

OFFICE OF  
GENERAL COUNSEL

To:

The Office of General Counsel

2018 OCT 15 PM 1:48

Federal Election Commission  
1050 First Street, NE  
Washington, DC 20463

From:

Ebert Beeman for Congress

MUR # 7514

Erie, PA, 16510

We would like to bring to your attention a violation of the Bipartisan Campaign Reform Act of 2002 by WJET/Nextstar Media (8455 Peach Street, Erie, PA, 16509), referred here after as Jet, the Manufacturer & Business Association of Erie Pennsylvania (2171 W 38th St, Erie, PA 16508), referred here after as the MBA, WQLN-TV (8425 Peach St, Erie, PA 16509) referred here after as WQLN, Mercyhurst University (501 E 38th St, Erie, PA 16546), referred here after as Mercyhurst, the Mike Kelly for Congress Campaign (PO Box 476. Lyndora, PA 16045), referred here after as Kelly and the Ron DiNicola for Congress campaign (1001 State St., Suite 1400, Erie, PA 16501), referred to here after as DiNicola.

On October 8, 2018 a debate was held for the candidates for the 16<sup>th</sup> Congressional District at Mercyhurst in Erie Pennsylvania. The candidates on the ballot for this office are Ebert Beeman, Mike Kelly and Ron DiNicola. Mr. Beeman was excluded from this debate. The Beeman campaign has always been open to any debate, at any time. We agreed to any debate schedule the other campaigns wanted. We have stated this publicly on numerous occasions and we did attempt to negotiate with the sponsors but to no avail.

It is our belief that the Debate Exclusion constitutes an illegal, in-kind contribution to the Kelly and DiNicola campaigns under the Bipartisan Campaign Reform Act of 2002 since the value of this contribution vastly exceeds the \$2,700 contribution limit. Moreover, WJET/Nextstar Media and the Manufacturer & Business Association, as corporations, cannot make campaign contribution.

WJET/Nextstar Media stated the Beeman campaigns exclusion was based on an "objective, non-discriminatory inclusion criteria" adopted July 2018. We believe that this is, to put it bluntly, a bald-faced lie.

- First, we find the timing to be suspect. Why would they suddenly adopt a new criteria in the middle of a campaign after the two old party candidates had been chosen unless it was designed to exclude everyone besides Democrats and Republicans? And since we never saw this debate criteria until October 6<sup>th</sup> we have no way of knowing when it was actually drawn up.

- Second, we believe the “objective, non-discriminatory inclusion criteria” is anything but objective or non-discriminatory. We meet the majority of the first 3 points. Moreover, point 3 is an attempt by the debate sponsors to dictate how our campaign, or any campaign is to be run. We don’t meet the fifth point. However, that is completely arbitrary and again, clearly designed to exclude anyone who wasn’t a Democrat or Republican. It looks as if they looked at the Pennsylvania Election Calendar and the FEC reporting schedule and then carefully crafted the criteria to exclude everyone besides Democrats and Republicans.
- Third, since there are only 3 candidates in the race, hardly an unwieldy number given that this year’s Democratic Primary for this office had 3 candidates, why have an inclusion criteria at all? Dr. Joe Morris, the head of the Political Science Department at Mercyhurst University gave some bizarre explanation, saying there had to be criteria because otherwise any number of people could ask to be included, including people who weren’t on the ballot. It would seem he’s unclear as to what the term candidate debate means. In any case it once again appears that the criteria was designed to exclude anyone besides Democrats and Republicans.

Thank you,

Ebert G. “Bill” Beeman,  
Candidate for Congress  
www.EbertBeeman4Congress.com

*Ebert G. Beeman*  
10/10/2018

Commonwealth of Pennsylvania  
Sworn to and subscribed before me  
this 10<sup>th</sup> day of October 2018  
Kimberly Alexander  
Signature  
Notary Public  
Title  
My Commission Expires:  
October 31, 2019

