

DEC 28 1976

Mr. David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

Re: MUR 307 (76)

Dear Mr. Reel:

On December 22, 1976, the Commission voted to terminate its inquiry into alleged violations of 2 U.S.C. §§435(b) and 441d by the Ertel for Congress Committee. The Commission determined that there is no reason to believe that the Committee committed a violation of the Federal Election Campaign Act of 1971, as amended. Accordingly, the Commission intends to close its file on this matter.

A copy of the Commission's determination and the General Counsel's Report is enclosed for your information. If you have any questions, please contact David L. Anderson (telephone No. 202-382-3153) the attorney assigned to this matter.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

Enclosures

DAnderson:cfb:12/9/76
cc: Compliance Section

DA

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040025451

DEC 28 1976

Mr. Walter J. Heim
R.D. #1
Montoursville, Pennsylvania 17754

Re: MUR 307 (76)

Dear Mr. Heim:

On December 22, 1976, the Commission voted to terminate its inquiry into alleged violations of 2 U.S.C. §§435(b) and 441d by the Ertel for Congress Committee. The Commission determined that there is no reason to believe that the Committee committed a violation of the Federal Election Campaign Act of 1971, as amended. Accordingly, the Commission intends to close its file on this matter.

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Sincerely yours,

John G. Murphy, Jr.
General Counsel

Enclosures

DAnderson:cfb:12/9/76
cc: Compliance Section
DA *DA*

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77040025452

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Allen Ertel

)
) MUR 307 (76)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 22, 1976, the Commission determined by a vote of 4-0, that there was no reason to believe a violation of the Federal Election Campaign Act of 1971, as amended, has been committed in the above-captioned matter. Accordingly, the file is now closed. Commissioner Thomson was absent; Commissioner Aikens abstained.

Betty J. Moo
for — Marjorie W. Emmons
Secretary to the Commission

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7704000345

In the Matter of) MUR 307 (76)
Allen Ertel)

I. Allegations

This matter arises out of a complaint filed with the Federal Election Commission on October 27, 1976, by David Reel. Mr. Reel alleged that Walter J. Heim, the Treasurer of the Allen E. Ertel for Congress Committee ("the Committee"), mailed a letter in the Williamsport area of Pennsylvania which solicited contributions to the Committee, but did not contain the requisite 2 U.S.C. §§435(e) and 44ld notices. To support his allegation, the complainant enclosed a copy of the solicitation letter.

II. Evidence

The letter, which was dated September 27, 1976, generally consisted of an explanation of why Allen Ertel was qualified to serve in Congress, and his opponent, Joseph Hepford, was not. This letter concluded by stating that "I certain [sic] would appreciate your support and your contributions for Allen Ertel. I am enclosing a form which you can use for that purpose" The letter

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failed to contain any notice of authorization or solicitation. Accordingly, the Commission found reason to believe that the publication and distribution of the letter by the Committee may constitute a violation of 2 U.S.C. §§435(b) and 441d. On November 24, 1976, Mr. Heim received notice from the Commission of this finding.

Mr. Heim responded on November 29, 1976 (see Attachment #1) and admitted that the letter was a solicitation sent in his capacity as Treasurer for the Committee. However, he stated that it was his view that the letter did not constitute a violation of the Act since the solicitation form which accompanied the letter contained the required notices. (See Attachment #2; the solicitation form did not accompany the complaint).

III. Analysis and Recommendation

It is provided in 2 U.S.C. §435(b) that a political committee "shall include on the face or front page of all literature and advertisements soliciting contributions" the requisite notice. It also is provided in 2 U.S.C. §441d that authorized communications expressly advocating

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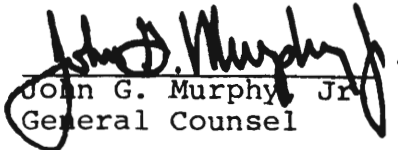
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the election of a clearly identified candidate shall clearly and conspicuously state that the communication has been authorized. Thus the Act appears to require only that the actual solicitation contain the appropriate 2 U.S.C. §435(b) notice, and only that the communication state conspicuously that it was authorized. Neither the express language nor legislative history of these provisions supports the proposition that these sections require that every part of a solicitation or communication contain the specified notices.

Since the letter utilized by Mr. Heim clearly referred to an accompanying solicitation form which contained the requisite notices, it is our view that there is no reason to believe that the respondent committed a violation of the Federal Election Campaign Act of 1971, as amended.

IV. Conclusion

We recommend that the matter be closed and the attached letters be sent.


John G. Murphy Jr.
General Counsel

Date: December 16, 1976

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FEDERAL ELECTION COMMISSION

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

Mr. Walter J. Heim
R.D. #1
Montoursville, Pennsylvania 17754

Re: MUR 307 (76)

Dear Mr. Heim:

On December , 1976, the Commission voted to terminate its inquiry into alleged violations of 2 U.S.C. §§435(b) and 441d by the Ertel for Congress Committee. The Commission determined that there is no reason to believe that the Committee committed a violation of the Federal Election Campaign Act of 1971, as amended. Accordingly, the Commission intends to close its file on this matter.

A copy of the Commission's determination and the General Counsel's Report is enclosed for your information. If you have any questions, please contact David Anderson (telephone No. 202-382-3153), the attorney assigned to this matter.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

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77040015457



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20543

Mr. David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

Re: MUR 307 (76)

Dear Mr. Reel:

On December , 1976, the Commission voted to terminate its inquiry into alleged violations of 2 U.S.C. §§435(b) and 441d by the Ertel for Congress Committee. The Commission determined that there is no reason to believe that the Committee committed a violation of the Federal Election Campaign Act of 1971, as amended. Accordingly, the Commission intends to close its file on this matter.

A copy of the Commission's determination and the General Counsel's Report is enclosed for your information. If you have any questions, please contact David L. Anderson (telephone No. 202-382-3153) the attorney assigned to this matter.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

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OFFICE OF GENERAL COUNSEL

77040013453

WALTER J. HEIM
R. D. NO. 1
MONTGOMERYVILLE, PA. 17754

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11102367
Shinsky
ATTACHMENT #1

78 DEC 1 10:16

November 29, 1976

John G. Murphy, General Counsel
Federal Election Commission
1325 K Street N. W.
Washington D. C. 20463

768852

Dear Mr. Murphy:

77041343
You have written to me concerning a letter sent on behalf of Allen Ertel for Congress. As you can see by the letter, it states in the second full sentence: "I am the Treasurer for the Allen Ertel for Congress Campaign". In addition your communication did not include the actual solicitation, of which I enclose a copy. It states on its face: "Make check payable to Ertel for Congress, P. O. Box 342, Williamsport, Pennsylvania 17701 (717-323-8491) By authority of Ertel for Congress Committee, Fred Plankenhorn, Chairman, Walter Heim, Treasurer. A copy of our report has been filed with, and is available for purchase from the Federal Election Commission, Washington, D. C. "

Not only have we complied with the Election Code with this communication and put in the authorization and notice, we did it twice. It amazes me that Mr. Hepford's Campaign Manager, Mr. David Reel, would deliberately sever part of the communication in order to accuse a person of a campaign violation. I earnestly request action against him for this intentional attempt to mislead the Commission. As I note from your letter, you are an attorney. I would suggest that appropriate legal action be taken against Mr. Hepford for this deliberate attempt to mislead this Commission.

In addition I expect a prompt retraction by him or else, if possible, I will take my own legal action by contacting my own attorney.

Very truly yours,

Walter J. Heim

WJH:chr

Enc.

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OFFICE OF GENERAL COUNSEL

1943:004072

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

I'd like to help Allen Ertel to be our next Congressman. I can:

- ☐ Write postcards to my friends.
- ☐ Put a bumper sticker on my car.
- ☐ Work at campaign headquarters or at home.
- ☐ Visit people in my neighborhood and tell them about Allen Ertel.

Enclosed is my contribution of ☐ \$100 ☐ \$50 ☐ \$25 ☐ Other

Name William Pickelner

Address 210 Locust St.

City Williamsport, Pa.

Contribution given previously

Business Address

Occupation (required by law)

Make checks payable to ETEL FOR CONGRESS,
P.O. Box 342, Williamsport, Pa. 17701 (717) 323-8491

By authority of ETEL FOR CONGRESS COMMITTEE, Fred Plankenhorn, Chairman, Walter Helm, Treas. A copy of our report has been filed with, and is available for purchase from the Federal Election Commission, Washington, D.C.



ATTACHMENT #2

WALTER J. HEIM
R. D. NO. 1
MONTGOMERY, PA. 17754

RECEIVED
FEDERAL ELECTION
COMMISSION

CC 1099
17708307
Swirsky

'76 DEC 1 AM 10:16
November 29, 1976

John G. Murphy, General Counsel
Federal Election Commission
1325 K Street N. W.
Washington D. C. 20463

763852

Dear Mr. Murphy:

7704000046
You have written to me concerning a letter sent on behalf of Allen Ertel for Congress. As you can see by the letter, it states in the second full sentence: "I am the Treasurer for the Allen Ertel for Congress Campaign". In addition your communication did not include the actual solicitation, of which I enclose a copy. It states on its face: "Make check payable to Ertel for Congress, P. O. Box 342, Williamsport, Pennsylvania 17701 (717-323-8491) By authority of Ertel for Congress Committee, Fred Plankenhorn, Chairman, Walter Heim, Treasurer. A copy of our report has been filed with, and is available for purchase from the Federal Election Commission, Washington, D. C. "

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In addition I expect a prompt retraction by him or else, if possible, I will take my own legal action by contacting my own attorney.

Very truly yours,

Walter J. Heim

WJH:dhc
Enc.

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

file

222976

Mr. Walter J. Heim
R.D. #1
Montoursville, Pennsylvania 17754

Re: MUR 307 (76)

Dear Mr. Heim:

This letter is to notify you that the Federal Election Commission has received a complaint against you which alleges certain violations of the Federal Election Campaign Act of 1971, as amended. We have numbered this matter MUR 307 (76). A copy of the complaint is enclosed. The Commission has reason to believe that the matters alleged therein state a violation of 2 U.S.C. Sections 441d and 435b.

2 U.S.C. §441d requires that whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate through any direct mailing, or any other type of general public political advertising, such communication if authorized by a candidate, his authorized political committees, or their agents, shall clearly and conspicuously state that the communication has been authorized, or if not authorized by a candidate, his political committees, or their agents, shall clearly and conspicuously state that the communication is not authorized by any candidate and state the name of the person who made or financed the expenditures for the communication. 2 U.S.C. Section 435b requires each political committee to include on the front page of all literature and advertisements soliciting contributions the following notice: "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.".

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

(continued)

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Specifically, please address the question of whether the campaign letter was mailed in your capacity as campaign treasurer of the Ertel for Congress Committee or as a private citizen. If the letter was unauthorized and your expenditures in connection with it exceeded \$100, you would be required to report this under 2 U.S.C. §434(e). (See attached form). Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously; therefore, your response should be submitted within ten (10) days after receipt of this notification. You will be sent copies or summaries of all correspondence received by the Commission from the complainant concerning this matter. If you have any further questions, please contact Sherry Swirsky (telephone no. 202/382-1047), the staff member assigned to this case.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

Enclosure

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

77040025463

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on REVERSE.								
1. The following service is requested (check one). <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <input type="checkbox"/> Show to whom and date delivered..... <input checked="" type="checkbox"/> Show to whom, date, & address of delivery..... <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom and date delivered..... <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery..... </div> <div style="width: 15%; text-align: right;"> 15¢ 35¢ 65¢ 85¢ </div> </div>								
2. ARTICLE ADDRESSED TO: <div style="text-align: center; font-size: 1.2em; margin-top: 20px;"> <i>Walter Heim</i> </div>								
3. ARTICLE DESCRIPTION: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;">REGISTERED NO.</td> <td style="width: 33%; padding: 5px;">CERTIFIED NO.</td> <td style="width: 33%; padding: 5px;">INSURED NO.</td> </tr> <tr> <td colspan="3" style="text-align: center; padding: 20px;"> <div style="font-size: 1.5em; margin: 0;">438357</div> </td> </tr> </table>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.	<div style="font-size: 1.5em; margin: 0;">438357</div>		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
<div style="font-size: 1.5em; margin: 0;">438357</div>								
(Always obtain signature of addressee or agent)								
I have received the article described above. <div style="display: flex; justify-content: space-between;"> <div style="width: 25%;">SIGNATURE</div> <div style="width: 45%;"> <input type="checkbox"/> Addressee </div> <div style="width: 30%;"> <input type="checkbox"/> Authorized agent </div> </div> <div style="text-align: center; font-size: 1.5em; margin-top: 10px;"> <i>Walter J. Heim</i> </div>								
4. DATE OF DELIVERY <div style="font-size: 1.2em; margin-top: 10px;">11-24-76</div>	POSTMARK <div style="height: 40px;"></div>							
5. ADDRESS (Complete only if requested) <div style="font-size: 1.2em; margin-top: 10px;"> at Post Office Montoursville, Pa 17354 </div>								
6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS <div style="font-size: 1.2em; margin-top: 10px;"> <i>SK</i> </div>							

☆ GOR: NW-O-203-494

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

I'd like to help Allen Ertel to be our next Congressman. I can:

- ☐ Write postcards to my friends.
- ☐ Put a bumper sticker on my car.
- ☐ Work at campaign headquarters or at home.
- ☐ Visit people in my neighborhood and tell them about Allen Ertel.

Enclosed is my contribution of ☐ \$100 ☐ \$50 ☐ \$25 ☐ Other

Name William Pickelner

Address 210 Locust St.

City Williamsport, Pa.

Contribution given previously

Business Address

Occupation (required by law)

**Make checks payable to ERTEL FOR CONGRESS,
P.O. Box 342, Williamsport, Pa. 17701 (717) 323-8491**

By authority of ERTEL FOR CONGRESS COMMITTEE, Fred Plankenhorn, Chairman, Walter Heim, Treas. A copy of our report has been filed with, and is available for purchase from the Federal Election Commission, Washington, D.C.



OFFICE OF GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
JUL 10 1984

R. Dr. #1 Box 25
Montoursville, Pa. 17754

CERTIFIED

No. 47207

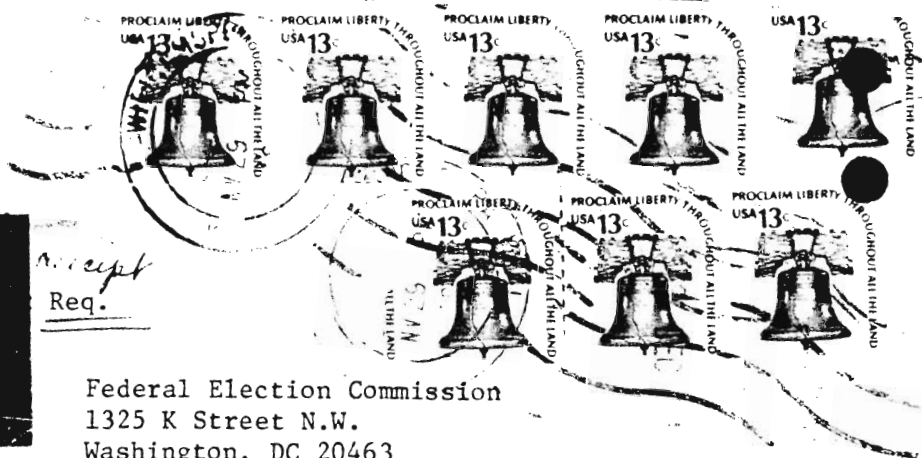
MAIL

Receipt
Req.

Federal Election Commission
1325 K Street N.W.
Washington, DC 20463

ATTENTION: MR. JOHN G. MURPHY, JR.

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL



DATE AND TIME OF TRANSMITTAL: NOV 18 1976
10:00

Murphy
NO. MUR 307 (76)
REC'D: 10/27/76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: David Reel (Notarized Complaint)

Respondent's Name: Walter J. Heim

Relevant Statute: 2 U.S.C. Sections 441(d) and 435(b)

Internal Reports Checked: Ertel for Congress Committee Reports

Federal Agencies Checked: _____

SUMMARY OF ALLEGATION

This allegation concerns a solicitation. The letter in question asks for financial contributions and advocates the election of a candidate to Federal office. The material does not contain the statements required by 2 U.S.C. Sections 441d and 435b. The letter was written by the treasurer of The Allen Ertel for Congress Committee.

PRELIMINARY LEGAL ANALYSIS

Since the letter submitted in support of the complaint solicits financial support and advocates the election of a candidate to Federal office, it appears to be in violation of 2 U.S.C. Section 441d and possibly 435b. It is unclear whether the letter was authorized or unauthorized; however, the individual who signed the letter does identify himself as Mr. Ertel's treasurer, thereby raising an inference as to authorization.

RECOMMENDATION

Find reason to believe; send attached letter .

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FEDERAL ELECTION COMMISSION

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

Mr. Walter J. Heim
R.D. #1
Montoursville, Pennsylvania 17754

Re: MUR 307 (76)

Dear Mr. Heim:

This letter is to notify you that the Federal Election Commission has received a complaint against you which alleges certain violations of the Federal Election Campaign Act of 1971, as amended. We have numbered this matter MUR 307 (76). A copy of the complaint is enclosed. The Commission has reason to believe that the matters alleged therein state a violation of 2 U.S.C. Sections 441d and 435b.

2 U.S.C. §441d requires that whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate through any direct mailing, or any other type of general public political advertising, such communication if authorized by a candidate, his authorized political committees, or their agents, shall clearly and conspicuously state that the communication has been authorized, or if not authorized by a candidate, his political committees, or their agents, shall clearly and conspicuously state that the communication is not authorized by any candidate and state the name of the person who made or financed the expenditures for the communication. 2 U.S.C. Section 435b requires each political committee to include on the front page of all literature and advertisements soliciting contributions the following notice: "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.".

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

(continued)



FEDERAL ELECTION COMMISSION
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770400:5461

Specifically, please address the question of whether the campaign letter was mailed in your capacity as campaign treasurer of the Ertel for Congress Committee or as a private citizen. If the letter was unauthorized and your expenditures in connection with it exceeded \$100, you would be required to report this under 2 U.S.C. §434(e). (See attached form). Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously; therefore, your response should be submitted within ten (10) days after receipt of this notification. You will be sent copies or summaries of all correspondence received by the Commission from the complainant concerning this matter. If you have any further questions, please contact Sherry Swirsky (telephone no. 202/382-1047), the staff member assigned to this case.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

Enclosure

770400:546
FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

OC # 554
MUR 307

October 21, 1976

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

763220

Gentlemen:

7704097547

It has come to my attention that on or about September 27, 1976, a letter was forwarded to many individuals in the Williamsport area of the 17th Congressional District of Pennsylvania, a copy of which is attached hereto. I believe this letter violates the Federal Elections Law in that it is a solicitation of support, both financially and for votes. It also contains other erroneous statements. The letter is written in behalf of Allen E. Ertel, candidate for Congress, by his treasurer but fails to contain the statements required by law with respect to a copy of their report being filed and whether or not the publication is authorized by the Committee.

In addition, I have also noticed thousands of pole signs approximately 26"x14" advertising the candidate which do not set forth any information concerning the candidate's committee nor an officer. Billboards throughout the District also appear to lack such an endorsement, and recent advertising failed to set forth the name of a committee officer.

I would appreciate if your Committee would look into this matter.

Very truly yours,

David Reel
David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

Sworn and subscribed to this 21st day of October, 1976.

Bertha A. Myers
Notary Public

My Commission Expires April 25, 1977
Harrisburg, Pa. Dauphin County

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

SECTION 101

JCT23 P12. 09

R. D. #1
Montoursville, Pennsylvania 17754

September 27, 1976

Dear Friend:

As you know, I am a member of the Manufacturer's Association and have been President for two years. I am the Treasurer for the Allen E. Ertel for Congress campaign. I am writing to you to request your support, both financially and at the voting booth, for Allen Ertel. I have known Mr. Ertel all my life and I find him honest and trustworthy. He is a strong supporter of the free enterprise system and while growing up he helped to run his father's grocery store. He holds a Master's Degree in business from the Amos Tuck School of Business Administration and a Master's Degree in Engineering from the Thayer's School of Engineering. He is able to speak to us as a businessman and as an Engineer. I believe that Allen Ertel will be open-minded in relation to all of our causes and will be willing to discuss them fairly and freely with us. I have known him to be fair-minded in everything that he has done, and in fact, he was endorsed by both political parties for nomination for District Attorney in the last election. This certainly shows his leadership and his ability to communicate with people.

His opponent, Mr. Joseph Hepford, on the other hand, has been less than candid with me and with other members of the Manufacturer's Association. I heard him personally at the Manufacturer's picnic speaking and I heard him mis-quoting Mr. Ertel because I know Mr. Ertel's positions.

Mr. Hepford says he is a supporter of the free enterprise system, yet while serving for 14 years in the Pennsylvania State Legislature he did nothing to get a right to work law in Pennsylvania. Right to work laws are State legislation. Also, he voted for Act 195 which allows

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Page Two


7704001547

Municipal workers, teachers, and State employees to organize and to strike. I find this to be somewhat contradictory to the position he takes that he is anti-union. In addition to that he was elected Caucus Secretary in his own party in the House, after one term, they rejected his leadership and elected someone in his place. The person who replaced him was also a central Pennsylvanian with less time in the House than Joseph Hepford. It seems to me that those who knew him best, and worked with him, rejected him. I do not believe that we want to stake our future in this District on that kind of representation.

I also think that the Democrats will be in control of the United States Congress. I believe that Allen Ertel can do more for us in this regard since he has always been an independent individual and will vote on each issue the way he thinks is right. Consequently having a friend within the Democratic caucus will certainly help us in getting a decent program in the Congress. I certain would appreciate your support and your contributions for Allen Ertel. I am enclosing a form which you can use for that purpose, together with tax information concerning it.

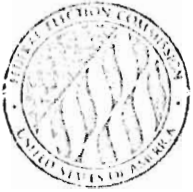
I look forward to your help for this worthwhile cause.

Sincerely,


Walter J. Heim

WJH:chr
Enc.

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OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

NOV 12 1976

Mr. David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

Re: MUR 307 (76)

Dear Mr. Reel:

77347
547
This is to acknowledge receipt of your complaint against Walter J. Heim, MUR 307 (76), alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely yours,

William C. Oldaker
Assistant General Counsel

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OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

NOV 12 1976

Mr. David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

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Sincerely yours,

William C. Oldaker
Assistant General Counsel

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.

WASHINGTON, D.C. 20463

POSTAGE AND FEES PAID



Mr. David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

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ADDRESSED UNABLE TO FORWARD

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FEDERAL ELECTION COMMISSION

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

NOV 12 1976

Mr. David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

Re: MUR 307 (76)

Dear Mr. Reel:

7704001347
This is to acknowledge receipt of your complaint against Walter J. Heim, MUR 307 (76), alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely yours,

William C. Oldaker
Assistant General Counsel

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OC #854
MUR 307

October 21, 1976

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

763220

Gentlemen:

77040025477
It has come to my attention that on or about September 27, 1976, a letter was forwarded to many individuals in the Williamsport area of the 17th Congressional District of Pennsylvania, a copy of which is attached hereto. I believe this letter violates the Federal Elections Law in that it is a solicitation of support, both financially and for votes. It also contains other erroneous statements. The letter is written in behalf of Allen E. Ertel, candidate for Congress, by his treasurer but fails to contain the statements required by law with respect to a copy of their report being filed and whether or not the publication is authorized by the Committee.

In addition, I have also noticed thousands of pole signs approximately 26"x14" advertising the candidate which do not set forth any information concerning the candidate's committee nor an officer. Billboards throughout the District also appear to lack such an endorsement, and recent advertising failed to set forth the name of a committee officer.

I would appreciate if your Committee would look into this matter.

Very truly yours,

David Reel

David Reel
620 North Third Street
Harrisburg, Pennsylvania 17102

Sworn and subscribed to this 31st day of October, 1976.

Bertha A. Myers
Notary Public

My Commission Expires April 25, 1977
Harrisburg, Pa. Dauphin County

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CT23 P12.09

R. D. #1
Montoursville, Pennsylvania 17754

September 27, 1976

Dear Friend:

As you know, I am a member of the Manufacturer's Association and have been President for two years. I am the Treasurer for the Allen E. Ertel for Congress campaign. I am writing to you to request your support, both financially and at the voting booth, for Allen Ertel. I have known Mr. Ertel all my life and I find him honest and trustworthy. He is a strong supporter of the free enterprise system and while growing up he helped to run his father's grocery store. He holds a Master's Degree in business from the Amos Tuck School of Business Administration and a Master's Degree in Engineering from the Thayer's School of Engineering. He is able to speak to us as a businessman and as an Engineer. I believe that Allen Ertel will be open-minded in relation to all of our causes and will be willing to discuss them fairly and freely with us. I have known him to be fair-minded in everything that he has done, and in fact, he was endorsed by both political parties for nomination for District Attorney in the last election. This certainly shows his leadership and his ability to communicate with people.

His opponent, Mr. Joseph Hepford, on the other hand, has been less than candid with me and with other members of the Manufacturer's Association. I heard him personally at the Manufacturer's picnic speaking and I heard him mis-quoting Mr. Ertel because I know Mr. Ertel's positions.

Mr. Hepford says he is a supporter of the free enterprise system, yet while serving for 14 years in the Pennsylvania State Legislature he did nothing to get a right to work law in Pennsylvania. Right to work laws are State legislation. Also, he voted for Act 195 which allows

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Page Two

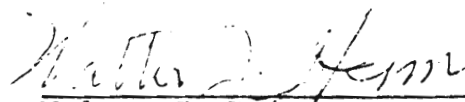
770410:547

Municipal workers, teachers, and State employees to organize and to strike. I find this to be somewhat contradictory to the position he takes that he is anti-union. In addition to that he was elected Caucus Secretary in his own party in the House, after one term, they rejected his leadership and elected someone in his place. The person who replaced him was also a central Pennsylvanian with less time in the House than Joseph Hepford. It seems to me that those who knew him best, and worked with him, rejected him. I do not believe that we want to stake our future in this District on that kind of representation.

I also think that the Democrats will be in control of the United States Congress. I believe that Allen Ertel can do more for us in this regard since he has always been an independent individual and will vote on each issue the way he thinks is right. Consequently having a friend within the Democratic caucus will certainly help us in getting a decent program in the Congress. I certain would appreciate your support and your contributions for Allen Ertel. I am enclosing a form which you can use for that purpose, together with tax information concerning it.

I look forward to your help for this worthwhile cause.

Sincerely,


Walter J. Heim

WJH:dhc
Enc.

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Mr. David Reel
620 North Third Street
Harrisburg, PA 17102



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Federal Election Commission

1325 K Street, N.W.

Washington, DC 20463



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Handwritten signature and scribbles

FEDERAL ELECTION COMMISSION

1. Memo to Oldaker from Emmers - 11/19/76

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|---|--|
| _____ (1) Classified Information | _____ (6) Personal privacy |
| _____ (2) Internal rules and practices | _____ (7) Investigatory files |
| _____ (3) Exempted by other statute | _____ (8) Banking Information |
| _____ (4) Trade secrets and commercial or financial information | _____ (9) Well Information (geographic or geophysical) |
| _____ (5) Internal Documents | |

Signed

Kurt Bunkhart

date

9/28/77