



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 17.37

Date Filmed 12/5/84 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

routing slips, obj. sheets, 12-Day Report Comment
Sheets w/reports

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 SE Garr
date 11/28/84

84740490807

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Dornan in '84) MUR 1737
Robert K. Dornan, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of October 23, 1984, do hereby certify that the Commission decided by a vote of 5-0 to find reason to believe that Dornan in '84 and Robert K. Dornan, as treasurer, violated 2 U.S.C. § 441d and close the file.

Commissioners Aikens, Elliott, Harris, McDonald, and Reiche voted affirmatively for the decision; Commissioner McGarry was not present at the time of the vote.

Attest:

Oct. 24, 1984

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040490810



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1984

Max R. Schulman
8571 Harrison Way
Buena Park, California 90620

Re: MUR 1737

Dear Mr. Schulman:

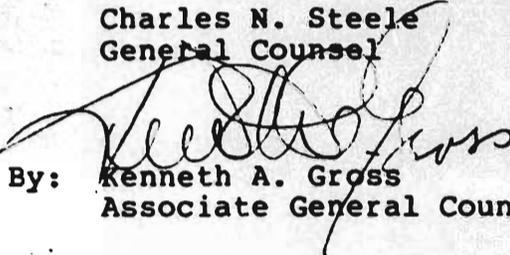
The Federal Election Commission has reviewed the allegations of the complaint filed by you dated June 4, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

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).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040490811



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 1, 1984

Robert K. Dornan, Treasurer
Dornan in '84
7700 Orangethorpe Avenue
Suite 9
Buena Park, California

RE: MUR 1737

Dear Mr. Dornan:

On October 23, 1984, the Commission found reason to believe that the Dornan in '84 committee and you, as treasurer, had violated 2 U.S.C. § 441d, 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 in this matter 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 your failure to include a disclaimer on the signs in question, which clearly identifies the person or committee which authorized and paid for the signs, nevertheless appears to be a violation of 2 U.S.C. § 441d 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 Shelley Garr, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,


Lee Ann Elliott
Chairman

Enclosure
General Counsel's Report

84040490812



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert K. Dornan, Treasurer
Dornan in '84
7700 Orangethorpe Avenue
Suite 9
Buena Park, California

RE: MUR 1737

Dear Mr. Dornan:

On October 23, 1984, the Commission found reason to believe that the Dornan in '84 committee and you, as treasurer, had violated 2 U.S.C. § 441d, 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 in this matter 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 your failure to include a disclaimer on the signs in question, which clearly identifies the person or committee which authorized and paid for the signs, nevertheless appears to be a violation of 2 U.S.C. § 441d 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 Shelley Garr, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Enclosure
General Counsel's Report

seg 11/1/84

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Max R. Schulman
8571 Harrison Way
Buena Park, California 90620

Re: MUR 1737

Dear Mr. Schulman:

The Federal Election Commission has reviewed the allegations of the complaint filed by you dated June 4, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

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).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

See 11/1/84

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SENSITIVE

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 84 OCT 15 P 4: 17

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 10/15/84 - 4:15 MUR 1737
DATE COMPLAINT RECEIVED BY OGC July 9, 1984
DATE OF NOTIFICATION TO RESPONDENT July 16, 1984
STAFF MEMBER Garr

COMPLAINANT'S NAME: Max R. Schulman

RESPONDENT'S NAME: Dornan in '84
Robert K. Dornan, Treasurer

RELEVANT STATUTE: 2 U.S.C. §§ 441d, 431(17) and 431(b)(8)(B)(xi)
11 C.F.R. §§ 110.11(a)(1), 109.1(a), 104.4(a), 100.7(b)(16) and 100.8(b)(17)

INTERNAL REPORTS CHECKED: FEC Disclosure Reports

FEDERAL AGENCIES CHECKED: N/A

SUMMARY OF ALLEGATIONS

Max R. Schulman filed a complaint on July 9, 1984, against Dornan in '84 ("Committee") and Robert K. Dornan, individually and as treasurer, alleging that Dornan and his committee violated 2 U.S.C. § 441d. According to the complaint, numerous campaign signs had been placed at various locations in Orange County, California in preparation for the primary election held on June 5, 1984. The sign which was included with the complaint measured 14" x 44" and contained no disclaimer. The sign reads:

Reagan Wants Bob Back

DORNAN & REAGAN

Notification of the complaint was sent to Dornan and the Committee on July 16, 1984.

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FACTUAL AND LEGAL ANALYSIS

1. The facts.

Dornan in '84 is the authorized campaign committee of Robert K. Dornan, candidate for the U.S House of Representatives in the November, 1984 election.^{1/}

On August 6, 1984, Robert Dornan responded to the Commission's notification of the complaint. Mr. Dornan acknowledged that during the 1984 primary period he had printed over 500 street signs.^{2/} Of these, 200 were posted on poles and wires at least ten feet from the ground and were placed at various locations within his congressional district.

"Inadvertently," he concluded, "our printer forgot the 'Paid For by Dornan in '84' indicia, though they were in fact paid for by our principal Committee." When the Committee became aware of the omission, a rubber stamp bearing the words "Paid For By Dornan In '84" was made and used to stamp all of the street signs including the 300 still located at the Committee's headquarters.

2. Legal Analysis

A) The first issue involves whether a proper disclaimer notice was placed on the signs. Pursuant to 2 U.S.C. § 441d and 11 C.F.R. § 110.11(a)(1)(i) whenever any expenditure is made for the purpose of financing a communication (including outdoor

^{1/} Dornan won his primary campaign with 65% of the vote.

^{2/} A review of FEC disclosure reports revealed that Dornan in '84 reported expenditures totalling \$1,438 for "signs" between March and May, 1984.

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advertising facilities, posters, and yard signs) which expressly advocates the election or defeat of a clearly identified candidate, the communication must carry a disclaimer clearly identifying the person or committee which authorized and paid for the communication.

It is the view of the General Counsel that the language on the Dornan/Reagan signs expressly advocates the election of Robert K. Dornan in his campaign for Congress. Further, because the signs were paid for by Dornan in '84, they are required to carry a disclaimer stating that the signs were paid for by the candidate's authorized committee. The Committee's failure to comply with this requirement is a violation of 2 U.S.C. § 441d and 11 C.F.R. § 110.11(a)(1)(i). Hence, it is the recommendation of the General Counsel that the Commission find reason to believe that Dornan in '84 violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11(a)(1)(i).

B) The second issue involves whether payment for the Dornan/Reagan signs by Dornan in '84 constitutes an independent expenditure on behalf of Reagan by Dornan and thus, must be reported as such by Dornan's authorized committee.

An independent expenditure is defined at 2 U.S.C. § 431(17) and 11 C.F.R. § 109.1(a) as any expenditure made for a

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communication expressly advocating the election or defeat of a clearly identified candidate and which is made without cooperation or in consultation with any candidate or any authorized committee of such candidate. It is the view of the Office of General Counsel that the signs' message advocates the reelection of Reagan for President of the United States.

11 C.F.R. § 104.4(a) requires that any political committee that makes an independent expenditure on behalf of another candidate or committee shall report the expenditure in accordance with 2 U.S.C. § 434(b)(6)(B)(iii) and 11 C.F.R.

§ 104.3(b)(3)(vii). For expenditures aggregating in excess of \$200 the report shall state the name and address of the candidate or committee to whom the expenditure was made. The report shall also include a statement indicating whether the expenditure is made in cooperation with, consultation, or concert with, or at the suggestion of any candidate or authorized committee or agent of such candidate.

Since the Dornan Committee did not report an independent expenditure for Reagan, it is the recommendation of the General Counsel that the Commission find reason to believe that Dornan in '84 violated 11 C.F.R. § 104.4(a) for failing to report 1/2 the cost of the signs as an independent expenditure on behalf of Reagan.

The reason to believe finding will permit the Office of General Counsel to ask questions of the Dornan Committee to determine whether Dornan's expenditure for the campaign signs was

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truly independent or whether it was made with the cooperation or with the prior consent, or in consultation with, or at the request or suggestion of President Reagan or Reagan-Bush '84. 2 U.S.C. § 441a(a)(7)(B)(i). If there was coordination between Dornan and Reagan then the expenditure would be an in-kind contribution to Reagan-Bush '84 which would have to be reported by the Dornan and Reagan committees pursuant to 2 U.S.C. § 434(b). The contribution would also be subject to the contribution limitations of 2 U.S.C. § 441a(a)(1).

Further, the reason to believe finding will permit the Office of General Counsel to ask questions of the Dornan Committee to determine whether payment for the signs falls within the "coattails" exemption of 2 U.S.C. § 431(8)(B)(xi) and 11 C.F.R. §§ 100.7(b)(16) and 100.8(b)(17).

Pursuant to the coattails provision, any payments made by a candidate (or the candidate's authorized committee) of the costs of the candidate's campaign materials that include information on or reference to any other candidate for federal office, and which are used in connection with volunteer activities (including pins, bumper stickers, hand bills, brochures, posters and yard signs but not including the use of broadcasting, newspaper, magazines, billboards, direct mail, or similar types of general public communication or political advertising) are excluded from the definition of "contribution" and "expenditure." If this is the case, then the Dornan Committee would not have to report the payment of the signs as an independent expenditure nor would the

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cost of the signs be considered an in-kind contribution to Reagan-Bush '84.

The questions which are attached to the report for the Commission's approval seek to determine if President Reagan or Reagan-Bush '84 consented to the signs and if the signs were used in connection with volunteer activities by the Dornan Committee.

RECOMMENDATIONS

1. Find reason to believe that Dornan in '84 and Robert K. Dornan, as treasurer, violated 2 U.S.C. § 441d and 11 C.F.R. § 104.4(a).

2. Approve the attached questions.

3. Approve the attached letter.

Charles N. Steele
General Counsel

[Handwritten signature of Kenneth A. Gross]
By: Kenneth A. Gross
Associate General Counsel

[Handwritten signature]
Date October 15, 1984

Attachments

- 1. Response to complaint
- 2. Letter to respondent
- 3. Questions

84040490820

United States
CONGRESSMAN

Robert K.
DORNAN



84 AUG 6 P 1:30

GC #4277

August 1, 1984

AUG 6 P 3:05

GENERAL COUNSEL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kenneth A. Gross, Esq.
Associate General Counsel
Federal Elections Commission
Washington, D.C. 20463

RE: MUR 1737

Dear Mr. Gross:

I am writing in response to your letter of July 16, 1984 wherein you state that a complaint has been filed with the Federal Elections Commission alleging that the Dornan In '84 Committee and me, as its Treasurer, may have violated provisions of the Federal Election Campaign Act of 1971.

During the 1984 Republican primary period I had printed over 500 street signs of which 200 were posted on poles and wires at least ten feet from the ground at various locations throughout the 38th congressional district. Inadvertently, after ten years of flawless service, our printer forgot the "Paid For By Dornan In '84" indicia, through they were in fact paid for by our principal Committee. As soon as we were made aware of this omission we remedied it. A rubber stamp bearing the indicia, "Paid For By Dornan In '84", was made (see attached) and any street sign without the disclaimer has now been stamped, including all three hundred still in our headquarters. All future signs will be double-checked for the indicia as well.

It is my hope that this information satisfactorily responds to the Commission's inquiry. We will be happy to provide any additional information should it be necessary.

Sincerely,

Robert K. Dornan

Enclosure

Attachment I - page 1

Paid for by DORNAN In '84 Committee

P.O. BOX 5046 / Buena Park, California 90622-5046 / (714) 670-9341

Campaign Manager: Brian O'Leary Bennett

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United States
CONGRESSMAN

Robert K.
DORNAN



Enclosure to August 1, 1984 letter
to Kenneth A. Gross, Associate General Counsel,
Federal Elections Commission from Robert K. Dornan
Re: MUR 1737

AUG 6 3:06

FEDERAL COMMISSION

PAID FOR BY
DORNAN IN '84

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Attachment I - page 2

Paid for by DORNAN in '84 Committee

P.O. BOX 5046 / Buena Park, California 90622-5046 / (714) 670-9341

Campaign Manager: Brian O'Leary Bennett



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert K. Dornan, Treasurer
Dornan in '84
7700 Orangethorpe Avenue, Suite 9
Buena Park, California 90620

RE: MUR 1737
Dornan in '84
Robert K. Dornan, Treasurer

Dear Mr. Dornan:

The Federal Election Commission notified you on July 16, 1984, of a complaint alleging a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time. We acknowledge receipt of your explanation of this matter which was dated August 1, 1984.

Upon further review of the allegation contained in the complaint, and information supplied by you, the Commission, on , 1984, determined that there is reason to believe that Dornan in '84 and you, as treasurer, have violated 2 U.S.C. § 441d, a provision of the Act and 11 C.F.R. § 104.4(a). You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Further, in connection with its investigation in this matter, the Commission requests that Dornan in '84 respond to the enclosed set of questions. Please submit the Committee's response within ten days of your receipt of this notification. Statement should be submitted under oath.

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

Attachment II - page 3

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Robert K. Dornan, Treasurer
Page 2

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 Shelley Garr, the staff member assigned to this matter, at (202)523-4143.

Sincerely,

Enclosures
Procedures

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Attachment II - Page 4

Questions for Dornan in '84

- 1) Was there any communication between Dornan in '84 and President Reagan or Reagan-Bush '84 regarding the signs which are the subject of MUR 1737 and which read:

Reagan Wants Bob Back
Dornan & Reagan

If so, explain.

- 2) Did President Reagan or Reagan-Bush '84 suggest that the signs be used?
- 3) Whose idea was it to use the signs?
- 4) Did Dornan in '84 consult with President Reagan or Reagan-Bush '84 regarding what language to print on the signs or how the signs were to be used?
- 5) Was President Reagan or Reagan-Bush '84 asked by Dornan in '84 to approve the use of Reagan's name on the signs?
- 6) Did President Reagan or Reagan-Bush '84 consent to the language of or approve of the signs?
- 7) How many signs were printed?
- 8) What was the cost for printing the signs?
- 9) Are the signs which were posted for the primary election still up?

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Attachment III - page 5

- 10) Are the signs still being posted?
- 11) Are the signs being used for general election purposes?
- 12) Who was responsible for posting the signs?
- 13) Who posted the signs?
- 14) Were the signs posted by paid personnel of Dornan in '84?
- 15) Were the signs posted by volunteers of Dornan in '84?
- 16) Were the signs posted by an advertising or commercial firm?
- 17) Was any person paid so that the signs could be placed on their property, such as one would pay for a billboard?
- 18) Were the signs handed out to any person who wanted one so that they could be put up at random?
- 19) What was the intent of Dornan in '84 in using Reagan's name on the signs?

10th United States
CONGRESSMAN

Robert K.
DORNAN



RECEIVED AT THE FEC
G.C.# 4877
84 AUG 6 P 1:30

August 1, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kenneth A. Gross, Esq.
Associate General Counsel
Federal Elections Commission
Washington, D.C. 20463

RE: MUR 1737

AUG 6 P 3:05

Dear Mr. Gross:

I am writing in response to your letter of July 16, 1984 wherein you state that a complaint has been filed with the Federal Elections Commission alleging that the Dornan In '84 Committee and me, as its Treasurer, may have violated provisions of the Federal Election Campaign Act of 1971.

During the 1984 Republican primary period I had printed over 500 street signs of which 200 were posted on poles and wires at least ten feet from the ground at various locations throughout the 38th congressional district. Inadvertently, after ten years of flawless service, our printer forgot the "Paid For By Dornan In '84" indicia, through they were in fact paid for by our principal Committee. As soon as we were made aware of this omission we remedied it. A rubber stamp bearing the indicia, "Paid For By Dornan In '84", was made (see attached) and any street sign without the disclaimer has now been stamped, including all three hundred still in our headquarters. All future signs will be double-checked for the indicia as well.

It is my hope that this information satisfactorily responds to the Commission's inquiry. We will be happy to provide any additional information should it be necessary.

Sincerely,

Robert K. Dornan

Enclosure

Paid for by DORNAN In '84 Committee

P.O. BOX 5046 / Buena Park, California 90622-5046 / (714) 670-9341

Campaign Manager: Brian O'Leary Bennett

A copy of our report is filed with and available for purchase from the Federal Election Commission, Washington, D.C.

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10th United States
CONGRESSMAN
**Robert K.
DORNAN**



Enclosure to August 1, 1984 letter
to Kenneth A. Gross, Associate General Counsel,
Federal Elections Commission from Robert K. Dornan
Re: MUR 1737

14 AUG 6 9 33:06

PAID FOR BY
DORNAN IN '84

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FOR United States
CONGRESSMAN

Robert K.
DORNAN



RETURN RECEIPT
REQUESTED



Mr. Kenneth A. Gross, Esq.
Associate General Counsel
Federal Elections Commission
Washington, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

P.O. Box 5046, Buena Park, California 90622-5046
Paid for by Dornan In '84 Committee

CERTIFIED

P 543 394 160

MAIL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 16, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert K. Dornan, Treasurer
Dornan in '84
Suite 9
7700 Orangethorpe Avenue
Buena Park, California 90620

Re: MUR 1737

Dear Mr. Dornan:

This letter is to notify you that on July 9, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1737. 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 the committee and you, as treasurer, 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 completing the enclosed form 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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If you have any questions, please contact Shelley Garr, the staff person assigned to this matter at (202) 523-4143. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

[Handwritten Signature]
By: Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

84740470831

Num 1737 Dan

1. The following service is requested (check one):
 Show to whom and date delivered
 Show to whom, date, and address of delivery

2. RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the regular receipt fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO: *Dornan in '84*
Robert E. Dornan, Jr.
Suite 9
7700 Orangewood Ave
Beverly Hills, CA 90220

4. TYPE OF SERVICE:
 REGISTERED INSURED
 CERTIFIED COD
 EXPRESS MAIL

ARTICLE NUMBER: *943247*

(Always obtain signature of addressee or agent)
 I have received the article described above.
 SIGNATURE *[Signature]* Address *[Address]* Authorized agent

5. DATE OF DELIVERY: *JUL 28 1984*

6. ADDRESSEE'S ADDRESS (Only if required)

7. UNABLE TO DELIVER BECAUSE: _____ No. REFUSED BY ADDRESSEE: _____

7/16/84



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 16, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert K. Dornan
Suite 9
7700 Orangethorpe Avenue
Buena Park, California 90620

Re: MUR 1737

Dear Mr. Dornan:

This letter is to notify you that on July 9, 1984 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"). A copy of the complaint is enclosed. We have numbered this matter MUR 1737. 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 completing the enclosed form 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.

84040490832

If you have any questions, please contact Shelley Garr, the staff person assigned to this matter at (202) 523-4143. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross
By: Kenneth A. Gross
Associate General Counsel

Enclosures

- 1. Complaint
- 2. Procedures
- 3. Designation of Counsel Statement

84740490833

Mur 1737 Jan

© 1984 United States Postal Service
Add your address in the delivery area on reverse.

(CERTIFY POSTMASTER FOR FEES)

1. The following service is requested (check one):
 Show to whom and date delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

2. ARTICLE ADDRESSED TO: *Robert R. Horn*
Suite 9
7700 Orangeflora Ave
Buena Park, C.A. 90620

3. TYPE OF SERVICE:
 REGISTERED REGISTERED MAIL
 CERTIFIED CERTIFIED MAIL
 REGISTERED MAIL
 743246
(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE: *[Signature]* Addressee Authorized agent

4. DATE OF DELIVERY: **JUL 24 1984**

5. ADDRESSEE'S ADDRESS (Only if requested)

6. UNABLE TO DELIVER REASON: NO EMPLOYEE DETAILS

7/16/84



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 16, 1984

Max R. Schulman
8571 Harrison Way
Buena Park, California 90620

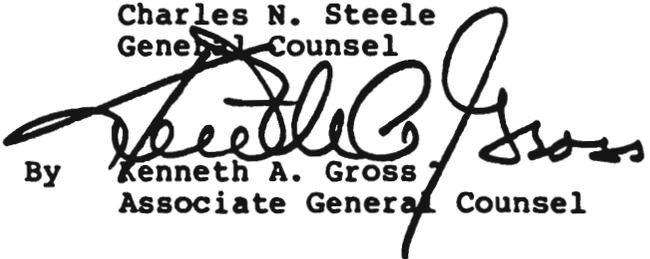
Dear Mr. Schulman:

This letter is to acknowledge receipt of your complaint which we received on July 3, 1984, against Robert K. Dornan and Doran in '84, which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within five days.

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. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Barbara A. Johnson at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure

84040490834

June 4, 1984

MUR 1737

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Steele:

I am a registered voter residing in the 38th Congressional District of California. Based on my understanding of federal election law, I believe that a candidate for the House of Representatives in the 38th district Republican primary, Robert K. Dornan, has violated the law. I am therefore filing this complaint against Robert K. Dornan and "Dornan in '84".

It is my understanding that campaign signs advocating the election of a clearly identified candidate, in this case Mr. Dornan, must include a printed disclaimer identifying that the sign was "paid for by" the candidate or his committee. If the sign was paid for by someone other than the candidate or his committee, it must indicate who paid for it and that it was authorized by the candidate or his committee.

Numerous campaign signs, including the one enclosed, have been placed in Orange County during the past month. I do not know who paid for or authorized these signs. The voters of the 38th Congressional District of California deserve to know who has paid for Robert K. Dornan's campaign material. I believe all other candidates in this race are abiding by the law.

I would appreciate your investigation of this complaint.

Sincerely,



MAX R. SCHULMAN
6571 Harrison Way
Buena Park, CA 90620

Enclosure

I Kathleen Hodge, a duly authorized Notary Public in the State of California, do attest to the fact that this document is a true and faithful copy of that brought to me for notarization on June 4, 1984, by Max R. Schulman. Further, Max R. Schulman who is personally known to me, did swear, that to the best of his knowledge, the statements/contents in said document were true. Concurrent with his sworn verbal statement, Max R. Schulman did execute (sign) the original document in my presence.

Attest by my hand this 5th day of July 1984


Kathleen Hodge, Notary Public



84040490835

RECEIVED AT THE FEC 3981

84 JUL 9 P12:58

5 July 1984

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

Attention: Mr. Kenneth A. Gross, Asst. General Counsel

Reference: Complaint against Robert K. Dornan, Republican
candidate for Congress, 38th Congressional District,
as outlined in my letter of June 4, 1984.

Subject: Your response of June 20, 1984 (copy attached).

Dear Sir:

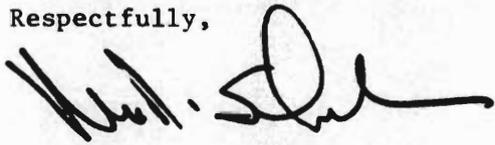
In accordance with the directives in your response, I have secured
the appropriate notarial certification to my complaint.

As a matter of convenience and to preclude any challenge as to which
document the notary has attested, the certification has been made on
a copy of the original complaint. Said document is enclosed herewith.

I trust this submittal will be sufficient to allow your initiation
of disciplinary/punative action(s) as appropriate. I would appreciate
notification as to the final determinations in this matter.

Thank you for your consideration and assistance.

Respectfully,



Max R. Schulman
8571 Harrison Way
Buena Park, CA 90620

attachment: one (1) noted

enclosure: one (1) noted

JUL 9 P2:33

84040490836



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 20, 1984

Max R. Schulman
8571 Harrison Way
Buena Park, California 90620

Dear Mr. Schulman:

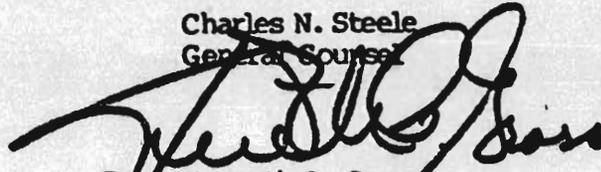
This is to acknowledge receipt of your letter of June 4, 1984. Your letter contained a notarization of your signature but was not properly sworn to.

You must swear before the notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. A statement by the notary that the complaint was sworn to and subscribed before him will be sufficient. We are sorry for the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See U.S.C. §437g.

If you have any questions concerning this matter, please feel free to contact me at (202) 523-4000 or Barbara Johnson at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

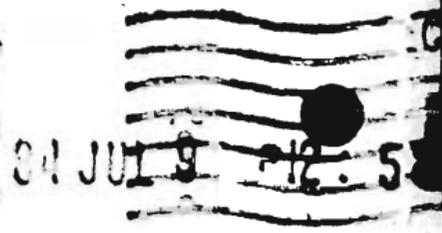


By: Kenneth A. Gross
Associate General Counsel

84040490837

R. Schulman
Harrison Way
Park, Calif. 90620

8474049083



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



June 4, 1984

MUR 1737

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Mr. Steele:

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I would appreciate your investigation of this complaint.

Sincerely,

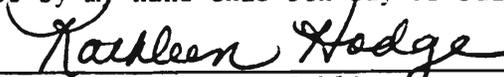


MAX R. SCHULMAN
8571 Harrison Way
Buena Park, CA 90620

Enclosure

I Kathleen Hodge, a duly authorized Notary Public in the State of California, do attest to the fact that this document is a true and faithful copy of that brought to me for notarization on June 4, 1984, by Max R. Schulman. Further, Max R. Schulman who is personally known to me, did swear, that to the best of his knowledge, the statements/contents in said document were true. Concurrent with his sworn verbal statement, Max R. Schulman did execute (sign) the original document in my presence.

Attest by my hand this 5th day of July 1984


Kathleen Hodge, Notary Public



84040490837

5 July 1984

04 JUL 9 12:58

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

Attention: Mr. Kenneth A. Gross, Asst. General Counsel

Reference: Complaint against Robert K. Dornan, Republican
candidate for Congress, 38th Congressional District,
as outlined in my letter of June 4, 1984.

Subject: Your response of June 20, 1984 (copy attached).

Dear Sir:

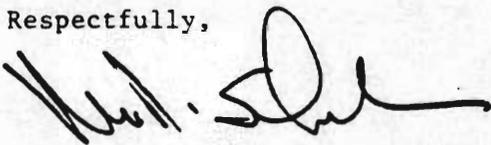
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a copy of the original complaint. Said document is enclosed herewith.

I trust this submittal will be sufficient to allow your initiation
of disciplinary/punative action(s) as appropriate. I would appreciate
notification as to the final determinations in this matter.

Thank you for your consideration and assistance.

Respectfully,



Max R. Schulman
8571 Harrison Way
Buena Park, CA 90620

attachment: one (1) noted

enclosure: one (1) noted

84040490840

400
P2:33



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

June 20, 1984

Max R. Schulman
8571 Harrison Way
Buena Park, California 90620

Dear Mr. Schulman:

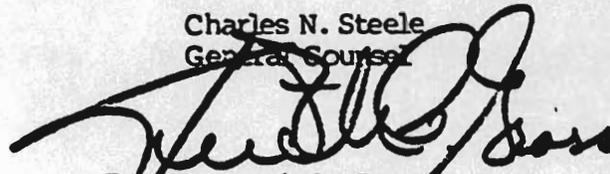
This is to acknowledge receipt of your letter of June 4, 1984. Your letter contained a notarization of your signature but was not properly sworn to.

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If you have any questions concerning this matter, please feel free to contact me at (202) 523-4000 or Barbara Johnson at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel



By: Kenneth A. Gross
Associate General Counsel

84040490841



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1737

Date Filmed 12/5/84 Camera No. --- 2

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