



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

THIS IS THE BEGINNING OF MUR # 4738

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

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BEFORE THE
FEDERAL ELECTION COMMISSION
OF THE
UNITED STATES OF AMERICA

In the Matter of:

Rep. Corrine Brown; and

Friends of Corrine Brown

Respondents

MUR 4738

COMPLAINT

NATIONAL LEGAL AND POLICY CENTER, a corporation organized and existing under the District of Columbia Non-profit Corporation Act and having its offices and principal place of business at 1309 Vincent Place, Suite 1000, McLean, Virginia, 22101, files this Complaint with the Federal Election Commission in accordance with the provisions of 2 U.S.C. §437g(a)(1) in the belief that Respondents violated provisions of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §§431, et seq.

The primary purpose of the National Legal and Policy Center, a charitable and educational organization described in section 501(c)(3) of the Internal Revenue Code, is to foster and promote ethics in government. In furtherance of that purpose, National Legal and Policy Center educates the public about the "Code of Ethics for Government Service," as adopted by Joint Resolution of Congress on July 11, 1958; and it endeavors to assure compliance by government officials with the provisions of the Code and the laws of the United States. The apparent violations alleged herein represent a serious lack of compliance with the law by an elected official and her campaign committee.

Respondents

REPRESENTATIVE CORRINE BROWN, 1610 Longworth House Office Building, Washington, D.C., 20515, (hereinafter "Brown") is a Member of Congress representing the 3rd Congressional District of Florida.

FRIENDS OF CORRINE BROWN, (hereinafter "the Committee") is a political committee established to support the Congressional candidacy of Corrine Brown.

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Facts

The facts supporting this complaint are all to be found in materials openly available to the public. The relevant documents are appended to the complaint as exhibits.

Central to the complaint is a payment of \$10,000 from a secret Wisconsin bank account to Rep. Corrine Brown. An account of the facts of this case appears in the April 14, 1998 issue of *St. Petersburg Times*, a copy of which is appended as an exhibit to this complaint.¹

According to the article, lawyers for Rep. Brown have claimed that the \$10,000 was solicited from a Rev. Henry J. Lyons to help pay for "a rally Mrs. Brown organized to protest a legal challenge to the shape and racial makeup of her congressional district." The lawyers for Rep. Brown further claimed that the money was not used by her for personal reasons.

Mr. Lyons, president of the National Baptist Convention USA, has been charged with racketeering and grand theft in conjunction with allegations that he extorted money from a Canadian company by threatening to instigate a Congressional Black Caucus investigation of the company's dealings with black customers.

Apparent Violations

The facts, as reported, pertaining to this case are sufficient to make a *prima facie* case for the violation of the Federal Election Campaign Act by Rep. Corrine Brown and her campaign committee, Friends of Corrine Brown.

The gravamen of this complaint is quite simple: the gift of \$10,000 to Rep. Corrine Brown, while she was an active candidate for Congress constituted a contribution in excess of the amount allowed by law. This point is clearly explained in the Federal Election Commission's Campaign Guide for Congressional Candidates and Committees, which explicitly says of gifts and loans to congressional candidates:

Instead, a gift or loan is considered a contribution from the donor to the campaign. This is true even if the candidate uses the funds for personal living expenses while campaigning.²

¹ See "Lawmaker Got Cash From Secret Account," by Monica Davey, David Barstow, and David Dahl, *St. Petersburg Times*.

² See CAMPAIGN GUIDE FOR CONGRESSIONAL CANDIDATES AND COMMITTEES, Federal Election Commission, December 1995, page 11.

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There is no need to reach the question as to whether the \$10,000 was spent on activities advancing the candidacy of Rep. Brown. The very fact that she received \$10,000 from an individual while she was an active candidate for Congress is enough to violate the requirements of the Federal Election Campaign Act. The additional reported facts that Mr. Lyons was a longtime political ally of Rep. Brown, that he had contributed a total of \$1300 to Rep. Brown's 1994 campaigns, and that the event purportedly organized by Brown with the \$10,000 was tied to the future of her congressional district all tend to add weight to the view that the gift constituted a political contribution. Nevertheless, as stated, such a determination is not necessary given that the amount involved exceeded the amount allowed to be given to an active candidate in a congressional race.

Public disclosure is one of the key elements of the Federal Election Campaign Act. The fact that Rep. Brown has had a history of campaign-related ethics problems, including the forging of her campaign treasurer's signature on Federal Election Commission campaign reports, further underscores the importance of a full and prompt investigation into the facts of this case. Moreover, the association of the \$10,000 transfer with allegations of extortion and racketeering raise the importance of this matter well above the category of technical compliance with the law.

Given the issues raised in this case, the public is entitled to a thorough review. The public has lost faith in the integrity of its governmental institutions, including Congress, because all too often they have seen the public trust betrayed to advance personal and political interests.

NATIONAL LEGAL AND POLICY CENTER

By:


Kenneth Boehm
Chairman

Subscribed and sworn before me this 5th day of April, 1998

State of Virginia
County of Fairfax


Notary Public

My Commission Expires: 6.31.2001

1309 Vincent Place • Suite 1000 • McLean, VA 22101
703-847-3088 • 703-847-6969 fax • kboehm@nlpc.org

Ken Boehm
Chairman

**National Legal and
Policy Center**
"promoting ethics in government"

Copyright 1998 Times Publishing Company
St. Petersburg Times

April 14, 1998, Tuesday

SECTION: NATIONAL; Pg. 1A

LENGTH: 3505 words

HEADLINE: Lawmaker got \$ 10,000 from Lyons fund

BYLINE: MONICA DAVEY, DAVID BARSTOW and DAVID DAHL

BODY:

The check is not listed on the Florida congresswoman's financial disclosure forms, and her office did not supply records listing how the cash was spent.

During her campaign for re-election in 1996, U.S. Rep. Corrine Brown of Jacksonville accepted \$ 10,000 from a secret Wisconsin bank account Baptist leader Henry J. Lyons allegedly used for money laundering.

A longtime political ally of Lyons, Brown did not report the money on either her financial disclosure statements or her campaign contribution reports.

Brown, a Democrat who has a record of ethics and campaign violations, declined to be interviewed about the \$ 10,000 payment.

Her attorneys, however, denied any wrongdoing. She did not use the money for personal expenses, nor did Lyons get special treatment because of the payment, they said. The \$ 10,000 was solicited from Lyons, they explained, to help pay for a rally Brown organized to protest a legal challenge to the shape and racial makeup of her congressional district.

Given nearly three weeks to respond, Brown's office could not produce any bank records or receipts that showed how the money was spent.

The payment raises questions on several levels about whether Brown violated any ethics rules, campaign finance laws or financial disclosure requirements. Beyond any legal or political ramifications for Brown - she is up for re-election this year - the \$ 10,000 payment could be significant for Pinellas-Pasco State Attorney Bernie McCabe, who has charged Lyons with racketeering and grand theft.

The money came from a secret account in Milwaukee that is a focus of the charges against Lyons. Prosecutors allege that Lyons, president of the National Baptist Convention USA, hid more than \$ 1-million in the account.

They say Lyons extorted the money from a Canadian company by threatening, among other things, to instigate a Congressional Black Caucus investigation into the company's dealings with black customers. (Brown, a leader in the caucus, denies knowledge of the alleged extortion, her lawyers said.)

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For prosecutors, the challenge will be to tie Lyons to the Milwaukee account, held under the name JH Associates. The only signatories on the account were a Milwaukee diner owner and Bernice Edwards, a former National Baptist Convention official who was arrested with Lyons in February. Until now, there was little indication that Lyons controlled withdrawals or deposits from the JH Associates account.

If Brown's version of the \$ 10,000 payment is accurate, it would help demonstrate Lyons' authority over the secret account.

Lyons declined to confirm Brown's explanation of the \$ 10,000 payment. Instead, Lyons' attorneys sought to dissociate him from the payment.

In a letter to the St. Petersburg Times, attorney Grady Irvin wrote: "I am reminded of the fact that your newspaper has previously published a story that stated Rev. Lyons was not a signatory or a party who opened the ... account in Milwaukee. Therefore, I fail to see why you are making inquiry of Rev. Lyons concerning the account."

Many questions remain about the payment.

Brown's attorneys said they don't know who solicited the money from Lyons. They don't know who accepted the bank check, made out personally to Corrine Brown. They don't know who took the check to a Jacksonville bank.

Brown's attorneys said she knew nothing of the secret account or Bernice Edwards. How, then, did Brown or anyone else in her office know the \$ 10,000 check was from Lyons?

Her attorneys say they don't know that either. Old friends

Corrine Brown, a liberal Democrat, grew up in Jacksonville. She is 51, a Baptist, divorced with a grown daughter.

After a decade in the Florida Legislature, Brown won a seat in the U.S. House in 1992. The district had been realigned to create a narrow majority of African-American voters.

Her district loves her. In three elections, Brown has never won with less than 58 percent of the vote.

Her support depends on two mainstays. Organized labor and major industries, such as Big Sugar, show their appreciation with political action committee money. Black churches, meanwhile, are where Brown finds her base of voters.

Among Brown's most powerful religious allies: Bishop Frank Cummings, who leads the region's 470 African Methodist Episcopal churches, and Lyons.

As Lyons faced a furor over his financial dealings last year, Brown was unwavering in her support. "He's a good person, with a good heart, a great leader and he will continue to be a great leader," she said.

The bond between Brown and Lyons dates back many years. The two have shared the political spotlight, business associates and money.

Early on, Brown helped Lyons' daughter get a \$ 1,000 scholarship.

In 1992, Brown paid \$ 5,000 in campaign funds to a St. Petersburg company bearing the address of Lyons' church. She reported the money was for a computer. The company had been dissolved six years earlier.

Brown paid Palatka minister Fred Demps to do "community outreach" for her in 1993. Prosecutors say Demps, one of Lyons' closest business partners, helped Lyons defraud several corporations.

In 1994, Lyons contributed a total of \$ 1,300 to Brown's primary and general election campaigns. That year, with Lyons at the height of his power as the new convention president, Hillary Rodham Clinton visited his church. Among the small group of honored speakers: Corrine Brown, whose election was weeks away.

Another connection has emerged, dating back to 1993. Invoices obtained by the Times suggest Brown's office reserved several airline tickets for Lyons at the government discount rate.

The invoices, from Omega World Travel, are addressed to Brown at her office in Washington, D.C. Lyons is the passenger. The trips: Chicago to Jacksonville, then on to New York City on May 13, 1993; two days later, New York to Charlotte, N.C., and on to Tampa; a week later, Little Rock, Ark., to Nashville to Tampa.

The invoices state the tickets were to be purchased for official government travel - a designation that allows members of Congress to fly at discounted rates at taxpayer expense.

Under the rules of Congress, only members or their staff are eligible for discounted government travel, and then only with the signed authorization of the House member.

Lyons declined to comment on the trips. "You should direct your inquiry to Congresswoman Brown's office," his spokeswoman said.

Brown's attorneys said she paid for the tickets herself, not with taxpayers' money. She wrote a personal check to Omega Travel for \$ 720, the amount of the flights, they said. "She said she knew perfectly well what the government can pay for and what it can't," said her attorney, Robert F. Bauer. "So she took the appropriate course and paid for it out of personal funds."

Bauer said he did not know if Brown purchased the tickets at the reduced government rate.

Why would Brown buy tickets for Lyons? "Rev. Lyons has been active in a number of community events and initiatives with Congresswoman Brown, and the travel in question is likely so related," Bauer and fellow attorney B. Holly Schadler said in a written statement to the Times.

Brown has a record of ethical lapses.

In 1993, she paid a \$ 5,000 fine to the Florida Ethics Commission, which found she had used legislative staff members as employees in a travel agency she owned.

The Federal Election Commission repeatedly has admonished Brown for flawed campaign spending reports. Her campaign treasurer quit after he discovered that his name had been forged on her campaign reports.

The staffer who forged the signature stayed on. He is Brown's chief of staff. Rallying for Brown

In 1996, a young, white Republican lawyer named Preston James Fields was campaigning to unseat Brown. With little name recognition or money, Fields was a long shot.

But there was another, more potent threat to Brown's incumbency that year. Her district had been challenged in federal court. The 3rd District twisted and turned for 250 miles, stitching together predominantly black neighborhoods from Orlando to Jacksonville to Gainesville. The plaintiffs called it unconstitutional racial gerrymandering.

If the challenge succeeded, it seemed likely that Brown's base of black support would be eroded - or so Fields hoped.

The trial began Feb. 19, 1996, before three judges in Tallahassee's federal courthouse. At dawn, dozens of buses departed from towns across Brown's district. They carried hundreds of voters toward Tallahassee. A few more buses joined from Miami and St. Petersburg.

Just before the trial's lunch break, about 1,000 people marched to the steps of the courthouse.

Fliers billed the event as a "Voting Rights Rally" and listed three "sponsors:" The NAACP, the National Baptist Convention and "Florida's AME churches."

Corrine Brown's name wasn't on the flier, and reporters were led to believe that churches, civil rights groups and labor organizations from across the state had chartered buses to demonstrate concern about minority representation in Congress.

In fact, the rally was initiated and organized by Corrine Brown. She and her campaign staff hired buses. They rented the tents, portable toilets and an airplane that towed a banner over the courthouse. They made hotel reservations for the dignitaries they invited.

Her attorneys said Brown "took a leadership role in organizing the rally" to "make an important public statement about preserving progress under the Voting Rights Act in securing adequate representation of minorities."

Brown also could not have staged a better campaign kick-off.

The rally equated the defense of minority representation in Congress with the defense of her incumbency. One pastor called Brown "a sacrificial lamb" who must be protected. "Don't think for a minute they'll be satisfied with taking just Corrine Brown's district," U.S. Rep. Earl Hilliard, D-Ala., warned the crowd.

The rally featured gushing endorsements from politicians and pastors. "Corrine Brown, in my opinion, is the best congressperson in Washington - and

that includes me," said U.S. Rep. Carrie Meek, a Miami Democrat.

The rally received wide news coverage, including candidate-pleasing headlines such as this one in the Tallahassee Democrat: "Rally on behalf of Rep. Corrine Brown draws hundreds."

It fired up her core supporters, people like Emma Morgan, 74, who taught Brown home economics in high school. For her, the rally drove home two clear messages - leave the district alone and re-elect Corrine Brown.

"I shouted for her," Morgan said. "I love Corrine Brown. I hope she wins everything. Nobody better mess with Corrine Brown."

The Rev. Billy G. Brock of Jacksonville recalled being asked to give a campaign contribution to Brown at an organizing meeting for the rally. After the rally, someone from her camp asked him to volunteer in her campaign.

"The reason I was there was for Corrine Brown," Brock said, adding that the rally solidified his plans to vote for her again. Anyone listening to all those testimonials about Brown - anyone listening to Brown describe her efforts for the district - would have felt the same, he said.

"If they had heard some of the things that were said, they'd realize it wasn't just a black-white issue. They'd realize that Corrine is the best person to represent the district, regardless of race," he said.

As for those rally "sponsors," the NAACP played no role in either financing or organizing the event, said Leon Russell, president of Florida's NAACP branches.

"That wasn't something that we got involved in," Russell said. "That would have been (Brown's) responsibility."

Brown wanted his help recruiting people from her district to attend the rally, he said. "All we were asked to do was bring in as many people as we could do, which we did."

Bishop Cummings, who oversees AME churches in Florida, recalled speaking with Brown before the rally "about were my people going to support it. I said my people will be there."

But Cummings did not attend the rally, nor did the AME as an organization put up any money.

"We can't do it that way," he said.

Federal law prohibits political contributions from religious organizations. Violations can result in loss of tax-exempt status. (Lyons wrote a \$ 2,500 convention check for a fund-raising dinner with Mrs. Clinton. The check was returned, but Lyons is facing an IRS investigation.)

Cummings said some AME church members contributed to the rally. "Whether they raised one dollar, two dollars, whatever, I don't know," he said.

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Records show that most of the rally expenses were paid by Brown's campaign committee. The rally was the single biggest expense for her campaign in that reporting period. The nearly \$ 18,000 she spent on the rally was 65 percent of her campaign expenses for the first quarter of 1996.

Brown says there was another major source of money for the rally: Henry James Lyons. A check for \$ 10,000

About the time Brown was planning her rally, Lyons and his Milwaukee business partner, Bernice Edwards, were making plans of their own, prosecutors say.

The Loewen Group, a white-owned funeral company that did business with the Baptist convention, had just lost a \$ 500-million judgment in a racially charged lawsuit. Lyons and Edwards began demanding \$ 2-million from Loewen, claiming they had the clout to get the Mississippi verdict thrown out and keep Loewen out of more racial trouble, prosecutors allege.

At one point, Loewen officials recalled, Lyons told them he had met with angry Congressional Black Caucus members who "were going to launch an investigation of Loewen for allegedly ripping off poor people." Lyons said he had put a stop to the Black Caucus "investigation," but he threatened to renew the caucus inquiry if he did not get paid.

On Feb. 1, 1996 - 18 days before Brown's rally - the Loewen Group wired the first of two \$ 500,000 payments to an account at Milwaukee's Guaranty Bank. The account was in the name of JH Associates. Prosecutors say JH Associates was nothing more than a hidden account used to launder money extorted from Loewen.

One of the first withdrawals from that Loewen money: A \$ 10,000 bank check made out to Corrine Brown, personally.

Through her attorneys, Brown offered this explanation of the \$ 10,000: Lyons was solicited for money to help pay for Brown's rally. Specifically, the lawyers said, Lyons was asked to pay \$ 10,000 toward the chartered buses.

"Our best information as of this date is that the check for \$ 10,000 was converted to a cashiers check before presentation to the charter company in payment of these expenses," Brown's attorneys said in their written statement.

But the lawyers did not produce copies of the bank check or of the cashier's check they say the bus company was paid. Nor did they produce receipts from the bus company.

Instead, they showed the Times eight invoices from Pameron Tours, a Jacksonville bus company. The invoices stated that Pameron Tours was to provide 15 buses for the rally. The total cost of the buses would be \$ 10,427.

Brown's attorneys said Lyons' donation was to be applied toward this cost.

They noted that several of the invoices listed the "client" as the National Baptist Convention and the "contact" as Henry Lyons. Others, however, named Brown as the client. And most of them listed the same contact phone number: 202-225-0123.



FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 22, 1998

Kenneth Boehm, Chairman
National Legal and Policy Center
1309 Vincent Place, Suite 1000
McLean, VA 22101

RE: MUR 4738

Dear Mr. Boehm:

This letter acknowledges receipt on April 16, 1998, 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 4738. 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 "F. Andrew Turley", is written over a horizontal line.

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

98043201763



FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 22, 1998

The Honorable Corrine Brown
1610 Longworth House Office Building
Washington, DC 20515-0903

RE: MUR 4738

Dear Ms. Brown:

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 4738. 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 Alva E. Smith at (202) 694-1650. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043901765



FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 22, 1998

Ms. Gloria Simmons
Friends of Corrine Brown
3109 River Bend Ct., #D-102
Laurel, MD 20724

RE: MUR 4738

Dear Ms. Simmons:

The Federal Election Commission received a complaint which indicates that the Friends of Corrine Brown ("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 4738. 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.

If you have any questions, please contact Alva E. Smith at (202) 694-1650. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

98043901767



FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 22, 1998

Reverend Henry J. Lyons
4265 - 45th Street, South
Saint Petersburg, FL 33711-4432

RE: MUR 4738

Dear Reverend Lyons:

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 4738. Please refer to this number in all future correspondence.

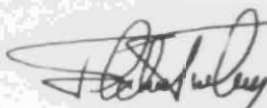
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under 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 Alva E. Smith at (202) 694-1650. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Tarley
Supervisor, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION

Washington, DC 20463

April 22, 1998

Ms. Bernice Edwards
3842 N. Sherman Blvd.
Milwaukee, WI 53216-2447

RE: MUR 4738

Dear Ms. Edwards:

The Federal Election Commission received a complaint which indicates that you and J.H. Associates 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 4738. Please refer to this number in all future correspondence.

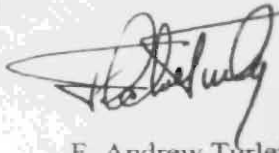
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and J.H. Associates in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should 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 Alva E. Smith at (202) 694-1650. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

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

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PERKINS COIE LLP

607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011
TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

May 6, 1998

MAY 11 12 52 PM '98

VIA FACSIMILE

Alva E. Smith, Esq.
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 4738

Dear Ms. Smith:

This letter responds to your notification dated April 22, 1998, regarding a complaint filed against Representative Corrine Brown. In light of the fact that we received this letter late last week, we are requesting an extension of time to respond to the complaint until June 3. We will need additional time to review the issues raised in the complaint and confer with our client regarding this matter.

We have enclosed a signed designation of counsel. If you have any questions, please feel free to contact B. Holly Schadler at (202) 434-1634 or Robert F. Bauer at (202) 434-1602.

Sincerely,



Robert F. Bauer
B. Holly Schadler
Counsel to Representative Corrine Brown

BHS:ksn

Enclosure

[19411-0001/DA981260.032]

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4738

NAME OF COUNSEL: Robert F. Bauer/B. Holly Schadler

FIRM: Perkins Coie

ADDRESS: 607 14th Street, N.W., Suite 800

Washington, DC 20005

TELEPHONE: (202) 628-6600

FAX: (202) 434-1690

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.

4/24/98
Date

Corrine Brown
Signature

RESPONDENT'S NAME: Representative Corrine Brown

ADDRESS: 1610 LHOB

Washington, DC 20515

TELEPHONE: HOME()

BUSINESS(202) 225-0123

98043901773



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 6, 1998

Mr. Stephen J. Wein, Esquire
Battaglia, Ross, Dicus & Wein, P.A.
980 Tyrone Boulevard, PO Box 41100
St. Petersburg, FL 33710

RE: MUR 4738
Reverend Henry J. Lyons

Dear Mr. Wein:

This is in response to your letter dated May 5, 1998, which we received on that day, requesting an extension until May 29, 1998, 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 May 29, 1998.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, reading "Alva E. Smith", is positioned above the typed name.

Alva E. Smith, Paralegal
Central Enforcement Docket

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Battaglia, Ross, Dicus & Wein, P.A.
Attorneys at Law

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Mark M. Wall
Christian B. Savage II
Kenneth R. Matheson
Timothy W. Weber
William C. Harrison
Nicole E. Weiss
Joseph A. Rose

** Board Certified Civil Trial and Business Litigation Lawyer*

Barbara S. Lanza, P.A.
Business Litigation Lawyer

May 5, 1998

VIA FACSIMILE (202) 219-3923
AND REGULAR U.S. MAIL

Alva E. Smith, Esquire
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 4738

Dear Ms. Smith:

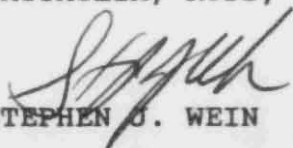
As I advised you in our telephone conversation of May 1, 1998, this office represents Reverend Henry J. Lyons in the above-captioned matter. In that regard, enclosed please find a completed Statement of Designation of Counsel.

Reverend Lyons did not receive the correspondence and enclosures from the FEC until April 30, 1998. His schedule will keep him out of town for a great part of the next several weeks. Also, he is presently a Defendant in criminal proceedings against him. As such, we will need additional time to address the matters set forth in the Complaint filed by the National Legal and Policy Center. We are requesting an extension through May 29, 1998 to respond for the good cause shown.

Thank you for your attention to this matter.

Very truly yours,

BATTAGLIA, ROSS, DICUS & WEIN, P.A.


STEPHEN J. WEIN

SJW/klr
Enclosure
531481166766

Lakeland

Tampa

Larasota

MAY 6 10 31 AM '98

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4738

NAME OF COUNSEL: Anthony S. Battaglia/Stephen J. Wein

FIRM: Battaglia, Ross, Dicus & Wein, P.A.

ADDRESS: 980 Tyrone Boulevard

Post Office Box 41100

St. Petersburg, Florida 33710

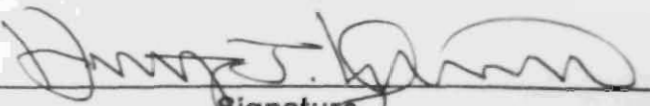
TELEPHONE: (813) 381-2300

FAX: (813) 343-4059

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.

5/05/98

Date


Signature

RESPONDENT'S NAME: Reverend Henry J. Lyons

ADDRESS: 4265 45th Street South

St. Petersburg, Florida 33711

TELEPHONE: HOME ()

BUSINESS ()

98043901776



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Robert F. Bauer, Esquire
Ms. B. Holly Schadler, Esquire
Perkins Coie
607 14th Street, N.W., Suite 800
Washington, D.C. 20005

May 8, 1998

RE: MUR 4738
The Honorable Corrine Brown

Dear Mr. Bauer and Ms. Schadler:

This is in response to your letter dated May 6, 1998, which we received on that day, requesting an extension until June 3, 1998, 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 June 3, 1998.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, reading "Alva E. Smith", is positioned above the typed name.

Alva E. Smith, Paralegal
Central Enforcement Docket

98043901777

Battaglia, Ross, Dicus & Wein, P.A.
Attorneys at Law

Anthony J. Battaglia
Edward P. Ross†
Anthony O. Dicus, Jr.
Stephen J. Wein
Kelli Hanley Crabb
Brian P. Battaglia
Robert E. Jagger
Edwin B. Jagger

First Union Building 980 Tyrone Boulevard
Post Office Box 41100
St. Petersburg, Florida 33743-1100
Tel (813) 381-2300 Fax (813) 343-4059

James C. Runyon
Randall C. Hooper
Mark A. Wall
Christian B. Anwege III
Kenneth R. Mathews
Timothy W. Weber
William C. Harrison
Nicole E. Weiss
Joseph A. Ross

† Board Certified Civil Trial and Business Litigation Lawyers

Lakeland & Lorida, P.A.
Lakeland, Florida

May 26, 1998

Ms. Alva E. Smith
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 4738

Dear Ms. Smith:

Regarding the above-captioned matter, please be advised that his office will no longer be representing Reverend Henry J. Lyons. Grady C. Irvin, Jr., Esquire will be representing Dr. Lyons in this matter. It is my understanding that Mr. Irvin will be in contact with you and submitting a response on behalf of the client, along with a new Statement of Designation of Counsel which supersedes the previous one executed by Dr. Lyons in favor of our firm. Our firm will be taking no further action in connection with this matter.

Please feel free to contact me if you have any questions concerning the above.

Very truly yours,

BATTAGLIA, ROSS, DICUS & WEIN, P.A.

Stephen J. Wein
STEPHEN J. WEIN

SJW/klt

53148\166766

Lakeland

Tampa

Sarasota

GRADY C. IRVIN, JR., P.A.
A PROFESSIONAL ASSOCIATION OF ATTORNEYS AT LAW

100 SOUTH ASHLEY DRIVE, SUITE 100
TAMPA, FLORIDA 33602

TELEPHONE: (813) 228-0505
TELECOPIER: (813) 229-7982

May 28, 1998

Office of the General Counsel
Federal Elections Commission
Attention: F. Andrew Turley, Esq.
Washington, D.C. 20463

Re: *In the Matter of: Rep. Corrine Brown, et al.*
MUR-4738

Dear Mr. Turley:

This letter is a follow-up to our telephone conversation of May 22, 1998. As you know, I represent Dr. Henry J. Lyons ("Dr. Lyons"), president of the National Baptist Convention U.S.A., Inc. ("NBCUSA") and distinguished pastor of Bethel Metropolitan Baptist Church in St. Petersburg, Florida.

My office is in receipt of your April 22, 1998 letter to Dr. Lyons. Your letter requests that Dr. Lyons respond to a recently filed complaint – which is now a "matter under review ("MUR")" in your office, and assigned as MUR-4738. More specifically, your letter sets forth the following:

1. The Federal Elections Commission ("Commission") is in receipt of a complaint;¹
2. The complaint indicates that Dr. Lyons may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"); and
3. The Commission is making an analysis of the complaint.

In conjunction with reviewing your letter of April 22, my office has also reviewed: a) the complaint, in its entirety; and b) the April 14, 1998 newspaper article from the *St. Petersburg Times*, which is entitled "Lawmaker Got Cash From Secret Account."

¹ See Complaint. The National Legal and Policy Center, located at 1309 Vincent Place, Suite 1000, McLean, Virginia 22101 filed said complaint.

MAY 29 12 38 PM '98

93043201779

Office of the General Counsel
Federal Elections Commission
Attention: F. Andrew Turley, Esq.
May 28, 1998
Page 2

BACKGROUND AND RESPONSE

A review of the Commission's April 22 letter, as well as the complaint and the April 14 *St. Petersburg Times* newspaper article attached thereto, perhaps warrant the submission of the following response on behalf of Dr. Lyons."

As set forth on the face of the complaint, the "facts supporting [the] complaint" are based solely upon the April 14 newspaper article in the *St. Petersburg Times*, which the complainant attached as an exhibit to its complaint.² See Complaint, at p. 2. Furthermore, "[c]entral to the complaint" are hearsay statements reported in the *St. Petersburg Times*. See Complaint, at p. 2.

The face of the complaint reveals that there are two named-respondents in the complaint. The first named-respondent is Rep. Corrine Brown ("Congresswoman Brown"), the elected representative of the 3rd Congressional District of Florida. The second named-respondent is an entity identified as *Friends of Corrine Brown*. According to the complaint, *Friends of Corrine Brown* was a political committee established to support the congressional candidacy of Congresswoman Brown. The complaint does not name Dr. Lyons as a respondent.

The complaint alleges that according to the *St. Petersburg Times* newspaper article, lawyers for Rep. Brown have claimed that "\$10,000 was solicited from a Rev. Lyons." Assuming *arguendo* (for the sake of argument only) that money was in fact solicited from Dr. Lyons, the complaint does not specify:

- a) who purportedly solicited money from Dr. Lyons; or
- b) that Dr. Lyons paid the solicited amount.

² The complaint is void of any additional exhibits (*i.e.*, copies of checks, campaign reports, sworn statements, etc.).

The complaint is careful not to allege that Dr. Lyons gave, paid, or otherwise contributed the purported \$10,000 to Congresswoman Brown or to *Friends of Corrine Brown*. Thus, the face of the complaint only alleges that Dr. Lyons was solicited.³

Contrary to the apparent desires of some (to attribute a purported "payment" of \$10,000 from Dr. Lyons to Congresswoman Brown), the complainant was careful not to allege that Dr. Lyons paid Congresswoman Brown \$10,000. Instead, the complaint states that the purported \$10,000 payment came from a so-called "secret" Wisconsin bank account.

Apparently recognizing that certain contentions in the April 14 newspaper article might be true (e.g., Dr. Lyons was not a signatory on the Wisconsin bank account), the complainant backed-off of specifically accusing Dr. Lyons of wrongdoing. The complainant seems to exhibit a lack of candor with the Commission by its absolute failure to specifically point-out to the Commission those excerpts from the April 14 *St. Petersburg Times* newspaper article that might tend to exonerate Dr. Lyons from wrongdoing in the matter under review. For instance, the complainant fails to specify in its complaint that the *St. Petersburg Times* article tends to demonstrate: a) the Milwaukee account was held under a name not associated with Dr. Lyons; and b) the only signatories on the account were "a Milwaukee diner owner and Bernice Edwards."

CONCLUSION

The National Legal and Policy Center has filed its complaint based upon an April 14, 1998 newspaper article in the *St. Petersburg Times*. On its face, the complaint specifically sets forth the following: a) that a \$10,000 payment was solicited from Dr. Henry J. Lyons; and b) that an alleged \$10,000 "payment" was made from a Wisconsin bank account to U.S. Rep. Corrine Brown.

There is no specific allegation in the complaint stating that Dr. Henry J. Lyons was a signatory to the underlying Wisconsin bank account or that Dr. Lyons made a \$10,000 payment to Congresswoman Brown.

³ In my opinion, the act of solicitation – without more – does not, in and of itself, amount to a violation of federal election laws on the part of Dr. Lyons.

Office of the General Counsel
Federal Elections Commission
Attention: F. Andrew Turley, Esq.
May 28, 1998
Page 4

In my opinion, a review of the *St. Petersburg Times* newspaper article would tend to reveal that money from a Milwaukee bank account (if in fact contributed) was used to support constitutionally protected free speech -- not to support "campaign" activity. To wit, I am of the belief that the group appearing on the steps of the capitol in Tallahassee, were doing nothing more than expressing their legitimate interest in the judiciary making an appropriate interpretation of the Voting Rights and Civil Rights acts.

It appears that the gravamen of the Commission's analysis of the National Legal and Policy Center's complaint, one which is clearly unwarranted, does not identify Dr. Lyons as being violative of the Federal Election Campaign Act of 1971, as amended. This fact, in conjunction with the matters set forth above, warrant a dismissal of Dr. Lyons as a target in the matter under review by the Commission.

At this time, there is nothing further to be offered by Dr. Lyons with respect to the complaint filed by the National Legal and Policy Center. If you have any further questions, please do not hesitate to contact me.

Sincerely,

GRADY C. IRVIN, JR., P.A.



Grady C. Irvin, Jr.

Counsel for Dr. Henry J. Lyons

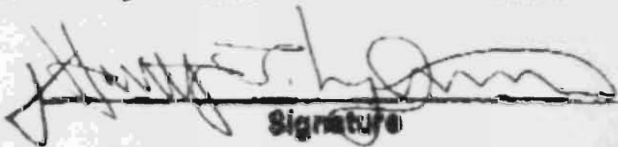
GCI:s

cc: Dr. Henry J. Lyons

LYONS\FEC\CORRESPONDENCE\FEC\980528

STATEMENT OF DESIGNATION OF COUNSEL**MUR** 4738**NAME OF COUNSEL:** Grady C. Irvin, Jr.**FIRM:** Grady C. Irvin, Jr., P.A.**ADDRESS:** 100 South Ashley DriveSuite 100Tampa, Florida 33602**TELEPHONE:** (813) 228-0505**FAX:** (813) 229-7982

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.

05-22-98**Date**
Signature**RESPONDENT'S NAME:** Henry J. Lyons**ADDRESS:** 4264 - 45th Street SouthSt. Petersburg, Florida 33711**TELEPHONE: HOME** ()**BUSINESS** (813) 327-0554

98043901783

PERKINS COIE LLP

607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011

TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

June 3, 1998

Ms. Alva F. Smith
Office of the General Counsel
Federal Election Commission
6th Floor - 999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4738

Dear Ms. Smith:

This letter responds to the notification dated April 22, 1998, regarding a complaint by the National Legal and Policy Center against Congresswoman Corrine Brown. The complaint alleges that Ms. Brown, or her campaign committee, received an excessive contribution of \$10,000. The allegations are incorrect as a matter of fact and law. Accordingly, we request that the complaint be dismissed with no further action.

The Facts

The press report attached to the complaint describes a Voting Rights Act rally held in Tallahassee, Florida on February 19, 1996, the opening day of the trial of Johnson v. Mortham. This rally was organized to make an important public statement about preserving progress under the Voting Rights Act and securing adequate representation of minorities through the redistricting process.

Representative Brown took a leadership role in organizing the rally, which also drew support and attendance of Members of Congress outside of Florida as well as prominent civil rights leaders. Materials distributed for the event specifically promoted it as a Voting Rights Act rally intended to show support for the defendants' position in the Johnson case. Exhibit A. While this rally took place in Florida, it did not take place in the Congresswoman's district. It was held on the occasion of a Voting Rights Act trial and for the purpose of making a statement on that trial. Districts in numerous other states have been affected by the same Voting Rights Act

[19411-0001/DA981490.030]

Ms. Alva F. Smith
June 3, 1998
Page 2

issues and the principles expressed at the rally were critical to the civil rights movement nationwide.

The rally was clearly not a "campaign rally" but rather a rally committed, as its sponsors, Representative Brown and the materials at the rally made clear, to the fulfillment of the Voting Rights Act in Florida and beyond.

As a major organizer of the rally, Representative Brown attended to many of the logistics of the rally. For this reason, a supporter of the rally may have considered it logical to assume that Representative Brown would coordinate the funding of the event. With reference to the \$10,000, a charter company had been contacted to obtain busses to transport the supporters for the rally. It was made known to the charter company that their invoices were being paid by Dr. Lyons. Exhibit B. The \$10,000 was committed to the event, specifically the cost of the busses chartered through Pameron Tours, and in no way to Congresswoman Brown's campaign.

Dr. Lyons was a long-time supporter of the civil rights cause and a significant community leader. His attendance at the rally was anticipated in his capacity as President of the National Baptist Convention USA. In addition, it was expected that organizations like the AME Church would promote attendance at the rally among its members. Support was also sought from the Florida General Baptist Convention and other similar entities. Ms. Brown directed the payment of campaign funds for a significant share of the expenses of the rally, including lodging, transportation, and meals for participants.

Funds for Redistricting Activities are Expressly Excluded From The Definition of "Contribution" Under the Act

The complaint is based on a fundamental misunderstanding and misstatement of the law. Complainant inaccurately states that the "fact that she received \$10,000 from an individual while she was an active candidate for Congress is enough to violate the requirements of the Federal Election Campaign Act." In support of this general misstatement, Mr. Boehm cites a section of the FEC's Campaign Guide irrelevant to these circumstances relating to the personal use of campaign funds.

Contrary to Mr. Boehm's assertion, the Commission has expressly excluded funds used for activities related to redistricting from the definition of contribution:

Ms. Alva F. Smith
June 3, 1998
Page 3

"The Commission has stated that the influencing of reapportionment decisions, although a political process, is not considered election-influencing activity subject to the requirements of the Act. Advisory Opinions 1990-23, 1982-37 and 1981-35. Moreover, the financing of litigation relating to reapportionment decisions is not viewed as election influencing under the Act. Advisory Opinion 1982-14.

As demonstrated above, the funds in question here were intended and directed to support a redistricting rally. Ms. Brown led the effort, along with churches and other groups concerned about the need for African-American representation in Congress. Similar events to mark the occasion of a pivotal legal battle or anniversary of the Voting Rights Act have been held throughout the country. Elected officials have been centrally involved in these activities. Nevertheless, their status as candidates does not convert the funds used to pay for those events into campaign contributions.

Contrary to Complainant's allegations, the funds were not used for campaign-related or personal purposes. The complaint should be dismissed.

Sincerely,



Robert F. Bauer
B. Holly Schadler
Counsel to Representative Corrine Brown

BHS:dml

Enclosures

(A)

March on Tallahassee

Voting Rights Rally

Monday, February 19th

at the

U.S. District Courthouse

110 E. Park Avenue

Tallahassee, Florida

On Monday, February 19th, trial will begin in the matter of Johnson v. Mortham, which challenges the constitutionality of the Third Congressional District. The purpose of this rally is to educate and disseminate as much information as possible about the threats to our voting rights in Florida. Before 1992 and the creation of the Third Congressional District, there were no African Americans elected to Congress from Florida since reconstruction -- over 127 years.

All interested individuals are invited to participate in this important rally in support of minority representation. Buses will leave Monday morning from various cities, call the number below for details.

Special guests from the United States House of Representatives; the Florida Legislature; Dr. Henry Lyons, President National Baptist Convention, U.S.A.; Bishop Frank Cummings, Eleventh Episcopal District, A.M.E. Churches; Mr. Leon Russell, President Florida State NAACP; and many others.

Sponsored By:

NAACP

NATIONAL BAPTIST CONVENTION, U.S.A.

FLORIDA'S AME CHURCHES

98043901787

PAMERON TOURS
P.O. BOX 47443
JACKSONVILLE, FL 32247
904-355-2984

INVOICE NO : 3774
PURCHASE ORDER NO:
ICC-MC 232820

CLIENT : National Baptist Convention USA, Inc.
ADDRESS: C/O Bethel Metropolitan Church, 3455 26th Avenue South
TY : St. Petersburg STATE : FL ZIP: 33711

CONTACT: Dr. Henry Lyons

DATE OF ORDER: 1/26/96
SALES REP : Pam

TYPE OF SERVICE: Round Trip BUS SIZE : 6-46 PAX
LEAVE FROM : Jacksonville, FL LEAVE TIME: 6:00 am DEP. DATE : 2/19/96
RETURN FROM : Tallahassee, FL LEAVE TIME: 6-8pm RETURN DATE: 2/19/96
PICK UP LOCATION:
(IF DIFFERENT THAN ADDRESS LISTED ABOVE)

COMPUTATION OF CHARGES

LIVE MILES: @: =: \$0.00
DEAD MILES: @: =: \$0.00
NO. DAYS : @: =: \$0.00
NO. BUSES : 6 @: \$600.00 =: \$3,600.00

SUB TOTAL: \$3,600.00

OTHER CHARGES: =:
OTHER CHARGES: =:

SUB TOTAL: \$0.00

TOTAL CHARGES: \$3,600.00

A DEPOSIT OF: \$400.00 REQUIRED TO RESERVE ABOVE MOTORCOACH SERVICE. DEPOSIT IS DUE WITHIN 14 DAYS OF BOOKING. PLEASE SIGN AND RETURN ONE COPY WITH YOUR DEPOSIT. FULL PAYMENT TO BE MADE PAID 14 DAYS PRIOR TO DEPARTURE. CHARTER SUBJECT TO CANCELLATION IF PAYMENT IS NOT RECEIVED BY DUE DATE. DEPOSIT WILL BE REFUNDED IF TRIP IS CANCELLED TWO WEEKS PRIOR TO DEPARTURE. ON ALL OVERNIGHT TRIPS, THE CUSTOMER IS TO PROVIDE AND PAY FOR DRIVERS ROOM. PRICE DOES NOT INCLUDE PARKING FEES OR TOLLS. CARRIER'S LIMIT OF LIABILITY FOR MISCONNECT OR OTHER UNEXPECTED HAPPENINGS CANNOT EXCEED THE TOTAL CHARTER COST. IT IS UNDERSTOOD AND AGREED THAT THE PERFORMANCE OF THE SERVICE DETAILED IN THIS INVOICE ARE SUBJECT TO TARRIFF REGULATIONS AND CONTIGENT UPON THE CARRIER'S ABILITY TO FURNISH THE EQUIPMENT AND PERFORM THE SERVICE. BAGGAGE AND ALL OTHER PROPERTY WILL BE HANDLED ONLY AT PASSENGER'S RISK AND ONLY IN THE AMOUNT THAT CAN BE CONVENIENTLY CARRIED IN THE CHARTER BUS. ANY DAMAGE TO THE VEHICLE, CAUSED BY THE CHARTER PARTY, WILL BE CHARGED BY THE CARRIER TO THE CHARTER PARTY.

TOTAL AMOUNT : \$3600.00
LESS DEPOSIT : \$400.00
BALANCE DUE : \$3200.00
DATE RECEIVED: 2/8/96
DATE RECIEVED:

REMARKS :
OR :
DIRECTIONS:
:
:

CUSTOMER SIGNATURE

DATE

PAMERON TOURS
P.O. BOX 47443
JACKSONVILLE, FL 32247
904-355-2984

INVOICE NO : 3780
PURCHASE ORDER NO:
ICC-MC 232820

CLIENT : National Baptist Convention USA, Inc.
ADDRESS: C/O Bethel Metropolitan Church, 3455 26th Avenue South
TY : St. Petersburg STATE : FL ZIP: 33711

CONTACT: Dr. Henry Lyons

DATE OF ORDER: 1/26/96
SALES REP : Pam

TYPE OF SERVICE: Round Trip BUS SIZE : 1-46 PAX
LEAVE FROM : Ocala, FL LEAVE TIME: DEP. DATE : 2/19/96
RETURN FROM : Tallahassee, FL LEAVE TIME: 6-8pm RETURN DATE: 2/19/96
PICK UP LOCATION:
(IF DIFFERENT THAN ADDRESS LISTED ABOVE)

COMPUTATION OF CHARGES

LIVE MILES: 388 @: \$1.80 =: \$698.40
DEAD MILES: @: =: \$0.00
NO. DAYS : @: =: \$0.00
NO. BUSES : @: =: \$0.00

SUB TOTAL: \$698.40

OTHER CHARGES: =:
OTHER CHARGES: =:

SUB TOTAL: \$0.00

TOTAL CHARGES: \$698.40

A DEPOSIT OF: \$400.00 REQUIRED TO RESERVE ABOVE MOTORCOACH SERVICE. DEPOSIT IS DUE WITHIN 14 DAYS OF BOOKING. PLEASE SIGN AND RETURN ONE COPY WITH YOUR DEPOSIT. FULL PAYMENT TO BE MADE PAID 14 DAYS PRIOR TO DEPARTURE. CHARTER SUBJECT TO CANCELLATION IF PAYMENT IS NOT RECEIVED BY DUE DATE. DEPOSIT WILL BE REFUNDED IF TRIP IS CANCELLED TWO WEEKS PRIOR TO DEPARTURE. ON ALL OVERNIGHT TRIPS, THE CUSTOMER IS TO PROVIDE AND PAY FOR DRIVERS ROOM. PRICE DOES NOT INCLUDE PARKING FEES OR TOLLS. CARRIER'S LIMIT OF LIABILITY FOR MISCONNECT OR OTHER UNEXPECTED HAPPENINGS CANNOT EXCEED THE TOTAL CHARTER COST. IT IS UNDERSTOOD AND AGREED THAT THE PERFORMANCE OF THE SERVICE DETAILED IN THIS INVOICE ARE SUBJECT TO TARRIFF REGULATIONS AND CONTIGENT UPON THE CARRIER'S ABILITY TO FURNISH THE EQUIPMENT AND PERFORM THE SERVICE. BAGGAGE AND ALL OTHER PROPERTY WILL BE HANDLED ONLY AT PASSENGER'S RISK AND ONLY IN THE AMOUNT THAT CAN BE CONVENIENTLY CARRIED IN THE CHARTER BUS. ANY DAMAGE TO THE VEHICLE, CAUSED BY THE CHARTER PARTY, WILL BE CHARGED BY THE CARRIER TO THE CHARTER PARTY.

TOTAL AMOUNT : \$698.40
LESS DEPOSIT : \$400.00
BALANCE DUE : \$298.40

DATE RECEIVED: 2/8/96
DATE RECIEVED:

REMARKS : Group will make 3 pickups.
OR : The first one will be in Ocala, second one will be in Gainesville
DIRECTIONS: and the third one will be in Lake City.

CUSTOMER SIGNATURE

DATE

PAMERON TOURS
P.O. BOX 47443
JACKSONVILLE, FL 32247
904-355-2984

INVOICE NO : 3781
PURCHASE ORDER NO:
ICC-MC 432820

CLIENT : National Baptist Convention USA, Inc.
ADDRESS: C/O Bethel Metropolitan Church, 3455 26th Avenue South
TY : St. Petersburg STATE : FL ZIP: 33711

CONTACT: Dr. Henry Lyons

DATE OF ORDER: 1/26/96
SALES REP : Pam

TYPE OF SERVICE: Round Trip BUS SIZE : 1-46 PAX
LEAVE FROM : Orlando, FL LEAVE TIME: DEP. DATE : 2/19/96
RETURN FROM : Tallahassee, FL LEAVE TIME: 6-8pm RETURN DATE: 2/19/96
PICK UP LOCATION:
(IF DIFFERENT THAN ADDRESS LISTED ABOVE)

COMPUTATION OF CHARGES

LIVE MILES: @: =: \$0.00
DEAD MILES: @: =: \$0.00
NO. DAYS : @: =: \$0.00
NO. BUSES : 1 @: \$982.00 =: \$982.00

SUB TOTAL: \$982.00

OTHER CHARGES: =:
OTHER CHARGES: =:

SUB TOTAL: \$0.00

TOTAL CHARGES: \$982.00

A DEPOSIT OF: \$400.00 REQUIRED TO RESERVE ABOVE MOTORCOACH SERVICE. DEPOSIT IS DUE WITHIN 14 DAYS OF BOOKING. PLEASE SIGN AND RETURN ONE COPY WITH YOUR DEPOSIT. FULL PAYMENT TO BE MADE PAID 14 DAYS PRIOR TO DEPARTURE. CHARTER SUBJECT TO CANCELLATION IF PAYMENT IS NOT RECEIVED BY DUE DATE. DEPOSIT WILL BE REFUNDED IF TRIP IS CANCELLED TWO WEEKS PRIOR TO DEPARTURE. ON ALL OVERNIGHT TRIPS, THE CUSTOMER IS TO PROVIDE AND PAY FOR DRIVERS ROOM. PRICE DOES NOT INCLUDE PARKING FEES OR TOLLS. CARRIER'S LIMIT OF LIABILITY FOR MISCONNECT OR OTHER UNEXPECTED HAPPENINGS CANNOT EXCEED THE TOTAL CHARTER COST. IT IS UNDERSTOOD AND AGREED THAT THE PERFORMANCE OF THE SERVICE DETAILED IN THIS INVOICE ARE SUBJECT TO TARRIFF REGULATIONS AND CONTIGENT UPON THE CARRIER'S ABILITY TO FURNISH THE EQUIPMENT AND PERFORM THE SERVICE. BAGGAGE AND ALL OTHER PROPERTY WILL BE HANDLED ONLY AT PASSENGER'S RISK AND ONLY IN THE AMOUNT THAT CAN BE CONVENIENTLY CARRIED IN THE CHARTER BUS. ANY DAMAGE TO THE VEHICLE, CAUSED BY THE CHARTER PARTY, WILL BE CHARGED BY THE CARRIER TO THE CHARTER PARTY.

TOTAL AMOUNT : \$982.00
LESS DEPOSIT : \$400.00
BALANCE DUE : \$582.00

DATE RECEIVED: 2/8/96
DATE RECIEVED:

REMARKS :
OR :
DIRECTIONS:
:
:

CUSTOMER SIGNATURE

DATE

P.O. BOX 47443
JACKSONVILLE, FL 32247
904-355-2984

INVOICE NO : 3783
PURCHASE ORDER NO:
ICC-MC 232820

CLIENT : National Baptist Convention USA, Inc.
ADDRESS: C/O Bethel Metropolitan Church, 3455 26th Avenue South
CITY : St. Petersburg STATE : FL ZIP: 33711

CONTACT: Dr. Henry Lyons

DATE OF ORDER: 1/26/96
SALES REP : Pam

TYPE OF SERVICE: Round Trip BUS SIZE : 1-46 PAX
LEAVE FROM : Daytona, FL LEAVE TIME: DEP. DATE : 2/19/96
RETURN FROM : Tallahassee, FL LEAVE TIME: 6-8pm RETURN DATE: 2/19/96
PICK UP LOCATION:
(IF DIFFERENT THAN ADDRESS LISTED ABOVE)

COMPUTATION OF CHARGES

LIVE MILES: 656	@: \$1.80	=: \$1,180.80
DEAD MILES:	@:	=: \$0.00
NO. DAYS :	@:	=: \$0.00
NO. BUSES :	@:	=: \$0.00

SUB TOTAL: \$1,180.80

OTHER CHARGES: =:
OTHER CHARGES: =:

SUB TOTAL: \$0.00

TOTAL CHARGES: \$1,180.80

A DEPOSIT OF: \$400.00 REQUIRED TO RESERVE ABOVE MOTORCOACH SERVICE. DEPOSIT IS DUE WITHIN 14 DAYS OF BOOKING. PLEASE SIGN AND RETURN ONE COPY WITH YOUR DEPOSIT. FULL PAYMENT TO BE MADE PAID 14 DAYS PRIOR TO DEPARTURE. CHARTER SUBJECT TO CANCELLATION IF PAYMENT IS NOT RECEIVED BY DUE DATE. DEPOSIT WILL BE REFUNDED IF TRIP IS CANCELLED TWO WEEKS PRIOR TO DEPARTURE. ON ALL OVERNIGHT TRIPS, THE CUSTOMER IS TO PROVIDE AND PAY FOR DRIVERS ROOM. PRICE DOES NOT INCLUDE PARKING FEES OR TOLLS. CARRIER'S LIMIT OF LIABILITY FOR MISCONNECT OR OTHER UNEXPECTED HAPPENINGS CANNOT EXCEED THE TOTAL CHARTER COST. IT IS UNDERSTOOD AND AGREED THAT THE PERFORMANCE OF THE SERVICE DETAILED IN THIS INVOICE ARE SUBJECT TO TARIFF REGULATIONS AND CONTINGENT UPON THE CARRIER'S ABILITY TO FURNISH THE EQUIPMENT AND PERFORM THE SERVICE. BAGGAGE AND ALL OTHER PROPERTY WILL BE HANDLED ONLY AT PASSENGER'S RISK AND ONLY IN THE AMOUNT THAT CAN BE CONVENIENTLY CARRIED IN THE CHARTER BUS. ANY DAMAGE TO THE VEHICLE, CAUSED BY THE CHARTER PARTY, WILL BE CHARGED BY THE CARRIER TO THE CHARTER PARTY.

TOTAL AMOUNT	: \$1180.80	
LESS DEPOSIT	: \$400.00	DATE RECEIVED: 2/8/96
BALANCE DUE	: \$780.80	DATE RECEIVED:

REMARKS : Bus will make three pickups. The first one will be in Daytona,
OR : the second one will be in Eatonville and the third one will be in
DIRECTIONS: Orlando.

CUSTOMER SIGNATURE

DATE

P.O. BOX 47443
JACKSONVILLE, FL 32247
904-355-2984

INVOICE NO : 3795
PURCHASE ORDER NO:
ICC-MC 232820

CLIENT : National Baptist Convention USA, Inc.
ADDRESS: C/O Bethel Metropolitan Church, 3455 26th Avenue South
TY : St. Petersburg STATE : FL ZIP: 33711

CONTACT: Dr. Henry Lyons
PHONE :

DATE OF ORDER: 2/2/96
SALES REP : Pam

TYPE OF SERVICE: Round Trip BUS SIZE : 1-46 PAX
LEAVE FROM : St. Pete, Tampa, FL LEAVE TIME: DEP. DATE : 2/19/96
RETURN FROM : Tallahassee, FL LEAVE TIME: 6-8pm RETURN DATE: 2/19/96
PICK UP LOCATION:
(IF DIFFERENT THAN ADDRESS LISTED ABOVE)

COMPUTATION OF CHARGES

LIVE MILES: 482	@: \$1.80	=: \$867.60
DEAD MILES:	@:	=: \$0.00
NO. DAYS :	@:	=: \$0.00
NO. BUSES :	@:	=: \$0.00

SUB TOTAL: \$867.60

OTHER CHARGES: =:
OTHER CHARGES: =:

SUB TOTAL: \$0.00

TOTAL CHARGES: \$867.60

A DEPOSIT OF: \$400.00 REQUIRED TO RESERVE ABOVE MOTORCOACH SERVICE. DEPOSIT IS DUE WITHIN 14 DAYS OF BOOKING. PLEASE SIGN AND RETURN ONE COPY WITH YOUR DEPOSIT. FULL PAYMENT TO BE MADE PAID 14 DAYS PRIOR TO DEPARTURE. CHARTER SUBJECT TO CANCELLATION IF PAYMENT IS NOT RECEIVED BY DUE DATE. DEPOSIT WILL BE REFUNDED IF TRIP IS CANCELLED TWO WEEKS PRIOR TO DEPARTURE. ON ALL OVERNIGHT TRIPS, THE CUSTOMER IS TO PROVIDE AND PAY FOR DRIVERS ROOM. PRICE DOES NOT INCLUDE PARKING FEES OR TOLLS. CARRIER'S LIMIT OF LIABILITY FOR MISCONNECT OR OTHER UNEXPECTED HAPPENINGS CANNOT EXCEED THE TOTAL CHARTER COST. IT IS UNDERSTOOD AND AGREED THAT THE PERFORMANCE OF THE SERVICE DETAILED IN THIS INVOICE ARE SUBJECT TO TARRIFF REGULATIONS AND CONTIGENT UPON THE CARRIER'S ABILITY TO FURNISH THE EQUIPMENT AND PERFORM THE SERVICE. BAGGAGE AND ALL OTHER PROPERTY WILL BE HANDLED ONLY AT PASSENGER'S RISK AND ONLY IN THE AMOUNT THAT CAN BE CONVENIENTLY CARRIED IN THE CHARTER BUS. ANY DAMAGE TO THE VEHICLE, CAUSED BY THE CHARTER PARTY, WILL BE CHARGED BY THE CARRIER TO THE CHARTER PARTY.

TOTAL AMOUNT : \$867.60
LESS DEPOSIT : \$400.00
BALANCE DUE : \$467.60

DATE RECEIVED: 2/8/96
DATE RECIEVED:

REMARKS :
OR :
DIRECTIONS:
:
:

CUSTOMER SIGNATURE

DATE

BEFORE THE FEDERAL ELECTION COMMISSION

OCT 21 9 46 AM '98

In the Matter of

)
) CASE CLOSURES UNDER
) ENFORCEMENT PRIORITY
)

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.

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 that, due to the length of their pendency in inactive status or 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 which results in a numerical rating for each case.

Closing

cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified 17 cases that do

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not warrant further action relative to other pending matters.¹ The attachments to this report contain a factual summary 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 also provides us with the means to identify those cases which

remain 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.

¹ These cases are: Pre-MUR 365 (*Friends of Marjorie Margolies-Mezvinsky, et al*); MUR 4729 (*Friends of Melinda Katz*); MUR 4730 (*The Capital Times*); MUR 4731 (*Randall Terry Live*); MUR 4732 (*Juneau Democratic District Committee*); MUR 4733 (*Families and Taxpayers for Bob Kilbanks*); MUR 4734 (*Dennis Newinski for Congress*); MUR 4738 (*Friends of Corrine Brown*); MUR 4739 (*Direct Voice/DMAPAC*); MUR 4744 (*Mayor James Hoffman*); MUR 4745 (*Congressional Accountability Project*); MUR 4746 (*Phillip Cyre*); MUR 4747 (*NAWGA-PAC & FOODVIP PAC*); MUR 4765 (*Gary Miller*); MUR 4767 (*Committee to Elect Glenn Reese To Congress*); MUR 4778 (*Rick Hill for Congress*); and MUR 4784 (*Verticchio for Congress*).

We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We recommend that these cases be closed.⁴

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective October 29, 1998. Closing these cases as of this date will allow CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

⁴ The cases recommended for closure are: Pre-MUR 345 (*Simon Fireman*); MUR 4630 (*Kentucky State Democratic Central Committee*); MUR 4662 (*Democratic Congressional Campaign Cmte*); RAD 97L-08 (*Thomas for Congress*); RAD 97L-11 (*Eggleston for Congress*); RAD 97L-12 (*Massachusetts Democratic Party*); RAD 97L-13 (*McMains for Senate*); RAD 97L-20 (*Republican Party of Arkansas*); and RAD 97NF-24 (*NC Committee Against Extremism*).

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III. RECOMMENDATIONS.

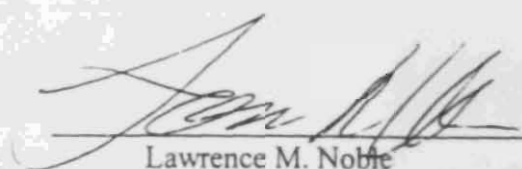
A. Decline to open a MUR, close the file effective October 29, 1998, and approve the appropriate letters in the following matters:

RAD 97L-08	RAD 97L-13	Pre-MUR 345
RAD 97L-11	RAD 97L-20	Pre-MUR 365
RAD 97L-12	RAD 97NF-24	

B. Take no action, close the file effective October 29, 1998, and approve the appropriate letters in the following matters:

MUR 4630	MUR 4732	MUR 4745
	MUR 4733	MUR 4746
MUR 4662	MUR 4734	MUR 4747
MUR 4729	MUR 4738	MUR 4765
MUR 4730	MUR 4739	MUR 4767
MUR 4731	MUR 4744	MUR 4778
		MUR 4784

10/20/98
Date


Lawrence M. Noble
General Counsel

98043901796

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Case Closures Under
Enforcement Priority.

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 27, 1998, the Commission took the following actions with respect to the General Counsel's October 20, 1998 report on Case Closures under Enforcement Priority:

I. Decided by a vote of 4-0 to:

- A. Decline to open a MUR, close the file effective October 29, 1998, and approve the appropriate letters in the following matters, as recommended in the General Counsel's Report dated October 20, 1998:

1. RAD 97L-08	5. RAD 97L-20
2. RAD 97L-11	6. RAD 97NF-24
3. RAD 97L-12	7. Pre-MUR 345
4. RAD 97L-13	8. Pre-MUR 365

- B. Take no action, close the file effective October 29, 1998, and approve the appropriate letters in the following matters, as recommended in the General Counsel's Report dated October 20, 1998:

1. MUR 4630	7. MUR 4733
2. MUR 4662	8. MUR 4734
3. MUR 4729	9. MUR 4738
4. MUR 4730	10. MUR 4739
5. MUR 4731	11. MUR 4744
6. MUR 4732	12. MUR 4745

(continued)

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Federal Election Commission
Certification for Case Closure Under
Enforcement Priority
October 27, 1998

Page 2

13.	MUR 4746	16.	MUR 4767
14.	MUR 4747	17.	MUR 4778
15.	MUR 4765	18.	MUR 4784

Commissioners Elliott, Mason, McDonald,
and Thomas voted affirmatively for the
decision; Commissioners Sandstrom and Wold
did not cast a vote.

Attest:

10/27/98
Date

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

Received in the Secretariat:	Wed., Oct. 21, 1998	9:46 a.m.
Circulated to the Commission:	Wed., Oct. 21, 1998	11:00 a.m.
Deadline for vote:	Mon., Oct. 26, 1998	4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kenneth Boehm, Chairman
National Legal and Policy Center
1309 Vincent Place, Suite 1000
McLean, VA 22101

RE: MUR 4738

Dear Mr. Boehm:

On April 16, 1998, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on October 29, 1998. 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

98043901799

MUR 4738

FRIENDS OF CORRINE BROWN

Kenneth Boehm, Chairman of the National Legal and Policy Center, alleges that Friends of Corrine Brown accepted an excessive contribution of \$10,000 from Reverend Henry J. Lyons for a 1996 rally protesting a legal challenge to proposed changes to Congresswoman Brown's congressional district. The complainant alleges that the gift to Congresswoman Brown while she was an active candidate for election to Congress, is sufficient to state a violation of the FECA. Mr. Boehm further alleges that Friends of Corrine Brown failed to report the contribution.

Congresswoman Brown, in response to the complaint, states that the event in question was a Voting Rights Act rally held in Tallahassee, Florida, on the opening day of a court challenge involving her congressional district. She further states that several Members of Congress from outside of Florida, as well as a prominent civil rights leader, also attended the rally. She specifically denies that this was related to her election campaign. Ms. Brown asserts that Reverend Lyons provided \$10,000 to pay for the transportation of rally supporters to the event.

Reverend Henry Lyons responds that the complainant did not name him as a respondent and does not specifically accuse him of violating the Act. He asserts that the complaint only states that he was solicited, and not that he gave, paid, or otherwise contributed the \$10,000 to the Brown campaign.

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1998

Ms. Gloria Simmons, Treasurer
Friends of Corrine Brown
40 East State Street
Jacksonville, FL 32202

RE: MUR 4738

Dear Ms. Simmons:

On April 22, 1998, 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 Friends of Corrine Brown and you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 29, 1998.

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

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

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

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4738

FRIENDS OF CORRINE BROWN

Kenneth Boehm, Chairman of the National Legal and Policy Center, alleges that Friends of Corrine Brown accepted an excessive contribution of \$10,000 from Reverend Henry J. Lyons for a 1996 rally protesting a legal challenge to proposed changes to Congresswoman Brown's congressional district. The complainant alleges that the gift to Congresswoman Brown while she was an active candidate for election to Congress, is sufficient to state a violation of the FECA. Mr. Boehm further alleges that Friends of Corrine Brown failed to report the contribution.

Congresswoman Brown, in response to the complaint, states that the event in question was a Voting Rights Act rally held in Tallahassee, Florida, on the opening day of a court challenge involving her congressional district. She further states that several Members of Congress from outside of Florida, as well as a prominent civil rights leader, also attended the rally. She specifically denies that this was related to her election campaign. Ms. Brown asserts that Reverend Lyons provided \$10,000 to pay for the transportation of rally supporters to the event.

Reverend Henry Lyons responds that the complainant did not name him as a respondent and does not specifically accuse him of violating the Act. He asserts that the complaint only states that he was solicited, and not that he gave, paid, or otherwise contributed the \$10,000 to the Brown campaign.

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1998

Ms. Bernice Edwards
3842 N. Sherman Blvd.
Milwaukee, WI 53216-2447

RE: MUR 4738

Dear Ms. Edwards:

On April 22, 1998, 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 J.H. Associates and you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 29, 1998.

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

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

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F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4738

FRIENDS OF CORRINE BROWN

Kenneth Boehm, Chairman of the National Legal and Policy Center, alleges that Friends of Corrine Brown accepted an excessive contribution of \$10,000 from Reverend Henry J. Lyons for a 1996 rally protesting a legal challenge to proposed changes to Congresswoman Brown's congressional district. The complainant alleges that the gift to Congresswoman Brown while she was an active candidate for election to Congress, is sufficient to state a violation of the FECA. Mr. Boehm further alleges that Friends of Corrine Brown failed to report the contribution.

Congresswoman Brown, in response to the complaint, states that the event in question was a Voting Rights Act rally held in Tallahassee, Florida, on the opening day of a court challenge involving her congressional district. She further states that several Members of Congress from outside of Florida, as well as a prominent civil rights leader, also attended the rally. She specifically denies that this was related to her election campaign. Ms. Brown asserts that Reverend Lyons provided \$10,000 to pay for the transportation of rally supporters to the event.

Reverend Henry Lyons responds that the complainant did not name him as a respondent and does not specifically accuse him of violating the Act. He asserts that the complaint only states that he was solicited, and not that he gave, paid, or otherwise contributed the \$10,000 to the Brown campaign.

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 2, 1998

Mr. Grady C. Irvin, Jr., Esquire
Grady C. Irvin, Jr., PA
100 South Ashley Drive, Suite 100
Tampa, FL 33602

RE: MUR 4738
Reverend Henry J. Lyons

Dear Mr. Irvin:

On April 22, 1998, the Federal Election Commission notified your client, Reverend Henry J. Lyons, 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 client. See attached narrative. Accordingly, the Commission closed its file in this matter on October 29, 1998.

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

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

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F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4738

FRIENDS OF CORRINE BROWN

Kenneth Boehm, Chairman of the National Legal and Policy Center, alleges that Friends of Corrine Brown accepted an excessive contribution of \$10,000 from Reverend Henry J. Lyons for a 1996 rally protesting a legal challenge to proposed changes to Congresswoman Brown's congressional district. The complainant alleges that the gift to Congresswoman Brown while she was an active candidate for election to Congress, is sufficient to state a violation of the FECA. Mr. Boehm further alleges that Friends of Corrine Brown failed to report the contribution.

Congresswoman Brown, in response to the complaint, states that the event in question was a Voting Rights Act rally held in Tallahassee, Florida, on the opening day of a court challenge involving her congressional district. She further states that several Members of Congress from outside of Florida, as well as a prominent civil rights leader, also attended the rally. She specifically denies that this was related to her election campaign. Ms. Brown asserts that Reverend Lyons provided \$10,000 to pay for the transportation of rally supporters to the event.

Reverend Henry Lyons responds that the complainant did not name him as a respondent and does not specifically accuse him of violating the Act. He asserts that the complaint only states that he was solicited, and not that he gave, paid, or otherwise contributed the \$10,000 to the Brown campaign.

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1998

Mr. Robert F. Bauer, Esquire
Ms. B. Holly Schadler, Esquire
Perkins Coie
607 14th Street, NW, Suite 800
Washington, D.C. 20005

RE: MUR 4738
The Honorable Corrine Brown

Dear Mr. Bauer and Ms. Schadler:

On April 22, 1998, the Federal Election Commission notified your client, The Honorable Corrine Brown, 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 client. See attached narrative. Accordingly, the Commission closed its file in this matter on October 29, 1998.

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.

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Sincerely,

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F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4738

FRIENDS OF CORRINE BROWN

Kenneth Boehm, Chairman of the National Legal and Policy Center, alleges that Friends of Corrine Brown accepted an excessive contribution of \$10,000 from Reverend Henry J. Lyons for a 1996 rally protesting a legal challenge to proposed changes to Congresswoman Brown's congressional district. The complainant alleges that the gift to Congresswoman Brown while she was an active candidate for election to Congress, is sufficient to state a violation of the FECA. Mr. Boehm further alleges that Friends of Corrine Brown failed to report the contribution.

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



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4738

DATE FILMED 12/2/98 CAMERA NO. 3

CAMERAMAN SES

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