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FEDERAL ELECTION  
COMMISSION  
OFFICE OF THE  
CLERK

MAY 19 4 46 PM '98

May 19, 1998

MUR 4748

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

**Re: Violation of Federal Campaign Laws**

Dear Commissioners:

On behalf of Citizens for Ron Klink, this complaint asserts that Station WPXI of Pittsburgh, Pennsylvania and Pam Spagnol violated the Federal Election Campaign Act ("the Act"), 2 U.S.C. §§ 431 et seq. and related regulations of the Federal Election Commission ("FEC" or "the Commission"), 11 C.F.R. §§ 100.1 et seq., by using corporate funds to make a contribution in the name of another.

As the attached affidavit sets out, television station WPXI of Pittsburgh, apparently an incorporated entity, reimbursed an employee of WPXI, Pam Spagnol, and possibly other employees, for political contributions made to Congressman Ron Klink and other Members of Congress from western Pennsylvania. This violates the FECA's prohibition on contributions to federal candidates by corporations, 2 U.S.C. § 441b, and the prohibition on contributions in the name of another, 2 U.S.C. § 441f.

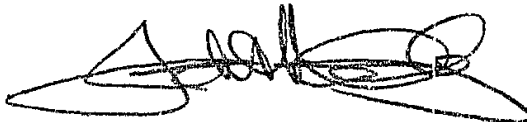
According to a producer at WPXI, the station had two employees send two letters to Members of Congress in Western Pennsylvania. The letters were identical, seeking information about a Social Security issue, except that one of the letters contained a political contribution. The station provided the funds to the employees to make the contributions. The station apparently intended to show that letters containing political contributions would be answered more quickly.<sup>1</sup>

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<sup>1</sup> In the case of Congressman Klink, their effort failed. The Congressman did not respond to either letter. In accordance with House Rules and established office procedure, the political contribution was immediately transmitted to the Congressman's campaign committee. When information became available that the contribution was not from the contributor, it was refunded.

Setting aside any opinions about the lamentable effort at "gotcha" journalism, this blatant disregard of the federal campaign laws should not be ignored. The Commission should investigate this complaint promptly, and seek any relevant penalties for the violations that have been committed.

Very truly yours,



Judith L. Corley  
Counsel for Citizens for Ron Klink

STATE OF District of )

County of Columbia )

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of May, 1998.

  
Notary Public

My Commission Expires:

NANCY W. BENNING  
Notary Public, Washington, D.C.

May 31, 2000

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Because the return address on the letters was not from the 4th Congressional District, the letters, once again according to House Rules and established office procedure, were forwarded to the Congressional office for the district in which the letter-writer resided.

BEFORE THE FEDERAL ELECTION COMMISSION

AFFIDAVIT OF MARY KIERNAN

I, MARY KIERNAN, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.
2. I am employed as the Administrative Assistant for Congressman Ron Klink, representative to the U.S. House of Representatives from the 4th Congressional District of Pennsylvania.
3. On May 15, 1998, Carrie Moniot from television station WPXI of Pittsburgh, Pennsylvania, called me to ask if the Congressman would be available to be interviewed in accordance with a prior request for an interview. Specifically, she stated that "we had cashed 'their' check" and asked if the Congressman intended "to respond."
4. When I asked her what she meant by this, Ms. Moniot explained that the station had had two employees write to all Members of Congress from western Pennsylvania. She stated that each Member was sent two letters: each letter was identical asking about an issue involving Social Security, except that one of the letters contained a campaign contribution and the other did not.
5. Ms. Moniot also stated that the station had provided the funds to make the political contributions enclosed in the letters.

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6. Ms. Moniot explained to me that the station wanted to see if enclosing a political contribution would result in a faster response to a constituent inquiry.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19 day of May, 1998.

  
Mary Kiernan

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