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August 17, 1999

Lawrence Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

RE: 4911

Dear Mr. Noble:

We are writing in response to a July 29, 1999, letter from Mr. F. Andrew Turley regarding a complaint filed with the Federal Election Commission (the "Commission") by Samuel Vardanian against President Clinton, Hillary Rodham Clinton, Vice President Gore and Mrs. Gore. The Complainant alleges that

- (1) President Clinton "went on a 4 day swing to depressed areas, no doubt using that lame excuse to go on a fundraising even (sic) in the evening;" and
- (2) "[j]ust this past Saturday, Mr. Clinton went to Iowa to make a speech, and that evening went on 2 fundraising trips."

Complaint at 1.

The Complainant's allegations with respect to the President's trip do not appear to state a violation of the Act; at best it fails to meet the minimum standard required by the Commission for further consideration. Accordingly, we request that this complaint be summarily dismissed as to the President

Under the Federal Election Campaign Act of 1971, as amended, and the Commission's own regulations, a complaint must conform to certain minimum provisions set forth in 11 C.F.R. § 111.4(d) to be sufficient for filing and consideration. It is clear from Complainant's allegations that they do not meet the minimum threshold for supporting a valid complaint; indeed, they fail to state any violation of the Act.

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I. President Clinton's New Market's Tour

On July 5-8, 1999, the President traveled to several cities to highlight those regions of the country that have not participated in the economic prosperity during the past seven years. There were no fundraising events scheduled, nor did the President attend any fundraising events during this tour. Thus, costs associated with the President's travel will be paid from appropriated funds.

II. The President's Iowa Trip (July 16, 1999)

The President participated in four events while he was in Iowa: an event at which he discussed the need for Congress to pass pending legislation to help finance additional school construction; his weekly radio address and two political fundraisers for Senator Harkin. Because the Iowa trip involved both official and political activity, the hard-time formula set forth in 5 C.F.R. § 734.503 will be used to bill Senator Harkin's campaign committee for its proportionate share of the costs (air fare, hotel, transportation, per diem, etc.) for the political events.

The Complainant has made unsupported allegations against President Clinton with the Commission that do not meet the Commission's standard for a proper complaint or state a violation of the Act. To the extent that his complaint can be read to raise issue regarding the President's travel, it is without merit. Thus, in light of the facts, and the failure by the Complainant to state a violation of the Federal Election Campaign Act by the President, we request that your agency dismiss the President as a respondent in this matter.

Please contact me if you have any questions or need further information. We look forward to hearing from you soon.

Sincerely,



Cheryl Mills
Acting Counsel to the President