



FEDERAL ELECTION COMMISSION

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

May 16, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Senator Bob Packwood, Chairman
National Republican Senatorial
Committee
P.O. Box 2780
Washington, D.C. 20013

Re: MUR 557 (78)

Dear Senator Packwood:

I am forwarding for your information the enclosed complaint which was received by the Commission.

The Commission has determined that there is no reason to believe a violation of any statute within its jurisdiction has been committed. The Commission intends to close its file on the matter. A copy of the Commission's certification and the General Counsel's Report are enclosed for your information.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosures

1. Complaint
2. Commission's Certification
3. General Counsel's Report

78040062075

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Senator Bob Packwood, Chairman
National Republican Senatorial
Committee
P.O. Box 2780
Washington, D.C. 20013

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Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

1. Complaint
2. Commission's Certification
3. General Counsel's Report

HP
5-15-78

78040062077



FEDERAL ELECTION COMMISSION

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

May 16, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Stolzberg
Counselor at Law
8 Mt. Vernon Terrace
Newton, Massachusetts 02160

Re: MUR 557 (78)

Dear Mr. Stolzberg:

The Federal Election Commission has reviewed the allegations of your complaint dated March 22, 1978 and determined that although the placement of the request for occupation and principal place of business and the statement that the information is required by Federal law may be misleading to persons receiving this letter, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed. A copy of the Commission's Certification and the General Counsel's Report are enclosed for your information.

Accordingly, upon my recommendation, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 557 (78).

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

1. Commission's Certification
2. General Counsel's Report

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Stolzberg
Counselor at Law
8 Mt. Vernon Terrace
Newton, Massachusetts 02160

Re: MUR 557 (78)

Dear Mr. Stolzberg:

The Federal Election Commission has reviewed the allegations of your complaint dated March 22, 1978 and determined that although the placement of the request for occupation and principal place of business and the statement that the information is required by Federal law may be misleading to persons receiving this letter, there is no reason to believe that a violation of the Federal Election Campaign Act of 1976, as amended, ("the Act") has been committed. A copy of the Commission's Certification and the General Counsel's Report are enclosed for your information.

Accordingly, upon my recommendation, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 557 (78).

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

1. Commission's Certification
2. General Counsel's Report

NP
5-15-78

78040062079

BEFORE THE FEDERAL ELECTION COMMISSION

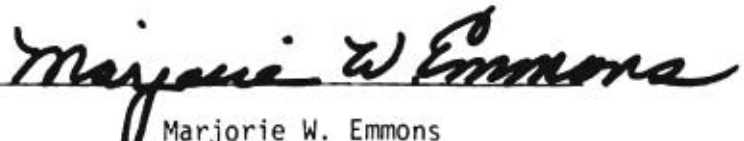
In the Matter of)
)
National Republican Senatorial)
Committee)

MUR 557 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on May 10, 1978, the Commission determined by a vote of 6-0 to take the following actions in the above-captioned matter:

1. Find no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed because the occupation and principal place of business information is required if the person does make a contribution. It should be noted, however, that the placement of a request for information on the occupation and principal place of business may be confusing to the recipient of such a letter.
2. Send the letter attached to the First General Counsel's Report, subject to the amendments made on May 10, 1978.


Marjorie W. Emmons
Secretary to the Commission

Date: May 12, 1978

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FEDERAL ELECTION COMMISSION

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

May 4, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS - *MWE*
SUBJECT: OBJECTIONS TO MURs 550 (78) and 557 (78).

Commissioner Tiernan submitted objections to MURs 550 (78) and 557 (78) at 9:25, May 4, 1978.

MURs 550 (78) and 557 (78) have been placed on the Executive Session Agenda for Wednesday, May 10, 1978.

Please destroy the certifications delivered to the Office of General Counsel, Docket Coordinator, at 8:25, this date, on the above-mentioned MURs.

cc: Commissioner Tiernan

73040062031



FEDERAL ELECTION COMMISSION

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

May 3, 1978

MEMORANDUM TO: ELISSA GARR
FROM: MARJORIE W. EMMONS *mwe*
SUBJECT: Certification in MUR 557 (78)

Since the importance of matching the recommendation voted on by the Commissioners with the certification has been stressed by the General Counsel, I have retyped the certification in MUR 557 (78).

As you will note, the certification provided with the First General Counsel's Report listed a section not mentioned in the Recommendation portion of the report.

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Before the Federal Election Commission

April 13, 1978

In the Matter of)
) MUR 557 (78)
The National Republican)
Senatorial Committee)

Certification

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I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on _____, the Commission accepted the recommendations of the General Counsel to find no reason to believe that a violation of 2 U.S.C. §434(b)(2) has been committed in the above captioned matter. The letters attached to the First General Counsel's Report should be sent.

DATE: _____

Marjorie W. Emmons
Secretary to the Commission

April 28, 1978

MEMORANDUM TO: Marge Emons
FROM: Elissa T. Garr
SUBJECT: MUR 557

Please have the attached 7 day report on MUR 557 distributed to the Commission on a 48 hour tally basis.

Thank you.

78040062084

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

MUR NO. 557 (78)
DATE COMPLAINT RECEIVED
BY OGC _____
STAFF _____
MEMBER M. Brown

COMPLAINANT'S NAME: Robert Stolzberg

RESPONDENT'S NAME: National Republican Senatorial Committee

RELEVANT STATUTE: 2 U.S.C. §434(b)(2)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

It is alleged that the request for occupation and principal place of business on the letter attached to a survey sent out by the National Republican Senatorial Committee is deceptive and a violation of the law.

PRELIMINARY LEGAL ANALYSIS

The letter attached to "the national defense survey" solicits contributions and requests that the person sign the statement: "Yes, I have completed my specially numbered survey. Please publish the results and distribute nationally to President Carter and to my Massachusetts Senators Brooke and Kennedy." The request for occupation and principal place of business is made in connection with the

PRELIMINARY LEGAL ANALYSIS (Cont.)

solicitation for contributions; however, the placement of the items on the page make it appear as though the request is made in connection with the survey rather than with the solicitation of contributions.

RECOMMENDATION

Find no reason to believe that a violation of the Federal Election Campaign Act, as amended, has been committed because the occupation and principal place of business information is required if the person does make a contribution. It should be noted, however, that the placement of a request for information on the occupation and principal place of business may be confusing to the recipient of such a letter. The attached letters should be sent.

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FEDERAL ELECTION COMMISSION

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

April 12, 1978

MEMORANDUM

TO: WILLIAM OLDAKER

THROUGH: ORLANDO B. POTTER *ORP*
TOM HASELHORST *TH*

FROM: IRENE ALLEN *IA*

RE: LETTER OF COMPLAINT FROM ROBERT A. STOLZBERG (MUR #557 (78))

Please find attached a letter of 3/4/78 (control slip attached) from Robert A. Stolzberg, regarding his protest of certain language used in a survey submitted to his wife by the National Republican Senatorial Committee, and his desire to file a formal complaint.

Mr. Stolzberg was informed by the Reports Analysis Division that the letter itself would not constitute a complaint, as it was not sworn to and was not notarized. Telecons are attached for all conversations between Mr. Stolzberg and the Reports Analysis Division concerning the procedures for formal filing of complaints (11 C.F.R. 111.2).

Subsequent to Mr. Stolzberg's communications with the Reports Analysis Division he has filed a formal complaint which has been assigned MUR # 557 (78). The attached material is submitted for your files.



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78040062033

FEDERAL ELECTION COMMISSION CORRESPONDENCE CONTROL SLIP Do Not Separate From Document	For Division Use	Suspense No. 800841
	Name and Address of Sender ROBERT A STOLZBERG 8 HT. VERN./ TERR. NORTH MASS. 02160	
	Subject of Correspondence COMPLIANCE	
	Date Received 03/09/78	Suspense Date 03/24/78
	Referred to	Action (Optional)
	1. ZELLA	
	2. <i>Handwritten signature</i> Allen 3/9/78	
	3.	
	4.	
	5.	
Answer Date 3/10/78	File Designation 7030	
Special Instructions: <i>Mr Stolzberg wishes to file a complaint</i>		

Robert A. Stolzberg

Counsellor at Law

8 Mt. Vernon Terrace
Newton, Massachusetts 02160
(617) 965-0740

March 4, 1978

Federal Elections Commission
Washington, D.C.

Sir:

I am enclosing a copy of some political material that was sent to my wife.

I would appreciate it if you would tell me if the statement at the bottom that Federal election law requires a person filling out the questionnaire must give his or her occupation and employer is correct.

If it is not, I would strongly protest the inclusion of such an inaccuracy in political material.

Sincerely yours,



Robert A. Stolzberg

enc.

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National Republican



Senatorial Committee

P.O. Box 2780 • WASHINGTON, D.C. 20013

1977 NATIONAL DEFENSE SURVEY A-3268

Assigned to: W Ruess

Results for distribution to:

Massachusetts Senators Brooke and Kennedy.

SEN. BOB PACKWOOD
CHAIRMAN

FORMER COMMITTEE
CHAIRMAN

HON. BILL BROCK

HON. PETER DOMINICK

HON. BARRY GOLDWATER

HON. THURMOND MORTON

HON. GEORGE MURPHY

SEN. HOWARD BAKER

MINORITY LEADER

SEN. TED STEVENS

MINORITY WHIP

From: W Ruess

9 Mt Vernon Ter

Boston, Massachusetts 02160

PB

To: Senator Howard Baker
Minority Leader

☐ Yes, I want to help the National Republican Senatorial Committee launch its national campaign to distribute and publish the 1978 National Defense Survey and alert the American people to the dangerous plans to weaken our national defense.

I have enclosed my maximum contribution to help you defeat the anti-defense liberal Democrats and to help elect Republicans to the U.S. Senate who will VOTE and SUPPORT a strong national defense--second to none.

☐ \$ _____

☐ \$500

☐ \$250

☐ \$100

☐ \$50

☐ \$25

☐ \$15

Please make your check payable to:
The National Republican Senatorial Committee

1978 SURVEY ON NATIONAL DEFENSE

YES, I have completed my specially numbered survey.

Please publish the results and distribute nationally to President Carter and to my Massachusetts Senators Brooke and Kennedy.

(Signature - do not print)

To validate your survey, please sign above and return in enclosed envelope.

The Federal Election Law requires the following information

Occupation

Employer

City, State

Corporate Contributions are Prohibited By Law

A copy of our report is filed with the Federal Elections Commission and is available for purchase from the Federal Elections Commission, Washington, D.C.
No taxpayers' funds have been used in the preparation or mailing of this correspondence.

STU

AFTER 8 DAYS, RETURN TO

Robert A. Stolzberg
8 Mt. Vernon Terrace
Newton, MA 02160

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Federal Elections Commission
Washington, D.C.

7301006200



FEDERAL ELECTION COMMISSION

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

April 4, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert A. Stolzerg
8 Mt. Vernon Tr
Newton, MA. 02160

Re: MUR 557 (78)

Dear Mr. Stolzerg:

This is to acknowledge receipt of your complaint of March 30, 1978, alleging violations of the Federal Election Campaign Law. 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
General Counsel



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6029004087

MUR 557 M. Brown

PS Form 3817, Apr. 1977

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).
☐ Show to whom and date delivered. _____
☒ Show to whom, date, and address of delivery. _____
☐ RESTRICTED DELIVERY
Show to whom and date delivered. _____
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery. \$ _____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Robert A. Stolzberg

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
443482

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Robert A. Stolzberg

4. DATE OF DELIVERY *4/8/78* POSTMARK *APR 8 1978*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

Robert A. Stolzberg

Counsellor at Law

801382

8 Mt. Vernon Terrace
Newton, Massachusetts 02160
(617) 965-0740

78 MAR 30 PM 12:46

March 22, 1978

William Oldaher, Esq.
General Counsel
Federal Elections Commission
Washington, D.C.

Dear Mr. Oldaher:

Please find, enclosed, a Complaint concerning a violation of the Federal Election Laws.

I am also hereby specifically requesting that I be informed of all actions taken with regard to this Complaint.

Very truly yours,

Robert Stolzberg
Robert A. Stolzberg

Enc.

78040062094

COMPLAINT

1. My name is Robert A. Stolzberg; I live at 8 Mt. Vernon Terrace, Newton, Massachusetts 02160, and my telephone number is 617-965-0740.
2. (a) My wife and I received the attached "1977 National Defense Survey." This survey states that, for the survey to be validated, the person must sign it. The form goes on to request the person to give his or her occupation and employer, stating that, "The Federal Election ^{Law} requires the following information."
- (b) On information and belief, the Federal Election Law only requires the requested information if a person makes a financial contribution, and not to participate in a poll or survey.
- (c) It is my opinion that the above is a deceptive practice and is a violation of the law.
3. The document is attached.
4. I am not a candidate for any elective, public office, nor am I filing this Complaint on behalf of or at the request or suggestion of a candidate.

Robert Stolzberg

Robert A. Stolzberg

Sworn to before me this 27th day of March, 1978.

Jeffrey L. Petrucci

78040062095

Robert A. Stolzberg, Esq.
8 Mt. Vernon Terrace
Newton
Massachusetts 02160



William Oldaher, Esq.
General Counsel
Federal Elections Commission
Washington, D.C.

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SEP 11 1978

National Republican

Senatorial Committee

P.O. Box 2780 • WASHINGTON, D.C. 20013

1977 NATIONAL DEFENSE SURVEY A-3268

Assigned to: W Ruess

Results for distribution to:

Massachusetts Senators Brooke and Kennedy.

From: W Ruess

8 Mt Vernon Ter

Boston, Massachusetts 02160

To: Senator Howard Baker
Minority Leader

PB

* SEN. BOB PACKWOOD
ChairmanFormer Committee
Chairman

Hon. Bill Brock

Hon. Peter Dominick

Hon. Barry Goldwater

Hon. Thurston Morton

Hon. George Murphy

SEN. HOWARD BAKER

Minority Leader

SEN. TED STEVENS

Minority Whip

- ☐ Yes, I want to help the National Republican Senatorial Committee launch its national campaign to distribute and publish the 1978 National Defense Survey and alert the American people to the dangerous plans to weaken our national defense.

I have enclosed my maximum contribution to help you defeat the anti-defense liberal Democrats and to help elect Republicans to the U.S. Senate who will VOTE and SUPPORT a strong national defense--second to none.

☐ \$ _____ ☐ \$500 ☐ \$250 ☐ \$100
☐ \$50 ☐ \$25 ☐ \$15

Please make your check payable to:
The National Republican Senatorial Committee

1978 SURVEY ON NATIONAL DEFENSE

YES, I have completed my specially numbered survey.

Please publish the results and distribute nationally to President Carter and to my Massachusetts Senators Brooke and Kennedy.

(Signature - do not print)

To validate your survey, please sign above and return in enclosed envelope.

The Federal Election Law requires the following information

Occupation

Employer

City, State

Corporate Contributions are Prohibited By Law

A copy of your completed Survey will be furnished to the Federal Election Commission, and is available for public inspection at the Federal Election Commission, Washington, D.C. No fee is charged for this service.