



MLR 4728

March 12, 1998

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

RE: Violation of FEC Law

Peter Roskam for Congress  
Peter Roskam, Candidate

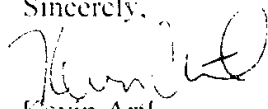
Campaign for Working Families  
Gary L. Bauer, Chairman

Dear General Counsel:

Please consider the enclosed as a Complaint against these Political Committees. Either Campaign for Working Families has violated the Federal Election Law in that they have failed to file notice within 24 hours that they have made independent expenditures on behalf of Peter Roskam for Congress, or Peter Roskam has failed to file within 48 hours that his Committee has received an in-kind contribution from this group. Campaign for Working Families has now done two mailings in the last two weeks and has not reported any of these to you at the FEC.

I believe the Commission should act immediately to prevent this group from unlawfully influencing a Federal Election. I would ask that you immediately seek a Temporary Restraining Order prohibiting this group from expending any more resources, illegally, on behalf of Peter Roskam.

Sincerely,

  
Kevin Arif  
Campaign Manager

Enclosures

## **Federal Election Commission Complaint**

### **Complainant:**

Kevin Artl  
Judy Biggert for Congress  
309 North Cass Avenue  
Westmont, Illinois 60559

### **Respondents:**

Peter Roskam for Congress  
Peter Roskam, Candidate  
5006 Washington Avenue  
Downers Grove, Illinois 60515

Campaign for Working Families  
Gary L. Bauer, Chairman  
499 South Capitol Street, S.W.  
Suite 410  
Washington, D.C. 20003

Now comes the Complainant, and hereby complains of the Respondents, Peter Roskam for Congress, Peter Roskam, Citizens for Working Families and Gary L. Bauer and complains as follows:

### **First Mailing**

1. That Peter Roskam is a candidate for the Republican nomination for the 13th Congressional seat.
2. That the Peter Roskam for Congress Committee is the principal authorized Committee as designated by Peter Roskam, the candidate as defined by 11 CFR 101.1
3. That Campaign for Working Families is a Political Action Committee (PAC) as defined by 11 CFR 100.5
4. That Gary L. Bauer is the Chairman of Campaign for Working Families (CWF).

5. That on information and belief, CWF and Gary Bauer wrote a two page letter dated March 1, 1998 which was addressed to "Fellow Republicans" in the 13<sup>th</sup> Congressional District of Illinois. See Exhibit 1, which is attached hereto and incorporated by reference herein.
6. That on information and belief, CWF and Gary Bauer caused this letter to be mailed to the majority of the Republican voters in the 13<sup>th</sup> Congressional District of Illinois.
7. That this letter expressly advocates that the voter elect Peter Roskam to be the Republican nominee for the 13<sup>th</sup> Congressional District of Illinois.
8. That this letter expressly urges the reader to vote against Judy Biggert in the 13<sup>th</sup> Congressional District of Illinois.
9. That this letter does not mention any of the other five candidates who are running for the Republican nomination in the 13<sup>th</sup> Congressional District of Illinois.
10. That on information and belief the cost of mailing this letter to the Republican voter in the 13<sup>th</sup> Congressional District of Illinois is approximately \$20,000.
11. That this \$20,000 expenditure constitutes an independent expenditure as defined by 11 CFR 109.1.
12. That 11 CFR 109.2 requires that all independent expenditures be reported to the FEC on Form 5 within 24 hours of all expenditures after the expenditure is made.
13. That on information and belief, CWF and its Chairman, Gary Bauer have failed to report said expenditure as of required pursuant to 11 CFR 109.2, 11 CFR 104.4(c).
14. That in the alternative, CWF, through its mailing, have made an in-kind contribution to the Peter Roskam for Congress Committee (PRC).
15. That the law requires all contributions (including in-kind) made within 20 days of an election be reported within 48 hours to the FEC pursuant to 11 CFR 104.5(f).
16. That on March 11, 1998, the FEC was contacted and the FEC provided the attached Exhibit 2, which indicates that the last report filed by CWF was the February 1998 monthly report. No subsequent filings had been received.
17. That on March 11, 1998, the FEC provided the attached Exhibit 3, which

indicates that there were five filings by PRC under the 48-hour rule. An examination of those documents reveals no contributions received from CWF.

18. That if this mailing is a contribution, it would violate the contribution limits by PRC and CWF. Federal law allows candidates to receive a maximum of \$5,000 from a PAC during each election cycle. CWF contributed \$5,000 to PRC on December 30, 1997.
19. That on information and belief, Peter Roskam and PRC have violated the Federal Election Code by failing to report an in-kind contribution from CWF for approximately \$20,000 for the mailing of Exhibit 1. 11 CFR 104.5(f).
20. That on information and belief, Peter Roskam and PRC have violated the Federal Election Code by accepting contributions from CWF in excess of the \$5,000 limit imposed by the law at 2 USC 441 (a) 2.
21. That in the alternative, on information and belief, Gary Bauer and CWF have violated the Federal Election Code by failing to file the required Form 5 within 24 hours of making an independent expenditure on behalf of the Peter Roskam for Congress Committee.

#### **Second Mailing**

- 22-25. That the allegations of paragraphs 1-4 of this complaint are hereby realleged as paragraphs 22-25 of this complaint.
26. That on information and belief, CWF and Gary Bauer wrote and designed a double sided brochure which was received by voters of the 13th Congressional district on March 11, 1998, addressed to "Dear Friends" in the 13<sup>th</sup> Congressional District of Illinois. See Exhibit 4 which is attached hereto and incorporated by reference herein.
27. That on information and belief, CWF and Gary Bauer caused this brochure to be mailed to the majority of the Republican voters in the 13<sup>th</sup> Congressional District of Illinois.
28. That this brochure expressly advocates that the voter elect Peter Roskam to be the Republican nominee for the 13<sup>th</sup> Congressional District of Illinois.
29. That this brochure expressly urges the reader to vote against Judy Biggert in the 13<sup>th</sup> Congressional District of Illinois.
30. That this brochure does not mention any of the other five candidates who are

running for the Republican nomination in the 13<sup>th</sup> Congressional District of Illinois.

31. That on information and belief the cost of mailing this letter to the Republican voter in the 13<sup>th</sup> Congressional District of Illinois is approximately \$20,000.
32. That on information and belief, this \$20,000 expenditure constitutes an independent expenditure as defined by 11 CFR 109.1.
33. That 11 CFR 109.2 requires that all independent expenditures be reported to the FEC on Form 5 within 24 hours of all expenditures after the expenditure is made.
34. That on information and belief, CWF and its Chairman, Gary Bauer have failed to report said expenditure as of required pursuant to 11 CFR 109.2, 11 CFR 104.4(c).
35. That in the alternative, CWF through its mailing, have made an in-kind contribution to the Peter Roskam for Congress Committee (PRC).
36. That the law requires all contributions (including in-kind) made within 20 days of an election be reported within 48 hours to the FEC pursuant to 11 CFR 104.5(i).
37. That on March 11, 1998, the FEC was contacted and the FEC provided the attached Exhibit 2, which indicates that the last report filed by CWF was the February 1998 monthly report. No subsequent filings had been received.
38. That on March 11, 1998, the FEC provided the attached Exhibit 3, which indicates that there were five filings by PRC under the 48 hour rule. An examination of these documents reveals no contributions received from CWF.
39. That if this mailing is a contribution, it would violate the contribution limits by PRC and CWF. Federal law allows candidates to receive a maximum of \$5,000 from a PAC during each election cycle. CWF contributed \$5,000 to PRC on December 30, 1997.
40. That on information and belief, Peter Roskam and PRC have violated the Federal Election Code by failing to report an in-kind contribution from CWF for approximately \$20,000 for the mailing of Exhibit 1. 11 CFR 104.5(i).
41. That on information and belief, Peter Roskam and PRC have violated the Federal

Election Code by accepting contributions from CWF in excess of the \$5,000 limit imposed.

42. That in the alternative, on information and belief, Gary Bauer and CWF have violated the Federal Election Code by failing to file the required Form 5 within 24 hours of making an independent expenditure on behalf of the Peter Roskam for Congress Committee.

WHEREFORE, on behalf of the voters of the 13th Congressional District of Illinois, I ask that the Commission immediately determine whether the two mailings by CWF and Gary Bauer are independent expenditures or excessive in-kind contributions to Peter Roskam and PRC, which exceed the contribution limits. Either CWF and Gary Bauer have failed to file the required Form 5 for the reporting of independent expenditures or the respondents Roskam and PRC have accepted and failed to report in-kind contributions from CWF and Gary Bauer. I ask that if the Commission determines that CWF and Gary Bauer failed to file the reports within 24 hours of the expenditures, or that Peter Roskam and PRC have accepted contributions in excess of the federal limits, that the FEC immediately file suit against CWF and Gary Bauer, seek a Temporary Restraining Order prohibiting any independent expenditure CWF and Gary Bauer from making any additional expenditures on behalf of Peter Roskam for Congress or any other candidate until they are in compliance with the FEC law.

Futher, I ask that the Commission order Peter Roskam and PRC to report the in-kind contributions and return all contributions in excess of the Federal limit of \$5,000. I ask the Commission to take any other fair and equitable action as the Commission deems just.

The FEC law exists in order to ensure a fair election for all candidates. Allowing one PAC to buy an election with undisclosed independent expenditures is patently unfair and violates the essence of the principles that are provided for in the Constitution of the United States.

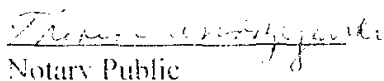
I hereby swear, under the penalty of perjury, that all information is true and correct and supported by documentation attached to this complaint. All other information is to the best of my knowledge.

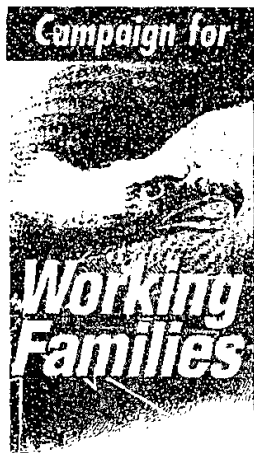
Respectfully submitted,



Kevin Artl

Subscribed and sworn this  
12<sup>th</sup> day of March, 1998.

  
Notary Public



**A POLITICAL  
ACTION COMMITTEE**

**Gary L. Bauer**  
Chairman

**Jeffrey Bell**  
President

**Francis P. Cannon**  
Secretary-Treasurer

March 1, 1998

Dear Fellow Republican,

Do values and morality matter?

Despite President Clinton's rising poll numbers in the face of his most recent sex scandal, I believe values and character still matter.

And that is why we are writing to ask you to vote for conservative Republican Peter Roskam for Congress in the March 17th Republican primary election in Illinois.

Peter Roskam opposes the gruesome abortion procedure known as partial birth abortion and would vote to ban it.

His opponent, liberal Judy Biggert, favors partial birth abortion and has voted for this abortion procedure as a State Representative (HB 382).

Peter Roskam opposes using federal or state government funds (your tax money) for abortion.

Judy Biggert has voted to continue taxpayer-funded abortion (HB 146).

Today, our nation and our people stand at a crossroads. The moral and spiritual values upon which our great country was founded are being eroded and abandoned by many of our leaders in Washington, D.C.

But on March 17th in the Republican primary in your congressional voting district -- the 13th district of Illinois -- you have a golden opportunity to cast your vote for a strong, moral Republican leader. You can send conservative Republican Peter Roskam to Congress.

And we urge you to do so! Because the stakes for our nation and our children are very high.

ABC World News Tonight described partial birth abortion this way: "The procedure involves partially extracting the fetus, feet first, then suctioning out the brain so the fetus can slip down the birth canal."

In 1997, the American Medical Association (AMA) wrote, in a 35-page report, that there are no situations where partial birth abortion is needed as a medical procedure. And the American College of Obstetricians

Over, please . . .

499 S. Capitol Street, SW  
Suite 410  
Washington, DC  
20003

Phone: 202-479-9696  
Fax: 202-479-3677

*Exhibit 1*

Page Two

and Gynecologists reversed itself saying the late term abortions "may not be safe" for the woman. And it certainly isn't safe for the unborn child.

Even the abortionists themselves have admitted that they have lied through their teeth when they "spouted the party line" that partial birth abortions are not routine. By their own estimate, partial birth abortions occur dozens of times a day, thousands of times a year.

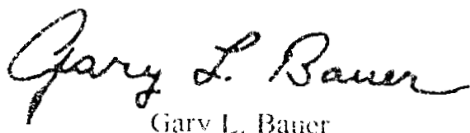
Yet, even in the face of this new evidence, and the opinion of 269 Republicans in the U.S. House and Senate (97% of our party's elected representatives at the federal level), Republican candidate Judy Biggert voted to continue partial birth abortions. Her position is extreme and out of touch with Republicans in Illinois.

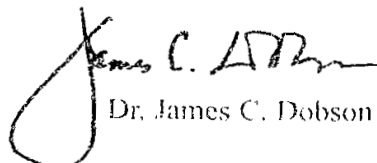
There is one Republican running in the March 17th Illinois Republican primary who will vote to stop partial birth abortion. And his name is Peter Roskam.

On March 17th, you will choose a Republican candidate who best represents you and your values. Ask yourself: "On the issue of life, where do I draw the line?"

Then please cast your vote in the March 17th Republican primary for conservative Republican Peter Roskam. Thank you for your time and consideration.

Sincerely yours,

  
Gary L. Bauer

  
Dr. James C. Dobson

P.S. Liberal pro-abortion Republican Judy Biggert is being supported by President Clinton's favorite pro-abortion lobby, the National Abortion Rights Action League and Planned Parenthood. Biggert was even endorsed by Wish List, a pro-abortion Republican group. Peter Roskam has been endorsed by us, the Campaign for Working Families, a pro-family, pro-life, pro-free enterprise political action committee. Now Peter needs your vote on March 17th. Please give him your support.

Paid for by the Campaign for Working Families  
Not Affiliated with any candidate or candidates committee.

Exhibit 1



00033907690  
P33  
0

FEDERAL ELECTION COMMISSION

DATE 11MAR98

1997-1998

COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	0 OF	MICROFILM
				COVERAGE DATES	PAGES LOCATION
					TYPE OF FILM
CAMPAIGN FOR WORKING FAMILIES					
IN 000339076 NON-PARTY QUALIFIED					
CONNECTED ORGANIZATION: NONE					
1997	STATEMENT OF ORGANIZATION - MULTICANDIDATE STATUS NOTICE			30JUL97	2 97DEC/225/2354
	PRE-SPECIAL	474,678	265,813	1JAN97 - 23APR97	62 97DEC/200/0812
	REQUEST FOR ADDITIONAL INFORMATION			1JAN97 - 23APR97	2 97DEC/253/2804
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN97 - 23APR97	9 97DEC/257/2780
	POST-SPECIAL	258,359	103,402	24APR97 - 2JUN97	33 97DEC/208/4011
	REQUEST FOR ADDITIONAL INFORMATION			24APR97 - 2JUN97	3 97DEC/255/2906
	REQUEST FOR ADDITIONAL INFORMATION 2ND			24APR97 - 2JUN97	3 97DEC/257/2703
	MID-YEAR REPORT	219,884	59,430	3JUN97 - 30JUN97	48 97DEC/223/2503
	MID-YEAR REPORT - AMENDMENT			3JUN97 - 30JUN97	4 97DEC/259/2300
	REQUEST FOR ADDITIONAL INFORMATION			3JUN97 - 30JUN97	3 97DEC/253/2806
	REQUEST FOR ADDITIONAL INFORMATION 2ND			3JUN97 - 30JUN97	6 97DEC/257/2786
	PRE-SPECIAL	1,026,503	932,887	1JUL97 - 24DEC97	277 98DEC/258/0721
	REQUEST FOR ADDITIONAL INFORMATION			1JUL97 - 24DEC97	6 98DEC/282/1277
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL97 - 24DEC97	7 98DEC/286/0741
	YEAR-END	57,662	33,609	25DEC97 - 31DEC97	25 98DEC/273/1236
	REQUEST FOR ADDITIONAL INFORMATION			25DEC97 - 31DEC97	2 98DEC/287/3034
1999	FILING FREQUENCY CHANGE NOTICE			2FEB98	1 98DEC/272/1280
	ACKNOWLEDGMENT OF FILING FREQUENCY CHANGE			13FEB98	3 98DEC/282/2592
	STANDARD MONTHLY	312,721	254,910	1JAN98 - 31JAN98	51 98DEC/283/2494
	TOTAL	2,346,807	0 1,663,083	0	020 TOTAL PAGES

Schedule 2

FEDERAL ELECTION COMMISSION

CANDIDATE NAME OF SUPPORTING DOCUMENTS - (E)

PAGE 3

DATE 11/09/98

OFFICE SECRETARY NAME RECEIPTS DISBURSEMENTS  
PRIMARY GENERAL PRIMARY GENERAL COVERAGE DATES PAGES MICROFILM  
TYPE OF FILER LOCATION

CANDIDATE/COMMITTEE/DOCUMENT

ROSKAM, PETER

HOUSE 13 REPRESENTATIVE PARTY

ILLINOIS

1998 ELECTION 104 NOV11/98/01

1. STATEMENT OF CANDIDATE
2. STATEMENT OF CANDIDATE
3. FINANCIAL CAMPAIGN COMMITTEE

ROSKAM FOR CONGRESS COMMITTEE

1997 STATEMENT OF ORGANIZATION

180,824

17,626

ID HD039-045 HOUSE

3 97FEC/242/1764

YEAR-END

1998 48 HOUR CONTRIBUTION NOTICE

48 HOUR CONTRIBUTION NOTICE

48 HOUR CONTRIBUTION NOTICE

PRE-PRIMARY

134,248

134,279

170498 -CSFEC/24

32 97FEC/282/1764

TOTAL

315,064

0

250,109

0

94 TOTAL PAGES

3. AUTHORIZED COMMITTEES
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

THE FOLLOWING INFORMATION IS AS REPORTED BY PARTY AND NON-PARTY COMMITTEE OR OTHER FILERS OUTSIDE THE CAMPAIGN

5. NON-PARTY AND OTHER COMMITTEES

CONTRIBUTIONS TO EXPENDITURES ON BEHALF OF

AMERICAN CROP PROTECTION ASSOCIATION POLITICAL ACTION COMMITTEE

500

ID# C06248349 NON-PARTY QUALIFIED

1997 YEAR-END

NILES INC

1,000

ID# C06291162 NON-PARTY QUALIFIED

1997 YEAR-END

CAMPBELL FOR WORKING FAMILIES

2,000

ID# C0635076 NON-PARTY QUALIFIED

1997 YEAR-END

COMMITTEE TO RE-ELECT CONGRESSMAN CHRIS SMITH

1,000

ID# C06056412 HOUSE

1997 YEAR-END

DEMENT'S ELECTION ACTION COMMITTEE OF THE NATIONAL AUTOMOBILE DEALERS ASSOCIATION (NADA)

5,000

ID# C06040398 NON-PARTY QUALIFIED

1997 YEAR-END

EAGLE FORUM PAC

4,700

ID# C00103927 NON-PARTY QUALIFIED

1998 FEBRUARY MONTHLY

NOTICE: THE DOCUMENTS LISTED ABOVE ARE AVAILABLE FOR PUBLIC INSPECTION AND COPIES AT THE FEC. ANY INFORMATION COPIED FROM THESE REPORTS OR STATEMENTS MAY NOT BE USED OR REPRODUCED BY ANY PERSON FOR THE PURPOSE OF SECURING CONTRIBUTIONS OR FOR COMMERCE OR FOR ANY OTHER PURPOSES OTHER THAN USING THE NAME AND ADDRESS OF ANY POLITICAL COMMITTEE TO SOLICIT CONTRIBUTIONS FROM SUCH DONORS. 2 U.S.C. § 3051(a)(1)

EXHIBIT 3



Details inside ...

You have a real choice for Congress

**PETER ROSKAM**

**JUDY BIGERT**

ON MARCH 17TH ...

PAID  
Postage  
Permit No. 100  
St. Louis, Mo.  
Post Office Box 100  
St. Louis, Mo.  
Post Office Box 100  
St. Louis, Mo.

432 H. ROADS, ST.  
JOHN, MISSOURI  
432 H. ROADS, ST.  
JOHN, MISSOURI



### A MESSAGE FROM GARY BAUER

Dear Friend, I am pleased to hear that you are interested in the National Tea Party. The National Tea Party is a non-partisan, non-profit organization that is dedicated to the promotion of the principles of the U.S. Constitution. We are currently seeking individuals who are interested in the principles of the U.S. Constitution and who are willing to support the principles of the U.S. Constitution. We are currently seeking individuals who are interested in the principles of the U.S. Constitution and who are willing to support the principles of the U.S. Constitution.

For more information, please contact the National Tea Party at 1-800-877-8777. We are currently seeking individuals who are interested in the principles of the U.S. Constitution and who are willing to support the principles of the U.S. Constitution.

We are currently seeking individuals who are interested in the principles of the U.S. Constitution and who are willing to support the principles of the U.S. Constitution. We are currently seeking individuals who are interested in the principles of the U.S. Constitution and who are willing to support the principles of the U.S. Constitution.

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Gary L. Bauer

Exhibit 4