



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 463

DATE FILMED 11/9/95 CAMERA NO. 2

CAMERAMAN SES

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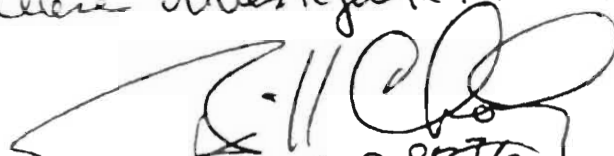
11-29-97

FEC
General Counsel

Please note the enclosed
Read Sign for Congressman
John P. Murtha PA - 12th Dist
It lacks a disclaimer for
"Paid for By - etc"

Thousands were distributed
before the 1997 General
Election.

Please investigate. Thank you


84-268-8536

95043694255

MURTHA

FOR

CONGRESS

9 9 2 7 6 9 5 0 4 5 6 9 4 2 6 6



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 7, 1994

Willeam A. Choby, DMD
328 Bidfield Street
Johnstown, PA 15904

Dear Mr. Choby:

This is to acknowledge receipt on December 2, 1994, of your letter dated November 29, 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. An additional requirement is that the complaint contain the full name and address of the complainant. Your letter did not contain a notarization on your signature and was not properly sworn to. Your letter also did not contain your address.

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 him/her also will be sufficient. In addition, your address must appear on the complaint itself. We regret 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.

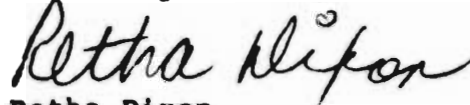
Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

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Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

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

Sincerely,



Retha Dixon
Docket Chief

Enclosure

cc: Murtha for Congress

95043694258



WILLEAM A. CHOBY, D.M.D., M.P.A.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dec 19 10 06 AM '94

December 10, 1994

MUR 4163

Retha Dixon
Docket Chief
Federal Election Commission
Washington, D. C. 20463

Dear Retha,

Thank-you for the information concerning the proper procedures for the filing of my complaint against the Murtha for Congress Committee. When I initially contacted the FEC about this possible campaign law violation, I was not informed that there was any specific protocol by to follow. I trust that this letter will amend my previous complaint to your satisfaction.

As I had stated in my initial letter, I discovered that Congressman Murtha's Campaign Committee had distributed hundreds if not thousands of signs which did not contain a statement identifying the individual or committee who paid for the signs. It is my understanding that under current FEC regulations these signs should have had a "Paid for by Murtha for Congress" disclaimer. Needless to say, these signs were seen throughout the PA-12th District prior to this past General election. The evidence that I submitted was secured by myself from a roadside site located in Richland Township, Cambria County, Pa. on December 2, 1994.

I believe that the evidence speaks for itself. Thank-you.

Sincerely,

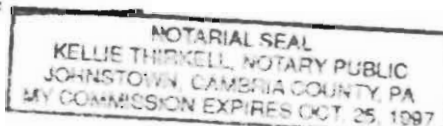
Willeam A Choby DMD

Sworn to and subscribed before me

a Notary Public this 14 day

of Dec 94
Kellie Thirkell
Notary Public

My commission expires:



95043694259

MURTHA
FOR
CONGRESS

9 5 0 4 3 6 9 4 2 6 0



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 23, 1994

William A. Choby, DMD
328 Budfield Street
Johnstown, PA 15904

RE: MUR 4163

Dear Dr. Choby:

This letter acknowledges receipt on December 19, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) 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 4163. 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. Taksar (824)

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

95043694261



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20461

December 23, 1994

**Robert C. Ondick, Treasurer
Murtha for Congress Committee
551 Main Street
Johnstown, PA 15901**

RE: MUR 4163

Dear Mr. Ondick:

The Federal Election Commission received a complaint which indicates that the Murtha for Congress Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4163. Please refer to this number in all future correspondence.

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

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

95043694202

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 (JSM)

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

cc: Representative John P. Murtha

95043694263

MORGAN, LEWIS & BOCKIUS

COUNSELORS AT LAW

2000 ONE LOGAN SQUARE

PHILADELPHIA, PENNSYLVANIA 19103-6223

TELEPHONE (215) 963-5000

FAX (215) 963-5229

PHILADELPHIA

NEW YORK

MIAMI

PRINCETON

BRUSSELS

WASHINGTON

LOS ANGELES

HARRISBURG

LONDON

FRANKFURT

TOKYO

GREGORY M. HARVEY

DIAL DIRECT (215) 963-5427

January 11, 1995

VIA FACSIMILE TO 202-219-3923

Federal Election Commission
Washington, D.C. 20463

Attention: Ms. Joan McEnery

Re: MUR 4163

Dear Ms. McEnery:

On behalf of Respondents, we request an extension of time to submit our response, to and including Tuesday, January 17, 1995 (Monday, January 16, 1995 being a federal holiday). This extension is requested in order to complete Respondents' investigation of the manner of production of yard signs over a several years period and to arrange for the execution of affidavits, based upon that investigation, at several locations.

No previous extension has been requested. Statement of Designation of Counsel is being separately transmitted via facsimile.

Respectfully yours,

Gregory M. Harvey
Gregory M. Harvey

GMH:pg

cc: Robert C. Ondick, Treasurer

JAN 17 10 47 AM '95

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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STATEMENT OF DESIGNATION OF COUNSELNUR 4163NAME OF COUNSEL: GREGORY M. HARVEYADDRESS: MORGAN, LEWIS & BOCKIUS2000 ONE LOGAN SQUAREPHILADELPHIA, PA 19103-6993TELEPHONE: 215-963-5427FAX: 215-963-5299

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: 1-15-95Signature: RESPONDENT'S NAME: ROBERT C. ONDICK, TREASURERADDRESS: BT FINANCIAL PLAZA, SUITE 220551 MAIN STREETJOHNSTOWN, PA 15901HOME PHONE: 814 266-4047BUSINESS PHONE: 814-536-7579FAX: 814-539-2474RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 12, 1995

Gregory M. Harvey, Esq.
Morgan, Lewis & Bockius
2000 One Logan Square
Philadelphia, PA 19103-6993

RE: MUR 4163
Manfre for Congress and
Robert C. Ondict, Treasurer

Dear Mr. Harvey:

This is in response to your letter dated January 11, 1995, requesting an extension until January 17, 1995 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on January 17, 1995.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

95043694266

MORGAN, LEWIS & BOCKIUS

COUNSELORS AT LAW

2000 ONE LOGAN SQUARE

PHILADELPHIA, PENNSYLVANIA 19103-6993

TELEPHONE (215) 963-8000

FAX (215) 963-5299

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NEW YORK

MIAMI

PRINCETON

BRUSSELS

WASHINGTON

LOS ANGELES

HARRISBURG

LONDON

FRANKFURT

TOKYO

GREGORY M. HARVEY

DIAL DIRECT (215) 963-5427

January 16, 1995

VIA FEDERAL EXPRESS

Federal Election Commission
Washington, D.C. 20463

Attention: Ms. Joan McEnery
Office of the General Counsel

Re: MUR 4163
Murtha for Congress and Robert C. Ondick, C.P.A.

Greetings:

This letter and the Affidavit of Robert C. Ondick, C.P.A., also dated January 16, 1995, constitute the response in the above matter.

As stated in the Affidavit, yard signs purchased by the Murtha for Congress Committee, with the text, in block letters, "Murtha for Congress," omitted the disclaimer required by 11 C.F.R. § 110.11(a)(1), to wit, omitted the text "Paid for by Murtha for Congress Committee."

Respondents regret the violation of the regulation, which occurred without the actual knowledge of Respondent Treasurer.

Without attempting to justify the violation, Respondents note the following:

1. All other campaign media paid for by the Murtha for Congress Committee in the 1994 campaign cycle did include the required disclaimer, excepting only bumper stickers which are not required pursuant to 11 C.F.R. § 110.11(a)(2) to contain the disclaimer.

2. The omission of the disclaimer was not intended to mask the source of a negative message directed to the opposing candidate nor was the omission intended to conceal an illegal expenditure.

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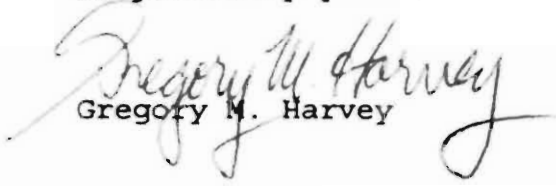
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Federal Election Commission
January 16, 1995
Page 2

3. The omitted disclaimer ("Paid for by Murtha for Congress Committee") would, in this particular instance, have communicated information which to a degree overlapped the text of the yard signs themselves ("Murtha for Congress").

If it would be of value to your investigation of this matter to have possession either of (a) yard signs from prior campaign cycles showing the required disclaimer or (b) a detailed listing of the campaign media paid for in the 1994 cycle and which contained the required disclaimer, please inform the undersigned and such request(s) will be promptly fulfilled.

Respectfully yours,


Gregory M. Harvey

GMH:pg
enclosure
cc: Robert C. Ondick, C.P.A.

95043694208

ROBERT C. ONDICK

CERTIFIED PUBLIC ACCOUNTANT
A PROFESSIONAL CORPORATION
BT FINANCIAL PLAZA - SUITE 220

551 MAIN STREET
JOHNSTOWN, PA 15801

(814) 536-7579
FAX: (814) 536-2474

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JAN 20 3 32 PM '95

MEMBER
THE AMERICAN INSTITUTE
OF CERTIFIED PUBLIC ACCOUNTANTS

MEMBER
THE PENNSYLVANIA INSTITUTE
OF CERTIFIED PUBLIC ACCOUNTANTS

January 16, 1995

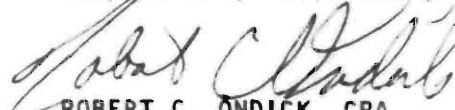
Federal Election Committee
Washington, DC 20463

ATTN: MISS JOAN McENERY
OFFICE OF GENERAL COUNSEL
MUR 4163
MURTHA FOR CONGRESS
ROBERT C. ONDICK, TREASURER

Dear Miss McEnery:

Enclosed is the original of Affidavit of Robert C. Ondick, C.P.A. facsimile
copy of which is being attached to the letter response of Counsel to the
Respondents.

Respectfully submitted,


ROBERT C. ONDICK, CPA

cc: Attorney Gregory M. Harvey

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COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CAMBRIA

:ss.:

:

AFFIDAVIT OF ROBERT C. ONDICK, C.P.A.

Robert C. Ondick, being first duly sworn according to law, deposes and says, to the best of his personal knowledge or on information and belief, as follows:

1. Murtha for Congress Committee has been the authorized campaign committee of Congressman John P. Murtha since the campaign year 1974; I have served as Treasurer of Murtha for Congress Committee since June 24, 1974; I am by profession a Certified Public Accountant. The Murtha for Congress Committee name was changed to Murtha for Re-election Committee a few years later and then on January 1, 1993 the name was changed back to Murtha for Congress Committee.

2. In the campaign year 1990, Murtha for Re-election Committee purchased 2,500 yard signs from Kane & Company, 1334 Franklin Street, P. O. Box 907, Johnstown, PA 15907, and, on information and belief, that vendor subcontracted the actual printing of such yard signs; all yard signs thus purchased in 1990 included the disclaimer "Paid for by Murtha for Re-election Committee."

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3. In the campaign year 1992, all yard signs purchased by Murtha for Re-election Committee were purchased from the same vendor used in 1990 (Kane & Company), but without my knowledge and, to the best of my knowledge and on information and belief, without any direction or instruction from any authorized representative of the Murtha for Re-election Committee, Kane & Company provided 1,000 yard signs which did not contain the disclaimer; the bulk of the yard signs actually used in 1992 were those which had originally been purchased in 1990 together with some of those purchased in 1992 and accordingly some of the yard signs used in 1992 did not contain the disclaimer.

4. During the campaign year 1994, 2,500 yard signs were purchased by the Murtha for Congress Committee, not from Kane & Company but from Gettier-Montanye, Inc., P. O. Box 157, Glyndon, MD 20171, consisting of 1,500 yard signs purchased August 4, 1994 and 1,000 yard signs purchased August 8, 1994; without my knowledge, these yard signs were also provided without the disclaimer; I estimate that during 1994, a total of approximately 4,500 yard signs were used, some from 1990, 1992 and 1994.

5. After inquiry and review, I have determined and believe that all other media purchased in campaign year 1994 by the Murtha for Congress Committee, especially including news letters and commercials prepared for the electronic media, included the disclaimer "Paid for by Murtha for Congress Committee," excepting only bumper stickers (printed by the vendor Gettier-Montanye, Inc.) which I am advised are not required pursuant to 11 C.F.R. § 110.11(a)(2) to contain the disclaimer.

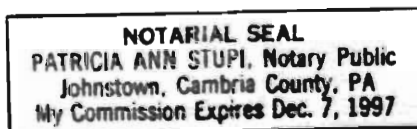
6. All of the yard signs purchased by the Murtha for Congress Committee which omitted the disclaimer set forth the text, in block letters, "Murtha for Congress," with the only other text on either side of the yard sign being the union label of the shop in which the sign was printed.

7. To the best of my knowledge, no yard signs intended to obtain support for Congressman Murtha were distributed by the Murtha for Congress Committee or by any other person in the 1994 campaign year which contained any text other than the words "Murtha for Congress."


Robert C. Ondick

Sworn and subscribed to
before me this 16TH day
of JANUARY, 1995:


Notary



BEFORE THE FEDERAL ELECTION COMMISSION **OCT 2 10 52 AM '95**

In the Matter of

)
) Enforcement Priority
)

GENERAL COUNSEL'S REPORT

SENSITIVE

I. INTRODUCTION

This report is the General Counsel's Report to recommend that the Commission no longer pursue the identified lower priority and stale cases under the Enforcement Priority System.

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 and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. 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 34 cases which do not warrant further pursuit relative to the other pending cases.¹ A short description of

1. These matters are: PM 309 (Attachment 1); RAD 95L-12 (Attachment 2); MUR 4118 (Attachment 3); MUR 4119 (Attachment 4); MUR 4120 (Attachment 5); MUR 4122 (Attachment 6); MUR 4123 (Attachment 7); MUR 4124 (Attachment 8); MUR 4125 (Attachment 9); MUR 4126 (Attachment 10); MUR 4130 (Attachment 11); MUR 4133 (Attachment 12); MUR 4134 (Attachment 13); MUR 4135 (Attachment 14); MUR 4136 (Attachment 15); MUR 4137

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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 1-34. As the Commission requested, this Office has attached the responses to the complaints for the externally-generated matters and the referral for the matter referred by the Reports Analysis Division because this information was not previously circulated to the Commission. See Attachments 1-34.

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 11 cases that

do not

(Footnote 1 continued from previous page)
(Attachment 16); MUR 4138 (Attachment 17); MUR 4140
(Attachment 18); MUR 4142 (Attachment 19); MUR 4143
(Attachment 20); MUR 4144 (Attachment 21); MUR 4145
(Attachment 22); MUR 4148 (Attachment 23); MUR 4149
(Attachment 24); MUR 4153 (Attachment 25); MUR 4155
(Attachment 26); MUR 4158 (Attachment 27); MUR 4163
(Attachment 28); MUR 4164 (Attachment 29); MUR 4169
(Attachment 30); MUR 4179 (Attachment 31); MUR 4195
(Attachment 32); MUR 4196 (Attachment 33); and MUR 4205
(Attachment 34).

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warrant further investment of significant Commission resources.² Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. As the Commission requested, in matters in which the Commission has made no findings, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are attached to the report because this information was not previously circulated to the Commission. See Attachments 35-45. For cases in which the Commission has already made findings and for which each Commissioner's office has an existing file, this Office has attached the most recent General Counsel's Report.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective October 16, 1995. By closing the cases effective October 16, 1995, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record.

2. These matters are: PM 250 (Attachment 35); PM 272 (Attachment 36); MUR 3188 (Attachment 37); MUR 3554 (Attachment 38); MUR 3623 (Attachment 39); MUR 3988 (Attachment 40); MUR 3996 (Attachment 41); MUR 4001 (Attachment 42); MUR 4007 (Attachment 43); MUR 4007 (Attachment 43); MUR 4008 (Attachment 44); and MUR 4018 (Attachment 45).

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III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective October 16, 1995 in the following matters:

- 1) PM 309
- 2) RAD 95L-12
- 3) PM 250
- 4) PM 272

B. Take no action, close the file effective October 16, 1995, and approve the appropriate letter in the following matters:

- 1) MUR 3554
- 2) MUR 3623
- 3) MUR 3988
- 4) MUR 3996
- 5) MUR 4001
- 6) MUR 4007
- 7) MUR 4008
- 8) MUR 4018
- 9) MUR 4118
- 10) MUR 4119
- 11) MUR 4120
- 12) MUR 4122
- 13) MUR 4123
- 14) MUR 4124
- 15) MUR 4125
- 16) MUR 4126
- 17) MUR 4130
- 18) MUR 4133
- 19) MUR 4134
- 20) MUR 4135
- 21) MUR 4136
- 22) MUR 4137
- 23) MUR 4138
- 24) MUR 4140
- 25) MUR 4142
- 26) MUR 4143
- 27) MUR 4144
- 28) MUR 4145
- 29) MUR 4148
- 30) MUR 4149

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- 31) MUR 4153
- 32) MUR 4155
- 33) MUR 4158
- 34) MUR 4163
- 35) MUR 4164
- 36) MUR 4169
- 37) MUR 4179
- 38) MUR 4195
- 39) MUR 4196
- 40) MUR 4205

C. Take no further action, close the file effective October 16, 1995 and approve the appropriate letter in MUR 3188.

9/29/95
Date


Lawrence M. Noble
General Counsel

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In the Matter of)
) Agenda Document #X95-85
Enforcement Priority)

CERTIFICATION

I, Marjorie W. ~~Emmons~~, recording secretary for the Federal Election Commission executive session on October 17, 1995, do hereby certify that the Commission decided by votes of 5-0 to take the following actions:

- A. Decline to open a MUR and close the file effective October 17, 1995 in the following matters:
- 1) PM 309
 - 2) RAD 95L-12
 - 3) PM 250
 - 4) PM 272
- B. Take no action, close the file effective October 17, 1995, and approve the appropriate letter in the following matters:
- 1) MUR 3554
 - 2) MUR 3623
 - 3) MUR 3988
 - 4) MUR 3996
 - 5) MUR 4001
 - 6) MUR 4007
 - 7) MUR 4008
 - 8) MUR 4018
 - 9) MUR 4118

(continued)

**Federal Election Commission
Certification: Enforcement Priority
October 17, 1995**

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- 10) MUR 4119
- 11) MUR 4120
- 12) MUR 4122
- 13) MUR 4123
- 14) MUR 4124
- 15) MUR 4125
- 16) MUR 4126
- 17) MUR 4130
- 18) MUR 4133
- 19) MUR 4134
- 20) MUR 4135
- 21) MUR 4136
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- 29) MUR 4148
- 30) MUR 4149
- 31) MUR 4153
- 32) MUR 4155
- 33) MUR 4158
- 34) MUR 4163
- 35) MUR 4164
- 36) MUR 4169
- 37) MUR 4179
- 38) MUR 4195
- 39) MUR 4196
- 40) MUR 4205

C. Take no further action, close the file effective October 17, 1995 and approve the appropriate letter in MUR 3188.

(continued)

Federal Election Commission
Certification: Enforcement Priority
October 17, 1995

Page 3

Commissioners Aikens, Elliott, McDonald, McGarry, and
Thomas voted affirmatively for each of the decisions;
Commissioner Potter was not present.

Attest:

10-20-95
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Willeam A. Choby, DMD
328 Budfield Street
Johnstown, PA 15904

RE: MUR 4163

Dear Dr. Choby:

On December 23, 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 October 17, 1995. 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 (HES)
Mary L. Taksar
Attorney

Attachment
Narrative

9504369421

NUR 4163

MURTHA FOR CONGRESS COMMITTEE

Willeam A. Choby filed a complaint alleging that the Murtha for Congress Committee distributed campaign signs in Cambria County, Pennsylvania which lacked adequate disclaimers.

The Murtha for Congress Committee responds that although a disclaimer was not included on the campaign signs, all other campaign material for the 1994 election included appropriate disclaimers. The Committee states that the lack of disclaimers on the yard signs was the result of unintentional oversight.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Gregory M. Harvey, Esq.
Morgan, Lewis & Bockius
2000 One Logan Square
Philadelphia, PA 19103-6993

RE: MUR 4163
Murtha for Congress Committee and Robert C.
Oncick, Treasurer

Dear Mr. Harvey:

On December 23, 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 October 17, 1995.

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 Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar (yes)
Mary L. Taksar
Attorney

Attachment
Narrative

95043894283

MUR 4163

MURTHA FOR CONGRESS COMMITTEE

Willeam A. Choby filed a complaint alleging that the Murtha for Congress Committee distributed campaign signs in Cambria County, Pennsylvania which lacked adequate disclaimers.

The Murtha for Congress Committee responds that although a disclaimer was not included on the campaign signs, all other campaign material for the 1994 election included appropriate disclaimers. The Committee states that the lack of disclaimers on the yard signs was the result of unintentional oversight.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4163
DATE FILMED 11/9/95 CAMERA NO. 2
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