



FEDERAL ELECTION COMMISSION

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

19 OCT 1976

Mrs. Karen Manalo  
264 Pueblo Drive  
Salinas, California 93901

Re: MUR 079 (76)

Dear Mrs. Manalo:

Thank you for your letter of October 4, 1976, in which you allege violations of 39 U.S.C. §3210 by representative Burt Talcott. I must note that the Federal Election Commission does not have the authority over this section, which is within the authority of the House Committee on Congressional Mailing Standards. Accordingly, upon my recommendation, the Commission does not intend to take any further steps with respect to your assertions relating to the franking privilege.

The Commission has the general subject of television and other media appearances by candidates under active consideration and we will be happy to apprise you of the policy determinations hereafter made in this area.

If further information comes to your attention, which you believe establishes a claim on matters within the Commission's jurisdiction, please feel free to write and apprise me of them.

Sincerely yours,

Signed

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

22 MAR 1976

Mr. Duane N. Hefner  
Chairman, Platte County  
Central Committee  
4820 N.W. 81st Terrace  
Kansas City, Missouri 64151

Dear Mr. Hefner:

Thank you for your letter of January 12, 1976, in which you allege violation of 39 U.S.C. §3210 by Representative Jerry Litton. I must note that the Federal Election Commission does not have authority over this section, which is within the authority of the House Committee on Congressional Mailing Standards. Accordingly, upon my recommendation, the Commission does not intend to take any further steps with respect to your assertions relating to the franking privilege.

The Commission has the general subject of television and other media appearances by candidates under active consideration and we will be happy to apprise you of policy determinations hereafter made in this area.

If further information comes to your attention which you believe establishes a claim on matters within the Commission's jurisdiction, please feel free to write and apprise me of them.

Sincerely yours,

Signed: John G. Murphy, Jr.,

John G. Murphy, Jr.  
General Counsel



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OFFICE OF GENERAL COUNSEL

REC'D: 1/19/76

FEDERAL ELECTION COMMISSION  
Washington, D. C.Complainant's Name: Duane N. Hefner, Chairman, The Platte County  
Central Committee, Kansas City, MissouriRespondent's Name: Representative Jerry LittonRelevant Statute: 18 U.S.C. §608(c) and 39 U.S.C. §3210Internal Reports Checked: None

Federal Agencies Checked: \_\_\_\_\_

## SUMMARY OF ALLEGATION

Complainant's central allegation is that Representative Litton misused the franking privilege and Federal funds in mailing to his constituents what appeared to be a questionnaire, but what was really campaign literature. Complainant's other allegations involve Representative Litton's show "Dialogue" and are already being considered in MUR 002 (75).

## PRELIMINARY LEGAL ANALYSIS

The allegations relating to alleged violations of the franking privilege are not within the jurisdiction of the Commission.

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## RECOMMENDATION

I recommend we close the file and send the attached letter.

Date of Next Commission Review: \_\_\_\_\_

77040013053



CA-002-75 12

# The Platte County Central Committee

January 12, 1976

Federal Election Commission  
1325 K Street, NW  
Washington, DC 20463

Gentlemen:

I would like to protest the use of the Congressional franking privilege and probable Federal payment for the enclosed "questionnaire" put out by Congressman Jerry Litton of the 6th Congressional District of Missouri. I believe this to be a gross misuse of Federal funds. This is not a questionnaire in the true sense of the word; it is a campaign promotion piece!

If the Congressman's intent were to generate statistically accurate information, it would be perfectly permissible, even laudable. But from the content of the questionnaire, one can determine that he certainly does not have such high intentions. His obvious intentions, instead, are self-agrandising.

I would direct your attention to question eight. It is my belief that any responsible, knowledgeable researcher would tell you that that is a prejudicial question. Being in the publishing business, I work with research frequently, and am confident that competent researchers would render that verdict. The wording of the question makes one answer more likely than another.

Question eight is, of course, just one example of blatantly irresponsible research.

The really unbelievable part of this whole promotion piece is that my Federal tax dollars are being used on the back cover to promote Congressman's Litton's television program which in turn is just a promotion for Congressman Litton. Therefore, my tax dollars are being illegally and unlawfully used as a part of his campaign which will almost surely be for the United States Senate next year. Congressman Litton's television program has

(Next page please ... )

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PLATTE COUNTY REPUBLICAN CENTRAL COMMITTEE OFFICERS:

CHAIRMAN

Duane N. Hefner  
4820 N.W. 81st Terr.  
Kansas City, Mo. 64151  
Phone: 741-5414

VICE-CHAIRMAN

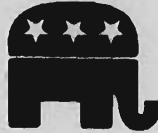
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TREASURER

Bill Bright  
4438 N. W. Gateway  
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Phone: 587-8282

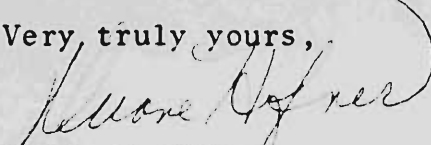


Federal Election Commission  
January 12, 1976  
Page Two

already been highly challenged by his likely Democratic primary opponents, and if the Federal Election Commission is to deal with the question fairly, I am confident you will find his television program should be paid for by his campaign funds and charged against his campaign spending.

Whatever excuses the Congressman may use for not charging the television programs against his campaign, the fact that he does not limit the coverage to television stations within the 6th Congressional District certainly should eliminate any doubt in the minds of the Commission. I urge you to look critically and act decisively on Congressman Litton's numerous election campaign violations.

Very truly yours,

  
Duane N. Hefner  
Chairman

4820 NW 81st Terrace  
Kansas City, Missouri 64151

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FEDERAL ELECTION COMMISSN.  
1325 K Street, NW  
Washington, DC 20463

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FEDERAL ELECTION COMMISSION

1. Memo from Spiegel to Murphy - 2/12/76

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):

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

Signed

Kurt Burkhardt

date

9-26-77

FEC 9-21-77

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