Pa

94043564599

FEDERAL ELECTION COMMISSION

MAR 1970

94 H-2-3 119-42

William D. White, et al.  
complainants,  
-vs-

Commonwealth of Pennsylvania,  
Secretary of the Commonwealth,  
Commissioner of Elections,  
Boards of Commissioners for  
the Pa. counties of;  
Adams, Allegheny, Armstrong,  
Beaver, Bedford, Berks,  
Blair, Bradford, Bucks,  
Butler, Cambria, Cameron,  
Carbon, Centre, Chester,  
Clarion, Clearfield, Clinton,  
Columbia, Crawford,  
Cumberland, Dauphin,  
Delaware, Elk, Erie, Fayette,  
Forest, Franklin, Fulton,  
Greene, Huntingdon, Indiana,  
Jefferson, Juniata,  
Lackawanna, Lancaster,  
Lawrence, Lebanon, Lehigh,  
Luzerne, Lycoming, McKean,  
Mercer, Mifflin, Monroe,  
Montgomery, Montour,  
Northampton, Northumberland,  
Perry, Philadelphia, Pike,  
Potter, Schuylkill, Snyder,  
Somerset, Sullivan,  
Susquehanna, Tioga, Union,  
Verango, Warren, Washington,  
Wayne, Westmorland, Wyoming  
and York,  
respondents.

94043564600

SUMMARY OF RESPONSES OF PENNSYLVANIA COUNTIES  
TO WHITE'S REQUEST FOR NOMINATION PAPER PLACEMENT

Adams County  
Gettysburg, Pa. 1772

No response.

Allegheny County  
Pittsburgh, Pa.

No response.

Armstrong County  
Kittanning, Pa. 16201

March 28, 1992 letter of White returned. County Solicitor  
opinion cited as reason to deny request.

Beaver County  
Third Street  
Beaver, Pa. 15009-2196

Assistant Solicitor Mary L. David cites 25 P.S. 2911(d) as  
reason to refuse placement of Nomination Papers in polling places.

Director of Elections Chester H. Szurley states "Please be  
informed that this office can not by law distribute your  
nomination papers."

Bedford County  
Bedford, Pa. 15522

March 28, 1992 letter of White returned

Berks County

No response.

Blair County  
423 Allegheny Street  
P.O.Box 539  
Hollidaysburg, Pa. 16640  
814-695-5541

Ralph T. Magnus, Chief Clerk states "According to the  
Pennsylvania Election Code it is not permissible to honor your  
request."

Bradford County

No response.

Bucks County  
Broad & Court Sts  
Doylestown, Pa. 18901  
215-348-6154

Will display form at registration office, but will not limit  
access to registered electors.

Will not place Nomination Paper in polling place. Claims that  
election Code prohibits electioneering in polls.

Will not complete affidavit on Nomination Paper form.  
by letter of County Solicitor Peter A. Glascott of 4-7-92

94043564601

Butler County  
P.O. Box 1208  
Butler, Pa. 16003-1208  
412-284-5310

Regis L. Young, Bureau of Elections states "Because of the laws of the Pennsylvania Election Code and the Butler County Policies, we can not honor your request."

Cambria County  
Ebensburg, Pa. 15931

Fred R. Smith, Supervisor of the Election Office, states "The Election Office can not get involved in the manner you stated in your letter dated March 28, 1992."

Cameron County  
Emporium, Pa. 15834

The County Commissioners state "Due to the fact that we sit as the board of elections it would be unethical for us to circulate your nomination papers."

Carbon County  
Jim Thorpe, Pa 18229-2013  
717-325-4801

March 28, 1992 letter of White returned. Election Supervisor Kenneth J. Leffler states "Please be advised that the Carbon County Bureau of Elections cannot engage in any type of political activity of this type."

Centre County  
State College, Pa.

Attorney James M. Rayback states "Centre County is not able to comply with any of your requests."

Chester County  
West Chester, Pa. 19380

No response.

Clairion County

March 28, 1992 letter from White returned with handwritten note from Director of Elections - "Sorry we cannot assist."

2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2

Clearfield County

No response.

Clinton County  
Lock Haven, Pa. 17745

Lewis G. Steinberg, County Solicitor states "...the Clinton County Board of Elections will not be circulating the nomination paper that you provided to it."

Clearfield County  
Clearfield, Pa. 16830

Columbia County  
Bloomsburg, Pa. 17815

Kathleen G. Lupini, Administrative Assistant, states "I am returning your Nomination Paper since we will be unable to comply with your request to put it on public display or distribute to our polling places. I have checked with the Bureau of Elections in Harrisburg to confirm this is not possible."

Crawford County

No response.

Cumberland County  
Carlisle, Pa. 17013

No response.

Dauphin County

No response.

Delaware County  
Media, Pa. 19063

Director, Bureau of Elections R. Bruce Laird states "It is not the policy of this office to circulate petitions for candidates seeking office..."

Elk County

No response.

24043564603

Erie County  
Erie, Pa. 16501

No response

Fayette County

No response

Forest County  
Tionesta, Pa. 16353

No response

Franklin County  
157 Lincoln Way East  
Chambersburg, Pa. 17201-2211

Chief Clerk John A. Hart states "The election Board has decided that your request for assistance in completing these nomination papers is denied."

Fulton County  
McConnellsburg, Pa. 00000

Stanley J. Kerlin, Solicitor states " The Fulton County Board of Elections has no intention of reproducing or distributing either to the County Board of Election officials or at any polling place the nomination paper which you enclosed with your March 28, 1992, letter. Neither will any person affiliated with the Election Board execute the affidavit of qualified elector on the back page.

I know of no requirement in the Pennsylvania Election Code either authorizing or requiring the Fulton County Election Board to do so and we are certainly not inclined to assist you or any other person in acquiring signatures on your nomination paper so that you may run as an independent candidate for the U.S. Senate. If you do decide to run for the U.S. Senate, that is your prerogative but don't expect Fulton County Election Officials to get signatures for you on your nomination paper."

Greene County  
Waynesburg, Pa. 15370

Ms. Betty Ray, Clerk or Director of Elections agreed to place Nomination Paper forms in the polling places during the 1992 primary election, provided that I provide the forms, which I did

Approximately half of the forms were not returned to me after the primary election.

94043564604

Huntington County  
Huntington, Pa. 16652

No response.

Indiana County

Agreed to request, but no forms returned.

Jefferson County  
Brookville, Pa. 15825

Refused request.  
Juniata County

No response

Lackawanna County  
Scranton, Pa. 18503

No response.

Lancaster County

No response.

Lawrence County  
New Castle, Pa. 16101  
412-658-2541

Marlene D. Gabriel, Director of Voter Registration and Elections states "...I am sure that your request would not fall under these laws [Title 25 Pa. Statutes]" and "I am governed by the Board of Commissioners, and directives that I receive come through them."

Lebanon County

No response.

Lehigh County  
Allentown, Pa. 18105

March 28, 1992 letter of White returned 4-6-92, "No electioneering allowed within a polling place."

Luzerne County

No response

94043564605

Lycoming County  
Williamsport, Pa. 17701

No response.

McKean County

No response.

Mercer County  
5 Mercer County Courthouse  
Mercer, Pa. 16137  
412-662-3800 Ext. 240

March 28, 1992 letter of White returned, refused per 25 P.C.  
3060 on 4-8-92 by Maurice P. Keaveny.  
Mifflin County

No response.

Monroe County  
Stroudsburg, Pa 18360

No response.

Montgomery County  
Court House  
Norristown, Pa. 19404-0311

March 28, 1992 letter of White returned. Letter of 4-8-92 from  
Michael H. McAdoo, Chief Clerk states "The Montgomery County Board  
of Elections does not permit nomination papers to be circulated in  
this office, nor will we place any papers at any polling location  
in the county on election day.  
A list of polling locations will be forwarded to you upon receipt  
of a check in the amount of \$10.00 payable to the Treasurer of  
Montgomery County."

Montour County  
Danville, Pa.

No response.

Northampton County

Denied request

Northumberland County  
Sunbury, Pa. 17801

Albert Santor, Director of Elections states "...we have come  
the conclusion that we do not have the authority or reason to  
comply with your request."

24043564606

Perry County

No response.

Philadelphia County  
Philadelphia, Pa. 19107

No response.

Pike County  
506 Broad Street  
Millford, Pa.

Letter of 4-3-92 from Centa Quinn providing voter's registration forms and a list of polling places.

Potter County  
Coudersport, Pa. 16915

March 28, 1992 letter of White returned.

Schuykill County

Request denied.

Snyder County  
Middleburg, Pa. 17842

No response.

Somerset County  
P.O.Box 23  
Somerset, Pa. 15501

Registrar Shirley J. DeVore states "The County Board of Election from Somerset County has never allowed petitions at our polling places, so we are returning your petition."

Sullivan County  
Laporte, Pa.

No response

Susquehanna County  
Montrose, Pa. 18801

L. Carter Anderson, County Solicitor states "We do not circulate nomination petitions for candidates, nor can we post them in our polling places."

94043564607

Tioga County  
Wellsville, Pa. 16901

March 28, 1992 letter of White returned. Letter from Chief Clerk Derek D. Williams states "We are unable to reproduce or distribute the forms as per your request."

Union County

No response.

Venango County  
Franklin, Pa. 16323

March 28, 1992 letter of White returned. Chief Clerk states "Venango County will not participate in the above."

Warren County  
Warren, Pa. 16365  
814-723-8115

Registrar Diane C. Bloomgren states "We do not circulate petitions on behalf of candidates."

Washington County  
Courthouse Square, Room 703  
Washington, Pa. 15301

Assistant County Solicitor Katherine B. Emery cites 26 P.S. 2869 and refusal of election bureau personnel to act as reasons not to place Nomination Papers in polls or registration places.

Wayne County  
925 Court street  
Honesdale, Pa. 18431-2943

Margaret O'Neill, Director, Board of Elections states "...we will not reproduce or distribute the nomination paper. These forms would not be allowed in Wayne County polling places on election day."

Westmorland County  
Greensburg, Pa. 15601

No response

94043564608

Wyoming County  
1 Court House Square  
Tunkhannock, Pa. 18693

Co. Director of Elections, Celine M. Reich, questioned "...What law authorizes or requires us to place your Nomination Petitions on public display...".

York County  
York, Pa. 17401

No response

*William D. White*

William D. White  
February 28, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 28th day of February, 1994.

*Mary Lou Finello*

Notarial Seal  
Mary Lou Finello, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires Mar. 19, 1997  
Member, Pennsylvania Association of Notaries

94043564609

06C 401



# THE COUNTY OF CHESTER



Commissioners  
Joseph I. Kenna, Chairman  
Karen L. Martynick  
Andrew E. Dinniman

SOLICITOR'S OFFICE  
Courthouse, 2 N. High St., Suite 7  
West Chester, PA 19380-3070  
(610) 344-6195 FAX (610) 344-7118

MAR 4 7 18 53 AM '94

JOHN S. HALSTED  
Solicitor

March 4, 1994

94 MAR -7 11 23 30

Mary L. Taksar, Esquire  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3920

Dear Ms. Taksar:

Please be advised that the response on behalf of the County of Chester, Pennsylvania relative to the above-referenced Complaint will be submitted by Robert Knupp, *KNUPP AND KODAK*, P. O. Box 11848, Harrisburg, PA 17108, (717) 238-7151. Mr. Knupp is the attorney who has been designated by Chester County as well as a number of other counties named in the Complaint.

Should you have any questions, please call me immediately.

Very truly yours,

Thomas L. Whiteman  
Assistant County Solicitor

TLW/tss

24043564610

BOARD OF COMMISSIONERS  
OFFICE OF THE SOLICITOR

PAUL SHEERS, Chairman of the Board  
FRANKLIN L. SHOLLENBERGER, Commissioner  
MARYANN CONWAY, Commissioner

SCHUYLKILL COUNTY COURT HOUSE  
401 N 2ND ST  
POTTSVILLE PA 17901-2528



JOSEPH J. JONES, Esquire, Assistant Solicitor  
FRANK ROBERT CORI, Esquire, Assistant Solicitor  
LLOYD R. HAMPTON, Esquire, Assistant Solicitor

PHONE 717-628-1129  
FAX 717-628-1210  
or  
717-628-1109

March 8, 1994

Federal Election Commission  
Washington, D.C. 20463  
Attn: Mary L. Taksar, Attorney  
Central Enforcement Docket

**In Re: MUR No. 3920 William D. White, et al. vs.  
Commonwealth of Pennsylvania, et al.**

Dear Attorney Taksar:

Enclosed is a Statement of Designation of Counsel relative to the above matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Frank Robert Cori", is written over a light blue rectangular background. The signature is fluid and cursive, with a long horizontal line extending to the right.

FRANK ROBERT CORI, ESQUIRE

FRC:cah

Enclosure

cc: Robert Knupp, Esquire (w/enc.)

24043564611

STATEMENT OF DESIGNATION OF COUNSEL

OAC 465

MUR 3920

MAR 10 11 08 AM '94

NAME OF COUNSEL: Robert Knupp

ADDRESS: Knupp and Kodak


PO BOX 11848

Harrisburg, PA 17108

TELEPHONE: ( 717 ) 238-7151

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.

3/7/94  
Date

  
Signature  
FRANK ROBERT CORI, ESQUIRE,  
ASSISTANT SOLICITOR FOR  
SCHUYLKILL COUNTY

RESPONDENT'S NAME: Commonwealth of Pennsylvania, et al.

ADDRESS: Board of County Commissioners for Schuylkill County  
Schuylkill County Courthouse, 401 N. Second Street  
Pottsville, PA 17901

TELEPHONE: HOME(            )             
BUSINESS( 717 ) 628-1200

94048564612

REC'D BY 01 2/11/95  
MAR 10 11 08 AM '94

OGC 464

LAW OFFICES  
McCORMICK, REEDER, NICHOLS, BAHL, KNECHT & PERSON  
835 WEST FOURTH STREET  
P.O. BOX 577  
WILLIAMSPORT, PENNSYLVANIA 17703  
717/326-5131  
FAX: 717/326-5529

PAUL W. REEDER  
WILLIAM E. NICHOLS  
DAVID R. BAHL  
WILLIAM L. KNECHT  
JOHN E. PERSON, III  
J. DAVID SMITH  
ROBERT A. ECKENRODE  
CYNTHIA RANCK PERSON  
JOANNE C. LUDWIKOWSKI  
R. MATTHEW PATCH  
SEAN P. ROMAN  
KENNETH B. YOUNG

PLEASE REPLY TO  
P.O. BOX 577

H. CLAY MCCORMICK  
COUNSEL TO THE  
FIRM

March 8, 1994

Ms. Joan McEnery  
Federal Election Commission  
Washington, DC 20463

RE: *WILLIAM D. WHITE v. COMMONWEALTH OF PENNSYLVANIA, et al.*  
*MUR 3920*

Dear Ms. McEnery:

We discussed on February 25, 1994 my possible representation of Lycoming County in connection with this matter. I have since learned that the County has entered a designation of counsel in this matter, who will be handling the County's position.

Thank you for your attention to this matter.

Sincerely yours,

MCCORMICK, REEDER, NICHOLS,  
BAHL, KNECHT & PERSON

  
J. David Smith

JDS/go

24043564613

94 MAR 10 PM 2:53  
RECEIVED  
FEDERAL ELECTION COMMISSION



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20461

RECEIVED  
F.E.C.  
SECRETARIAT

94 MAR 31 PM 3:26

March 31, 1994

**SENSITIVE**

**MEMORANDUM**

TO: The Commission

FROM: Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner *LL*  
Associate General Counsel

SUBJECT: MUR 3920  
Waiver of Confidentiality

The County of Susquehanna, Pennsylvania has submitted a waiver of confidentiality. There are sixty-nine other respondents in this matter and none of the other respondents have waived confidentiality. Thus, the waiver of confidentiality pertains solely to the information in the MUR concerning the County of Susquehanna, Pennsylvania.

By making this waiver, the County of Susquehanna, Pennsylvania 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 the County of Susquehanna, Pennsylvania. 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 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.

**RECOMMENDATION**

Approve the appropriate letter.

Attachment  
Waiver

Staff Assigned: CED

24043564614

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
County of Susquehanna, ) MUR 3920  
Pennsylvania -- Waiver of )  
Confidentiality. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 6, 1994, the Commission decided by a vote of 6-0 to approve the appropriate letter, as recommended in the General Counsel's Memorandum dated March 31, 1994.

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

Attest:

4-6-94

Date

*Delores Hardy*  
for Marjorie W. Emmons  
Secretary of the Commission

Received in the Secretariat: Thurs., Mar. 31, 1994 3:26 p.m.  
Circulated to the Commission: Fri., Apr. 01, 1994 12:00 p.m.  
Deadline for vote: Wed., Apr. 05, 1994 4:00 p.m.

bjr

94043564615



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1994

L. Carter Anderson, Esq.  
R.R. 3, Box 130B  
Montrose, PA 18801

RE: MUR 3920  
Susquehanna County,  
Pennsylvania

Dear Mr. Anderson:

This is in response to your letter dated February 15, 1994, wherein your client, the County of Susquehanna, Pennsylvania waived its 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.

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 to information concerning the County of Susquehanna, Pennsylvania alone, and does not pertain to any other respondents in this matter. Thus, the County of Susquehanna, Pennsylvania 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 Joan McEnery, at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

94043564616

06c 1084

FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATIVE DIVISION

MUR 3920

Apr 25 12 17 AM '94

William D. White, et al.  
complainants,  
-vs-

Commonwealth of Pennsylvania,  
Secretary of the Commonwealth,  
Commissioner of Elections,  
Boards of Commissioners for  
the Pa. counties of;  
Adams, Allegheny, Armstrong,  
Beaver, Bedford, Berks,  
Blair, Bradford, Bucks,  
Butler, Cambria, Cameron,  
Carbon, Centre, Chester,  
Clarion, Clearfield, Clinton,  
Columbia, Crawford,  
Cumberland, Dauphin,  
Delaware, Elk, Erie, Fayette,  
Forest, Franklin, Fulton,  
Greene, Huntington, Indiana,  
Jefferson, Juniata,  
Lackawanna, Lancaster,  
Lawrence, Lebanon, Lehigh,  
Luzerne, Lycoming, McKean,  
Mercer, Mifflin, Monroe,  
Montgomery, Montour,  
Northampton, Northumberland,  
Perry, Philadelphia, Pike,  
Potter, Schuylkill, Snyder,  
Somerset, Sullivan,  
Susquehanna, Tioga, Union,  
Venango, Warren, Washington,  
Wayne, Westmorland, Wyoming  
and York,  
respondents.

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
Apr 25 3 05 PM '94

94043564617

ADDENDUM

25 PS §2646 provides that "The county solicitor shall serve as counsel for the county board...and shall appear for and represent the county board on all appeals taken from its decisions..."

Each respondent county must be represented by the county solicitor in this matter, not by the County Commissioners Association of Pennsylvania

25 PS §2650 provides that I have a right to be present at any election board meetings that concern me. Further, 25 PS §2622 and other sections of the Pennsylvania Election Code require that all records and documents of the Secretary of the Commonwealth and the

County Board of Elections be available for public inspection.

In these circumstances, I must be kept informed of any and all actions taken by the respondents to this complaint. I demand that I receive a copy of any and all documents provided to the Commission by the respondents, and that I be kept fully informed of any and all communications between the Commission and any respondent.

Further, this information must be immediately made public. Due to the public inspection provisions of the Pennsylvania Election Code, no respondent to this Matter Under Review may request or maintain confidentiality of these proceedings.

25 PS §2671 provides that each election district shall have a Judge of Election, Majority Inspector and Minority Inspector, and allows for additional personnel, such as clerks, as needed.

25 PS §2682 provides for compensation of election officers;

Judges of election	\$45.00 to \$70.00
Inspectors	\$40.00 to \$65.00
Clerks	\$40.00 to \$65.00
Machine operators	\$40.00 to \$65.00.

At a minimum, each election district pays \$125 to personnel, and there are 9500+ election districts in a U.S. Senate election in Pennsylvania. This is a total of \$1,187,500 spent by 67 County Election Boards, an average of \$17,724. As the State and various county election boards refuse to allow the access to facilities, or the provision of resources required by 25 PS §2642(b),(c) & 25 PS §2645, to independent candidates, these funds must be considered as contributions to the candidates featured in the closed, partisan primary elections. These sums are far in excess of the \$1,000 limit on contributions imposed by FECA.

Another election is imminent, apparently on May 10, 1994, contrary to 25 PS §2753, that fixes the date of this election as May 17, 1994. The State Commissioner of Elections continues to refuse to respond to my inquiries and requests for resources and access to election facilities, including provision of materials pursuant to 42 USCS §1973ee.

As an independent elector and taxpayer of Pennsylvania, my taxes are used to support the internal practices of political parties that I am not a member of, while denying me my fundamental political right to vote in a primary.

United States v. Classic, et al., 313 U.S. 299, 302 "If the machinery of choice involves two elections, primary and general, rather than one, the right to participate in the choice must include both steps, Art. I § 2 applies to the decisive phase of the process by which Representatives are chosen."

Reynolds v. Simms, 377 U.S. 533

1. The right of suffrage is denial by debasement or dilution of a citizens vote in a State or Federal election. Pp 554-555.

§ 555 "The right to vote freely for the candidate of one's

24043564618

choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government. And the right of suffrage can be denied by a debasement or dilution of the weight of a citizens vote just as effective as by wholly prohibiting the free exercise of the franchise. Baker v. Carr 369 U.S. 186."

Carrington v. Rash, 380 U.S. 89, 96 "The right...to choose," United States v. Classic, 313 U.S. 299, 314, that this Court has been so zealous to protect, means, at the least, that States may not casually deprive a class of individuals of the vote because of some remote administrative benefit to the State."

Moore v. Ogilvie, 394 U.S. 814, 878 "All procedures used by a State as an integral part of the election process must pass muster against the charges of discrimination or of abridgement of the right to vote. United States v. Classic, 313 U.S. 299, 314-318; Smith v. Allwright, 321, U.S. 649, 664."

@ 819 "...The idea that one group can be granted greater voting strength than another is hostile to the one man, one vote basis of our representative government."

Kramer v. Union School District, 395 U.S. 621, 626 "...Any unjustified discrimination in determining who may participate in political affairs or in the selection of public officials undermines the legitimacy of representative government."

Dunn v. Blumstein, 405 U.S. 330, 336 "...In decision after decision, this Court has made clear that a citizen has a constitutionally protected right to participate in elections on an equal basis with other citizens in the jurisdiction..."

Lubin v. Panish, 415 U.S. 709, 713 "It has been established in recent years that the Equal Protection Clause confers the substantive right to participate on an equal basis with other qualified voters whenever the State has adopted an electoral process for determining who will represent any segment of the State's population. See, e.g., 11377 U.S. 533; 11395 U.S. 621; 11405 U.S. 330,336." San Antonio School District v. Rodriguez, 411 U.S. 1, 59 n.2 (1973)(STEWART, J., concurring)."

24043564619

As is clear from these cases, the Pennsylvania scheme for holding primary elections is unconstitutional. The color of law or authority cannot protect the Commonwealth of Pennsylvania or the County Boards of Election from a complaint of excessive or prohibited contributions to particular candidates. The Federal Election Commission must take immediate action to halt the violation of Federal laws within its jurisdiction.

*William D. White*

William D. White  
April 18, 1994  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 18th day of April, 1994.

*Mary Lou Finello*

Notarial Seal  
Mary Lou Finello, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires May 19, 1997  
Member, Pennsylvania Association of Notaries

94043564620



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 17, 1994

William D. White  
16 East Manilla Avenue  
Pittsburgh, PA 15220

RE: MUR 3920

Dear Mr. White:

This acknowledges receipt on April 25, 1994, of your April 18, 1994, letter. Your correspondence both supplemented your complaint in MUR 3920 and requested documents filed in response to that complaint.

Your supplement will be added to the case file and the respondents will be sent copies.

Regarding your request for documents, it is Commission procedure to direct such requests to the agency Freedom of Information Act Officer. Consistent with this procedure, a copy of your correspondence has been forward to Ronald M. Harris, FOIA Officer. Any inquiries regarding this request should be directed to him.

As you were informed by letter dated February 4, 1994, we will notify you as soon as the Commission takes final action on your complaint.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lerner", with a long horizontal line extending to the right.

Lois G. Lerner  
Associate General Counsel

94043564621



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 17, 1994

Kate L. Mershimer  
Senior Deputy Attorney General  
Commonwealth of Pennsylvania  
15th Floor, Strawberry Square  
Harrisburg, PA 17120

RE: MUR 3920

Dear Ms. Mershimer:

On February 4, 1994, the Commonwealth of Pennsylvania, the Secretary of the Commonwealth, Brenda K. Mitchell, and the Commissioner of the Bureau of Commissions, Elections, and Legislation, William P. Boehm, were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, the above-noted respondents 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Taksar".

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564622



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 17, 1994

Robert Knupp, Esq.  
Knupp and Kodak  
P.O. Box 11848  
Harrisburg, PA 17108

RE: MUR 3920  
Cameron County Board of Commissioners,  
Chester County Board of Commissioners,  
Indiana County Board of Commissioners,  
Mifflin County Board of Commissioners,  
Northhampton County Council, Schuylkill  
County Board of Commissioners, Warren  
County Board of Commissioners,  
Washington County Board of Commissioners

Dear Mr. Knupp:

On February 4, 1994, your clients, the Cameron County Board of Commissioners, the Chester County Board of Commissioners, the Indiana County Board of Commissioners, the Mifflin County Board of Commissioners, the Northhampton County Council, the Schuylkill County Board of Commissioners, the Warren County Board of Commissioners, and the Washington County Board of Commissioners, were notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, your clients 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564623



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20061

MAY 17, 1994

Adams County Board of Commissioners  
Baltimore Street  
Gettysburgh, PA 17325

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Adams County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEney at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564624



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 17, 1994

Ira Weiss, Esq.  
Solicitor  
Allegheny County Law Department  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219

RE: MUR 3920  
Allegheny County Board  
of Commissioners

Dear Mr. Weiss:

On February 4, 1994, the Allegheny County Board of Commissioners ("Board") was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, the Board was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564625



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

May 17, 1994

James H. Owen, Esq.  
Calarie and Owen  
The Old Library  
200 N. Jefferson Street  
Kittanning, PA 16201

RE: MUR 3920  
Armstrong County Board of  
Commissioners

Dear Mr. Owen:

On February 4, 1994, your client, Armstrong County Board of Commissioners, was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, your client was 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 April 25, 1994, 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 Joan McEnergy at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

240433564626



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

MAY 17, 1994

Beaver County Board of Commissioners  
810 Third Street  
Beaver, PA 15009-2193

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Beaver County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564627



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

MAY 17, 1994

Bedford County Board of Commissioners  
P.O. Box 166  
Bedford, PA 15522

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Bedford County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEney at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564628



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

MAY 17, 1994

Berks County Board of Commissioners  
633 Court Street  
Reading, PA 19601

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Berks County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564629



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Blair County Board of Commissioners  
423 Allegheny Street  
Hollidaysburg, PA 16648

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Blair County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564630



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

MAY 17, 1994

Bradford County Board of Commissioners  
301 Main Street  
Towanda, PA 18848

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Bradford County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564631



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20461

May 17, 1994

Peter A. Glascott, Esq.  
County of Bucks  
Broad and Court Streets  
Doylestown, PA 18901

RE: MUR 3920  
Bucks County Board of  
Commissioners

Dear Mr. Glascott:

On February 4, 1994, the Bucks County Board of Commissioners ("Board") was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, the Board was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564632



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

MAY 17, 1994

Butler County Board of Commissioners  
P.O. Box 1208  
Butler, PA 16003

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Butler County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564633



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Cambria County Board of Commissioners  
Cambria County Court House  
South Center Street  
Ebensburg, PA 15931

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Cambria County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

4043564634



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

MAY 17, 1994

Carbon County Board of Commissioners  
P.O. Box 129  
Jim Thorpe, PA 18229

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Carbon County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564635



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Centre County Board of Commissioners  
420 Holmes Street  
Bellefonte, PA 16823-4188

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Centre County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564636



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Clarion County Board of Commissioners  
Court House  
Main Street  
Clarion, PA 16214

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Clarion County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564637



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Clearfield County Board of Commissioners  
1 North Second Street  
Clearfield, PA 16830

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Clearfield County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEney at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564638



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

May 17, 1994

Lewis G. Steinberg, Esq.  
Snowiss, Steinberg, Faulkner & Rae  
Lock Haven, PA 17745

RE: MUR 3920  
Clinton County Board of  
Commissioners

Dear Mr. Steinberg:

On February 4, 1994, your client, Clinton County Board of Commissioners, was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, your client was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564639



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Columbia County Board of Commissioners  
P.O. Box 380  
Bloomsburg, PA 17815

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Columbia County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564640



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Crawford County Board of Commissioners  
903 Diamond Park  
Meadville, PA 16335

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Crawford County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnergy at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564641



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20461

MAY 17, 1994

Cumberland County Board of Commissioners  
1 Court House Square  
Carlisle, PA 17013

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Cumberland County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564642



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Dauphin County Board of Commissioners  
Dauphin County Court House  
P.O. Box 1295  
Harrisburg, PA 17108

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Dauphin County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564643



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

MAY 17, 1994

Delaware County Council  
Grover Center Building  
Media, PA 19063

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Delaware County Council was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnergy at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564644



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Elk County Board of Commissioners  
P.O. Box 448  
Ridway, PA 15853

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Elk County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564645



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

MAY 17, 1994

Erie County Council  
140 West 6th Street  
Erie, PA 16501

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Erie County Council was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564646



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Fayette County Board of Commissioners  
61 East Main Street  
Uniontown, PA 15401

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Fayette County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnergy at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Taksar".

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564647



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Forest County Board of Commissioners  
P.O. Box 126  
Tionesta, PA 16353

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Forest County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

74043564648



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAY 17, 1994

Franklin County Board of Commissioners  
157 Lincoln Way East  
Chambersburg, PA 17201

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Franklin County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564649



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Fulton County Board of Commissioners  
201 North Second Street  
McConnellsburg, PA 17233

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Fulton County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564650



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Greene County Board of Commissioners  
93 High Street  
Waynesburg, PA 15370

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Greene County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564651



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Huntingdon County Board of Commissioners  
Court House  
223 Penn Street  
Huntingdon, PA 16652

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Huntingdon County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Taksar".

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564652



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

MAY 17, 1994

Jefferson County Board of Commissioners  
Court House  
200 Main Street  
Brookville, PA 15825

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Jefferson County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564653



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

MAY 17, 1994

Juniata County Board of Commissioners  
P.O. Box 68  
Mifflintown, PA 17059

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Juniata County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564654



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 17, 1994

Joseph A. O'Brien, Esq.  
Oliver, Price & Rhodes  
220 Penn Ave, P.O. Box 1409  
Scranton, PA 18501-1409

RE: MUR 3920  
Lackawanna County Board of  
Commissioners

Dear Mr. O'Brien:

On February 4, 1994, your client, the Lackawanna County Board of Commissioners, was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, your client was 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 April 25, 1994, 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 Joan McEnergry at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564655



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Lancaster County Board of Commissioners  
50 North Duke Street  
Lancaster, PA 17603

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Lancaster County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEney at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Taksar".

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564656



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Lawrence County Board of Commissioners  
430 Court Street  
New Castle, PA 16101-3593

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Lawrence County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564657



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Lebanon County Board of Commissioners  
400 South 8th Street, Room 207  
Lebanon, PA 17042

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Lebanon County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564658



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

May 17, 1994

John M. Ashcraft, III, Esq.  
Lehigh County Courthouse  
P.O. Box 1548  
Allentown, PA 18105

RE: MUR 3920  
Lehigh County Board of  
Commissioners

Dear Mr. Ashcraft:

On February 4, 1994, the Lehigh County Board of Commissioners ("Board") was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, the Board was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564659



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

MAY 17, 1994

Luzerne County Board of Commissioners  
200 North River Street  
Wilkes-Barre, PA 18711

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Luzerne County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564660



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Lycoming County Board of Commissioners  
48 West Third Street  
Williamsport, PA 17701

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Lycoming County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Taksar".

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564661



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 17, 1994

McKean County Board of Commissioners  
McKean County Court House  
500 West Main Street  
Smethport, PA 16749

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the McKean County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Taksar".

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564662



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Mercer County Board of Commissioners  
103 Court House  
Mercer, PA 16137

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Mercer County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564663



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

MAY 17, 1994

Monroe County Board of Commissioners  
Court House Square  
Stroudsburg, PA 18360

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Monroe County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564664



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Montgomery County Board of Commissioners  
Court House  
Norristown, PA 19404

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Montgomery County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564665



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Montour County Board of Commissioners  
29 Mill Street  
Danville, PA 17821

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Montour County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564666



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

MAY 17, 1994

Northumberland County Board of Commissioners  
201 Market Street  
Sunbury, PA 17801

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Northumberland County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564667



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Perry County Board of Commissioners  
P.O. Box 37  
New Bloomfield, PA 17068

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Perry County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564668



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Philadelphia Board of Commissioners  
c/o City Hall, Room 138  
Philadelphia, PA 19107

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Philadelphia Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564669



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

MAY 17, 1994

Pike County Board of Commissioners  
506 Broad Street  
Milford, PA 18337

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Pike County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEneary at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564670



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Potter County Board of Commissioners  
Potter County Court House  
1 East Second Street, Room 22  
Coudersport, PA 16915

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Potter County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564671



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Snyder County Board of Commissioners  
P.O. Box 127  
Middleburg, PA 17842

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Snyder County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564672



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

May 17, 1994

Kim R. Gibson, Esq.  
Somerset County Board of Commissioners  
160 Main Street, P.O. Box 263  
Somerset, PA 15501

RE: MUR 3920  
Somerset County Board of  
Commissioners

Dear Ms. Gibson:

On February 4, 1994, the Somerset County Board of Commissioners ("Board") was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, the Board was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564673



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAY 17, 1994

Sullivan County Board of Commissioners  
Sullivan County Court House  
Laporte, PA 18626

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Sullivan County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

74043564674



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

May 17, 1994

L. Carter Anderson, Esq.  
R.R 3, P.O. Box 130B  
Montrose, PA 18801

RE: MUR 3920  
Susquehanna County Board of  
Commissioners

Dear Mr. Anderson:

On February 4, 1994, your client, the Susquehanna County Board of Commissioners, was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, your client was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564675



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Tioga County Board of Commissioners  
118 Main Street  
P.O. Box 589  
Wellsboro, PA 16901

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Tioga County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564676



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 17, 1994

Union County Board of Commissioners  
103 South Second Street  
Lewisburg, PA 17837

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Union County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Taksar".

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

94043564677



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 17, 1994

Robert W. McFate, Esq.  
McFate Law Firm  
229 Elm Street  
Oil City, PA 16301

RE: MUR 3920  
Venango County Board of  
Commissioners

Dear Mr. McFate:

On February 4, 1994, your client, the Venango County Board of Commissioners, was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, your client was 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 April 25, 1994, 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 Joan McEney at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564678



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 17, 1994

Lee C. Krause, Esq.  
Howell, Krause & Schloesser  
109 Ninth Street  
Honesdale, PA 18431

RE: MUR 3920  
Wayne County Board of  
Commissioners

Dear Mr. Krause:

On February 4, 1994, your client, the Wayne County Board of Commissioners, was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, your client was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564679



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 17, 1994

R. Mark Gesalman, Esq.  
County Solicitor  
103 Court House Square  
Greensburg, PA 15601

RE: MUR 3920  
Westmoreland County  
Board of Commissioners

Dear Mr. Gesalman:

On February 4, 1994, the Westmoreland County Board of Commissioners ("Board") was notified that the Federal Election Commission received a complaint from William D. White alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time, the Board was 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564680



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

MAY 17, 1994

Wyoming County Board of Commissioners  
One Court House Square  
Tunkhannock, PA 18657

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Wyoming County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564681



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20541

MAY 17, 1994

York County Board of Commissioners  
One West Marketway  
York, PA 17401

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the York County Board of Commissioners was notified that the Federal Election Commission received a complaint from William D. White 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 April 25, 1994, 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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*  
Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure

24043564682



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL

06-c 1472  
RECEIVED  
FEDERAL ELECTION  
COMMISSION  
MAY 27 12 57 PM '94

ERNEST D. PREATE, Jr.  
ATTORNEY GENERAL

May 24, 1994

Reply To:

15th Floor, Strawberry Square  
Harrisburg, PA 17120  
(717) 783-1471  
(717) 772-4526 (FAX)

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
MAY 27 2 45 PM '94

Joan McEnery, Esq.  
Office of General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: White v. Commonwealth of Pennsylvania,  
MUR 3920

Dear Ms. McEnery:

On May 20, 1994, I received a letter from Attorney Mary L. Taksar dated May 17, 1994. Ms. Taksar also provided me with a copy of an "Addendum" that Mr. White filed with the Federal Election Commission on April 25, 1994.

I have reviewed the "Addendum" and believe no additional response to my March 1, 1994 letter to you is required. My clients are unaware of any cases that support Mr. White's notion that a state's funding of the primary election process violates the Federal Election Campaign Act of 1971. Again, we ask the Commission to dismiss Mr. White's complaint.

Sincerely,

KATE L. MERSHIMER  
Senior Deputy Attorney General  
Counsel for the Commonwealth of  
Pennsylvania, Secretary Mitchell,  
and Commissioner Boehm

KLM:je

24043564683

OBC # 1533

LAW OFFICES OF

KNUPP & KODAK, P.C.

CAMERON MANSION  
407 NORTH FRONT STREET  
P.O. BOX 11848  
HARRISBURG, PA 17108-1848  
717-238-7151  
FAX 717-238-7158

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATION

JUN 3 10 48 AM '94

OF COUNSEL  
ROBERT H. MAURER

ROBERT EWING KNUPP  
(1932-1978)  
ROBERT L. KNUPP  
ROBERT D. KODAK  
GARY J. IMBLUM  
MATTHEW J. HOLDEN

May 27, 1994

MARY L. TAKSAR, ATTORNEY-AT-LAW  
FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

Re: Complaint No. MUR 3920  
White v. Commonwealth of Pennsylvania, et al.

Dear Ms. Taksar:

Your letter of May 17, 1994 has been received. The first paragraph of your letter is incorrect in that we have been authorized to represent the Counties named in the response that we filed on February 18, 1994.

Apparently, the addendum which has been filed by Mr. White is intended to question standing. We believe that your agency has no basis for questioning standing at this point. Should you need any further information, please feel free to contact me.

Very truly yours,



Robert L. Knupp, Solicitor  
County Commissioners Association  
of Pennsylvania

RLK/pm  
Enclosure

cc: DOUGLAS E HILL EXECUTIVE DIRECTOR  
COUNTY COMMISSIONERS ASSOCIATION  
OF PENNSYLVANIA  
17 NORTH FRONT STREET  
HARRISBURG PA 17101

WILLIAM D WHITE  
16 EAST MANILLA AVE  
PITTSBURGH PA 15220

24043564604



COUNTY OF LEHIGH  
Department of Law

Hon. Madaline Palladino  
County Solicitor

June 3, 1994

JUN 13 12 21 PM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

General Counsel's Office  
Federal Election Commission  
Washington, DC 20463


RE: MUR 3920

Dear Sir or Madam:

Enclosed please find a Response to Addendum of  
Complainant by Respondent, County of Lehigh Board of Commissioners,  
which I am filing on their behalf.

Please direct any notifications and other communications  
from the Commission to the undersigned.

Sincerely,



John M. Ashcraft, III

JMA:mlw

Enclosure

cc: Hon. Madaline Palladino  
Martha E. Falk  
Mary L. Taksar (w/encl.)  
William D. White (w/encl.)

24043564685

Courthouse, P.O. Box 1548  
Allentown, Pennsylvania 18105  
Phone: 610-820-3453  
Fax: 610-820-2093

FEDERAL ELECTION COMMISSION

WILLIAM D. WHITE, et al.,	:	MUR 3920
Complainants,	:	
	:	
vs.	:	
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
SECRETARY OF THE COMMONWEALTH,	:	
COMMISSIONER OF ELECTIONS, BOARDS	:	
OF COMMISSIONERS FOR THE PA	:	
COUNTIES OF: ADAMS, ALLEGHENY,	:	
ARMSTRONG, BEAVER, BEDFORD, BERKS,	:	
BLAIR, BRADFORD, BUCKS, BUTLER,	:	
CAMBRIA, CAMERON, CARBON, CENTRE,	:	
CHESTER, CLARION, CLEARFIELD,	:	
CLINTON, COLUMBIA, CRAWFORD,	:	
CUMBERLAND, DAUPHIN, DELAWARE, ELK,	:	
ERIE, FAYETTE, FOREST, FRANKLIN,	:	
FULTON, GREENE, HUNTINGTON,	:	
INDIANA, JEFFERSON, JUNIATA,	:	
LACKAWANNA, LANCASTER, LAWRENCE,	:	
LEBANON, LEHIGH, LUZERNE, LYCOMING,	:	
McKEAN, MERCER, MIFFLIN, MONROE,	:	
MONTGOMERY, MONTOUR, NORTHAMPTON,	:	
NORTHUMBERLAND, PERRY, PHILADELPHIA:	:	
PIKE, POTTER, SCHUYKILL, SNYDER,	:	
SOMERSET, SULLIVAN, SUSQUEHANNA,	:	
TIOGA, UNION, VENANGO, WARREN,	:	
WASHINGTON, WAYNE, WESTMORLAND,	:	
WYOMING and YORK,	:	
Respondents	:	

RESPONSE TO ADDENDUM OF COMPLAINANT BY  
RESPONDENT, COUNTY OF LEHIGH BOARD OF COMMISSIONERS

In response to the above-referenced Addendum to the Complaint by the Complainant come the Respondent Board of Commissioners of the County of Lehigh, by and through their counsel, Assistant County Solicitor, John M. Ashcraft, III, Esquire, and aver as follows:

24043564686

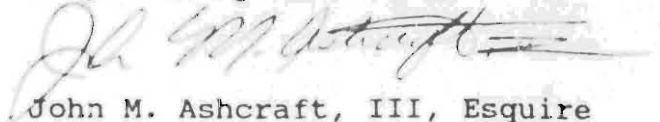
1. As used in the Federal Election Code, a "contribution" is a voluntary gift. The public funding of the closed primary system in Pennsylvania is not equivalent to a contribution to party candidates by Counties because operation under the system is mandated by state law, that is, the Counties are required to operate such an election system. See 25 P.S. Sections 951-36 (d) and 2832.

2. There is no Constitutional right to participate in a primary election. Consumer Party vs. Davis, 633 Fed. Supp. 877 (E.D. Pa. 1986). The closed primary system has been upheld by the United States Supreme Court: Storer vs. Brown, 415 U.S. 724, 94 Sup. Ct. Rep. 1274, 39 Law. Ed. 714 (1974); American Party of Texas vs. White, 415 U.S. 767, 94 Sup. Ct. Rep. 1296, 39 Law Ed. 744 (1974); Rosario vs. Rockefeller, 410 U.S. 752, 93 Sup. Ct. Rep. 1245, 36 Law. Ed. 1 (1973).

3. The types of contributions and expenditures which are intended to be governed under the Federal Election Code are those made for political purposes. The Federal Election Code permits non-political corporate donations and these interpretations by the Federal Election Commission are entitled to Judicial deference. Orloski vs. FEC, 795 Fed. 2d. 156, 160, 163, 167, 254 U.S.App. DC 111 (1986). The activities of the Election Board of Lehigh County in this regard occurs without choice because the Pennsylvania Election Code mandates the operation of the system attacked in the Complaint.

24043564687

Respectively submitted,



John M. Ashcraft, III, Esquire  
Assistant Solicitor, County of  
Lehigh Department of Law  
I.D. #21694

Lehigh County Courthouse  
455 Hamilton Street  
P.O. Box 1548  
Allentown, PA 18105  
(610) 820-3180  
(610) 434-6525

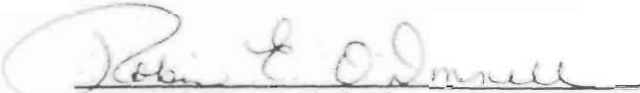
94043564688

COMMONWEALTH OF PENNSYLVANIA :  
: SS.:  
COUNTY OF LEHIGH :

Before me, the undersigned, a Notary Public for the Commonwealth of Pennsylvania, personally appeared MARTHA E. FALK, CHAIRWOMAN FOR THE BOARD OF COMMISSIONERS FOR THE COUNTY OF LEHIGH, one of the Respondents in the foregoing Response to Complaint, who deposes and says that she is authorized therein are true and correct to the best of her knowledge, information and belief.

  
MARTHA E. FALK

Sworn to and subscribed  
before me this 31<sup>st</sup> day  
of May, 1994.

  
Notary Public

Notarial Seal  
Robin E. O'Donnell, Notary Public  
Allentown, Lehigh County  
My Commission Expires May 9, 1998  
Member, Pennsylvania Association of Notaries

94043564689

JUN 30 3 55 PM '94

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of )

) Enforcement Priority  
)

GENERAL COUNSEL'S QUARTERLY REPORT

I. INTRODUCTION

This report is the second Enforcement Priority System Quarterly Report. The purpose of this Quarterly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission approved criteria

By closing such cases the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 16 cases which do not warrant further pursuit relative to the other pending cases.<sup>1</sup> A short

1. These matters are: MUR 3920; MUR 3930; MUR 3934; MUR 3939; MUR 3942; MUR 3943; MUR 3945; MUR 3948; MUR 3953; MUR 3955; MUR 3957; MUR 3964; MUR 3965; MUR 3967; RAD 94L-22; and RAD 94L-25.

94043564690

description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-16. For the Commission's convenience, the narratives for externally-generated matters are immediately followed by the complaint and response(s) and the narratives for internally-generated matters are immediately followed by the referral.

**B. Stale Cases**

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 42 cases that

do not warrant further investment of significant Commission resources.<sup>2</sup> Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate

2. These matters are: MUR 3132; MUR 3432; MUR 3466; MUR 3470; MUR 3473; MUR 3495; MUR 3558; MUR 3575; MUR 3581; MUR 3594; MUR 3600; MUR 3625; MUR 3647; MUR 3663; MUR 3684; MUR 3698; MUR 3712; MUR 3733; MUR 3744; MUR 3749; MUR 3756; MUR 3759; MUR 3767; MUR 3776; MUR 3779; RAD 92L-26, RAD 93L-25; RAD 93L-26; RAD 93L-29; RAD 93L-31; RAD 93L-33; RAD 93L-35; RAD 93L-36; RAD 93L-38; RAD 93L-39; RAD 93NF-02; RAD 93NF-03; RAD 93NF-06; RAD 93NF-10; RAD 93NF-12; RAD 93NF-15; and RAD 93NF-20.

24043564691

narratives for these cases. However, for externally-generated matters in which the Commission has made no findings, the complaint and response(s) are attached to the report and for internally-generated matters in which the Commission has made no findings, the referral is attached. See Attachments 17-53. Because the Commission has already made findings in five of the stale cases, no additional information is being attached to this report in regard to these cases.<sup>3</sup>

24043564692

---

3. These matters are: MUR 3132, MUR 3432, MUR 3466, MUR 3495, and MUR 3733.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the identified cases effective August 1, 1994. This will allow the Legal Review Team adequate time to prepare the Pre-MUR and MUR files so that the cases can appear on the public record by September 1, 1994, within 30 days of the August 1, 1994, closing date. This timeframe also will enable this Office to prepare closing letters so that the letters can be mailed on August 2, 1994. Additionally, the Press Office will need time to review the files for inclusion in one of its press releases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

94043564693

B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
- 2) MUR 3473
- 3) MUR 3558
- 4) MUR 3575
- 5) MUR 3581
- 6) MUR 3594
- 7) MUR 3600
- 8) MUR 3625
- 9) MUR 3647
- 10) MUR 3663
- 11) MUR 3684
- 12) MUR 3698
- 13) MUR 3712
- 14) MUR 3744
- 15) MUR 3749
- 16) MUR 3756
- 17) MUR 3759
- 18) MUR 3767
- 19) MUR 3776
- 20) MUR 3779
- 21) MUR 3920
- 22) MUR 3930
- 23) MUR 3934
- 24) MUR 3939
- 25) MUR 3942
- 26) MUR 3943
- 27) MUR 3945
- 28) MUR 3948
- 29) MUR 3953
- 30) MUR 3955
- 31) MUR 3957
- 32) MUR 3964
- 33) MUR 3965
- 34) MUR 3967

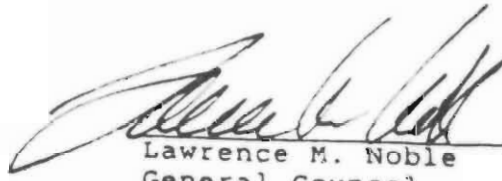
94043564694

C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

Date

6/30/94

  
Lawrence M. Noble  
General Counsel

94043564695

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Enforcement Priority ) Agenda Document  
#X94-72

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on July 19, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to Agenda Document #X94-72:

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

(continued)

94043564696

Federal Election Commission  
Certification: Enforcement Priority  
July 19, 1994

Page 2

B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
- 2) MUR 3473
- 3) MUR 3558
- 4) MUR 3575
- 5) MUR 3581
- 6) MUR 3594
- 7) MUR 3600
- 8) MUR 3625
- 9) MUR 3647
- 10) MUR 3663
- 11) MUR 3684
- 12) MUR 3698
- 13) MUR 3712
- 14) MUR 3744
- 15) MUR 3749
- 16) MUR 3756
- 17) MUR 3759
- 18) MUR 3767
- 19) MUR 3776
- 20) MUR 3779
- 21) MUR 3920
- 22) MUR 3930
- 23) MUR 3934
- 24) MUR 3939
- 25) MUR 3942
- 26) MUR 3943
- 27) MUR 3945
- 28) MUR 3948
- 29) MUR 3953
- 30) MUR 3955
- 31) MUR 3957
- 32) MUR 3964
- 33) MUR 3965
- 34) MUR 3967

(continued)

74043564697

C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

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

Attest:

7-20-94  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission

24043564698



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

William D. White  
16 East Manilla Ave.  
Pittsburgh, PA 15220

RE: MUR 3920

Dear Mr. White:

On January 28, 1994, 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 the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994. 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 L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564699

## COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564700



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Robert Knupp, Esq.  
Knupp and Kodak  
P.O. Box 11848  
Harrisburg, PA 17108

RE: MUR 3920  
Cameron County Board of Commissioners,  
Chester County Board of Commissioners,  
Indiana County Board of Commissioners,  
Mifflin County Board of Commissioners,  
Northhampton County Council, Schuylkill  
County Board of Commissioners, Warren  
County Board of Commissioners,  
Washington County Board of Commissioners

Dear Mr. Knupp:

On February 4, 1994, the Federal Election Commission notified your clients 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 your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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.

24043564701

MUR 3920  
Page 2

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

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564702

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564703



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

Wyoming County Board of Commissioners  
One Court House Square  
Tunkhannock, PA 18657

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564704

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564705



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Robert W. McFate, Esq.  
McFate Law Firm  
229 Elm Street  
Oil City, PA 16301

RE: MUR 3920  
Venango County Board of  
Commissioners

Dear Mr. McFate:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564706

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564707



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Pike County Board of Commissioners  
506 Broad Street  
Milford, PA 18337

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564708

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564709



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Kim R. Gibson, Esq.  
Somerset County Board of Commissioners  
160 Main Street, P.O. Box 263  
Somerset, PA 15501

RE: MUR 3920  
Somerset County Board of  
Commissioners

Dear Ms. Gibson:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564710

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564711



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Northumberland County Board of Commissioners  
210 Market Street  
Sunbury, PA 17801

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564712

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564713



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Perry County Board of Commissioners  
P.O. Box 37  
New Bloomfield, PA 17068

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564714

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564715



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Snyder County Board of Commissioners  
P.O. Box 127  
Middleburg, PA 17842

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564716

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564717



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Potter County Board of Commissioners  
Potter County Court House  
1 East Second Street, Room 22  
Coudersport, PA 16915

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564718

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564719



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Philadelphia Board of Commissioners  
c/o City Hall, Room 138  
Philadelphia, PA 19107

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564720

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564721



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Montour County Board of Commissioners  
29 Mill Street  
Danville, PA 17821

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564722

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564723



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

R. Mark Gesalman, Esq.  
County Solicitor  
103 Court House Square  
Greensburg, PA 15601

RE: MUR 3920  
Westmoreland County  
Board of Commissioners

Dear Mr. Gesalman:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564724

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564725



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1994

Union County Board of Commissioners  
103 South Second Street  
Lewisburg, PA 17837

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564726

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564727



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1994

Lee C. Krause, Esq.  
Howell, Krause & Schloesser  
109 Ninth Street  
Honesdale, PA 18431

RE: MUR 3920  
Wayne County Board of  
Commissioners

Dear Mr. Krause:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564728

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564729



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

L. Carter Anderson, Esq.  
R.R. 3, P.O. Box 130B  
Montrose, PA 18801

RE: MUR 3920  
Susquehanna County Board  
of Commissioners

Dear Mr. Anderson:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564730

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564731



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Columbia County Board of Commissioners  
P.O. Box 380  
Bloomsburg, PA 17815

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564732

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564733



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Crawford County Board of Commissioners  
903 Diamond Park  
Meadville, PA 16335

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564734

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564735



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

York County Board of Commissioners  
One West Marketway  
York, PA 17401

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564736

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564737



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

Tioga County Board of Commissioners  
118 Main Street  
P.O. Box 589  
Wellsboro, PA 16901

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564738

## COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564739



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Erie County Council  
140 West 6th Street  
Erie, PA 16501

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043664740

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564741



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Cumberland County Board of Commissioners  
1 Court House Square  
Carlisle, PA 17013

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

74043564742

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Parish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564743



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Jefferson County Board of Commissioners  
Court House  
200 Main Street  
Brookville, PA 15825

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043584744

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564745



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Fayette County Board of Commissioners  
61 East Main Street  
Uniontown, PA 15401

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564746

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564747



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Huntingdon County Board of Commissioners  
Court House  
223 Penn Street  
Huntingdon, PA 16652

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564748

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564749



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Dauphin County Board of Commissioners  
Dauphin County Court House  
P.O. Box 1295  
Harrisburg, PA 17108

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564750

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564751



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Delaware County Council  
Grover Center Building  
Media, PA 19063

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564752

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564753



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Elk County Board of Commissioners  
P.O. Box 448  
Ridway, PA 15853

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564754

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564755



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Juniata County Board of Commissioners  
P.O. Box 68  
Mifflintown, PA 17059

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564756

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564757



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Fulton County Board of Commissioners  
201 North Second Street  
McConnellsburg, PA 17233

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564758

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564759



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Franklin County Board of Commissioner  
157 Lincoln Way East  
Chambersburg, PA 17201

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564760

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564761



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Forest County Board of Commissioners  
P.O. Box 126  
Tionesta, PA 16353

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564762

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564763



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Joseph A. O'Brien, Esq.  
Oliver, Price & Rhodes  
220 Penn Ave., P.O. Box 1409  
Scranton, PA 18501-1409

RE: MUR 3920  
Lackawanna County Board of  
Commissioners

Dear Mr. O'Brien:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564764

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564765



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Lancaster County Board of Commissioners  
50 North Duke Street  
Lancaster, PA 17603

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEmery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564766

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564767



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Green County Board of Commissioners  
93 High Street  
Waynesburg, PA 15370

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564768

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564769



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

John M. Ashcraft, III, Esq.  
Lehigh County Courthouse  
P.O. Box 1548  
Allentown, PA 18105

RE: MUR 3920  
Lehigh County Board of  
Commissioners

Dear Mr. Ashcraft:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564770

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564771



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Lawrence County Board of Commissioners  
430 Court Street  
New Castle, PA 16101-3593

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564772

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564773



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Lebanon County Board of Commissioners  
400 South 8th Street, Room 207  
Lebanon, PA 17042

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564774

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564775



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Luzerne County Board of Commissioners  
200 North River Street  
Wilkes-Barre, PA 18711

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564776

## COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

74043564777



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Cambridge County Board of Commissioners  
Cambridge County Court House  
South Center Street  
Ebensburg, PA 15931

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564778

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564779



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Centre County Board of Commissioners  
420 Holmes Street  
Bellefonte, PA 16823-4188

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564780

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564761



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Carbon County Board of Commissioners  
P.O. Box 129  
Jim Thorpe, PA 18229

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564782

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564783



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Clarion County Board of Commissioners  
Court House  
Main Street  
Clarion, PA 16214

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564704

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564785



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

AUG 02 1994

Bedford County Board of Commissioners  
P.O. Box 166  
Bedford, PA 15522

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564786

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564787



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Berks County Board of Commissioners  
633 Court Street  
Reading, PA 19601

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

74043564788

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564789



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Beaver County Board of Commissioners  
810 Third Street  
Beaver, PA 15009-2193

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564790

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564791



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

AUG 02 1994

Ira Weiss, Esq.  
Solicitor  
Allegheny County Law Department  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219

RE: MUR 3920  
Allegheny County Board  
of Commissioners

Dear Mr. Weiss:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564792

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564793



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Lewis G. Steinberg  
Snowiss, Steinberg, Faulkner & Rae  
Lock Haven, PA 17745

RE: MUR 3920  
Clinton County Board  
of Commissioners

Dear Mr. Steinberg:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564794

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564795



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

AUG 02 1994

James H. Owen, Esq.  
Calarie and Owen  
The Old Library  
200 N. Jefferson Street  
Kittanning, PA 16201

RE: MUR 3920  
Armstrong County Board of  
Commissioners

Dear Mr. Owen:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564796

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

94043564797



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Adams County Board of Commissioners  
Baltimore Street  
Gettysburgh, PA 17325

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564798

## COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564799



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Blair County Board of Commissioners  
423 Allegheny Street  
Hollidaysburg, PA 16648

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564000

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564801



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Bradford County Board of Commissioners  
301 Main Street  
Towanda, PA 18848

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564802

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564803



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Peter A. Glascott, Esq.  
County of Bucks  
Broad and Courts Streets  
Doylestown, PA 18901

RE: MUR 3920  
Bucks County Board  
of Commissioners

Dear Mr. Glascott:

On February 4, 1994, the Federal Election Commission notified your client 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 your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564604

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564805



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Butler County Board of Commissioners  
P.O. Box 1208  
Butler, PA 16003

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564806

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564807



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Sullivan County Board of Commissioners  
Sullivan County Court House  
Laporte, PA 18626

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564800

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564809



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Monroe County Board of Commissioners  
Court House Square  
Stroudsburg, PA 18360

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

94043564810

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564811



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Mercer County Board of Commissioners  
103 Court House  
Mercer, PA 16137

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564812

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564813



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Lycoming County Board of Commissioners  
48 West Third Street  
Williamsports, PA 17701

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564814

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564015



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

Kate L. Mershimer  
Senior Deputy Attorney General  
Commonwealth of Pennsylvania  
15th Floor, Strawberry Square  
Harrisburg, PA 17120

RE: MUR 3920

Dear Ms. Mershimer:

On February 4, 1994, the Federal Election Commission notified the Commonwealth of Pennsylvania, Brenda K. Mitchell, the Secretary of the Commonwealth, and William P. Boehm, Commissioner of Elections 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 Commonwealth of Pennsylvania, Brenda K. Mitchell, the Secretary of the Commonwealth, and William P. Boehm, Commissioner of Elections. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

74043564816

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564817



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 02 1994

Clearfield County Board of Commissioners  
1 North Second Street  
Clearfield, PA 16830

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564818

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564819



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1994

Montgomery County Board of Commissioners  
Court House  
Norristown, PA 19404

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564820

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564821



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUG 02 1994

McKean County Board of Commissioners  
McKean County Court House  
500 West Main Street  
Smethport, PA 16749

RE: MUR 3920

Dear Sir or Madam:

On February 4, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar  
Attorney

Attachment  
Narrative

24043564822

MUR 3920  
COMMONWEALTH OF PENNSYLVANIA

The complainant, William White, alleges that the administration and financing of closed primary elections in regard to federal office by the Commonwealth of Pennsylvania, the Pennsylvania Bureau of Elections, and the 67 County Boards of Election in Pennsylvania constitute excessive and/or prohibited contributions to the political parties and the affiliated candidates that are included on the election ballots. Mr. White filed a supplement to his complaint in which he discusses the statutory requirement for judges and other personnel for each election district and alleges that the compensation received by such personnel are contributions to candidates who appear on the ballot.

In response to the complaint, the County Boards of Election state that the Pennsylvania Election Code provides procedures for the Commonwealth Board of Elections to certify candidates for the ballot and that these procedures were followed in the matter at issue. The Commonwealth of Pennsylvania responds that states can regulate the election process and that FECA does not prohibit states from holding primaries. The Commonwealth of Pennsylvania also indicates that the definition of "persons" under § 441a(1) does not extend to states.

In addition to filing a complaint in this matter, Mr. White submitted a request for an advisory opinion concerning the application of FECA and Commission regulations to his status as a 1994 candidate for the United States Senate in Pennsylvania. In response to Mr. White's request, the Commission issued Advisory Opinion 1994-5 in which it noted:

the fact one is a candidate under the Act does not determine his or her qualifications for the election ballot in any State. Ballot access requirements are governed by State law, assuming such law comports with the requirements of the United States Constitution as interpreted and applied by the United State Supreme Court and lower federal courts. See, for example, Munro v. Socialist Workers Party, 479 U.S. 189 (1986); Andersen v. Celebrezze, 460 U.S. 780 (1983); Lubin v. Panish, 415 U.S. 709 (1974); Jenness v. Fortson, 403 U.S. 431 (1971); William v. Rhodes, 393 U.S. 23 (1968). The Commission further notes that Federal preemption under 2 U.S.C. §453 does not extend to State ballot access requirements. Commission regulations provide that state laws, which prescribe the manner of qualifying as a candidate, are not preempted or superseded by the Act or Commission regulations.  
11 CFR 108.7(c)(1).

This matter involves less significant issues relative to other matters pending before the Commission.

24043564823

FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION COMMISSION

MUR 3920

AUG 12 - 32 AM '94

William D. White, et al.  
complainants,  
-vs-

Commonwealth of Pennsylvania,  
Secretary of the Commonwealth,  
Commissioner of Elections,  
Boards of Commissioners for  
the Pa. counties of;  
Adams, Allegheny, Armstrong,  
Beaver, Bedford, Berks,  
Blair, Bradford, Bucks,  
Butler, Cambria, Cameron,  
Carbon, Centre, Chester,  
Clarion, Clearfield, Clinton,  
Columbia, Crawford,  
Cumberland, Dauphin,  
Delaware, Elk, Erie, Fayette,  
Forest, Franklin, Fulton,  
Greene, Huntington, Indiana,  
Jefferson, Juniata,  
Lackawanna, Lancaster,  
Lawrence, Lebanon, Lehigh,  
Luzerne, Lycoming, McKean,  
Mercer, Mifflin, Monroe,  
Montgomery, Montour,  
Northampton, Northumberland,  
Perry, Philadelphia, Pike,  
Potter, Schuylkill, Snyder,  
Somerset, Sullivan,  
Susquehanna, Tioga, Union,  
Venango, Warren, Washington,  
Wayne, Westmorland, Wyoming  
and York,  
respondents.

24043564824

REQUEST FOR RECONSIDERATION AND CLARIFICATION

In a letter dated August 2, 1994, the Commission notified me that this complaint had been dismissed. I formally request an immediate reconsideration of the dismissal and a clarification of the procedure being followed in this case.

1. The Commission states that it has "determined to exercise its prosecutorial discretion and take no further action against the respondents."

Q. What is the statutory basis for the Commission's claim of having "prosecutorial discretion"?

Q. Is the Commission's exercise of "prosecutorial discretion" to

be construed that the Commission had Reason To Believe a violation of FECA had occurred and the Commission then declined to proceed with an enforcement action?

Q. Is the Commission's exercise of "prosecutorial discretion" to be construed as the Commission's not finding Reason To Believe a violation of FECA had occurred?

Q. If Reason To Believe was found, what is the Commission's statutory basis for dismissal of this complaint?

2. The Commission states, in an untitled, unsourced "narrative" that "This matter involves less significant issues relative to other matters pending before the Commission."

Q. What "issues" were involved in this complaint?

Q. What "other matters" are more "significant" than the issues raised in this complaint? List all other complaints considered more significant.

Q. Have all other complaints involving the same issues as in this complaint also been dismissed? If not, why not?

Q. What is the statutory basis for the Commission's dismissal of this complaint based on 'significance'?

Q. What criteria are used to determine the 'significance' of any particular matter?

Q. List all "issues" considered by the Commission in all enforcement actions, and provide a description the 'significance' of each, along with an indication of the relative 'significance' of each issue.

Q. What recourse exists within the Commission to challenge the Commission's determination of 'significance'?

Q. What recourse exists within the Commission to challenge this procedure of dismissal by reason of 'significance'?

Q. Was any determination made on the merits of the complaint?

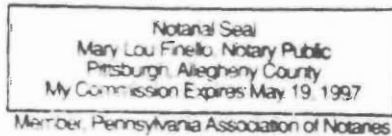
I swear that the foregoing is true and correct to the best of my knowledge, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

*William D. White*

William D. White  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 8th day of August, 1994

*Mary Lou Finello*



RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

AUG 12 11 07 AM '94

PRESS RELEASE 94-40

from

RECEIVED  
FEDERAL ELECTION  
COMMISSION

AUG 12 8 33 AM '94

Bill White for U.S. Senate campaign HQ

August 8, 1994 - The UnPerson Campaign continues!

Bill White, UnPerson, urges YOU to become politically active!

"Join the UnPerson Political - Yankee Response Squad (UP-YRS).  
Membership - copy this and give the copy to someone else.  
Dues - Call Big Brother and ask embarrassing questions.  
These are YOUR political rights that are at stake."

Call WPXI-TV newslines @ 237-1111 and ask "Did you cover Bill White's announcement of a write-in campaign for U.S. Senate?"

Call WTAE-TV news at 244-4444 and ask "Why didn't you use any of the press releases Bill White sent you?"

Call WQED/WQEX's Don Korb @ 622-1310 and ask him "Why isn't Bill White allowed on the air at your 'public' broadcasting station?"

"The Vice President, in response to my letter asking if he would investigate Wofford's and Specter's election fraud, said he appreciates hearing from me, and he's "grateful" to receive my letter, and he'll consider my thoughts carefully and, and...

In other words, he doesn't have the testicles to say yes or no. I never want him as President. Maybe I should ask Hillary if its OK to prosecute Wofford for election fraud."

The Federal Election Commission has just dismissed two more complaints of excessive and prohibited campaign contributions filed by Bill White.

Its OK for the Pittsburgh Post-Gazette and the League of Women Voters to donate newspaper advertising worth tens of thousands of dollars (you and I are only allowed \$1,000) to the party candidates and that these illegal contributions are "less significant than other matters before the Commission."

The FEC doesn't care, and its not doing its job. Call 1-800-424-9530 and ask why we bother to pay them (level IV of the Executive Schedule). Remember, 800 calls are traced, so don't call from your own phone if you can help it.

Last but not least, Wofford and Specter joined in a unanimous vote to re-appoint two Commissioners to the Federal Election Commission, two that voted not to take any action against Wofford or Specter for receiving illegal contributions!

Call Wofford 562-0533 or Specter 644-3400, and ask why they don't have the decency to fight fair in an election. (guess I just answered that one

Bill White for U.S. Senate '94

24043564826



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3920

DATE FILMED 8-31-94 CAMERA NO. 2

CAMERAMAN JMH

74043564827



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

Date: 1/25/95

           Microfilm  
            Public Records  
            Press

25043624321

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3920



narratives state that "this matter involves less significant issues relative to other matters pending before the Commission." In reference to this statement, Mr. White asks the Commission to identify the issues involved in MURS 3920 and 3964, identify what other matters have issues more significant than the issues in these matters, and indicate whether other matters involving the same issues in MUR 3920 and 3964 have been dismissed. He also requests the statutory basis for the Commission's dismissal of the complaints based on significance and the criteria used to determine the significance of any particular matter.

Additionally, Mr. White requests a list of issues considered by the Commission in all enforcement matters, along with a description of each issue and an indication of the relative significance of each issue. Mr. White asks what recourse exists to challenge the Commission's determination of significance and dismissal by reason of significance. Lastly, Mr. White asks whether the determination in these cases were based on the merits of the complaint.

This Office recommends that the Commission deny Mr. White's requests for reconsideration in MURS 3920 and 3964. These two matters were evaluated using the same criteria employed to evaluate all incoming cases and upon review the category of cases that do not warrant further pursuit relative to other pending matters. In his requests for reconsideration, Mr. White has provided no new facts or additional information that affect the original assessment and rating of the cases.

25043624393


This Office also recommends that the Commission approve the attached proposed letter to Mr. White. See Attachment 3. This letter, along with the enclosed remarks made by Commissioner Thomas at the press conference in December 1993 and the corresponding press release, provides information regarding the Enforcement Priority System. The proposed letter provides general information to Mr. White regarding MURs 3920 and 3964 and also explains that due to the confidential nature of the Priority System, the Commission is unable to answer many of the questions which he poses.

III. RECOMMENDATIONS

1. Deny requests for reconsideration in MURs 3920 and 3964.
2. Approve the attached letter to the complainant regarding the Enforcement Priority System and MURs 3920 and 3964.

Lawrence M. Noble  
General Counsel

12-16-94  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

1. Request for Reconsideration and Clarification in MUR 3920
2. Request for Reconsideration and Clarification in MUR 3964
3. Proposed Letter to William D. White

25043624394

FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATIVE

MUR 3920

Aug 12 8 32 AM '94

William D. White, et al.  
complainants,

-vs-

Commonwealth of Pennsylvania,  
Secretary of the Commonwealth,  
Commissioner of Elections,  
Boards of Commissioners for  
the Pa. counties of;  
Adams, Allegheny, Armstrong,  
Beaver, Bedford, Berks,  
Blair, Bradford, Bucks,  
Butler, Cambria, Cameron,  
Carbon, Centre, Chester,  
Clarion, Clearfield, Clinton,  
Columbia, Crawford,  
Cumberland, Dauphin,  
Delaware, Elk, Erie, Fayette,  
Forest, Franklin, Fulton,  
Greene, Huntington, Indiana,  
Jefferson, Juniata,  
Lackawanna, Lancaster,  
Lawrence, Lebanon, Lehigh,  
Luzerne, Lycoming, McKean,  
Mercer, Mifflin, Monroe,  
Montgomery, Montour,  
Northampton, Northumberland,  
Perry, Philadelphia, Pike,  
Potter, Schuylkill, Snyder,  
Somerset, Sullivan,  
Susquehanna, Tioga, Union,  
Venango, Warren, Washington,  
Wayne, Westmorland, Wyoming  
and York,  
respondents.

25043624395

REQUEST FOR RECONSIDERATION AND CLARIFICATION

In a letter dated August 2, 1994, the Commission notified me that this complaint had been dismissed. I formally request an immediate reconsideration of the dismissal and a clarification of the procedure being followed in this case.

1. The Commission states that it has "determined to exercise its prosecutorial discretion and take no further action against the respondents."

Q. What is the statutory basis for the Commission's claim of having "prosecutorial discretion"?

Q. Is the Commission's exercise of "prosecutorial discretion" to

be construed that the Commission had Reason To Believe a violation of FECA had occurred and the Commission then declined to proceed with an enforcement action?

Q. Is the Commission's exercise of "prosecutorial discretion" to be construed as the Commission's not finding Reason To Believe a violation of FECA had occurred?

Q. If Reason To Believe was found, what is the Commission's statutory basis for dismissal of this complaint?

2. The Commission states, in an untitled, unsourced "narrative" that "This matter involves less significant issues relative to other matters pending before the Commission."

Q. What "issues" were involved in this complaint?

Q. What "other matters" are more "significant" than the issues raised in this complaint? List all other complaints considered more significant.

Q. Have all other complaints involving the same issues as in this complaint also been dismissed? If not, why not?

Q. What is the statutory basis for the Commission's dismissal of this complaint based on 'significance'?

Q. What criteria are used to determine the 'significance' of any particular matter?

Q. List all "issues" considered by the Commission in all enforcement actions, and provide a description the 'significance' of each, along with an indication of the relative 'significance' of each issue.

Q. What recourse exists within the Commission to challenge the Commission's determination of 'significance'?

Q. What recourse exists within the Commission to challenge this procedure of dismissal by reason of 'significance'?

Q. Was any determination made on the merits of the complaint?

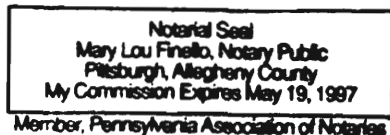
I swear that the foregoing is true and correct to the best of my knowledge, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC \$1001.

*William D. White*

William D. White  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 8th day of August, 1994.

*Mary Lou Finello*



RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

AUG 12 11 07 AM '94

PRESS RELEASE 94-40

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATIVE

AUG 12 8 33 AM '94

from

Bill White for U.S. Senate campaign HQ

August 8, 1994 - The UnPerson Campaign continues!

Bill White, UnPerson, urges YOU to become politically active!

"Join the UnPerson Political - Yankee Response Squad (UP-YRS).  
Membership - copy this and give the copy to someone else.  
Dues - Call Big Brother and ask embarrassing questions.  
These are YOUR political rights that are at stake."

Call WPXI-TV newslines @ 237-1111 and ask "Did you cover Bill White's announcement of a write-in campaign for U.S. Senate?"

Call WTAE-TV news at 244-4444 and ask "Why didn't you use any of the press releases Bill White sent you?"

Call WQED/WQEX's Don Korb @ 622-1310 and ask him "Why isn't Bill White allowed on the air at your 'public' broadcasting station?"

"The Vice President, in response to my letter asking if he would investigate Wofford's and Specter's election fraud, said he appreciates hearing from me, and he's "grateful" to receive my letter, and he'll consider my thoughts carefully and, and...

In other words, he doesn't have the testicles to say yes or no. I never want him as President. Maybe I should ask Hillary if its OK to prosecute Wofford for election fraud."

The Federal Election Commission has just dismissed two more complaints of excessive and prohibited campaign contributions filed by Bill White.

Its OK for the Pittsburgh Post-Gazette and the League of Women Voters to donate newspaper advertising worth tens of thousands of dollars (you and I are only allowed \$1,000) to the party candidates and that these illegal contributions are "less significant than other matters before the Commission."

The FEC doesn't care, and its not doing its job. Call 1-800-424-9530 and ask why we bother to pay them (level IV of the Executive Schedule). Remember, 800 calls are traced, so don't call from your own phone if you can help it.

Last but not least, Wofford and Specter joined in a unanimous vote to re-appoint two Commissioners to the Federal Election Commission, two that voted not to take any action against Wofford or Specter for receiving illegal contributions!

Call Wofford 562-0533 or Specter 644-3400, and ask why they don't have the decency to fight fair in an election. (guess I just answered that one.)

Bill White for U.S. Senate '94

25043624397

Aug 10 11 40 AM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

FEDERAL ELECTION COMMISSION

MUR 3964

William D. White, et al.  
complainant,

vs.

Pittsburgh Post-Gazette,  
League of Woman Voters,  
respondents.

REQUEST FOR RECONSIDERATION AND CLARIFICATION

In a letter dated August 2, 1994, the Commission notified me that this complaint had been dismissed. I formally request an immediate reconsideration of the dismissal and a clarification of the procedure being followed in this case.

1. The Commission states that it has "determined to exercise its prosecutorial discretion and take no further action against the respondents."

Q. What is the statutory basis for the Commission's claim of having "prosecutorial discretion"?

Q. Is the Commission's exercise of "prosecutorial discretion" to be construed that the Commission had Reason To Believe a violation of FECA had occurred and the Commission then declined to proceed with an enforcement action?

Q. Is the Commission's exercise of "prosecutorial discretion" to be construed as the Commission's not finding Reason To Believe a violation of FECA had occurred?

Q. If Reason To Believe was found, what is the Commission's statutory basis for dismissal of this complaint?

2. The Commission states, in an untitled, unsourced "narrative" that "This matter involves less significant issues relative to other matters pending before the Commission."

Q. What "issues" were involved in this complaint?

Q. What "other matters" are more "significant" than the issues raised in this complaint? List all other complaints considered more significant.

Q. Have all other complaints involving the same issues as in this complaint also been dismissed? If not, why not?

Q. What is the statutory basis for the Commission's dismissal of this complaint based on 'significance'?

Q. What criteria are used to determine the 'significance' of any particular matter?

Q. List all "issues" considered by the Commission in all enforcement actions, and provide a description the 'significance' of each, along with an indication of the relative 'significance' of each issue.

Q. What recourse exists within the Commission to challenge the Commission's determination of 'significance'?

25043624398

Q. What recourse exists within the Commission to challenge this procedure of dismissal by reason of 'significance'?

Q. Was any determination made on the merits of the complaint?

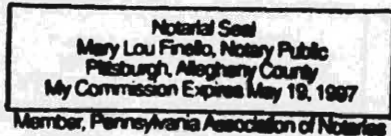
I swear that the foregoing is true and correct to the best of my knowledge, and the statements I have made are subject to the penalties for perjury and the provisions of 18 USC §1001.

*William D. White*

William D. White  
16 E. Manilla Ave.  
Pittsburgh, Pa. 15220

Subscribed and sworn to before me on this 8th day of August, 1994.

*Mary Lou Finello*



25043624399

PRESS RELEASE 94-40

from

Bill White for U.S. Senate campaign HQ

August 8, 1994 - The UnPerson Campaign continues!

Bill White, UnPerson, urges YOU to become politically active!

"Join the UnPerson Political - Yankee Response Squad (UP-YRS).  
Membership - copy this and give the copy to someone else.  
Dues - Call Big Brother and ask embarrassing questions.  
These are YOUR political rights that are at stake."

Call WPXI-TV newslines @ 237-1111 and ask "Did you cover Bill White's announcement of a write-in campaign for U.S. Senate?"

Call WTAE-TV news at 244-4444 and ask "Why didn't you use any of the press releases Bill White sent you?"

Call WQED/WQEX's Don Korb @ 622-1310 and ask him "Why isn't Bill White allowed on the air at your 'public' broadcasting station?"

"The Vice President, in response to my letter asking if he would investigate Wofford's and Specter's election fraud, said he appreciates hearing from me, and he's "grateful" to receive my letter, and he'll consider my thoughts carefully and, and...

In other words, he doesn't have the testicles to say yes or no. I never want him as President. Maybe I should ask Hillary if its OK to prosecute Wofford for election fraud."

The Federal Election Commission has just dismissed two more complaints of excessive and prohibited campaign contributions filed by Bill White.

Its OK for the Pittsburgh Post-Gazette and the League of Women Voters to donate newspaper advertising worth tens of thousands of dollars (you and I are only allowed \$1,000) to the party candidates and that these illegal contributions are "less significant than other matters before the Commission."

The FEC doesn't care, and its not doing its job. Call 1-800-424-9530 and ask why we bother to pay them (level IV of the Executive Schedule). Remember, 800 calls are traced, so don't call from your own phone if you can help it.

Last but not least, Wofford and Specter joined in a unanimous vote to re-appoint two Commissioners to the Federal Election Commission, two that voted not to take any action against Wofford or Specter for receiving illegal contributions!

Call Wofford 562-0533 or Specter 644-3400, and ask why they don't have the decency to fight fair in an election. (guess I just answered that one.)

Bill White for U.S. Senate '94

25043624400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
William D. White, et al. ) MURS 3920/3964  
(Closed)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 22, 1994, the Commission decided by a vote of 6-0 to take the following actions in MURS 3920 and 3964:

1. Deny requests for reconsideration in MURS 3920 and 3964.
2. Approve the letter to the complainant regarding the Enforcement Priority System and MURS 3920 and 3964, as recommended in the General Counsel's Report dated December 16, 1994.

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

Attest:

12-22-94  
Date

*Delores Hardy*  
for Marjorie W. Emmons  
Secretary of the Commission

Received in the Secretariat: Fri., Dec. 16, 1994 4:11 p.m.  
Circulated to the Commission: Mon., Dec. 19, 1994 11:00 a.m.  
Deadline for vote: Thurs., Dec. 22, 1994 4:00 p.m.

bjr

25043624401



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 29, 1994

Mr. William D. White  
16 E. Manilla Avenue  
Pittsburgh, PA 15220

RE: MURs 3920 and 3964

Dear Mr. White:

This letter is in response to your requests for reconsideration and clarification in MURs 3920 and 3964. After careful consideration, on December 22, 1994, the Commission decided to deny your requests for reconsideration of these matters. On this same date, the Commission decided to provide you with information that has already been made public regarding the Enforcement Priority System and general information regarding its earlier decisions to take no action and close the files in MURs 3920 and 3964.

As background information, in December 1993, when the Commission first announced that it had unanimously adopted the Priority System, the Commission acknowledged that it could not and should not attempt to fully investigate and resolve each of the hundreds of cases that come before the Commission. The Priority System is based on the principle that the Commission can more effectively enforce the Federal Election Campaign Act by pursuing the more significant cases and focusing its limited resources on such cases rather than pursuing each and every case. Thus, the Commission uses a comprehensive system for prioritizing its cases and objectively evaluates all incoming cases using the same priority criteria.

Unfortunately, the Commission cannot provide you with detailed information regarding the criteria utilized under the Priority System. Effective enforcement requires that specific aspects of the priority criteria and methodology remain confidential. Consequently, we are unable to specifically answer many of the questions which you pose in your requests for clarification. However, the Commission has already made public some of the factors that the Commission uses in prioritizing its

25043624402

Mr. William D. White  
Page 2

cases. Although not an exhaustive list, these factors include whether there was a knowing and willful intent to violate the law, the apparent impact of the alleged violation on the election process, the amount of money involved, the age and timing of the violation, and whether a particular area of the law that needs attention is involved.

When the Commission considered MURs 3920 and 3964, it considered the complaint and responses filed in each matter and utilized the Priority System to objectively evaluate and prioritize these two cases. As a result of the Commission's careful review and evaluation, these cases were deemed lower priority cases. Although the complaints you filed were important to the Commission, the Commission believes that it must use its limited resources to pursue more significant cases. Therefore, after careful consideration, the Commission exercised its prosecutorial discretion and decided not to pursue these matters.

In your request for clarification, you pose questions regarding prosecutorial discretion. Because Federal agencies have the inherent power to administer their caseload and prioritize their workload, they exercise their discretion regarding whether or not to prosecute and how to prosecute enforcement matters. When the Commission exercised this prosecutorial discretion regarding your complaints, the Commission made a decision to use its limited resources on other matters. Thus, it neither found reason to believe nor no reason to believe a violation occurred. The Commission exercised its prosecutorial discretion by taking no action and closing the files in these matters.

In your request for clarification, you also ask what recourse a complainant has to challenge the Commission's decision to dismiss a complaint by reason of significance. The Act allows a complainant to seek judicial review of the Commission's dismissal of an action within 60 days after the date of the dismissal. See 2 U.S.C. § 437g(a)(8).

25043624403

Mr. William D. White  
Page 3

Enclosed for your information are the remarks made by former Chairman Scott E. Thomas in December 1993 when the Commission first publicly announced its Enforcement Priority System. Also enclosed is the press release which the Commission issued in December 1993 regarding the Priority System. The Commission hopes that the enclosed information will be helpful to you in understanding more about the Enforcement Priority System and the difficult yet objective decisions which the Commission needs to make in order to effectively enforce the Federal Election Campaign Act.

Sincerely,

Lawrence M. Noble  
General Counsel

*Lois G. Lerner (93)*

BY: Lois G. Lerner  
Associate General Counsel

Enclosures

1. Remarks Made by former Chairman Scott E. Thomas (December 13, 1993, Press Conference)
2. December 13, 1993, Press Release.

25043624404