



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4894

DATE FILMED 10-9-96 CAMERA NO. 2

CAMERAMAN JmH

96043760002

Mark A. Stemmiski
319 East Main Street, H-11
Marlboro, Massachusetts 01752-5438
508-481-7985

MUR 4294

January 23, 1996

Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JAN 24 2 04 PM '96

Folks,

This letter is a complaint alleging election law violations. The respondents in this case are:

Alan Keyes for President '96
611 Pennsylvania Avenue, SE, #1150
Washington, DC 20003

and/or

Identity Check Printers
9700 West Foster Avenue
Chicago, Illinois 60656

and/or

Michigan Printers
9700 West Foster Avenue
Chicago, Illinois 60656

FACTS AND CIRCUMSTANCES

On Sunday, January 14, 1996, in my capacity as a member of the press, I attended a Presidential Candidate forum sponsored by the National Rifle Association Institute for Legislative Action in Manchester, New Hampshire. As I was walking into the hall from the parking garage, an unidentified white male in his late 20s or early 30s asked me if he could give me some information on Alan Keyes. I told him 'yes', since I take any and all papers from any and all candidates whenever I cover an event.

Several days after the forum, I was reading through the material I gathered. The attached one-page flat brochure about vanity checks with the Keyes advocacy on the opposite side caught my attention because I noticed that it lacked proper disclaimer about who paid for it.

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ALLEGED VIOLATIONS

I allege that one or more of the respondents violated The Act by:

(1) Exceeding the contribution limit set forth in Section 441a. So-called 4-color printing used in the Keyes's vanity check flyer is expensive and very few people use it for jobs that cost less than \$1,000. The flyer is also a 2-sided flyer which by itself, regardless of color process, is expensive because the entire batch of side-1 must dry before side-2 can be printed.

(2) Failure to disclaim as set forth in Section 441d(a). It is unclear to me (and probably unclear to the Commission) who paid to reproduce the flyer. I speculate that the vendor, Identity Check Printers, paid for the flyer; I base my theory on knowing how vendors like to use so-called "piggyback" advertising and so-called "co-op" advertising to increase order placement. However, I state for the record that I have no concrete evidence as to who actually paid for the flyer. The only thing I can state for the record is that it is unclear who paid for the flyer, which is itself a violation.

ADDITION HELPFUL INFORMATION

I did some checking into "Identity Check Printers" and "Michigan Printers." According to the government agency in Illinois responsible for registering corporations, neither company is registered as a corporation in Illinois. (Side note: My thanks to the Commission for publishing the Combined Disclosure Directory, since that's where I found the appropriate phone number.)

According to my CD-ROM phone book, both "Identity Check Printers" and "Michigan Printers" share the same street address.

The phone number 818-331-3549 listed on the vanity check flyer (to order audio cassettes) is listed to a corporation called "Saint Joseph Communication Inc." I have no knowledge at this time what, if any, connection Saint Joseph Communication has with the vanity check flyer. I do not know if Saint Joseph Communication asked to be included on the flyer or if its phone number was placed on the flyer without its knowledge.

In case any of the respondents claim the independent expenditure defense, such defense does not apply in this case. The attached "Keyes '96" flyer (which is an authorized flyer) was given to me by the same unidentified white male who gave me the vanity check flyer. There was only one Keyes rep at the forum and he was outside the hall; there is no possibility that the Keyes campaign can raise the defense that I received these flyers from multiple sources. So, expressed communication clearly occurred with the Keyes campaign, either through the

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campaign giving Keyes'96 flyers to whomever created the vanity check flyer or through the vanity check flyer printer giving its flyers to the Keyes campaign. The Keyes'96 flyer is attached for reference purposes only and is not part of my lack-of-disclaimer complaint.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23rd day of January, 1996.

Michael A. Stenniski

The Commonwealth Of Massachusetts

Michael A. Stenniski ss.

Personally appeared before me the above named, Mark A. Stenniski, residing at 319 East Main Street, H-11, Marlboro, Massachusetts and made oath under the penalties of perjury that the foregoing statement is true to the best of his knowledge and belief.

In Witness Whereof, I have hereunto set my hand and official seal this 23rd day of January, 1996.

Marcello A. Stenniski
MARCELLO A. STENNISKI
Notary Public
TITLE

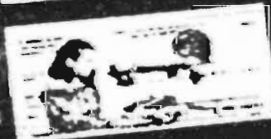
My Commission Expires: Dec 8, 2000

9604376005

Could the check design you choose really save a life?

Yes! Each check you write passes through as many as 16 people on it's journey of clearing through financial institutions. And, at any point along the way, one of the people handling it could be facing a life or death decision for a yet-to-be-born child. Our pro-life checks offer you the opportunity to speak out for those too young to have a voice. Order yours today and save a life... one check at a time!

Checks are personal size, ship bound and available in denominations only. One-part deposit slips and a check register are included FREE with each order.



Gold Stamped Checkbook Cover

...store and the cashier she made a comment about that I had an abortion many years ago. She gave me the [opportunity] to say I was pregnant and under no circumstances would I abort the baby. She is now my child to term and it was because of me to help her."
— Pat M., Chicago, Ill.

To order checks, please enclose:

1. A voided sample check with all changes clearly marked
2. A deposit slip
3. This order form, completely filled out
4. A check made payable to Identity Check Printers (U.S. funds only)

Mail all of the above to:
Identity Check Printers, Box 818, Park Ridge, IL 60068

In order to protect your privacy, checks will be shipped to the address on the order form unless we are otherwise instructed. All orders are shipped via 3rd class mail. Please allow 3-4 weeks for delivery. Sorry, we do not ship outside of the U.S.A.

Checkbook Assortment (6 rotating baby designs and quantities)
 200 for \$9.95 400 for \$17.95
 150 for \$12.95 300 for \$22.50

Shipping and Handling \$1.00
 Priority Class Mail, add \$1.50
 Gold Stamped Checkbook Cover, add \$1.00
 Gold Stamped Checkbook Cover, add \$5.00
 Gold Lettering, Add \$2.00
TOTAL

Phone ()
 Address

© 1994 - Member of the Chicago Better Business Bureau

708-PRO-BABY 24-Hour Voice Mail Customer Service Line

★ MOUNT TO REAR WINDSHIELD ★ LAMINATE ★ SET ON YOUR DESK ★ HANG ON YOUR FRONT DOOR ★

WE DON'T HAVE MONEY PROBLEMS WE HAVE MORAL PROBLEMS !!!

ALAN KEYES

FOR

★★ **PRESIDENT IN 1996** ★★



Call 800-792-1222 FOR INFORMATION & DONATIONS



MOUNT TWO TOGETHER TO USE AS A YARD SIGN

CONCEPT & DESIGN BY PHILLIPS & SON, INC. PHOTOGRAPHY BY JEFFREY M. JONES

Name: IDENTITY CHECK

IDENTITY CHECK PRINTERS

City:

9700 W FOSTER AVE

State:

CHICAGO, IL 60656-1005

Address:

Zip Code:

Tel. No.:

Limit: All

Publication Date: 01/95

SIC Code:

3rd Edition 1994

312-992-0882

IDENTITY CHECK & PAD CO 9706 W FOSTER AV CHICAGO

IL 60656- 708-992-0882

IDENTITY CHECK PRINTERS 9700 W FOSTER AV CHICAGO

IL 60656- 312-992-0882

Illinois Corp. Registration: 217-782-7880

1/19/95

10:30 AM Eastern Time

no listing as corporation

Also: NO corp listing for "Michigan Printers"

JAN 24 2 04 PM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

960476007

Name: MICHIGAN PRINTERS
City:
State:
Address:
Zip Code:
Tel. No.:
Limit: All
SIC Code:

MICHIGAN PRINTERS & LITHOGR
9700 W FOSTER AVE
CHICAGO, IL 60656-1005

Publication Date: 01/95
3rd Edition 1994 312-992-0880

MICHIGAN PRINTERS & LITHOGR 9700 W FOSTER CHICAGO IL 60656- 312-992-0880
MICHIGAN PRINTERS INC 37975 COMMERCE DR STERLING HEIGHTS MI 48312- 810-939-6600

96047760008

Name:

City:

State:

Address:

Zip Code:

Tel. No.: 8183313549

Limit: All

SIC Code:

SAINT JOSEPH COMMUNICATION INC

PO BOX 720

WEST COVINA, CA 91793-0720

SIC Code(s): 8661

Publication Date: 12/94

1st Edition 1996

818-331-3549

SAINT JOSEPH COMMUNICATION INC PO BOX 72 WEST COVINA CA 91793- 818-331-3549

26047600

Why your support for Alan Keyes is critical to the destiny of America...

Core Beliefs Based on 'Unalienable Rights'

FROM I CAN SEE YOU, my position on various issues, I must first make clear how I approach thinking about those issues.

I believe that we face what is essentially one moral challenge which manifests itself in many areas. Simply stated, that challenge has to do with the corruption of our understanding of freedom.

backgrounds, in dealing with issues of public policy we must derive these ideas from sources that are open to support from all the people.

Nothing meets this purpose more completely than the principles and logic of our own Declaration of Independence, so I have made it the explicit basis for dealing with the moral crisis we now face.

The Declaration is fundamentally a statement of the principles of justice that define the moral identity of the American people. It presents

government is just or legitimate if it systematically violates them.

But the Declaration is more than just an assertion of rights. It also makes a clear statement about the ultimate source of authority which commands respect for those rights: God, the Creator, the author of the laws of nature, is that source.

Thus the effective prerequisite for human rights is respect for God's authority and His eternal laws. This is also the prerequisite for the idea of government based



Alan Keyes Meets America's Moral Challenge

which leads to the abandonment of respect for law and individual responsibility, the twin pillars which ought to undergird true freedom.

As a free people, our way of life depends upon certain moral ideas. As a matter of personal conscience, I believe that Christianity most perfectly embodies those ideas.

But since Americans come from many different religious

a certain concept of our human nature and draws out the political consequences of that concept.

All human beings are created equal. They need no title or qualification beyond their simple humanity in order to command respect for their intrinsic human dignity, their "unalienable rights."

The purpose of government is to secure these rights, and not

upon consent, which includes free elections, representation, due process of law, etc.

If we accept the logic of our Declaration of Independence, this reverence for God is not just a matter of religious faith. It is the foundation of justice and citizenship in our Republic.

Therefore, our freedom is derived from our respect for law,

especially the highest law as embodied in the will of the Creator. Thus rightly understood, freedom cannot be confused with mere licentiousness. It first of all involves the duty to respect its own foundations in the laws of nature and nature's God.

That's why our rights are "unalienable," which means that we do not have the right to surrender or destroy them by our choice

or actions.

Indeed, if we make the judgment that our rights are being systematically violated, we have the duty to resist and overthrow the power responsible. This duty involves both the judgment and the moral and material capacity to resist tyranny.

These concepts constitute our character as a free people, which it is our duty to maintain.

The assertion of a woman's "right" to abortion violates the concept of freedom that has tragically achieved ascendancy in our times. If the Declaration of Independence states our creed, there can be no right to abortion, since it means denying the most fundamental right of all to the unborn child, the right to life.



Some people talk about "viability" as a test to determine which human offspring have rights which we must respect, and which do not because they are somehow less than human. But the Declaration states plain, that we are all created equal.

If human beings can arbitrarily decide who is human and who is not, the doctrine of God-given human rights is utterly violated. When whites wished to enslave blacks, they denied their humanity, and so construed the right to hold slaves as a property right.

The same type of absurdity is falsely proclaimed today by the pro-abortion culture of death.

After conception, the human life in the womb is no different than human life outside the womb. Except where necessary to save the physical life of the mother, abortion is the unjust taking of a human life and a breach of the fundamental tenets of our public moral creed.

The so-called "right to suicide," and related practices such as euthanasia, represent a violation of the essential principles of the Declaration: Our rights, including the right to life, are "unalienable." This means that we do not have the right to surrender or destroy them.

Now, if we kill ourselves or consent to allow another to do so, we both

surrender and destroy our right to life. We act unjustly and usurp the power that belongs solely to the Creator. Thus we deny the transcendent base of our claim to human rights.

Excessive government spending, and the excessive taxation and borrowing it produces, are not only a threat to our economy — they violate the resource base of our freedom and our moral responsibility.

The best way to curtail government spending is to cut taxes. They can't spend what they don't get.

But we must also take away the government's credit card. With limits on both tax revenue and borrowing, the Federal government would finally be forced to get serious about spending cuts.

That's why a balanced budget constitutional amendment, with barriers to both borrowing and spending, is the best way to secure budget discipline. A good place to start would be to slash the income tax. Fiscal sanity and moral revival go hand in hand.



One of our expensive government welfare programs is to deal with problems that are related to the breakdown of moral standards and self-discipline. We will go bankrupt as a nation if we continue trying to pay the ever-increasing costs of our society's moral disintegration.

We must end government programs like the family-distorting welfare system and sex-education courses that encourage promiscuity. These programs actually hasten the moral breakdown.

Our first priority should be restoring the moral and material support for the marriage-based two-parent family. The disintegration of the family is the major contributing factor in poverty, crime, violence, the decline in educational performance, and a host of other expensive social problems.

The doctrine of "separation of church and state" is a misinterpretation of the Constitution.

The First Amendment prohibition of established religion aims at forbidding all government sponsored coercion of religious conscience. It does not forbid all religious influence upon politics or society. The free exercise of religion means nothing if, in connection with the ordinary events and circumstances of life, individuals are forbidden to act upon their religious faith.

As President, I would do everything in my power, through public speeches and legislation, by proposing legislation, and by careful scrutiny of the candidates for judicial appointments, to twin the title against constitutional interpretation that undermines religious freedom.

I oppose any efforts to our government power to impose views that contravene religious conscience on matters such as homosexuality and abortion.

In terms of civil rights discrimination, it is wrong to treat sexual orientation the same. Race is a condition beyond the individual's control. Sexual orientation involves behavior, especially in response to passion.

If we equate sexual orientation and race, we are saying that sexual behavior is beyond the individual's control and moral will.

We cannot embrace such an understanding of civil rights without denying the human moral capacity, and with it the freedom of human beings for life in a free society.

The effort to equate homosexual and lesbian relations with legal marriage represents a destructive assault on the heterosexual, marriage-based family.

"Alan Keyes is a living, breathing example of how this nation can change, adapt, and grow."

President Ronald Reagan

Human sexuality is primarily a matter of moral and not just physical health. Sex-education programs have done more

harm than good. They too often encourage adolescents to consider sexual activity apart from marriage and family life. Especially in government schools, where teachers try to deal with sexual matters without reference to moral authority, they result in a void, content-free presentation of sexual mechanics which degenerates and debases the meaning of relations between the sexes.

Sex education is, in a role, the private responsibility of parents. The government should not usurp this role. Where parents choose to encourage school-based instruction, I strongly support abstinence-based approaches for young adults.

The court-initiated prohibition of school prayer is only the symptom of a deeper problem, the neglect of moral education and character formation. The value-free education offered by the government-run schools has all too often proven to be education without value. This is especially true now that Outcome Based Education has been used as an excuse to establish curriculum elements that amount to the politically correct brainwashing of our children.

I strongly favor school choice approaches that empower parents to send their children to schools that reflect the parents' faith and values. We not only need prayer in schools, we need schools that are in the hands of people who pray. Above all, we must break the government monopoly on public education.

In the 1960s, the civil rights movement sought the assistance of government to enforce the fundamental principle that all men are created equal. But today's civil rights groups, including the NAACP, have abandoned that principle in favor of preferential treatment for groups that they claim have suffered past discrimination. But we cannot cure a past injustice with another injustice.

Moreover, affirmative action programs patronize American blacks because it presumes that blacks can't succeed on their own. Affirmative action does not advance civil rights in this country. It is merely another government patronage program to secure money and jobs for the few people who benefit from it.

Black leaders should address the

moral decay that has resulted in the breakdown of the two-parent family. Statistics show that today only 36 percent of black children grow up in two-parent families.

When there is such an acute moral crisis in this country, defining affirming the action is a waste of time and energy.

I believe that the U.S. can serve some useful purposes in the world. But we need to go to the U.N. to promote the interests of America, not the international agenda of globalists who favor world government. We must at all costs defend our national sovereignty, independence, and identity as Americans. It is America's responsibility to take care of America's interests.

When you advocate passing responsibility to the U.N., as the Clinton Administration has done, you are



taking leadership. Instead you are sacrificing America's leadership role and position in the world, and that's going to be dangerous.

Where U.N. treaties are concerned, we should proceed with extreme caution. One glaring example is the U.N. Treaty on the Rights of the Child, which is the most explicit assault on the authority of parents and the integrity of the family we have ever seen. We absolutely never should ratify it.

Though I believe strongly in equality of the sexes, I reject the idea that sexual differences make no difference. I would restore fully the exemption of women from involuntary service in land combat units and I would institute an in-depth review and reexamination of the policy of assigning female volunteers to combat duty.

Our military forces are not fit subjects for questionable social experimentation. Military preparedness, not political correctness, should be the top priority.

To Volunteer Your Support, Call 1-800-792-0222



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 30, 1996

Mark A Steniski
319 East Main Street, H-11
Marlboro, Massachusetts 01752-5438

RE: MUR 4294

Dear Mr. Steniski:

This letter acknowledges receipt on January 24, 1996, 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 4294. 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

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

96043760012



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 30, 1996

William G. Spiegel, Treasurer
Alan Keyes for President '96 Inc.
P.O. Box 25643
Alexandria, VA 22313

RE: MUR 4294

Dear Mr. Spiegel:

The Federal Election Commission received a complaint which indicates that Alan Keyes for President '96 Inc. ("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 4294. 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.

96043760013

If you have any questions, please contact Alva E. Smith 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

cc: The Honorable Alan L. Keyes

96043760014



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 30, 1996

Identity Check Printers
9700 West Foster Avenue
Chicago, IL 60656

RE: MUR 4294

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Identity Check Printers 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 4294. 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 Identity Check Printers 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.

96043760015

If you have any questions, please contact Alva E. Smith 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

96043760016



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 30, 1996

Michigan Printers
9700 West Foster Avenue
Chicago, IL 60656

RE: MUR 4294

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Michigan Printers 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 4294. 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 Michigan Printers 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.

96043760017

If you have any questions, please contact Alva E. Smith 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

96043760018



FEDERAL ELECTION COMMISSION

Washington, DC 20463

January 30, 1996

Saint Joseph Communications Inc.
P.O. Box 72
West Covina, CA 91793

RE: MUR 4294

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Saint Joseph Communications Inc. 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 4294. 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 Saint Joseph Communications Inc. 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.

96043760019

If you have any questions, please contact Alva E. Smith 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

9604370000



Identity Check Printers

BOX 818

PARK RIDGE, IL. 60068

312/992-0882

FEB 6 1 28 PM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

February 2, 1996

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

RE: MUR 4294

I was quite surprised to get the letter of complaint in this morning's mail. I immediately called my attorney to find out what I should do, but he was packing his bags to go and participate in his two weeks annual Reserve Officer training stint. Since he will not be back in time for me to meet the requirements, this will be my best effort.

I also phoned 202-219-3400 and asked for Alva Smith as I was told to do in the letter. The young lady who answered the phone told me that I should call back Monday. She did not seem interested in taking any messages or information.

Since I am not a lawyer, my best effort will be to address Mr. Sterniski's comments in his letter of January 23, 1996. Mr. Sterniski is correct when he says that four color printing is very expensive. The flyer that has been given to you was one of about 200,000 flyers which were printed during the summer of 1995. A Pro-Life organization was going to use them, with their own printing on the back side, in one of their mailings. At that time we decided to print an extra 10,000 without any printing on the back side to use at some future date. Perhaps we would use them with another organization or just distribute them, printed one side only. About the time that the last sheet of this very expensive job came off the printing press the telephone company decided to change my area code. I shipped the flyers to the other Pro-Life organization who stuffed them in one of their mailings, and I still had 10,000 flyers back here at the shop, which I did not know what to do with.

In October, I met Ambassador Keyes at a Pro-Life event. I had dinner that night with one of the campaign workers and mentioned that I had all these flyers that were about to become part of a "land fill". He suggested that we print the Alan Keyes message on the other side of the flyer, and they would be happy to distribute them at other various Pro-Life events where Dr. Keyes would be speaking. It seemed like a good idea to me. The campaign workers would distribute my information, and I would give them the back side printed with the Alan Keyes message. The typesetting was donated by some other party. I recall the campaign worker brought the typesetting over, and I made the plates. Then I went home and had supper, and came back and printed them

PLEASE NOTE
OUR NEW AREA CODE
847
EFFECTIVE 1-20-96

Sample Requests - 24 Hr. Voice Mail
1-708-PRO-BABY

on my own time. I have no idea what the contribution limit is in Section 441a. I personally contributed a few hours of my time, and the company contributed some printed products that would have otherwise been discarded. At that point in time, these flyers still had some value because they were used immediately. After the phone area code changed, they would be totally worthless.

Mr. Sterniski goes on to indicate that I also violated Section 441d(a). For a reporter he seems to know a lot of the law. Actually, the only thing I can say is that nobody paid anybody anything to do anything.

Mr. Sterniski said he checked into Michigan Printers and could not find that we were a corporation. We are a corporation known as Michigan Printers and Lithographers, Inc., and are registered with the state of Illinois.

I hope that this clears up any allegations of wrong doing that Mr. Sterniski has with myself, Identity Check Printers, or Michigan Printers.

Cordially,

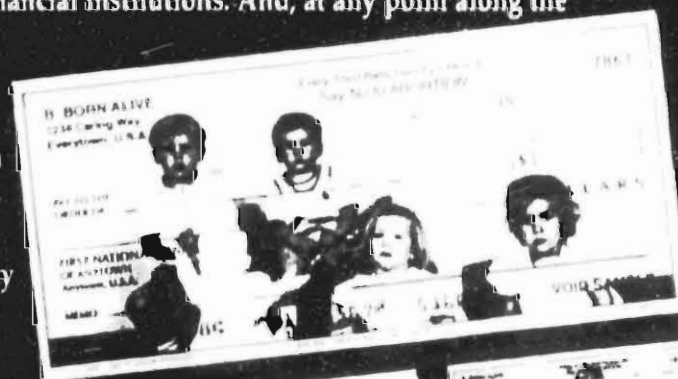
George Johnson

9604276002

Could the check design you choose really save a life?

Yes! Each check you write passes through as many as 16 people on it's journey of clearing through financial institutions. And, at any point along the way, one of the people handling it could be facing a life or death decision for a yet-to-be-born child. Our pro-life checks offer you the opportunity to speak out for those too young to have a voice. Order yours today and save a life... one check at a time!

Checks are personal size, top bound and available as assortments only. One-part deposit slips and a check register are included FREE with each order.



Gold Stamped Checkbook Cover

708-PRO-BABY 24-Hour Voice Mail Customer Service Line

"I was in a discount store and the cashier noticed my check. She made a comment about it and I mentioned that I had an abortion many years ago. That gave her the [opportunities] to tell me she also had one abortion and wanted to talk. It turned out she was pregnant and under pressure by her parents to abort the baby. She is now going to carry her child to term and it was your check that enabled me to help her."

— Pat M., Chicago, Ill.

To order checks, please enclose:

- 1 A voided sales receipt or invoice or other marked document
- 2 A deposit slip
- 3 The checkbook you wish to order
- 4 A check for the purchase price of the checkbook (U.S. funds only)

Mail all of the above to:

Identity Check Partners, Inc., P.O. Box 11, 60008

For your protection, checks are shipped to the address on your check's upper right corner only. All orders are shipped via registered mail. Please allow 2-4 weeks for delivery. Sorry, we do not ship outside the U.S.A.

Pro-Life Assortment is rotating baby designs and quotations!

Single checks	200 checks for \$17.50
Duplicates	200 checks for \$22.50
Shipping No. 1	
Shipping and Handling	\$ 1.00
Optional First Class Mail	\$
Standard Checkbook Cover	\$
Gold Stamped Checkbook Cover	\$
Script Lettering, Address	\$
TOTAL	\$

Name _____

Daytime phone _____

Estab. 1946—Member of the National Better Business Bureau

1 Out of 3 Babies Die Show Them Why!

It's an undeniable fact that for every three children conceived, one will be aborted—having no opportunity for life. Our newest pro-life design, "Unborn," visually

To order checks, please enclose:

1. A voided sample check with all changes clearly marked
2. A deposit slip
3. This order form, completely filled out
4. A check made payable to Identity Check Printers (U.S. funds only)

Mail all of the above to:

IDENTITY CHECK PRINTERS, BOX 816, PARK RIDGE, IL 60068

For your protection, checks will be shipped to the address on your checks unless we are otherwise instructed. All orders are shipped via 3rd class mail. Please allow 2-4 weeks for delivery. Sorry, we do not ship outside of the U.S.A.

Assortment (1 design, 4 rotating quotations)
Assortment (5 rotating baby designs and quotations)
☐ 200 for \$9.95 ☐ 400 for \$17.50
☐ 150 for \$12.95 ☐ 300 for \$22.50
 If not specified, we will ship standard.
 and Handling \$1.00 \$ 1.00
 First Class Mail, add \$3.50 \$
 Checkbook Cover, add \$1.00 \$
 Hard Checkbook Cover, add \$5.00 \$
 Shipping, Add \$2.00 \$
 Phone ()
 Member of the Chicago Better Business Bureau

delivers this sobering message every time you write a check. Speak out for life and be heard... without ever saying a word. Order yours today!



"Unborn" features one design and four rotating quotations.



Now available!
Gold Foil Stamped
Checkbook Cover

Checks are personal size, top bound and available as assortments only. One-part deposit slips and a check register are included FREE with each order.



ICP BOX 818 PARK RIDGE, IL 60068



ICP BOX 818 PARK RIDGE, IL 60068



ICP BOX 818 PARK RIDGE, IL 60068



ICP BOX 818 PARK RIDGE, IL 60068



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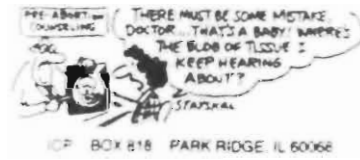
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**SAINT JOSEPH COMMUNICATIONS,
INCORPORATED**

P.O. Box 720
West Covina, CA 91793
(818) 331-3549

Federal Election
999 E. Street, N.W.
Washington DC 20463

February 7, 1996

MUR 4294

Dear Mary Taksar,

We were hired to tape 4 talks by Alan Keyes in California and sold the tapes on location. The Keyes campaign bought tapes from us at a wholesale price for resale by Keyes campaign.

We did not authorize the use of our phone number on the ad in question. We had never seen the ad in question nor were we aware of it previous to your communication with us.

Sincerely,

Terry Barber
President

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
FEB 12 11 10 AM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
FEB 12 9 43 AM '96

C. MICHAEL TARONE

ATTORNEY AT LAW, P.C.

*Suite 900
1815 H Street, N.W.
Washington, D.C. 20006*

(202) 457-8830

FACSIMILE (202) 429-0102

February 14, 1996

VIA FACSIMILE
202-219-3923

Federal Election Commission
Attention: Alva E. Smith,
Paralegal
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

FEB 14 4 24 PM '96

Re: MUR 4294

Respondents: Alan Keyes for President '96, Inc.
William G. Spiegel, Treasurer

Dear Ms. Smith:

This letter is to enter my appearance before the Federal Election Commission ("Commission") on behalf of two of the parties in the above captioned matter, Alan Keyes for President '96, Inc. ("Committee") and William G. Spiegel ("respondents"), and to request an enlargement of time to file a response.

Appearance of Counsel.

Pursuant to 11 C.F.R. § 111.23, respondents hereby represent by their signatures below that C. Michael Tarone, Esq., a Member in good standing of the Bars of the District of Columbia and the State of New York, whose office is located at 1815 H Street, N.W., Suite 900, Washington, D.C. 20006 (202-457-8680) (fax: 429-0102), has been retained to represent respondents in the above captioned matter. Respondents request that all notifications and other communications from the Commission be forwarded to counsel.

The original signed copies of this letter will be filed with the Commission by first class mail in counterpart by each respondent.

Request for Enlargement of Time

This letter is also to request an enlargement of time within which to file a response to the Complaint of 15 days for good cause shown, pursuant to 11 C.F.R. § 111.2 and Fed. R. Civ. P. 6(b)(1).

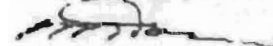
96043760027

National Election Commission
February 14, 1996
Page 2

The person who paid for the communications which are the subject of this Complaint reside in another state. The facts in background to the transactions in question will in large part be based on his recollection of the facts. Additionally, the persons who were acting at the time as the agents of the Committee in dealing with him also reside outside this jurisdiction and must be interviewed in order to provide a full and complete response. Given the current due date for filing the response of Monday, February 19, 1996, 11 C.F.R. § 111.6, there is insufficient time to marshal the facts, complete an investigation and present the respondents' position in writing.

For good cause shown, respondents request an enlargement of time setting the due date for filing a response of Tuesday, March 5, 1996.

Very truly yours,


C. Michael Tarone

BT Ed

Alan Keyes for President '96, Inc.


Mary Parker Lewis
President

William G. Spiegel
Treasurer
Alan Keyes for President '96, Inc.

96043760028



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 15, 1996

C. Michael Tarone, Esquire
1815 H Street, N.W., Suite 900
Washington, D.C. 20006

RE: ~~MUR 4292~~ 4294
Alan Keys for President '96, Inc.
William G. Spiegel, Treasurer

Dear Mr. Tarone:

This is in response to your letter dated February 14, 1996, requesting an extension until March 5, 1996, 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 March 5, 1996.

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

Sincerely,

Alva E. Smith, Paralegal
Central Enforcement Docket

9604376029

C. MICHAEL TARONE

ATTORNEY AT LAW, P.C.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAR 6 8 09 AM '96

Suite 900
1815 H Street, N.W.
Washington, D.C. 20006

(PO) 437-6680

FACSIMILE (202) 437-0107

March 5, 1996

Urgent

VIA FACSIMILE:
(202) 219-3923

Federal Election Commission
Attention: Alva B. Smith, Paralegal
999 E Street, N.W.
Washington, D.C. 20463

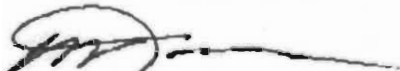
Re: MUR 4294

Respondents: Alan Keyes for President '96, Inc.
William G. Spiegel, Treasurer

Dear Ms. Smith:

This letter is to confirm that the Commission has consented to respondents filing an answer to the complaint by Thursday, March 7, 1996. However, it is my expectation that a filing can be made by close of business tomorrow, provided one of the witnesses can be interviewed before that time.

Very truly yours,



C. Michael Tarone

CMT/lms

9604376000

C. MICHAEL TARONE

ATTORNEY AT LAW, P.C.

Suite 900
1815 H Street, N.W.
Washington, D.C. 20006

(202) 457-6660

FACSIMILE (202) 457-0107

March 8, 1996

VIA FACSIMILE
202-219-3923

Federal Election Commission
Attention: Alva E. Smith,
Paralegal
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4294

Respondents: Alan Keyes for President '96, Inc.
William G. Spiegel, Treasurer

Dear Ms. Smith:

Because we were told by General Counsel's office that our answer could be received at any time before 5:30 pm, the messenger was at the FEC at 5:15 this evening but could not get into the office. The guard tried by phone but there was no answer.

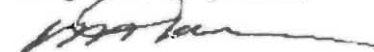
It should have been deliverable up until 5:30. The messenger was told by us to go to the mail room. When the messenger got to the FEC, apparently the messenger should have been sent to the General Counsel's Office.

The messenger tried several times to get into the building but without success. I spoke to someone in the General Counsel's Office at 5:40 this evening to attempt to get access while the messenger was still in the area, but we had no success.

For these reasons, and for good cause having been shown, it is requested that, pursuant to Rule 6(b) the filing be deemed timely as of this facsimile or as of hand delivery first thing in the morning. The answer and attachments is enclosed.

Please advise me.

Very truly yours,



C. Michael Tarone

CMT/Id

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAR 7 6 48 PM '96

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BEFORE THE FEDERAL ELECTION
COMMISSION

MAR 8 10 54 AM '96

ALAN KEYES FOR PRESIDENT
'96, INC.

and

WILLIAM G. SPIEGEL,
TREASURER,

Respondents.

MUR 4294

**RESPONSE OF ALAN KEYES FOR PRESIDENT '96, INC.
and
WILLIAM G. SPIEGEL, TREASURER**

Respondents Alan Keyes for President '96, Inc. (the
"Committee") and William G. Spiegel, Treasurer ("collectively
"respondents"), hereby submit this answer to the complaint.

The Committee is the principal campaign committee of Alan
Keyes ("candidate"), a declared candidate for the Republican
nomination for the Office of President of the United States.
Mr. Spiegel is the Treasurer of the Committee.

Mr. George Johnson is a citizen of the State of Illinois and
also a respondent in this matter. Attached hereto are the
Affidavit of George Johnson ("Aff.") (Exhibit A) and the
Supplemental Affidavit of George Johnson ("Supp. Aff.") (Exhibit B)
setting forth his understanding of the events in question.

THE COMPLAINT

The complaint was filed pursuant to 2 U.S.C. §§ 437g(a)(4)(B)
and 437g(a)(12)(A) [confidentiality]. The complaint charges that
a flyer attached to the complaint was distributed for the purpose

ORIGINAL

of promoting the campaign of the candidate but failed to state the disclaimer required by the federal election law. Secondly, the complaint alleges that the value of the flyer constitutes a contribution in excess of the \$1,000 limitation based on the complainant's estimation of value.

ANSWER

A. Failure to Disclaim

It is admitted that the flyer fails to state a disclaimer as required by the federal election law provided it meets the test of being a "form of general public political advertising." 11 C.F.R. § 110.11(a)(1). Because the flyer has printed on one of its two sides a statement advocating the election of a candidate for federal office, 2 U.S.C. §441d(a), the disclaimer provisions apply to the side referring to the candidacy. 11 C.F.R. § 110.11. Admittedly the message advocates the election or defeat of a clearly identified candidate...." Id. (emphasis added). A disclaimer should have been included and was not. There is no evidence here, however, of an intention to violate or circumvent the federal election law. The chief administrative functionaries of the Committee were not involved in this publication.

As explained in the attached affidavit, a campaign worker cooperated with Mr. Johnson in arranging for and publishing the side bearing the campaign message. The two persons involved were ignorant about the disclaimer requirements and did not take it into account.

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The two-sided flyer in question is addressed in Mr. Johnson's Affidavits. Mr. Johnson had 10,000 extra copies of the flyer in inventory in the fall of 1995 (Exhibit A, Aff. ¶3). The flyer had color printing on one side. The pro-life message was printed on the flyer well before Mr. Johnson or the campaign worker considered using it for campaign material. In fact, the 10,000 copies were in existence months before the events in question. (Id.)

In the fall of 1995, Mr. Johnson attended a pro-life event in his home town where he heard Ambassador Keyes. That evening he had dinner with a campaign worker and the subject of 10,000 otherwise valueless flyers came up. The flyers had a pro-life message on one side and no printing on the other. The flyers were going to be discarded. Instead, the idea of using the unprinted side for a campaign message came up, and the two proceeded. (Exhibit A, Aff. ¶4).

Mr. Johnson provided the printing equipment, his own time and the 10,000 flyers. The campaign worker provided the art work. Mr. Johnson printed the campaign message on his equipment and then shipped the flyers to locations provided by the campaign. (Exhibit A, Aff. ¶¶3-7).

Mr. Johnson and the campaign worker innocently teamed up to produce the product but did not know about the disclaimer requirement. The flyers were subsequently distributed by the candidate's campaign workers.

B. Contribution of the Value of the Flyer

The definition of "contribution" includes anything of value given for the purpose of influencing an election for federal office. 2 U.S.C. § 431(8)(A)(i). It does not include the value of the services rendered by a volunteer. 2 U.S.C. § 431(8)(B)(i). A contribution in-kind is made when anything of value is provided without charge or at less than usual or normal charge. 11 C.F.R. § 100.7(1)(E)(iii).

9604076005
The 10,000 otherwise unusable, pro-life flyers provided by Mr. Johnson to the campaign had no commercial value. They were printed on one side, and he had no commercial market for the flyers. (Exhibit A, Aff. ¶4). They were worthless. (Id.). Mr. Johnson opines that had he been approached by a customer to print the very same campaign message on one side with the back remaining blank, the cost for the 10,000 flyers would have been \$800. (Exhibit A, Aff. ¶ 11). However, this is not the product which the campaign was provided. The product was excess inventory having a non-campaign message, albeit the message was pro-life and the candidate is a pro-life proponent.

The actual cash value of "piggy backing" on the back of the 10,000 flyers was \$300 provided a customer could be found. It is believed that the maximum value of the flyers was therefore \$300 before the printing. (Exhibit B, Supp. Aff. ¶ 2).

The cost to Mr. Johnson of printing with negatives and plates was \$40. Mr. Johnson shipped the flyers after printing at a cost of \$135. (Exhibit A, Aff. ¶¶ 9, 12). The total value conferred was,

therefore, no more than \$475. (Exhibit B, Supp. Aff. ¶ 2). More realistically, assuming the flyer was worthless, the value of the product provided was \$175. Aff. ¶ 13.

Under any of the scenarios, the value conferred on the campaign was less than \$1,000.

For purposes of reporting by the Committee, Mr. Johnson's flyer is being treated as an in-kind contribution in the amount of \$475 (Exhibit B, Supp. Aff. ¶ 2), and will be reported by the Committee as a contribution in-kind and an expenditure as of the date received under 11 C.F.R. § 104.13(a)(1) and (2).

We respectfully submit that the contribution limitation has not been violated by the contribution in-kind of the flyer.

Respectfully submitted,

Date: March 8, 1996


C. Michael Tarone

1815 H Street, N.W., Suite 900
Washington, D.C. 20006

202-244-0681

Counsel for Respondents
ALAN KEYES FOR PRESIDENT '96,
INC., and
WILLIAM G. SPIEGEL

EXHIBIT A

96043760037

BEFORE THE FEDERAL ELECTION
COMMISSION

ALAN KEYES FOR PRESIDENT
'96, INC.

and

WILLIAM G. SPIEGEL,
TREASURER,

Respondents.

MUR 4294

AFFIDAVIT OF GEORGE JOHNSON

I, George Johnson, being duly sworn do solemnly swear under penalty of perjury that the following statements are true and correct to my best knowledge, information and belief:

1. I am George Johnson and I reside in Park Ridge, Illinois. I am respondent in the captioned matter and I have filed my personal answer to the complaint lodged with the Commission. The statements I am making herein are of my own free will.

2. I am the owner and operator of a printing business located in Park Ridge, Illinois 60068.

3. In the fall of 1995, my wife and I attended a pro-life event, where we exhibited our products, and Dr. Alan Keyes was the featured speaker. In August of '95, I printed 210,000 flyers promoting my pro-life checks. The 200,000 flyers were requested by a pro-life group in Virginia, and we printed additional advertising on the back side of those flyers. When a large press run like this is printed, we often make additional copies because

9604376003

we think they might be useful at a future date. That is what I did here. We printed another 10,000 while we were at it.

4. When the original printing was carried out, however, I had no intention of using the flyers in connection with a federal or state campaign. Shortly after the original printing in August, the phone company advised me that the area code was to be changed which would make the phone number on the flyers obsolete. Because the 200,000 flyers were being put to use soon, they were not effected. The 10,000 flyer over-run, however, was different; there was no immediate use and the back side was blank. Having no prospects for using the 10,000 flyers, and running out of time, it was apparent that the value of the flyers was rapidly decreasing with every passing day. At the time I attended the pro-life event in the fall, there was no prospective customer for the 10,000 flyers. Keep in mind that the only possible use was for "piggy backing" a message compatible with pro-life content on the other side. While it is conceivable that I could have used a few hundred of these flyers to stuff our own mailings, the remainder were truly worthless.

5. On the day I attended the pro-life event and had dinner with one of the campaign workers, I mentioned that I had 10,000 flyers which were headed for the land fill, i.e. that I was going to have to throw them away. The campaign worker suggested that we print a campaign-related message on the blank side of the flyer and that the campaign would distribute them. To me that

was a way of not wasting the paper, and was an advertising vehicle for the check product.

6. The campaign worker arranged for the typesetting and he provided me with the art work, and I then made the plates. From the plates, I personally printed the campaign message on the 10,000 flyers using my own printing equipment and on my own time.

7. At the time it appeared to me that the 10,000 flyers were worthless; as I have stated moreover, because I did the printing on my machines, there was no out-of-pocket expense involved. However, I shipped the flyers but did not bill the campaign for the freight which has since been corrected.

8. There was nothing clandestine about my efforts and I had no idea at the time that the flyer may be seen as a contribution in-kind to a federal campaign. I gave it no thought. Additionally, neither myself nor the campaign worker gave any thought at the time to the requirement that an inscription be printed in plain sight on the flyer identifying the source of the funding for the communication and stating whether it was authorized. I understand this is referred to as a disclaimer. Not only did I have no knowledge of this law but the subject never came up. I had nothing to hide, and the campaign worker did not either. As you can see, my phone number was on the flyer, making it obvious there was no intent to be secretive. Also, there would have been no cost to print a disclaimer. Neither myself nor the campaign worker were trying to hide what we were doing or not comply with the law. I assure

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the Commission, that if a mistake was made, it was out of ignorance.

9. I estimate that the cost to me of printing the campaign message on the back of the 10,000 flyers was \$40.

10. I estimate that had there been a commercial buyer, the fair market value of this "piggy backing" opportunity was \$300. But that was no such commercial opportunity here, and that \$300 value is of course too high and speculative in the circumstance.

11. I estimate that had I been approached by a customer to print the very same flyer from scratch, and without the deep discount which could be afforded by "piggy backing" one side of the flyer, the price would have been about \$800.

12. I shipped the 10,000 flyers to several locations for the campaign at a cost of approximately \$135.

13. I now understand that the cost I incurred in printing this flyer and shipping it may have been a contribution in-kind and for that reason the value provided the campaign will be reflected as a campaign contribution. That value was \$135 plus \$40, for a total of \$175.

Date: March 5, 1996

George Johnson
George Johnson *SVJ*

NOTARIZATION

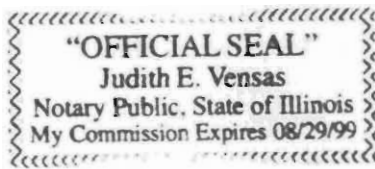
County COOK

State of Illinois

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)
)
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)

On this 6th day of March 1996, before me, JUDITH VENSAS, the undersigned officer, and personally appeared before me George Johnson who is known to me, or was satisfactorily proven to be, the person whose name is subscribed to in the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal



A handwritten signature, appearing to be "J. Vensas", is written over a horizontal line.

EXHIBIT B

9604376003

BEFORE THE FEDERAL ELECTION
COMMISSIONALAN KEYES FOR PRESIDENT
'96, INC.

and

WILLIAM G. SPIEGEL,
TREASURER,Respondents.

MUR 4294

SUPPLEMENTAL AFFIDAVIT OF GEORGE JOHNSON

1. George Johnson, being duly sworn do solemnly swear under penalty of perjury that the following statements are true and correct to my best knowledge, information and belief:

1. I am George Johnson and I reside in Park Ridge, Illinois. I am also a respondent in the captioned matter. The statements I am making herein are of my own free will and are supplemental to my first affidavit.

2. I estimate that the market value of printing a message on the blank side of the 10,000 pro-life flyers would have been \$300, assuming that a customer interested in "piggy backing" could be found. As I have stated, in this instance I had no customers and no apparent market, thereby making the flyers otherwise worthless. If shipping of \$135 and the cost of negatives, plates and ink of \$40 is added to the \$300, the total market value (assuming a market existed) would have been \$475.

Date: March 8, 1996


George Johnson

NOTARIZATION

County)
)
)
)
)
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State of Illinois)

On this 7th day of March 1996, before me, Carolyn Sime, the undersigned officer, and personally appeared before me George Johnson who is known to me, or was satisfactorily proven to be, the person whose name is subscribed to in the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

960476005
"OFFICIAL SEAL"
Carolyn S. Sime
Notary Public, State of Illinois
My Commission Expires 10/31/99

Carolyn S. Sime
Notary Public

E.L. MACKIE & ASSOCIATES

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

CERTIFIED PUBLIC ACCOUNTANT

AUG 30 11 28 AM '96

2675 PACES FERRY RD. • SUITE 218
ATLANTA, GEORGIA 30339
TELEPHONE (770) 319-6956
TELECOPIER (770) 319-6152

August 28, 1996

MUR 4294

Dave Racer, Campaign Manager
Alan Keyes for President '96, Inc.
2515 White Bear Ave., Suite 8A-301
St. Paul, MN 55109

Dear Mr. Racer:

Upon the request of your attorney, C. Michael Tarone, all information and documentation I had concerning Friends of Alan Keyes Committee was sent to your committee in August 1995.

All information and documentation was forwarded to a Mr. William Spiegel, Treasurer for Alan Keyes for President '96. Everything was forwarded to Mr. Spiegel at 47 Surry Place, Alexandria, VA 22304 as I was instructed.

According to Mr. Tarone, the accounting firm of Quinn, Lynch & Lobel was hired to satisfy federal election law requirements. I suggest you contact them for any documentation you require.

Finally, my resignation and the forwarding of all documentation was done in accordance with procedural recommendations of the FEC.

My responsibility for Friends of Alan Keyes Committee has been terminated.

Very truly yours,

Elyria L. Mackie
Elyria L. Mackie

enclosure

cc: Federal Election Commission
C. Michael Tarone

9604376006

BALSAMO & TARONE

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS
1815 M STREET, N.W., SUITE 900
WASHINGTON, D.C. 20006-3604

TEL (202) 466-5100
(202) 457-6680

CORRESPONDENT FIRMS IN:
BELGIUM • FRANCE • GERMANY
ITALY • MEXICO • SPAIN • SWITZERLAND
WRITER'S DIRECT DIAL NUMBER

TELECOPIERS (202) 428-0102
(202) 331-8884

August 17, 1995

**VIA FEDERAL EXPRESS
and Certified Mail (# P 415 976 907)
Return Receipt Requested**

Mr. Art Rocker
143 Thompson St.
Crawfordville, Georgia 30631

**VIA FEDERAL EXPRESS
and Certified Mail (# P 415 976 906)
Return Receipt Requested**

✓ Mr. Elyria Mackie, C.P.A.
Treasurer, Friends of Alan Keyes Committee
2675 Pacas Jerry Road, Suite 21
Atlanta, Georgia 30339

**Re: Termination and Compliance Effort
Friends of Alan Keyes Committee**

Dear Gentlemen:

By letter dated June 30, 1995, you and the Friends of Alan Keyes Committee ("Exploratory") were requested (i) to terminate all activity on behalf of Alan Keyes and (ii) to voluntarily turn over to his designated agents all books and records of Exploratory for the purpose of complying with federal election laws. A copy of that letter is enclosed.

Without justification or reasonable basis you have failed to cooperate or comply with this request. This is unacceptable.

Recent disclosures that checks written against Exploratory's accounts were returned for insufficient funds have heightened the concern of the candidate that the financial affairs of the committee are not in order and that an immediate audit is necessary. The issuance of checks without sufficient funds in the bank to satisfy the drafts was without the knowledge or approval of the candidate. That conduct is totally improper and impermissible. These circumstances must be corrected immediately. The payees of returned checks and other creditors

96043760047

Art Rocker
August 17, 1995
Page 2

of Exploratory must be promptly identified and the indebtedness paid.

Additionally, all political contributions must be accounted for and the sources properly disclosed in compliance with federal law.

Financial irregularities and other questions about the activities of Exploratory are not matters which can wait. Federal law controlling the federal election related activities impose clear and important legal obligations on the treasurer of Exploratory and other functionaries.

Sanctions for non-compliance with the federal election laws are serious and substantial. Moreover, state laws prohibiting the issuance of bank drafts without sufficient funds to cover the checks carry serious penalties.

The candidate has a legal interest to be protected to insure compliance with federal and state law and to insure that innocent persons who dealt in good faith with Exploratory are not injured. Essential to this compliance effort is immediate access to all the books and records, copies or originals, wherever they may be.

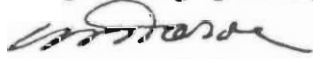
The candidate will not permit intentional or unintentional violations of federal or state laws by any committee or person associated with his campaign.

This letter is to advise you that suit will be filed in Georgia or any other place where there is jurisdiction to obtain the books and records and to require full disclosure of financial activities to the appropriate federal and state authorities in order to comply with all laws and to make innocent parties whole.

Unless I have your satisfactory reply to this letter to provide the books and records by August 27, 1995, legal action will be instituted.

Awaiting your response, I remain,

Very truly yours,


C. Michael Tarone

CMT:kar
Enclosure
cc: Hon. Alan Keyes (w/encl)
Mary Lewis

VIA CERTIFIED MAIL

2675 PACES FERRY RD. • SUITE 218
ATLANTA, GEORGIA 30339
TELEPHONE (770) 319-6956
TELECOPIER (770) 319-6152

August 29, 1995

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

RE: Resignation of Treasurer
Friends of Alan Keyes Committee

In June 1995, I reluctantly accepted the position of Treasurer of the Friends of Alan Keyes Committee (Friends), upon the resignation of the prior Treasurer, with the understanding that it was an authorized committee for a candidate for the Office of President of the United States of America. It was also my understanding that another primary committee had been organized and that the Friends committee's future was uncertain.

At the time I accepted the Treasurer's position, Mr. Keyes had a representative from his primary committee working in the Friends committee office to oversee it's operations. The committee had also embarked upon a major fundraising campaign during the last two weeks of June that covered eight to ten states.

Near the end of June, I was informed of Mr. Keyes wishes to terminate operations of the Friends Committee on June 30, 1995. This came from his primary committee. Mr. Keyes did not confirm this with me personally.

I, however, started informing all necessary parties of the closing and terminating the remaining office staff. We were physically out of the office in early July. I advised Mr. Keyes' primary committee that, based on my understanding of Federal Election Commission (FEC) Code of Federal Regulation paragraph 102.4, a legal termination was not possible due to outstanding debts and obligations. I suggested that a new Treasurer, of their choosing, be named and I would gladly turn over all documents to this new person. I was told this would be taken care of. To date, it has not happened.

In early August, I learned from outsiders that there were press allegations of intentional misappropriation of funds by the Friends Committee. Let me state categorically that I am not aware of any intentional misappropriation of campaign funds. There were some returned checks. I believe this was due to timing. Not all contributions had cleared the bank before campaign checks were presented for payment. To my knowledge, all checks written have been honored.

page 2

Also, I verbally indicated to the primary committee that all of the most recent expenditures had not been included in the July 15th FEC report because of the office moving and that an amended return would have to be filed.

On August 23, 1995 I received a letter from an attorney representing Mr. Keyes and his primary committee stating that litigation would be filed against me if I did not comply with their earlier demand for all original documents of the Friends committee.

For the above stated reasons, among other unstated ones, it is necessary for me to resign as Treasurer of the Friends of Alan Keyes Committee. This resignation is to be effective immediately.

Furthermore, based on recommendations from FEC representatives, I will immediately forward all original documents and other items in my possession belonging to the Friends committee to the Treasurer of the primary committee since I am not aware of any other person currently named as Treasurer of the Friends Committee.

Sincerely,

Elyria L. Mackie

P.O. Box 12279
Atlanta, Georgia 30355

enclosures

cc:

Mr. Alan Keyes
Mr. C. Michael Tarone, Attorney -
Alan Keyes for President '96
Mr. William Spiegel, Treasurer -
Alan Keyes for President '96
Mr. Art Rocker

9604376000

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
COMMUNICATIONS SECTION
AUG 14 1996

AUG 14 4 50 PM '96

In the Matter of

)
)
)
Enforcement Priority

SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION

In accordance with the objectives of the Enforcement Priority System ("EPS") adopted by the Commission in May 1993, the Office of the General Counsel has periodically recommended that the Commission not pursue cases that are stale or that, in comparison to other pending matters, do not appear to warrant the use of the Commission's limited resources. This General Counsel's Report recommends the Commission not pursue 43 cases that fall within these categories.

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 Commission 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.

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Having evaluated incoming matters, this Office has identified 24 cases which do not warrant further pursuit relative to other pending matters.¹ A short 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. Attachments 1-24. As the Commission has previously requested, we have also attached responses and referral materials where that information has not been circulated previously to the Commission. Attachment 25.

B. Stale Cases

Investigations are severely impeded and require relatively greater resources when the activity, and the evidence of the activity, are old. Accordingly, the Office of the 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 19 cases that

this Office believes are now too old to warrant the use of the Commission's resources

¹ These matters are: MUR 4227 (Wellstone for Senate) (Attachment 1); MUR 4273 (Jesse Wineberry) (Attachment 2); MUR 4290 (Lincoln Club of Riverside County) (Attachment 3); MUR 4292 (Congressman Ron Packard) (Attachment 4); MUR 4293 (Willie Colon for Congress) (Attachment 5); MUR 4294 (Alan Keyes for President '96) (Attachment 6); MUR 4299 (UAW-V-CAP) (Attachment 7); MUR 4312 (Sonoma County Republicans) (Attachment 8); MUR 4316 (Ross Perot) (Attachment 9); MUR 4318 (Patrick Combs for Congress) (Attachment 10); MUR 4324 (Buchanan for President) (Attachment 11); MUR 4325 (Dan Garstecki for Congress '96) (Attachment 12); MUR 4329 (Golden Door) (Attachment 13); MUR 4330 (Trice Harvey) (Attachment 14); MUR 4333 (WSB-TV) (Attachment 15); MUR 4334 (Cox Communications) (Attachment 16); MUR 4336 (WSB-TV) (Attachment 17); MUR 4339 (WSB-TV) (Attachment 18); MUR 4348 (Soglin for Congress) (Attachment 19); MUR 4359 (Francis Thompson for Congress) (Attachment 20); MUR 4360 (Weygand Committee) (Attachment 21); MUR 4363 (WSB-TV) (Attachment 22); MUR 4364 (Friends of Jimmy Blake) (Attachment 23) and Pre-MUR 328 (Department of the Interior) (Attachment 24).

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Because our recommendation not to pursue these cases is based on their staleness, this Office has not prepared separate narratives for these cases. we have attached responses and referral materials in those instances where the information was not previously circulated. Attachments 26-45.

This Office recommends the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective September 3, 1996. By closing the cases effective that day, CED and the Legal Review Team each will have the necessary time to prepare closing letters and case files for the public record.

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III. RECOMMENDATIONS

A. Decline to open a MUR, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

- 1) Pre-MUR 293
- 2) Pre-MUR 311
- 3) Pre-MUR 328
- 4) RAD Referral 95L-03
- 5) RAD Referral 95L-11
- 6) RAD Referral 95L-16
- 7) RAD Referral 95L-22
- 8) RAD Referral 95NF-21

B. Take no action, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

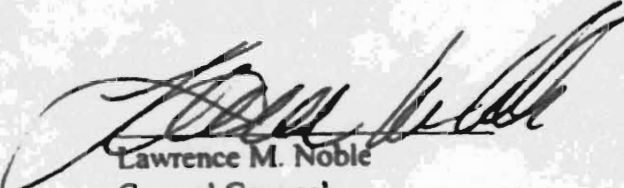
- 1) MUR 4061
- 2) MUR 4074
- 3) MUR 4101
- 4) MUR 4146
- 5) MUR 4151
- 6) MUR 4175
- 7) MUR 4180
- 8) MUR 4184
- 9) MUR 4198
- 10) MUR 4201
- 11) MUR 4227
- 12) MUR 4232
- 13) MUR 4273
- 14) MUR 4290
- 15) MUR 4292
- 16) MUR 4293
- 17) MUR 4294
- 18) MUR 4299
- 19) MUR 4312
- 20) MUR 4316
- 21) MUR 4318
- 22) MUR 4324
- 23) MUR 4325
- 24) MUR 4329
- 25) MUR 4330
- 26) MUR 4333
- 27) MUR 4334

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- 28) MUR 4336
- 29) MUR 4339
- 30) MUR 4348
- 31) MUR 4359
- 32) MUR 4360
- 33) MUR 4363
- 34) MUR 4364

C. Take no further action, close the file effective September 3, 1996, and approve the appropriate letters in MUR 3826.

Date 8/14/96


Lawrence M. Noble
General Counsel

96043760055

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Enforcement Priority.

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 21, 1996, the Commission took the following actions on the General Counsel's August 14, 1996 report on the above-captioned matter:

1. Decided by a vote of 5-0:

A. Decline to open a MUR, close the file effective September 3, 1996, and approve the appropriate letters in each of the following matters:

- 1) Pre-MUR 293
- 2) Pre-MUR 311
- 3) Pre-MUR 328
- 4) RAD Referral 95L-03
- 5) RAD Referral 95L-11
- 6) RAD Referral 95L-16
- 7) RAD Referral 95L-22
- 8) RAD Referral 95NP-21

B. Take no action, close the file effective September 3, 1996, and approve the appropriate letters in each of the following matters:

- 1) MUR 4061
- 2) MUR 4074
- 3) MUR 4101
- 4) MUR 4146
- 5) MUR 4151
- 6) MUR 4175
- 7) MUR 4180
- 8) MUR 4184
- 9) MUR 4198

(continued)

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Federal Election Commission
Certification for Enforcement
Priority
August 23, 1996

Page 2

10) MUR 4227
11) MUR 4232
12) MUR 4273
13) MUR 4290
14) MUR 4292
15) MUR 4293
16) MUR 4294
17) MUR 4299
18) MUR 4312
19) MUR 4316
20) MUR 4318
21) MUR 4324
22) MUR 4325
23) MUR 4329
24) MUR 4330
25) MUR 4333
26) MUR 4334
27) MUR 4336
28) MUR 4339
29) MUR 4348
30) MUR 4359
31) MUR 4360
32) MUR 4363
33) MUR 4364

Commissioners Aikens, Elliott, McDonald,
McGarry, and Thomas voted affirmatively with
respect to each of the above-noted matters.

Attest:

8-26-96
Date

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

Received in the Secretariat: Wed., Aug. 14, 1996 4:56 p.m.
Circulated to the Commission: Fri., Aug. 16, 1996 12:00 p.m.
Deadline for vote: Wed., Aug. 21, 1996 4:00 p.m.

bjr

9604376007



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

SEP 06 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark A. Stemniski
319 East Main Street, H-11
Marlboro, MA 01752-5438

RE: MUR 4294

Dear Mr. Stemniski:

On January 24, 1996, 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 September 3, 1996. 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. § 437(g)(8).

Sincerely,


Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

9604376008

MUR 4294

ALAN KEYES FOR PRESIDENT

Mark A. Stemniski filed a complaint alleging that a brochure advertising vanity checks with messages in support of Alan Keyes candidacy printed on the opposite side was handed out at a presidential candidate forum sponsored by the National Rifle Association Institute for Legislative Action. The flyer lacks a disclaimer stating who paid for it and whether it was authorized by the Keyes campaign. The complainant relays that he was also handed authorized Keyes campaign literature by the same person at the same convention, and that he therefore believes the flyer distributor was affiliated in some way with the Keyes campaign. He alleges that the vanity check flyer, which is four-color and two-sided, would have been expensive to print, and that very few people use four-color printing for jobs that cost less than \$1,000. Accordingly, Mr. Stemniski believes that whoever paid for the flyer exceeded the contribution limits at 2 U.S.C. § 441a.

Identity Check Printers ("Printers"), the sponsor of the vanity checks advertisement, responded through its owner, George Johnson, and stated that the vanity check side of the flyer was part of an intentional overrun on an order of 200,000 vanity check flyers printed for a pro-life organization in 1995. However, just after the printing was completed, the Printers' area code changed, and Mr. Johnson states that he thought he would have to discard the extra flyers. At about the same time, however, Mr. Johnson met and had dinner with a campaign worker for the Keyes campaign. According to Mr. Johnson, when he told the Keyes worker about the flyers, the Keyes worker suggested that Johnson print a pro-Keyes message on the other side and offered to have the finished flyers distributed at other pro-life events where Dr. Keyes would speak. Mr. Johnson states that the campaign worker provided the artwork and typesetting but that he printed them using the Printers' facilities on his own time. Mr. Johnson then shipped the flyers to locations provided by the campaign.

In its response, counsel for Alan Keyes for President '96 Inc. ("the Keyes Committee") admits that there was a disclaimer violation and that the Keyes Committee failed to report Mr. Johnson's in-kind contribution in the form of the flyers. Counsel encloses an affidavit from Mr. Johnson which generally reflects the information Mr. Johnson provided in the Printers' submission. Counsel argues that Mr. Johnson and the Keyes campaign worker were unaware of the disclaimer requirement and that there was no intention to violate federal election laws. Counsel also argues that the value of Mr. Johnson's contribution was, at most, \$475, relying on Mr. Johnson's sworn affidavit stating that the fair market value of the one-sided flyers was \$300, the plates and negatives for printing cost him \$40, and that he spent \$135 for shipping charges. Counsel concludes by stating that the Keyes Committee will disclose the in-kind contribution on its reports.

Saint Joseph Communications Inc., whose telephone number appears on Keyes side of the flyers as a source for Keyes videotapes, responds through its President that it

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did not authorize the use of its phone number. The corporation states that its only contact with the Keyes campaign involved taping four of Dr. Keyes' speeches and selling the tapes wholesale to the Keyes campaign for eventual resale.

No substantial amounts of money are involved in this matter, and there appears to be no serious intent on the part of the respondents to violate the FECA. This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 06 1996

Terry Barber, President
Saint Joseph Communications Inc.
P.O. Box 72
West Covina, CA 91793

RE: MUR 4294

Dear Mr. Barber

On January 30, 1996, the Federal Election Commission notified Saint Joseph Communications, Inc., 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 Saint Joseph Communications, Inc.. See attached narrative. Accordingly, the Commission closed its file in this matter on September 3, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(2) 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,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4294

ALAN KEYES FOR PRESIDENT

Mark A. Stemmiski filed a complaint alleging that a brochure advertising vanity checks with messages in support of Alan Keyes candidacy printed on the opposite side was handed out at a presidential candidate forum sponsored by the National Rifle Association Institute for Legislative Action. The flyer lacks a disclaimer stating who paid for it and whether it was authorized by the Keyes campaign. The complainant relays that he was also handed authorized Keyes campaign literature by the same person at the same convention, and that he therefore believes the flyer distributor was affiliated in some way with the Keyes campaign. He alleges that the vanity check flyer, which is four-color and two-sided, would have been expensive to print, and that very few people use four-color printing for jobs that cost less than \$1,000. Accordingly, Mr. Stemmiski believes that whoever paid for the flyer exceeded the contribution limits at 2 U.S.C. § 441a.

Identity Check Printers ("Printers"), the sponsor of the vanity checks advertisement, responded through its owner, George Johnson, and stated that the vanity check side of the flyer was part of an intentional overrun on an order of 200,000 vanity check flyers printed for a pro-life organization in 1995. However, just after the printing was completed, the Printers' area code changed, and Mr. Johnson states that he thought he would have to discard the extra flyers. At about the same time, however, Mr. Johnson met and had dinner with a campaign worker for the Keyes campaign. According to Mr. Johnson, when he told the Keyes worker about the flyers, the Keyes worker suggested that Johnson print a pro-Keyes message on the other side and offered to have the finished flyers distributed at other pro-life events where Dr. Keyes would speak. Mr. Johnson states that the campaign worker provided the artwork and typesetting but that he printed them using the Printers' facilities on his own time. Mr. Johnson then shipped the flyers to locations provided by the campaign.

In its response, counsel for Alan Keyes for President '96 Inc. ("the Keyes Committee") admits that there was a disclaimer violation and that the Keyes Committee failed to report Mr. Johnson's in-kind contribution in the form of the flyers. Counsel encloses an affidavit from Mr. Johnson which generally reflects the information Mr. Johnson provided in the Printers' submission. Counsel argues that Mr. Johnson and the Keyes campaign worker were unaware of the disclaimer requirement and that there was no intention to violate federal election laws. Counsel also argues that the value of Mr. Johnson's contribution was, at most, \$475, relying on Mr. Johnson's sworn affidavit stating that the fair market value of the one-sided flyers was \$300, the plates and negatives for printing cost him \$40, and that he spent \$135 for shipping charges. Counsel concludes by stating that the Keyes Committee will disclose the in-kind contribution on its reports.

Saint Joseph Communications Inc., whose telephone number appears on Keyes side of the flyers as a source for Keyes videotapes, responds through its President that it

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did not authorize the use of its phone number. The corporation states that its only contact with the Keyes campaign involved taping four of Dr. Keyes' speeches and selling the tapes wholesale to the Keyes campaign for eventual resale.

No substantial amounts of money are involved in this matter, and there appears to be no serious intent on the part of the respondents to violate the FECA. This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

SEP 06 1996

Michigan Printers
9700 West Foster Avenue
Chicago, IL 60656

RE: MUR 4294

Dear Sir or Madam:

On January 30, 1996, 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 Michigan Printers. See attached narrative. Accordingly, the Commission closed its file in this matter on September 3, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(2) 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,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4294

ALAN KEYES FOR PRESIDENT

Mark A. Sterniski filed a complaint alleging that a brochure advertising vanity checks with messages in support of Alan Keyes candidacy printed on the opposite side was handed out at a presidential candidate forum sponsored by the National Rifle Association Institute for Legislative Action. The flyer lacks a disclaimer stating who paid for it and whether it was authorized by the Keyes campaign. The complainant relays that he was also handed authorized Keyes campaign literature by the same person at the same convention, and that he therefore believes the flyer distributor was affiliated in some way with the Keyes campaign. He alleges that the vanity check flyer, which is four-color and two-sided, would have been expensive to print, and that very few people use four-color printing for jobs that cost less than \$1,000. Accordingly, Mr. Sterniski believes that whoever paid for the flyer exceeded the contribution limits at 2 U.S.C. § 441a.

Identity Check Printers ("Printers"), the sponsor of the vanity checks advertisement, responded through its owner, George Johnson, and stated that the vanity check side of the flyer was part of an intentional overrun on an order of 200,000 vanity check flyers printed for a pro-life organization in 1995. However, just after the printing was completed, the Printers' area code changed, and Mr. Johnson states that he thought he would have to discard the extra flyers. At about the same time, however, Mr. Johnson met and had dinner with a campaign worker for the Keyes campaign. According to Mr. Johnson, when he told the Keyes worker about the flyers, the Keyes worker suggested that Johnson print a pro-Keyes message on the other side and offered to have the finished flyers distributed at other pro-life events where Dr. Keyes would speak. Mr. Johnson states that the campaign worker provided the artwork and typesetting but that he printed them using the Printers' facilities on his own time. Mr. Johnson then shipped the flyers to locations provided by the campaign.

In its response, counsel for Alan Keyes for President '96 Inc. ("the Keyes Committee") admits that there was a disclaimer violation and that the Keyes Committee failed to report Mr. Johnson's in-kind contribution in the form of the flyers. Counsel encloses an affidavit from Mr. Johnson which generally reflects the information Mr. Johnson provided in the Printers' submission. Counsel argues that Mr. Johnson and the Keyes campaign worker were unaware of the disclaimer requirement and that there was no intention to violate federal election laws. Counsel also argues that the value of Mr. Johnson's contribution was, at most, \$475, relying on Mr. Johnson's sworn affidavit stating that the fair market value of the one-sided flyers was \$300, the plates and negatives for printing cost him \$40, and that he spent \$135 for shipping charges. Counsel concludes by stating that the Keyes Committee will disclose the in-kind contribution on its reports.

Saint Joseph Communications Inc., whose telephone number appears on Keyes side of the flyers as a source for Keyes videotapes, responds through its President that it

96042760055

did not authorize the use of its phone number. The corporation states that its only contact with the Keyes campaign involved taping four of Dr. Keyes' speeches and selling the tapes wholesale to the Keyes campaign for eventual resale.

No substantial amounts of money are involved in this matter, and there appears to be no serious intent on the part of the respondents to violate the FECA. This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 06 1996

George Johnson
Identity Check Printers
Box 818
Park Ridge, IL 60068

RE: MUR 4294

Dear Mr. Johnson:

On January 30, 1996, the Federal Election Commission notified Identity Check Printers 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 Identity Check Printers. See attached narrative. Accordingly, the Commission closed its file in this matter on September 3, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(2) 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,

Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

96043760067

MUR 4294

ALAN KEYES FOR PRESIDENT

Mark A. Sterniski filed a complaint alleging that a brochure advertising vanity checks with messages in support of Alan Keyes candidacy printed on the opposite side was handed out at a presidential candidate forum sponsored by the National Rifle Association Institute for Legislative Action. The flyer lacks a disclaimer stating who paid for it and whether it was authorized by the Keyes campaign. The complainant relays that he was also handed authorized Keyes campaign literature by the same person at the same convention, and that he therefore believes the flyer distributor was affiliated in some way with the Keyes campaign. He alleges that the vanity check flyer, which is four-color and two-sided, would have been expensive to print, and that very few people use four-color printing for jobs that cost less than \$1,000. Accordingly, Mr. Sterniski believes that whoever paid for the flyer exceeded the contribution limits at 2 U.S.C. § 441a.

Identity Check Printers ("Printers"), the sponsor of the vanity checks advertisement, responded through its owner, George Johnson, and stated that the vanity check side of the flyer was part of an intentional overrun on an order of 200,000 vanity check flyers printed for a pro-life organization in 1995. However, just after the printing was completed, the Printers' area code changed, and Mr. Johnson states that he thought he would have to discard the extra flyers. At about the same time, however, Mr. Johnson met and had dinner with a campaign worker for the Keyes campaign. According to Mr. Johnson, when he told the Keyes worker about the flyers, the Keyes worker suggested that Johnson print a pro-Keyes message on the other side and offered to have the finished flyers distributed at other pro-life events where Dr. Keyes would speak. Mr. Johnson states that the campaign worker provided the artwork and typesetting but that he printed them using the Printers' facilities on his own time. Mr. Johnson then shipped the flyers to locations provided by the campaign.

In its response, counsel for Alan Keyes for President '96 Inc. ("the Keyes Committee") admits that there was a disclaimer violation and that the Keyes Committee failed to report Mr. Johnson's in-kind contribution in the form of the flyers. Counsel encloses an affidavit from Mr. Johnson which generally reflects the information Mr. Johnson provided in the Printers' submission. Counsel argues that Mr. Johnson and the Keyes campaign worker were unaware of the disclaimer requirement and that there was no intention to violate federal election laws. Counsel also argues that the value of Mr. Johnson's contribution was, at most, \$475, relying on Mr. Johnson's sworn affidavit stating that the fair market value of the one-sided flyers was \$300, the plates and negatives for printing cost him \$40, and that he spent \$135 for shipping charges. Counsel concludes by stating that the Keyes Committee will disclose the in-kind contribution on its reports.

Saint Joseph Communications Inc., whose telephone number appears on Keyes' side of the flyers as a source for Keyes videotapes, responds through its President that it

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did not authorize the use of its phone number. The corporation states that its only contact with the Keyes campaign involved taping four of Dr. Keyes' speeches and selling the tapes wholesale to the Keyes campaign for eventual resale.

No substantial amounts of money are involved in this matter, and there appears to be no serious intent on the part of the respondents to violate the FECA. This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 06 1996

C. Michael Tarone, Esq.
1815 H Street, N.W., Suite 900
Washington, D.C. 20006

RE MUR 4294
Alan Keyes for President '96, Inc. and William G. Spiegel, Treasurer

Dear Mr. Tarone

On January 30, 1996, the Federal Election Commission notified your clients, Alan Keyes for President '96, Inc., and William G. Spiegel, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on September 3, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(2) 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,


Colleen T. Sealander, Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4294
ALAN KEYES FOR PRESIDENT

Mark A. Stemniski filed a complaint alleging that a brochure advertising vanity checks with messages in support of Alan Keyes candidacy printed on the opposite side was handed out at a presidential candidate forum sponsored by the National Rifle Association Institute for Legislative Action. The flyer lacks a disclaimer stating who paid for it and whether it was authorized by the Keyes campaign. The complainant relays that he was also handed authorized Keyes campaign literature by the same person at the same convention, and that he therefore believes the flyer distributor was affiliated in some way with the Keyes campaign. He alleges that the vanity check flyer, which is four-color and two-sided, would have been expensive to print, and that very few people use four-color printing for jobs that cost less than \$1,000. Accordingly, Mr. Stemniski believes that whoever paid for the flyer exceeded the contribution limits at 2 U.S.C. § 441a.

Identity Check Printers ("Printers"), the sponsor of the vanity checks advertisement, responded through its owner, George Johnson, and stated that the vanity check side of the flyer was part of an intentional overrun on an order of 200,000 vanity check flyers printed for a pro-life organization in 1995. However, just after the printing was completed, the Printers' area code changed, and Mr. Johnson states that he thought he would have to discard the extra flyers. At about the same time, however, Mr. Johnson met and had dinner with a campaign worker for the Keyes campaign. According to Mr. Johnson, when he told the Keyes worker about the flyers, the Keyes worker suggested that Johnson print a pro-Keyes message on the other side and offered to have the finished flyers distributed at other pro-life events where Dr. Keyes would speak. Mr. Johnson states that the campaign worker provided the artwork and typesetting but that he printed them using the Printers' facilities on his own time. Mr. Johnson then shipped the flyers to locations provided by the campaign.

In its response, counsel for Alan Keyes for President '96 Inc. ("the Keyes Committee") admits that there was a disclaimer violation and that the Keyes Committee failed to report Mr. Johnson's in-kind contribution in the form of the flyers. Counsel encloses an affidavit from Mr. Johnson which generally reflects the information Mr. Johnson provided in the Printers' submission. Counsel argues that Mr. Johnson and the Keyes campaign worker were unaware of the disclaimer requirement and that there was no intention to violate federal election laws. Counsel also argues that the value of Mr. Johnson's contribution was, at most, \$475, relying on Mr. Johnson's sworn affidavit stating that the fair market value of the one-sided flyers was \$300, the plates and negatives for printing cost him \$40, and that he spent \$135 for shipping charges. Counsel concludes by stating that the Keyes Committee will disclose the in-kind contribution on its reports.

Saint Joseph Communications Inc., whose telephone number appears on Keyes side of the flyers as a source for Keyes videotapes, responds through its President that it

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did not authorize the use of its phone number. The corporation states that its only contact with the Keyes campaign involved taping four of Dr. Keyes' speeches and selling the tapes wholesale to the Keyes campaign for eventual resale.

No substantial amounts of money are involved in this matter, and there appears to be no serious intent on the part of the respondents to violate the FECA. 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 # 4294

DATE FILMED 10-9-96 CAMERA NO. 2

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