



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE END OF TMR # 1242

Date Filmed 3/25/82 Camera No. --- 2

Cameraman SPC

Handwritten text on the left margin, oriented vertically and partially illegible.

FEDERAL ELECTION COMMISSION

Objection Comments by
Commissioner Frank Reiche.

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 checked="" type="checkbox"/> (5) Internal Documents | |

Signed

Thomas J. Waterford

date

1/27/80

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1982

Mr. William H. Baarsma, Chairman
Democratic Party Central Committee
P.O. Box 7338
Tacoma, Washington 98407

RE: MUR 1242

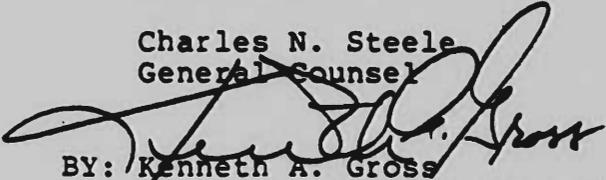
This is in reference to the complaint you filed with the Commission on May 28, 1980, concerning certain activities of the firm of Robert R. Bogensberger and Associates, Inc. ("Bogensberger and Associates").

Based on your complaint, the Commission determined there was reason to believe that Bogensberger and Associates violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter. After an investigation was conducted the Commission concluded on January 12, 1982, to take no further action against Bogensberger and Associates. Accordingly, the file in this matter, numbered MUR 1242, has been closed. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. The Federal Election Campaign Act allows a Complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Dennis N. Moss, the staff member assigned to this matter, at (202) 523-4057, or 800-424-9530 (toll free).

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1982

Mr. Robert R. Bogensberger
Robert R. Bogensberger and
Associates, Inc.
1340 Avon Allen Road
Mount Vernon, Washington 98273

RE: MUR 1242

Dear Mr. Bogensberger:

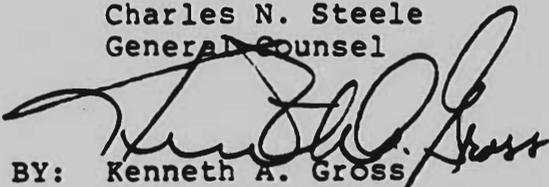
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The Commission reminds you that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds nevertheless appears to be a violation of the Act, and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Dennis N. Moss, at (202) 523-4057 or 800-424-9530 (toll free).

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1982

Ms. Katherine Meyer
Robert R. Bogensberger and
Associates, Inc.
4431 Thirty-Seventh Street, S.W.
Apartment 33
Seattle, Washington 98126

RE: MUR 1242

Dear Ms. Meyer:

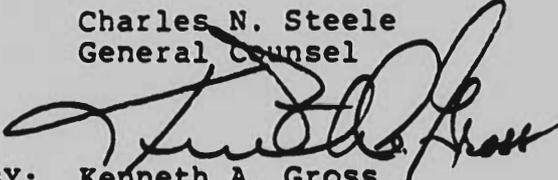
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Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Katherine Meyer
Robert R. Bogensberger and
Associates, Inc.
4431 Thirty-Seventh Street, S.W.
Apartment 33
Seattle, Washington 98126

RE: MUR 1242

Dear Ms. Meyer:

On February 23, 1981, the Commission found reason to believe that your firm had violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

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If you have ~~any~~ questions, please direct them to Dennis N. Moss, at (202) 523-4057 or 800-424-9530 (toll-free).

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Robert R. Bogensberger
Robert R. Bogensberger and
Associates, Inc.
1340 Avon Allen Road
Mount Vernon, Washington 98273

RE: MUR 1242

Dear Mr. Bogensberger:

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If you have any questions, please direct them to Dennis N. Moss, at (202) 523-4057 or 800-424-9530 (toll free).

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

Mr. William H. Baarsma, Chairman
Democratic Party Central Committee
P.O. Box 7338
Tacoma, Washington 98407

RE: MUR 1242

This is in reference to the complaint you filed with the Commission on May 28, 1980, concerning certain activities of the firm of Robert R. Bogensberger and Associates, Inc. ("Bogensberger and Associates").

Based on your complaint, the Commission determined there was reason to believe that Bogensberger and Associates violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter. After an investigation was conducted the Commission concluded on January 12, 1982, to take no further action against Bogensberger and Associates. Accordingly, the file in this matter, numbered MUR 1242, has been closed. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. The Federal Election Campaign Act allows a Complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Dennis N. Moss, the staff member assigned to this matter, at (202) 523-4057, or 800-424-9530 (toll free).

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Robert R. Bogensberger) MUR 1242
and Associates, Inc.)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on January 12, 1982, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1242:

1. Take no further action and close the file.
2. Send the letters attached to the General Counsel's December 17, 1981 report, as amended during the meeting by excising the last sentence of paragraph 2 of the letters to Mr. Bogensberger and to Ms. Meyer.

Commissioners Aikens, Elliott, Harris, McGarry, McDonald, and Reiche voted affirmatively for the decision.

Attest:

1-12-82
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*

FROM: MARJORIE W. EMMONS/JODY CUSTER *JC*
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: JANUARY 7, 1982

SUBJECT: MUR 1242 - General Counsel's Report dated
December 17, 1981, signed December 30, 1981;
Received in OCS, 12-31-81

You were notified previously of an objection by
Commissioner Aikens.

Commissioner Reiche submitted an additional objection
at 4:48, January 6, 1982.

This matter will be discussed in executive session
on Tuesday, January 12, 1982. A copy of Commissioner Reiche's
vote sheet with his comments is attached.

Attachment:
Vote sheet

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FEDERAL ELECTION COMMISSION
WASHINGTON, D. C. 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMONS, JODY CUSTER *jc*
DATE: JANUARY 4, 1982
SUBJECT: OBJECTION - MUR 1242 - General Counsel's
Report dated December 17, 1981, signed
December 30, 1981; Received in OCS, 12-30-81,
2:30

The above-named document was circulated to the Commission on
December 31, 1981 at 11:00.

Commissioner Aikens submitted an objection at 1:49, December 31,
1981.

This matter will be placed on the agenda for the Executive
Session of Tuesday, January 12, 1982.

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December 30, 1981

MEMORANDUM TO: Marjorie Emmons
FROM: Steven Barndollar
SUBJECT: MUR 1242

Please have the attached General Counsel Report distributed to the Commission on a 48 hour tally basis.

Thank you.

Attachment

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION
December 17, 1981

RECEIVED
SECRETARY OF THE
FEDERAL ELECTION COMMISSION

01 DEC 30 P 2: 30

In the Matter of)
)
Robert R. Bogensberger) MUR 1242
and Associates, Inc.)

GENERAL COUNSEL'S REPORT

On May 28, 1980, the Commission received a complaint from William H. Baarsma, which alleged that Robert R. Bogensberger and Associates, Inc. (Bogensberger), a political consulting firm, had been engaged in activities which may have violated the Act, (1) for its failure to register and report as a political committee under 2 U.S.C. §§ 433 and 434, and, (2) by making prohibited contributions under 2 U.S.C. § 441b.

It appeared that Bogensberger performed a variety of campaign services geared toward raising financial support for candidates selected by the firm; Bogensberger charged a fee of \$100 for these services which was paid by individuals from the general public. These services included, according to information supplied by complainant, sponsoring a fundraising program, selecting Congressional candidates, providing campaign advice to selected candidates, and publishing a monthly newsletter which was

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designed to solicit support for these candidates through a citizen pledge plan. 1/ Under this plan, a participant was asked to deposit \$1,000 in a special savings account with his or her bank. The participant was also asked to sign a declaration of intent that he or she would forward the account passbook, and at a later time, a withdrawal slip for \$1,000.00, directly to the candidate or committee selected by Bogensberger, and approved by the participant. He or she further agreed to turn over the passbook to Bogensberger on occasion as evidence of sincerity in supporting the plan. 2/

It seemed apparent that Bogensberger's practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violated Section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election.

"Contribution or expenditure" includes any direct or indirect

1/ See Attachment A. One issue of the newsletter, entitled the "Congressional Integrity", outlines the purposes for which Bogensberger was formed, the principal one being to institute an organized plan to elect new Congressman. In addition, this newsletter explains how individuals can participate in a citizen pledge plan.

2/ See Attachment B.

payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value.

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Since we recommended that the Commission find reason to believe that Bogensberger had violated Section 441b of the Act, it was unnecessary to consider complainant's allegations that Bogensberger may have also violated Sections 433 and 434 of the Act for its failure to register and report as a political committee. Under 11 C.F.R. § 114.12, an organization may incorporate and not be subject to corporate activity provisions of the Act if the organization incorporates for liability purposes only, and if the organization is a political committee as defined in 11 C.F.R. § 100.5. It is evident that Bogensberger was incorporated for purposes other than for limited liability.

On February 23, 1981, the Commission found reason to believe that the respondent corporation violated 2 U.S.C. § 441b. A reason to believe notification and covering letter were forwarded to respondent by certified mail on March 11, 1981. On March 20th, this Office requested that a trace be made by the U.S. Postal Service. However, since there had been no certification of respondent's receipt of the March 11th letter, a copy of the notification and covering letter was forwarded to respondent by regular mail on March 26th.

On March 30th, the letter of March 11th was returned to the Commission marked "addressee moved". A second copy of the March 11th letter was then mailed to respondent by certified mail on April 8th, to the home residence of the corporation's

president. This address had been obtained through telephone directory assistance. On April 21st, this Office requested a trace be made of this correspondence, as there had been no certification of receipt by that date. On April 29th, the correspondence was returned to the Commission marked "unclaimed".

By May 12, 1981, respondent had failed to respond to the reason to believe notification and list of interrogatories contained therein. The General Counsel determined on May 14, 1981, that the above developments necessitated service of the interrogatories by subpoena with the assistance of the U.S. Marshal's Office.

Pursuant to a request by the Office of General Counsel, the Secretary of State of Washington forwarded a copy of the articles of incorporation, which was received on May 18, 1981. This information produced the names and addresses of the president, Robert R. Bogensberger, and the secretary, Katherine A. Meyer, officers of respondent corporation. These officers were served with notification of the Commission's reason to believe finding by the U.S. Marshal on June 10 (Meyer), and June 11, 1981 (Bogensberger).

Katherine Meyer responded by telephone on June 10, 1981, the date on which she was served with notification. She was told to forward a written response to the Office of General Counsel as soon as possible. A written response was received by the Office of General Counsel on June 16, 1981. In her response, Katherine Mayer stated that she had not been employed by respondent

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corporation since July 17, 1978, and as such, was not in possession of the documents requested in the notification, nor did she feel qualified to answer the interrogatories. In addition, she stated, it was her understanding that several months after she left respondent's employment, the firm was not in business.

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The firm's president, Robert R. Bogensberger, failed to respond within the time period of ten (10) days as specified in the notification. General Counsel staff talked with Bogensberger on July 8, 1981. He was asked whether he had received the Commission's notification, to which he replied in the affirmative. He also stated upon inquiry that a written response would be forthcoming in a few days. Finally, he indicated that the firm was no longer in business. The Commission received a written response from the president on August 20, 1981. In his response, the president stated that the firm's records, containing the information requested by the Commission, were housed in a barn located in Mount Vernon, Washington, and that he would arrange to meet a representative of the Commission at said barn in order for the records to be reviewed. The General Counsel attempted to contact the president by telephone to discuss his counterproposal, but was unsuccessful.

On October 2, 1981, a letter was sent to the U.S. Attorney's Office in Seattle, Washington, requesting assistance in gathering the information sought by the Commission in this investigation. While that office expressed a willingness to cooperate, no firm

commitment was made until it was determined what volume of material was to be photocopied. A mailgram was sent by this Office on October 21, 1981, to the president at his business and home addresses, which directed him to ship the business files to the Commission in order that they might have been photocopied and returned. (See Attachment D).

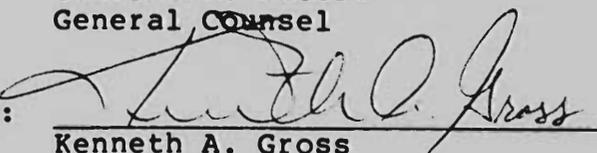
As of the date of this report, no response to the October 21st mailgram has been received from respondent. Thus, we are without any evidence as to the amount of funds or any other specifics not mentioned herein that may have been involved in this matter. Since the president has indicated that the firm is no longer conducting business, nor has conducted business for some time (although there are no articles of dissolution on file with the Secretary of State), it would be impracticable to pursue judicial enforcement, it is recommended that this matter be closed.

II. Recommendations:

1. Take no further action and close the file.
2. Send the attached letters.

Charles N. Steele
General Counsel

Dec 30, 1981
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments:

- A. Newsletter, four pages
- B. Pledge Plan, one page
- C. Respondent's response, received on 8/20/81, two pages
- D. Mailgram to Respondent, one page
- E. Closing Letters to Respondents, one page, each Respondent
- F. Closing Letter to Complainant, one page
(eleven pages total)

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CONGRESSIONAL in-teg-ri-ty



Dedicated to
restoring
integrity in
Congress

Vol. III, No. 1

January, 1979

So you have made the Congressional Connection

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Something is wrong in this country:

Too much inflation, too many taxes, too many government rules, too many regulations, too many bureaucrats.

Too little leadership.

Internationally, this nation's foreign policy is in a shambles. Strategic strength has been negotiated into chronic weakness. Deadly enemies have become "most favored nations" while true allies have been insulted and brushed aside in the name of "political expediency".

Domestically, we suffer from double-digit inflation; annual budgets in excess of \$1/2 TRILLION; a National Debt and other obligations which have piled up to an amount in excess of \$9 TRILLION; a federal bureaucracy so huge that even the government cannot accurately state how many bureaucrats are now on the payroll, and an incompetent judiciary, seemingly unanswerable to no one, legislating

If you . . . have already made the "Congressional Connection" then you understand the necessity of electing more competent people to Congress...

away our freedoms — these and more are burdens that grow daily.

Who is responsible? Can something be done to re-direct our national destiny to a wiser, more prudent direction?

MY CONGRESSMAN, THE FOX:

As every American farm boy knows: "You don't send a fox to guard the chicken house."

However, this is precisely what is happening in the United States today, because the majority of the 535 Congressmen in our government are "Political Foxes".

Congress⁽¹⁾ is the problem. Every authorization for debt increases.

⁽¹⁾ Wherever used in this article, "Congress" means: the 435 members of the House of Representatives, and the 100 members of the Senate.

each bureaucracy and bureaucrat, every rule and regulation, every tax, and each assault by government on individual liberty, begins with a vote, or by the action or inaction of Congress.

Too few people, though, have made the "connection" between the problems posed by government and their Congressman's actions.

Too many Americans still fall prey to the propaganda of the politicians: that farmers, housewives, businessmen, workers, consumers, unions — everyone and anything except Congress — is the cause of our problems.

If you are one of the growing numbers of American citizens who have already made the "Congressional Connection", then you understand the necessity of electing more competent people to Congress.

Election years afford the greatest opportunity for people to make the "Congressional Connection" because interest is high and the Congressman is home running for

generally does not materialize cause the professional "car" types have learned to cloud the issues rather than discuss them.

The amateur, challenging candidate, because he is late starting, under-organized and ill-financed, does not have the resources to force the Congressman's voting record as an issue in the campaign.

The result is that most campaigns become a staged production composed of slogans and trite cliches. Of all incumbents seeking re-election, 94% are successful. Congress continues to be the problem.

this, sufficient, early funds for a well-organized, planned campaign.

This situation will provide a substantial opportunity to publicize the incumbent Congressman's voting record, its impact on our day-to-day lives, and help tens of thousands of other citizens in your District make the "Congressional Connection".

Now, imagine this happening in scores of Congressional Districts, resulting in the election of dozens of such candidates to Congress.

It is undeniable that the future course of American history will be dramatically changed for the better.

SCHODDING, et al.

There are many individuals who are eminently qualified and capable. Individuals already exist who can build skyscrapers, ships, organize businesses, invent pacemakers and myriad other miracles of the 20th century. How are all these wonders created?

The answer is, a free market concept known as "division of labor".

If a shipbuilder needs welding, a welder is hired. If a dentist needs his car repaired, a mechanic is hired. If a farmer needs his health attended to, a physician is hired. But if citizen's need a plan organized to elect a new Congressman, they join lobbyist and trade organizations, hope the party might finally do something, "wish" some fine candidate will come along, send \$50 to some political action committee 2000 miles away, and a whole host of other absurd, futile attempts to effect political change.

Isn't it long past the time when we should apply the "division of labor" principle that has proven so successful in business enterprise to the political process?

The firm of Robert R. Bogensberger & Associates, Inc., was formed for that purpose. The firm has developed — and is now implementing — a plan designed to restore integrity in Congress. Our firm offers services to citizens which will bring about the election to Congress a majority of individuals who are highly principled, honest, and who understand that they have been elected to serve the People, and not their own political careers.

Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found!

This is not the way to conduct politics.

Instead of the normal "hurry-up-then-lose" approach, common with most challenging, amateur candidates, what if the following scenario took place in your Congressional District the next time your Congressman sought re-election:

What if your incumbent "Political Fox" were (for the first time in his political career) challenged by an articulate, highly principled candidate who:

Understands that his oath of office means he will swear to preserve, protect and defend our Constitutional Republic as a government of laws, not of men; understands that these laws severely restrict the powers of government and can be changed only by the people through their elected representative; and swears to defend these principles against personality, party, cause or special interest which threatens these basic principles.

Working towards the election of this candidate will be many hundreds of citizens from all walks of life who have made the "Congressional Connection" and who realize that they too, must give principle priority over personality, party, and even their own special interests.

What is necessary to bring about this much needed change in the way we conduct politics?

To begin with, enough citizens who have made the "Congressional Connection" in your Congressional District will have to pledge themselves to find, and then work for, a candidate as described above. This is not an impossible task. There are already nearly one hundred highly principled people serving in the U.S. Congress. Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found! (Hundreds of qualified candidates offer themselves each year, but fail to succeed for lack of resources.)

Secondly, enough campaign funds must be raised in each District from citizens who have made the "Congressional Connection", so the campaign can compete with the "advantages of office" the incumbent possesses. With manpower, money, organization, planning, and a qualified candidate, the advantages of the incumbent can be overcome.

And plans must be made.

The question is, who will take the time to do all the fund-raising,

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CONGRESSIONAL INTEGRITY
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SEATTLE, WASHINGTON
E. by Robert R. Bogensberger
& Associates, Inc.

STEP ONE:

Raise Early and Sufficient Campaign Seed Money

Funds for future political campaigns are solicited using a new and unique method. When an individual commits to participation in this step of the Program, a pledged amount of funds (preferably \$1,000) is set aside in a savings account opened by the participant in his own name. The passbook for each savings account is held by the firm of Robert R. Bogensberger & Associates, Inc.⁽²⁾, until such time as a qualified candidate is found and presented to, and accepted by, the respective donors. The passbooks are used to prove support to potential candidates. Our goal is between \$100,000 and \$200,000 in each Congressional District.

WHY STEP ONE:

Money is the life-blood of political campaigns. With it, many things are possible. Without it, success is highly improbable.

We are not the first to recognize this political truism. Hundreds of methods have been devised to raise money for potential candidates. Hundreds of millions are raised biennially for the purpose. One of the most common in use is computerized mailing lists used by candidates, lobbyist organizations and special interest Political Action Committees [PAC's].

If you are one of the computerized names who receives scores of solicitations annually, you may have already questioned their effectiveness.

In most instances, money raised by such methods is at least inefficient, because only a small percentage of the total ever reaches the intended cause or candidate, usually less than 10%. As just one example, a major national conservative political action committee recently

⁽²⁾ For safekeeping, actual passbooks are placed in the custody of a Certified Public Accountant, and a receipt is issued to the passbook owner.

direct mail method. However, the committee contributed only \$440,000 of it to candidates running for office. Many candidates receive the majority of their campaign funds from such sources, all of which are from outside the District to be represented. In such instances, the question can justifiably be asked: "Who will that candidate be beholden to?"

The greatest concern though, about these seemingly well-intentioned, special interest PAC's which now number in the many hundreds, is this: 80% or more of the funds that are contributed go to incumbents on the theory that the incumbent is the "odds on favorite" to win, so "let's back the winner". Principle is seldom considered. This, of course, perpetuates the very problem that PAC's were organized to solve.

Our method of raising funds for future political opportunities is the most honorable ever devised, because it overcomes all the shortcomings described above by assuring that 100 cents of every dollar raised goes directly to the candidate — from individual donors within the District.

STEP TWO:

Select Qualified Candidates Pledged to Constitutional Principles

With adequate financial support, provable, qualified, highly principled individuals will be encouraged to "serve". From these individuals, participants in this program will select their best qualified candidate.

WHY STEP TWO:

Each two years, millions of Americans participate in the election of representatives, but few are involved in the selection of those who will be candidates.

We must remember, that when we elect someone to represent us in the governing process, we place into that individual's hands Political Power. This person now has the power to pass laws that tax us, regulate us, inflate our currency, rob us of our rights and allow government to commit other abuses against

into the hands of any individual is not a game — it is our lives, our futures and our freedom. Such selections should not be left to chance, nor taken lightly.

STEP THREE:

Help Develop a Plan for a Successful Campaign

WHY STEP THREE?

Because of the diversity of candidates and Congressional Districts, and, because of the high cost of seeking public office, a custom-made campaign strategy is necessary to ensure the wise and efficient use of time and money. A steering committee, composed of donors from Step One, above, will be organized to act in an advisory capacity.

STEP FOUR:

Evaluate the Performance of the Congressman

Through the monthly newsletter, Congressional integrity, participants in the program are informed of their Congressman's performance.

WHY STEP FOUR?

A Congressman's performance in office is far more important than promises. Most citizen's concern themselves with their representatives' activities for only a short period of time during the election year. The Congressman's performance though, seriously effects each of our lives, 24-hours per day — every day!

The firm of Robert R. Bogensberger & Associates, Inc., encourages an increased awareness of, and interest in the affairs of Congress. We believe this can be accomplished by researching, publishing and disseminating a Congressman's voting record as widely as possible so that more citizens will begin to make the "Congressional Connection" year around, not just during election time.⁽³⁾

⁽³⁾ Robert R. Bogensberger & Associates, Inc., has recently begun "Operation Congressional Connection", a series of radio and newspaper advertisements that report actual votes of Congressmen and the net effect the votes have on national issues.

This program will be organized at the Congressional District level with a goal of 1,000⁽⁴⁾ individual participants in each Congressional District. For a minimum retainer of \$100 per year, individuals hire the services of Robert R. Bogensberger & Associates, Inc., to implement this five-step program. As Clients of the firm, each individual receives the benefit of a full-time field director in the Congressional District. Each field director works closely with all Clients while implementing this program. Additionally, Clients benefit from a home office staff which administers the needs of the field directors, performs research and maintains a liaison with numerous Congressional Representatives. Clients also receive the monthly newsletter CONGRESSIONAL in-teg-ri-ty which keeps them abreast of activities relating to their program, their Representative, and Congress.

WHY STEP FIVE:

If you have ever participated in a Congressional campaign for a newcomer to politics with the hope of unseating a well-entrenched "career" incumbent, you will readily recognize the need for this step.

Incumbents possess numerous "advantages of office". Just one of them allows the incumbent to have three "District" offices in the home District. These are staffed by full-time personnel. These, and the many other resources at the incumbent's disposal, are working two or more years in advance on behalf of the re-election of the incumbent. Other resources include expense accounts, many free ser-

(4) Are 1,000 persons enough to make the difference? YES! Though the average Congressional District is 500,000 population, the majority of those persons never register to vote. Of those who do register, the majority seldom vote - so the actual number of votes necessary to reverse most elections is less than 5% of the total population - and therefore 1,000 individuals, well organized, and motivated, are more than enough to change the outcome of most elections.

The challenger, on the other hand, is usually, at the last moment, urged to run by a handful of friends. This campaign is almost always late starting, poorly organized, and under-financed.

This plan is kept in effect to ensure the re-election of an acceptable representative as much as it is used to remove an unacceptable representative.⁽⁵⁾

The Plan Works!

After one year of field implementation by the capable field staff of the firm of Robert R. Bogensberger & Associates, Inc., it can confidently be stated that the plan outlined above is a good plan, a workable plan, and an effective plan.

As a result of our first year of work, there are now many hundreds of individuals from all walks of life - literally, the broadest possible spectrum of individuals - who agree. [We will be delighted to show you a list of our Clients.]

Our Clients now look towards future elections with anticipation because they know that in future campaigns they will not have to settle for the "lesser of two evils" nor frustrate themselves with well-intentioned individuals who, by

(5) This plan is also necessary in Districts where an acceptable candidate has been elected. There are no iron-clad guarantees in politics. And, though this program substantially enhances the probability of electing only responsible people to public office, there are far too many examples of representatives "changing" once they are in office.

now look forward to working for and supporting a candidate for the United States Congress whom they will be proud to call their own.

Our Clients - because they will be part of the 1,000 in their Congressional District who are going to make things happen - know that they are part of the only plan in existence that has a no-nonsense approach to improving the quality and calibre of their elected representative.

Our Clients see the light at the end of the tunnel when they will no longer have to take the biennial "hurry-up-then-lose" gamble, which has kept this nation on a disastrous course for too many decades.

All that is necessary for the success of this plan is you!

WHAT ABOUT YOU?

What is this plan worth? Is it worth \$100 per-year to have a person working for you full-time in your own Congressional District helping others make the "Congressional Connection" and implementing the only workable plan of action which will lead to the successful election of a representative of whom you can be proud? Is it worth considering, as a separate decision, setting \$500 or \$1,000 aside in a savings account in your name in anticipation of that future political opportunity?

Is your business, your job, your home, your future and that of the next generation worth the effort?

If you agree that the answers to the above questions are a resounding YES!, contact us for information on how you can become part of this growing force that will restore integrity in Congress.

NOTE TO READERS: This is a reprint of the January 1979 issue of the newsletter, CONGRESSIONAL in-teg-ri-ty. Additional copies are available, 10 for \$1.00, by writing the home office of Robert R. Bogensberger & Associates, Inc., 500 Wall Street, Suite 217, Seattle, Washington 98121.

DECLARATION OF INTENT

'80 JUN 25 AM 11: 1

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant evidence of my pledge of support, I hereby publicly declare my intention to donate the sum of \$1,000.00 for the purpose of providing financial assistance to such candidates.

I further acknowledge my intention by depositing the aforesaid sum of \$1,000.00 in a special savings account in my name. I may from time to time loan the passbook to said account to third persons to evidence the sincerity of my intentions; however I shall always maintain complete and absolute personal control over the funds in question.

It is further my intention to prepare a withdrawal slip for the sum of \$1,000.00, match same with the passbook, and transmit both to the authorized campaign committee of a candidate who meets my approval.

I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

Donor

Date

Candidate

Date

8204031116

31 AUG 20 P 1: 41

ROBERT R. BOGENSBERGER
1340 Avon Allen Road
Mount Vernon, Washington 98273
(206) 424-1808

Federal Election Commission
Washington D. C. 20463
ATTN: John Warren McGarry,
Chairman:

RE: MUR 1242

Dear Sir:

I am in receipt of your SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS dated June 5, 1981.

In answer to your interrogatories, I submit the following information:

INTERROGATORY # 1: Robert R. Bogensberger & Associates, Inc., ceased to exist, and thus has not conducted business since December of 1979. As a result of the failure of the business, the company's president Robert R. Bogensberger, has been engaged in other business endeavors since that time and does not have readily at hand the information that would allow him to provide information requested.

The files containing such information, however, were placed in storage in a barn belonging to a friend of Robert R. Bogensberger. Said barn is located in Mount Vernon, Washington. Bogensberger will be happy to co-operate with the Commission by arranging a mutually convenient time when a representative of the commission will be welcome to go over said files of Robert R. Bogensberger & Associates, Inc. and gain such information as will answer this interrogatory.

INTERROGATORY # 2: See Interrogatory # 1 above.

INTERROGATORY # 3: See Interrogatory # 1 above.

INTERROGATORY # 4: From time to time, Bogensberger has requested possession of the passbooks for these accounts.

INTERROGATORY # 5: Without undue expense in time, effort, and energy to Bogensberger, same cannot produce information requested. However, Bogensberger will be happy to fulfill this request under terms of the answer stated in Interrogatory # 1, above.

INTERROGATORY # 6: I cannot answer this interrogatory with any degree of certainty.

INTERROGATORY # 7: N/A

INTERROGATORY # 8: The location of Bogensberger's records are described in Interrogatory #1 above. Again, Bogensberger contends that it will cause undue hardship for Bogensberger to produce such records.

820493117

However, the spirit of cooperation expressed in Interrogatory #1, will apply in response to #8.

INTERROGATORY # 9: See Interrogatories # 1 & # 8 above.

INTERROGATORY # 10: Since Robert R. Bogensberger & Associates, Inc. ceased to exist after December of 1979, no state or federal income tax statements were filed for the year of 1980.

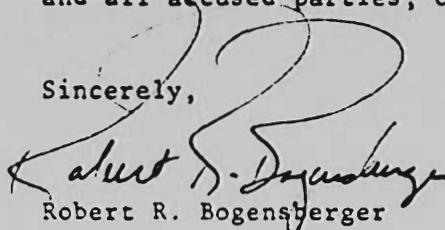
I hope the answers to the above Interrogatories will prove satisfactory to resolve the charges leveled against myself. It is my sincere hope that you have in your possession my previous correspondence. This matter has gone on far longer than prudence would dictate. Myself, my firm, the directors of the firm, or anyone else connected or associated with the firms activities, have violated neither the letter, or the intent, of the laws codified in the FEC . The allegations may be well intended, but are of no substance.

Therefore, defendants pray that all charges against them be set aside as so much political rhetoric, and the matter of MUR 1242 be laid to rest, once and for all.

Your prompt resolution of this matter will be appreciated by all parties accused.

For that prompt resolution, I send in advance, on behalf of myself and all accused parties, our sincerest thank your.

Sincerely,


Robert R. Bogensberger

RRB:ss

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ATTACHMENT D

4-038694S294002 10/21/81 ICS IPMTZZ CSP WSHB
1 2025234057 MGM TDMT WASHINGTON DC 10-21 0308P EST

FEDERAL ELECTION COMMISSION DENNIS MOSS
1325 K ST NORTHWEST
WASHINGTON DC 20463

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2025234057 MGM TDMT WASHINGTON DC 221 10-21 0308P EST

ZIP

ROBERT W BOGENSBERGER & ASSOCIATES INC
1340 AVON ALLEN RD
MT VERNON WA 98273

DEAR MR BOGENSBERGER:

WE HAVE RECEIVED YOUR RESPONSE OF AUG 20 1981 THAT THE FILES OF
ROBERT W BOGENSBERGER & ASSOCIATES INC ARE HOUSED IN A BARN LOCATED
IN MT. VERNON, WASHINGTON. YOU PROPOSED ARRANGING A MUTUALLY
CONVENIENT TIME WHEN A REPRESENTATIVE OF THE COMMISSION COULD REVIEW
THE FILES TO OBTAIN THE REQUESTED INFORMATION. ATTEMPTS TO CONTACT
YOU BY TELEPHONE TO DISCUSS YOUR COUNTER PROPOSAL HAVE PROVED
UNSUCCESSFUL

WE CONSIDER IT MORE CONVENIENT TO BOX THE RELEVANT FILES AND HAVE
THEM SHIPPED TO THE FEDERAL ELECTION COMMISSION IN WASHINGTON, D.C.
WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MAILGRAM. THOSE FILES WILL
THEN BE PHOTOCOPIED AND THE ORIGINAL MATERIAL RETURNED TO YOU

WE MUST IMPRESS UPON YOU THE NECESSITY OF YOUR COOPERATION IN THE
TIMELY DISPOSITION OF THIS MATTER, WITHOUT YOUR VOLUNTARY COOPERATION
IT WILL BE NECESSARY FOR THE COMMISSION TO SEEK THE ASSISTANCE OF THE
U.S. ATTORNEY IN SEATTLE, WASHINGTON (OR TO INITIATE SUBPOENA
ENFORCEMENT PROCEEDINGS IN THE U.S. DISTRICT COURT FOR THE WESTERN
DISTRICT OF WASHINGTON AT SEATTLE)

IF YOU HAVE ANY QUESTIONS CONCERNING THIS MATTER CONTACT DENNIS N
MOSS ON 202-523-4057 OR 800-424-9530 (TOLL FREE). SINCERELY

RE: MOR 1242

CHARLES N STEELE, GEN. COUNSEL BY
KENNETH A GROSS, ASSOCIATE GEN. COUNSEL
FEDERAL ELECTION COMMISSION

15:09 EST

MGMCOMP



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mr. Robert R. Bogensberger
Robert R. Bogensberger and
Associates, Inc.
1340 Avon Allen Road
Mount Vernon, Washington 98273

RE: MUR 1242

Dear Mr. Bogensberger:

On February 23, 1981, the Commission found reason to believe that your firm had violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds nevertheless appears to be a violation of the Act, and you should take immediate steps to insure that this activity does not occur in the future. Accordingly, the firm should be dissolved under the laws of the state of its incorporation.

If you have any questions, please direct them to Dennis N. Moss, at (202) 523-4057 or 800-424-9530 (toll free).

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

8204931120

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Katherine Meyer
Robert R. Bogensberger and
Associates, Inc.
4431 Thirty-Seventh Street, S.W.
Apartment 33
Seattle, Washington 98126

RE: MUR 1242

Dear Ms. Meyer:

On February 23, 1981, the Commission found reason to believe that your firm had violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds nevertheless appears to be a violation of the Act, and you should take immediate steps to insure that this activity does not occur in the future. Accordingly, the firm should be dissolved under the laws of the state of its incorporation.

If you have any questions, please direct them to Dennis N. Moss, at (202) 523-4057 or 800-424-9530 (toll free).

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. William H. Baarsma, Chairman
Democratic Party Central Committee
P.O. Box 7338
Tacoma, Washington 98407

RE: MUR 1242

This is in reference to the complaint you filed with the Commission on May 28, 1980, concerning certain activities of the firm of Robert R. Bogensberger and Associates, Inc. ("Bogensberger and Associates").

Based on your complaint, the Commission determined there was reason to believe that Bogensberger and Associates violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter. After an investigation was conducted the Commission concluded on , 1982, to take no further action against Bogensberger and Associates. Accordingly, the file in this matter, numbered MUR 1242, has been closed. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. The Federal Election Campaign Act allows a Complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Dennis N. Moss, the staff member assigned to this matter, at (202) 523-4057, or 800-424-9530 (toll free).

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645



4-0387568294002 10/21/81 ICS IPMMTZZ CSP WSHB
1 2025234057 MGM TDMT WASHINGTON DC 10-21 0309P EST

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GENERAL

FEDERAL ELECTION COMMISSION DENNIS MOSS
1325 K ST NORTHWEST
WASHINGTON DC 20463

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2025234057 MGM TDMT WASHINGTON DC 225 10-21 0309P EST
ZIP

ROBERT R BOGENSBERGER
CARE ABRAHAM FINANCIAL CORP-SEATAC OFC CTR
18000 PACIFIC HWY SOUTH SUITE 403
SEATTLE WA 98188

DEAR MR BOGENSBERGER;

WE HAVE RECEIVED YOUR RESPONSE OF AUG 20 1981 THAT THE FILES OF
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IF YOU HAVE ANY QUESTIONS CONCERNING THIS MATTER CONTACT DENNIS N
MOSS ON 202-523-4057 OR 800-424-9530 (TOLL FREE). SINCERELY

RE: MUR 1242

CHARLES N STEELE, GEN. COUNSEL BY
KENNETH A GROSS, ASSOCIATE GEN. COUNSEL
FEDERAL ELECTION COMMISSION

15:10 EST

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Mailgram



THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

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MAILGRAM SERVICE CENTER
MIDDLETOWN, VA, 22645

 Mailgram

4-038694S294002 10/21/81 ICS IPMMTZZ CSP WSHB
1 2025234057 MGM TDMT WASHINGTON DC 10-21 0308P EST

FEDERAL ELECTION COMMISSION DENNIS MOSS
1325 K ST NORTHWEST
WASHINGTON DC 20463

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RE: MUR 1242

CHARLES N STEELE, GEN. COUNSEL BY
KENNETH A GROSS, ASSOCIATE GEN. COUNSEL
FEDERAL ELECTION COMMISSION

15:09 EST

MGMCOMP

26



Mailgram

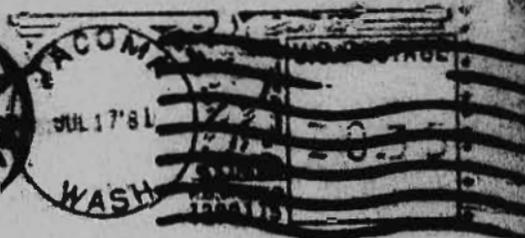


THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

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00:22 AM:50

1340 Avon Allen Rd.
Mt. Vernon, WA. 98273



Federal Election Commission
Washington D.C. 20466

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MUR 1242 ATTN:
John W. McGarry.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 2, 1981

Mr. Charles Pinnell, Chief
Civil Division
United States Attorney's Office
1012 United States Courthouse
Seattle, Washington 98104

RE: MUR 1242

Dear Mr. Pinnell:

This confirms the recent telephone conversation between you and Dennis N. Moss, of our staff, concerning the Federal Election Commission's investigation of federal campaign activities of the firm of Robert R. Bogensberger and Associates, Inc., which is no longer conducting business.

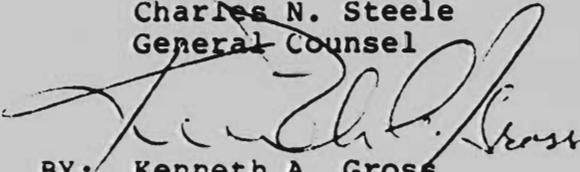
As was discussed, we are in need of your assistance in reviewing the firm's files which, according to the firm's president, Robert R. Bogensberger, are housed in a barn in Mount Vernon, Washington. Mr. Bogensberger has indicated that he will allow access to those files at a mutually convenient time. It is our intent to arrange such a time on or before October 12, 1981. Please let us know if this can be arranged with a member of your staff. If so, please have that person contact Mr. Moss on (202) 523-4057.

In accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), we ask that this matter remain confidential.

We appreciate your assistance.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

8 2 0 1 0 3 1 1 2 9

Mr. Charles Pinnell, Chief
Civil Division
United States Attorney's Office
1012 United States Courthouse
Seattle, Washington 98104

RE: MUR 1242

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We appreciate your assistance.

Sincerely,

Charles W. Steele
General Counsel

cc: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/JODY CUSTER *jc*
DATE: AUGUST 20, 1981
SUBJECT: REFERRAL OF LETTER REGARDING MUR 1242

The attached letter regarding the response to subpoena was received in Chairman McGarry's office and then forwarded to the Secretary of the Commission. It is provided for your action.

8204031130

AUG 21 9 33 AM '81

Attachment:

Letter from Robert R. Bogensberger,
undated

RECEIVED
OFFICE OF THE
COMMISSIONER
SECRETARY

81 AUG 20 P 1: 41

ROBERT R. BOGENSBERGER
1340 Avon Allen Road
Mount Vernon, Washington 98273
(206) 424-1808

Federal Election Commission
Washington D. C. 20463
ATTN: John Warren McGarry,
Chairman:

RE: MUR 1242

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However, Bogensberger will be happy to fulfill this request under terms
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INTERROGATORY # 8: The location of Bogensberger's records are
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8204031131

AUG 24 1981

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INTERROGATORY # 9: See Interrogatories # 1 & # 8 above.

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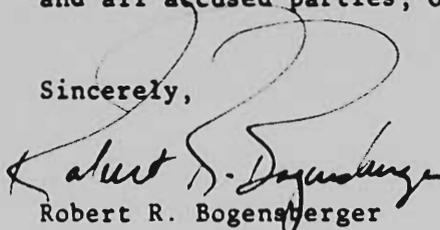
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Therefore, defendants pray that all charges against them be set aside as so much political rhetoric, and the matter of MUR 1242 be laid to rest, once and for all.

Your prompt resolution of this matter will be appreciated by all parties accused.

For that prompt resolution, I send in advance, on behalf of myself and all accused parties, our sincerest thank your.

Sincerely,


Robert R. Bogensberger

RRB:ss

8204931132

FEDERAL ELECTION COMMISSION

Robert R. Bogensberger

MUR 1242

INTERROGATORIES

(1) Identify by name and address each individual who has submitted the "Declaration of Intent", attached hereto, identified as Exhibit 1, and incorporated herein by reference.

(2) Identify by name and address each individual who for a retainer of \$100.00, hired the services of Robert R. Bogensberger and Associates, Inc. (Bogensberger) to implement the five-step program set forth on pages three (3) and four (4) of Congressional Integrity, Vol. III, No. 1, dated January 1, 1979.

(3) Identify by name and address each individual who deposited \$1,000 or any lesser amount, in an individual savings account with a financial institution during 1980 pursuant to the "Declaration of Intent".

(4) State whether Bogensberger has ever requested possession of the passbooks to these accounts.

(5) If your response to Question 4 is yes, identify by name and address each individual who transferred his or her passbook to Bogensberger, Inc., pursuant to the "Declaration of Intent".

(6) To your knowledge, did any candidate for federal election and/or his or her authorized committee(s) receive any funds which were transferred by those individuals identified in Question 3?

(7) If your response to Question 6 is yes, identify by name and address each candidate and/or his or her authorized committee(s) who received funds which were transferred by any of those individuals described in Question 3.

(8) State the names and addresses of Bogensberger's officers and directors; attach a copy of Bogensberger's Articles of Incorporation.

(9) List Bogensberger's expenditures for the period beginning September, 1980, to the present; in lieu thereof, you may attach copies of Bogensberger's journal entries, general ledgers, and/or profit and loss statements for the same period.

(10) Attach copies of Bogensberger's state and federal income tax statements filed for the year of 1980.

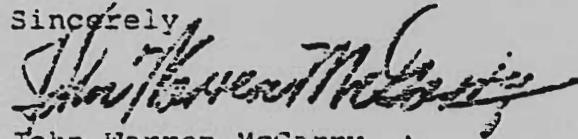
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The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely



John Warren McGarry
Chairman

Enclosures

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on February 23, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/JODY CUSTER *jc*
DATE: AUGUST 17, 1981
SUBJECT: MUR 1242 - Comprehensive Investigative Report #1,
dated August 5, 1981; Received in OCS, 8-13-81,
10:52

The above-named document was circulated to the
Commission on a 24 hour no-objection basis at 4:00,
August 13, 1981.

There were no objections to the report at the time
of the deadline.

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August 13, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1242

Please have the attached Comp Invest Report distributed
to the Commission. Thank you.

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SENSITIVE

**BEFORE THE FEDERAL ELECTION COMMISSION
August 5, 1981**

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of)
)
Robert R. Bogensberger) MUR 1242
and Associates, Inc.)

81 AUG 13 A10: 52

COMPREHENSIVE INVESTIGATIVE REPORT # 1

On May 28, 1980, the Commission received a complaint from William H. Baarsma, which alleged that Robert R. Bogensberger and Associates, Inc. (Bogensberger), a political consulting firm, had been engaged in activities which may have violated the Act, (1) for its failure to register and report as a political committee under 2 U.S.C. §§ 433 and 434, and, (2) by making prohibited contributions under 2 U.S.C. § 441b.

It appeared that Bogensberger performed a variety of campaign services geared toward raising financial support for candidates selected by the firm; Bogensberger charged a fee of \$100 for these services which is paid by individuals from the general public. These services included, according to information supplied by complainant, sponsoring a fundraising program, selecting Congressional candidates, providing campaign advice to selected candidates, and publishing a monthly newsletter which was designed to solicit support for these candidates through a citizen pledge plan. 1/

1/ See Attachment A. One issue of the newsletter, entitled the "Congressional Integrity", outlines the purposes for which Bogensberger was formed, the principal one being to institute an organized plan to elect new Congressmen. In addition, this newsletter explains how individuals can participate in a citizen pledge plan.

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Under this plan, a participant was asked to deposit \$1,000 in a special savings account with his or her bank. The participant was also asked to sign a declaration of intent that he or she would forward the account passbook, and at a later time, a withdrawal slip for \$1,000.00, directly to the candidate or committee selected by Bogensberger, and approved by the participant. He or she further agreed to turn over the passbook to Bogensberger on occasion as evidence of sincerity in supporting the plan. 2/

It seemed apparent that Bogensberger's practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violated Section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. "Contribution or expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value.

Since we recommended that the Commission find reason to believe that Bogensberger had violated Section 441b of the Act, it was unnecessary to consider complainant's allegations that Bogensberger may have also violated Sections 433 and 434 of the Act for its failure to register and report as a political committee. Under 11 C.F.R. § 114.12, an organization may incorporate and not be subject to corporate activity provisions of the Act if the organization incorporates for liability purposes only, and if the organ-

2/ See Attachment B.

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zation is a political committee as defined in 11 C.F.R. § 100.5. It is evident that Bogensberger was incorporated for purposes other than for limited liability.

On February 23, 1981, the Commission found reason to believe that the respondent corporation violated 2 U.S.C. § 441b. A reason to believe notification and covering letter were forwarded to respondent by certified mail on March 11, 1981. On March 20th, this Office requested that a trace be made by the U.S. Postal Service. However, since there had been no certification of respondent's receipt of the March 11th letter, a copy of the notification and covering letter was forwarded to respondent by regular mail on March 26th.

On March 30th, the letter of March 11th, was returned to the Commission marked "addressee moved". A second copy of the March 11th letter was then mailed to respondent by certified mail on April 8th, to the home residence of the corporation's president. This address had been obtained through telephone directory assistance. On April 21st, this Office requested a trace be made of this correspondence, as there had been no certification of receipt by that date. On April 29th, the correspondence was returned to the Commission marked "unclaimed".

By May 12, 1980, respondent had failed to respond to the reason to believe notification and list of interrogatories contained therein. The General Counsel determined on May 14, 1980, that the above developments necessitated service of the interrogatories by subpoena with the assistance of the U.S. Marshal's Office.

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Pursuant to a request by the Office of General Counsel, the Secretary of State of Washington forwarded a copy of the articles of incorporation, which was received on May 18, 1981. This information produced the names and addresses of the president, Robert R. Bogensberger, and the secretary, Katherine A. Meyer, officers of respondent corporation. These officers were served with notification of the Commission's reason to believe finding by the U.S. Marshal on June 10 (Meyer), and June 11, 1981 (Bogensberger).

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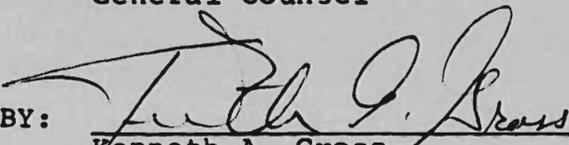
Katherine Meyer responded by telephone on June 10, 1981, the date on which she was served with notification. She was told to forward a written response to the Office of General Counsel as soon as possible. A written response was received by the Office of General Counsel on June 16, 1981. In her response, Katherine Meyer stated that she had not been employed by respondent corporation since July 17, 1978, and as such, was not in possession of the documents requested in the notification, nor did she feel qualified to answer the interrogatories. In addition, she stated, it was her understanding that several months after she left respondent's employment, the firm was not in business.

The firm's president, Robert R. Bogensberger, failed to respond within the time period of ten (10) days as specified in the notification. General Counsel staff talked with Bogensberger on July 8, 1981. He was asked whether he had received the Commission's notification, to which he replied in the affirmative. He also stated upon inquiry that a written response would be forthcoming

in a few days. Finally, he indicated that the firm was no longer in business. The General Counsel has not received a written response from the president as of the date of this report. Consequently, it is our present intention to initiate subpoena enforcement in the appropriate district court in order to obtain the documents and answers to written questions. As matters currently stand, the General Counsel is without sufficient information regarding respondent's activities to recommend either probable cause or no probable cause.

Charles N. Steele
General Counsel

Aug 12, 1984
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments:

- A. Newsletter, four pages
- B. Pledge Plan, one page

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CONGRESSIONAL in-teg-ri-ty



*Dedicated to
restoring
integrity in
Congress*

Vol. III, No. 1

January, 1979

So you have made the Congressional Connection

Something is wrong in this country:

Too much inflation, too many taxes, too many government rules, too many regulations, too many bureaucrats.

Too little leadership.

Internationally, this nation's foreign policy is in a shambles. Strategic strength has been negotiated into chronic weakness. Deadly enemies have become "most favored nations" while true allies have been insulted and brushed aside in the name of "political expediency".

Domestically, we suffer from double-digit inflation; annual budgets in excess of \$1/2 TRILLION; a National Debt and other obligations which have piled up to an amount in excess of \$9 TRILLION; a federal bureaucracy so huge that even the government cannot accurately state how many bureaucrats are now on the payroll, and an incompetent judiciary, seemingly answerable to no one, legislating

If you . . . have already made the "Congressional Connection" then you understand the necessity of electing more competent people to Congress...

away our freedoms — these and more are burdens that grow daily.

Who is responsible? Can something be done to re-direct our national destiny to a wiser, more prudent direction?

MY CONGRESSMAN, THE FOX:

As every American farm boy knows: "You don't send a fox to guard the chicken house."

However, this is precisely what is happening in the United States today, because the majority of the 535 Congressmen in our government are "Political Foxes".

Congress¹¹ is the problem. Every authorization for debt increases.

¹¹ Where used in this article, "Congress" means the 435 members of the House of Representatives, and the 100 members of the Senate.

each bureaucracy and bureaucrat, every rule and regulation, every tax, and each assault by government on individual liberty, begins with a vote, or by the action or inaction of Congress.

Too few people, though, have made the "connection" between the problems posed by government and their Congressman's actions.

Too many Americans still fall prey to the propaganda of the politicians: that farmers, housewives, businessmen, workers, consumers, unions — everyone and anything except Congress — is the cause of our problems.

If you are one of the growing numbers of American citizens who have already made the "Congressional Connection", then you understand the necessity of electing more competent people to Congress.

Election years afford the greatest opportunity for people to make the "Congressional Connection" because interest is high and the Congressman is home running for

generally does not materialize because the professional "car types have learned to cloud the issues rather than discuss them.

The amateur, challenging candidate, because he is late starting, under-organized and ill-financed, does not have the resources to force the Congressman's voting record as an issue in the campaign.

The result is that most campaigns become a staged production composed of slogans and trite cliches. Of all incumbents seeking re-election, 94% are successful. Congress continues to be the problem.

this, sufficient, early funds for a well-organized, planned campaign.

This situation will provide a substantial opportunity to publicize the incumbent Congressman's voting record, it's impact on our day-to-day lives, and help tens of thousands of other citizens in your District make the "Congressional Connection".

Now, imagine this happening in scores of Congressional Districts, resulting in the election of dozens of such candidates to Congress.

It is undeniable that the future course of American history will be dramatically changed for the better.

Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found!

This is not the way to conduct politics.

Instead of the normal "hurry-up-then-lose" approach, common with most challenging, amateur candidates, what if the following scenario took place in your Congressional District the next time your Congressman sought re-election:

What if your incumbent "Political Fox" were (for the first time in his political career) challenged by an articulate, highly principled candidate who:

Understands that his oath of office means he will swear to preserve, protect and defend our Constitutional Republic as a government of laws, not of men; understands that these laws severely restrict the powers of government and can be changed only by the people through their elected representative; and swears to defend these principles against personality, party, cause or special interest which threatens these basic principles.

Working towards the election of this candidate will be many hundreds of citizens from all walks of life who have made the "Congressional Connection" and who realize that they too, must give principle priority over personality, party, and even their own special interests.

What is necessary to bring about this much needed change in the way we conduct politics?

To begin with, enough citizens who have made the "Congressional Connection" in your Congressional District will have to pledge themselves to find, and then work for, a candidate as described above. This is not an impossible task. There are already nearly one hundred highly principled people serving in the U.S. Congress. Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found! (Hundreds of qualified candidates offer themselves each year, but fail to succeed for lack of resources.)

Secondly, enough campaign funds must be raised in each District from citizens who have made the "Congressional Connection", so the campaign can compete with the "advantages of office" the incumbent possesses. With manpower, money, organization, planning, and a qualified candidate, the advantages of the incumbent can be overcome.

And plans must be made.

The question is, who will take the time to do all the fund-raising,

scheduling, etc.

There are many individuals who are eminently qualified and capable. Individuals already exist who can build skyscrapers, ships, organize businesses, invent pacemakers and myriad other miracles of the 20th century. How are all these wonders created?

The answer is, a free market concept known as "division of labor".

If a shipbuilder needs welding, a welder is hired. If a dentist needs his car repaired, a mechanic is hired. If a farmer needs his health attended to, a physician is hired. But if citizen's need a plan organized to elect a new Congressman, they join lobbyist and trade organizations, hope the party might finally do something, "wish" some fine candidate will come along, send \$50 to some political action committee 2000 miles away, and a whole host of other absurd, futile attempts to effect political change.

Isn't it long past the time when we should apply the "division of labor" principle that has proven so successful in business enterprise to the political process?

The firm of Robert R. Bogensberger & Associates, Inc., was formed for that purpose. The firm has developed — and is now implementing — a plan designed to restore integrity in Congress. Our firm offers services to citizens which will bring about the election to Congress a majority of individuals who are highly principled, honest, and who understand that they have been elected to serve the People, and not their own political careers.

CONGRESSIONAL INTEGRITY
is published monthly by
ROBERT R. BOGENSBERGER
& ASSOCIATES, INC.
Five Hundred Wall Street, Suite 207
Seattle, Washington 98121
(206) 623-2381
Subscription Rate is \$75.00 per year
2nd Class Postage Paid at
SEATTLE, WASHINGTON
E. by Robert R. Bogensberger
& Associates, Inc.

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The Plan:

STEP ONE: Raise Early and Sufficient Campaign Seed Money

Funds for future political campaigns are solicited using a new and unique method. When an individual commits to participation in this step of the Program, a pledged amount of funds (preferably \$1,000) is set aside in a savings account opened by the participant in his own name. The passbook for each savings account is held by the firm of Robert R. Bogensberger & Associates, Inc.⁽²⁾, until such time as a qualified candidate is found and presented to, and accepted by, the respective donors. The passbooks are used to prove support to potential candidates. Our goal is between \$100,000 and \$200,000 in each Congressional District.

WHY STEP ONE:

Money is the life-blood of political campaigns. With it, many things are possible. Without it, success is highly improbable.

We are not the first to recognize this political truism. Hundreds of methods have been devised to raise money for potential candidates. Hundreds of millions are raised biennially for the purpose. One of the most common in use is computerized mailing lists used by candidates, lobbyist organizations and special interest Political Action Committees [PAC's].

If you are one of the computerized names who receives scores of solicitations annually, you may have already questioned their effectiveness.

In most instances, money raised by such methods is at least inefficient, because only a small percentage of the total ever reaches the intended cause or candidate, usually less than 10%. As just one example, a major national conservative political action committee recently

⁽²⁾ For safekeeping, actual passbooks are placed in the custody of a Certified Public Accountant, and a receipt is issued to the passbook owner.

raised a total of \$2,100,000 by direct mail method. However, committee contributed only \$440,000 of it to candidates running for office. Many candidates receive the majority of their campaign funds from such sources, all of which are from outside the District to be represented. In such instances, the question can justifiably be asked: "Who will that candidate be beholden to?"

The greatest concern though, about these seemingly well-intentioned, special interest PAC's which now number in the many hundreds, is this: 80% or more of the funds that are contributed go to incumbents on the theory that the incumbent is the "odds on favorite" to win, so "let's back the winner". Principle is seldom considered. This, of course, perpetuates the very problem that PAC's were organized to solve.

Our method of raising funds for future political opportunities is the most honorable ever devised, because it overcomes all the shortcomings described above by assuring that 100 cents of every dollar raised goes directly to the candidate — from individual donors within the District.

STEP TWO:

Select Qualified Candidates Pledged to Constitutional Principles

With adequate financial support, provable, qualified, highly principled individuals will be encouraged to "serve". From these individuals, participants in this program will select their best qualified candidate.

WHY STEP TWO:

Each two years, millions of Americans participate in the election of representatives, but few are involved in the selection of those who will be candidates.

We must remember, that when we elect someone to represent us in the governing process, we place into that individual's hands Political Power. This person now has the power to pass laws that tax us, regulate us, inflate our currency, rob us of our rights and allow government to commit other abuses against

into the hands of any individual is not a game — it is our lives, our futures and our freedom. Such selections should not be left to chance, nor taken lightly.

STEP THREE: Help Develop a Plan for a Successful Campaign

WHY STEP THREE?

Because of the diversity of candidates and Congressional Districts, and, because of the high cost of seeking public office, a custom-made campaign strategy is necessary to ensure the wise and efficient use of time and money. A steering committee, composed of donors from Step One, above, will be organized to act in an advisory capacity.

STEP FOUR: Evaluate the Performance of the Congressman

Through the monthly newsletter, Congressional in-teg-ri-ty, participants in the program are informed of their Congressman's performance.

WHY STEP FOUR?

A Congressman's performance in office is far more important than promises. Most citizen's concern themselves with their representatives' activities for only a short period of time during the election year. The Congressman's performance though, seriously effects each of our lives, 24-hours per day — every day!

The firm of Robert R. Bogensberger & Associates, Inc., encourages an increased awareness of, and interest in the affairs of Congress. We believe this can be accomplished by researching, publishing and disseminating a Congressman's voting record as widely as possible so that more citizens will begin to make the "Congressional Connection" year around, not just during election time.⁽³⁾

⁽³⁾ Robert R. Bogensberger & Associates, Inc. has recently begun "Operation Congressional Connection", a series of radio, newspaper advertisements and report articles of Congressmen and the net effect they have on national issues.

This program will be organized at the Congressional District level with a goal of 1,000⁽⁴⁾ individual participants in each Congressional District. For a minimum retainer of \$100 per year, individuals hire the services of Robert R. Bogensberger & Associates, Inc., to implement this five-step program. As Clients of the firm, each individual receives the benefit of a full-time field director in the Congressional District. Each field director works closely with all Clients while implementing this program. Additionally, Clients benefit from a home office staff which administers the needs of the field directors, performs research and maintains a liaison with numerous Congressional Representatives. Clients also receive the monthly newsletter CONGRESSIONAL in-teg-ri-ty which keeps them abreast of activities relating to their program, their Representative, and Congress.

WHY STEP FIVE:

If you have ever participated in a Congressional campaign for a newcomer to politics with the hope of unseating a well-entrenched "career" incumbent, you will readily recognize the need for this step.

Incumbents possess numerous "advantages of office". Just one of them allows the incumbent to have three "District" offices in the home District. These are staffed by full-time personnel. These, and the many other resources at the incumbent's disposal, are working two or more years in advance on behalf of the re-election of the incumbent. Other resources include expense accounts, many free ser-

(4) Are 1,000 persons enough to make the difference? YES! Though the average Congressional District is 500,000 population, the majority of those persons never register to vote. Of those who do register, the majority seldom vote - so the actual number of votes necessary to reverse most elections is less than 2% of the total population - and therefore 1,000 individuals, well organized, and motivated, are more than enough to change the outcome of most elections.

The challenger, on the other hand, is usually, at the last moment, urged to run by a handful of friends. This campaign is almost always late starting, poorly organized, and under-financed.

This plan is kept in effect to ensure the re-election of an acceptable representative as much as it is used to remove an unacceptable representative.⁽⁵⁾

The Plan Works!

After one year of field implementation by the capable field staff of the firm of Robert R. Bogensberger & Associates, Inc., it can confidently be stated that the plan outlined above is a good plan, a workable plan, and an effective plan.

As a result of our first year of work, there are now many hundreds of individuals from all walks of life - literally, the broadest possible spectrum of individuals - who agree. [We will be delighted to show you a list of our Clients.]

Our Clients now look towards future elections with anticipation because they know that in future campaigns they will not have to settle for the "lesser of two evils" nor frustrate themselves with well-intentioned individuals who, by

(5) This plan is also necessary in Districts where an acceptable candidate has been elected. There are no iron-clad guarantees in politics. And, though this program substantially enhances the probability of electing only responsible people to public office, there are far too many examples of representatives "changing" once they are in office.

now look forward to working for, and supporting a candidate for the United States Congress whom they will be proud to call their own.

Our Clients - because they will be part of the 1,000 in their Congressional District who are going to make things happen - know that they are part of the only plan in existence that has a no-nonsense approach to improving the quality and calibre of their elected representative.

Our Clients see the light at the end of the tunnel when they will no longer have to take the biennial "hurry-up-then-lose" gamble, which has kept this nation on a disastrous course for too many decades.

All that is necessary for the success of this plan is you!

WHAT ABOUT YOU?

What is this plan worth? Is it worth \$100 per-year to have a person working for you full time in your own Congressional District helping others make the "Congressional Connection" and implementing the only workable plan of action which will lead to the successful election of a representative of whom you can be proud? Is it worth considering, as a separate decision, setting \$500 or \$1,000 aside in a savings account in your name in anticipation of that future political opportunity?

Is your business, your job, your home, your future and that of the next generation worth the effort?

If you agree that the answers to the above questions are a resounding YES!, contact us for information on how you can become part of this growing force that will restore integrity in Congress.

NOTE TO READERS: This is a reprint of the January 1979 issue of the newsletter, CONGRESSIONAL in-teg-ri-ty. Additional copies are available, 10 for \$1.00, by writing the home office of Robert R. Bogensberger & Associates, Inc., 500 Wall Street, Suite 217, Seattle, Washington 98121.

DECLARATION OF INTENT

'90 JUN 25 AM 11: 1

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant evidence of my pledge of support, I hereby publicly declare my intention to donate the sum of \$1,000.00 for the purpose of providing financial assistance to such candidates.

I further acknowledge my intention by depositing the aforesaid sum of \$1,000.00 in a special savings account in my name. I may from time to time loan the passbook to said account to third persons to evidence the sincerity of my intentions; however I shall always maintain complete and absolute personal control over the funds in question.

It is further my intention to prepare a withdrawal slip for the sum of \$1,000.00, match same with the passbook, and transmit both to the authorized campaign committee of a candidate who meets my approval.

I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

 Donor

 Date

 Candidate

 Date

8204031148

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

GCC# 4980

PLAINTIFF **Federal Election Commission** Commission
file No. MUR 1242

Respondent **Robert R. Bogensberger & Associates, Inc.** TYPE OF PROCESS 1. Order
2. Notification of Finding

SERVE AT NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN **ing**
Katherine Meyer
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
**4431 37th Street, S.W. Apartment 33
Seattle, Washington 98126**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form-285	2
Office of General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463	Number of parties to be served in this case	2
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Assistance of U.S. Marshal's Service requested under 2 U.S.C. §437c(f) (3), please effect personal service.

Do not charge, originator U.S. Government agency.

Signature of Attorney or other Originator requesting service on behalf of: **Dennis N. Moss** PLAINTIFF DEFENDANT TELEPHONE NUMBER **202-523-4057** DATE **6/5/81**

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 86	District to Serve No.	Signature of Authorized USMS Deputy or Clerk 897	Date 6-9-81
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I hereby certify and return that I have personally served. have legal evidence of service. have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode

Date of Service **6-10-81** Time **8:55** **am** pm

Signature of U.S. Marshal or Deputy **Joel A [Signature]**

Service Fee 300	Total Mileage Charges (including endeavors) 1.44	Forwarding Fee —	Total Charges 34.44	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
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REMARKS

JUN 9 10 05 AM '81

WESTERN DISTRICT OF WASHINGTON

SEATTLE

1 JUN 23 12:44

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF	Federal Election Commission	COUSE-GAME NUMBER	Commission
DEFENDANT	Respondent Robert R. Bogensberger & Associates, Inc.	file No.:	MUR 1242
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	TYPE OF PROCESS	
	Robert R. Bogensberger	1: Order 2: Notification of finding	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)		
	1340 Avon Allen Road Mt. Vernon, Washington 98273		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form-285	2
Office of General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463	Number of parties to be served in this case	2
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses. All Telephone Numbers, and Estimated Times Available For Service):

Fold Assistance of U.S. Marshal's Service requested under 2 U.S.C. §437c(f) (3) please effect personal service. Fold

Do not charge, originator U.S. Government agency.

Signature of Attorney or other Originator requesting service on behalf of: Dennis N. Moss PLAINTIFF DEFENDANT TELEPHONE NUMBER 202-523-4057 DATE 6/5/81

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No.	No. 86	<i>[Signature]</i>	6-9-81

I hereby certify and return that I have personally served. have legal evidence of service. have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode
Address (complete only if different than shown above)	Date of Service 6-11-81 Time 11:15 am
	Signature of U.S. Marshal or Deputy <i>[Signature]</i>

Service Fee \$3.00	Total Mileage Charges (including endeavors) 40 miles	Forwarding Fee	Total Charges 10:20	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
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REMARKS

WESTERN DISTRICT OF WASHINGTON
SEATTLE, WASHINGTON
JUN 9 10 05 AM '81
UNITED STATES MARSHAL

1 JUN 23 PM 2:44

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No.5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF

Federal Election Commission

**Commission
file No. MUR 1242**

Respondent

Robert R. Bogensberger & Associates, Inc.

TYPE OF PROCESS
**1. Order
2. Notification of Finding**

**SERVE
AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Katherine Meyer

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

**4431 37th Street, S.W. Apartment 33
Seattle, Washington 98126**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

**Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463**

Number of process to be served with this Form-285	2
Number of parties to be served in this case	2
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Assistance of U.S. Marshal's Service requested under 2 U.S.C. §437c(f) (3), please effect personal service.

Do not charge, originator U.S. Government agency.

Signature of Attorney or other Originator requesting service on behalf of

PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER
202-523-4057

DATE
10/1/81

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
<input checked="" type="checkbox"/>		No <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>	<i>[Signature]</i>	10-9-81

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks" the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)

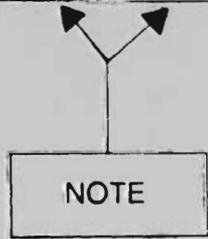
A person of suitable age and discretion then residing in the defendant's usual place of abode

Address (complete only if different than shown above)

Date of Service _____ Time _____ am pm
Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal	Amount of Refund (Check enclosed)

REMARKS



**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF

Federal Election Commission

COURT CASE NUMBER **Commission**

file Nos. **MUR 1242**

DEFENDANT **Respondent**

Robert R. Bogensberger & Associates, Inc.

TYPE OF PROCESS

**1: Order
2: Notification of finding**

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Robert R. Bogensberger



ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

**1340 Avon Allen Road
Mt. Vernon, Washington 98273**

AT

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

**Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463**

Number of process to be served with this Form-285

2

Number of parties to be served in this case

2

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Assistance of U.S. Marshal's Service requested under

Fold

2 U.S.C. §437c(f) (3) please effect personal service.

Do not charge, originator U.S. Government agency.

Signature of Attorney or other Originator requesting service on behalf of

PLAINTIFF

TELEPHONE NUMBER

DATE

202-523-4057

6/15/81

DEFENDANT

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	No	No	36		

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

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Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode

Date of Service Time am pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
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REMARKS

NOTE

100639 GCR # 4885

RECEIVED
OFFICE OF
GENERAL COUNSEL

4431 37th Ave, #33
Seattle, WA 98126
June 10th, 1981

JUN 16 P 3: 23

Mr. Charles N. Steele
General Council
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Subject: Robert R. Bogenberger & Associates, Inc. (MUR 1242)

Dear Mr. Steele:

This letter is in reference to a "Subpoena to Produce Documents and Order to Submit Written Answers" in the matter of Robert R. Bogenberger and Associates, Inc. (MUR 1242) that was served me this morning, Wednesday, June 10th.

Upon receiving this material, I telephoned Mr. Dennis Moss, the staff member assigned to this case, and explained to him that I have not been employed by the above mentioned firm since July 17th, 1978 and as such I am not in possession of the requested documents nor do I feel qualified at this point to answer the questions put to me due to the extended passage of time. In addition, it is my understanding that several months after I left the employment of Robert R. Bogenberger and Associates, Inc. they went out of business.

Mr. Moss suggested that I write and explain my situation. I leave it with you to make what determinations you deem necessary in light of my letter.

Sincerely,
Katherine A. Meyer

8 2 0 1 0 3 1 1 5 4

ATHERINE A. MEYER
4487 37th S.W.
Apartment 33
Seattle WA 98126



Mr. Charles N. Steele
General Council
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

CERTIFIED

P25 5283747

MAIL



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 9, 1981

MEMORANDUM

TO: File

FROM: Dennis N. Moss *DM*

RE: MUR 1242

A telephone call to the U.S. Marshal's Office, Seattle, Washington, today elicited that the subpoenas and request for service were received this morning. An indication was made that service would be attempted within two weeks of today.

8 2 0 4 0 3 1 1 5 6



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

U.S. Marshal's Office
U.S. Courthouse, Room #300
Seattle, Washington 98104

Re: MUR 1242

Dear Sir:

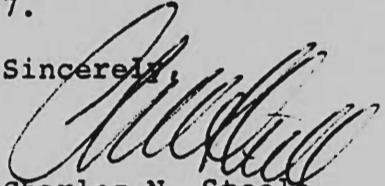
I am writing to request your assistance pursuant to 2 U.S.C. §437c(f)(3) in perfecting service of the enclosed Subpoenas and Notification of Finding upon Robert R. Bogensberger and Katherine Meyer.

Attempts to serve Robert R. Bogensberger by other means have proved unsuccessful and we believe it likely that he may try to avoid service by your office. We therefore request you effect personal service upon each of them.

As we are an agency of the U.S. Government we ask you to waive fees for your services.

Thank you in advance for your cooperation in this matter. If you have any questions please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely,


Charles N. Steele
General Counsel

Enclosures

U.S. Marshal Service Form
Orders
Letter to Robert Bogensberger

8 2 0 4 0 3 1 1 5 7

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

6/5/81

Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space below.

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:
 U.S. Marshall's Office
 Seattle, Washington

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

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE *[Signature]*

4. DATE OF DELIVERY: 6/9/81 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

9 2 0 1 1 1 5 9

MUR 1242

SPD : 1570-000-000
masa

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

U.S. Marshal's Office
U.S. Courthouse, Room #300
Seattle, Washington 98104

Re: MUR 1242

Dear Sir:

I am writing to request your assistance pursuant to
-2 U.S.C. §437c(f)(3) in perfecting service of the enclosed
Subpoenas and Notification of Finding upon Robert R. Bogens-
berger and Katherine Meyer.

Attempts to serve Robert R. Bogensberger by other means
have proved unsuccessful and we believe it likely that he may try
to avoid service by your office. We therefore request you effect
personal service upon each of them.

As we are an agency of the U.S. Government we ask you to
waive fees for your services.

Thank you in advance for your cooperation in this matter.
If you have any questions please contact Dennis Moss, the staff
member assigned to this matter at 202-523-4057.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

U.S. Marshal Service Form
Orders
Letter to Robert Bogensberger

DNM
6-3-81

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF

Federal Election Commission

COURT CASE NUMBER Commission
file No. MUR 1242

DEFENDANT

Respondent
Robert R. Bogensberger & Associates, Inc.

TYPE OF PROCESS
1: Order
2: Notification of Finc inc

SERVE



NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Robert R. Bogensberger

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

1340 Avon Allen Road
Mt. Vernon, Washington 98273

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Number of process to be served with this Form-285	2
Number of parties to be served in this case	2
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses. All Telephone Numbers, and Estimated Times Available For Service):

Fold

Assistance of U.S. Marshal's Service requested under 2 U.S.C. §437c(f) (3) please effect personal service.

Fold

Do not charge, originator U.S. Government agency.

Signature of Attorney or other Originator requesting service on behalf of:

Dennis N. Moss

PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER
202-523-4057

DATE 6/5/81

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No.	No.		

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I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service Time am pm
Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
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REMARKS

82010311150

BEFORE THE FEDERAL ELECTION COMMISSION

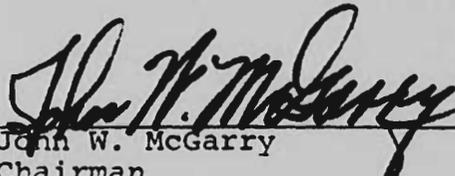
In the Matter of)
)
Robert R. Bogensberger) MUR 1242
and Associates, Inc.)

SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce the documents described therein.

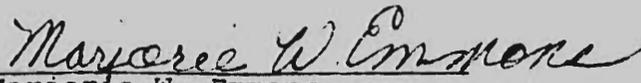
Such answers must be submitted under oath. The answers and documents must be filed with the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on June 5, 1981.



John W. McGarry
Chairman

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment(s)

1. RTB Notification letter, 2 pages
2. Interrogatories, 1 page

8 2 0 4 0 3 1 1 1 6 1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on February 23, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

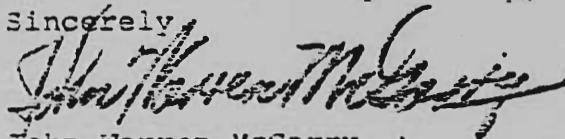
8204031162

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely



John Warren McGarry
Chairman

Enclosures

8 2 0 4 0 3 1 1 1 6 3

FEDERAL ELECTION COMMISSION

Robert R. Bogensberger

MUR 1242

INTERROGATORIES

(1) Identify by name and address each individual who has submitted the "Declaration of Intent", attached hereto, identified as Exhibit 1, and incorporated herein by reference.

(2) Identify by name and address each individual who for a retainer of \$100.00, hired the services of Robert R. Bogensberger and Associates, Inc. (Bogensberger) to implement the five-step program set forth on pages three (3) and four (4) of Congressional Integrity, Vol. III, No. 1, dated January 1, 1979.

(3) Identify by name and address each individual who deposited \$1,000 or any lesser amount, in an individual savings account with a financial institution during 1980 pursuant to the "Declaration of Intent".

(4) State whether Bogensberger has ever requested possession of the passbooks to these accounts.

(5) If your response to Question 4 is yes, identify by name and address each individual who transferred his or her passbook to Bogensberger, Inc., pursuant to the "Declaration of Intent".

(6) To your knowledge, did any candidate for federal election and/or his or her authorized committee(s) receive any funds which were transferred by those individuals identified in Question 3?

(7) If your response to Question 6 is yes, identify by name and address each candidate and/or his or her authorized committee(s) who received funds which were transferred by any of those individuals described in Question 3.

(8) State the names and addresses of Bogensberger's officers and directors; attach a copy of Bogensberger's Articles of Incorporation.

(9) List Bogensberger's expenditures for the period beginning September, 1980, to the present; in lieu thereof, you may attach copies of Bogensberger's journal entries, general ledgers, and/or profit and loss statements for the same period.

(10) Attach copies of Bogensberger's state and federal income tax statements filed for the year of 1980.

8204931164

**U.S. MARSHALS SERVICE
PROCESS RECEIPT and RETURN**

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF

Federal Election Commission

**Commission
file No. MUR 1242**

~~XXXXXXXXXXXX~~ Respondent

Robert R. Bogensberger & Associates, Inc.

TYPE OF PROCESS **1. Order
2. Notification of Find-
ing**

SERVE



AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Katherine Meyer

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

**4431 37th Street, S.W. Apartment 33
Seattle, Washington 98126**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

**Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463**

Number of process to be served with this Form-285

2

Number of parties to be served in this case

2

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

**Assistance of U.S. Marshal's Service requested under
2 U.S.C. §437c(f) (3), please effect personal service.**

Fold

Do not charge, originator U.S. Government agency.

Signature of Attorney or other Originator requesting service on behalf of:

Dennis G. Moss

PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER
202-523-4057

DATE
6/5/81

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)

Total Process
No.

District of Origin
No.

District to Serve
No.

Signature of Authorized USMS Deputy or Clerk

Date

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service Time am pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Retund (Check enclosed)
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REMARKS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1242
Robert R. Bogensberger)
and Associates, Inc.)

SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce the documents described therein.

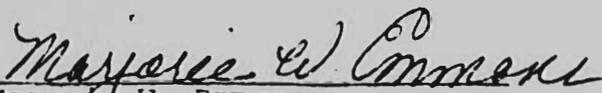
Such answers must be submitted under oath. The answers and documents must be filed with the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on June 5, 1981.



John W. McGarry
Chairman

ATTEST:



Majorie W. Emmons
Secretary to the Commission

Attachment(s)

- 1. RTB Notification letter, 2 pages
- 2. Interrogatories, 1 page

8204031156



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on February 23, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

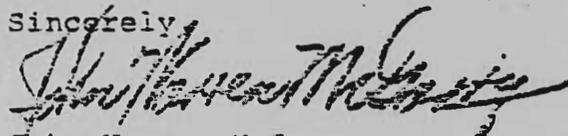
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The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS/JODY CUSTER *jc*
DATE: JUNE 5, 1981
SUBJECT: SUBPOENAS REGARDING MUR 1242

The attached subpoenas regarding MUR 1242, which were Commission approved on June 3, 1981, by a vote of 6-0, have been signed and sealed this date.

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Attachments:
Subpoenas (2)
Bogensberger

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1242
Robert R. Bogensberger)
Katherine Meyer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 3, 1981, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1242:

1. Authorize the subpoenas/orders, as submitted with the General Counsel's May 29, 1981 memorandum, to: Robert R. Bogensberger and Katherine Meyer.
2. Send cover letter to U.S. Marshall.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson and Tiernan voted affirmatively in this matter.

Attest:

6/3/81
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of the Commission Secretary: 5-29-81, 3:49
Circulated on 48 hour vote basis: 6-1-81, 11:00

8204031171

May 29, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1242

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

Attachment

pakayson:5-29-81

cc: Moss

8201031172

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

81 MAY 29 P 3: 49

May 29, 1981

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel *CNS*

SUBJECT: Authorization to Issue Subpoenas/Orders
in connection with MUR 1242

On February 23, 1981, the Commission found reason to believe that the respondent corporation violated 2 U.S.C. §441b. A reason to believe notification and covering letter were forwarded to respondent by certified mail on March 11, 1981. On March 20th, this Office requested that a trace be made by the U.S. Postal Service. However, since there had been no certification of respondent's receipt of the March 11th letter, a copy of the notification and covering letter was forwarded to respondent by regular mail on March 26th.

On March 30th, the letter of March 11th, was returned to the Commission marked "addressee moved". A second copy of the March 11th letter was then mailed to respondent by certified mail on April 8th, to the home residence of the corporation's president. This address had been obtained through telephone directory assistance. On April 21st, this Office requested a trace be made of this correspondence, as there had been no certification of receipt by that date. On April 29th, the correspondence was returned to the Commission marked "unclaimed".

As of the date of this report, respondent has failed to respond to the reason to believe notification and list of interrogatories contained therein. The General Counsel assumes that the March 11th correspondence was forwarded by the U.S. Postal Service to respondent's current address. The General Counsel also believes that the above developments necessitate service of the interrogatories by subpoena with the assistance of the U.S. Marshal's Office.

Recommendation:

1. Authorize the attached subpoenas/orders to: Robert R. Bogensberger and Katherine Meyer.
2. Send cover letter to U.S. Marshall

3204031173

Attachments

Copies of Subpoenas/Orders - 2
Copies of Letters - 2
Authorization Form
Copy of Letter to Marshall

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Robert R. Bogensberger) MUR 1242
and Associates, Inc.)

SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce the documents described therein.

Such answers must be submitted under oath. The answers and documents must be filed with the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on 1981.

John W. McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment(s)

1. RTB Notification letter, 2 pages
2. Interrogatories, 1 page

8204031175



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on February 23, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

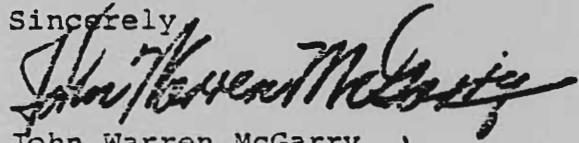
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The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely,



John Warren McGarry
Chairman

Enclosures

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FEDERAL ELECTION COMMISSION

Robert R. Bogensberger

MUR 1242

INTERROGATORIES

(1) Identify by name and address each individual who has submitted the "Declaration of Intent", attached hereto, identified as Exhibit 1, and incorporated herein by reference.

(2) Identify by name and address each individual who for a retainer of \$100.00, hired the services of Robert R. Bogensberger and Associates, Inc. (Bogensberger) to implement the five-step program set forth on pages three (3) and four (4) of Congressional Integrity, Vol. III, No. 1, dated January 1, 1979.

(3) Identify by name and address each individual who deposited \$1,000 or any lesser amount, in an individual savings account with a financial institution during 1980 pursuant to the "Declaration of Intent".

(4) State whether Bogensberger has ever requested possession of the passbooks to these accounts.

(5) If your response to Question 4 is yes, identify by name and address each individual who transferred his or her passbook to Bogensberger, Inc., pursuant to the "Declaration of Intent".

(6) To your knowledge, did any candidate for federal election and/or his or her authorized committee(s) receive any funds which were transferred by those individuals identified in Question 3?

(7) If your response to Question 6 is yes, identify by name and address each candidate and/or his or her authorized committee(s) who received funds which were transferred by any of those individuals described in Question 3.

(8) State the names and addresses of Bogensberger's officers and directors; attach a copy of Bogensberger's Articles of Incorporation.

(9) List Bogensberger's expenditures for the period beginning September, 1980, to the present; in lieu thereof, you may attach copies of Bogensberger's journal entries, general ledgers, and/or profit and loss statements for the same period.

(10) Attach copies of Bogensberger's state and federal income tax statements filed for the year of 1980.

920191179

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Robert R. Bogensberger)
and Associates, Inc.)

MUR 1242

SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce the documents described therein.

Such answers must be submitted under oath. The answers and documents must be filed with the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on 1981.

John W. McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment(s)

1. RTB Notification letter, 2 pages
2. Interrogatories, 1 page

8204031179



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on February 23, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

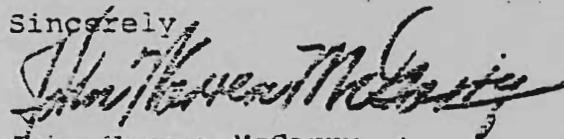
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The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely



John Warren McGarry
Chairman

Enclosures

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FEDERAL ELECTION COMMISSION

Robert R. Bogensberger

MUR 1242

INTERROGATORIES

(1) Identify by name and address each individual who has submitted the "Declaration of Intent", attached hereto, identified as Exhibit 1, and incorporated herein by reference.

(2) Identify by name and address each individual who for a retainer of \$100.00, hired the services of Robert R. Bogensberger and Associates, Inc. (Bogensberger) to implement the five-step program set forth on pages three (3) and four (4) of Congressional Integrity, Vol. III, No. 1, dated January 1, 1979.

(3) Identify by name and address each individual who deposited \$1,000 or any lesser amount, in an individual savings account with a financial institution during 1980 pursuant to the "Declaration of Intent".

(4) State whether Bogensberger has ever requested possession of the passbooks to these accounts.

(5) If your response to Question 4 is yes, identify by name and address each individual who transferred his or her passbook to Bogensberger, Inc., pursuant to the "Declaration of Intent".

(6) To your knowledge, did any candidate for federal election and/or his or her authorized committee(s) receive any funds which were transferred by those individuals identified in Question 3?

(7) If your response to Question 6 is yes, identify by name and address each candidate and/or his or her authorized committee(s) who received funds which were transferred by any of those individuals described in Question 3.

(8) State the names and addresses of Bogensberger's officers and directors; attach a copy of Bogensberger's Articles of Incorporation.

(9) List Bogensberger's expenditures for the period beginning September, 1980, to the present; in lieu thereof, you may attach copies of Bogensberger's journal entries, general ledgers, and/or profit and loss statements for the same period.

(10) Attach copies of Bogensberger's state and federal income tax statements filed for the year of 1980.

8204031182



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

U.S. Marshal's Office
U.S. Courthouse, Room #300
Seattle, Washington 98104

Re: MUR 1242

Dear Sir:

I am writing to request your assistance pursuant to 2 U.S.C. §437c(f)(3) in perfecting service of the enclosed Subpoenas and Notification of Finding upon Robert R. Bogensberger and Katherine Meyer.

Attempts to serve Robert R. Bogensberger by other means have proved unsuccessful and we believe it likely that he may try to avoid service by your office. We therefore request you effect personal service upon each of them.

As we are an agency of the U.S. Government we ask you to waive fees for your services.

Thank you in advance for your cooperation in this matter. If you have any questions please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

U.S. Marshal Service Form
Orders
Letter to Robert Bogensberger

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS/JODY CUSTER *LB*
DATE: MAY 18, 1981
SUBJECT: MUR 1242 - Interim Investigative Report #2,
dated 5-12-81; Signed 5-14-81; Received
in OCS 5-15-81, 10:50

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 2:00, May 15, 1981.

There were no objections to the Interim Investigative Report at the time of the deadline.

8204031185

May 15, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT : MUR 1242

Please have the attached Interim Invest Report distributed to the Commission. Thank you.

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BEFORE THE FEDERAL ELECTION COMMISSION
May 12, 1981

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 MAY 15 A10: 50

In the Matter of)
)
Robert R. Bogensberger)
and Associates, Inc.)

MUR 1242

INTERIM INVESTIGATIVE REPORT #2

SENSITIVE

On February 23, 1981, the Commission found reason to believe that the respondent corporation violated 2 U.S.C. §441b. A reason to believe notification and covering letter were forwarded to respondent by certified mail on March 11, 1981. On March 20th, this Office requested that a trace be made by the U.S. Postal Service. However, since there had been no certification of respondent's receipt of the March 11th letter, a copy of the notification and covering letter was forwarded to respondent by regular mail on March 26th.

On March 30th, the letter of March 11th, was returned to the Commission marked "addressee moved". A second copy of the March 11th letter was then mailed to respondent by certified mail on April 8th, to the home residence of the corporation's president. This address had been obtained through telephone directory assistance. On April 21st, this Office requested a trace be made of this correspondence, as there had been no certification of receipt by that date. On April 29th, the correspondence was returned to the Commission marked "unclaimed".

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As of the date of this report, respondent has failed to respond to the reason to believe notification and list of interrogatories contained therein. The General Counsel assumes that the March 11th correspondence was forwarded by the U.S. Postal Service to respondent's current address. The General Counsel also believes that the above developments necessitate service of the interrogatories by subpoena with the assistance of the U.S. Marshal's Office.

14 May 1961
Date


General Counsel
Charles N. Steele

8201031139

GCC # 4694

D-274407

FILE NUMBER



RECORDED
OFFICE OF THE
GENERAL COUNSEL

MAY 18 P 1:15

DOMESTIC

MUR1242

STATE OF WASHINGTON | DEPARTMENT OF STATE

I, **BRUCE K. CHAPMAN**, Secretary of State of the State of Washington and custodian of its seal, hereby certify that

ARTICLES OF INCORPORATION

of **ROBERT R. BOGENSBERGER & ASSOCIATES, INC.**

a domestic corporation of **Seattle, Washington,**

8204031189

was filed for record in this office on this date, and I further certify that such Articles remain on file in this office.

Filed at request of
Robert Bogensberger & Associates
500 Wall St., Ste. 215
Seattle, WA 98121

Filing and recording fee \$

License to June 30, 19 \$

Excess pages @ 25¢ \$

Microfilmed, Roll No. **1410**

Page **210-219**

In witness whereof I have signed and have affixed the seal of the State of Washington to this certificate at Olympia, the State Capitol, **December 6, 1977**

BRUCE K. CHAPMAN
SECRETARY OF STATE

FILED

DEC 6 1977

ARTICLES OF INCORPORATION

OF

ROBERT R. BOGENSBERGER & ASSOCIATES, INC.

KNOW ALL MEN BY THESE PRESENTS: That, we, Robert Bogensberger and Joan Bogensberger, both being residents of the State of Washington and each being citizens of the United States, do hereby associate ourselves together for the purpose of forming a corporation under the general laws of the State of Washington relating to private corporations and to that end we do hereby make, subscribe, acknowledge and adopt the following Articles of Incorporation, in triplicate, as follows, to-wit:

ARTICLE I

The name of the corporation is:

ROBERT R. BOGENSBERGER & ASSOCIATES, INC.

ARTICLE II

The principal address of this corporation in the State of Washington is located at 500 Wall Street, Suite 215, Seattle, WA 98121 in the County of KING.

ARTICLE III

The registered office of the corporation shall be 500 Wall St., Suite 215, Seattle. The registered agent of this corporation is Robert Bogensberger. The address of the registered office of the corporation and the business address of the registered agent of the corporation as designated are identical.

ARTICLE IV

The nature of the business, or objects, or purposes to be transacted, promoted or carried on are:

To provide and sell consulting, public relations, publishing, and advertising services to political candidates, organizations, and campaigns.

To engage in any other lawful business purpose, except the carrying on of the practice of any profession.

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To provide facility or facilities or services for the sale and/or lease of all types of merchandise, and to purchase, sell and/or lease and deal in such goods, supplies and merchandise as are or may be sold in a retail or wholesale store.

To acquire the goodwill, rights, and property, and to undertake the whole or any part of the assets and liabilities of any person, firm, association, or corporation; to pay for the same in cash, or in the stock of this company; to hold or in any manner dispose of the whole or any part of the property so purchased; to conduct in any lawful manner the whole or any part of the property so purchased; and to exercise all of the powers necessary or convenient in and about the conduct and management of such business.

To be appointed and to act as the agent or representative or both, of any corporation, firm or individual in any and all parts of the world, in such capacity and on such terms and conditions as may from time to time be mutually determined upon.

To conduct a general agency business, to employ, engage, hire and appoint corporations, firms and individuals in any and all parts of the world; to act as agents and/or subagents for this company in such capacity and on such conditions as may be determined from time to time by the board of directors.

To purchase, or otherwise acquire, and to construct, own, lease, manage, improve, operate and maintain stores, departments, commissaries, lands, delivery and transportation facilities of all kinds, machinery, engines, equipment and appliances of any and every kind which may be or which this corporation may deem to be advantageous to sell the same or otherwise dispose thereof.

To apply for, obtain, purchase, leave, or otherwise to acquire, and to hold, use, own, operate, improve and introduce, and to sell, assign, hypothecate, mortgage or otherwise dispose of any letters , patent, licenses, or grants in respect of letters patent, inventions,

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privileges, licenses, improvements, processes, trademarks, and trade names, copyrights, devices and formula, used in connection with, or secured under, letters patent of the United States, or elsewhere, or otherwise; and to use, exercise, develop, grant licenses in respect of, or otherwise to turn to account any such patents, licenses, processes inventions, trademarks and trade names, or the like, or likes, or any such property or rights, and to supervise or otherwise exercise such control over its said licensees and the business conducted by time, as may be agreed upon in its contracts with such licensees for the protection of its rights in said patents, and to secure or deal in the payment of agreed royalties, and to manufacture or deal in any article, produced as the result or by the use of any such invention or process, or under any such patent, or any articles of any description, used or suitable to be used, in connection therewith.

To organize, or cause to be organized under the laws of the State of Washington, or any other state, district, territory, province or government, a corporation or corporations for the purpose of accomplishing any or all of the objects for which this corporation is organized, and to dissolve, wind up, liquidate, merge or consolidate any such corporation or corporations, or cause the same to be dissolved, wound up, liquidated, merged or consolidated.

To purchase, or otherwise acquire the whole or any part of the property, assets, business, goodwill and rights to undertake or assume the whole or any part of the bonds, mortgages, franchises, leases, contracts, indebtedness, guarantees, liabilities, and obligations of any person, firm, association, corporation or organization, and to pay for the same or any part or combination thereof in cash, shares of the capital stock, bonds, debentures, debenture stock, notes, and other obligations of this corporation or otherwise, or by undertaking and assuming the whole or any part of the liabilities or obligations of the transferrer; and to hold or in any manner to dispose of the whole or any part of the property and assets so acquired or purchased, and to conduct in any lawful manner the whole or

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or any part of the business so acquired and to exercise all of the powers necessary or convenient in and about the conduct, management and carrying on of such business.

To enter into, make and perform contracts of every kind with any person, firm, association, or corporation, municipality, body politic, county, territory, state, government or colony or dependents thereof and without limit as to amount to draw, make, accept, endorse, discount, execute, and issue promissory notes, drafts, bills of exchange, warrants, bonds, debentures, and other negotiable or transferrable instruments and evidences of indebtedness, whether secured by mortgage or otherwise, as well as to secure the same by mortgage, or otherwise.

To have one or more offices within as well as without the State of Washington, and in addition to the business, objects and purposes herein set forth, to do anything necessary, suitable, useful, expedient or convenient for the carrying on of any of the said businesses or for the accomplishment of any object or purpose, or the exercise of any power herein set forth, or which at any time shall appear to be beneficial to the corporation in connection therewith; and to do any and all things herein set forth, either alone or jointly with others, and either as principal for its own account, or as the agent or trustee for others, and to the same extent and as fully as a natural person might or could do in the State of Washington, or elsewhere.

ARTICLE V

The total number of shares of capital stock which this corporation shall have the authority to issue shall be Fifty Thousand (50,000) shares of common stock, all of said shares to be of no par value. The aggregate value of all said shares shall be a total of Fifty Thousand dollars (\$ 50,000). The corporation shall commence business with a paid-in capital of Five Hundred no/100(\$ 500.00).

ARTICLE VI

The names and places of residence of the incorporators are as follows:

Robert Bogensberger, 1340 Avon Allen Road, Mount Vernon, Washington 98273

Joan Bogensberger, 1340 Avon Allen Road, Mount Vernon, Washington 98273

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ARTICLE VII

The names and post office addresses of the incorporators and the number of shares subscribed for by each, is as follows:

<u>NAMES:</u>	<u>ADDRESS:</u>	<u>NO. OF SHARES</u>
<u>Robert Bogensberger</u>	<u>1340 Avon Allen Road</u> <u>Mount Vernon, WA 98273</u>	<u>250</u>
<u>Joan Bogensberger</u>	<u>1340 Avon Alien Road</u> <u>Mount Vernon, WA 98273</u>	<u>250</u>

ARTICLE VIII

The corporation is to have perpetual existence.

ARTICLE IX

The private property of the stockholders shall not be subject to the payment of corporate debts to any extent whatsoever.

ARTICLE X

In furtherance, and not in limitation of the powers conferred by statute, the board of directors is expressly authorized:

To make and alter the By-Laws of the corporation.

To authorize and cause to be executed mortgages and liens upon the real and personal property of the corporation.

To set apart out of any of the funds of the corporation available for dividends, a reserve or reserves for any proper purposes or to abolish in the manner in which it was created, any such reserve.

By resolution or resolutions, passed by a majority of the whole board to designate one or more committees, each committee to consist of two or more of the directors of the corporation, which, to the extent provided in said resolution or resolutions or in the By-Laws of the corporation, shall have and may exercise the powers of the board of directors in the management of the business and affairs of the corporation, and may have power to authorize the seal of the corporation to be affixed to all papers which may require it. Such committee or committees shall have such name or names as may be stated in the By-Laws of the corporation or as may be determined from time to time by resolution adopted by the board of directors.

8204031194

When and as authorized by the affirmative vote of the holders of a majority of the stock issued and outstanding having voting power given at a stockholders' meeting duly called for that purpose, or when authorized by the written consent of the holders of a majority of the voting stock issued and outstanding, the Board of Directors shall have power and authority to sell, lease, or exchange its goodwill and its corporate franchises, upon such terms and conditions and for such consideration, which may be in whole or in part shares of stock in/or other securities of, any other corporation or corporations, as its Board of Directors shall deem expedient and for the best interests of the corporation.

The corporation may in its By-Laws confer upon its Board of Directors powers and authorities in addition to the foregoing, and in addition to the powers and authorities expressly conferred upon it by statute.

ARTICLE XI

No stockholder of the corporation shall have any preemptive or preferential right of subscription to any shares of any stock or obligations, or other securities convertible into stock of the corporation, whether now or hereafter authorized, issued or sold, nor any right of subscription to any thereof other than such, if any, and at such price as the Board of Directors in its discretion from time to time may determine, and the Board of Directors may issue of stock or any obligations, or other securities convertible into stock of the corporation either in whole or in part to the stockholders of the corporation, and no holder of the stock of the corporation shall have any preemptive or preferential right to receive any of such stock or any obligations, or other securities convertible into stock of the corporation, declared by way of dividend. Should the Board of Directors, as to any portion of the stock or any obligation, or other securities convertible into stock of the corporation,, whether now or hereafter authorized, offer the same to the stockholders, such offer shall not in any way constitute a waiver or release of the right of the said Board of Directors subsequently to dispose of other portions of said stock or any obligations,

8201031195

or other securities convertible into stock of the corporation, without so offering the same to the stockholders. The acceptance of stock in the corporation shall be a waiver of any such preemptive or preferential right which in the absence of this provision might otherwise be asserted by stockholders of the corporation, or any of them.

ARTICLE XII

Any director or officer may be removed from office and his office declared vacant at any time without or with cause by the affirmative vote of the corporation, at a general or special meeting of the stockholders held after previous notice of the time and place thereof and of the intention to propose such removal. Meetings of stockholders for this purpose may be called by the president or secretary, or by a majority of the directors, or by the stockholders holding at least twenty-five per cent (25%) of the shares of stock entitled to vote. Such calls must be in writing addressed to the secretary, who must thereupon give notice of the time, place and object of the meeting, and by whose order it was called. If the secretary refuses to give such notice, or if there is no secretary the call may be addressed directly to the stockholders entitled to vote, and be served as a notice, in which case it must specify the time and place of the meeting. The notice must be given in the manner prescribed by the By-Laws of the corporation for the giving of notices, in the event any director, or any entire new Board of Directors, may be elected by the stockholders at the same meeting to fill the vacancy or vacancies thus created.

ARTICLE XIII

Both stockholders and directors shall have power, if the By-Laws so provide, to hold their meetings, and to have one or more offices within or without the State of Washington and to keep the books of this corporation (subject to the provisions of the statutes), outside of the State of Washington at such places as may be from time to time designated by the Board of Directors.

ARTICLE XIV

The directors of this corporation shall be not less than three (3) and not more than eleven (11). The names and post office addresses of the directors who shall manage the

8204031195

affairs of this corporation until the 21st day of Nov., 1978, or until their successors shall have been duly chosen and qualified are:

Robert Bogensberger, 1340 Avon Allen Road, Mount Vernon, Washington 98273

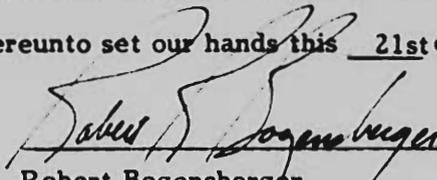
Joan Bogensberger, 1340 Avon Allen Road, Mount Vernon, Washington 98273

Katherine Meyer, 4431 37th S.W., Apt. 33, Seattle, Washington 98126

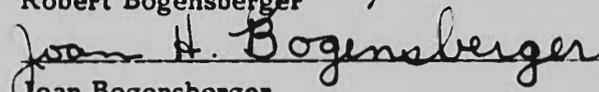
ARTICLE XV

The corporation reserves the right to amend, alter, change or repeal any provisions contained in this certificate of incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon stockholders herein are granted subject to this reservation.

WE, THE UNDERSIGNED, being each of the incorporators herein before named for the purpose of forming a corporation to do business both within and without the State of Washington, and in pursuance of the General Corporation Laws of the State of Washington, being Chapter 185 of the 1933 Session Laws in the State of Washington, more particularly RCW 23.04.010 et seq., and the acts amendatory thereof and supplemental thereto, do make this certificate hereby declaring and certifying that the facts herein stated are true, and accordingly have hereunto set our hands this 21st day of Nov., 1977.



Robert Bogensberger



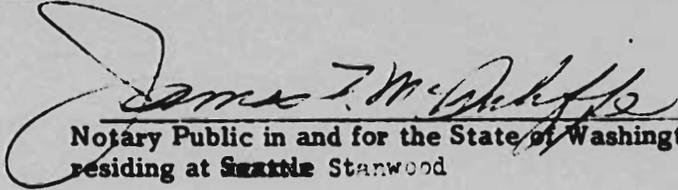
Joan Bogensberger

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STATE OF WASHINGTON)
) ss.
COUNTY OF ~~King~~ Snohomish)

I, the undersigned, being a Notary Public, do hereby certify that on this 21st day of November, 1977, there personally appeared before me Robert Bogensberger, and Joan Bogensberger, to me known to be the parties to the foregoing certificate of incorporation, and severally acknowledged and declared that the said certificate was the act and deed of the signers, respectively, and also that the facts therein stated are truly set forth.

GIVEN under my hand and official seal of office the day and year aforesaid.

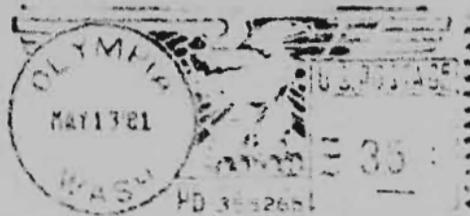

Notary Public in and for the State of Washington,
residing at ~~Seattle~~ Starwood

8204031178

SECRETARY OF STATE
RALPH MUNRO
OLYMPIA, WASHINGTON

98504

8 0 4 0 3 1 1 9



Thomas Whitehead
Federal Election Commission
Washington, D.C. 20463

MAY 18 P 1:15

81 MAY 18 A 9:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

Secretary of State
State of Washington
Corporation Division
Legislative Building
Olympia, Washington 98504

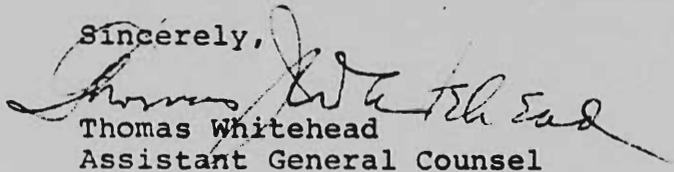
Dear Sir:

This is to request a copy of the articles of incorporation for the firm of Robert R. Bogensberger and Associates, Incorporated. Enclosed, please find a check drawn on the Riggs National Bank in the amount of one dollar (\$1.00), to cover the cost of this request.

If there are any problems or questions concerning this request, please contact Dennis Moss on 800-424-9530.

Thank you for your assistance in this matter.

Sincerely,


Thomas Whitehead
Assistant General Counsel

Enclosure.

82040311200



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

Secretary of State
State of Washington
Corporation Division
Legislative Building
Olympia, Washington 98504

Dear Sir:

This is to request a copy of the articles of incorporation for the firm of Robert R. Bogensberger and Associates, Incorporated. Enclosed, please find a check drawn on the Riggs National Bank in the amount of one dollar (\$1.00), to cover the cost of this request.

If there are any problems or questions concerning this request, please contact Dennis Moss on 800-424-9530.

Thank you for your assistance in this matter.

Sincerely,

Thomas Whitehead
Thomas Whitehead
Assistant General Counsel

Enclosure.

82010311201

DENNIS N. MOSS
1831 E. CAPITOL ST., SE.
WASHINGTON, D.C. 20003

1902

May 5, 1981

15-3
540

PAY TO THE ORDER OF Secretary of State of Washington \$ 1.00

One and -----00/100 DOLLARS

The RIGGS NATIONAL BANK
of WASHINGTON, D.C.
DUPONT CIRCLE OFFICE
1913 MASSACHUSETTS AVE., N. W.

MEMO Bogensberger articles

Dennis N. Moss

⑆054000030⑆ 04⑆05738696⑆ 1902



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*
FROM: MARJORIE W. EMMONS/JODY CUSTER *Jc*
DATE: APRIL 1, 1981
SUBJECT: MUR 1242 Interim Investigative Report #1,
dated 3-27-81; Received in OCS, 3-30-81,
2:55

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, March 31, 1981.

There were no objections to the Interim Investigative Report at the time of the deadline.

82019311202

March 30, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1242

Please have the attached Interim Investigative Report distributed to the Commission on a 24 hour no-objection basis.

Thank you.

Attachment

pakayson:3-30-81

ccL Moss

8 2 0 1 7 3 1 1 2 0 3

RECEIVED
OFFICE OF THE
COMMISSIONER SECRETARY

COMM

BEFORE THE FEDERAL ELECTION COMMISSION
March 27, 1981

MAR 30 P 2: 55

81 M

In the Matter of)
)
Robert R. Bogensberger) MUR 1242
and Associates, Inc.)

INTERIM INVESTIGATIVE REPORT #1

On March 11, 1981, a reason to believe notification and covering letter were mailed to the respondent corporation in the above-captioned MUR. As of March 27, 1981, the Office of General Counsel had not received certification that the letter was received. In addition, there has been no response from the U.S. Postal Service regarding a March 20th request to trace the notification letter.

Accordingly, a copy of the March 11th notification was forwarded on March 26, 1981, by regular mail.

82040311204

27 March 1981
Date



Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on February 23, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

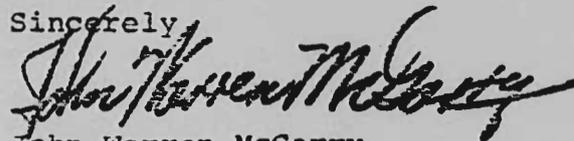
82040311205

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely,



John Warren McGarry
Chairman

Enclosures

82040311206

INTERROGATORIES

(1) Identify by name and address each individual who has submitted the "Declaration of Intent", attached hereto, identified as Exhibit 1, and incorporated herein by reference.

(2) Identify by name and address each individual who for a retainer of \$100.00, hired the services of Robert R. Bogensberger and Associates, Inc. (Bogensberger) to implement the five-step program set forth on pages three (3) and four (4) of Congressional integrity, Vol. III, No. 1, dated January 1, 1979.

(3) Identify by name and address each individual who deposited \$1,000, or any lesser amount, in an individual savings account with a financial institution during 1980 pursuant to the "Declaration of Intent".

(4) State whether Bogensberger has ever requested possession of the passbooks to these accounts.

(5) If your response to Question 4 is yes, identify by name and address each individual who transferred his or her passbook to Bogensberger, Inc., pursuant to the "Declaration of Intent".

(6) To your knowledge, did any candidate for federal election, and/or his or her authorized committee(s) receive any funds which were transferred by those individuals identified in Question 3?

(7) If your response to Question 6 is yes, identify by name and address each candidate and/or his or her authorized committee(s) who received funds which were transferred by any of those individuals described in Question 3.

(8) State the names and addresses of Bogensberger's officers and directors; attach a copy of Bogensberger's Articles of Incorporation.

(9) List Bogensberger's expenditures for the months of September, October, and November, 1980.

8204031207

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Official Business
Penalty for Private Use \$300

POSTAGE AND FEES PAID

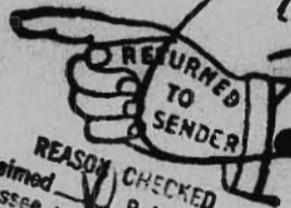


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APR 29 AM 11:17

no response
APR 11
to horn or doorbell
MB



REASON CHECKED
Unclaimed Refused _____
Addressee unknown _____
Insufficient Address _____
No such street number _____
No such office in state _____
Do not remain in this envelope

Robert R. Bogensberger
Robert R. Bogensberger and
Associates, Inc.
1340 Avon Allen Road
Mount Vernon, Washington 98273

CERTIFIED

949645



EARTH

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8 2 0 4-24-81 awaiting return to 1 2 0 0

MUR 1242 D. Moss

PS Form 3811, 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 R. Bogensberger
1340 Avon Allen Road
Mount Vernon, Washington 98273

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	599566	

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent

4.	DATE OF DELIVERY	POSTMARK

5. ADDRESS (Complete only if requested)	CLERK'S INITIALS

6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS

4-8-81

DECLARATION OF INTENT

'80 JUN 25 AM 11:

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant evidence of my pledge of support, I hereby publicly declare my intention to donate the sum of \$1,000.00 for the purpose of providing financial assistance to such candidates.

I further acknowledge my intention by depositing the aforesaid sum of \$1,000.00 in a special savings account in my name. I may from time to time loan the passbook to said account to third persons to evidence the sincerity of my intentions. However I shall always maintain complete and absolute personal control over the funds in question.

It is further my intention to prepare a withdrawal slip for the sum of \$1,000.00, match same with the passbook, and transmit both to the authorized campaign committee of a candidate who meets my approval.

I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

Donor _____
Date

Candidate _____
Date

82010311210

DESCRIPTION OF PRELIMINARY PROCEDURES
FOR PROCESSING COMPLAINTS FILED WITH THE
FEDERAL ELECTION COMMISSION

Complaints filed with the Federal Election Commission shall be referred to the Enforcement Division of the Office of the General Counsel, where they are assigned a MUR (Matter Under Review) number and assigned to a staff member. Within 5 days of receipt of a complaint, the Commission shall notify, in writing, any respondent listed in the complaint that the complaint has been filed and shall include with such notification a copy of the complaint. Simultaneously, the complainant shall be notified that the complaint has been received and will be acted upon. The respondent(s) shall then have 15 days to demonstrate, in writing, that no action should be taken against him/ her in response to the complaint.

At the end of the 15 days, the Office of General Counsel shall report to the Commission making a recommendation(s) based upon a preliminary legal and factual analysis of the complaint and any submission made by the respondent(s). A copy of respondent's submission shall be attached to the Office of General Counsel's report and forwarded to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that the complaint sets forth a possible violation of the Federal Election Campaign Act (FECA) and that the Commission will conduct an investigation of the matter; or (b) that the Commission finds no reason to believe that the complaint sets forth a possible violation of the Federal Election Campaign Act (FECA) and, accordingly, that the Commission close the file on the matter.

If, by an affirmative vote of four (4) Commissioners, the Commission decides that it has reason to believe that a person has committed or is about to commit a violation of the Federal Election Campaign Act (FECA), the Office of the General Counsel shall open an investigation into the matter. During the investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for deposition, and to order answers to interrogatories. The respondent(s) may be contacted more than once by the Commission during its investigation.

82040311211

If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has occurred or may occur. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

82040311212



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 11, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on February 23, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

8 2 0 4 0 3 1 1 2 1 3

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely



John Warren McGarry
Chairman

Enclosures

8 2 0 4 0 3 1 1 2 1 4

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

POSTAGE AND FEES PAID



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Per

Should Do

DATE

1ST NOTICE

2ND NOTICE

RETURN

Postage and Fees Paid
No. 1234-A
Oct. 1988



RETURN TO SENDER

REASON CHECKED

Undelivered Address
Insufficient address
such street office in state
number
Address number
not return in this envelope

0.7662

Mr. Robert R. Bogensberger
Robert R. Bogensberger and
Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

CERTIFIED

Moss
Murr 1/24/88

949548

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8 2 0 1 0 5 1 1 2 1 6

MOR 1242 Moss ✓

PS Form 3871, Jan. 1978

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.....0
 - Show to whom, date and address of delivery.....0
 - RESTRICTED DELIVERY
Show to whom and date delivered.....0
 - RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.....0

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Robert R. Sogenderger
300 Wall St., Suite 207
Seattle, Wash., 98121

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	949548	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY	POSTMARK
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5. ADDRESS (Complete only if requested)

ST: 8V 0 VIV 10
A8: 15

6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS
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RECEIVED

PS 7070 : 1978-008-109

18-92-3

RETURNS RECEIVED, REGISTERED, INSURED AND CERTIFIED MAIL

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Official Business

Penalty for Private Use \$300



TURNED
TO
REASON CHECKED
UNDELIVERED
NO ADDRESSEE
NO OFFICE IN STATE
NO OFFICE IN CITY OR COUNTY

~~TO KX
Everett, Wa~~

Robert R. Bogensberger
Robert R. Bogensberger and
Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

98233

CERTIFIED

44350

U.S. 87

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Logensberger
Robert R. Logensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Logensberger:

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Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

3/6/81
DMM

8 2 0 4 9 1 1 2 1 8

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely,

John Warren McGarry
Chairman

Enclosures

8 2 0 1 0 3 1 1 2 1 9

3/10/81
JW

INTERROGATORIES

(1) Identify by name and address each individual who has submitted the "Declaration of Intent", attached hereto, identified as Exhibit 1, and incorporated herein by reference.

(2) Identify by name and address each individual who for a retainer of \$100.00, hired the services of Robert R. Bogensberger and Associates, Inc. (Bogensberger) to implement the five-step program set forth on pages three (3) and four (4) of Congressional integrity, Vol. III, No. 1, dated January 1, 1979.

(3) Identify by name and address each individual who deposited \$1,000, or any lesser amount, in an individual savings account with a financial institution during 1980 pursuant to the "Declaration of Intent".

(4) State whether Bogensberger has ever requested possession of the passbooks to these accounts.

(5) If your response to Question 4 is yes, identify by name and address each individual who transferred his or her passbook to Bogensberger, Inc., pursuant to the "Declaration of Intent".

(6) To your knowledge, did any candidate for federal election, and/or his or her authorized committee(s) receive any funds which were transferred by those individuals identified in Question 3?

(7) If your response to Question 6 is yes, identify by name and address each candidate and/or his or her authorized committee(s) who received funds which were transferred by any of those individuals described in Question 3.

(8) State the names and addresses of Bogensberger's officers and directors; attach a copy of Bogensberger's Articles of Incorporation.

(9) List Bogensberger's expenditures for the months of September, October, and November, 1980.

820103120

DECLARATION OF INTENT

RECEIVED

'80 JUN 25 AM 11:1

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant evidence of my pledge of support, I hereby publicly declare my intention to donate the sum of \$1,000.00 for the purpose of providing financial assistance to such candidates.

I further acknowledge my intention by depositing the aforesaid sum of \$1,000.00 in a special savings account in my name. I may from time to time loan the passbook to said account to third persons to evidence the sincerity of my intentions. However I shall always maintain complete and absolute personal control over the funds in question.

It is further my intention to prepare a withdrawal slip for the sum of \$1,000.00, match same with the passbook, and transmit both to the authorized campaign committee of a candidate who meets my approval.

I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

Donor

Date

Candidate

Date

82040311221

DESCRIPTION OF PRELIMINARY PROCEDURES
FOR PROCESSING COMPLAINTS FILED WITH THE
FEDERAL ELECTION COMMISSION

Complaints filed with the Federal Election Commission shall be referred to the Enforcement Division of the Office of the General Counsel, where they are assigned a MUR (Matter Under Review) number and assigned to a staff member. Within 5 days of receipt of a complaint, the Commission shall notify, in writing, any respondent listed in the complaint that the complaint has been filed and shall include with such notification a copy of the complaint. Simultaneously, the complainant shall be notified that the complaint has been received and will be acted upon. The respondent(s) shall then have 15 days to demonstrate, in writing, that no action should be taken against him/ her in response to the complaint.

At the end of the 15 days, the Office of General Counsel shall report to the Commission making a recommendation(s) based upon a preliminary legal and factual analysis of the complaint and any submission made by the respondent(s). A copy of respondent's submission shall be attached to the Office of General Counsel's report and forwarded to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that the complaint sets forth a possible violation of the Federal Election Campaign Act (FECA) and that the Commission will conduct an investigation of the matter; or (b) that the Commission finds no reason to believe that the complaint sets forth a possible violation of the Federal Election Campaign Act (FECA) and, accordingly, that the Commission close the file on the matter.

If, by an affirmative vote of four (4) Commissioners, the Commission decides that it has reason to believe that a person has committed or is about to commit a violation of the Federal Election Campaign Act (FECA), the Office of the General Counsel shall open an investigation into the matter. During the investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for deposition, and to order answers to interrogatories. The respondent(s) may be contacted more than once by the Commission during its investigation.

8 2 0 1 0 3 1 1 2 2 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Robert R. Bogensberger)
and Associates, Inc.)

MUR 1242

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 23, 1981, the Commission decided by a vote of 4-0 to take the following actions regarding MUR 1242:

1. Find REASON TO BELIEVE that Robert R. Bogensberger and Associates, Inc. violated 2 U.S.C. § 441b of the Act.
2. Approve the letter as attached to the First General Counsel's Report dated February 18, 1981.

Commissioners Aikens, Reiche, Thomson, and Tiernan voted affirmatively in this matter.

Attest:

2/23/81

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 2-18-81, 2:37
Circulated on 48 hour vote basis: 2-19-81, 11:00

32040311223

DESCRIPTION OF PRELIMINARY PROCEDURES
FOR PROCESSING COMPLAINTS FILED WITH THE
FEDERAL ELECTION COMMISSION

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8 2 0 1 0 3 1 1 2 2 4

If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has occurred or may occur. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Robert R. Bogensberger) MUR 1242
and Associates, Inc.)

CERTIFICATION

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Attest:

2/23/81

Date

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

Received in Office of the Commission Secretary: 2-18-81, 2:37
Circulated on 48 hour vote basis: 2-19-81, 11:00

82040311226

February 18, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1242

Please have the attached Fisst General Counsel's
Report distributed to the Commission on a 48 hour tally
basis. Thank you.

Attachment

pakayson

cc: Moss

32010511227

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 81 FEB 18 P 2: 37

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 2/18/81

MUR # 1242
DATE COMPLAINT RECEIVED
BY OGC 5/28/80

STAFF MEMBER Moss

COMPLAINANT'S NAME: William H. Baarsma

RESPONDENT'S NAME: Robert R. Bogensberger and Associates, Inc.

RELEVANT STATUTE: 2 U.S.C. §§ 431; 433; 434; and 441b
11 C.F.R. § 100.7

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On May 28, 1980, the Commission received a complaint from William H. Baarsma, which alleged that Robert R. Bogensberger and Associates, Inc. (Bogensberger), a political consulting firm, has been engaged in activities which may have violated the Act, (1) for its failure to register and report as a political committee under 2 U.S.C. §§ 433 and 434, and, (2) by making prohibited contributions under 2 U.S.C. § 441b.

FACTUAL AND LEGAL ANALYSIS

It appears that Bogensberger performs a variety of campaign services geared toward raising financial support for candidates selected by the firm; Bogensberger charges a fee of \$100 for these services which is paid by individuals from the general public. These services include, according to information supplied by complainant, sponsoring a fundraising program, selecting Congressional candidates, providing campaign advice to selected candidates, and publishing a monthly newsletter which is designed to solicit support for these candidates through a citizen pledge plan. ^{1/} Under this plan, a participant is asked to deposit \$1,000 in a special savings account with his or her bank. The participant

^{1/} See Attachment A. One issue of the newsletter, entitled the "Congressional Integrity", outlines the purposes for which Bogensberger was formed, the principal one being to institute an organized plan to elect new Congressmen. In addition, this newsletter explains how individuals can participate in a citizen pledge plan.

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is also asked to sign a declaration of intent that he or she will forward the account passbook, and at a later time, a withdrawal slip for \$1,000.00, directly to the candidate or committee selected by Bogensberger, and approved by the participant. He or she further agrees to turn over the passbook to Bogensberger on occasion as evidence of sincerity in supporting the plan. 2/

It seems clear that Bogensberger's practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. "Contribution or expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value.

Since we are recommending that the Commission find reason to believe that Bogensberger has violated section 441b of the Act, it is unnecessary to consider complainant's allegations that Bogensberger may have also violated sections 433 and 434 of the Act for its failure to register and report as a political committee. Under 11 C.F.R. § 114.12, an organization may incorporate and not be subject to corporate activity provisions of the Act if the organization incorporates for liability purposes only, and if the organization is a political committee as defined in 11 C.F.R. § 100.5. It is evident that Bogensberger was incorporated for purposes other than for limited liability.

RECOMMENDATIONS

1. Find reason to believe that Robert R. Bogensberger and Associates, Inc. violated 2 U.S.C. § 441b of the Act.
2. Approve the attached letter.

2/ See Attachment B.

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ATTACHMENTS

- A. Respondent's newsletter
- B. Citizen pledge agreement
- C. Copy of complaint
- D. Notification letter, with enclosures
- E. Response from Respondent

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office. The opportunity, however, generally does not materialize because the professional "career" types have learned to cloud the issues rather than discuss them.

The amateur, challenging candidate, because he is late starting, under-organized and ill-financed, does not have the resources to force the Congressman's voting record as an issue in the campaign.

The result is that most campaigns become a staged production composed of slogans and trite cliches. Of all incumbents seeking re-election, 94% are successful. Congress continues to be the problem.

Now, add to the presence of this, sufficient, early funds for a well-organized, planned campaign.

This situation will provide a substantial opportunity to publicize the incumbent Congressman's voting record, its impact on our day-to-day lives, and help tens of thousands of other citizens in your District make the "Congressional Connection".

Now, imagine this happening in scores of Congressional Districts, resulting in the election of dozens of such candidates to Congress.

It is undeniable that the future course of American history will be dramatically changed for the better.

Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found!

This is not the way to conduct politics.

Instead of the normal "hurry-up-then-lose" approach, common with most challenging, amateur candidates, what if the following scenario took place in your Congressional District the next time your Congressman sought re-election:

What if your incumbent "Political Fox" were (for the first time in his political career) challenged by an articulate, highly principled candidate who:

Understands that his oath of office means he will swear to preserve, protect and defend our Constitutional Republic as a government of laws, not of men; understands that these laws severely restrict the powers of government and can be changed only by the people through their elected representative; and swears to defend these principles against personality, party, cause or special interest which threatens these basic principles.

Working towards the election of this candidate will be many hundreds of citizens from all walks of life who have made the "Congressional Connection" and who realize that they too, must give principle priority over personality, party, and even their own special interests.

What is necessary to bring about this much needed change in the way we conduct politics?

To begin with, enough citizens who have made the "Congressional Connection" in your Congressional District will have to pledge themselves to find, and then work for, a candidate as described above. This is not an impossible task. There are already nearly one hundred highly principled people serving in the U.S. Congress. Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found! (Hundreds of qualified candidates offer themselves each year, but fail to succeed for lack of resources.)

Secondly, enough campaign funds must be raised in each District from citizens who have made the "Congressional Connection", so the campaign can compete with the "advantages of office" the incumbent possesses. With manpower, money, organization, planning, and a qualified candidate, the advantages of the incumbent can be overcome.

And plans must be made.

The question is, who will take the time to do all the fund-raising,

organizing, planning, interviewing, scheduling, etc.?

There are many individuals who are eminently qualified and capable. Individuals already exist who can build skyscrapers, ships, organize businesses, invent pacemakers and myriad other miracles of the 20th century. How are all these wonders created?

The answer is, a free market concept known as "division of labor".

If a shipbuilder needs welding, a welder is hired. If a dentist needs his car repaired, a mechanic is hired. If a farmer needs his health attended to, a physician is hired. But if citizen's need a plan organized to elect a new Congressman, they join lobbyist and trade organizations, hope the party might finally do something, "wish" some fine candidate will come along, send \$50 to some political action committee 2000 miles away, and a whole host of other absurd, futile attempts to effect political change.

Isn't it long past the time when we should apply the "division of labor" principle that has proven so successful in business enterprise to the political process?

The firm of Robert R. Bogensberger & Associates, Inc., was formed for that purpose. The firm has developed — and is now implementing — a plan designed to restore integrity in Congress. Our firm offers services to citizens which will bring about the election to Congress a majority of individuals who are highly principled, honest, and who understand that they have been elected to serve the People, and not their own political careers.

CONGRESSIONAL INTEGRITY
 is published monthly by
 ROBERT R. BOGENSBERGER
 & ASSOCIATES, INC.
 Five Mansions Way, Suite 202
 Seattle, Washington 98101
 (206) 623-2581
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 527 FIVE MANSIONS WAY, SUITE 202
 SEATTLE, WASHINGTON 98101
 ROBERT R. BOGENSBERGER
 & ASSOCIATES, INC.

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The Plan:

STEP ONE: Raise Early and Sufficient Campaign Seed Money

Funds for future political campaigns are solicited using a new and unique method. When an individual commits to participation in this step of the Program, a pledged amount of funds (preferably \$1,000) is set aside in a savings account opened by the participant in his own name. The passbook for each savings account is held by the firm of Robert R. Bogensberger & Associates, Inc.⁽²⁾, until such time as a qualified candidate is found and presented to, and accepted by, the respective donors. The passbooks are used to prove support to potential candidates. Our goal is between \$100,000 and \$200,000 in each Congressional District.

WHY STEP ONE:

Money is the life-blood of political campaigns. With it, many things are possible. Without it, success is highly improbable.

We are not the first to recognize this political truism. Hundreds of methods have been devised to raise money for potential candidates. Hundreds of millions are raised biennially for the purpose. One of the most common in use is computerized mailing lists used by candidates, lobbyist organizations and special interest Political Action Committees [PAC's].

If you are one of the computerized names who receives scores of solicitations annually, you may have already questioned their effectiveness.

In most instances, money raised by such methods is at least inefficient, because only a small percentage of the total ever reaches the intended cause or candidate, usually less than 10%. As just one example, a major national conservative political action committee recently

⁽²⁾ For safeguarding, these passbooks are placed in the custody of a Certified Public Accountant, and a receipt is issued to the passbook owner.

raised a total of \$2,700,000 by the direct mail method. However, the committee contributed only \$440,000 of it to candidates running for office. Many candidates receive the majority of their campaign funds from such sources, all of which are from outside the District to be represented. In such instances, the question can justifiably be asked: "Who will that candidate be beholden to?"

The greatest concern though, about these seemingly well-intentioned, special interest PAC's which now number in the many hundreds, is this: 80% or more of the funds that are contributed go to incumbents on the theory that the incumbent is the "odds on favorite" to win, so "let's back the winner". Principle is seldom considered. This, of course, perpetuates the very problem that PAC's were organized to solve.

Our method of raising funds for future political opportunities is the most honorable ever devised, because it overcomes all the shortcomings described above by assuring that 100 cents of every dollar raised goes directly to the candidate — from individual donors within the District.

STEP TWO:

Select Qualified Candidates Pledged to Constitutional Principles

With adequate financial support, provable, qualified, highly principled individuals will be encouraged to "serve". From these individuals, participants in this program will select their best qualified candidate.

WHY STEP TWO:

Each two years, millions of Americans participate in the election of representatives, but few are involved in the selection of those who will be candidates.

We must remember, that when we elect someone to represent us in the governing process, we place into that individual's hands Political Power. This person now has the power to pass laws that tax us, regulate us, inflate our currency, rob us of our rights and allow government to commit other abuses against

the People. Placing this much power into the hands of any individual is not a game — it is our lives, our futures and our freedom. Such selections should not be left to chance, nor taken lightly.

STEP THREE: Help Develop a Plan for a Successful Campaign

WHY STEP THREE?

Because of the diversity of candidates and Congressional Districts, and, because of the high cost of seeking public office, a custom-made campaign strategy is necessary to ensure the wise and efficient use of time and money. A steering committee, composed of donors from Step One, above, will be organized to act in an advisory capacity.

STEP FOUR: Evaluate the Performance of the Congressman

Through the monthly newsletter, Congressional in-teg-ri-ty, participants in the program are informed of their Congressman's performance.

WHY STEP FOUR?

A Congressman's performance in office is far more important than promises. Most citizen's concern themselves with their representatives' activities for only a short period of time during the election year. The Congressman's performance though, seriously effects each of our lives, 24-hours per day — every day!

The firm of Robert R. Bogensberger & Associates, Inc., encourages an increased awareness of, and interest in the affairs of Congress. We believe this can be accomplished by researching, publishing and disseminating a Congressman's voting record as widely as possible so that more citizens will begin to make the "Congressional Connection" year around, not just during election time.⁽³⁾

⁽³⁾ Robert R. Bogensberger & Associates, Inc. has recently begun "Congressional Connection", a series of monthly newspaper advertisements that supply information of Congressional and the net effect they will have on national issues.

STEP FIVE:

Organize the Program within each Congressional District

This program will be organized at the Congressional District level with a goal of 1,000⁽⁴⁾ individual participants in each Congressional District. For a minimum retainer of \$100 per year, individuals hire the services of Robert R. Bogensberger & Associates, Inc., to implement this five-step program. As Clients of the firm, each individual receives the benefit of a full-time field director in the Congressional District. Each field director works closely with all Clients while implementing this program. Additionally, Clients benefit from a home office staff which administers the needs of the field directors, performs research and maintains a liaison with numerous Congressional Representatives. Clients also receive the monthly newsletter CONGRESSIONAL in-teg-ri-ty which keeps them abreast of activities relating to their program, their Representative, and Congress.

WHY STEP FIVE:

If you have ever participated in a Congressional campaign for a newcomer to politics with the hope of unseating a well-entrenched "career" incumbent, you will readily recognize the need for this step.

Incumbents possess numerous "advantages of office". Just one of them allows the incumbent to have three "District" offices in the home District. These are staffed by full-time personnel. These, and the many other resources at the incumbent's disposal, are working two or more years in advance on behalf of the re-election of the incumbent. Other resources include expense accounts, many free ser-

⁽⁴⁾ Are 1,000 persons enough to make the difference? YES! Though the average Congressional District is 500,000 population, the majority of those persons never register to vote. Of those who do register, the majority seldom vote — so the actual number of votes necessary to reverse most elections is less than 5% of the total population — and therefore 1,000 individuals, well organized, and motivated, are more than enough to change the outcome of most elections.

VICES, free mailing privileges, transportation, public relations, huge salaries, etc.

The challenger, on the other hand, is usually, at the last moment, urged to run by a handful of friends. This campaign is almost always late starting, poorly organized, and under-financed.

This plan is kept in effect to ensure the re-election of an acceptable representative as much as it is used to remove an unacceptable representative.⁽⁵⁾

The Plan Works!

After one year of field implementation by the capable field staff of the firm of Robert R. Bogensberger & Associates, Inc., it can confidently be stated that the plan outlined above is a good plan, a workable plan, and an effective plan.

As a result of our first year of work, there are now many hundreds of individuals from all walks of life — literally, the broadest possible spectrum of individuals — who agree. [We will be delighted to show you a list of our Clients.]

Our Clients now look towards future elections with anticipation because they know that in future campaigns they will not have to settle for the "lesser of two evils" nor frustrate themselves with well-intentioned individuals who, by

⁽⁵⁾ This plan is also necessary in Districts where an acceptable candidate has been elected. There are no iron-clad guarantees in politics. And, though this program substantially enhances the probability of electing only responsible people to public office, there are far too many examples of representatives "changing" once they are in office.

NOTE TO READERS: This is a reprint of the January 1979 issue of the newsletter, CONGRESSIONAL in-teg-ri-ty. Additional copies are available, 10 for \$100, by writing the home office of Robert R. Bogensberger & Associates, Inc., 100 Wall Street, Suite 217, Seattle, Washington 98121.

themselves, simply could not get together".

These many hundreds of citizens now look forward to working for, and supporting a candidate for the United States Congress whom they will be proud to call their own.

Our Clients — because they will be part of the 1,000 in their Congressional District who are going to make things happen — know that they are part of the only plan in existence that has a no-nonsense approach to improving the quality and calibre of their elected representative.

Our Clients see the light at the end of the tunnel when they will no longer have to take the biennial "hurry-up-then-lose" gamble, which has kept this nation on a disastrous course for too many decades.

All that is necessary for the success of this plan is you!

WHAT ABOUT YOU?

What is this plan worth? Is it worth \$100 per-year to have a person working for you full-time in your own Congressional District helping others make the "Congressional Connection" and implementing the only workable plan of action which will lead to the successful election of a representative of whom you can be proud? Is it worth considering, as a separate decision, setting \$500 or \$1,000 aside in a savings account in your name in anticipation of that future political opportunity?

Is your business, your job, your home, your future and that of the next generation worth the effort?

If you agree that the answers to the above questions are a resounding YES!, contact us for information on how you can become part of this growing force that will restore integrity in Congress.

RECEIVED

ATTACHMENT B

DECLARATION OF INTENT

'89 JUN 25 AM 11:17

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant evidence of my pledge of support, I hereby publicly declare my intention to donate the sum of \$1,000.00 for the purpose of providing financial assistance to such candidates.

I further acknowledge my intention by depositing the aforesaid sum of \$1,000.00 in a special savings account in my name. I may from time to time loan the passbook to said account to third persons to evidence the sincerity of my intentions. However I shall always maintain complete and absolute personal control over the funds in question.

It is further my intention to prepare a withdrawal slip for the sum of \$1,000.00, match same with the passbook, and transmit both to the authorized campaign committee of a candidate who meets my approval.

I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

Donor

Date

Candidate

Date

8 2 0 1 7 3 1 1 2 3 5

Democratic Party

Pierce County Central Committee

MAY 1980 RECEIVED
CCC 1484
MAY 28 AM 8:30

May 21, 1980

008197

Mr. Hal Ponder
Assistant General Counsel
Federal Elections Commission
Washington D.C. 20463

Dear Mr. Ponder:

On August 20, 1979 I sent to the F.E.C. a complaint concerning the operation of Robert R. Bogensberger and Associates, Inc. on behalf of the Pierce County Central Committee of the Democratic Party. Your reply of August 29, 1979 indicated that we had not complied with several technical provisions of the F.E.C. Since the situation locally has not changed since our last communication, I would like to once again submit our complaint.

- (1) Full name, address and telephone number of the complainant:

William H. Baarsma; Chairman of the Pierce County Democratic Party
Central Committee on behalf of the Central Committee. P.O. Box 7338,
Tacoma, Washington 98407 (206) 627-0863

- (2) A clear and concise statement of the acts which are alleged to constitute a violation of the Federal Elections Campaign Act of 1971

Please note the attached letter of August 20, 1979 which summarizes the basis for our complaint. Paragraph two outlines the activities of Bogensberger and Associates and paragraph four, page two cites the specific section of the act which relates to those activities. Also, please note the additional attachments which relate to the matter entitled: "Congressional Integrity", "Agreement", "Congressional Connection", "For Immediate Release", "Performance Contract" and "Battle is for GOP funds--his target is Dicks' seat."

Headquarters: 1105 A Street

Party Officers:

Bill Baarsma, Chairperson
Leah Golden, Vice-Chairperson
Sharyn Wise, Secretary
J.E. "Gus" Finlayson, Treasurer
Dean Cooper, Sgt.-At-Arms

(206) 627-0863

Mailing Address:

P.O. Box 7338,

Tacoma, Washington 98407

Jim Charette, State Committeeman
Ruth Fisher, State Committeewoman

ATTACHMENT C, p.1

8201031236

- (3) Any documentation of allegations of the complaint available to the complainant.

Note attachments described in (2).

- (4) An assertion that the person complaining is not filing the complaint on behalf of or at the request of a candidate.

I, William H. Baarsma, am filing this complaint on behalf of the Pierce County Democratic Party Central Committee.

Sincerely,

William H. Baarsma

William H. Baarsma
Chairman
Democratic Party Central Committee
Pierce County

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*Betty L. Shoecraft
Tacoma, WA*

*83
Eppin: Nov. 1980*

Democratic Party

Pierce County Central Committee

12:55

August 20, 1979

Chief Counsel
Federal Elections Commission
1325 K Street . N.W.
Washington D.C. 20463

Dear Sirs:

The Democratic Party Central Committee of Pierce County has directed me to inquire into the application, if any, of the Federal Elections Campaign Act to the current activities in the Sixth Congressional District of Robert R. Bogensberger and Associates, Inc.

From what we can gather, the facts of the matter are as follows: Robert R. Bogensberger, a political consultant, heads a company known as Robert R. Bogensberger and Associates, Inc. (RRB & A, Inc.) At the present time, Bogensberger and his company are engaged in a drive to raise funds for "new far right" challenge to Congressman Norm Dicks in 1980. The candidate who will mount the challenge is not yet known; he/she will be selected at a later phase in this effort. At the time of selection, however, the candidate will apparently assume control over funds being raised by RRB & A, Inc., and that company will, it seems, serve as the candidate's official campaign consultant/manager. Currently, Bogensberger is raising funds from two "classes" of contributors: 1) those contributing \$100 a year to support a local office and the running of a series of newspaper ads entitled the "Congressional Connection" ; and 2) those opening a passbook savings account with \$1,000 at the bank of their choice, and turning the passbooks over to Bogensberger. These savings accounts will hold the money--together with the accrued interest--which will be received by the candidate ultimately selected to mount the campaign against Congressman Dicks. Finally, it is noted that Bogensberger draws what he deems an "adequate" salary from the fundraising proceeds, and that a local Sixth District staffer is also retained through a commission on all money he raises.

Bogensberger has stated to the press that his current activities do not trigger any legal obligations under the Federal Election Campaign Act (FECA). It is Bogensberger's judgement that where a specific candidate, i.e. a challenger to Congressman Dicks, has not been selected, compliance with the Act is not required.

continued

Headquarters: 1105 A Street

Party Officers:

Bill Boarsma, Chairperson
Loch Golden, Vice-Chairperson
Sharyn Wiss, Secretary
J.E. "Gus" Finlayson, Treasurer
Dean Cooper, Sp. At-Arms

(206) 627-0363

Mailing Address:

P.O. Box 7333,

Tacoma, Washington 98407

Jim Charonis, State Committeeman

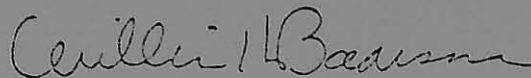
Ruth Fisher, State Committeewoman

82040311238

From our perspective, Bogensberger's assessment of his legal position seems to be in question. Two issues are raised under the FECA by Bogensberger's activities. First, Bogensberger's operation, it appears to us, should register, and begin reporting, as a political committee, as defined under section 100.14 of the FEC's Regulations. These regulations, of course, require full disclosure of the sources and amounts of contributions. Second, Bogensberger's involvement in the campaign effort is via Robert R. Bogensberger and Associates, Inc., an incorporated entity, and a question is therefore raised whether prohibited corporate contributions to this effort are being made.

We are enclosing material concerning the Bogensberger operation that we have accumulated. Please let us know if you wish any further information from us.

Sincerely yours,



William H. Baarsma
Chairman-- Democratic Party
Central Committee

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger
and Associates, Inc.
500 Wall Street, Suite 207
Seattle, Washington 98121

RE: MUR 1242

Dear Mr. Bogensberger:

The Federal Election Commission notified you on June 2, 1980, of a complaint which alleges that Robert R. Bogensberger and Associates, Inc. had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

On October 1, 1981, after review of the allegations contained in the complaint and information supplied by you, the Commission, on January 1, 1981, determined that there is reason to believe that your firm has violated 2 U.S.C. § 441b, a provision of the FECA of 1971, as amended. Specifically, it appears that the practice of soliciting financial support on behalf of candidates for federal office by publishing and disseminating a newsletter paid for by unreimbursed corporate funds violates section 441b of the Act, which makes it unlawful for a corporation to make a contribution or expenditure in connection with any federal election. See 2 U.S.C. § 431(8)(A).

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 10 days of receipt of this letter.

ATTACHMENT D, p.1

82040311240

Letter to Robert R. Bogensberger
Page Two

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your firm, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Dennis Moss, the staff member assigned to this matter at 202-523-4057.

Sincerely,

Enclosure

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INTERROGATORIES

(1) Identify by name and address each individual who has submitted the "Declaration of Intent", attached hereto, identified as Exhibit 1, and incorporated herein by reference.

(2) Identify by name and address each individual who for a retainer of \$100.00, hired the services of Robert R. Bogensberger and Associates, Inc. (Bogensberger) to implement the five-step program set forth on pages three (3) and four (4) of Congressional integrity, Vol. III, No. 1, dated January 1, 1979.

(3) Identify by name and address each individual who deposited \$1,000, or any lesser amount, in an individual savings account with a financial institution during 1980 pursuant to the "Declaration of Intent".

(4) State whether Bogensberger has ever requested possession of the passbooks to these accounts.

(5) If your response to Question 4 is yes, identify by name and address each individual who transferred his or her passbook to Bogensberger, Inc., pursuant to the "Declaration of Intent".

(6) To your knowledge, did any candidate for federal election, and/or his or her authorized committee(s) receive any funds which were transferred by those individuals identified in Question 3?

(7) If your response to Question 6 is yes, identify by name and address each candidate and/or his or her authorized committee(s) who received funds which were transferred by any of those individuals described in Question 3.

(8) State the names and addresses of Bogensberger's officers and directors; attach a copy of Bogensberger's Articles of Incorporation.

(9) List Bogensberger's expenditures for the months of September, October, and November, 1980.

DECLARATION OF INTENT

'89 JUN 25 AM 11:1

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant evidence of my pledge of support, I hereby publicly declare my intention to donate the sum of \$1,000.00 for the purpose of providing financial assistance to such candidates.

I further acknowledge my intention by depositing the aforesaid sum of \$1,000.00 in a special savings account in my name. I may from time to time loan the passbook to said account to third persons to evidence the sincerity of my intentions; however I shall always maintain complete and absolute personal control over the funds in question.

It is further my intention to prepare a withdrawal slip for the sum of \$1,000.00, match same with the passbook, and transmit both to the authorized campaign committee of a candidate who meets my approval.

I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

Donor

Date

Candidate

Date

8 2 0 1 0 3 1 1 2 4 3

Robert R. Bogensberger
P. O. Box 212
Mount Vernon, Washington 98273

RECEIVED
88 JUN 25 AM 11:17
0005
1765

June 20, 1980

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

200763

Re: MUR 1242

Dear Mr. Steele:

This letter is in response to yours of June 2, 1980.

For your consideration of the allegations against myself, my firm, and my clients, which have been made by Mr. William Baarsma on behalf of the Pierce County Democratic Central Committee, I have attached:

- A) A legal brief prepared by counsel for my firm. This brief sets forth the legalities of the activities of the firm of Robert R. Bogensberger & Associates, Inc.
- B) A newspaper article of June 18, 1980 that addresses the allegations made by Mr. Baarsma. This article appeared in the Tacoma News Tribune.

The brief from counsel will adequately answer doubts you may have regarding the legality of the activities of my firm.

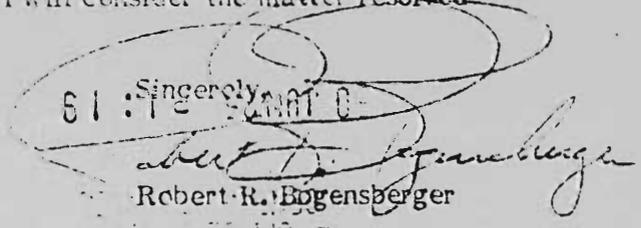
The news article should provide adequate evidence that the allegations are nothing more than reactionary charges by those who resent local citizens' attempts to involve themselves in the political process. This resentment on the part of party chairman Baarsma is further confirmed when one considers paragraph 4, page one of your correspondence to me which states:

"This matter will remain confidential in accordance with 2 U.S.C § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public."

It would seem that the credibility of Mr. Baarsma and the Pierce County Democratic Committee is seriously jeopardized by filing unfounded, specious charges against myself and others and then running to the local media seeking publicity before the FEC has time to receive a response to the charges.

I trust that this reply will suffice to lay this matter to rest.

Unless I hear from you within 15 days, I will consider the matter resolved to our mutual satisfaction..

Sincerely,

Robert R. Bogensberger

82040311214

RECEIVED

'68 JUN 25 AM 11:17

Richard B. Sanders

ATTORNEY AT LAW
328 FAIRVIEW AVENUE NORTH
SEATTLE, WASHINGTON 98109

206 - MA 3-6042

November 16, 1979

Mr. Robert R. Bogensberger
500 Wall Street, Suite 217
Seattle, WA. 98121

Re: Citizen Pledge Program

Dear Mr. Bogensberger:

At your request, I have undertaken a review of your citizen pledge program in the light of applicable federal election laws as well as the rules and regulations promulgated by the Federal Election Commission. Attached to this letter is a form "Declaration of Intention" which sets forth the terms and conditions of your pledge program inclusively. Based upon my review to date, it is my opinion that individuals depositing their funds in the described savings accounts in the manner described in the "Declaration of Intention", as well as those, including yourself, who encourage them to do so, are not covered by the applicable statute and regulations.

In my view the act of soliciting individuals to deposit funds in a bank account completely under their own control is protected free speech activity and the solicitor is not required to register as a "political committee" as required by Chapter 14 of the Federal Election Campaign Act. Section 431 of that chapter defines "political committee" as:

"Any committee, club, association or other group of persons which receives contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1000. . ."

Since, in your case, the solicitor "receives" nothing and has no rights whatsoever with respect to the bank account

E, p.2

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Mr. Robert R. Bogensberger
November 16, 1979

Page Two

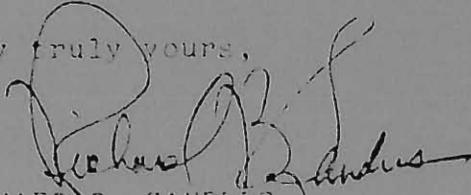
in question, I cannot conceptualize how you could possibly come under the "political committee" provisions of the Act.

Moreover, under Section 100.4 of the regulations, I doubt that the act of depositing funds in one's own bank account with the generalized nonspecific intention of ultimately distributing those funds to an unnamed candidate could be considered a "contribution" under the Act. At any rate, if it were a "contribution", it would not be a contribution to the solicitor, but to the candidate's committee (whoever that is) and, as such, would normally be reportable at the time it was actually made.

To carry that line of reasoning one step further, since a "political committee" is defined (See Regulations Section 100.14) as "any committee, club, association or other group of persons which anticipates receiving, or receives contributions, or makes expenditures, totalling more than \$1,000.00 in value during a calendar year. . .", the \$1,000.00 donor would be under the statutory limit and therefore could not be considered a "political committee" on his own - even if one wanted to pursue such a farfetched construction.

In summary, it appears to me that your proposal is completely consistent with the applicable federal election laws and regulations. If anyone disagrees, I would welcome the opportunity to review any specific statutory or regulatory language upon which that belief would be premised.

Very truly yours,


RICHARD B. SANDERS

RBS:sl
Enclosure

82040311246

RECEIVED

DECLARATION OF INTENT

'80 JUN 25 AM 11:17

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

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I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

Donor

Date

Candidate

Date

82040311247

RECEIVED

Robert R. Bogensberger
P. O. Box 212
Mount Vernon, Washington 98273

80 JUN 25 AM 11:17

CCC

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June 20, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

938743

Re: MUR 1242

Dear Mr. Steele:

This letter is in response to yours of June 2, 1980.

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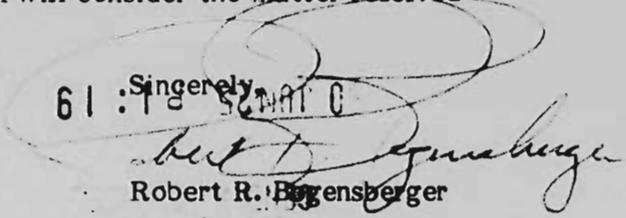
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I trust that this reply will suffice to lay this matter to rest.

Unless I hear from you within 15 days, I will consider the matter resolved to our mutual satisfaction..

Sincerely,
61:18

Robert R. Bogensberger

82040311248

RECEIVED

'80 JUN 25 AM 11:17

Richard B. Sunders

ATTORNEY AT LAW
328 FAIRVIEW AVENUE NORTH
SEATTLE, WASHINGTON 98109
206 - MA 3-6042

November 16, 1979

Mr. Robert R. Bogensberger
500 Wall Street, Suite 217
Seattle, WA. 98121

Re: Citizen Pledge Program

Dear Mr. Bogensberger:

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'80 JUN 25 AM 11:17

Mr. Robert R. Bogensberger
November 16, 1979

Page Two

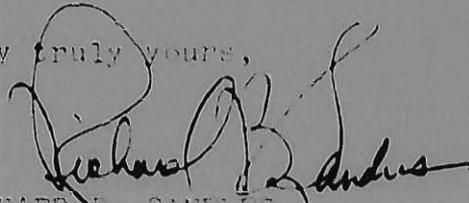
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To carry that line of reasoning one step further, since a "political committee" is defined (See Regulations Section 100.14) as "any committee, club, association or other group of persons which anticipates receiving, or receives contributions, or makes expenditures, totalling more than \$1,000.00 in value during a calendar year. . .", the \$1,000.00 donor would be under the statutory limit and therefore could not be considered a "political committee" on his own - even if one wanted to pursue such a farfetched construction.

In summary, it appears to me that your proposal is completely consistent with the applicable federal election laws and regulations. If anyone disagrees, I would welcome the opportunity to review any specific statutory or regulatory language upon which that belief would be premised.

Very truly yours,



RICHARD B. SANDERS

RBS:sl
Enclosure

82040311250

RECEIVED

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DECLARATION OF INTENT

SECTION I

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It is further my intention to prepare a withdrawal slip for the sum of \$1,000.00, match same with the passbook, and transmit both to the authorized campaign committee of a candidate who meets my approval.

I make this declaration of intention as a matter of honor and conscience. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution of the United States.

Donor Date

Candidate Date

82010311251

Demos charge violation of law

Failure to register laid to man raising funds for Beaver

By JERRY PUGNETTI
Political Writer

Pierce County Democrats have filed a complaint with the Federal Elections Commission, alleging election-law violations by a man who is helping GOP congressional candidate James Beaver raise campaign funds.

The complaint, filed by the county Democratic Central Committee, accuses Robert R. Bogensberger of Mount Vernon of raising funds without registering or reporting to the federal commission as required by law.

Bogensberger, a conservative who operates his own political consulting firm, denied that he is violating the law. He contends that his fund-raising methods do not require him to file any public disclosure reports.

"The operation is strange, to say the least," county Democratic Chairman William Baarsma said yesterday. "What you have is a narrowly based, right-wing group that claims to have raised vast amounts of money. It seems to be trying to replace major political parties as the main vehicle to elect candidates."

Bogensberger, however, describes himself merely as a "hiring" for people who want to financially support a Republican challenger to Democratic incumbent Rep. Norm Dicks.

He says he has recommended to his "clients" that they contribute money to Beaver, a conservative University of Puget Sound law professor campaigning for Dicks' 6th Congressional District seat.

"I have come up with what I think is an honorable, above-board and effective method of raising money," Bogensberger told *The News Tribune* yesterday in Beaver's campaign office.

Bogensberger began two years ago contacting prospective contributors, asking each to set aside \$1,000 in a bank savings account for a candidate, which Bogensberger would later identify.

Another group of contributors pay \$100 a year under Bogensberger's fund-raising method to run his office, pay for newspaper advertisements and cover his fees.

He said that 75 persons have pledged \$1,000 each for the campaign cause. And Bogensberger sees a potential of up to \$200,000

for Beaver's campaign.

Because he acts as a consultant for his clients and doesn't handle their money, Bogensberger said, he doesn't have to register with the elections commission.

He cited a legal opinion from his lawyer, who Bogensberger says investigated the election laws and concluded that the operation is exempt.

But Baarsma maintains Bogensberger's activity constitutes a political action committee, which is required to register and fully disclose sources and amounts of campaign contributions.

"We feel that there seems to be a violation," said Baarsma, who submitted the complaint last week. "If they (FEC) feel otherwise, so be it. But we feel it warrants being looked into."

Baarsma also questioned whether Bogensberger's firm, which is incorporated under the name of Robert R. Bogensberger and Associates Inc., is channeling corporate contributions to a campaign.

Bogensberger countered that his clients as individuals are contributing money directly to the campaign.

Beaver, meanwhile, argued that the Democrats are raising the questions to divert attention away from the campaign issues.

"It's a red herring," Beaver said. "The real issue is Norm Dicks' voting record."

"Baloney," Baarsma reacted. "The issue is whether a right-wing political action committee has the right to violate federal law in support of right-wing candidates.

"I don't mind a Republican challenge," he added. "But when you have a front for a right-wing group with John Birch Society leanings, we can make it an issue."

Bogensberger conceded he was a staff member of the right-wing society until 1976, but said he has no connection now.

David Ray, Beaver's campaign manager, said he was concerned about Bogensberger's past connection, but his ability to raise funds was an "opportunity we just couldn't pass up."

And Beaver emphatically stated that he is not and never has been a member of the John Birch Society.

"Any claim that the Beaver campaign is a John Birch campaign is preposterous," he said.

Robert R. Bogensberger
P. O. Box 212
Mount Vernon, WA. 98273



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1

RETURN RECEIPT
REQUESTED

Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

CERTIFIED

10P14 9709150

MAIL



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 2, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William H. Baarsma
Chairman
Democratic Party Central Committee
P.O. Box 7338
Tacoma, Washington 98407

Dear Mr. Baarsma:

This letter is to acknowledge receipt of your complaint of May 21, 1980, against Robert R. Bogensberger and Associates, Inc. which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification. You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,


Charles N. Steele
General Counsel

Enclosure

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FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

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3 2 0 1 1 9 0 1 0 2 8

PS Form 3811, Aug. 1978

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:**
William H. Barrens

3. **ARTICLE DESCRIPTION:**
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | *945029* | |
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
William H. Barrens

DATE OF DELIVERY
JUN 6 1980

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS
[Signature]



1242

Sterling



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 2, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert R. Bogensberger
Robert R. Bogensberger & Associates
Five Hundred Wall Street
Suite 207
Seattle, Washington 98121

Re: MUR 1242

Dear Mr. Bogensberger:

This letter is to notify you that on May 28, 1980, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1242. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

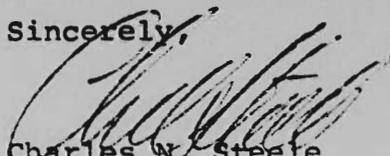
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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Letter to: Robert R. Bogensberger
Page Two

If you have any questions, please contact Victor Sterling,
the attorney assigned to this matter at (202) 523-4175.
For your information, we have attached a brief description of
the Commission's procedure for handling complaints.

Sincerely,



Charles N. Steele
General Counsel

Enclosure

1. Complaint
2. Procedures

8 2 0 4 0 3 1 1 2 5 7

Democratic Party

Pierce County Central Committee

1248 RECEIVED
CCC 1484
MAY 28 AM 8:30

May 21, 1980

508197

Mr. Hal Ponder
Assistant General Counsel
Federal Elections Commission
Washington D.C. 20463

Dear Mr. Ponder:

On August 20, 1979 I sent to the F.E.C. a complaint concerning the operation of Robert R. Bogensberger and Associates, Inc. on behalf of the Pierce County Central Committee of the Democratic Party. Your reply of August 29, 1979 indicated that we had not complied with several technical provisions of the F.E.C. Since the situation locally has not changed since our last communication, I would like to once again submit our complaint.

- (1) Full name, address and telephone number of the complainant:

William H. Baarsma; Chairman of the Pierce County Democratic Party
Central Committee on behalf of the Central Committee. P.O. Box 7338,
Tacoma, Washington 98407 (206) 627-0863

- (2) A clear and concise statement of the acts which are alleged to constitute a violation of the Federal Elections Campaign Act of 1971

Please note the attached letter of August 20, 1979 which summarizes the basis for our complaint. Paragraph two outlines the activities of Bogensberger and Associates and paragraph four, page two cites the specific section of the act which relates to those activities. Also, please note the additional attachments which relate to the matter entitled: "Congressional Integrity", "Agreement", "Congressional Connection", "For Immediate Release", "Performance Contract" and "Entire is for GOP funds--his target is Dicks' seat."

Headquarters: 1105 A Street

Party Officers:

Bill Baarsma, Chairperson
Leah Golden, Vice-Chairperson
Sheryn Wise, Secretary
J.E. "Gus" Finlayson, Treasurer
Dean Cooper, Sgt.-At-Arms

(206) 627-0863

Mailing Address:

P.O. Box 7338,

Tacoma, Washington 98407

Jim Charette, State Committeeman

Ruth Fisher, State Committeewoman

8 2 0 4 0 3 1 1 2 5 8

02-8-1980

- (3) Any documentation of allegations of the complaint available to the complaintant.

Note attachments described in (2).

- (4) An assertion that the person complaining is not filing the complaint on behalf of or at the request of a candidate.

I, William H. Baarsma, am filing this complaint on behalf of the Pierce County Democratic Party Central Committee.

Sincerely,

William H. Baarsma

William H. Baarsma
Chairman
Democratic Party Central Committee
Pierce County

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*Betty d. Shoecraft
Tacoma, WA
Expires: Nov. 1980*

442-10964 Imp Comp Letter to Pineda 8-29

Democratic Party

Pierce County Central Committee

12:55

August 20, 1979

Chief Counsel
Federal Elections Commission
1325 K Street N.W.
Washington D.C. 20463

Dear Sirs:

The Democratic Party Central Committee of Pierce County has directed me to inquire into the application, if any, of the Federal Elections Campaign Act to the current activities in the Sixth Congressional District of Robert R. Bogensberger and Associates, Inc.

From what we can gather, the facts of the matter are as follows: Robert R. Bogensberger, a political consultant, heads a company known as Robert R. Bogensberger and Associates, Inc. (RRB & A, Inc.) At the present time, Bogensberger and his company are engaged in a drive to raise funds for "new far right" challenge to Congressman Norm Dicks in 1980. The candidate who will mount the challenge is not yet known; he/she will be selected at a later phase in this effort. At the time of selection, however, the candidate will apparently assume control over funds being raised by RRB & A, Inc., and that company will, it seems, serve as the candidate's official campaign consultant/manager. Currently, Bogensberger is raising funds from two "classes" of contributors: 1) those contributing \$100 a year to support a local office and the running of a series of newspaper ads entitled the "Congressional Connection" ; and 2) those opening a passbook savings account with \$1,000 at the bank of their choice, and turning the passbooks over to Bogensberger. These savings accounts will hold the money--together with the accrued interest--which will be received by the candidate ultimately selected to mount the campaign against Congressman Dicks. Finally, it is noted that Bogensberger draws what he deems an "adequate" salary from the fundraising proceeds, and that a local Sixth District staffer is also retained through a commission on all money he raises.

Bogensberger has stated to the press that his current activities do not trigger any legal obligations under the Federal Election Campaign Act (FECA). It is Bogensberger's judgement that where a specific candidate, i.e. a challenger to Congressman Dicks, has not been selected, compliance with the Act is not required.

continued

Headquarters: 1105 A Street

(206) 627-0863

Party Officers:

Mailing Address:

- Bill Baarsma, Chairperson
- Loch Golden, Vice-Chairperson
- Sharyn Wise, Secretary
- J.E. "Gus" Finlayson, Treasurer
- Dean Cooper, Sgt.-At-Arms

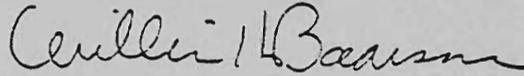
- P.O. Box 7338,
- Tacoma, Washington 98407
- Jim Charolta, State Committeeman
- Ruth Fisher, State Committeewoman

82040311250

From our perspective, Bogensberger's assessment of his legal position seems to be in question. Two issues are raised under the FECA by Bogensberger's activities. First, Bogensberger's operation, it appears to us, should register, and begin reporting, as a political committee, as defined under section 100.14 of the FEC's Regulations. Those regulations, of course, require full disclosure of the sources and amounts of contributions. Second, Bogensberger's involvement in the campaign effort is via Robert R. Bogensberger and Associates, Inc., an incorporated entity, and a question is therefore raised whether prohibited corporate contributions to this effort are being made.

We are enclosing material concerning the Bogensberger operation that we have accumulated. Please let us know if you wish any further information from us.

Sincerely yours,



William H. Baarsma
Chairman-- Democratic Party
Central Committee

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CONGRESSIONAL



in-teg-ri-ty

*Dedicated to
restoring
integrity in
Congress*

Vol. III, No. 1

January, 1979

So you have made the Congressional Connection

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Something is wrong in this country:

Too much inflation, too many taxes, too many government rules, too many regulations, too many bureaucrats.

Too little leadership.

Internationally, this nation's foreign policy is in a shambles. Strategic strength has been negotiated into chronic weakness. Deadly enemies have become "most favored nations" while true allies have been insulted and brushed aside in the name of "political expediency".

Domestically, we suffer from double-digit inflation; annual budgets in excess of \$1/2 TRILLION; a National Debt and other obligations which have piled up to an amount in excess of \$9 TRILLION; a federal bureaucracy so huge that even the government cannot accurately state how many bureaucrats are now on the payroll, and an incompetent judiciary, seemingly answerable to no one, legislating

If you ... have already made the "Congressional Connection" then you understand the necessity of electing more competent people to Congress...

away our freedoms — these and more are burdens that grow daily.

Who is responsible? Can something be done to re-direct our national destiny to a wiser, more prudent direction?

MY CONGRESSMAN, THE FOX:

As every American farm boy knows: "You don't send a fox to guard the chicken house."

However, this is precisely what is happening in the United States today, because the majority of the 535 Congressmen in our government are "Political Foxes".

Congress⁽¹⁾ is the problem. Every authorization for debt increases,

⁽¹⁾ Whenever used in this article, "Congress" means the 435 members of the House of Representatives, and the 100 members of the Senate.

each bureaucracy and bureaucrat, every rule and regulation, every tax, and each assault by government on individual liberty, begins with a vote, or by the action or inaction of Congress.

Too few people, though, have made the "connection" between the problems posed by government and their Congressman's actions.

Too many Americans still fall prey to the propaganda of the politicians: that farmers, housewives, businessmen, workers, consumers, unions — everyone and anything except Congress — is the cause of our problems.

If you are one of the growing numbers of American citizens who have already made the "Congressional Connection", then you understand the necessity of electing more competent people to Congress.

Election years afford the greatest opportunity for people to make the "Congressional Connection" because interest is high and the Congressman is home running for



office. The opportunity, however, generally does not materialize because the professional "cafeer" types have learned to cloud the issues rather than discuss them.

The amateur, challenging candidate, because he is late starting, under-organized and ill-financed, does not have the resources to force the Congressman's voting record as an issue in the campaign.

The result is that most campaigns become a staged production composed of slogans and trite cliches. Of all incumbents seeking re-election, 94% are successful. Congress continues to be the problem.

Now, add to the presence of this, sufficient, early funds for a well-organized, planned campaign.

This situation will provide a substantial opportunity to publicize the incumbent Congressman's voting record, it's impact on our day-to-day lives, and help tens of thousands of other citizens in your District make the "Congressional Connection".

Now, imagine this happening in scores of Congressional Districts, resulting in the election of dozens of such candidates to Congress.

It is undeniable that the future course of American history will be dramatically changed for the better.

Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found!

This is not the way to conduct politics.

Instead of the normal "hurry-up-then-lose" approach, common with most challenging, amateur candidates, what if the following scenario took place in your Congressional District the next time your Congressman sought re-election:

What if your incumbent "Political Fox" were (for the first time in his political career) challenged by an articulate, highly principled candidate who:

Understands that his oath of office means he will swear to preserve, protect and defend our Constitutional Republic as a government of laws, not of men; understands that these laws severely restrict the powers of government and can be changed only by the people through their elected representative; and swears to defend these principles against personality, party, cause or special interest which threatens these basic principles.

Working towards the election of this candidate will be many hundreds of citizens from all walks of life who have made the "Congressional Connection" and who realize that they too, must give principle priority over personality, party, and even their own special interests.

What is necessary to bring about this much needed change in the way we conduct politics?

To begin with, enough citizens who have made the "Congressional Connection" in your Congressional District will have to pledge themselves to find, and then work for, a candidate as described above. This is not an impossible task. There are already nearly one hundred highly principled people serving in the U.S. Congress. Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found! (Hundreds of qualified candidates offer themselves each year, but fail to succeed for lack of resources.)

Secondly, enough campaign funds must be raised in each District from citizens who have made the "Congressional Connection", so the campaign can compete with the "advantages of office" the incumbent possesses. With manpower, money, organization, planning, and a qualified candidate, the advantages of the incumbent can be overcome.

And plans must be made.

The question is, who will take the time to do all the fund-raising,

organizing, planning, interviewing, scheduling, etc.?

There are many individuals who are eminently qualified and capable. Individuals already exist who can build skyscrapers, ships, organize businesses, invent pacemakers and myriad other miracles of the 20th century. How are all these wonders created?

The answer is, a free market concept known as "division of labor".

If a shipbuilder needs welding, a welder is hired. If a dentist needs his car repaired, a mechanic is hired. If a farmer needs his health attended to, a physician is hired. But if citizen's need a plan organized to elect a new Congressman, they join lobbyist and trade organizations, hope the party might finally do something, "wish" some fine candidate will come along, send \$50 to some political action committee 2000 miles away, and a whole host of other absurd, futile attempts to effect political change.

Isn't it long past the time when we should apply the "division of labor" principle that has proven so successful in business enterprise to the political process?

The firm of Robert R. Bogensberger & Associates, Inc., was formed for that purpose. The firm has developed — and is now implementing — a plan designed to restore integrity in Congress. Our firm offers services to citizens which will bring about the election to Congress a majority of individuals who are highly principled, honest, and who understand that they have been elected to serve the People, and not their own political careers.

CONGRESSIONAL INTEGRITY

is published monthly by

ROBERT R. BOGENSBERGER
& ASSOCIATES, Inc.

Five Hundred Wall Street, Suite 207
Seattle, Washington 98121

(206) 623-2381

Subscription Rate is \$75.00 per year

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SEATTLE, WASHINGTON

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& Associates, Inc.

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The Plan:

STEP ONE:

Raise Early and Sufficient Campaign Seed Money

Funds for future political campaigns are solicited using a new and unique method. When an individual commits to participation in this step of the Program, a pledged amount of funds (preferably \$1,000) is set aside in a savings account opened by the participant in his own name. The passbook for each savings account is held by the firm of Robert R. Bogensberger & Associates, Inc.⁽²⁾, until such time as a qualified candidate is found and presented to, and accepted by, the respective donors. The passbooks are used to prove support to potential candidates. Our goal is between \$100,000 and \$200,000 in each Congressional District.

WHY STEP ONE:

Money is the life-blood of political campaigns. With it, many things are possible. Without it, success is highly improbable.

We are not the first to recognize this political truism. Hundreds of methods have been devised to raise money for potential candidates. Hundreds of millions are raised biennially for the purpose. One of the most common in use is computerized mailing lists used by candidates, lobbyist organizations and special interest Political Action Committees [PAC's].

If you are one of the computerized names who receives scores of solicitations annually, you may have already questioned their effectiveness.

In most instances, money raised by such methods is at least inefficient, because only a small percentage of the total ever reaches the intended cause or candidate, usually less than 10%. As just one example, a major national conservative political action committee recently

⁽²⁾ For safekeeping, actual passbooks are placed in the custody of a Certified Public Accountant, and a receipt is issued to the passbook owner.

raised a total of \$2,700,000 by the direct mail method. However, the committee contributed only \$440,000 of it to candidates running for office. Many candidates receive the majority of their campaign funds from such sources, all of which are from outside the District to be represented. In such instances, the question can justifiably be asked: "Who will that candidate be beholden to?"

The greatest concern though, about these seemingly well-intentioned, special interest PAC's which now number in the many hundreds, is this: 80% or more of the funds that are contributed go to incumbents on the theory that the incumbent is the "odds on favorite" to win, so "let's back the winner". Principle is seldom considered. This, of course, perpetuates the very problem that PAC's were organized to solve.

Our method of raising funds for future political opportunities is the most honorable ever devised, because it overcomes all the shortcomings described above by assuring that 100 cents of every dollar raised goes directly to the candidate — from individual donors within the District.

STEP TWO:

Select Qualified Candidates Pledged to Constitutional Principles

With adequate financial support, provable, qualified, highly principled individuals will be encouraged to "serve". From these individuals, participants in this program will select their best qualified candidate.

WHY STEP TWO:

Each two years, millions of Americans participate in the election of representatives, but few are involved in the selection of those who will be candidates.

We must remember, that when we elect someone to represent us in the governing process, we place into that individual's hands Political Power. This person now has the power to pass laws that tax us, regulate us, inflate our currency, rob us of our rights and allow government to commit other abuses against

the People. Placing this much power into the hands of any individual is not a game — it is our lives, our futures and our freedom. Such selections should not be left to chance, nor taken lightly.

STEP THREE:

Help Develop a Plan for a Successful Campaign

WHY STEP THREE?

Because of the diversity of candidates and Congressional Districts, and, because of the high cost of seeking public office, a custom-made campaign strategy is necessary to ensure the wise and efficient use of time and money. A steering committee, composed of donors from Step One, above, will be organized to act in an advisory capacity.

STEP FOUR:

Evaluate the Performance of the Congressman

Through the monthly newsletter, Congressional in-teg-ri-ty, participants in the program are informed of their Congressman's performance.

WHY STEP FOUR?

A Congressman's performance in office is far more important than promises. Most citizen's concern themselves with their representatives' activities for only a short period of time during the election year. The Congressman's performance though, seriously effects each of our lives, 24-hours per day — every day!

The firm of Robert R. Bogensberger & Associates, Inc., encourages an increased awareness of, and interest in the affairs of Congress. We believe this can be accomplished by researching, publishing and disseminating a Congressman's voting record as widely as possible so that more citizens will begin to make the "Congressional Connection" year around, not just during election time.⁽³⁾

⁽³⁾ Robert R. Bogensberger & Associates, Inc., has recently begun "Operation Congressional Connection", a series of radio and newspaper advertisements that report activities of Congressmen and the net effect they have on national issues.

**STEP FIVE:
Organize the Program within
each Congressional District***

This program will be organized at the Congressional District level with a goal of 1,000⁽⁴⁾ individual participants in each Congressional District. For a minimum retainer of \$100 per year, individuals hire the services of Robert R. Bogensberger & Associates, Inc., to implement this five-step program. As Clients of the firm, each individual receives the benefit of a full-time field director in the Congressional District. Each field director works closely with all Clients while implementing this program. Additionally, Clients benefit from a home office staff which administers the needs of the field directors, performs research and maintains a liaison with numerous Congressional Representatives. Clients also receive the monthly newsletter **CONGRESSIONAL in-teg-ri-ty** which keeps them abreast of activities relating to their program, their Representative, and Congress.

WHY STEP FIVE:

If you have ever participated in a Congressional campaign for a newcomer to politics with the hope of unseating a well-entrenched "career" incumbent, you will readily recognize the need for this step.

Incumbents possess numerous "advantages of office". Just one of them allows the incumbent to have three "District" offices in the home District. These are staffed by full-time personnel. These, and the many other resources at the incumbent's disposal, are working two or more years in advance on behalf of the re-election of the incumbent. Other resources include expense accounts, many free ser-

■ (4) Are 1,000 persons enough to make the difference? YES! Though the average Congressional District is 500,000 population, the majority of those persons never register to vote. Of those who do register, the majority seldom vote — so the actual number of votes necessary to reverse most elections is less than 5% of the total population — and therefore 1,000 individuals, well organized, and motivated, are more than enough to change the outcome of most elections.

vices, free mailing privileges, transportation, public relations, huge salaries, etc.

The challenger, on the other hand, is usually, at the last moment, urged to run by a handful of friends. This campaign is almost always late starting, poorly organized, and under-financed.

This plan is kept in effect to ensure the re-election of an acceptable representative as much as it is used to remove an unacceptable representative.⁽⁵⁾

The Plan Works!

After one year of field implementation by the capable field staff of the firm of Robert R. Bogensberger & Associates, Inc., it can confidently be stated that the plan outlined above is a good plan, a workable plan, and an effective plan.

As a result of our first year of work, there are now many hundreds of individuals from all walks of life — literally, the broadest possible spectrum of individuals — who agree. [We will be delighted to show you a list of our Clients.]

Our Clients now look towards future elections with anticipation because they know that in future campaigns they will not have to settle for the "lesser of two evils" nor frustrate themselves with well-intentioned individuals who, by

■ (5) This plan is also necessary in Districts where an acceptable candidate has been elected. There are no iron-clad guarantees in politics. And, though this program substantially enhances the probability of electing only responsible people to public office, there are far too many examples of representatives "changing" once they are in office.

themselves, simply could not "get it together".

These many hundreds of citizens now look forward to working for, and supporting a candidate for the United States Congress whom they will be proud to call their own.

Our Clients — because they will be part of the 1,000 in their Congressional District who are going to make things happen — know that they are part of the only plan in existence that has a no-nonsense approach to improving the quality and calibre of their elected representative.

Our Clients see the light at the end of the tunnel when they will no longer have to take the biennial "hurry-up-then-lose" gamble, which has kept this nation on a disastrous course for too many decades.

All that is necessary for the success of this plan is you!

WHAT ABOUT YOU?

What is this plan worth? Is it worth \$100 per-year to have a person working for you full-time in your own Congressional District helping others make the "Congressional Connection" and implementing the only workable plan of action which will lead to the successful election of a representative of whom you can be proud? Is it worth considering, as a separate decision, setting \$500 or \$1,000 aside in a savings account in your name in anticipation of that future political opportunity?

Is your business, your job, your home, your future and that of the next generation worth the effort?

If you agree that the answers to the above questions are a resounding YES!, contact us for information on how you can become part of this growing force that will restore integrity in Congress.

NOTE TO READERS: This is a reprint of the January 1979 issue of the newsletter, **CONGRESSIONAL in-teg-ri-ty**. Additional copies are available, 10 for \$1.00, by writing the home office of Robert R. Bogensberger & Associates, Inc., 500 Wall Street, Suite 217, Seattle, Washington 98121.

Agreement

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant measure of support to my pledge, I agree to donate the sum of \$1,000 for the purpose of providing financial assistance to such candidates.

I further agree that the aforesaid sum of \$1,000 will be deposited by me in a special savings account, in my name, and that I will signify the sincerity of my purpose by placing the passbook for this account in the custody of Robert R. Bogensberger & Associates, Inc.

I further understand and agree that, when the selected candidate, as described above, is presented to me by Robert R. Bogensberger & Associates, Inc., I will prepare a withdrawal slip for the sum of \$1,000. This will be matched with the passbook and transmitted to the selected candidate's authorized campaign committee, if the candidate meets my approval.

This pledge is freely offered and freely accepted by all parties to it as one of honor and conscience only, and has no legal force, either actual or implied. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution for the United States.

Donor

Date

Robert R. Bogensberger & Associates, Inc.

Date

Candidate

Date

82040311256

WHEN A \$10 BAG OF GROCERIES COSTS \$25.00 - THERE IS A REASON - IT'S CALLED THE:

CONGRESSIONAL CONNECTION!

Contrary to political propaganda, housewives and farmers, businessmen and workers do not cause inflation - they are the victims.

Inflation is an artificial increase in the supply of currency. Only Congress can authorize the increase of currency, and does so regularly to cover budget deficits - (When private citizens do this it is called counterfeiting)

At the check-out stand, more citizens in this district must make the Congressional Connection and realize that Congress - and only Congress - causes inflation when it acts to increase the national debt. Citizens deserve more competent representation!



On 7/19/78, Congress, by a margin of 209-202 approved H.R. 13388 a bill to increase the temporary (sic) National Debt limit by \$46 Billion. Congressman Norman Orin voted YES.

I've made the CONGRESSIONAL CONNECTION -- and I want more competent representation!

To help the series of educational message sessions, in which in my district will make the CONGRESSIONAL CONNECTION, I am enclosing my contribution of:

\$ 15 \$ 10 \$ 25 or \$ _____

Please check payable to CCAF - 8th District and mail to:
CONGRESSIONAL CONNECTION AD FUND - 8th District
Executive Building, Room 301 B / Tacoma, Washington 98402
ATTN: Dan Johnson

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE _____

*For minimum contribution of \$2.00 you will receive our pamphlet entitled:
"SO YOU HAVE MADE THE CONGRESSIONAL CONNECTION!"

© 1978 CCAF - 8th District, a project of R.S. & A, Inc. and

TNT
2/20/78

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When Government takes 45% of your paycheck - it's time to make the:

CONGRESSIONAL CONNECTION!

The purchasing power of American workers' paychecks deteriorates annually because of high taxes and double-digit inflation -

Every increase in the rate of tax and inflation is attributable to an action - or inaction - of CONGRESS -

Congressmen, however, escaped the consequences of their irresponsible actions by voting to increase their annual salaries by 39% from \$44,625.00 to \$67,500.00 -

More citizens in this district while reviewing their payroll deductions for taxes, must make the Congressional Connection and demand more competent representation!



On June 29, 1977, Congress voted to increase Congressional Salaries by rejecting an Amendment to H.R. 7939. Congressman Norman Dicks voted in favor of the salary increase.

I've made the CONGRESSIONAL CONNECTION - and I want more competent representation!

To help this series of educational meetings continue, or others in my district will make the CONGRESSIONAL CONNECTION, I am enclosing my contribution of:

(Make checks payable to CCA* - 6th District) and send to:
CONGRESSIONAL CONNECTION AD FUND - 6th District
9124 Pacific Avenue, Room 3015 / Tacoma, WA 98402
Attn: Mr. Don Johnson

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

TELEPHONE _____

For minimum contribution of \$2.00 you will receive our pamphlet entitled:
"SO YOU HAVE MADE THE CONGRESSIONAL CONNECTION!"

71

a project of KPS & A, Inc.

8 2 0 4 0 3 1 2 5 8

FOR IMMEDIATE RELEASE

TO: All Newsmedia

FROM: Dan Johnson, 6th Congressional District Representative
915½ Pacific Avenue, Room 301B, Tacoma, WA 98402
AC 206-272-4453

DATE: February 13, 1979

SUBJECT: OPERATION 'CONGRESSIONAL CONNECTION'

"Operation 'CONGRESSIONAL CONNECTION' addresses itself to the most serious political problem in America today" claims Dan Johnson, 6th Congressional District Representative with the Seattle based firm of Robert R. Bogensberger & Associates, Inc.

"Too few voters," Johnson asserts, "make the 'connection' between the problems of inflation, unreasonable taxes, massive bureaucracies and their own Congressman's actions or in-actions".

Johnson further stated "Operation 'CONGRESSIONAL CONNECTION' is a series of weekly, educational, newspaper ads that detail a Congressman's voting record and its impact on such problems."

The ads are designed to create a broader base of understanding among voters in this district, of the cause of the everyday problems that affect their jobs, businesses, families, and futures.

"With this ongoing, educational advertising campaign," reported Johnson, "enough understanding will be created among voters to substantially improve the quality of their representation."

This weekly series of ads are scheduled to run initially in seven western Washington, daily newspapers, beginning February 12th.

This advertising campaign is part of an overall plan designed by Robert R. Bogensberger & Associates, Inc., which will bring about the election of a competent representative. The overall plan includes arranging substantial, campaign funds and organizing citizen support for such a qualified candidate.

"During the past 18 months, we have been implementing the plan here in the 6th Congressional District," said Johnson "and are able to show more than adequate progress towards our goal in the 1980 elections."

"We are extremely hopeful that every citizen will aid us in the education of more voters. By sending in the coupon, we will be able to run the ads for an indefinite period of time and inform more people of the 'CONGRESSIONAL CONNECTION'".

RRB&A, Inc.

Helping you understand the issues in Congress

8 2 0 4 0 3 1 1 2 6 9

Performance Contract

BETWEEN
Robert R. Bogensberger & Associates, Inc.
500 Wall Street, Suite 215, Seattle, Washington 98121
AND

Name _____

Company Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

For an annual retainer in the amount of \$ _____, the firm of Robert R. Bogensberger & Associates, Inc., will implement in the State of _____, the following 5 Steps of Americanist Political Action:

STEP 1: Organize our Program in each Congressional District

Our Program will be organized at the Congressional District level with our goal being 1,000 Clients in each Congressional District. For a minimum retainer of \$100.00 per year, our Clients will receive the benefit of a full-time field staff, a home office staff, research, Congressional liaison, and newsletter, "Congressional in-teg-ri-ty", mailed monthly to our Clients. Clients of our firm will be a resource of manpower for subsequent political campaigns. (In accordance with U.S. Postal Service regulations, I understand \$75 of the above sum will be used as a subscription to Congressional in-teg-ri-ty.)

STEP 2: Raise early and sufficient campaign seed money

Funds for future political campaigns are solicited from individual citizens, each setting aside a pledge in a savings account opened in the donor's name. The passbook for each savings account is held by the firm of Robert R. Bogensberger & Associates, Inc., until a qualified candidate is presented to and accepted by the respective donor. Our goal is \$150,000.00 for each Congressional District and \$500,000.00 for a campaign for a U.S. Senate seat.

STEP 3: Select qualified candidates pledged to Constitutional principles

With actual financial support set aside, a number of good, potential candidates will be encouraged to step forward. From them, passbook owners will be able to select the best qualified candidate available.

STEP 4: Help develop a plan for a successful campaign

Seed money will provide the financial base on which a full-fledged campaign organization will be built. Help and support will come for existing political groups as they relate to the candidate's party affiliation and to special issues of each Congressional District.

STEP 5: Evaluate the performance of elected Congressmen

The firm of Robert R. Bogensberger & Associates, Inc., supports on-going research of Congressional action and through the monthly newsletter, Clients are kept abreast of their Congressman's performance.

Agreed to this _____ day of _____, 19 _____,

Robert R. Bogensberger & Associates, Inc.

Signature _____

CONGRESSIONAL DISTRICT NUMBER _____

Title _____

\$ _____ received. Check No. _____

VISA

MASTERCHARGE

Number _____

Ex. Date _____

LEGISLATIVE EARLY WARNING SERVICE: Businessmen and Professionals interested in how Congressional legislation will effect their operations or industry may wish to consider subscribing to the "Legislative Early Warning Service" (LEWS).

LEWS has the following advantages for subscribers: 1) A full-time, professional research staff which continuously monitors Congressional activity for legislation that effects the subscriber's business or industry. (The staff also monitors special interest groups such as environmentalists, labor, and others who work through Congress); 2) A "Legislative

Early Warning" report is issued to subscribers on specific bills and trends which impact the subscriber's business; 3) Periodic "Legislative Up-Date" reports follow the legislation through Congress.

Each report is individually prepared. (There will be as few or as many reports in each period as is necessary to keep the subscriber informed of pertinent legislative activity).

Legislative Early Warning Service is offered by Robert R. Bogensberger & Associates, Inc., for a fee of \$250.00 per quarter. (Fees paid in advance).

I wish to be a LEWS subscriber. Annual Quarterly Bill Enclosed

Signature _____

Battle is for GOP funds — his target is Dicks' seat

By AL GIRBS
TNT Staff Writer

Mar. 4, 1979

A staunchly conservative political consultant is waging a head-to-head campaign against the Tacoma area's Republican Party organization — and so far he's winning the battle for bucks.

Robert R. Bogensberger, armed with fundraising gimmicks he says don't require him to file any public disclosure reports, claims he has raised nearly \$100,000 in the 6th Congressional district to fund and support a conservative opponent to U.S. Rep. Norm Dicks in 1980.

"We act, I suppose, like a marriage broker," Bogensberger said, explaining his somewhat unorthodox ways of collecting campaign money.

"We represent people who would like to see a new kind of congressman elected."

Those people — Bogensberger, a 42-year-old Mount Vernon chicken rancher, calls them "clients." — come in two forms.

ONE CLASS pays \$100 a year to support a local office and help pay for a series of newspaper ads that run under the title of the "Congressional Connection."

Bogensberger claims to have lined

up 350 such supporters in Pierce and Kitsap counties.

Other supporters — Bogensberger said he has more than 60 so far in this area — place \$1,000 in a bank savings account.

Bogensberger holds the account passbooks, but doesn't touch any of the interest and won't handle the money. His aim in life, he said, is to find an acceptable candidate who will receive the savings account money directly from his "clients."

Bogensberger and Associates presumably would become beneficiaries of part of that money, however, by running the campaign — for a fee — of whatever candidate is chosen.

BOGENSBERGER and his organizations known variously as Robert R. Bogensberger and Associates Inc. and the Congressional Connection Ad Fund are not registered with either the state Public Disclosure Commission or the Federal Elections Commission.

Bogensberger said he doesn't have to register or disclose the identity of clients or the amounts of money he has collected until he becomes actively involved with a specific candidate or campaign.

A list of \$100 clients Bogensberger showed to The News Tribune read like a roll call of Tacoma's business and professional establishment.

Those contacted for comment didn't

want to be quoted by name.

"I think they've got a good product," said one South Tacoma businessman. "I thought this was a smart way to find a candidate."

SOME OTHER politicians, however, were more leery.

"They amazed me because they're getting people who ought to know better," said Floyd Oles, a longtime supporter of conservative Republican causes. Oles didn't contribute.

Neither did Wayne Robinson, Pierce County Republican chairman who admitted he's nervous about having to fight Bogensberger to raise campaign money.

"I think it's great that somebody's taking an interest," Robinson said, "but they are in competition with us."

In contrast to the \$100,000 or more Bogensberger claims to have raised, Robinson said he's collected only about \$8,000 for the GOP's normal coffers far this year.

THE TARGET OF Bogensberger's efforts, second-term Congressman Norm Dicks, seems to have taken little notice of the campaign to unseat him.

"We've seen their ads, but we don't know them," allowed Robert Brooks, Dicks' administrative assistant and chief political operative.

"But they evidently don't like Norm."

That is obvious in Congressional Connection ads.

One, for example, blamed Congress "and only Congress" for current problems with inflation. It pointedly noted that Dicks had voted in favor of a measure the ad contended added inflation.

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Staff

Robert Bogensberger, left, and Dan Johnson

Bogensberger blithely defended his efforts as he sat in a sparsely furnished downtown office. The office is located in the same building that houses county Republican headquarters and Dreks' local office.

Both Bogensberger and his local staffer Dan Johnson admitted they are members of the right-wing John Birch Society.

JOHNSON IS paid a commission on the money he raises.

Bogensberger said he takes a cut, too, but would say only that the salary

he pays himself is "adequate."

"I'll tell you what," he told a reporter. "If you want to invest in this I'll open my books to you."

His philosophy, Bogensberger said, is fairly simple.

"The 'conservative label' doesn't mean much any more," he said. "I suppose I'm really a classic Jeffersonian libertarian."

"Hey, big government's not good, and in America today we've got too much big government."

HE SAID HE intends to try to do something about that.

Bogensberger said he plans a handful of Washington State professional candidates by next year and launch them against the members of the state's delegation.

If the effort is successful, he said, he hopes to bring new places as Denver and Dallas.

By 1984 he said he was involved in perhaps 100 elections across the country.

"I believe that by 1984 congressmen will be elected."

"That's way more than we've had about the changes in Congress."

Democratic Party
Central Committee
Box 7338
ACOMA, WASH. DC

20463
1980

82040311273

MAY 23
PM

MAY 23
PM
1980

Mr. Hal Ponder
Assistant General Counsel
Federal Election Commission
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 29, 1979

Mr. William H. Baarsma
Chairman
Democratic Party Central Committee
P.O. Box 7338
Tacoma, Washington 98407

Dear Mr. Baarsma:

We have received your letter of August 20, 1979, inquiring into the possibility of a violation of the Federal Election Campaign Act of 1971, as amended.

As set forth in 2 U.S.C. § 437g(a)(1), the Commission is not empowered to take action unless complaints are signed, sworn, and notarized by the complainant. Under Section 111.2 of the Commission's regulations, it is also required that a complaint contain: (1) The full name, address and telephone number of the complainant; (2) a clear and concise statement of the acts which are alleged to constitute a violation of the Federal Election Campaign Act of 1971; (3) any documentation of allegations of the complaint available to the complainant; and (4) an assertion that the person complaining, if not a candidate, is not filing the complaint on behalf of or at the request of a candidate, unless such is the fact, in which case it shall be set forth.

In the interests of complying with the above procedures, excerpts from the Federal Election Campaign Act of 1971, as amended, and the Commission's regulations are enclosed with this letter. 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 you wish to file a complaint with the Commission.

Please feel free to contact me if you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Hal Ponder".

Hal Ponder
Assistant General Counsel

Enclosure

B 2 0 1 0 3 1 1 2 7 4

REC-64 Imp Comp letter to Ponder 8-29

RECEIVED
FEDERAL ELECTIONS
COMMISSION

Democratic Party

Pierce County Central Committee

19 AUG 21 PM 12:55

August 20, 1979

Chief Counsel
Federal Elections Commission
1325 K Street N.W.
Washington D.C. 20463

Dear Sirs:

The Democratic Party Central Committee of Pierce County has directed me to inquire into the application, if any, of the Federal Elections Campaign Act to the current activities in the Sixth Congressional District of Robert R. Bogensberger and Associates, Inc.

8201031275

From what we can gather, the facts of the matter are as follows: Robert R. Bogensberger, a political consultant, heads a company known as Robert R. Bogensberger and Associates, Inc. (RRB & A, Inc.) At the present time, Bogensberger and his company are engaged in a drive to raise funds for "new far right" challenge to Congressman Norm Dicks in 1980. The candidate who will mount the challenge is not yet known; he/she will be selected at a later phase in this effort. At the time of selection, however, the candidate will apparently assume control over funds being raised by RRB & A, Inc., and that company will, it seems, serve as the candidate's official campaign consultant/manager. Currently, Bogensberger is raising funds from two "classes" of contributors: 1) those contributing \$100 a year to support a local office and the running of a series of newspaper ads entitled the "Congressional Connection" ; and 2) those opening a passbook savings account with \$1,000 at the bank of their choice, and turning the passbooks over to Bogensberger. These savings accounts will hold the money--together with the accrued interest--which will be received by the candidate ultimately selected to mount the campaign against Congressman Dicks. Finally, it is noted that Bogensberger draws what he deems an "adequate" salary from the fundraising proceeds, and that a local Sixth District staffer is also retained through a commission on all money he raises.

Bogensberger has stated to the press that his current activities do not trigger any legal obligations under the Federal Election Campaign Act (FECA). It is Bogensberger's judgement that where a specific candidate, i.e. a challenger to Congressman Dicks, has not been selected, compliance with the Act is not required.

continued

Headquarters: 1105 A Street

Party Officers:

Bill Beersma, Chairperson
Leah Golden, Vice-Chairperson
Sheryn Wisa, Secretary
J.E. "Gus" Finlayson, Treasurer
Dean Cooper, Sgt.-At-Arms

(206) 627-0863

Mailing Address:

P.O. Box 7338,

Tacoma, Washington 98407

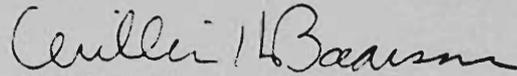
Jim Cherette, State Committeeman

Ruth Fisher, State Committeewoman

From our perspective, Bogensberger's assessment of his legal position seems to be in question. Two issues are raised under the FECA by Bogensberger's activities. First, Bogensberger's operation, it appears to us, should register, and begin reporting, as a political committee, as defined under section 100.14 of the FEC's Regulations. Those regulations, of course, require full disclosure of the sources and amounts of contributions. Second, Bogensberger's involvement in the campaign effort is via Robert R. Bogensberger and Associates, Inc., an incorporated entity, and a question is therefore raised whether prohibited corporate contributions to this effort are being made.

We are enclosing material concerning the Bogensberger operation that we have accumulated. Please let us know if you wish any further information from us.

Sincerely yours,



William H. Baersma
Chairman-- Democratic Party
Central Committee

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Our Clients Agree ...

Votes cast by representatives in the U.S. Congress and State legislatures affect:

- a) the rate of inflation of our currency;
- b) the rate of taxation;
- c) the amount of government regulations and bureaucracy;
- d) and many other factors which seriously effect us and our future.

Votes cast, and legislation passed, by our representatives are not generally in the best interests of the citizens.

Something should be done to improve the quality of representation in our legislative bodies.

FOR IMMEDIATE RELEASE

TO: All Newsmedia

FROM: Dan Johnson, 6th Congressional District Representative
915½ Pacific Avenue, Room 301B, Tacoma, WA 98402
AC 206-272-4453

DATE: February 13, 1979

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RRB&A, Inc.

Dedicated to restoring integrity in Congress

8 2 0 4 0 3 1 1 2 7 8

Performance Contract

BETWEEN
Robert R. Bogensberger & Associates, Inc.
500 Wall Street, Suite 215, Seattle, Washington 98121
AND

Name _____

Company Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

For an annual retainer in the amount of \$ _____, the firm of Robert R. Bogensberger & Associates, Inc., will implement in the State of _____, the following 5 Steps of Americanist Political Action:

STEP 1: Organize our Program in each Congressional District

Our Program will be organized at the Congressional District level with our goal being 1,000 Clients in each Congressional District. For a minimum retainer of \$100.00 per year, our Clients will receive the benefit of a full-time field staff, a home office staff, research, Congressional liaison, and newsletter, "Congressional in-teg-ri-ty", mailed monthly to our Clients. Clients of our firm will be a resource of manpower for subsequent political campaigns. (In accordance with U.S. Postal Service regulations, I understand \$75 of the above sum will be used as a subscription to Congressional in-teg-ri-ty.)

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With actual financial support set aside, a number of good, potential candidates will be encouraged to step forward. From them, passbook owners will be able to select the best qualified candidate available.

STEP 4: Help develop a plan for a successful campaign

Seed money will provide the financial base on which a full-fledged campaign organization will be built. Help and support will come for existing political groups as they relate to the candidate's party affiliation and to special issues of each Congressional District.

STEP 5: Evaluate the performance of elected Congressmen

The firm of Robert R. Bogensberger & Associates, Inc., supports on-going research of Congressional action and through the monthly newsletter, Clients are kept abreast of their Congressman's performance.

Agreed to this _____ day of _____, 19 _____,

Robert R. Bogensberger & Associates, Inc.

Signature

CONGRESSIONAL DISTRICT NUMBER

Title

\$ _____ received, Check No. _____

VISA MASTERCHARGE

Number Ex. Date

LEGISLATIVE EARLY WARNING SERVICE: Businessmen and Professionals interested in how Congressional legislation will effect their operations or industry may wish to consider subscribing to the "Legislative Early Warning Service" (LEWS).

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I wish to be a LEWS subscriber. Annual Quarterly Bill Enclosed

Signature

Agreement

SECTION I

When Our Founding Fathers struck their flint to the Torch of Liberty for this Nation, they deliberately imposed a solemn responsibility upon themselves, and to every inhabitant of America who would follow them. The first three words which were engrossed upon the founding Document of this Republic were "We The People". It is of major significance that those three words were scribed in towering letters many times larger than those which follow.

In America, a "good government" can only be described as that government which the Constitution created, and which has been perpetuated in strict conformity to those restraints imposed upon it by the Constitution, and one which gives full honor to those restraints. Nothing less could qualify as "good government"; and anything less will ultimately proceed to the deterioration of the precepts of individual liberty and the destruction of the system founded upon those precepts.

SECTION II

Fully cognizant that good American government is the ultimate responsibility of We The People, it is incumbent upon me to share in that responsibility.

A most effective means by which I can activate my responsibility is by lending my support to those men and women who feel called upon to become honorable Representatives in the Congress of the United States; men and women who will fully subscribe their hearts and minds to the Constitution they will be sworn to uphold.

It is to that end that I do pledge my support to candidates for Congress who, by virtue of their individual study, understanding, and commitment to the Constitution for the United States, will pledge to me their unequivocal compliance with the Constitution if elected to the offices they seek.

SECTION III

As a significant measure of support to my pledge, I agree to donate the sum of \$1,000 for the purpose of providing financial assistance to such candidates.

I further agree that the aforesaid sum of \$1,000 will be deposited by me in a special savings account, in my name, and that I will signify the sincerity of my purpose by placing the passbook for this account in the custody of Robert R. Bogensberger & Associates, Inc.

I further understand and agree that, when the selected candidate, as described above, is presented to me by Robert R. Bogensberger & Associates, Inc., I will prepare a withdrawal slip for the sum of \$1,000. This will be matched with the passbook and transmitted to the selected candidate's authorized campaign committee, if the candidate meets my approval.

This pledge is freely offered and freely accepted by all parties to it as one of honor and conscience only, and has no legal force, either actual or implied. It is offered in good faith as my resolution to contribute to the improvement of my government, and to sustain my faith in the Constitution for the United States.

Donor

Date

Robert R. Bogensberger & Associates, Inc.

Date

Candidate

Date

82040311280

CONGRESSIONAL



in-teg-ri-ty

*Dedicated to
restoring
integrity in
Congress*

Vol. III, No. 1

January, 1979

So you have made the Congressional Connection

Something is wrong in this country:

Too much inflation, too many taxes, too many government rules, too many regulations, too many bureaucrats.

Too little leadership.

Internationally, this nation's foreign policy is in a shambles. Strategic strength has been negotiated into chronic weakness. Deadly enemies have become "most favored nations" while true allies have been insulted and brushed aside in the name of "political expediency".

Domestically, we suffer from double-digit inflation; annual budgets in excess of \$1/2 TRILLION; a National Debt and other obligations which have piled up to an amount in excess of \$9 TRILLION; a federal bureaucracy so huge that even the government cannot accurately state how many bureaucrats are now on the payroll, and an incompetent judiciary, seemingly answerable to no one, legislating

If you . . . have already made the "Congressional Connection" then you understand the necessity of electing more competent people to Congress...

away our freedoms — these and more are burdens that grow daily.

Who is responsible? Can something be done to re-direct our national destiny to a wiser, more prudent direction?

MY CONGRESSMAN, THE FOX:

As every American farm boy knows: "You don't send a fox to guard the chicken house."

However, this is precisely what is happening in the United States today, because the majority of the 535 Congressmen in our government are "Political Foxes".

Congress⁽¹⁾ is the problem. Every authorization for debt increases.

■ (1) Wherever used in this article, "Congress" means the 435 members of the House of Representatives, and the 100 members of the Senate.

each bureaucracy and bureaucrat, every rule and regulation, every tax, and each assault by government on individual liberty, begins with a vote, or by the action or inaction of Congress.

Too few people, though, have made the "connection" between the problems posed by government and their Congressman's actions.

Too many Americans still fall prey to the propaganda of the politicians: that farmers, housewives, businessmen, workers, consumers, unions — everyone and anything except Congress — is the cause of our problems.

If you are one of the growing numbers of American citizens who have already made the "Congressional Connection", then you understand the necessity of electing more competent people to Congress.

Election years afford the greatest opportunity for people to make the "Congressional Connection" because interest is high and the Congressman is home running for



office. The opportunity, however, generally does not materialize because the professional "career" types have learned to cloud the issues rather than discuss them.

The amateur, challenging candidate, because he is late starting, under-organized and ill-financed, does not have the resources to force the Congressman's voting record as an issue in the campaign.

The result is that most campaigns become a staged production composed of slogans and trite cliches. Of all incumbents seeking re-election, 94% are successful. Congress continues to be the problem.

Now, add to the presence of this, sufficient, early funds for a well-organized, planned campaign

This situation will provide a substantial opportunity to publicize the incumbent Congressman's voting record, its impact on our day-to-day lives, and help tens of thousands of other citizens in your District make the "Congressional Connection".

Now, imagine this happening in scores of Congressional Districts, resulting in the election of dozens of such candidates to Congress.

It is undeniable that the future course of American history will be dramatically changed for the better.

organizing, planning, interviewing, scheduling, etc.?

There are many individuals who are eminently qualified and capable. Individuals already exist who can build skyscrapers, ships, organize businesses, invent pacemakers and myriad other miracles of the 20th century. How are all these wonders created?

The answer is, a free market concept known as "division of labor".

If a shipbuilder needs welding, a welder is hired. If a dentist needs his car repaired, a mechanic is hired. If a farmer needs his health attended to, a physician is hired. But if citizen's need a plan organized to elect a new Congressman, they join lobbyist and trade organizations, hope the party might finally do something, "wish" some fine candidate will come along, send \$50 to some political action committee 2000 miles away, and a whole host of other absurd, futile attempts to effect political change.

Isn't it long past the time when we should apply the "division of labor" principle that has proven so successful in business enterprise to the political process?

The firm of Robert R. Bogensberger & Associates, Inc., was formed for that purpose. The firm has developed — and is now implementing — a plan designed to restore integrity in Congress. Our firm offers services to citizens which will bring about the election to Congress a majority of individuals who are highly principled, honest, and who understand that they have been elected to serve the People, and not their own political careers.

Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found!

This is not the way to conduct politics.

Instead of the normal "hurry-up-then-lose" approach, common with most challenging, amateur candidates, what if the following scenario took place in your Congressional District the next time your Congressman sought re-election:

What if your incumbent "Political Fox" were (for the first time in his political career) challenged by an articulate, highly principled candidate who:

Understands that his oath of office means he will swear to preserve, protect and defend our Constitutional Republic as a government of laws, not of men; understands that these laws severely restrict the powers of government and can be changed only by the people through their elected representative; and swears to defend these principles against personality, party, cause or special interest which threatens these basic principles.

Working towards the election of this candidate will be many hundreds of citizens from all walks of life who have made the "Congressional Connection" and who realize that they too, must give principle priority over personality, party, and even their own special interests.

What is necessary to bring about this much needed change in the way we conduct politics?

To begin with, enough citizens who have made the "Congressional Connection" in your Congressional District will have to pledge themselves to find, and then work for, a candidate as described above. This is not an impossible task. There are already nearly one hundred highly principled people serving in the U.S. Congress. Certainly, in any District where a "Political Fox" is now serving, better qualified people do exist, and with the kind of support we are recommending, a good person, willing to serve, can be found! (Hundreds of qualified candidates offer themselves each year, but fail to succeed for lack of resources.)

Secondly, enough campaign funds must be raised in each District from citizens who have made the "Congressional Connection", so the campaign can compete with the "advantages of office" the incumbent possesses. With manpower, money, organization, planning, and a qualified candidate, the advantages of the incumbent can be overcome.

And plans must be made.

The question is, who will take the time to do all the fund-raising,

CONGRESSIONAL INTEGRITY

is published monthly by

ROBERT R. BOGENSBERGER
& ASSOCIATES, INC.

Five Hundred Wall Street, Suite 207

Seattle, Washington 98121

(206) 623-2381

Subscription Rate is \$75.00 per year

2nd Class Postage Paid at

SEATTLE, WASHINGTON

c by Robert R. Bogensberger

& Associates, Inc.

The Plan:

STEP ONE: Raise Early and Sufficient Campaign Seed Money

Funds for future political campaigns are solicited using a new and unique method. When an individual commits to participation in this step of the Program, a pledged amount of funds (preferably \$1,000) is set aside in a savings account opened by the participant in his own name. The passbook for each savings account is held by the firm of Robert R. Bogensberger & Associates, Inc.⁽²⁾, until such time as a qualified candidate is found and presented to, and accepted by, the respective donors. The passbooks are used to prove support to potential candidates. Our goal is between \$100,000 and \$200,000 in each Congressional District.

WHY STEP ONE:

Money is the life-blood of political campaigns. With it, many things are possible. Without it, success is highly improbable.

We are not the first to recognize this political truism. Hundreds of methods have been devised to raise money for potential candidates. Hundreds of millions are raised biennially for the purpose. One of the most common in use is computerized mailing lists used by candidates, lobbyist organizations and special interest Political Action Committees [PAC's].

If you are one of the computerized names who receives scores of solicitations annually, you may have already questioned their effectiveness.

In most instances, money raised by such methods is at least inefficient, because only a small percentage of the total ever reaches the intended cause or candidate, usually less than 10%. As just one example, a major national conservative political action committee recently

(2) For safekeeping, actual passbooks are placed in the custody of a Certified Public Accountant, and a receipt is issued to the passbook owner.

raised a total of \$2,700,000 by the direct mail method. However, the committee contributed only \$440,000 of it to candidates running for office. Many candidates receive the majority of their campaign funds from such sources, all of which are from outside the District to be represented. In such instances, the question can justifiably be asked: "Who will that candidate be beholden to?"

The greatest concern though, about these seemingly well-intentioned, special interest PAC's which now number in the many hundreds, is this: 80% or more of the funds that are contributed go to incumbents on the theory that the incumbent is the "odds on favorite" to win, so "let's back the winner". Principle is seldom considered. This, of course, perpetuates the very problem that PAC's were organized to solve.

Our method of raising funds for future political opportunities is the most honorable ever devised, because it overcomes all the shortcomings described above by assuring that 100 cents of every dollar raised goes directly to the candidate — from individual donors within the District.

STEP TWO:

Select Qualified Candidates Pledged to Constitutional Principles

With adequate financial support, provable, qualified, highly principled individuals will be encouraged to "serve". From these individuals, participants in this program will select their best qualified candidate.

WHY STEP TWO:

Each two years, millions of Americans participate in the election of representatives, but few are involved in the selection of those who will be candidates.

We must remember, that when we elect someone to represent us in the governing process, we place into that individual's hands **Political Power**. This person now has the power to pass laws that tax us, regulate us, inflate our currency, rob us of our rights and allow government to commit other abuses against

the People. Placing this much power into the hands of any individual is not a game — it is our lives, our futures and our freedom. Such selections should not be left to chance, nor taken lightly.

STEP THREE: Help Develop a Plan for a Successful Campaign

WHY STEP THREE?

Because of the diversity of candidates and Congressional Districts, and, because of the high cost of seeking public office, a custom-made campaign strategy is necessary to ensure the wise and efficient use of time and money. A steering committee, composed of donors from Step One, above, will be organized to act in an advisory capacity.

STEP FOUR: Evaluate the Performance of the Congressman

Through the monthly newsletter, **Congressional in-teg-ri-ty**, participants in the program are informed of their Congressman's performance.

WHY STEP FOUR?

A Congressman's performance in office is far more important than promises. Most citizens concern themselves with their representatives' activities for only a short period of time during the election year. The Congressman's performance though, seriously effects each of our lives, 24-hours per day — every day!

The firm of Robert R. Bogensberger & Associates, Inc., encourages an increased awareness of, and interest in the affairs of Congress. We believe this can be accomplished by researching, publishing and disseminating a Congressman's voting record as widely as possible so that more citizens will begin to make the "Congressional Connection" year around, not just during election time.⁽³⁾

(3) Robert R. Bogensberger & Associates, Inc., has recently begun "Operation Congressional Connection", a series of radio and newspaper advertisements that report activities of Congressmen and the net effect these activities have on national issues.

**STEP FIVE:
Organize the Program within
each Congressional District**

This program will be organized at the Congressional District level with a goal of 1,000⁽⁴⁾ individual participants in each Congressional District. For a minimum retainer of \$100 per year, individuals hire the services of Robert R. Bogensberger & Associates, Inc., to implement this five-step program. As Clients of the firm, each individual receives the benefit of a full-time field director in the Congressional District. Each field director works closely with all Clients while implementing this program. Additionally, Clients benefit from a home office staff which administers the needs of the field directors, performs research and maintains a liaison with numerous Congressional Representatives. Clients also receive the monthly newsletter **CONGRESSIONAL in-teg-ri-ty** which keeps them abreast of activities relating to their program, their Representative, and Congress.

WHY STEP FIVE:

If you have ever participated in a Congressional campaign for a newcomer to politics with the hope of unseating a well-entrenched "career" incumbent, you will readily recognize the need for this step.

Incumbents possess numerous "advantages of office". Just one of them allows the incumbent to have three "District" offices in the home District. These are staffed by full-time personnel. These, and the many other resources at the incumbent's disposal, are working two or more years in advance on behalf of the re-election of the incumbent. Other resources include expense accounts, many free ser-

■ (4) Are 1,000 persons enough to make the difference? YES! Though the average Congressional District is 500,000 population, the majority of those persons never register to vote. Of those who do register, the majority seldom vote - so the actual number of votes necessary to reverse most elections is less than 5% of the total population - and therefore 1,000 individuals, well organized, and motivated, are more than enough to change the outcome of most elections.

vices, free mailing privileges, transportation, public relations, huge salaries, etc.

The challenger, on the other hand, is usually, at the last moment, urged to run by a handful of friends. This campaign is almost always late starting, poorly organized, and under-financed.

This plan is kept in effect to ensure the re-election of an acceptable representative as much as it is used to remove an unacceptable representative.⁽⁵⁾

The Plan Works!

After one year of field implementation by the capable field staff of the firm of Robert R. Bogensberger & Associates, Inc., it can confidently be stated that the plan outlined above is a good plan, a workable plan, and an effective plan.

As a result of our first year of work, there are now many hundreds of individuals from all walks of life - literally, the broadest possible spectrum of individuals - who agree. [We will be delighted to show you a list of our Clients.]

Our Clients now look towards future elections with anticipation because they know that in future campaigns they will not have to settle for the "lesser of two evils" nor frustrate themselves with well-intentioned individuals who, by

■ (5) This plan is also necessary in Districts where an acceptable candidate has been elected. There are no iron-clad guarantees in politics. And, though this program substantially enhances the probability of electing only responsible people to public office, there are far too many examples of representatives "changing" once they are in office.

themselves, simply could not "get it together".

These many hundreds of citizens now look forward to working for, and supporting a candidate for the United States Congress whom they will be proud to call their own.

Our Clients - because they will be part of the 1,000 in their Congressional District who are going to make things happen - know that they are part of the only plan in existence that has a no-nonsense approach to improving the quality and calibre of their elected representative.

Our Clients see the light at the end of the tunnel when they will no longer have to take the biennial "hurry-up-then-lose" gamble, which has kept this nation on a disastrous course for too many decades.

All that is necessary for the success of this plan is you!

WHAT ABOUT YOU?

What is this plan worth? Is it worth \$100 per-year to have a person working for you full-time in your own Congressional District helping others make the "Congressional Connection" and implementing the only workable plan of action which will lead to the successful election of a representative of whom you can be proud? Is it worth considering, as a separate decision, setting \$500 or \$1,000 aside in a savings account in your name in anticipation of that future political opportunity?

Is your business, your job, your home, your future and that of the next generation worth the effort?

If you agree that the answers to the above questions are a resounding YES!, contact us for information on how you can become part of this growing force that will restore integrity in Congress.

□ NOTE TO READERS: This is a reprint of the January 1979 issue of the newsletter, **CONGRESSIONAL in-teg-ri-ty**. Additional copies are available, 10 for \$1.00, by writing the home office of Robert R. Bogensberger & Associates, Inc., 500 Wall Street, Suite 217, Seattle, Washington 98121.

PIERCE COUNTY
Democratic Central Committee

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