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November 6, 2000

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VIA COURIER

Jeff S. Jordan, Esq.
General Counsel's Office
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5094: Bill McCollum for U.S. Senate
And Richard L. Pilhorn, as Treasurer

Dear Mr. Jordan:

This responds to the letter from the Federal Election Commission (the "Commission") notifying our client, Bill McCollum for U.S. Senate and Richard L. Pilhorn, as Treasurer (collectively "the McCollum Campaign"), of a complaint filed against it by Michael J. Broder in the above-referenced Matter Under Review ("MUR"). In his complaint, Mr. Broder alleges that Republican Party of Florida raised corporate contributions to directly benefit the McCollum Campaign. Since the complaint is long on accusations and innuendoes and short on applicable law and evidence, the Commission should dismiss the complaint and take no further action.

The complaint does not cite any evidence that corporate funds were used in connection with a federal election or that corporate funds were deposited into a federal account. The Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations, do not prohibit a candidate for federal office from raising either federal or non-federal donations for his or her state party committee. See Gregg Birnbaum et al, *Star Power Is Helping Fuel Hillary's Run*, N.Y. Post, July 20, 2000 (documenting another U.S. Senate candidate raising non-federal funds for a party committee). State party committees are permitted to raise federal funds for their federal account and non-federal funds for their non-federal account. See 11 C.F.R. §§ 102.5(a)(1)(i) & 106.5(a)(1). Pursuant to the state party committee's ballot composition formula, these funds may be used for generic party building activities that benefit the entire Republican ticket, including both federal and non-federal candidates. See *id.* § 106.5(a)(2). As stated in the September 8, 2000, Miami Herald article, the activities raised federal and non-federal funds within the applicable federal and state limits and the funds raised for the RPOF were not earmarked for any candidate or candidate's committee, including this one.

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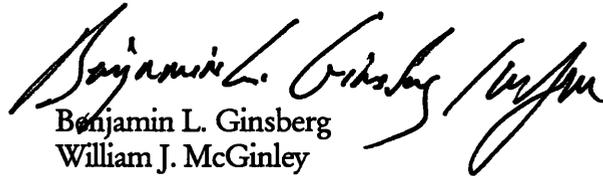
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No corporate contributions were deposited into the McCollum Campaign's account nor is there any evidence to support the complaint's assertion that non-federal funds were spent on behalf of a federal campaign. Only contributions subject to the limitations and prohibitions of the Act and Commission regulations were deposited in the McCollum campaign account. All corporate contributions raised at the fundraising event in question were deposited into the state party committee's non-federal account and spent pursuant to Florida law.

For the reasons stated above, the Commission should dismiss the complaint and take no further action.

Respectfully submitted,


Benjamin L. Ginsberg
William J. McGinley

Attachment

Citation
7/20/00 NYPOST 2
7/20/00 N.Y. Post 2
2000 WL 22920256

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Thursday, July 20, 2000

News

\$STAR POWER IS HELPING FUEL HILLARY'S RUN

Gregg Birnbaum, Robert Hardt Jr. and Maggie Haberman in New York, and Vincent Morris in Washington

Hillary Rodham Clinton's soft-money machine collected a whopping \$2.9 million in the last three months - fueled by megabucks from Hollywood's biggest stars, records released yesterday show.

Tinseltown donors to Clinton's Democratic campaign included Robin Williams (\$5,000), Tom Cruise and Nicole Kidman (\$10,000) and Robert De Niro (\$5,000).

TV personalities weren't left out either, with Jerry Springer contributing \$10,000, Rosie O'Donnell chipping in \$10,000, and Ted Danson giving \$5,000.

Other celebs who ponied up for the first lady were author Danielle Steel, film directors Cameron Crowe and Sydney Pollack, agent Michael Ovitz, actresses Renee Russo and Blythe Danner, playwright Wendy Wasserstein, publisher Jann Wenner, and designers Oscar De la Renta, Vera Wang, Liz Claiborne and Donna Karan.

Also on the list: "Simpsons" creator Matt Groening, former Texas Gov. Ann Richards and Jean Kennedy Smith.

The art world also reached into its pockets for Clinton, as Cristo, Robert Rauschenberg and Frank Stella offered their creations for auction to bring in a total of \$54,000.

Other artists who contributed to Clinton's cause included William Wegman, Maya Lin and Larry Rivers.

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Another non-soft money fund-raising report shows Clinton wasn't forgotten by her old home state of Arkansas. The mayor of Little Rock wrote a check for \$500, and a lawyer at the Rose Law Firm, where the first lady once worked, also donated \$500.

Among the most famous hard money donors were actresses Vanessa Williams and Susan Sarandon, writers Walter Mosely and William Styron, and CBS correspondent Troy Roberts.

Former White House spokesman Mike McCurry and his wife, Debra, contributed \$4,000 while Naomi Wolf - feminist author and adviser to Vice President Al Gore - gave \$1,000.

The soft-money committee, New York Senate 2000, is not subject to contribution limits, while donors to Clinton's regular campaign committee can give a maximum of \$2,000.

Clinton's GOP rival, Rep. Rick Lazio, has not set up a soft-money committee, but he hasn't ruled one out in the future.

Lazio - who has mocked Clinton's Hollywood connections - has had virtually no movie-star contributors.

The Clinton campaign bought \$1.8 million worth of air time for TV ads, according to records from her regular campaign committee.

Clinton also spent \$758,000 on consulting fees from April 1 through June, including \$314,000 to her media guru, Mandy Grunwald, \$1.8 million for direct-mail fund-raising, and \$175,000 on polling.

Records show about \$50,000 in payments were made to the feds to reimburse taxpayers for what critics call "Air Hillary" - government aircraft that Clinton uses to campaign in New York.

The reimbursement has amounted so far to only a fraction of the nearly \$1 million total cost of the planes.

Meanwhile, Mayor Giuliani has refunded \$2.8 million to donors since dropping out of the Senate race in May, but records show he still has \$3.8 million in his campaign coffers.

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-UNION-WOMAN: Hillary Clinton speaks to the AFL-CIO in Albany yesterday after picking up the labor organization's endorsement. Alan Solomon -VOTING WITH THEIR WALLETS: Superstar acting couple Tom Cruise and Nicole Kidman chipped in \$10,000 in "soft money" donations to Hillary Clinton's Senate campaign. Jim Trifyllis - ROBERT DeNIRO Ponies up \$5,000.

---- INDEX REFERENCES ----

REGION: North America (Regional Focus); North America; United States
Arkansas; Southern U.S.; United States; Pacific Rim (Regional Focus);
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