



FEDERAL ELECTION COMMISSION

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

29 JUL 1976

Paul E. Bleifer, Esq.
384 East 149th Street
Bronx, New York 10455

Re: MUR 189 (76)

Dear Mr. Bleifer:

This acknowledges receipt of your letter dated July 7, 1976, alleging violations of the franking privilege by Congressman Herman Badillo. I have reviewed your allegations and have concluded on the basis of the information in your letter that there is no reason to believe that a violation of any statute within the jurisdiction of the Federal Election Commission has been committed. The House Commission on Congressional Mailing Standards has jurisdiction over matters relating to the franking privilege. I suggest that you address your complaint to it. Upon my recommendation, the Commission has closed its file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Federal Election Campaign Act, please contact me. The attorney assigned to this matter was Victor Sterling (telephone no. 202/382-4055). The file reference number was MUR 189 (76).

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel



FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Congressman Herman Badillo)

MUR 189 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 29, 1976, the Commission adopted the recommendation of the General Counsel that it finds no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file in this case has been closed.

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

FEDERAL ELECTION COMMISSION
OFFICIAL FILE
OFFICE

DATE OF TRANSMITTAL: JUL 26 1976

TIME OF TRANSMITTAL: 9:00 a.m.

NO. MUR 189 (76)

REC'D: 7/13/76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Paul E. Bleifer (unnotarized)

Respondent's Name: Congressman Herman Badillo

Relevant Statute: 39 U.S.C. §3210

Internal Reports Checked: None

Federal Agencies Checked: None

SUMMARY OF ALLEGATION

Mr. Bleifer alleges that Congressman Badillo's Washington Report
is campaign literature paid for with public funds.

PRELIMINARY LEGAL ANALYSIS

If the allegation is true, it might indicate a possible violation
of the franking privilege, under 39 U.S.C. §3210. The Commission
has no authority over this statute.

RECEIVED
JUL 27 1976
OFFICE OF THE CLERK

RECOMMENDATION

The file should be closed and the attached letter sent.

Date of Next Commission Review: _____



FEDERAL ELECTION COMMISSION

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

Paul E. Bleifer, Esq.
304 East 140th Street
Bronx, New York 10455

Re: MUR 189 (76)

Dear Mr. Bleifer:

This acknowledges receipt of your letter dated July 7, 1976, alleging violations of the franking privilege by Congressman Herman Badillo. I have reviewed your allegations and have concluded on the basis of the information in your letter that there is no reason to believe that a violation of any statute within the jurisdiction of the Federal Election Commission has been committed. The House Commission on Congressional Mailing Standards has jurisdiction over matters relating to the franking privilege. I suggest that you address your complaint to it. Upon my recommendation, the Commission has closed its file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Federal Election Campaign Act, please contact me. The attorney assigned to this matter was Victor Sterling (telephone no. 202/382-4055). The file reference number was MUR 189 (76).

Sincerely yours,

John G. Murphy, Jr.
General Counsel

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF CLERK OF COMMISSION



CC #291
MOK 189

Law Offices of
PAUL E. BLEIFER
304 EAST 140TH STREET
BRONX, N. Y. 10455
TELEPHONE 202-2050

9 P2:10

FEC CORRESPONDENCE
July 7, 1976 CONTROL 76-944

Chairman
Federal Elections Commission
Washington, D.C.

Re: Unfair Campaign Practices

Dear Sir:

Enclosed for your information are two copies of a letterhead memorandum dated July 7, 1976, and captioned as above. The memorandum was prepared by the New York State Board of Elections and contains information regarding the activities of certain individuals and organizations in the State of New York who are engaged in activities which are prohibited by the Federal Election Campaign Act of 1971, as amended.

It is requested that you advise the Board of the results of your review of the enclosed information.

The Board of Elections is also enclosing for your information a copy of a letterhead memorandum dated July 7, 1976, and captioned as above, which contains information regarding the activities of certain individuals and organizations in the State of New York who are engaged in activities which are prohibited by the Federal Election Campaign Act of 1971, as amended.

The Board of Elections is also enclosing for your information a copy of a letterhead memorandum dated July 7, 1976, and captioned as above, which contains information regarding the activities of certain individuals and organizations in the State of New York who are engaged in activities which are prohibited by the Federal Election Campaign Act of 1971, as amended.

Very truly yours,
[Signature]

Enclosed for your information are two copies of a letterhead memorandum dated July 7, 1976, and captioned as above. The memorandum was prepared by the New York State Board of Elections and contains information regarding the activities of certain individuals and organizations in the State of New York who are engaged in activities which are prohibited by the Federal Election Campaign Act of 1971, as amended.

This latter objection becomes all the more significant when read in context with the first objection.

The conclusion to be reached from the printed material in the "Report" is that any person who desires to vote in the September 14th Primary must register now, and may register by mail, only by contacting the office of Congressman Herman Badillo.

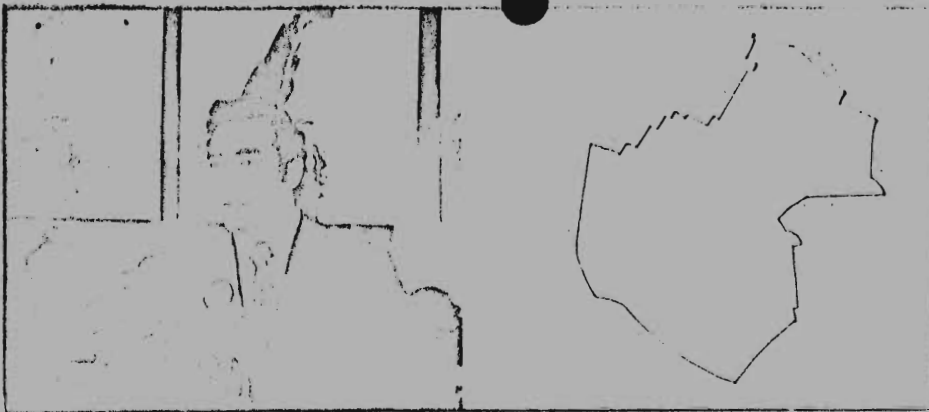
In addition to the initial political contact made with residents at the District Office of Congressman Herman Badillo as the result of this "Report", a record of persons who register thereby will be available to the Congressman for further political use. This list cannot be made available to other candidates by the Board of Elections because of administrative time limitations.

The "Report" objected to herein is therefore clearly a piece of campaign literature for the benefit of Herman Badillo. In as much as rules in the unincorporated areas of L.A. County do not permit the use for the printing and mailing of campaign literature, the "Report" is clearly in violation of these rules and an abuse of the privilege of access to the public. It is therefore urged that such printed material be removed from circulation.

Such a removal is further warranted as an unfair campaign practice, and the removal of such printed material is expedient in the interests of the public. It is therefore urged that such printed material be removed from circulation.

Certainly, it is believed that there be the widest participation in the election of the September 14th Primary in the Los Angeles area. It is therefore urged that Herman Badillo's printed material be removed from circulation to insure his election.

77 14 10 : 1 57
OFFICE OF THE CLERK
COUNTY OF LOS ANGELES
SEP 10 1970



Herman Badillo
M.C.

**Washington Report
From Your
Congressman
Herman Badillo**

RESIDENT-
21st CONGRESSIONAL DISTRICT
NEW YORK

FEDERAL ELECTION COMMISSION
OFFICIAL COPY
OFFICE OF LEGAL COUNSEL

June, 1976

Dear Constituent:

I am sending you this special newsletter to let you know that Governor Carey has recently signed a bill that will allow you to register by mail to vote right now, and will allow you to vote in the primary on September 14th.

**THE SPECIAL REGISTRATION PERIOD HAS ALREADY
BEEN EXTENDED BY ONE DAY LONG!**

Because of the amendments to the Federal Voting Rights Act that I have introduced in Washington, D.C., it is no longer necessary for you to read or write English - or any other language. You no longer have to take any kind of test. Now we avoid a dilemma that you have to deal with every day: how to deal with the citizens of the United States.

YOU CAN NOW REGISTER BY MAIL!

There is a new procedure which will allow you to register by mail. This is a very simple and easy way to register. The forms are available at my office.

Congressman Herman Badillo
110 West 11th Street, 11th Floor
New York, N.Y. 10011

Telephone: 869-6200

Estimado Constituyente:

Le estoy mandando este boletín especial para informarle que el Gobernador Carey recientemente firmó una ley que le permitirá inscribirse por correo para votar ahora, y votar en las primarias el día 14 de septiembre.

**EL PERIODO ESPECIAL PARA INSCRIBIRSE YA
HA SIDO AMPLIADO UN DÍA MÁS!**

Debido a las emendas al Acta Federal de Derechos de Votar, las cuales yo fui instrumental en conseguir que se pasaran, ya no es necesario leer o escribir el inglés - o cualquier otra lengua - para poder votar! Ahora no tiene ni que tener ningún tipo de examen ni presentar ningún tipo de dificultad. Evítense que tener más de 18 años de edad y ser ciudadano de los Estados Unidos.

AHORA LE PUEDE INSCRIBIR POR CORREO!

Hay un procedimiento nuevo que le permitirá registrarse para votar por sólo llegar a mi oficina y rellenarlo. Así le voy a facilitar el trámite. Se puede conseguir los formularios en mi oficina.

Herman Badillo
110 West 11th Street, 11th Floor
New York, N.Y. 10011

Telefono: 869-6200

PLEASE WRITE OR CALL MY OFFICE, AND WE WILL
I CAN TAKE YOURS O LLAME A MI OFICINA, Y L

Dear Constituent:

I am sending you this special newsletter to let you know that Governor Carey has recently signed a bill that will allow you to register by mail to vote right now, and will allow you to vote in the primary on September 14th.

THE SPECIAL REGISTRATION PERIOD HAS ALREADY STARTED AND WILL END ON JULY 14th!

Because of the amendments to the Federal Voting Rights Act that I was instrumental in having passed, it is no longer necessary for you to read or write English - or any other language! You do not have to take any kind of test or show any kind of diploma. All you have to do is be over the age of 18 and a citizen of the United States.

YOU CAN NOW REGISTER BY MAIL!

There is a new special procedure which allows you to register by mail to vote in the primary. It is simple and convenient. You can register by mail to vote in the primary on September 14th.

General Assembly Building
110 Grand Central Station
Bronx, N. Y. 10468

Telephone: 860-6200

PLEASE WRITE OR CALL NOW. WE WILL SEND YOU A FORM, EXPLAIN HOW TO REGISTER, AND PICK IT UP FOR YOU.

To vote in the September 14th primary, you have to be registered in the primary party. If you are not registered, you cannot register by mail. If you are not registered, you cannot vote in the primary. If you are not registered, you cannot vote in the primary. If you are not registered, you cannot vote in the primary.

Sincerely,

Thomas P. Badell

YOU CAN REGISTER BY MAIL TO VOTE IN THE PRIMARY ON SEPTEMBER 14th.

Estimado Constituyente:

Le estoy mandando este boletín especial para informarle que el Gobernador Carey recientemente firmó una ley que le permitirá inscribirse por correo para votar ahora, y votar en las primarias el día 14 de septiembre.

¡ EL PERIODO ESPECIAL PARA INSCRIBIRSE YA HA EMPEZADO Y TERMINARÁ EL 14 DE JULIO!

¡ Debido a las enmiendas al Acta Federal de Derechos de Votar, las cuales yo fui instrumental en conseguir que se pasaran, ya no es necesario leer o escribir el inglés - o cualquier otro idioma - para poder votar! El no tiene ni que tomar ningún tipo de examen ni presentar ningún tipo de diploma. Sólo tiene que tener más de 18 años y ser ciudadano de los Estados Unidos.

¡ AHORA SE PUEDE INSCRIBIR POR CORREO!

Hay un nuevo procedimiento nuevo que le permite inscribirse por correo para votar en las primarias el día 14 de septiembre. Es simple y conveniente. Usted puede inscribirse por correo para votar en las primarias el día 14 de septiembre.

General Assembly Building
110 Grand Central Station
Bronx, N. Y. 10468

TELÉFONO: 860-6200

¡ POR FAVOR ESCRIBA O LLAME A MI OFICINA, Y LE ENVIAREMOS UN FORMULARIO, O PUEDEN VENIR A BUSCARLO EN MI OFICINA!

Para votar en las primarias el 14 de septiembre, usted tiene que estar inscrito en el partido político de su voto. Si usted no está inscrito, no puede inscribirse por correo. Si usted no está inscrito, no puede votar en las primarias. Si usted no está inscrito, no puede votar en las primarias.

Respetuosamente,

Thomas P. Badell

Usted puede inscribirse por correo para votar en las primarias el día 14 de septiembre.

RECIBIDO
GOVERNOR
JULIO 14, 1976

7 0 4 0 0 2 4 5
Paul M. Blaffer
Attorney at Law
384 East 149th Street
Bronx, N.Y.

2:02

Chairman
Federal Elections Commission
Washington, D.C.

