

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
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)

CASE CLOSURES UNDER  
ENFORCEMENT PRIORITY SYSTEM

2003 JAN 27 A 10:09

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. INTRODUCTION**

The cases listed below have been evaluated under the Enforcement Priority System ("EPS") and identified as either low priority or potential ADR transfers. This report recommends that the Commission no longer pursue the cases cited in section II

**II. CASES RECOMMENDED FOR CLOSURE**

**Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission**

EPS was created to identify pending cases that, due to the length of their pendency in inactive status or the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditures of resources. Central Enforcement Docket ("CED") evaluates each incoming matter using Commission-approved criteria that result in a numerical rating for each case.

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1 We have identified cases which this Office recommends be  
2 closed.<sup>2</sup>  
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13 **IV. RECOMMENDATIONS**

14 OGC recommends that the Commission exercise its prosecutorial discretion and close  
15 the cases listed below effective two weeks from the date the Commission votes on the

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<sup>2</sup> The cases recommended for closure are: MUR 5255 (*Roy Brown for Congress*); MUR 5256R (*Allied Pilots Association PAC*); MUR 5271 (*A Whole Lot of People for Grijalva Congressional Committee*); MUR 5280 (*Bundguard for Congress*); MUR 5284 (*Moran for Congress*); MUR 5289 (*Friends of the Rouge & Friends of the Detroit River*); and MUR 5301 (*Charlotte Reeves for US Congress*).

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- 1 recommendations. Closing these cases as of this date will allow CED and the Legal Review  
2 Team the necessary time to prepare closing letters and case files for the public record.  
3 Take no action, close the file effective two weeks from the date of the Commission  
4 vote, and approve the appropriate letters in:

- |             |              |             |
|-------------|--------------|-------------|
| 1. MUR 5255 | 2. MUR 5256R | 3. MUR 5271 |
| 4. MUR 5280 | 5. MUR 5284  | 6. MUR 5289 |
| 7. MUR 5301 |              |             |

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Lawrence H. Norton  
General Counsel

1/24/03  
Date

BY: Rhonda J. Vosdingh  
Rhonda J. Vosdingh  
Associate General Counsel for Enforcement

Jeff S. Jordan  
Jeff S. Jordan  
Supervisory Attorney, CED

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**MUR 5289**

**Complainant:** James L. Graham

**Respondents:** Friends of the Rouge and Chester G. Marvin, Treasurer  
Friends of the Detroit River and Laurine Griffin, Treasurer  
John Dingell for Congress Committee and Guy R. Martin, Treasurer

**Allegations:** Complainant, James L. Graham, alleged that two Detroit area non-profit tax-exempt organizations, the Friends of the Rouge and Friends of the Detroit River, were participating in a television advertisement endorsing the candidacy of Representative John Dingell. The advertisements showed Don Griffin, Vice President for Friends of the Rouge, and Jeannine Ansley, Executive Director for Friends of the Detroit River, actively encouraging support of Representative Dingell. The advertisements were seen on USA Network, TNT, and ESPN through the local affiliate of Comcast Cablevision. Friends of the Rouge is primarily funded through federal grants from the Environmental Protection Agency's Rouge River National Wet Weather Demonstration Project of which Mr. Dingell is a heavy supporter.

**Responses:** The respondents collectively replied that the complaint failed to assert a violation of the Federal Election Campaign Act. Moreover, the respondents noted that the individuals who appeared in the advertisement were volunteers of Representative Dingell's committee and made no expenditures in connection with the advertisement. Furthermore, Representative Dingell's committee paid for all costs involved with the advertisement.

This matter is less significant relative to other matters pending before the Commission.

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