



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4629

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN E.S.

98043853043

APR 4 11 36 AM '97

MUR 41629

March 28, 1997

Federal Election Commission
Office of General Counsel
999 E Street, N.W.,
Room 657
Washington, D.C. 20463

APR 4 3 05 PM '97

REC'D
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL COUNSEL

To whom it may concern:

It is my belief that Janice Schakowsky of Evanston, Illinois, a candidate for the 9th Congressional District, has willfully and deliberately avoided her legal responsibility to file with the Federal Election Commission (FEC) and report campaign activities such as contributions and expenditures. I am seeking to notify the FEC of her campaign irregularities and draw attention to activities that distinguish her as a candidate rather than an individual who is "testing the waters." It is my understanding that when deciding whether someone has moved beyond testing the waters into campaigning, the FEC looks at candidate language and actions, as well as monetary factors.

Ms. Schakowsky's actions and language make it very clear she currently considers herself a candidate and, in fact, is presently campaigning to run for Congress in 1998. An example of this is Ms. Schakowsky's efforts to qualify for the ballot by circulating petitions to run for Congress in 1996. I believe these and other actions should be judged on their own merit and independent of any "official" announcement of her candidacy.

The Commission should also be aware that Ms. Schakowsky has been actively raising money for well over 18 months, none of which has been reported. During a period where we all should be more sensitive to the legal obligations of campaigns and candidates, I find it particularly distasteful that a candidate who claims to favor campaign reform could show such blatant disregard for the clearly stated laws of the FEC.

You will find enclosed just a few examples of recent direct-mail pieces sent by candidate

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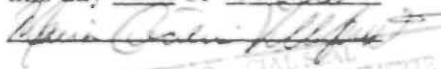
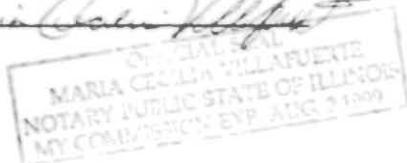
Schakowsky. Both examples enclosed demonstrate Ms. Schakowsky has moved beyond simply testing the waters. The plain language of the attached April 13 mailing explicitly states "Schakowsky for Congress Campaign" and also refers to the "Schakowsky for Congress Committee." The mailing leaves no doubt Ms. Schakowsky should be considered a candidate under the FEC's rules and is required to follow the registration and reporting requirements. As a concerned citizen, I look forward to your timely response.

Very truly yours,



Bill Colwyn
1720 North Halsted St.,
Chicago, Illinois 60614

Subscribed and Sworn to me
this day 3rd of March

Enclosures

28043853049

Post-it Fax Note 7671	
Date 3/23	# of pages 2
To	From
Co/Dept	Co
Phone #	Phone #
Fax #	Fax #



Kick Off With a Celebration

Schakowsky for Congress campaign.

☐ Yes. I will attend April 13.

Please find \$100 ____ \$250 ____ \$500 ____ \$Other ____
enclosed to support Jan's campaign.

☐ Sorry, but we are not able to attend, but please find \$ ____
enclosed to support Jan's campaign.

Name _____

Address _____

City _____ State _____ Zip _____

Home Telephone _____ Day Telephone _____

Occupation _____ Employer _____

Make checks payable to:

Schakowsky for Congress Committee, 1100 Ridge, Evanston, IL 60202

Paid for and authorized by the Schakowsky for Congress Committee

Federal law requires printed name of contributor to support this name, address, telephone, and name of employer
for each individual whose contribution is aggregated in excess of \$200 in a calendar year.

Schakowsky for Congress
Exploratory Committee
1101 Ridge
Evanston IL 60202
312/764-5999
Fax 312/764-5095

Jan Schakowsky
DEMOCRAT

December 7, 1996

Dear

I know you're ready for a break from elections and all that goes with them. Nevertheless, I hope you'll read on as I tell you about an election that is right around the corner. In March 1998--a mere 16 months from now--the Primary Election for Congress in the 9th Congressional District will take place, and it is my intention to be a candidate.

You and I talked about this race when I was exploring running for Congress in 1996. My plan was to run if Sidney Yates did not. Since his victory, Congressman Yates has said several times that he will not seek another term.

I had put together an Exploratory Committee for the possible 1996 race for Congress, and you allowed me to include your good name on that list. Now I am asking once again if I might include your good name on my supporters list for the 1998 election?

The race for the 9th Congressional District will be a competitive one. There has not been a really serious election here for 50 years. It is likely to be a crowded field of candidates, some of whom will be well known and/or very well financed.

Demonstrating early support is a very important part of my strategy for victory. I will not officially announce my candidacy for some time, but I need to establish a strong foundation immediately. Your willingness to declare your support for me now will help me recruit others and get us off to a rousing start.

I'm asking you to do three things. One: Fill out the enclosed form giving me permission to include your name on my 1998 committee. Two: Give me the names, addresses and phone numbers of others who can be listed. These are people that you have spoken to and who definitely want to join this campaign. Three: Give me the names and numbers of prospective supporters, individuals that I should call in order to win their support.

I can promise you an exciting campaign. There are currently no women in the Illinois delegation to the U.S. House of Representatives. Many eyes will be focused on this race. I am ready to go full steam ahead. I hope you will join me in this important and challenging venture.

I look forward to hearing from you soon.

Sincerely,



P.S. Our new telephone number is (773) 764-4438.



FEDERAL ELECTION COMMISSION

Washington, DC 20463

April 11, 1997

Bill Colwyn
1720 North Halsted Street
Chicago, IL 60614

RE: MUR 4629

Dear Mr. Colwyn:

This letter acknowledges receipt on April 4, 1997, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended. The respondent(s) will be notified of this complaint within five business 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 notarized and sworn to in the same manner as the original complaint. We have numbered this matter MUR 4629. 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,

A handwritten signature in black ink, appearing to read "Andrew Turley".

Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

28043853032



FEDERAL ELECTION COMMISSION

Washington, DC 20463

April 11, 1997

The Honorable Janice D. Schakowsky
2100 Ridge Avenue
Evanston, IL 60201-2796

RE: MUR 4629

Dear Ms. Schakowsky:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4629. Please refer to this number in all future correspondence.

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

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

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If you have any questions, please contact Jennifer Henry at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

28043853054



FEDERAL ELECTION COMMISSION

Washington, DC 20463

The Honorable Janice D. Schakowsky
House of Representatives
State Capitol
Springfield, IL 62706

RE: MUR 4629

Dear Ms. Schakowsky:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4629. Please refer to this number in all future correspondence.

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

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

28043853055

If you have any questions, please contact Jennifer Henry at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION

Washington, DC 20463

Larry Suffredin, Treasurer
Schakowsky for Congress Exploratory Committee
1100 Ridge
Evanston, IL 60202

RE: MUR 4629

Dear Mr. Suffredin:

The Federal Election Commission received a complaint which indicates that Schakowsky for Congress Exploratory Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4629. 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.

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If you have any questions, please contact Jennifer Henry at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

28043853058

OLDAKER, RYAN, PHILLIPS & UTRECHT

ATTORNEYS AT LAW

818 CONNECTICUT AVENUE, N.W.

SUITE 1100

WASHINGTON, D.C. 20006

(202) 728-1010

FACSIMILE (202) 728-4044

May 1, 1997

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

Dear Mr. Turley:

I am writing to respond to the complaint referenced in MUR 4629 and the letter to the Schakowsky for Congress Exploratory Committee from Andrew Turley of your office.

We believe that the Schakowsky for Congress Exploratory Committee and potential candidate Janice D. Schakowsky followed all of the procedures and guidelines established for persons exploring a candidacy for Congress.

History of Schakowsky Exploration for Congressional Candidacy

On April 13 of this year Jan Schakowsky announced her candidacy for Congress in the 9th District of Illinois. This announcement was accompanied by a simultaneous filing of organization and candidacy papers with the FEC and House Clerk.

Ms. Schakowsky has served as an Illinois State Representative since 1991. The Congressional District in which she resides is currently represented by Congressman Sidney Yates. Congressman Yates has represented this district for all but two of the last 50 years.

Beginning in 1993, Congressman Yates gave some indication that he might not seek reelection in 1994. Representative Schakowsky then organized an exploratory committee called "Citizens for Jan Schakowsky Exploratory Committee" to test the waters for a possible Congressional bid. After it became evident that Congressman Yates would indeed seek reelection, Ms. Schakowsky - who had indicated that she would not challenge Congressman Yates - decided to seek reelection to the Illinois House. She closed her exploratory committee and its bank account and returned the modest amount of funds raised (approximately \$5,000) to the donors.

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In 1995, Congressman Yates again gave some indication he might not seek reelection. Again Representative Schakowsky organized an exploratory committee to consider making the race in 1996. This time the Committee was called "Schakowsky for Congress Exploratory Committee". Ms. Schakowsky's exploratory efforts were much more extensive since it was not clear until the time of filing that Congressman Yates would definitely run.

To hedge against the possibility that Congressman Yates would change his decision to run immediately before filing, Representative Schakowsky circulated nominating petitions for the Congressional seat at the same time that she gathered petitions to once again put her on the ballot for State Representative. Petition circulators were told to tell all signers that she did not intend to run for Congress unless Congressman Yates changed his mind and decided to retire. Filing in Illinois is very early -- in December of the year prior to the election-- so decisions to run are often made just prior to filing. Once again Representative Schakowsky -- who had pledged not to run against Congressman Yates -- chose to run for reelection to the Illinois House. These petitions were set aside and never filed, since Congressman Yates did indeed run for reelection. Representative Schakowsky did indeed file and ran for reelection to the Illinois House. There can therefore be no question that Representative Schakowsky was testing the waters throughout 1995 since she did not ultimately run for Congress.

This time Representative Schakowsky elected to keep her exploratory committee in tact and reserved the modest amount of funds remaining (approximately \$20,000) for a potential exploratory effort in the 1998 cycle.

During the 1996 campaign Congressman Yates gave indications that he would probably not run again, although he had made similar comments in past campaigns. After the 1996 election, Representative Schakowsky sent a letter to members of her exploratory committee indicating that she intended to run for the Congressional seat, but that a formal announcement would come later. This letter was a private communication to members of her committee and can in no way be construed as a use of the public media. In addition, it was in fact a continued attempt on her part to "test the waters" by determining which individuals who had been supportive of previous exploratory efforts would continue to offer their support.

Representative Schakowsky was not prepared to make a formal announcement of her candidacy until she was certain she would be a candidate. This decision could not be made until Representative Schakowsky had received a clear, definitive statement from Congressman Yates that he would definitely not seek reelection. This was so because Representative Schakowsky was unlikely to run for Congress if Congressman Yates sought reelection. Her decision was complicated by the fact that it would not be possible for her to run for reelection to the Illinois House if she ran for Congress. As a result, Representative Schakowsky continued to "test the waters" until she received a definitive commitment from Congressman Yates that he would not run.

By mid March, Congressman Yates had indicated through several mutual friends that he would not seek reelection. Based upon this indication a decision was made to make a formal announcement of Representative Schakowsky's candidacy on April 13. Preparations were made to make the announcement itself, and the first fundraising events of the campaign were planned for the same day.

Even though the decision was made to schedule the announcement, a final, definitive decision to run was not made until Representative Schakowsky could talk personally with Congressman Yates and receive personal assurances that he would not be a candidate. This conversation took place on April 4th, while she was in Washington talking with a variety of other potential supporters about her prospective race. Several days previous a Chicago Sun Times column had reported his decision not to run, however, this was the first conversation between Representative Schakowsky and Congressman Yates where he definitively indicated he would not seek reelection. During this conversation, Representative Schakowsky indicated that based upon the representation of mutual friends that he would not run she had scheduled an announcement of her own candidacy, but that she wanted to confirm that he would not be a candidate before she did so. He gave that assurance.

Up until the time that Congressman Yates gave a definitive assurance that he would not run, Representative Schakowsky was without doubt "testing the waters" since she would have called off her announcement preparations had he changed his mind during their April 4th conversation.

Representative Schakowsky's history of "testing the waters" for a Congressional race should leave little doubt that this is so.

Neither the media, nor her supporters, nor the public at large understood her to be doing anything but "testing the waters" until her announcement on April 13th. The enclosed newspaper accounts of that announcement should make clear that it was understood by everyone as her first announcement that she would be a candidate.

The Schakowsky for Congress Exploratory Committee (now the Schakowsky for Congress Committee) did not believe that materials promoting attendance at events surrounding her announcement on April 13th would themselves be considered an announcement of her candidacy. In fact, these materials were not, since the decision had not been made at the time of their circulation.

It was, however, the Committee's understanding - based on repeated conversations with information officers from the FEC and a reading of the rules for Exploratory Committees - that the filing of Form 1 and Form 2 were not to be filed until a definitive decision to become a candidate had been made and announced. Then it was the Committee's understanding that it had 15 days to file such papers. In fact, the Committee filed these papers at the same time the announcement was made, and less than 15 days from the time

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a definitive decision was made by the candidate to run for Congress and abandon her Illinois House seat.

Funds Spent by the Exploratory Committee in 1997

The amounts spent in 1997 exploring the possibility of a campaign in 1998 consisted primarily of the following:

Consulting fees	\$4,200
Phones	1,640
Postage	320
Office Furniture	<u>444</u>
Total	\$6,604

Specific Documents Contained in Complaint

1. "Kick Off With a Celebration" reply card. This reply card was contained in an invitation to the first fundraising event of the campaign which was part of Representative Schakowsky's announcement April 13.
2. "Schakowsky for Congress Exploratory Committee" letter. This letter was one of a limited number of private letters sent to members of the Schakowsky for Congress Exploratory Committee. Its purpose was to ascertain whether or not committee members would be willing to be part of a new effort in 1998. It was obviously intended to "test the waters" for a candidacy. This is made strikingly clear by the fact that the recipient of this letter (whose name is whited out) apparently decided not to support Representative Schakowsky's potential bid in 1998, and forwarded this letter to one of her potential opponents.

Summary

In summary, neither the Committee, its officers, nor Representative Schakowsky, have violated the letter or spirit of the laws or regulations governing Exploratory Committees.

- The Committee consulted regularly with information staff of the FEC to assure itself that it was following the appropriate procedures.
- It filed appropriate papers with the FEC and Clerk of the House at the same time announcement was made by the candidate to run for Congress. This filing occurred within 15 days of the definitive decision by Representative Schakowsky to run for Congress.
- All activity leading up to that decision involved true exploratory activity. No statement was made or authorized by Representative Schakowsky in the general media indicating that she was running for Congress until her announcement on April 13th. The first fundraising events of the campaign occurred on April 13th surrounding the announcement and only modest amounts of money were raised until that time.
- There was no intention on the part of Representative Schakowsky or her Committee to deceive the Commission or fail to disclose any information to the Commission or the public. Even if the statement of organization had been filed earlier in the year no disclosure of funds raised or spent would have been required until July of 1997, the same time that such a disclosure will be due now.

Finally, note that Lawrence Suffredin, who is now Treasurer of the Schakowsky for Congress Committee did not assume this post until April 10 at the time the formal Schakowsky for Congress Committee was organized. As a result he did not have any responsibility whatsoever for operations of the Exploratory Committee.

Sincerely,



Lyn Utrecht

8904385303

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4629

NAME OF COUNSEL: Lynn Utrecht

FIRM: Oldaker, Ryan, Phillips & Utrecht

ADDRESS: 818 Connecticut Ave 1100

Washington, DC 20006

TELEPHONE: (202) 728-1010

FAX: (202) 728-4044

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

4/30/97
Date

Jessica D. Schakowsky
Signature

RESPONDENT'S NAME: Jessica D. Schakowsky

ADDRESS: 1101 Ridge Ave

Evanston, IL 60202

TELEPHONE HOME: _____

BUSINESS: (847) 424 1997

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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ENFORCEMENT PRIORITY

May 10 3 01 PM '97

SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

This is the first Enforcement Priority Report that reflects the impact of the 1996 election cycle cases on the Commission's enforcement workload. We have identified cases that are stale which are recommended for dismissal at this time. This is the highest number of cases identified as stale in a single report, and the highest number of stale cases recommended for closure at one time, since the inception of EPS in 1993.

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II. CASES RECOMMENDED FOR CLOSURE.

A. Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission

EPS was created to identify pending cases which, due to the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria, resulting in a numerical rating for each case.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified cases that do not warrant further action relative to other pending matters.³ Attachment 1 to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the

³ These cases are: RAD 97L-10 (*Citizens for Randy Borow*); RAD 97L-16 (*Republican State Central Committee of South Dakota*); Pre-MUR 347 (*Producers Lloyds Insurance Company*); Pre-MUR 348 (*Peoples National Bank of Commerce*); Pre-MUR 349 (*Trump Plaza*); Pre-MUR 350 (*Citibank, N.A.*); Pre-MUR 355 (*Feingold Senate Committee*); MUR 4494 (*Georgianna Lincoln*);

MUR 4586 (*Friends of Zach Wamp*); MUR 4590 (*Oklahoma Education Association*); MUR 4600 (*San Diego Police Officers Assoc.*); MUR 4612 (*Teresa Doggett for Congress*); MUR 4615 (*Catholic Democrats for Christian Values*); MUR 4616 (*American Legislative Exchange Council*); MUR 4620 (*Eastern Connecticut Chamber of Commerce*); MUR 4622 (*Telles for Mayor*); MUR 4628 (*Gutknecht for Congress*); MUR 4629 (*Janice Schakowsky*); MUR 4636 (*IBEW Local 505*); MUR 4637 (*Dettman for Congress*); MUR 4639 (*Larson for Congress*); MUR 4641 (*Becker for Congress*); MUR 4644 (*Detroit City Council*); MUR 4651 (*Mike Ryan*); MUR 4653 (*Pritzker for Congress*); MUR 4656 (*H. Carroll for Congress*); and MUR 4657 (*Buchanan for President*).

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means to identify those cases which, though earning a higher rating when received, remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We are recommending the closure of cases based on staleness.⁶

⁶ These cases are: MUR 4283 (*Chenoweth for Congress*); MUR 4341 (*Juan Soliz for Congress*); MUR 4402 (*U.S. Representative Helen Chenoweth*); MUR 4435 (*Lincoln for Congress*); MUR 4439 (*UAW*); MUR 4442 (*Lipinski for Congress*); MUR 4444 (*Roberts for Congress*); MUR 4445 (*Randy Tate for Congress*); MUR 4446 (*Clinton/Gore '96 Primary*); MUR 4447 (*Random House, Inc.*); MUR 4449 (*Clinton Administration*); MUR 4453 (*Mike Ward for Congress*); MUR 4454 (*Ralph Nader*); MUR 4459 (*Clinton/Gore '96*); MUR 4474 (*Salvi for Senate*); MUR 4477 (*BBDO-New York*); MUR 4481 (*Diamond Bar Caucus*); MUR 4485 (*Perot '92 Petition Committee*); MUR 4486 (*Bunda for Congress*); MUR 4495 (*Pennsylvania PACE for Federal Elections*); MUR 4496 (*Norwood for Congress*); MUR 4497 (*Pease for Congress*); MUR 4510 (*Stabenow for Congress*); MUR 4511 (*Bob Coffin for Congress*); MUR 4514 (*Friends for Franks*); MUR 4515 (*Clinton Investigative Commission*); MUR 4521 (*IVMAL 630 AM*); MUR 4525 (*Senator Larry Pressler*); MUR 4527 (*Brennan for Senate*); MUR 4536 (*Signature Properties, Inc.*); MUR 4540 (*Tim Johnson for SD*); MUR 4542 (*Dan Frisa for Congress*); MUR 4552 (*Charles W. Norwood*); MUR 4554 (*John Byron for Congress*); MUR 4556 (*Jim Wiggins for Congress*); MUR 4561 (*Jay Hoffman for Congress*); MUR 4564 (*National Republican Congressional Committee*); MUR 4567 (*DNC Services Corp.*); MUR 4569 (*McGovern Committee*); RAD 96L-11 (*New York Republican County Committee*); Pre-MUR 343 (*NRSC*); and Pre-MUR 312 (*Joseph Demio*). The Demio case involves fundraising related to former Congresswoman Mary Rose Oakar's 1992 congressional campaign. It was held as a courtesy to the Department of Justice pending resolution of a parallel criminal matter in the District Court for the District of Columbia. Mr. Demio recently entered into a plea agreement with the Department of Justice (on which we were not consulted) in which he agreed, among other things, to waive the statute of limitations regarding civil violations of the FECA. Considering the age of the case and activity, the fact that DOJ has not formally referred this matter to us, and the Commission's continuing resource constraints, dismissal is the appropriate disposition of this matter.

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We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective November 17, 1997. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

RAD 96L-11	Pre-MUR 312	Pre-MUR 349
	Pre-MUR 343	Pre-MUR 350
RAD 97L-10	Pre-MUR 347	Pre-MUR 355
RAD 97L-16	Pre-MUR 348	

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B. Take no action, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

MUR 4283	MUR 4495	
MUR 4341	MUR 4496	MUR 4569
MUR 4402	MUR 4497	MUR 4586
MUR 4435	MUR 4510	MUR 4590
MUR 4439	MUR 4511	MUR 4600
MUR 4442	MUR 4514	MUR 4612
MUR 4444	MUR 4515	MUR 4615
MUR 4445		MUR 4616
MUR 4446	MUR 4521	MUR 4620
MUR 4447	MUR 4525	MUR 4622
MUR 4449	MUR 4527	MUR 4628
MUR 4453	MUR 4536	MUR 4629
MUR 4454	MUR 4540	MUR 4636
MUR 4459	MUR 4542	MUR 4637
MUR 4474	MUR 4552	MUR 4639
MUR 4477	MUR 4554	MUR 4641
MUR 4481	MUR 4556	MUR 4644
MUR 4485	MUR 4561	MUR 4651
MUR 4486		MUR 4653
	MUR 4564	MUR 4656
MUR 4494	MUR 4567	MUR 4657

Date

7/97

Lawrence M. Noble
General Counsel

28043853069

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Agenda Document No. X97-77
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 2, 1997, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X97-77:

1. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- | | |
|----------------|-----------------|
| 1. RAD 96L-11 | 7. Pre-MUR 347 |
| | 8. Pre-MUR 348 |
| 3. RAD 97L-10 | 9. Pre-MUR 349 |
| 4. RAD 97L-16 | 10. Pre-MUR 350 |
| 5. Pre-MUR 312 | 11. Pre-MUR 355 |
| 6. Pre-MUR 343 | |

B. Take no action, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- | | |
|-------------|--------------|
| 1. MUR 4283 | 6. MUR 4442 |
| 2. MUR 4341 | 7. MUR 4444 |
| 3. MUR 4402 | 8. MUR 4445 |
| 4. MUR 4435 | 9. MUR 4446 |
| 5. MUR 4439 | 10. MUR 4447 |

(continued)

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11.	MUR 4449	36.	MUR 4556
12.	MUR 4453	37.	MUR 4561
13.	MUR 4454	38.	MUR 4564
14.	MUR 4459	39.	MUR 4567
15.	MUR 4474	40.	MUR 4569
16.	MUR 4477	41.	MUR 4586
17.	MUR 4481	42.	MUR 4590
18.	MUR 4485	43.	MUR 4600
19.	MUR 4486	44.	MUR 4612
20.	MUR 4494	45.	MUR 4615
21.	MUR 4495	46.	MUR 4616
22.	MUR 4496	47.	MUR 4620
23.	MUR 4497	48.	MUR 4622
24.	MUR 4510	49.	MUR 4628
25.	MUR 4511	50.	MUR 4629
26.	MUR 4514	51.	MUR 4636
27.	MUR 4515	52.	MUR 4637
28.	MUR 4521	53.	MUR 4639
29.	MUR 4525	54.	MUR 4641
30.	MUR 4527	55.	MUR 4644
31.	MUR 4536	56.	MUR 4651
32.	MUR 4540	57.	MUR 4653
33.	MUR 4542	58.	MUR 4656
34.	MUR 4552	59.	MUR 4657
35.	MUR 4554		

Commissioners Aikens, Elliott, McDonald, McGarry,
and Thomas voted affirmatively for the decision.

Attest:

12-4-97
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Lyn Utrecht, Esq.
Oldaker, Ryan, Phillips & Utrecht
818 Connecticut Avenue, NW
Suite 1100
Washington, DC 20006

RE: MUR 4629
Honorable Janice D. Schakowsky, Schakowsky for Congress Exploratory
Committee, and Larry Suffredin, Treasurer

Dear Ms. Utrecht:

On April 11, 1997, the Federal Election Commission notified your clients of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

80438530/2

MUR 4629

JANICE SCHAKOWSKY

In his complaint, filed April 4, 1997, Bill Colwyn alleges that Janice Schakowsky has been raising money for a 1998 congressional campaign but has failed to file the required reports with the Federal Election Commission.

Respondent Schakowsky for Congress Exploratory Committee states that on April 13, 1997, Janice Schakowsky announced her candidacy for Congress in the 9th District of Illinois. Respondent further states that it filed a Statement of Organization with both the FEC and the Clerk of the House on the same date. The Committee characterizes all activity prior to that time as exploratory activity.

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

80438530/3



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bill Colwyn
1720 North Halsted Street
Chicago, IL 60614

RE: MUR 4629

Dear Mr. Colwyn:

On April 4, 1997, 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 December 15, 1997. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

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MUR 4629

JANICE SCHAKOWSKY

In his complaint, filed April 4, 1997, Bill Colwyn alleges that Janice Schakowsky has been raising money for a 1998 congressional campaign but has failed to file the required reports with the Federal Election Commission.

Respondent Schakowsky for Congress Exploratory Committee states that on April 13, 1997, Janice Schakowsky announced her candidacy for Congress in the 9th District of Illinois. Respondent further states that it filed a Statement of Organization with both the FEC and the Clerk of the House on the same date. The Committee characterizes all activity prior to that time as exploratory activity.

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

280438530/5



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE END OF MUR # 4629

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN E.S.

28043853076