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August 1, 2000

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

AUG 1 3 10 PM '00

Jennifer H. Boyt
Office of the General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

**Re: MUR 5031 – The Honorable Lane Evans, Friends of Lane
Evans, Samuel M. Gilman, Treasurer, Eric Nelson, Assistant
Treasurer, Friends of Lane Evans**

Dear Ms. Boyt:

This is in response to the Federal Election Commission's letter of June 22, 2000 regarding a complaint filed against the above-mentioned parties (referred to hereafter as "the Evans Campaign"). We believe the complaint fails to present any violations of the campaign laws and ask that it be dismissed.

The complaint covers numerous activities by various party committees during the 1998 elections. The Evans Campaign believes that the activities were conducted by the various entities in compliance with the federal campaign laws and has no reason to believe that the activities resulted in contributions to the Campaign. We will provide such information as is available to the Evans Campaign, which supports this conclusion:

- The complaint alleges that media advertising by the Illinois Democratic Party resulted in excessive contributions to the Evans Campaign. These advertisements were not coordinated with the Evans Campaign and do not appear to contain any express advocacy.
- The complaint alleges that certain communications by the Knox County Democratic Central Committee and the Rock Island County Democratic

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Central Committee resulted in excessive contributions to the Evans Campaign. The Evans Campaign understood that the activities of the Committees were exempt party activities under the federal campaign laws, or generic party activities benefiting the entire ticket.

- The complaint alleges that the payments by the 17th District Victory Fund to the Strategic Consulting Group and Consensus Communications resulted in excessive contributions to the Evans Campaign. It is the Campaign's understanding that Consensus Communications produced materials in connection with the 17th District Victory Funds coordinated campaign activities. It is the Campaign's understanding that the 17th District Victory Fund hired the Strategic Consulting Group to train workers for its coordinated campaign GOTV efforts. The individuals trained by the Strategic Consulting Group were not under the direction or control of the Evans Campaign. The Evans Campaign and other candidates did meet periodically with the 17th District Victory Fund to discuss the coordinated campaign activities. The Evans Campaign understood that the activities to be undertaken as part of the coordinated campaign were exempt party activities under the federal campaign laws, or generic party activities benefiting the entire ticket.
- The complaint alleges that the Evans Campaign accepted more than \$5,000 from various party organizations around the state. The list in the complaint, however, is exclusively non-federally registered committees. Under FEC Advisory Opinion 1999-4, these contributions do not need to be aggregated towards the \$5,000 contribution limit.
- The complaint alleges that the Evans Campaign failed to report a \$3,000 expenditure to the Rock Island Democratic Central Committee on October 19, 1998. The Evans Campaign did not make a contribution to the Rock Island Committee. In checking with that committee, the Committee was told that they had mistakenly listed the Evans Campaign when the check was from another source. It was the Campaign's understanding that an amendment would be filed.
- Finally, the complaint alleges various additional violations of the contribution limits. The fact that both the 17th District Victory Fund and the Evans Campaign used the same fundraising consultant is not a contribution. The Evans Campaign received fundraising services from the Alschuler company

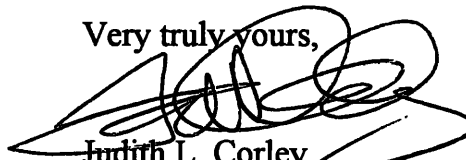
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and paid the fair market value for those services. The contributions from UNITE and from Solange McArthur and Robert Muller were made to the 17th District Victory Committee, not to the Evans Campaign. The Evans Campaign is not aware that these contributions were in anyway earmarked or designated for the Campaign and the Campaign had no control over or say in how the funds were disbursed.

The Evans Campaign does not believe that it in anyway violated the campaign laws based on the information in the complaint and asks that it be dismissed with no further Commission action.

Very truly yours,



Judith L. Corley
Counsel to Respondent

STATEMENT OF DESIGNATION OF COUNSEL

MUR 5031

NAME OF COUNSEL: Judith L. Corley

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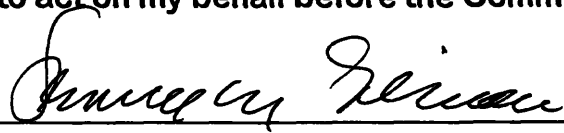
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The above-named individual is hereby designated as my counsel
and is authorized to receive any notifications and other communications
from the Commission and to act on my behalf before the Commission.

7/28/00
Date


Signature
The Honorable Lane Evans,
Friends of Lane Evans,
Samuel M. Gilman, Treasurer
Eric Nelson, Assistant Treasurer,
Friends of Lane Evans

RESPONDENT'S NAME: _____

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