



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF TLR # 1228

Date Filmed 12/17/80 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 10, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Namer
3313 Kingman Street
Metairie, Louisiana 70002

Re: MUR 1228

Dear Mr. Namer:

The Federal Election Commission has reviewed the allegations of your complaint dated April 24, 1980, and determined to take no action and close the file in this matter. This determination was made due to the fact that you did not provide the Commission with the names and addresses of the respondents and a clear and concise recitation of the facts to enable the Commission to determine whether a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") or Commission Regulations has occurred.

Should further information come to your attention which you believe establishes a violation of the Act, please contact Maura White, the staff member assigned to this matter, at 202-523-4060.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Steele".

Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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3313 Kingman Street
Metairie, Louisiana 70002

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Sincerely,

Charles N. Steele
General Counsel

mw.
12/9/80

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Unknown Respondent)

MUR 1228

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 8, 1980, the Commission decided by a vote of 6-0 to take the following actions in the above-captioned matter:

1. Take no action and close the file in this matter.
2. Send the letter attached to the General Counsel's December 4, 1980 report.

Accordingly, the file in this matter is closed.

Attest:

12/8/80

Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

80040025587

December 4, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1228

Please have the attached First CC Report distributed
to the Commission on a 48 hour tally basis. Thank you.

80040225588

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

12-4-80

80 DEC 4 P12: 51
MUR # 1228
DATE COMPLAINT RECEIVED
BY OGC April 24, 1980

STAFF MEMBER M. White

COMPLAINANT'S NAME: Robert Namer

RESPONDENT'S NAME: Unknown

RELEVANT STATUTE: 2 U.S.C. § 437g(a) (1)
11 C.F.R. § 111.4

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On April 24, 1980, Robert Namer, a congressional candidate in the third district of Louisiana, filed a complaint with the Federal Election Commission (Attachment 1). The complaint alleges that "[p]ublic debates and forums were set up without [Mr. Namer's] input as to the date, time and place" and that Mr. Namer was "not invited and...even barred from attending" forums conducted by civic and private organizations which were covered by the media. The complainant concludes that he "was not afforded the equal media exposure as [his] opponents."

FACTUAL BASIS AND LEGAL ANALYSIS

On October 7, 1980, the Office of General Counsel mailed a letter to the complainant in this matter which stated that, pursuant to Commission Regulations, a complaint should clearly identify all respondents and contain a clear and concise recitation of the facts describing the violation. The complainant was advised that the complaint neither identified the respondents nor contained a clear and concise recitation of facts, and that the full name and address of all respondents should be provided in the complaint (Attachment 2). A return receipt indicates that the complainant received the letter from the Office of General Counsel on October 10, 1980. To date, no response has been received from the complainant.

More than 30 days have elapsed since the complainant received notice that the names and addresses of all respondents and a clear and concise recitation of the facts should be provided in order to enable the Commission to determine whether a violation of the Act or regulations has occurred. The General Counsel therefore recommends that the Commission take no action and close the file in this matter.

RECOMMENDATIONS

1. Take no action and close the file in this matter.
2. Send the attached letter.

Attachments:

- 1 -- Complaint
- 2 -- Letter from Office of General Counsel
- 3 -- Letter proposed (1)

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ATTACHMENT #1

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Gentlemen:

1. There were four candidates in this race, three of which were labeled "major candidates". Public debates and forums were set up without my input as to the date, time and place.
2. Civic and private organizations have held forums where the news media was invited to cover, and I was not invited and was even barred from attending.
3. I am Jewish, and a major public debate was held on the Jewish Passover night which did not allow me to attend. No such forum was scheduled on Holy Thursday, Good Friday or Easter Sunday. My objection fell to deaf ears.

Very truly yours,

RECEIVED
GENERAL INVESTIGATIVE
DIVISION
JAN 10 1964

8004025593

ATTACHMENT #2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 7, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Namer
3313 Kingman Street
Metairie, LA 70002

Re: MUR 1228

Dear Mr. Namer:

We have received your letter of April 24, 1980, inquiring into the possibility of a violation of the Federal Election Campaign Act of 1971, as amended ("the Act").

As set forth in 2 U.S.C. § 437g(a)(1), any person who believes that there has been a violation of any law within the Commission's jurisdiction may file a written complaint. The complaint must be sworn to and signed in the presence of a notary, and notarized.

In addition, Commission Regulations, found at 11 C.F.R. § 111.4, provide that a complaint:

- (1) must contain the full name and address of the person making the complaint;
- (2) should clearly identify as a respondent each person or entity who is alleged to have committed a violation;
- (3) should identify the source of information upon which the complaint is based;
- (4) should contain a clear and concise recitation of the facts describing the violation of the statute or law over which the Commission has jurisdiction; and
- (5) should be accompanied by supporting documentation if known and available to the person making the complaint.

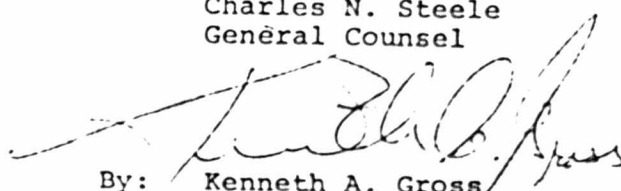
Your letter did not identify as a respondent each person or entity who is alleged to have committed a violation of the Act nor did it contain a clear and concise recitation of the facts describing the violation of the statute or law over which the Commission has jurisdiction. The full name and address of all respondents should be provided.

Enclosed please find a copy of §§ 111.4-111.10 of Commission Regulations which deal with preliminary enforcement procedures. I hope that an examination of these materials will answer most of your questions, and will enable you to be specific in any assertions or allegations you might make in the event that you wish to file a legally sufficient complaint with the Commission. Please accept my sincere apology for the delay in processing your letter.

Please contact Maura White, at 202-523-4060, if you have any questions.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure

ATTACHMENT #3

00010025595



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Namer
3313 Kingman Street
Metairie, Louisiana 70002

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Dear Mr. Namer:

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Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 7, 1980

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Letter to: R. Name
Page 2

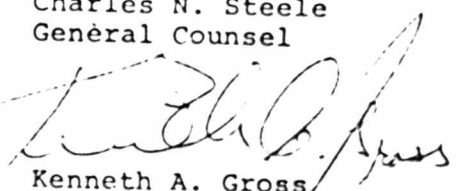
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Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure

PS Form 3811, Jan. 1978

1. RECIPIENT: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.		2. ARTICLE ADDRESS TO: Robert Name	
3. THE FOLLOWING SERVICE IS REQUESTED (check one): <input checked="" type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> Show to whom, date and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery.		4. ARTICLE DESCRIPTION: REGISTERED NO. 946764 INSURED NO. _____ I have received the article described above. SIGNATURE: One Paul Date: SEP 10 1980 (Always obtain signature of addressee or agent)	
5. ADDRESS: Complete only if necessary.		6. POSTAGE: 0.00	
7. UNABLE TO DELIVER: Reason: NO POSTAGE		8. RETURN TO: LA 090	

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

RECEIVED
0007125
'80 APR 21 11 48
ROBERT NAMER ★ ★ ★ ★ 1980
for CONGRESS

April 21, 1980

607569

Federal Election Commission
1325 K. Street, Northwest
Washington, D.C. 20463

Gentlemen:

I was a candidate in the Louisiana May 19 3rd Congressional election. I am submitting the following to get a determination as to whether any F.E.C. regulations have been violated, and if so, what action I can take.

1. There were four candidates in this race, three of which were labeled "major candidates". Public debates and forums were set up without my input as to the date, time and place.
2. Civic and private organizations have held forums where the news media was invited to cover, and I was not invited and was even barred from attending.
3. I am Jewish, and a major public debate was held on the Jewish Passover night which did not allow me to attend. No such forum was scheduled on Holy Thursday, Good Friday or Easter Sunday. My objection fell to deaf ears.

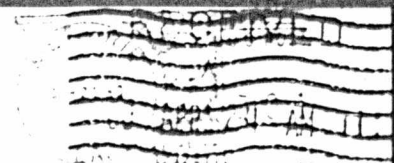
Because these debates and forums were open to the news media, I was not afforded the equal media exposure as my opponents.

Very truly yours,

Robert Namer

RN/kb

215C



FEDERAL ELECTION COMMISSION
1325 K Street, Northwest
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1228

Date Filmed 12/17/80 Camera No. --- 2

Cameraman SPC