

# National Republican Senatorial Committee

SENATOR MITCH McCONNELL  
CHAIRMAN

December 23, 1998

STEVEN J. LAW  
EXECUTIVE DIRECTOR

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

RE: Response to MUR 4864

Dear Commissioners:

Pursuant to 2 U.S.C. §437g(a)(1), this response is made on behalf of Senator Christopher Bond to the complaint filed by Mr. John Isaacson dated November 24<sup>th</sup>, 1998. For reasons unknown to us, the complaint was deemed by your counsel's office to have been filed against Senator Christopher Bond personally, not his campaign committee. The complaint was sent to Senator Bond's home in Mexico, Missouri and Senator Bond did not receive it until December 8<sup>th</sup>, 1998. Thus, this response is due December 23<sup>rd</sup>, 1998.

Mr. Isaacson makes numerous allegations and poses several hypotheticals which have no basis in fact. I would submit that the FEC enforcement process is not the proper forum for individuals to air personal grievances (see response of MSE, Inc. and Mr. Donald Peoples). It is incumbent upon the Commission and the counsel's office to critically review each

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complaint to ensure it meets all requirements before acknowledging it as part of the record. Further, it is important that the Commission serve the proper parties when a complaint has been filed. Lastly, it is an abuse of the Commission's jurisdiction and the enforcement process to allow individuals to pose hypothecials rather than plead a case.

To be clear, this complaint does not allege violations of any specific statute or regulation but attempts to raise allegations which are not within the jurisdiction of the Federal Election Commission. I encourage each Commissioner to actually read this so-called complaint to see if it truly meets the statutory and regulatory requirements (2 U.S.C. §437g(a)(1); 11 C.F.R. §111.4) and inquire of your counsel as to why Senator Bond was personally served with it rather than his campaign committee.

#### **FACTS**

Senator Christopher Bond, the senior Senator from the state of Missouri, stood for re-election in 1998. Senator Bond formed his principal campaign committee, Missourians for Kit Bond, to carry out all campaign activities related to his re-election. Just as with any campaign committee, a portion of its activity

was devoted to fundraising. This was done through a variety of methods, including direct mail and fundraising events. As Senator Bond has supporters throughout the country, fundraising events were held in numerous locations. This includes Butte, Montana.

On the evening of August 11, 1998 Senator Bond traveled to Butte, Montana. Senator Bond's principal campaign committee, Missourians for Kit Bond, paid for the cost of the flight. On August 12<sup>th</sup>, 1998, Senator Bond participated in a breakfast meeting, was given a tour of a superfund site and a presentation at MSE Technology Application Test Facility.

Following the presentation, Mr. Donald People's, CEO of MSE, Inc., organized a fundraising luncheon for Senator Bond at a local restaurant. All costs associated with the fundraising luncheon were paid for by the Citizens for Responsible Government - Employees of MSE Inc. Political Committee ("MSE PAC"), a qualified political committee registered with the Federal Election Commission. Contributions from permissible sources were made payable to "Missourians for Kit Bond" and were transmitted within the prescribed time period.

## LAW & ANALYSIS

The laws regarding fundraising events are clear. So long as any "person" does not exceed their contribution limit to a particular candidate, they may host or organize a fundraising event. The contribution limit for an individual is \$1,000 per election. 2 U.S.C. §441a(a)(1). The contribution limit for a qualified multi-candidate political committee is \$5,000 per election. 2 U.S.C. §441(a)(2)(A). These contributions may be by check or in-kind. Corporate contributions are prohibited. 2 U.S.C. §441b.

In the context of a fundraising event, an individual may in-kind up to \$1,000 of the cost of the event and a multi-candidate PAC may in-kind up to \$5,000. A campaign committee, or candidate, may also pay for the total cost of the event.

The August 12<sup>th</sup>, 1998 fundraising luncheon in Butte, Montana was carried out within the letter of the law. This event was organized by Mr. Donald Peoples. Mr. Peoples invited supporters of Senator Bond to attend this event. The cost of the fundraising event, roughly \$500, was paid for by MSE PAC and was correctly and timely reported by both the MSE PAC and Missourians for Kit Bond. Further, the PAC paid for the cost of

Senator Bond's lodging for the night of the 11<sup>th</sup> and correctly reported that as an in-kind contribution. Senator Bond's principal campaign committee correctly paid for the cost of the air travel to and from Butte and timely reported the disbursement.

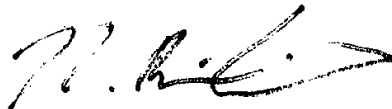
This fundraising event was no different from the tens of thousands of lawful fundraisers that are held during an election cycle. These events take place in a variety of forums and in numerous geographical locations. It is a legal and common practice for supporters of a candidate to organize a fundraising event to benefit a candidate which they support. Each party must ensure that everything is paid with permissible funds and reported to the FEC. That is exactly what happened in this instance.

Even though Mr. Isaacson's allegations and hypothecials are outside the jurisdiction of the Federal Election Commission, Senator Bond categorically denies any and all notions of political extortion, political bribery or the misuse of public funds. These allegations are reckless and must be completely rejected as groundless. Furthermore, Senator Bond has no knowledge or belief that any "pressure" was put upon donors, or that any contributor was reimbursed for making a donation to

Senator Bond's campaign. Senator Bond would never entertain an offer to attend an event if it was even remotely suspected that such activity was even considered.

Because the Commission has sent Senator Bond personal notice, I urge the Commission to find no "reason to believe" Senator Bond committed any violation of the FECA related to this complaint and to reject the Complainant's baseless accusations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Brian Lewis", with a stylized flourish extending to the right.

R. Brian Lewis  
Counsel for Senator Christopher Bond

99-04-332-10-66