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OFFICE OF GENERAL  
COUNSEL

115 W Washington St  
Suite 1165S  
Indianapolis, IN  
January 30, 2012

Anthony Herman, General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

MUR # 6530

Dear Mr. Herman:

I believe that the "Indiana Values" SuperPAC, established to support the re-election of Senator Richard Lugar, has violated federal rules with respect to public disclosure and accurate reporting of independent expenditures.

On Friday, January 29 the Fort Wayne Journal-Gazette reported that the "Indiana Values" SuperPAC had commissioned a poll of Indiana voters that was conducted from December 13-15, 2011 (attached as exhibit 1). Line 2 of FEC Form 1 (attached as exhibit 2) is supposed to identify the date the PAC formed, and the Form 1 must be filed within 10 days of this date. The Form 1 for "Indiana Values" indicates the formation of the committee on 12/21, which would represent a knowingly false statement as indicated by the expenditures in the Journal-Gazette article.

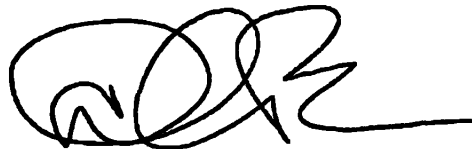
If "Indiana Values" had formed on 12/21/2011, their Form 1 would have been due by 12/31/2011; instead, they filed it five days late. Additionally, if the committee was formed on or before 12/31/2011, they would have had to file a year-end report reporting their contributions and disbursements through 12/31/2011. The fact that they filed their Form 1 late suggests that they did this to avoid filing a year-end report, in order to frustrate public disclosure.

Furthermore, at no time did "Indiana Values" file a 48-hour Independent Expenditure notice disclosing their activity from 12/13-15, and no other entity reports an expenditure that could represent this action. Polling in Indiana requires compliance with anti-automated call laws, and ensures that the cost of a 500 voter poll met the threshold to trigger filing a 48 hour report.

Considering this information, I would like to request that the FEC open an investigation into the funding of the "Indiana Values" SuperPAC at once. The President of the "Indiana Values" SuperPAC is Charles "Chip" Andreae, a former Chief of Staff to Senator Lugar who is presently employed as a lobbyist and has maintained foreign entities as clients including Dubai Ports World, Fanalca SA, and a Beirut-based businessman, raising further questions about why the "Indiana Values" SuperPAC would work to frustrate public disclosure.

Sincerely,

12044322818



Daniel J. Parker  
Complainant

Signed and sworn before me on January 31, 2012

X   
Notary Public

GREEN GORHAM  
DEION NUMBER 500000  
EXPIRES 10/5/2012  
FREDRICKS COUNTY  
*State of Florida*

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# EXHIBIT 1

12044322820

The Journal Gazette, 600 W. Main St., Fort Wayne IN

42°

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## POLITICAL NOTEBOOK: THE BLOG

Last updated: January 28, 2012 2:34 p.m.

### Lugar foes doubt poll process, results

Brian Francisco | Washington editor

A super PAC supporting Sen. Richard Lugar, R-Ind., has released the results of a poll indicating his

#### Political Notebook - The blog

- Lugar far outpacing Mourdock in donations, cash  
Sen. Richard Lugar, R-Ind., continues to build up his campaign coffers for the May 8 primary election, almost doubling his GOP challenger's fundraising total in the fourth quarter of 2011. Monday
- Lugar, Coats still gushing for pipeline  
Forty-three Republican senators, including Richard

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Republican primary-election challenger would have only a 50-50 chance of winning the general election.

Indiana Values SuperPAC said Thursday that a survey taken of 500 registered voters shows Lugar was favored by 58 percent of respondents in a contest against the presumptive Democratic candidate, Rep. Joe Donnelly, D-2nd. Donnelly was favored by 32 percent, and 10 percent of respondents were undecided.

The poll shows a tie - at 42 percent each, with 16 percent undecided - if Donnelly faces state Treasurer Richard Mourdock, who is running against Lugar in the Republican primary.

The statewide poll was conducted Dec. 13 to 15 by Public Opinion Strategies, a Republican polling firm based in Alexandria, Va. The survey has a margin of error of 4.38 percent, according to Indiana Values SuperPAC of Washington, D.C.

"We say, look, if Sen. Lugar is the (Republican) candidate, he wins walking away" against Donnelly, said Andy Klingenstein, treasurer of the political action committee and a Lugar aide in the early 1990s. "If, on the other hand, Mourdock squeaks by in the primary, it's messy. It's going to be a battle. We're not saying he definitely won't win, but it's messy."

Murdock spokesman Christopher Connor and Ben Ray, press secretary for the Indiana Democratic Party, each said the survey was likely a biased "push poll" in which respondents are asked questions designed to elicit certain answers.

The poll "reeks of desperation by his campaign," Connor said about Lugar, a senator since 1977.

Ray said: "In our own (polling) numbers ... Sen. Lugar is stuck in the mid-40s, and he's unable to get out. The thought that he is at 58 (percent) in the general election, without leading voters up before asking that question, is a fallacy to me."

Ray wondered how Indiana Values SuperPAC, which filed a statement of organization Jan. 5 with the Federal Election Commission, could have paid for a poll that was taken in December.

"We incorporated in December," Klingenstein said. "We were in place before the survey."

The statement of organization carries a Dec. 21 date, which is later than the poll.

Super PACs are allowed to raise and spend unlimited sums of money, given anonymously, to elect or defeat candidates. By law, the

Lugar and Dan Coats of Indiana, announced Monday they will try to invoke the U.S. Constitution in an effort to get the Keystone XL oil pipeline built Monday.

Daniels scolds Obama's energy policies  
Gov. Mitch Daniels chided President Obama for imposing energy standards on light bulbs in Tuesday's State of the Union speech. Daniels should have been pointing his finger at his former boss, President George W. Sunday.

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Concent	26.38	0.00
GE	18.90	0.00
ITT Exelis	8.81	0.00
LNC	21.41	0.00
Navistar	43.50	0.00

organizations must operate independently of candidates and cannot coordinate with candidate campaigns.

Mourdock has been endorsed by several conservative tea party organizations. But the Indiana Values SuperPAC poll indicates that the same number of people – 72 percent – who call themselves tea party supporters would vote for either Mourdock or Lugar in the general election.

"I do not believe the tea party people who would be voting for us in the primary would turn around and vote for Dick Lugar in the general election," Conner said.

The poll shows Lugar attracts 57 percent of independent voters in a race with Donnelly, while Mourdock draws 32 percent against the Democrat. And Lugar receives 21 percent of Democratic voters, compared with Mourdock's 5 percent. Donnelly gets 71 percent and 82 percent, respectively.

"To me, the numbers say Sen. Lugar has strong support everywhere," Klingenstein said. "In the general election, he's the overwhelming favorite."

Lugar received a 55 percent favorability rating from voters, compared with Donnelly's 13 percent and Mourdock's 10 percent. But Lugar also had the highest unfavorable response, 21 percent, followed by Mourdock's 19 percent and Donnelly's 10 percent.

Ray questioned why the super PAC did not commission a poll of the two faces in the GOP primary election, then answered his own question: Lugar "is in deep, deep trouble in his primary," Ray said.

Klingenstein said: "We're going out to raise money, and we wanted a vehicle to see how (Lugar and Mourdock) did head-to-head with Donnelly, and it shows Lugar does much better. That was an important finding for us."

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# EXHIBIT 2

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2012 JAN 10 AM 8:54

FEC MAIL CENTER

Committee Name:

Indiana Values SuperPAC, Inc.

If registered, FEC ID:

Today's Date:

01-05-2012

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

Re: Form 1, Statement of Organization—Unlimited Contributions

To Whom It May Concern:

This committee intends to make independent expenditures, and consistent with the U.S. Court of Appeals for the District of Columbia Circuit decision in *SpeechNow v. FEC*, it therefore intends to raise funds in unlimited amounts. This committee will not use these funds to make contributions, whether direct, in-kind, or via coordinated communications, to federal candidates or committees.

Respectfully submitted,



Treasurer's Name:

Andrew Klingenstein

Treasurer

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<b>FEC FORM 1</b>	<b>STATEMENT OF ORGANIZATION</b>	<b>2012 JAN 10 AM 8:54</b> <b>FEC MAIL CENTER</b> <small>Office Use Only</small>
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1. NAME OF COMMITTEE (in full) ☐ (Check if name is changed) Example: If typing, type over the lines. 12P24X5

Indiana Values SuperPAC, Inc.

ADDRESS (number and street) 1823 23rd Street NW

☐ (Check if address is changed) Washington DC 20008

CITY STATE ZIP CODE

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

☐ (Check if address is changed) ajklingsenstein@gmail.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐ (Check if address is changed) N/A

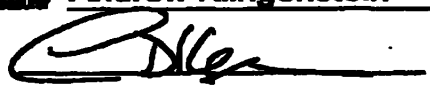
2. DATE 12 ' 21 ' 2011'

3. FEC IDENTIFICATION NUMBER C

4. IS THIS STATEMENT ☒ NEW (N) OR ☐ AMENDED (A)

I certify that I have prepared this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Andrew Klingenstein

Signature of Treasurer  Date 01 ' 05 ' 2012'

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only					For further information contact Federal Election Commission Toll Free 800-451-8500 Local 202-456-1100	<b>FEC FORM 1</b> (revised 09/2008)
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## 5. TYPE OF COMMITTEE

## Candidate Committee:

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Candidate  
Party AffiliationOffice  
Sought:

House

Senate

President

State

District

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

## Party Committee:

- (a) This committee is a \_\_\_\_\_ (National, State or subordinate) committee of the \_\_\_\_\_ (Democratic, Republican, etc.) Party.

## Political Action Committee (PAC):

- (a) This committee is a separate segregated fund. (Identify connected organization on line 6.) Is connected organization is a

Corporation

Corporation with Capital Stock

Labor Organization

Membership Organization

Trade Association

Cooperative

In addition, this committee is a Lobbyist/Registered PAC.

- (b) ☒ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)

☐

In addition, this committee is a Lobbyist/Registered PAC.

☐

In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

## Joint Fundraising Representative:

- (a) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (b) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

## Committees Participating in Joint Fundraiser

1.  FEC ID number C2.  FEC ID number C3.  FEC ID number C4.  FEC ID number C

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Write or Type Committee Name

**Indiana Values SuperPAC, Inc.**

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

**N/A**

Mailing Address

**N/A**

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number - optional) and position of the person in possession of committee books and records.

Full Name

**Andrew Klingenstein**

Mailing Address

**1823 23rd Street NW****Washington****DC****20008**

Title or Position

CITY

STATE

ZIP CODE

**Secretary/Treasurer**

Telephone number

**202 - 506 - 1493**

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name  
of Treasurer**Andrew Klingenstein**

Mailing Address

**1823 23rd Street NW****Washington****DC****20008**

Title or Position

CITY

STATE

ZIP CODE

**Secretary/Treasurer**

Telephone number

**202 - 506 - 1493**

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Full Name of  
Designated  
Agent

Chip Andrae

Mailing Address

555 12th Street NW, Suite 770

Washington

CITY

DC

STATE

20004

ZIP CODE

Title or Position

President/Assistant Treasurer

Telephone number

202-697-5050

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

PNC Bank

Mailing Address

1913 Massachusetts Avenue NW

1913 Massachusetts Avenue NW

Washington

CITY

DC

STATE

20036

ZIP CODE

Name of Bank, Depository, etc.

N/A

Mailing Address

N/A

N/A

CITY


STATE

ZIP CODE

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