



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. George E. Borchers
32 Slayback Drive
Princeton Jct., NJ 08550

RE: MUR 4874

Dear Mr. Borchers:

On December 18, 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 June 10, 1999. 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

MUR 4874
HOLT FOR CONGRESS

George E. Borchers alleges that Holt for Congress (the "Committee") received an excessive contribution of \$9,000 from an individual, and that *The Times of Trenton* favored Congressman Holt by refusing to disclose this fact to the public. He also contends that *The Times of Trenton* failed to provide "proportional" coverage of the Reform Party candidate for New Jersey's 12th congressional district seat for the benefit of independent voters in the district, and that its news coverage generally was influenced by the fact that certain unspecified advertisers significantly contributed to the Republican and Democratic parties. Mr. Holt won the General for New Jersey's 12th congressional district with 52% of the vote to Michael Pappas' 46%.

The Committee responds that the candidate loaned the campaign \$9,000 on September 30, 1998, drawing on a joint bank account but using a check imprinted only with the name of his wife, Margaret Lancefield. According to the respondent, this was erroneously reported as a loan from Ms. Lancefield rather than the candidate. The Committee states it filed an amended report on December 22, 1998, prior to its receipt of this complaint, to indicate the source of the loan.

The Times of Trenton responds that the complaint is wholly without merit, asserting that its activities fall squarely within the press exemption of the FECA.

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