

BELL, McANDREWS, HILTACHK & DAVIDIAN, LLP

ATTORNEYS AND COUNSELORS AT LAW

455 CAPITOL MALL, SUITE 801  
SACRAMENTO, CALIFORNIA 95814

(916) 442-7757

FAX (916) 442-7759

CHARLES H. BELL, JR.  
COLLEEN C. McANDREWS  
THOMAS W. HILTACHK  
BEN DAVIDIAN  
JOSEPH A. GUARDARRAMA

ALLISON R. HAYWARD  
OF COUNSEL

1441 FOURTH STREET  
SANTA MONICA, CA 90401  
(310) 458-1405  
FAX (310) 260-2666  
www.bmhlaw.com

December 19, 2000

VIA FEDERAL EXPRESS

Donald E. Campbell, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: MUR 5089

Dear Mr. Campbell:

We have been retained to represent Ms. Daralyn Reed, Treasurer of the Gloria Matta Tuchman for Congress Committee, in the above referenced matter. Ms. Reed forwarded to us a copy of the complaint filed by "Crusader" with your office. Ms. Reed served as the treasurer of the committee, and in that capacity oversaw the campaign reporting obligations of the committee. She was not responsible for the day-to-day decision-making of the committee, and had no role in the planning or production of the mail piece at issue in this matter.

The Federal Election Campaign Act of 1971, as amended, contains identification requirements for public advertising at section 441d. It dictates that such advertisements, if paid for and authorized by a candidate, an authorized committee of a candidate, or its agents, "shall clearly state that the communication has been paid for by such authorized political committee." The mailer at issue clearly and conspicuously contained information regarding the identity of the sender on the outside envelope, on the flap where anyone opening the envelope would see it. Moreover, the information included not merely the committee's name, but its address and FEC identification number.

Crusader contends that the font size chosen is "very tiny." Yet nowhere in the Act or regulations is a font size requirement provided for such a disclaimer. The question should be whether the disclaimer is sufficiently legible. Here, the information was

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RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL


Letter to Donald E. Campbell, Esq.  
Office of the General Counsel  
Federal Election Commission  
December 19, 2000  
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printed in a simple, easy to read font in dark blue against a white background (see original enclosed). We submit that the disclaimer meets the requirement in the regulations at 11 C.F.R. 110.11(a)(5).

Our understanding is that the campaign never anticipated that the materials included in this mailing would be distributed separately. The letter enclosed depended for effect on one reading the copy of the newspaper article enclosed. The article with its annotations would not convey the desired message without the reader seeing the cover letter. Accordingly, as we understand it, the campaign thought that the disclaimer on the envelope was sufficient, and that section 110.11(a)(5)(ii) did not apply. If this conclusion was in error, that error was inadvertent.

Accordingly, we ask that you take no further action in this matter. Please do not hesitate to contact us if you require anything further.

Very truly yours,

  
Allison R. Hayward

ARH:ljs  
Enclosure

**ORANGE COUNTY  
DEMOCRATS**

August 18, 2000

\*\*\*\*\*[REDACTED]\*\*\*\*\*  
[REDACTED]  
[REDACTED]  
[REDACTED], CA [REDACTED]

Dear [REDACTED]

We were shocked and outraged to hear that our Congresswoman -- Loretta Sanchez -- scheduled a political fundraiser at the Playboy Mansion.

At the same time Caroline Kennedy Schlossberg, the Rev. Jesse Jackson and former Senator Bill Bradley addressed the Democratic National Convention, Loretta Sanchez planned a party with Hugh Hefner -- who recently bragged that his parties are "legendary for the amount of nudity and extramarital sex that go on late at night."

Immorality, sexual exploitation and degradation of women are not the kinds of messages our political leaders should be sending to our community -- particularly not Sanchez, who as a woman should know better.

Planning a fundraiser at the Playboy Mansion is a slap in the face to our community. No politician -- particularly not a prominent Democrat like Sanchez -- should even consider holding an event in a place that promotes immoral values and portrays women as objects.

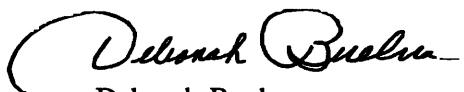
Even the Hispanic Caucus Chair of the Democratic National Convention called this event "antithetical" to Democrats' values.

Only after being publicly censured and ridiculed by her own colleagues -- and pressured by Vice President Al Gore -- did Loretta Sanchez cave in and change the event, after stating "over the years, plenty of fundraisers have been held [at the mansion]."

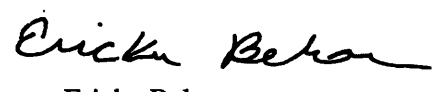
But the damage is done. Loretta Sanchez showed her true loyalty is not to the Orange County women and minorities she professes to represent, but rather to money and her Hollywood friends.

This is not the kind of leadership we want from our elected officials. This is utter disdain and contempt, not only for those close to her, but toward all of her Orange County constituents.

We'll remember this contempt when Loretta Sanchez asks for our vote again in November.

  
Deborah Buelna  
Anaheim

  
Linda Coley  
Garden Grove

  
Ericka Belona  
Santa Ana

P.S. Please take a look at Loretta Sanchez's opponent, Gloria Matta Tuchman. She is a teacher who will fight for better schools -- and she won't make us feel ashamed.

# Loretta Sanchez: "A Loose Cannon"

## Bunnygate Hops On Campaign Trail

By Richard E. Cohen, *National Journal*  
(c) National Journal Group Inc.

Is there a doctor in the house? A spin doctor, that is.

Perhaps no public official here at the convention is more in need of damage control than Rep. Loretta Sanchez, D-Calif. Her decision to stubbornly insist upon — but eventually abandon — plans to hold a fund-raiser for Hispanics at the Playboy mansion gave her party a heap of bad press on the eve of its convention.

Now, in the wake of Bunnygate, several angry Democratic insiders are suggesting that Sanchez has forfeited her considerable influence in the party and may even have jeopardized her House seat.

"Whatever the damage, it's self-inflicted," said a House Democratic leadership aide. "She was a confidant of Al Gore. Now, she won't be in his Administration... She still can be an effective member of Congress. But this damages her going beyond that."

In November, Sanchez faces Gloria Matta Tuchman, an award-winning schoolteacher for 35 years and veteran Hispanic Republican activist who appears to be a good fit in the swing, Orange County district. Although Tuchman is a serious contender, Sanchez was generally expected before the Playboy controversy to win re-election. Now, her re-election is no longer a sure thing.

A California Democratic source called Sanchez "a loose cannon" and said that the controversy has placed her House seat "at risk" at a time when control of the chamber will probably be determined by a handful of seats.

Rep. Patrick J. Kennedy of Rhode Island, the Democratic Congressional Campaign Committee chairman, said in an interview on Friday that the conflict over the fund-raiser has been "tragic." Asked whether Sanchez's re-election could be adversely affected, he replied: "Perhaps.... But this is an isolated event." In mid-July, Kennedy publicly discouraged colleagues from attending the Playboy event.

For her part, Tuchman contended that the

Playboy incident will damage Sanchez in the district, where roughly half the residents are Hispanic. "Democrats in the district are embarrassed. This is degrading," Tuchman declared at her campaign office on Friday. "I see the reaction of people when I walk the precincts. They are ready for new leadership."

Tuchman, 59, served nine years on the local school board and in 1998 co-sponsored a successful statewide initiative eliminating the requirement for bilingual education. She said that Sanchez first won election in 1996 "more out of default than anything else" because Robert K. Dornan, the GOP lawmaker whom Sanchez defeated, "lost touch with the district." Tuchman added: "Now, I see the same thing happening with Loretta."

During just four years in the House, Sanchez, 40, has attracted considerable attention. Democrats rallied around her when Dornan challenged the validity of the 1996 election results and forced a House inquiry that lasted more than a year. Her successful fund raising in the Hispanic community led the Gore team to tap her last year to co-chair the Democratic National Committee.

But Sanchez's independent streak got her in trouble when she dismissed public and private warnings that the Playboy event would run smack into Al Gore's desire to elevate the party's moral tone. Only after Sanchez was humiliated by DNC Chairman Joe Andrew's move to bar her from addressing the convention did she agree on Friday to an alternative site for the fund-raiser.

Sanchez herself apparently doesn't believe she has a problem. Her spokeswoman, Sarah Anderson, defended the fund-raising event in an interview late yesterday and declined to respond to comments from critics. Anderson said her boss has effectively represented her constituents and continues to increase her local support.

Sanchez will benefit from a campaign treasury that had \$1.5 million as of June 30. Tuchman has raised more than \$200,000 and expects to meet her goal of \$500,000.

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