



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

OCT - 2 2002

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

James Anderson, Esq.  
Beers, Anderson, Jackson, Hughes & Patty, P.C.  
250 Commerce St., Suite 100  
Montgomery, AL 36104

RE: MUR 5294  
Eagle Forum and Margaret Gaul, as treasurer  
Faith, Family and Freedom and Devin Anderson, as treasurer  
Citizens Allied for Free Enterprise and Kirk Knight, as treasurer  
American Free Enterprise PAC and David Bauer, as treasurer

Dear Mr. Anderson:

The Federal Election Commission has considered the allegations contained in the complaint dated April 30, 1997 filed by you, which complaint was designated as part of MURs 4568, 4633, 4634 and 4736. Based on that complaint, on June 2, 1998 and February 23, 1999, the Commission made reason to believe findings that Eagle Forum and Margaret Gaul, as treasurer, Faith, Family and Freedom and Devin Anderson, as treasurer, Citizens Allied for Free Enterprise and Kirk Knight, as treasurer, and the American Free Enterprise PAC and David Bauer, as treasurer, violated 2 U.S.C. §§ 434 and 441f, provisions of the Federal Election Campaign Act of 1971, as amended, by failing to accurately report and allowing their names to be used in making contributions in the name of another. However, after considering the circumstances of this matter, the Commission determined to take no further action against these respondents. A lawsuit relating to certain activities that Triad Management Services, Inc., its predecessor organization, and Carolyn Malenick engaged in during the 1996 election cycle was filed in federal district court on June 21, 2002. This case, *FEC v. Carolyn Malenick d/b/a Triad Management Services, et al.*, CIV. No. 02-CV-01237 (DDC), is currently pending.

On August 27, 2002, the Commission severed the portion of MURs 4568, 4633, 4634 and 4736 concerning the Eagle Forum and Margaret Gaul, as treasurer, Faith, Family and Freedom and Devin Anderson, as treasurer, Citizens Allied for Free Enterprise and Kirk Knight, as treasurer, and the American Free Enterprise PAC and David Bauer, as treasurer, and placed them into a new matter, designated MUR 5294. On the same date, the Commission closed MUR 5294. Accordingly, the confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. MURs 4568, 4633, 4634 and 4736 remain open with respect to other respondents.


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Because of restrictions recently placed on the Commission with respect to its making public investigative files in closed enforcement matters, the public record in this matter will consist of the relevant sections of the dispositive General Counsel's Reports, the relevant sections of the Certifications of the Commission's votes, Conciliation Agreements and Statements of Reasons. See American Federation of Labor and Congress of Industrial Organizations v. FEC, 177 F. Supp.2d 48 (D.D.C. 2001), appeal docketed, No. 02-5069 (D.C. Cir. Feb. 28, 2002). Copies of the General Counsel's Reports and Certifications of the Commission's votes as described above are enclosed.

Please be advised that the Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's decision. See 2 U.S.C. § 437g(a)(8). If you have any questions, please contact Marianne Abely, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lawrence H. Norton  
General Counsel

BY:   
Rhonda J. Vosdinger  
Associate General Counsel  
for Enforcement

Enclosures:  
As stated.

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