




**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**MEMORANDUM**

**TO:** The Commissioners  
Staff Director  
Deputy Staff Director  
General Counsel

**FROM:** Office of the Commission Secretary 

**DATE:** August 13, 2002

**SUBJECT:** Statement Of Reasons for MUR 4538

**Attached is a copy of the Statement Of Reasons for MUR 4538  
signed by Vice Chairman Karl J. Sandstrom.**

**This was received in the Commission Secretary's Office on  
Tuesday, August 13, 2002 at 9:29 a.m.**

**cc: Vincent J. Convery, Jr.  
OGC Docket (5)  
Information Division  
Press Office  
Public Disclosure**

**Attachment**

4284-504-40-22



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Alabama Republican State Party ) MUR 4538  
and Timothy R. Baer, as treasurer, et al. )

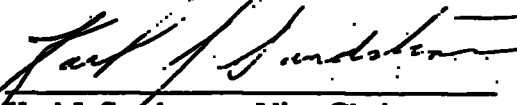
STATEMENT OF REASONS

On September 19, 2001, the Commission voted 4-2<sup>1</sup> to take no further action with respect to the Alabama Republican Party and Timothy Baer, as treasurer, regarding alleged violations of 2 U.S.C. §§ 441a(a)(2)(A), 441b(a) and 441a(f) and 11 CFR 102.5; and to take no further action regarding coordination allegations with respect to Parker for Congress and Stan McDonald, as treasurer. Although the advertisements at issue did reference a clearly identified federal candidate, they did not contain express advocacy.

In light of the Commission's failure to formally supersede Advisory Opinion 1995-25, I voted not to proceed against the respondents in this MUR because of the same concerns about due process I have consistently raised in enforcement matters relating to media advertisements alleged to be coordinated between candidates and party committees. *See Statement of Reasons of Commissioner Karl J. Sandstrom in MURs 4553, 4671, 4407, 4544 and 4713 (June 21, 2000) and MUR 4994 (December 18, 2001).* I once again urge the Commission to provide clarity to party committees and candidates about how the Commission intends to enforce the coordinated expenditure limits of 2 U.S.C. § 441a(d).

8/12/2002

Date

  
Karl J. Sandstrom, Vice Chairman

<sup>1</sup> The initial vote was 4-2 to find probable cause, with Chairman McDonald, Vice Chairman Mason and Commissioners Thomas and Wold voting in favor of the General Counsel's recommendation; Commissioners Sandstrom and Smith dissenting. Subsequently, Vice Chairman Mason moved to reconsider the vote, which resulted in a 4-2 vote to take no further action. Vice Chairman Mason and Commissioners Sandstrom, Smith and Wold voted in favor of the motion; Commissioners McDonald and Thomas dissented.