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March 12, 2003

Lawrence H. Norton  
General Counsel  
Federal Election Commission  
999 E Street NW  
Washington DC 20463

MUR # 5355

Dear Mr. Norton:

Enclosed are three copies of a complaint submitted by the Center for Responsive Politics and its campaign finance law project, FEC Watch.

Sincerely,

Lawrence M. Noble  
Executive Director and General Counsel  
Center for Responsive Politics  
(202) 857-0044

Paul Sanford  
Director, FEC Watch  
Center for Responsive Politics  
(202) 857-0044

Enclosures

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**BEFORE THE  
FEDERAL ELECTION COMMISSION**

CENTER FOR RESPONSIVE POLITICS  
and  
FEC WATCH  
Suite 1030  
1101 14<sup>th</sup> Street NW  
Washington, DC 20005  
202-857-0044

V.

Value In Electing Women Political Action Committee (C00327189)  
Barbara W. Bonfiglio, Treasurer  
1155 21st NW Suite 300  
Washington, DC 20036

Promoting Republicans You Can Elect Project (Pryce Project) (C00330068)  
Barbara W. Bonfiglio, Treasurer  
1155 21st NW Suite 300  
Washington, DC 20036

Shelley Moore Capito for Congress committee (C00347849)  
Reed Spangler, Treasurer  
P.O. Box 11519  
Charleston, WV 25339

Jennifer Carroll for Congress committee (C00346056)  
Charles J. Curry, Treasurer  
2117 University Blvd. South  
Jacksonville, FL 32216

Johnson for Congress – 2000 committee (C00359158)  
Gloria Goode, Treasurer  
P.O. Box 5190  
Bay Shore, NY 11706

Runbeck for Congress committee (C00325670)  
Richard Runbeck, Treasurer  
PO Box 40340  
St. Paul, MN 55104

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COUNSEL  
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Johnson For Congress committee (C00145607)  
John Eveleth, Treasurer  
P.O. Box 1986  
New Britain, CT 06050

Friends Of Connie Morella For Congress committee (C00198614)  
Carolyn H. Milkey, Treasurer  
7101 Wisconsin Avenue # 102  
Bethesda, MD 20814

Northup For Congress committee (C00364448)  
James L. Meagher, Treasurer  
P. O. Box 7313  
Louisville, KY 40257

Heather Wilson For Congress committee (C00334060)  
David A. Archuleta, Treasurer  
P.O. Box 14070  
Albuquerque, NM 87191

Abigail S. Wexner  
1 White Barn Lane  
New Albany, OH 43054

## **COMPLAINT**

1. The Center for Responsive Politics and its campaign finance law project FEC Watch submit this complaint pursuant to 2 U.S.C. § 437g(a)(1) seeking enforcement action against violations of the Federal Election Campaign Act, 2 U.S.C. § 431 *et seq.* (FECA or "the Act").

2. This complaint seeks enforcement action against two affiliated multicandidate political action committees (PACs) for making and receiving contributions in excess of the contribution limits in the FECA. It also seeks enforcement action against the two PACs for failing to disclose their affiliated status on their FEC disclosure reports.

3. This complaint also seeks enforcement action against the principal campaign committees of eight federal candidates, and the Treasurers of those committees, for receiving contributions from the above-referenced PACs in excess of the contribution limits in the FECA.

4. Finally, this complaint seeks enforcement action against an individual who made contributions to the above-referenced PACs in excess of the applicable contribution limit.

5. Section 437g(a)(1) authorizes persons who believe a violation of the FECA has occurred to file a complaint with the Commission seeking appropriate action. The undersigned complainants urge the Commission to initiate an investigation into the allegations described below, to collect significant civil penalties from the individuals and entities that have violated the FECA, and to enjoin these entities from committing similar violations in the future.

### **Parties**

6. The Center for Responsive Politics is a non-partisan, non-profit research group that tracks money in politics and its effect on elections and public policy. CRP conducts computer-based research on campaign finance issues for the news media, academics and the public at large. Among CRP's projects is FEC Watch, which is dedicated to ensuring enforcement of the nation's campaign finance laws. CRP's work is dependent on the timely and accurate disclosure of money that influences federal elections.

7. Congresswoman Deborah Pryce currently represents Ohio's 15th Congressional district. Congresswoman Pryce was first elected to Congress in 1992, and was recently elected Chairman of the Republican Conference for the 108th Congress.

8. Value in Electing Women Political Action Committee, or VIEW PAC, FEC committee I.D. # C00327189, is a multicandidate nonconnected political action committee. VIEW PAC registered with the FEC in 1997.

9. Promoting Republicans You Can Elect Project (Pryce Project), FEC committee I.D. # C00330068, is a multicandidate nonconnected political action committee. Pryce Project registered with the FEC in 1997 as Next American Century Political Action Committee. In February

of 2000, Next American Century PAC changed its name to New American Century Political Action Committee. In August of 2001, New American Century PAC changed its name to Pryce Project.

10. Barbara W. Bonfiglio is Treasurer and Custodian of Records for both VIEW PAC and Pryce Project. She has held these positions since the inception of both PACs.

11. Shelly Moore Capito For Congress committee, FEC committee I.D. # C00347849, was Congresswoman Shelley Moore Capito's principal campaign committee for the 2000 and 2002 Congressional elections. Congresswoman Capito represents the second district of West Virginia.

12. Reed Spangler was Treasurer of Shelley Moore Capito For Congress committee during the 2000 and 2002 election cycles.

13. Jennifer Carroll For Congress committee, FEC committee I.D. # C00346056, was Jennifer Sandra Carroll's principal campaign committee for the 2000 Congressional election. Ms. Carroll was a candidate for Congress from the third district of Florida in 2000.

14. Charles J. Curry was Treasurer of the Jennifer Carroll for Congress committee from January 25, 2000 through the November 2000 general election.

15. Johnson for Congress – 2000 committee, FEC committee I.D. # C00359158, was Joan B. Johnson's principal campaign committee for the 2000 Congressional election. Ms. Johnson was a candidate for Congress from the second district of New York in 2000.

16. Gloria Goode was Treasurer of Johnson for Congress – 2000 committee from June 12, 2000 through the November 2000 general election.

17. Runbeck for Congress committee, FEC committee I.D. # C00325670, was Linda Carol Runbeck principal campaign committee for the 2000 Congressional election. Ms. Runbeck was a candidate for Congress from the fourth district of Minnesota in 2000.

18. Richard Runbeck was Treasurer of Runbeck for Congress committee from January 5, 1999 through the November 2000 general election.

19. Johnson For Congress committee, FEC committee I.D. # 00145607, was Congresswoman Nancy L. Johnson's principal campaign committee for the 2002 Congressional election. Congresswoman Johnson represents the fifth district of Connecticut.

20. John Eveleth was Treasurer of Johnson for Congress committee during calendar year 2002.

21. Friends Of Connie Morella For Congress committee, FEC committee I.D. # C00198614, was Connie Morella's principal campaign committee for the 2002 Congressional election. Ms. Morella was a candidate for Congress from the eighth district of Maryland in 2002.

22. Carolyn H. Milkey was Treasurer of Friends of Connie Morella For Congress committee during calendar year 2002.

23. Northup For Congress committee, FEC committee I.D. # C00364448, was Congresswoman Anne M. Northup's principal campaign committee for the 2002 Congressional election. Congresswoman Northup represents the third district of Kentucky.

24. James L. Meagher was Treasurer of Northup For Congress committee during calendar year 2002.

25. Heather Wilson For Congress committee, FEC committee I.D. # C00334060, was Congresswoman Heather Wilson's principal campaign committee for the 2002 Congressional election. Congresswoman Wilson represents the first district of New Mexico.

26. David A. Archuleta was Treasurer of Heather Wilson For Congress committee during calendar year 2002.

27. Abigail S. Wexner is an Ohio resident who made contributions to both VIEW PAC and Pryce Project in October of 2001. Pryce Project's disclosure report lists Ms. Wexner's address as Columbus, Ohio, 43230. See FEC microfilm p. 21990616981. VIEW PAC's disclosure report lists Ms. Wexner's address as 1 White Barn Lane, New Albany, Ohio, 43054. See FEC microfilm p. 22991655407. New Albany, Ohio is a suburb of Columbus.

### **Legal Framework**

28. Section 441a(a)(1)(C) of the FECA limits the amounts that individuals may contribute to PACs to \$5000 in a calendar year. See also 11 CFR 110.1(d)(1).

29. Section 441a(a)(2)(A) of the FECA limits the amount that PACs may contribute to candidates to \$5000 per election. See also 11 CFR 110.2(b)(1). This limit applies separately to primary and general elections. 2 U.S.C. § 431(1)(A), 11 CFR 100.2. Thus, PACs may, in most instances, lawfully contribute up to \$10,000 to a candidate in each election cycle.

30. The FECA contains an anti-proliferation provision designed to prevent evasion of the PAC contribution limits through the formation of multiple committees. Section 441a(a)(5) states that all contributions made by political committees that are established, financed, maintained or controlled by the same person or group of persons are considered to have been made by a single political committee.

31. The FEC's regulations restate this anti-proliferation rule and expand upon it. Section 110.3(a)(1) of the regulations states that, for purposes of the contribution limits in 11 CFR 110.1 and 110.2, all contributions made or received by affiliated committees are considered to have been made or received by a single committee. Section 110.3(a)(2) states that all committees established, financed, maintained or controlled by the same person or group of persons are affiliated committees for purposes of this rule. The effect of this rule is that affiliated PACs must operate under a single contribution limit. *Id.*, 11 CFR 110.1(a)(1).

32. In addition to limiting the amount that may be contributed to a PAC or by a PAC, the FECA also limits the amount that can be received by a PAC or by any other political committee, including the principal campaign committee of a candidate. Section 441a(f) prohibits candidates and PACs from knowingly accepting a contribution that exceeds the contribution limits in section 441a(a).

33. Section 110.9(a) of the Commission's regulations implements section 441a(f) of the FECA by prohibiting candidates and PACs from accepting a contribution that violates the contribution limits. The prohibition in section 110.9(a) applies without regard to whether the recipient committee knows the contribution exceeds the limit. Thus, a committee may be held liable under this provision for receiving a contribution even if it was unaware that the contribution exceeded the limit.

34. The FECA also requires all political committees, including PACs, to disclose information about all committees with which they are affiliated. Section 433(b)(2) requires committees to identify, on their statements of organization, all affiliated committees, and to provide the address, relationship and type of each affiliated committee. Section 102.2(a)(1)(ii) of the regulations restates this requirement.

### **History of VIEW PAC and Pryce Project**

35. VIEW PAC registered with the FEC on April 23, 1997, and notified the Commission that it was a multicandidate committee on January 26, 1998.

36. According to numerous published reports, VIEW PAC was established by Congresswoman Deborah Pryce. In 1997, the National Journal reported

"Pryce . . . has launched a political action committee (PAC) that ambitiously aims to help finance the campaigns of Republican women running for the House next year who seem to have a good shot at winning. VIEW PAC (this acronym stands for Value in Electing Women) has raised \$ 70,000 since its inception in January and expects to pay out as much as \$ 150,000 in this election cycle."

Eliza Newlin Carney, *And There's the House's Gender Gap*, The National Journal, Oct. 18, 1997 (Exhibit A). Similarly, an August 2000 article in the Columbus Dispatch described Pryce as "a VIEW PAC founder." Catherine Candisky and Jonathan Riskind, *Politicians Schmoozing For Dollars At Endless Fund Raisers, Receptions Provide Opportunities To Meet, Thank Contributors*, The Columbus Dispatch, Aug. 4, 2000 at 4A (Exhibit B). More recently, another report said that



"Pryce . . . founded the only House GOP leadership political action committee solely devoted to recruiting and electing female candidates. Dubbed Values in Electing Women, or VIEWPAC, the committee raised \$110,000 and supported two dozen candidates last cycle." Susan Crabtree, *For House Republicans, Pryce Is Right; With Little Fanfare, Conference Vice Chair Serves as an Honest Broker for GOP Moderates and Party Leaders*, Roll Call, Sep. 10, 2001 (Exhibit C).

37. Pryce Project registered with the FEC on September 25, 1997 as Next American Century Political Action Committee. In February of 2000, the PAC changed its name to New American Century Political Action Committee. In August 2001, the PAC changed its name to Promoting Republicans You Can Elect (Pryce Project).

38. Numerous media reports indicate that Pryce Project was established by Congresswoman Pryce. A list of Congressional leadership PACs published in May of 2000 contained the following entry: "New American Century PAC, which was founded by Rep. Deborah Pryce of Perry Township, one of the top-ranking leaders in the Republican conference in the House." Roger K. Lowe, *Kasich Laying Foundation For Future*, The Columbus Dispatch, May 29, 2000, at 1D (Exhibit D). An August 2001 issue of Roll Call included the following reference: "Rep. Deborah Pryce (Ohio), vice chairwoman of the Republican Conference, raised \$257,892 for her re-election, and Pryce's Next American Century PAC took in another \$25,850. Overall, Pryce raised \$283,742." Susan Crabtree and John Bresnahan, *Blunt, Reynolds Pace Leaders' Fundraising*, Roll Call, August 2, 2001 (Exhibit E). More recently, a report stated that

"[l]eadership PACs" are known only to the extent they have been identified by news media and campaign finance research groups. Some are unmasked by their acronyms. For example, Rely On Your Beliefs Fund, or ROYB's Fund, is affiliated with Rep. Roy Blunt (R-Mo.), and Promoting Republicans You Can Elect, or PRYCE, is affiliated with Rep. Deborah Pryce (R-Ohio).

*FEC opens rulemaking that could lead to regulations of 'leadership PACs'*, Political Finance, The Newsletter, December 2002 (Exhibit F). Finally, in February, the Columbus Dispatch reported "Pryce had . . . about \$90,700 in a leadership political action committee called the Promoting

Republicans You Can Elect Project." Jonathan Riskind, *Ohio Politicians Disclose Campaign Cash On Hand*, The Columbus Dispatch, February 3, 2002 at 05A (Exhibit G).

39. One published report explicitly recognized that both VIEW PAC and the Pryce Project are leadership PACs established by Congresswoman Pryce.

"As of Oct. 16, Pryce's leadership PAC, Promoting Republicans You Can Elect, had handed out \$143,000 to 61 candidates and vulnerable incumbents. Her other leadership PAC, Value In Electing Women, gave \$100,000 to 24 female candidates and vulnerable incumbents, and her personal Congressional committee has disbursed \$28,000 to 28 candidates and vulnerable incumbents.

Susan Crabtree, *Pryce's Adoption Raised in GOP Race*, Roll Call, October 31, 2002 (Exhibit H).

#### Status of the PACs

40. Based on the foregoing, VIEW PAC and Pryce Project were both established by Congresswoman Pryce, and are maintained and controlled by Congresswoman Pryce.

41. Under section 441a(a)(5) of the FECA, committees that are established, financed, maintained or controlled by the same person or group of persons are affiliated committees.

#### Counts 1 through 9

(Excessive contributions by the affiliated PACs)

42. In the 2000 election cycle, VIEW PAC and Pryce Project (at that time named New American Century PAC) made the following contributions to Shelley Moore Capito for Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Value in Electing Women PAC	Capito, Shelley Moore	1000	1/13/2000	20035291157
New American Century	Capito, Shelley Moore	1000	4/24/2000	20035601785
Value in Electing Women PAC	Capito, Shelley Moore	4000	5/3/2000	20035672433
New American Century	Capito, Shelley Moore	2000	7/13/2000	20035961567
Value in Electing Women PAC	Capito, Shelley Moore	3000	7/13/2000	20035961525
Value in Electing Women PAC	Capito, Shelley Moore	2000	9/11/2000	20036294632
	<b>Total</b>	<b>13000</b>		

43. In the 2000 election cycle, VIEW PAC and Pryce Project (at that time named New American Century PAC) made the following contributions to Jennifer Carroll for Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
New American Century	Carroll, Jennifer Sandra	1000	4/17/2000	20035601785
Value in Electing Women PAC	Carroll, Jennifer Sandra	1000	6/6/2000	20035874031
Value in Electing Women PAC	Carroll, Jennifer Sandra	5000	9/11/2000	20036294632
New American Century	Carroll, Jennifer Sandra	2500	9/13/2000	20036294706
New American Century	Carroll, Jennifer Sandra	2500	10/26/2000	20036544361
	<b>Total</b>	<b>12000</b>		

44. In the 2000 election cycle, VIEW PAC and Pryce Project (at that time named New American Century PAC) made the following contributions to Johnson for Congress – 2000 committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Value in Electing Women PAC	Johnson, Joan B	1000	6/29/2000	20035874031
New American Century	Johnson, Joan B	2000	7/20/2000	20035961567
Value in Electing Women PAC	Johnson, Joan B	3000	7/20/2000	20035961525
Value in Electing Women PAC	Johnson, Joan B	1000	9/6/2000	20036294632
Value in Electing Women PAC	Johnson, Joan B	5000	9/28/2000	20036294632
	<b>Total</b>	<b>12000</b>		

45. In the 2000 election cycle, VIEW PAC and Pryce Project (at that time named New American Century PAC) made the following contributions to Runbeck for Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Value in Electing Women PAC	Runbeck, Linda Carol	5000	9/8/2000	20036294632
Value in Electing Women PAC	Runbeck, Linda Carol	5000	9/14/2000	20036294632
New American Century	Runbeck, Linda Carol	500	11/3/2000	20036544361
	<b>Total</b>	<b>10500</b>		

46. In the 2002 election cycle, VIEW PAC and Pryce Project made the following contributions to Shelley Moore Capito for Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Promoting Republicans You Can Elect	Capito, Shelley Moore	1000	5/9/2001	21990212110
Value in Electing Women PAC	Capito, Shelley Moore	2000	6/27/2001	21990257588
Value in Electing Women PAC	Capito, Shelley Moore	3000	2/27/2002	22990531048
Value in Electing Women PAC	Capito, Shelley Moore	5000	7/17/2002	22991639415
Promoting Republicans You Can Elect	Capito, Shelley Moore	1500	10/25/2002	22992924524
	<b>Total</b>	<b>12500</b>		

47. In the 2002 election cycle, VIEW PAC and Pryce Project made the following contributions to Johnson For Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Value in Electing Women PAC	Johnson, Nancy L	5000	2/27/2002	22990531048
Value in Electing Women PAC	Johnson, Nancy L	5000	7/17/2002	22991639415
Promoting Republicans You Can Elect	Johnson, Nancy L	2500	9/30/2002	22992278022
Promoting Republicans You Can Elect	Johnson, Nancy L	2500	10/25/2002	22992924522
	<b>Total</b>	<b>15000</b>		

48. In the 2002 election cycle, VIEW PAC and Pryce Project made the following contributions to Friends Of Connie Morella For Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Value in Electing Women PAC	Morella, Connie	5000	2/27/2002	22990531049
Value in Electing Women PAC	Morella, Connie	5000	7/17/2002	22991639413
Promoting Republicans You Can Elect	Morella, Connie	2500	9/30/2002	22992278015
Promoting Republicans You Can Elect	Morella, Connie	2500	10/25/2002	22992924512
	<b>Total</b>	<b>15000</b>		

49. In the 2002 election cycle, VIEW PAC and Pryce Project made the following contributions to Northup For Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Value in Electing Women PAC	Northup, Anne M	5000	2/27/2002	22990531049
Value in Electing Women PAC	Northup, Anne M	5000	7/17/2002	22991639413
Promoting Republicans You Can Elect	Northup, Anne M	2500	9/30/2002	22992278012
Promoting Republicans You Can Elect	Northup, Anne M	2500	10/9/2002	22992435974
	<b>Total</b>	<b>15000</b>		

50. In the 2000 election cycle, VIEW PAC and Pryce Project made the following contributions to Heather Wilson For Congress committee:

Source Committee	Recipient Candidate	Amount	Date of Contribution	FEC Microfilm #
Value in Electing Women PAC	Wilson, Heather	5000	6/27/2001	21990257587
Value in Electing Women PAC	Wilson, Heather	5000	7/17/2002	22991639414
Promoting Republicans You Can Elect	Wilson, Heather	2000	10/25/2002	22992924514
	<b>Total</b>	<b>12000</b>		

51. By operation of 2 U.S.C. § 441a(a)(5) and 11 CFR 110.3(a), contributions by VIEW PAC and Pryce Project are considered to have been made by a single committee.

52. Based on the foregoing, VIEW PAC and Pryce Project (or its predecessor New American Century PAC) made contributions that exceeded the applicable contribution limit to the following committees, with respect to the indicated elections:

- a. Shelley Moore Capito for Congress committee, with respect to the elections in the 2000 election cycle, in the amount of \$3000.
- b. Jennifer Carroll for Congress committee, with respect to the elections in the 2000 election cycle, in the amount of \$2000.
- c. Johnson for Congress – 2000 committee, with respect to the elections in the 2000 election cycle, in the amount of \$2000.

- d. Runbeck for Congress committee, with respect to the elections in the 2000 election cycle, in the amount of \$500.
- e. Shelley Moore Capito for Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$2500.
- f. Johnson For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$5000.
- h. Friends Of Connie Morella For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$5000.
- i. Northup For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$5000.
- j. Heather Wilson For Congress, with respect to the elections in the 2002 election cycle, in the amount of \$2000.

### **Count 10**

(Receipt of excessive contributions by the affiliated PACs)

53. On October 10, 2001, Pryce Project received a contribution of \$5000 from Abigail S. Wexner of Columbus, Ohio. See FEC microfilm p. 21990616981.

54. On October 11, 2001, VIEW PAC received a contribution of \$5000 from Abigail S. Wexner of 1 White Barn Lane, New Albany, Ohio. New Albany is a suburb of Columbus, Ohio. See FEC microfilm p. 2991655407.

55. By operation of 2 U.S.C. § 441a(a)(5) and 11 CFR 110.3(a), these contributions are considered to have been received by a single committee.

56. Based on the foregoing, VIEW PAC and Pryce Project violated 11 CFR 110.9(a) by receiving contributions from Abigail S. Wexner that, in the aggregate, exceeded \$5000 in a calendar year.

**Counts 11 and 12**

(Failure to disclose affiliated PACs)

57. VIEW PAC and Pryce Project were both established by Congresswoman Deborah Pryce, and are maintained and controlled by Congresswoman Pryce.

58. By operation of 2 U.S.C. § 441a(a)(5) and 11 CFR 110.3(a), VIEW PAC and Pryce Project are considered to be affiliated political committees.

59. Neither VIEW PAC's original Statement of Organization nor its subsequent amendments identify Pryce Project or any other committee as an affiliated committee.

60. Based on the foregoing, VIEW PAC violated 2 U.S.C. § 433(b)(2) by failing to identify Pryce Project as an affiliated committee and disclose Pryce Project's address, relationship and committee type.

61. Neither Pryce Project's original Statement of Organization nor its subsequent amendments identify VIEW PAC or any other committee as an affiliated committee.

62. Based on the foregoing, Pryce Project violated 2 U.S.C. § 433(b)(2) by failing to identify VIEW PAC as an affiliated committee and disclose VIEW PAC's address, relationship and committee type.

**Counts 12 through 20**

(Receipt of excessive contributions by  
principal campaign committees of Federal candidates)

63. As explained above, the following principal campaign committees received contributions from VIEW PAC and Pryce Project (or its predecessor New American Century PAC) that, when aggregated, exceeded the applicable contribution limit by the indicated amount:

- a. Shelley Moore Capito For Congress committee, with respect to the elections in the 2000 election cycle, in the amount of \$3000.

- b. Jennifer Carroll for Congress committee, with respect to the elections in the 2000 election cycle, in the amount of \$2000.
- c. Johnson for Congress – 2000 committee, with respect to one or both of the elections in the 2000 election cycle, in the amount of \$2000.
- d. Runbeck for Congress committee, with respect to the elections in the 2000 election cycle, in the amount of \$500.
- e. Shelly Moore Capito For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$2500.
- f. Johnson For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$5000.
- h. Friends Of Connie Morella For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$5000.
- i. Northup For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$5000.
- j. Heather Wilson For Congress committee, with respect to the elections in the 2002 election cycle, in the amount of \$2000.

64. Based on the foregoing, these committees violated 11 CFR 110.9(a) by receiving contributions from VIEW PAC and Pryce Project that, in the aggregate, exceeded \$5000 per election.

**Count 21**

(Excessive contributions by an individual)

65. On October 10, 2001, Abigail S. Wexner of Columbus, Ohio made a \$5000 contribution to Pryce Project. See FEC microfilm p. 21990616981.



66. On October 11, 2001, Abigail S. Wexner of New Albany, Ohio made a \$5000 contribution to VIEW PAC. See FEC microfilm p. 2991655407. New Albany is a suburb of Columbus, Ohio.

67. By operation of 11 CFR 110.3(a), these contributions were considered to have been made to a single committee.

68. Based on the foregoing, Abigail S. Wexner made contributions to Pryce Project and VIEW PAC in calendar year 2001 which, when aggregated, exceeded the \$5000 yearly contribution limit that applies to contributions from individuals to multicandidate PACs.

### **Request for Relief**

69. The facts set forth above give the Commission reason to believe the FECA has been violated. Therefore, the Commission should open a Matter Under Review (MUR), find reason to believe a violation has occurred pursuant to 2 U.S.C. § 437g(a)(1), and conduct an investigation of the activities and entities described above. The Commission's investigation should determine whether the alleged violations occurred, and whether any violations were committed in a knowing and willful manner. See 2 U.S.C. § 437g(a)(5)(B) and (C).

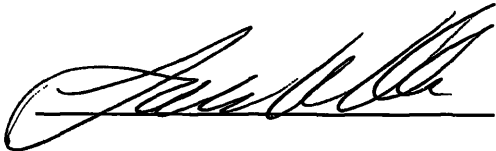
70. In conducting its investigation, the Commission should also determine whether any entities other than those named in this complaint are implicated in the alleged violations. In particular, with regard to Counts 12 through 20 (receipt of excessive contributions by principal campaign committees of Federal candidates), the Commission's investigation should examine whether the Federal candidates whose principal campaign committees received excessive contributions were directly involved in the receipt of those contributions.

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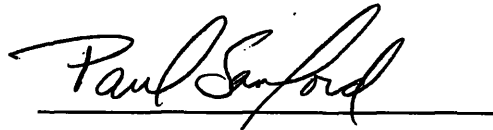
71. Upon completion of its investigation, the Commission should take the following actions:

- a. Assess civil penalties against all individuals and entities that have violated the Act. These penalties should be substantial enough to serve as a significant deterrent to future violations.
- b. Require those entities that have received excessive contributions to return those contributions, or the excessive portion thereof, to the contributors.
- c. Require both VIEW PAC and Pryce Project to identify each other as affiliated committees on their FEC disclosure reports.
- d. Prohibit all individuals and entities that have violated the Act from committing similar violations in the future.

Respectfully submitted,

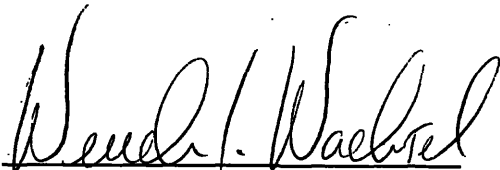


Lawrence M. Noble  
Executive Director and General Counsel  
Center for Responsive Politics



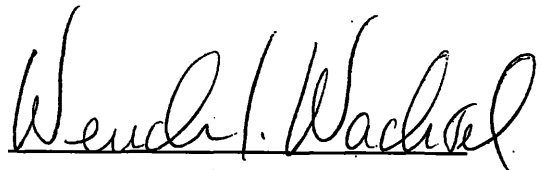
Paul Sanford  
Director, FEC Watch  
Center for Responsive Politics

Subscribed and sworn to:



Notary Public **Wendie L. Wachtel**  
Notary Public, District of Columbia  
My Commission Expires 11-14-2006

Subscribed and sworn to:



Notary Public **Wendie L. Wachtel**  
Notary Public, District of Columbia  
My Commission Expires 11-14-2006

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HEADLINE: And There's the House's Gender Gap

BYLINE: Eliza Newlin Carney

BODY:

As Jennifer B. Dunn of Washington attempts to win over women voters, a House ally, Deborah Pryce of Ohio, is approaching the gender gap from another angle: she's showering money on Republican women candidates for the House.

Pryce, who in July succeeded Dunn as GOP Conference secretary, has launched a political action committee (PAC) that ambitiously aims to help finance the campaigns of Republican women running for the House next year who seem to have a good shot at winning. VIEW PAC (this acronym stands for Value in Electing Women) has raised \$ 70,000 since its inception in January and expects to pay out as much as \$ 150,000 in this election cycle.

"If American women voters see more women Members and realize that (the Republican Party is) not an all-white-male party, they will look more closely at us and give us their ear more readily," Pryce said.

Unlike some pro-women PACs, including the WISH (Women in the Senate and House) List, which support only pro-abortion- rights candidates, Pryce's PAC doesn't set up ideological hurdles that its candidates have to clear. The PAC's president, Maria Cino, who is a former executive director of the National Republican Senatorial Committee, has won pledges of support from several top GOP leaders, including House Speaker Newt Gingrich of Georgia.

LOAD-DATE: October 29, 1997

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August 4, 2000, Friday

SECTION: NEWS, Pg. 4A

LENGTH: 822 words

HEADLINE: POLITICIANS SCHMOOZING FOR DOLLARS ENDLESS FUND RAISERS, RECEPTIONS  
PROVIDE OPPORTUNITIES TO MEET, THANK CONTRIBUTORS

BYLINE: Catherine Candisky and Jonathan Riskind, Dispatch Public Affairs Reporters

DATELINE: PHILADELPHIA -

BODY:

Sipping cocktails and nibbling hors d'oeuvres at the University Barge Club on the banks of the Schuylkill River, Republicans gathered to support VIEW PAC, an organization that raises money for GOP women candidates for Congress.

Hosted by The Limited and more than a dozen other companies, the afternoon reception was not a fundraiser but rather a reception thanking donors, other supporters and potential contributors.

But the group hopes checks will follow as it works to raise \$ 120,000 this election to distribute to about 14 women running for Congress. Under campaign-finance laws, the group can give each candidate \$ 5,000 for a primary race and \$ 5,000 for the general election.

"This is an opportunity to meet people who might support us and show our appreciation to our donors," said Rep. Deborah Pryce, R-Perry County, a VIEW PAC founder.

Similar receptions and parties at restaurants, museums and clubs throughout the city were held during the four-day convention. Like VIEW PACs, most recognized and rewarded donors. But schmoozing turned a more immediate profit for Republicans at a handful of other gatherings.

The most notable was Wednesday when donors giving a minimum of \$ 1,000 and as much as \$ 250,000 generated \$ 10 million for the Republican National Committee at a luncheon featuring nominee George W. Bush.

And campaign-cash-seeking politicians such as Senate Majority Leader Trent Lott of Mississippi, Sen. Rick Santorum of Pennsylvania and Rep. Rick Lazio -- who is battling first lady Hillary Clinton for a New York Senate seat -- also have taken advantage of a city packed with corporate executives, lobbyists and other supporters.

Fund raising has been more prevalent than at previous conventions. Still, much of the donating was done beforehand, and Ohio members of Congress weren't throwing fund-raisers this week.

With so many competing events, most politicians didn't bother.

"There is always some (fund raising) going on, but it's not significant," said Rep. John A. Boehner, R-West Chester. "I've never tried to raise money at the convention."

"Most of it's done beforehand," said Ohio Republican Party Chairman Robert T. Bennett.

Sen. Mike DeWine, R-Ohio, said parties rewarding major donors are far more common.

For instance, the senatorial committee hosted a "fight night" event. Major contributors could mingle with famous boxers such as Larry Holmes and Michael Spinks. And there have been countless parties "honoring" elected officials that are hosted by corporations lavishing money on the festivities and resulting relationship-building, rather than writing checks to lawmakers.

With everything that's been going on here, it's tough to throw a fund-raiser for a specific candidate unless the candidate is nationally prominent, DeWine said.

"We're not raising money here," he said. "It is a tough venue to raise money in."

To reward faithful fund-raisers, it appears no expense is too great.

Union Pacific laid a half-mile of temporary track near the convention site and moved a vintage train from Omaha, Neb., for entertaining. The cars were positioned next to an air-conditioned tent outfitted to resemble the steps of a train-station depot.

This gesture came as Congress considers reauthorizing the agency that regulates the rail industry. Just before he took the stage last night for his acceptance speech, George W. Bush was slated to board the train to mingle with GOP high-rollers.

Union Pacific is a \$ 1.1 million contributor to federal parties and candidates this election cycle, according to the Center for Responsive Politics.

Good will flows the other way, too. The GOP treated its \$ 100,000-plus donors, who will be called on again this fall, to a skybox in the convention hall. Donors got an eagle's-eye view, food, cocktails, an Internet-equipped computer and a chance to mingle with GOP luminaries.

"We've hit rock bottom," said Fred Wertheimer, who's advocated restricting political giving for more than two decades as head of the citizens groups Common Cause and Democracy 21. "It's a 24-hour, seven-day nonstop fund-raising operation."

Republican state Rep. Pat Tiberi of Columbus, running for the 12th District congressional seat being vacated by GOP Rep. John R. Kasich of Westerville, passed up the chance to speak on the floor with other House candidates during two-minute, preprime-time speeches. He doesn't believe he missed a valuable opportunity.

Tiberi said Ohio House Speaker JoAnn Davidson of Reynoldsburg called him from Philadelphia while the speeches were going on and said, "Tiberi, this is the speaker. You made the right decision. Nobody's paying any attention to those speeches. You're better off in Ohio. All the voters in your district who are here are going to vote for you anyway."

Dispatch Public Affairs Reporter Lee Leonard and the Associated Press contributed to this story.

GRAPHIC: Phot, Neal C. Lauron / Dispatch Actor Rick Schroeder greets Ohio delegate Ruth McNeil as state Rep. Priscilla Mead, second from left, and U.S. Rep. Deborah Pryce look on. They were attending a reception for VIEW PAC, a group that raises money for GOP women candidates for Congress

LOAD-DATE: August 4, 2000

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Roll Call

September 10, 2001

LENGTH: 1797 words

HEADLINE: For House Republicans, Pryce Is Right;  
With Little Fanfare, Conference Vice Chair Serves as an Honest Broker for GOP Moderates and Party Leaders

BYLINE: By Susan Crabtree

BODY:

Ever since Sen. Jim Jeffords (I-VT.) bolted the GOP, single-handedly delivering the Senate leadership to the Democrats and bolstering the profile of moderates everywhere, Speaker Dennis Hastert (R-Ill.) has received the lion's share of the credit for holding the House Republican Conference together as it navigated this summer's prickly political terrain.

But behind the scenes, Hastert and the rest of the House GOP leadership have had a lot of help.

With no fanfare and even less credit, Rep. Deborah Pryce (R-Ohio) has served as a vital link between House GOP leaders and Conference moderates, continually apprising both sides about potential sticking points and negotiating compromises before conflicts erupt in public view.

As the highest-ranking woman in the Republican Congressional leadership (she serves as vice chair of the Conference) and one of its only moderates, Pryce has managed to win the trust of both camps by balancing her duties as a party loyalist with those as a key ally for centrists.

"It's really important that the moderates' message be heard [by GOP leaders], especially in that group because it can become so much of an echo chamber," she said during an interview in her second floor Cannon Building office. "There are such conservative guys in there."

With just a narrow GOP majority, Pryce's position as vice chairwoman and unofficial mediator in dealing with the moderates has taken on new significance this cycle. The expanded leadership role has also helped her recover from the loss of her 9-year-old adopted daughter to cancer in 1999.

During her daughter's battle with cancer, Pryce took a three-month leave of absence from her Congressional duties. But after her daughter died, she briefly considered resigning and leaving Washington for good.

Instead she decided to rededicate herself to the job. She founded Hope Street Kids, an organization dedicated to raising funds for cancer research, became chairwoman of the House Cancer Caucus, and ran unopposed for the vice chair position last year.

"It wasn't an easy decision to make," she recalls. "Part of a way to ease my grief was to throw myself into my work. It actually helped me to concentrate on my job and what I could do to help our party."

During weekly leadership meetings, Pryce said, she and fellow centrist Rep. Tom Davis (Va.), the chairman of the National Republican Congressional Committee, are usually the only dissenting voices when the group is devising the weekly game plan.

"I look around the room and see the staff sort of sympathizing with me because they know I'm swimming upstream," she said.

Back in June, Majority Whip Tom DeLay (R-Texas) and GOP Conference Chairman J.C. Watts (Okla.) wanted to make the education bill more attractive to conservatives, who had griped about being sidelined during most of the negotiations.

Republican leaders decided to add two amendments: one that would cut off federal education funds to any school that prevented groups such as the Boy Scouts of America from using its facilities on the grounds that it excludes homosexuals or atheists and another that would bar the distribution of certain oral contraceptives in schools.

The additions had moderates fuming. Pryce told the leadership that they could stomach one, but not both, and so the leadership decided to drop the second amendment to ban contraceptives.

"Because I'm also a [member of the] deputy Whip [team]," she explained. "I can just go to Tom [DeLay] and say, 'Take off your conservative hat and put on your Whip hat. We've got to pass this. It's in major trouble. What do you think?'"

However, more often than not, it's a delicate line to walk. Pryce also serves on the House Rules Committee, the panel closely aligned with leadership, which is dedicated to crafting the way bills are presented on the floor for a vote. Since the committee decides the best strategy for bringing up a bill to benefit the goals of leadership, she often finds herself at odds with her centrist philosophical brethren.

"I think that everybody needs to know where the cards are and what they are," she said. "I just rely on my own intuition. If it looks like [a part of a bill] is going to cause trouble, I run it through the traps and see - not trying to stir it up - just trying to quietly take people's temperatures."

Pryce was right in the middle of the battle royale that developed with moderates on campaign finance reform in early July. But this time, she sided with the leadership. Her loyalty, she said, was determined by what transpired behind closed doors when the Rules Committee was deciding what to do about some late changes its chief author, Rep. Christopher Shays (R-Conn.), wanted to make to the bill.

Shays was working with Minority Leader Richard Gephardt (D-Mo.) and reform champion Sen. John McCain (R-Ariz.) to create a manager's amendment that would make the bill almost identical to the version passed by the Senate. If approved, the changes would preclude the need for a Conference report, and the bill would be sent directly to President Bush, who had indicated he would sign it.

GOP leaders, and other opponents who had long opposed the bill's soft-money ban and other provisions, decided to break up the proposed manager's amendment into 14 separate items that each required a vote - a move Shays and his supporters bitterly argued was a poison pill designed to kill the bill.

Eighteen pro-reform Republicans, most of them moderates, joined Democrats to vote down the rule in a direct affront to the GOP leadership.

Afterward Shays squawked that he felt like he had been "screwed" by the leadership. But he received no sympathy from Pryce, who said during Rules Committee testimony that Shays left the decision about how to proceed on the manager's amendment up to the panel.

"It was my question," she recalled. "I asked him whether he cared if it were divided up, and he said, 'No, you decide.' So for Chris to complain that he was treated unfairly is just really unfortunate."

Pryce tried to reach out to other moderates in defense of the leadership's position. She even showed many of them the transcript of Shays' testimony, but most remained unmoved by her arguments.

"They weren't coming to me," she said. "They were kind of bypassing me. I think they felt like I wasn't sticking up for them because I was right there, trying to make it fair."

Pryce said she was successful in persuading some of her fellow moderates, such as Rep. James Greenwood (R-Pa.) not to vote against the rule.

"But some other guys were just so, 'We're on Chris's side,'" she added. "Whatever."

The firestorm over campaign finance reform quickly dissipated, Pryce contends, as the House took up the energy and patients' rights bills, both issues that ignited strong feelings among a number of moderates.

"I think people have pretty much put it behind them, except for Chris," she said. "Very honestly, I think there were many people that were just as happy that it didn't even come up. And there were probably some votes against it that nobody would admit to."

Although Pryce has supported campaign finance bills in the past, she did not support the updated version, since she did not like the way Shays and others handled it this time around and because she said the issue is not one of the top priorities of her constituents.

As a member of the leadership team, she is also discouraging moderates from signing the discharge petition Shays is circulating to force the bill onto the floor. If the effort fails to produce enough signatures, Pryce is doubtful the measure will come up again this Congress.

"I don't know if the Speaker, out of the goodness of his heart, will bring this upon himself again," she said.

Despite the passionate debate the issue inspired among GOP moderates, Pryce quickly returned to the negotiating table on behalf of her centrist friends when GOP leaders abruptly decided to take up a bill banning cloning before moving on to the energy and patients' rights bills prior to the recess.

In the moderates' view, the entire Conference had been ambushed by a vote on a complicated scientific issue they said should not be boiled down to an argument about whether Members supported or opposed abortion rights.

This time GOP leaders listened to her side of the argument, but ultimately decided to schedule the vote as originally planned.

"I just have to bring the message, and whether they abide by it or even hear, it is secondary," she said. "I have to tell them what the moderates are thinking because we in leadership don't want rules to go down, and I don't want rules to go down."

As one of only 17 women in the House GOP caucus, Pryce also believes it is her duty to combat the predominant image of Republicans as "the party of older, balding white males."

Pryce is just one of two women currently serving as elected GOP leaders; the other is Conference Secretary Barbara Cubin (Wyo.). Pryce was first elected GOP Conference secretary in 1997 when then Vice Chairwoman Susan Molinari (N.Y.) left Congress and Rep. Jennifer Dunn (Wash.), the existing secretary, moved up to fill the vacancy. Dunn gave up her position as vice chair for an unsuccessful campaign for Majority Leader, and Rep. Tillie Fowler (Fla.) won the vice chairmanship race. When Fowler announced she was leaving Congress last year, Pryce stepped into the position without opposition.

For now, Pryce is content to maintain her seat at the table, but she isn't opposed to moving up the leadership ladder if a seat becomes vacant.

"I don't want to take on something that I don't think I'm capable of or fit for," she said with trademark humility. "But if an opportunity comes up, I'll consider it. It will depend on who comes back after the next election and what they want to do."

Pryce also has founded the only House GOP leadership political action committee solely devoted to recruiting and electing female candidates. Dubbed Values in Electing Women, or VIEWPAC, the committee raised \$110,000 and supported two-dozen candidates last cycle - pocket change next to the millions that EMILY's List raked in last cycle. But Pryce pointed out that the PAC has no political litmus test.

"As long as they're Republican and they have any kind of a shot, we'll help them," she said.

In addition to giving to female candidates, VIEWPAC also strives to raise a majority of its money from women.

Pryce collected some \$30,000 this year from a "spa day" hosted by DeLay Chief of Staff Susan Hirschmann. Some 20 women showed up for an afternoon of massages, facials, pedicures, manicures and champagne cocktails.

"The guys have golf and shoot skeet, but we're looking for ways we can get together and network too," she said.

LOAD-DATE: September 10, 2001



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May 29, 2000, Monday

SECTION: NEWS, Pg. 1D

LENGTH: 869 words

HEADLINE: KASICH LAYING FOUNDATION FOR FUTURE

BYLINE: Roger K. Lowe, Dispatch Washington Bureau Chief

DATELINE: WASHINGTON -

BODY:

Rep. John R. Kasich is leaving Congress at the end of the year, but the Westerville Republican has formed a political-action committee that will keep his political hopes alive.

"People know that I have a future, and that I'm not finished with public life if I choose not to be finished," Kasich said. "It's my way of continuing to be in public service without holding public office."

Kasich has commitments for \$ 300,000 in donations for the New Century Project and is starting to receive contributions. He hopes to raise \$ 500,000 within the next year.

The House Budget Committee chairman sought the Republican presidential nomination last year, but he dropped out of the race in July and simultaneously announced that he would retire from Congress at the end of this term. Kasich said at the time that his dream of being president was not over, only delayed.

Kasich has not determined what he will do after he leaves Congress, but he has looked at options including television and business.

The political-action committee is a way for Kasich to stay active politically once he leaves the House after 18 years in office.

"I intend to stay involved in the public debate," Kasich said. "And in order to do that, frankly, you have to have some resources; you have to have some staff; and you have to build an organization."

Further evidence that the committee is designed to continue Kasich's political legacy is that little money will be donated this year; most of the contributions will be made in the 2001-2002 state and local elections in Ohio and other states.

"We're really not interested in people who come to Congress; we're really interested in supporting people at the state and local level," Kasich said, explaining that it is important to help candidates early in their political careers.

"If you get involved early, that's when people appreciate it and remember it the most," he said. "I remember people who helped me in 1977 (when he was undertaking a long-shot bid for the Ohio Senate) probably more than people who helped me in 1997."

Kasich said supporters in key states will coordinate his political activities and identify candidates for the political committee to support.

He said he wants to support candidates who believe in four principles that Kasich said will give more power to individuals, limit government and promote a free-market system. Kasich said he wants to help candidates who support school-choice programs, legal reform with limits on punitive damages, elimination of the estate tax and a ban on taxation of Internet commerce.

Kasich said candidates who agree with those four ideas -- most of which are contentious -- would have the overall character and leadership qualities he wants to support.

"You're talking about somebody who's going to have real guts in public life," Kasich said. "I'm really tired of people who put their finger into the wind."

Giving campaign donations to like-minded candidates also could boost Kasich later.

"It will allow me to build a network of people around the country who I will have a relationship with and who are potential supporters for me in the future," he said.

The New Century Project is incorporated in Virginia so it may take donations from corporations. Money from those donations can only be used in states and races where corporate contributions are legal.

Kasich also acknowledged that donations might not be limited to Republicans if some Democratic candidates support his agenda and ideas.

Kasich's presidential campaign committee, Kasich 2000, is still in operation and will pay for many of Kasich's political travels this year. Kasich 2000 had \$ 936,547 on hand at the end of March, according to the committee's latest Federal Election Commission report.

The New Century Project is the fifth political-action committee set up by Ohio Republicans in Congress. The other four are directed more at electing GOP congressional candidates.

They include:

- \* Pioneer PAC, which was founded by Kasich to lay the groundwork for his presidential bid. Pioneer PAC was taken over by Rep. David L. Hobson, R- Springfield, when Kasich filed for president. Pioneer PAC had \$ 101,840 on hand at the end of March and has raised and spent about \$ 41,000 this year.

- \* New American Century PAC, which was founded by Rep. Deborah Pryce of Perry Township, one of the top-ranking leaders in the Republican conference in the House. The committee has raised \$ 15,000 this year and given out \$ 25, 000 mostly in political donations, with \$ 12,000 left at the end of March. (The committee had nearly \$ 22,000 in the bank at the beginning of the year.)

- \* Leadership 2000 PAC, which was founded by Rep. Michael G. Oxley of Findlay, who is trying to win support among Republicans to become the next chairman of the House Commerce Committee. The committee has raised \$ 135,640 this year, spent \$ 102,033 and had \$ 161,456 on hand at the end of March.

- \* Freedom Project, founded by Rep. John A. Boehner of West Chester, who was the fourth-ranking GOP leader in 1995-98. The PAC has raised \$ 116,615 this year and spent \$ 151,150 on donations and other activities, with \$ 71,976 still on hand.

GRAPHIC: Phot, Rep. John R. Kasich says his committee will lend financial support to like-minded candidates

LOAD-DATE: May 29, 2000

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Roll Call

August 2, 2001

LENGTH: 1121 words

HEADLINE: Blunt, Reynolds Pace Leaders' Fundraising

BYLINE: By Susan Crabtree and John Bresnahan

BODY:

Bolstering their standing as top candidates for future GOP leadership posts, Reps. Tom Reynolds (N.Y.) and Roy Blunt (Mo.) each raised nearly \$900,000 in the first six months of 2001, according to FEC documents and personal campaign data.

In just six months, Reynolds has amassed a total of \$888,392 in hard and soft money, including the federal and non-federal divisions of his leadership political action committee, Together for Our Majority, as well as his personal campaign committee.

Although the two-term Republican just formed TOMPAC at the beginning of this year, he raked in a total of \$273,000 in hard money from the federal side of the committee and \$292,000 in soft money from the state committee. He also netted \$323,392 in hard money from his personal campaign committee.

The most current numbers cement his reputation as one of the top Republican fundraisers in the House. While still a freshman, Reynolds led the \$21 million Battleground 2000 effort to maintain the majority in the last election cycle. He currently serves as chairman of the NRCC's executive committee and is considered the favored candidate to succeed current NRCC Chairman Tom Davis (Va.).

Although Reynolds will not discuss whether he is running for the top spot at the NRCC, spokesman Mike Brady said his boss deeply appreciates the opportunity that Speaker Dennis Hastert (R-Ill.) and Davis "have given him as chairman of the executive committee at the NRCC."

Among the GOP leadership's top-tier lieutenants, Blunt came in a close second to Reynolds, raising a total of \$875,687 for his federal and state leadership PAC, as well as his personal campaign committee.

So far this cycle, Blunt generated a total of \$456,739 in his campaign committee, supplementing that with \$134,699 from the federal side of the leadership PAC, and \$284,425 from the state side of the committee.

In his three terms in Congress, Blunt has also been considered a prodigious fundraiser. Blunt credits his success to maintaining a full-time political operation and only giving to the candidates who need the money.

"I haven't given to any candidate who didn't have a contest," he said.

Blunt, who is considered a competitive candidate for any leadership vacancy in the next Congress, also has a healthy reserve left over from the last cycle. In his personal campaign committee alone, the Missouri Republican maintains a balance of \$987,739.

Rep. Rob Portman (R-Ohio), another serious contender for a top leadership post, has a total of \$726,658 on reserve in his personal campaign committee. He currently serves as chairman of the GOP leadership.

Portman does not have a leadership committee and does not accept PAC money so it's difficult to compare his fundraising abilities to others. Portman raised just \$90,271 in his personal campaign committee this cycle. He also served as the chairman of the House and Senate dinner last year and is credited with raising some \$3 million for the party last cycle.

This year Portman was not the chairman of what is now called the President's Dinner, but he is still credited with raising some \$650,000 for the event.

Rep. Jim McCrery (R-La.), who has served as director of incumbent retention for the NRCC for the third year in a row, has also reaped a serious windfall. In the first six months of the year, McCrery raised a total of \$600,831 - almost evenly split between his personal campaign committee and his leadership PAC.

A number of years ago, McCrery was vying for the top job at the NRCC, but the father of two young children is reportedly no longer interested in all of the travel that goes along with it. Still, McCrery's ability to collect cash for the party may set him in good stead for a leadership position.

The eight-term Republican is also close to Ways and Means Chairman Bill Thomas (R-Calif.), who helped him win a plum spot atop the panel's subcommittee on select revenue measures.

Richard Hunt, former chief of staff to McCrery who now works at the Securities Industry Association, credits the Ways and Means post with the recent windfall. Last cycle, Hunt said his former boss doled out a total of \$400,000 to candidates and has given a total of \$45,000 in early money this year.

Rep. Jerry Weller (R-Ill.), who has his eye on the NRCC chairmanship, collected receipts totaling \$438,383 so far this cycle in both his campaign committee and leadership PAC. Weller raised the majority of his money for his personal campaign committee - a total of \$380,875. He also took in \$49,000 from the federal side and \$8,000 from the state side of his leadership PAC.

Among elected members of the House GOP leadership, Majority Whip Tom DeLay (Texas) continued to flex his financial muscle, despite owing hundreds of thousands of dollars in legal fees as a result of a racketeering lawsuit filed by the Democrats last year. Although the suit was dropped earlier this year, the Texas Republican has found himself in debt to a tune of more than \$520,000.

Figures for all of the GOP leaders who have state soft money PACs were not available. But just considering federal leadership PACs and personal campaign committees, DeLay lead the pack in mining cash.

DeLay's re-election campaign raised \$244,837 by June 30. His leadership PAC took in \$717,938 through the end of June. Overall, DeLay raised \$962,775, although heavy spending by the PAC actually left it in debt.

Hastert raised \$388,611 for his leadership PAC. Hastert's campaign took in just more than \$255,410 during the same period, giving him a total of \$644,021.

Hastert took part in dozens of fundraisers for Members last cycle, preferring that method to donating to their campaigns, and plans to do the same this cycle.

Majority Leader Dick Armey (R-Texas) raised \$776,193 overall. His PAC, the Majority Leader's Fund, raised \$491,804 over the first half of the year, while his campaign committee generated another \$284,389.

GOP Conference Chairman J.C. Watts (Okla.) raised \$242,148 for his American Renewal PAC, while his re-election campaign netted another \$262,748, giving him a total of \$504,896.

Rep. Deborah Pryce (Ohio), vice chairwoman of the Republican Conference, raised \$257,892 for her re-election, and Pryce's Next American Century PAC took in another \$25,850. Overall, Pryce raised \$283,742.

In addition to the money he has raised directly for the NRCC, Davis raised \$387,009 in his bid for a fifth term, while his leadership PAC, the Federal Victory Fund, raised another \$69,750, giving Davis a total of \$456,759 so far this cycle.

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Political Finance, The Newsletter

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HEADLINE: FEC opens rulemaking that could lead to regulations of 'leadership PACs'

BODY:

By unanimous vote earlier this month, the Federal Election Commission's politically-appointed members voted to take the first step in a rulemaking process that could eventually impose special rules for PACs that operate for the benefit of federal officeholders.

The 6-0 vote authorized publication in the Federal Register of a document that outlines the legal framework for treating so-called "leadership PACs" as affiliates of campaign committees that raise and spend funds for the same officeholders.

The notice, which was published on December 26, sets a January 31 deadline for receiving public comment on several regulatory schemes, as well as advice for resolving questions that would result from affiliations between unauthorized political committees and authorized campaign committees.

If promulgated, an outcome given little chance, the proposed regulations would reverse longstanding FEC interpretive rulings and enforcement actions that have effectively encouraged lawmakers to maximize their fundraising skills by setting up their own PACs.

At its heart, the proposed regulation would treat "leadership PACs" and campaign committees as a single entity, thus requiring them to share a common contribution limit. But, among questions posed in the Federal Register notice: Should the regulation adopt the \$5,000 per calendar year limit on contributions to PACs, or the \$2,000 per election limit on individual contributions to campaign committees?

The difference between PAC and campaign contributions makes "leadership PACs" attractive. Over a six-year Senate term, a senator's PAC can collect as much as \$30,000 from a single donor. But that same donor can contribute no more than \$2,000 to the same senator's primary election and \$2,000 to the general election.

Also, fundraising by campaign committees has always been restricted to the FEC's "hard money" requirements. "Leadership PACs," on the other hand, can accept "soft money" funds if kept in a separate account and used only for activities that do not have a federal election-related purpose.

The regulations proposed by the FEC will have their greatest impact on Capitol Hill, where, during the just-ending 2001-02 election cycle, at least 160 lawmakers were associated with "leadership PACs."

According to their pre-election disclosures to the FEC, those PACs raised \$71 million in "hard money" funds and \$24 million--approximately one-third of the total haul--was redistributed as contributions to congressional candidates. In addition, 36 of those PACs reported to the IRS that they raised \$36.5 million in "soft money" to support non-federal activity.

Not since 1975 and 1976, when the fledgling FEC sought three times without success to expand its disclosure requirements to so-called "office accounts" has the agency so directly confronted Capitol Hill lawmakers.

Congress rebuffed the FEC's efforts, even in the face of a scandal that erupted when a congressman admitted that he deposited a \$4,000 gift from South Korean businessman Tongsun Park in his "office account" because it would have been illegal to accept a campaign contribution from a foreign national.

But an FEC that sought in 1975 and 1976 to plug the "office account loophole" adopted a completely different viewpoint by 1978 when it adopted an advisory opinion that has become the "Magna Carta" for "leadership PACs."

The opinion concluded there could be no affiliation between a PAC and a campaign committee, and that the federal election law posed no obstacle to a lawmaker who wanted both.

"The regulations of the Commission describe an authorized committee as 'a political committee which is empowered in writing by a candidate to solicit or receive contributions or make expenditures on behalf of the candidate,' the FEC said in its opinion (AO 1978-12). Thus, as long as no written authorization was provided for its creation, a PAC established for the benefit of Rep. Henry Waxman (D-Calif.) could not be affiliated with Waxman's campaign committee.

The FEC applied the 1978 opinion's conclusions in subsequent enforcement cases and interpretive rulings. The FEC cited the opinion to dismiss a complaint that alleged an affiliation between a PAC and a campaign committee existed because the PAC's treasurer was the officeholder's spouse, and the PAC's disclosure report was faxed to the FEC from the lawmaker's Capitol Hill office.

The FEC's present interest in potential affiliation between "leadership PACs" and campaign committees flows from provisions of the Bipartisan Campaign Reform Act, particularly one that prohibits officeholders from soliciting "soft money" contributions.

BCRA's anti-solicitation provision might appear superfluous because the new campaign finance law also prohibits the national political parties and their congressional campaign committees from raising or spending "soft money." But, the provision was meant to restrict fundraising by "leadership PACs," too. The BCRA's fundraising restrictions, the FEC pointed out in its rulemaking notice, applies to political committees that are "directly or indirectly" controlled by officeholders.

Lawmakers can sponsor their own PACs under BCRA. But, activities that previously could be financed with "soft money" will henceforth have to be financed with funds that meet the federal law's source and limitation--but not public disclosure--requirements.

One important issue has already been resolved for "leadership PACs." In an earlier BCRA-related rulemaking, the FEC said the \$5,000 per calendar year contribution limit is applied to a PAC, and not to each of the accounts that a PAC might establish for federal or non-federal activity. In other words, a PAC can accept \$5,000 during a calendar year from a donor and divide the amount between a publicly disclosed federal account and a secret non-federal account.

Beyond the affiliation issue, a major question for regulators is how to define a "leadership PAC."

"Leadership PACs" are known only to the extent they have been identified by news media and campaign finance research groups. Some are unmasked by their acronyms. For example, Rely On Your Beliefs Fund, or ROYB's Fund, is affiliated with Rep. Roy Blunt (R-Mo.), and Promoting Republicans You Can Elect, or PRYCE, is affiliated with Rep. Deborah Pryce (R-Ohio). Other PAC names evoke a lawmaker's regional interest such as Lone Star Fund for Rep. Martin Frost (D-Tex.), Rhode Island PAC for Rep. Patrick Kennedy (D-R.I.), and Prairie PAC for Sen. Richard Durbin (D-Ill.). Others play on the lawmaker's name, such as HillPAC for Sen. Hillary Clinton (D-N.Y.), M-PAC for Sen. Patty Murray (D-Wash.) or KPAC for Sen. Kay Bailey Hutchinson (R-Tex.).

Another indication that a PAC is linked to a lawmaker: "leadership PACs" are likely to attract contributions from PACs that are sponsored by corporations, labor and trade groups.

But there very probably is an unknown number of "leadership PACs" --known only to their own tight circle of contributors--that escape detection by adopting nondescript names and avoiding telltale contributions. And their "soft money" disclosures to the IRS would not be easily revealed if those PACs used unrelated committee names.

The FEC's rulemaking notice proposes two sets of criteria for determining affiliation.

Under one alternative, affiliation with a campaign committee would exist if an officeholder or agent is authorized to sign a PAC's checks, or can authorize an expenditure of a PAC's funds; or is clearly identified in the PAC's letterhead or literature; or if members of an officeholder's campaign staff, office staff, or family members has authority to "approve, alter or veto" the PAC's solicitations or disbursements; or if the PAC spends \$10,000 or more during a calendar year to reimburse the officeholder or staff members for travel expenses.

Under another alternative, other factors could be used to establish affiliation, such as: exchanges of contributor or voter lists between a PAC and a campaign committee; PAC payments for travel outside an officeholder's homestate; and the sharing of office space, staff and equipment by a PAC and a campaign committee.

The regulatory notice includes a third alternative that would withhold a designation of affiliation between a "leadership PAC" and a campaign committee "unless the leadership PAC undertook activities that would indicate its primary purpose is to influence the nomination or election of the candidate or officeholder involved."

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HEADLINE: OHIO POLITICIANS DISCLOSE CAMPAIGN CASH ON HAND

BYLINE: Compiled Jonathan Riskind., Dispatch Washington Bureau Chief

BODY:

Sen. George V. Voinovich doesn't have to run for a second term until 2004, but he's already flush with campaign cash.

The Ohio Republican had \$1.87 million as of Dec. 31, according to the year-end report Voinovich filed with the Federal Election Commission.

The prospect of running for re-election is further off for Sen. Mike DeWine, R-Ohio, who just won a second term in 2000. DeWine had \$614,850 on hand at the end of the year, according to his report. He also has about \$90,000 in a so-called leadership political action committee called Ohio's Star Seventeen PAC.

DeWine doesn't have to run for a third term until 2006, but there is speculation he will run for governor instead.

Meanwhile, Rep. Ted Strickland, D-Lucasville, has plenty of cash on hand to run in his newly configured district. Strickland's district currently stretches across southern Ohio, but redistricting created a new district that runs north and south along much of the eastern edge of the state. He reported having \$577,611 at the end of the year.

Freshman Rep. Pat Tiberi, R-Columbus, whose district was mostly untouched by redistricting, reported having \$443,905 as of Dec. 31.

Longtime Reps. Deborah Pryce, R-Perry Township, and David L. Hobson, R-Springfield, also aren't expected to be affected much by redistricting, although a small slice of Hobson's district would lie in Franklin County along with the much larger Franklin County parcels held by Pryce and Tiberi.

Pryce had \$637,575 at the end of the year, as well as about \$90,700 in a leadership political action committee called the Promoting Republicans You Can Elect Project. Hobson had \$240,585 as of Dec. 31.

Ney conspicuous in absence

from State of the Union speech

Rep. Bob Ney, R-St. Clairsville, gained some notoriety last week in relation to President Bush's State of the Union address -- and the attention wasn't because of anything Ney said in reaction to the speech.

During the president's address, which focused on the continuing war on terrorism and battling the recession, Ney was seen Tuesday night in a popular Capitol Hill bar called the Dubliner.

A source telephoned The Dispatch about Ney's whereabouts, but the information also wound up in a more prominent inside-the-Beltway outlet. Roll Call newspaper, a must read for the Capitol Hill crowd, printed an item Thursday.

Neil Volz, Ney's chief of staff, said the congressman had to pick up a friend arriving from out of town that night at the Union Station train terminal and didn't want to walk out of the House chamber in the middle of the speech. The bar is near Union Station.

New poison-control hot line



links centers with one number

A toll-free national poison-control hot line was launched last week providing access to all of the country's 65 poison-control centers with one phone call, said Sen. Mike DeWine, R-Ohio.

DeWine was the author of the Poison Control Enhancement and Awareness Act, signed into law Feb. 25, 2000, which led to the creation of the national phone line. The 24-hour number is 1-800-222-1222.

Senators endorse nominee

for post of U.S. marshal

A West Chester resident has won the recommendation of Ohio's U.S. senators for the post of U.S. marshal for southern Ohio.

James M. Wahlrab is a senior inspector with the marshal service's judicial security unit, and has worked in various capacities for the service since 1979.

"Jim, a career U.S. Marshal employee, knows the service well," said Sens. Mike DeWine and George V. Voinovich, both Republicans, in a joint statement. "He has the skills and experience that will allow him to be an outstanding U.S. marshal for southern Ohio."

The recommendation means it is virtually certain that President Bush will nominate Wahlrab for the \$109,000-a-year post.

Franklin County Commissioner Dewey Stokes, a Republican, had been the nominee for the marshal's job, but he withdrew Jan. 24.

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Roll Call

October 31, 2002 Thursday

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HEADLINE: Pryce's Adoption Raised in GOP Race

BYLINE: By Susan Crabtree

BODY:

With House Republicans expressing new confidence about their chances of retaining the majority next week and even gaining seats, the leadership race for Conference chairman has taken a decidedly negative turn.

When Reps. J.D. Hayworth (Ariz.) and Deborah Pryce (Ohio) announced their campaigns for the No. 4 GOP leadership post, they pledged to maintain their friendship and wage positive campaigns. Rep. Jim Ryun (Kan.) is also in the race.

But in the past few weeks, Pryce, 50, the current vice chairwoman and perceived frontrunner, has endured attacks on her personal life targeting her decision to adopt a newborn daughter.

There has also been a whisper campaign that a prominent member of the Conference had not intended to sign a "Dear Colleague" letter of support for Pryce that she had circulated before Members went home to campaign.

The member in question, GOP Policy Committee Chairman Christopher Cox (Calif.), said he fully intended to sign the letter and he wholeheartedly supports Pryce's campaign, according to a Cox aide.

Pryce recently acknowledged that some members of the Conference who are supporting Hayworth have approached her recently and criticized her decision to run for the leadership job just months after adopting a baby girl last year. According to GOP sources, they have questioned her ability to devote enough time to the position.

Pryce, a longtime adoption advocate who lost her 9-year-old adopted daughter Caroline to cancer in 1999, said the criticism has surprised her, though she believes it is coming from Members who would not have supported her bid anyway.

"I hear it from some Members - that I shouldn't be running for Conference chair because of my daughter," Pryce said. "What I say to them is, are you saying that you think my [daughter] would be better off if I wouldn't have adopted her than to have me - even though I'm not with her 24 hours a day?"

Hayworth denies fueling the rumors about the Cox signature or criticism about the adoption.

"We would never in a gazillion years do anything like that," said Joe Eule, Hayworth's chief of staff. "I don't think [the adoption is] a concern. Deb wouldn't have put her hat in the ring if she didn't think she could handle the responsibilities."

Right now, Pryce said she travels back and forth from Ohio to Washington with her daughter whenever possible and has hired "wonderful caregivers" in Columbus and Washington to help her.

"Women have a lot going on," she said. "And it doesn't mean that we can't do it. It just means that we have to set our priorities, we have to live our lives to make all the things we have going work. I think [having a child] makes for a better leader, a more well-rounded legislator and more well-grounded individual. Children are a blessing. I hope I'll be a great role model for her."

Eule said Hayworth's three children live in his home district and he has no plans to move them to Washington if elected Conference chairman.

"Because he's a Western Member, he's got to balance that right now," Eule said. "It's hard. But he would never move them to Washington."

#### Track Records

Eule, however, openly took aim at Pryce's leadership record so far and her claims of having the backing of 124 members of the Conference, which now numbers 223. He claimed that some of Hayworth's 80 supporters are also on Pryce's list and said Conference members have been focused on maintaining the majority in the House and have yet to give the leadership elections much thought.

"When people sit down and really give their full attention to this race, they'll see that J.D. is the guy who's really earned it. Can anybody point to one thing [Pryce] has done in that leadership position? We can't think of one thing she's done. She's done a great job with fundraising, but we've also done a great job fundraising without the leadership title."

Pryce cited a string of leadership positions she has held since being elected to Congress in 1992, from president of her freshman class to a member of the National Republican Congressional Committee executive committee when Republicans gained the majority in 1994 to her work as a member of the deputy Whip team.

In the leadership, she said the Speaker has asked her to spearhead several tough policy issues such as tobacco, child care and financial privacy.

"Since her election to Congress her colleagues have trusted her to serve as their voice at the leadership table," said Pryce spokeswoman Jessica Incitto. "The Speaker has recognized her ability to act as a team player and consensus builder."

During her five years in leadership, Pryce has maintained a low profile. But her supporters argue she has provided a much-needed pragmatic voice at the leadership table and is now ready to rise in the ranks and become more visible and vocal.

A former TV sportscaster, Hayworth has been accessible to the press and is a regular on the talk-show circuit. But Hayworth is having problems shaking the reputation he built early in his Congressional career when his enthusiasm and partisan zeal earned him a second-place award as "Biggest Windbag in the House" from Washingtonian magazine in 1996.

"People think that if J.D. is Conference chairman it is somehow going to give him a bigger megaphone," Eule said. "But he's going to be on TV whether he's elected Conference chairman or not."

#### Strategy: Freshmen

Despite Hayworth's conservative credentials, Eule also notes his boss' popularity in the district, which he said before he ran for Congress was majority Democrat and narrowly voted for President Bush in 2000.

"He's done it through proven communication strategies over the years," he said. "Deb and Mr. Ryun are from safe Republican seats. We're not."

This year alone Hayworth has also traveled extensively to support and raise money for dozens of Republican candidates and vulnerable incumbents. Last week he traveled to Colorado to campaign for Rep. Tom Tancredo (R) and GOP candidates Bob Beauprez and Marilyn Musgrave.

Eule acknowledges that part of Hayworth's strategy is to court freshman Members.

"Our strategy is to get as many votes as we can," he said. "We're going after everybody we can."

While Pryce has not traveled for candidates, she has met with 20 candidates in competitive races during their swings through Washington and has lent her name to numerous NRCC and leadership fundraisers benefiting candidates around the country.

"I'm glad [Hayworth] is campaigning for candidates. That's a good thing," she said. "We are all doing that, doing what we can to grow the majority."

In a letter to colleagues, Hayworth said he also raised \$1.6 million for the NRCC through the party committee's Republican Majority Business Council, fulfilled his Battleground commitment for \$100,000 and

distributed more than \$300,000 to vulnerable candidates and incumbents through TEAMPAC, his leadership political action committee.

But according to FEC records as of Oct. 16, TEAMPAC had only doled out \$64,693 to 42 candidates and vulnerable incumbents. Eule acknowledged the letter was in error, explaining that the memo said Hayworth had raised some \$300,000 for candidates at that point. The amount raised, he said, is now closer to \$500,000.

In the last week and a half, Pryce's spokeswoman reports that her boss wrote a \$100,000 check to the NRCC, bringing the total she has given directly to the party committee this cycle to \$350,000. Incitto said Pryce has raised some \$800,000 more for the party committee and that Pryce exceeded her Battleground commitment of \$250,000 by \$100,000.

As of Oct. 16, Pryce's leadership PAC, Promoting Republicans You Can Elect, had handed out \$143,000 to 61 candidates and vulnerable incumbents. Her other leadership PAC, Value In Electing Women, gave \$100,000 to 24 female candidates and vulnerable incumbents, and her personal Congressional committee has disbursed \$28,000 to 28 candidates and vulnerable incumbents.

In mid-October Pryce also sent 50 freshman orientation books to GOP candidates in competitive races. Titled "Setting a Course," the book provides freshman Members guidance on such Capitol Hill basics as hiring a staff and developing a constituent mail service.

#### Ryun Fundraising

Ryun, the only other candidate in the race, has managed to stay out of the fray, although he was the beneficiary of Republican Study Committee Chairman John Shadegg's support, which could help shift a number of conservative Republican votes his way.

Shadegg and Hayworth have a longstanding rivalry that dates to their competition for a seat on the Ways and Means Committee when both were elected in 1994. Hayworth won the seat but Shadegg went on to become RSC chairman, with an immediate following of some 70 conservative members of the Conference. In fact, Shadegg returned a \$1,000 check from Hayworth's PAC earlier this year.

"We thought it could be better spent in a more competitive race," said Shadegg spokesman John Pappas.

Shadegg, however, accepted \$500 checks from Rules Chairman David Dreier (R-Calif.) and former Rep. Steve Largent (R-Okla.), who is running for Oklahoma governor.

As of Oct. 16, Ryun had given \$45,000 to the NRCC and \$12,000 to 13 candidates and vulnerable incumbents from his personal campaign committee. Since then, his spokesman, Jay Rinehart, said he has also given funds to three candidates and GOP incumbents in Kansas from his PAC, the World Record Fund.

In a letter to colleagues in early September Ryun said he also raised more than \$3 million for the NRCC this year through the sale of "America Strong," a book he wrote about the president's agenda.

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