

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
48 Oakwood Drive
Dresher, PA 19025
2003 FEB 11 3:09
February 6, 2003

Via: Federal Express Overnight Delivery

Office of General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 5347

Dear General Counsel:

On behalf of myself, as treasurer, and the Hoeffel for Congress Committee, this will respond to your letter of January 24, 2003 and the complaint of Deidre Barnes dated December 17, 2002 (filed January 16, 2003). Her complaint relates to the 2002 campaign for the 13th Congressional District of Pennsylvania.

Ms. Barnes asserts, based upon a report from Campaign Media Analysis Group with purported transcriptions of "all of the ads," that, during the last week of the 2002 campaign, "the Pennsylvania Democratic Party grossly exceeded the coordinated expenditure limit." She demands that, "[t]o the extent that Rep. Joe Hoeffel and the Democratic Congressional Campaign Committee were aware of these violations, and aided or devised the scheme, they should be held accountable as well." Ms. Barnes' contention that there were violations of the coordinated expenditure limit is false.

Although Ms. Barnes' complaint refers solely to Rep. Hoeffel, and not to his Committee, this will confirm that the only television advertising on behalf of his candidacy authorized by Hoeffel for Congress on behalf of his candidacy met the regulations of the Federal Election Commission with respect to the coordinated expenditure limit. With the exception of the advertising referenced in the next paragraph, all of the television advertising authorized by Hoeffel for Congress was paid for by Hoeffel for Congress, and, with respect to the week referenced in the complaint, those payments have been duly reported by Hoeffel for Congress in its post-election filing with the Commission.

The advertising mentioned above included \$60,000 in advertising and production costs paid by the Pennsylvania Democratic Party, as reflected in the enclosed letter from Neil Oxman of the Campaign Group, Inc., to Robert Barnett, Pennsylvania State Democratic Committee, dated January 30, 2003, with the enclosed copy of the October 25, 2002 wire transfer confirmation, and confirmed by the January 30, 2003 letter from Carolyn Tyson, Account Executive & Political Advertising Coordinator, KYW-TV. The disclaimer which appeared on that advertising stated: "Paid For by Pennsylvania Democratic Party Authorized by Hoeffel for Congress." These expenditures were appropriate under law. Hoeffel for Congress did not authorize or pay for any other television advertisements.

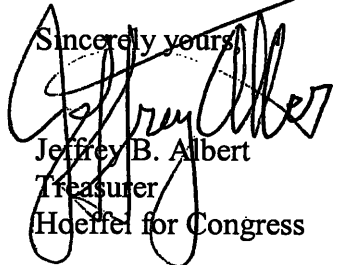
We understand that the Pennsylvania Democratic Party will respond to Ms. Barnes' complaint insofar as the complaint relates to its conduct.

We further understand that the Democratic Congressional Campaign Committee authorized and paid for the other television advertisements in the final week of the campaign referenced by the complaint and that it will be responding to the complaint with respect to its expenditures.

Based upon the foregoing, we request that the Complaint be dismissed.

Please advise us if you require further information.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jeffrey B. Albert", is written over the typed name and title.

Jeffrey B. Albert

Treasurer

Hoefel for Congress



January 30, 2003

1600 Locust Street

Mr. Robert Barnett
Pennsylvania Democratic State Committee
510 N. 3rd Street
Harrisburg, PA 17101

Philadelphia

Dear Mr. Barnett:

Enclosed please find information regarding the television buys of the Hoeffel for Congress Campaign.

Pennsylvania

First is a copy of a wire transfer from The Pennsylvania Democratic Party to The Campaign Group, Inc. This was for the amount of \$60,000.00. This was the only money we recieved from the Pennsylvania Democratic Party for the Hoeffel campaign.

19103

Next is a copy of a letter from Carolyn Tyson of KYW-TV in Philadelphia. This says that The Campaign Group spent \$55,641.00 net on her television station running an ad for Hoeffel for Congress with the disclaimer "Paid for by the Pennsylvania Democratic Party and Authorized by Hoeffel for Congress."

This was the only television station which received this commercial with this disclaimer. All other stations ran commercials with only one disclaimer on all other spots. That disclaimer read "Paid for by Hoeffel for Congress."

The rest of the \$60,000 that was sent from the Pennsylvania Democratic Party - \$4,359 - was spent on production for the Hoeffel for Congress Campaign.

If you need any other information please give me a call.

Sincerely,

Neil Ozman

(215) 732 0200

Fax (215) 790 9969

From: FaxWire32

To: 9.1 215 790 9969

Friday, October 25, 12:23:33 2002

Dear: THE CAMPAIGN GROUP INC

This facsimile serves as notification of the following Incoming Wire Transfer credited to your account number on 2002-10-25. If you have any questions, please contact your nearest Commerce Branch or call 800-YES-2000.

----- Incoming Wire Transfer Information -----

Amount: \$60000.00
Beneficiary: THE CAMPAIGN GROUP INC
Account Number:
Address:

Sender:
Bank Name: FIRST UNION NJNYPA
ABA Number:
Reference Number:
Originator Bank:
Address:
By Order Of: PENNSYLVANIA DEMOCRATIC PARTY
Address: 510 NORTH THIRD STREET HARRISBURG PA 17101

Receiver Bank Name: COMMERCE BK PHILA
ABA Number:
FRB Incoming Confirmation Number:

Reference for Beneficiary:
Originator to Beneficiary:
Bank to Bank Information:
Miscellaneous Information:

----- END Wire Transfer Information -----

THANK YOU FOR CHOOSING COMMERCE BANK.

Is this?



KYW-TV
101 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA, PA 19106

Neil Oxman
The Campaign Group
1600 Locust Street
Philadelphia, PA 19103

Dear Neil,

This is to confirm that the we did air a political campaign spot on behalf of "Hoeffel For Congress" as follows:

Dates:	October 28 - November 5, 2002
Spot Name:	Wrong - #5
Disclaimer:	Paid For by Pennsylvania Democratic Party Authorized by Hoeffel for Congress
Net Cost:	\$55,641.00
Invoice #s:	1041-479390 and 1041-479471

Please give a call with any questions you may have.

Sincerely,

Carolyn Tyson
Account Executive &
Political Advertising Coordinator

215-239-4807