

**WILLIAM J. OLSON, P.C.**

ATTORNEYS AT LAW

8180 GREENSBORO DRIVE, SUITE 1070

MCLEAN, VIRGINIA 22102-3823

TELEPHONE (703) 356-5070

FAX (703) 356-5085

E-MAIL: [wjo@mindspring.com](mailto:wjo@mindspring.com)

<http://www.wjopc.com>

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

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1707 H STREET, N.W.

SUITE 700

WASHINGTON, D.C. 20006

TELEPHONE (202) 466-5493

WILLIAM J. OLSON  
ID.C., VA.)

JOHN S. MILES  
ID.C., MD., VA., OF COUNSEL  
GILMAN & ASSOCIATES  
OF COUNSEL

**CONFIDENTIAL**

August 17, 1999

Scott E. Thomas, Chairman  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: Protest and Information Request of Citizens United Political Victory Fund, *et al.*;  
Matters Under Review 4568, 4633, 4634, and 4736

Dear Chairman Thomas:

We recently received your letter, dated August 3, 1999, informing us that the Federal Election Commission has found "reason to believe" that our clients, Citizens United Political Victory Fund ("CUPVF") and its Treasurer, Kevin Allen, violated 2 U.S.C. Sections 434 and 441f in connection with a contribution to the Brian Babin campaign in 1996. Although this matter involving CUPVF was originally part of Matter Under Review ("MUR") 4783, according to your letter, it has been severed from that MUR and made a part of MUR 4736. MUR 4736, in turn, has been consolidated with MURs 4568, 4633, and 4634.

Your letter invited the respondents to provide additional factual or legal materials relevant to the Commission's consideration of these matters.

As you know, our clients have submitted evidentiary material under oath denying the allegations of the complaint — a complaint that failed totally to specify critical information underlying its allegations, without which the allegations clearly fail as a matter of law — and the Commission has nevertheless made "reason to believe" findings against our client. With all due respect, the Factual and Legal Analysis sent with your letter of August 3 does not support "reason to believe" findings, which findings apparently are based upon conjecture. We therefore request the Commission to provide us with any and all information that it believes would justify the "reason to believe" findings and, if there is no information beyond what is set forth in the complaint and the Factual and Legal Analysis, we ask that these MURs be dismissed as against our clients.

Furthermore, the Commission now has shifted our clients as respondents into MUR 4736 — a matter on which our clients have not been informed at all — and combined MUR

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4736 with three pending MURs (Nos. 4568, 4633, and 4634) without any meaningful explanation or justification. These respondents submit that they are entitled to know the substance and status of MURs 4568, 4633, 4634, and 4736, and that they should be given copies of the relevant documents in those MURs, including the complaints, responses, and FEC analyses and findings, which they hereby request.

We thank you for your attention to this matter, and we look forward to your response.

Sincerely yours,



William J. Olson

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cc: Citizens United Political Victory Fund

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