



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 537

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FEDERAL ELECTION

1521 Castle Hills Drive
New Castle, Indiana 47362
March 23, 1978

78 MAR 27 AM 10:12

Chairman Thomas E. Harris, Ref: MUR 552(78), MUR 542(78), and MUR 537(78)
V. Chairman Joan D. Aikens, and my last complaint against Henry County
William L. Springer, Neil Staebler, Chairman G. Robert Kirby of Republican Party in a
Vernon W. Thomson, Robert G. Tieman Complaint dated March 19, 1978
Federal Election Commission
1325 K Street NW
Washington, D. C. 20463

Dear Federal Election Commission:

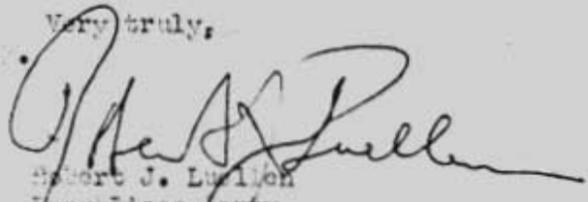
I have been in touch with the Attorney General of the United States on another matter and I have mentioned the above cases of official complaint, which includes two cases which I ask further consideration on in my letter dated March 14, 1978.

These cases involve title 18, Chapter 29, Paragraph 595, violations of the election law of the United States Code, as well as violations of title 2 of the United States Code. Those matters under title 18 have been asked to be referred to the Attorney General of the United States under 2 U.S.C. par 438(a)(9) and paragraph 437(g)(b).

Please enter in evidence according to compliance procedure, this article which appeared in the New Castle Courier Times on page 1, which has to do with my last complaint dated March 19, 1978 against Henry County Chairman G. Robert Kirby, on the resetting of Lincoln Day for April 26th.

Encls: New Castle Courier Times page 1, article on Lincoln Day reset for April 26th.

Very truly,



Robert J. Lucien
Republican Party
Candidate for Congress 10th District 1976, 1978, and 1978
Candidate for State Chairman 1977
Indiana Republican 1977 and 1978
Sustaining Member of Republican National Committee 1977 and 1978

7804001070

Roxanne McDonald, 18, no address available, an employee of the firm.

The theft was reported to New Castle police early this morning. Det. Darrell Jackson and Det. Sgt. James Covey conducted the investigation and made the arrests.

Kidney Week Observed

Indiana Kidney Foundation is conducting a state-wide door-to-door campaign to collect funds this week.

Designated as Kidney Week by the foundation, fund donations by residents in the Henry County area may be made by calling Mrs. Sharon Frost, 529-5655. Besides cash donations, forms also are available for prospective donors of kidneys.

Want Ads Sell Used Items Fast

The following Want Ad which appeared in The Courier-Times recently is another example of how Want Ads work.

EXTRA LONG SOFA and love seat. Ex. cond. Can be seen at...

Now is a good time to use the Want Ads to help you sell items that other people want and you no longer need. Call 529-1111 between 8 a.m. and 2 p.m. to get your ad in the following day's paper.

Seven days ago Israel launched an air, land and sea attack to clear Palestinian guerrillas from the area along its northern border. The operation followed a Palestinian terrorist attack in Israel which killed 35 Israelis.

The Israeli announcement came as Prime Minister Menachem Begin was meeting with President Carter in Washington and as the United Nations tried to work out details of a U.N. peacekeeping force to go into southern Lebanon.

There was no immediate indication if Israel had taken a unilateral action in announcing the cease-fire and whether the Palestine Liberation Organization would go along with an end to hostilities.

The Israeli army claimed to control all of southern Lebanon up to the Litani River, except for a small area around the port city of Tyre.

A token U.N. peacekeeping force was waiting to move in when fighting stopped, but U.N. officials in New York said it could be "weeks or months" before Israel heeded the Security Council's demand to withdraw its troops from Lebanese territory.

The Israeli army reported shelling guerrilla positions and the level of firing had dropped.

Independent observers in Lebanon said the south was comparatively quiet after intensive Israeli bombardment of Tyre and other guerrilla fallback positions north and south of the Litani on Monday night.

similar credentials in the United Kingdom. Shakun has a Ph.D. degree from the University of Glasgow, a MSME from the University of Vermont, BSME from City College of New York, and a MJA from the University of Louisville.



Shakun

He, his wife, Gloria, and their three sons will be moving soon to New Castle.

Lincoln Day Dinner Reset

A Lincoln Day dinner scheduled for Wednesday evening by Henry County Republicans has been postponed until April 26 due to the energy crisis.

There have been no changes in the program. John K. Snyder, former state treasurer and a candidate for that office, will be the speaker.

General chairman for the event is Mrs. Judith S. Robbins, assisted by Mrs. Marylee Pope and Mrs. Ruth Hayworth. Dinner will be at 6:30 p.m. at Smith Building, Memorial Park. Tickets are available from all Republican precinct committeemen and GOP office holders.

Mrs. Robbins said that the dinner will not be postponed a second time even if it has to be held in candlelight and everyone attending has to wear a coat.

Impact of Severe Winter

tailments, home economic, business and vocational education classes were most directly affected because of their use of electricity. For a time, classes went to the gym and utilized facilities with alternative power sources. With the easing of curtailments to a 40 percent level and with conservation-minded scheduling, the classes are not suffering from restrictions.

This was not the first winter of fuel shortages and sky-rocketing fuel prices. In speaking of fuel predicaments, past and present, Dr. Borders cited as an example gasoline costs in the system have risen 340 percent since 1970.

Conservation and fuel flexibility are the prescriptions for the system's operations. Dr. Borders feels a 25 percent reduction in electrical usage will remain a way of life in the aftermath of winter 1978. Although he did not feel immediate savings would be realized because of the cost-adjustment factor expected in utility bills for the curtailment period, he hoped savings would be realized by cutbacks as utility costs continue to rise.

Flexibility is seen in the two elementary buildings under construction which have power source possibilities

being built into them. The buildings can be operated by electricity, fuel oil or natural gas and in the future could be adapted to solar heating by the addition of collecting panels and condensation tanks. Should a fuel source become scarce, an alternative could be used.

In the snowiest winter of Indiana's weather-recorded history, New Castle schools missed an unheard of 12 full and two half days due to ice and snow conditions.

An elaborate network of people plays a part in the superintendent's decision to close school because of weather. The sheriff's office, state police, national weather advisors at Indianapolis International Airport, county officials, director of transportation and maintenance personnel all are consulted. The director of transportation is out checking roads by 2:30 a.m., and when school is a possibility, the building and grounds director has personnel clearing parking lots and walkways by 3:30 a.m.

Severe cold and wind chill factor, in addition to road conditions and weather predictions, have to be considered. Because the New Castle system does not transport all students attending, walking

as well as driving conditions, are viewed.

A seemingly good contingency of operating on a one or two-hour delay was not as desirable as it appears, according to Dr. Borders, and for many reasons.

First, he asked, "How do you second guess the weather? How much of a delay? How long will the fog last? When will the snow or ice melt in roadways?" Also, many parents work and children could be home for an hour or so unattended. Third, traffic patterns are a major concern. Some children walk to school and traffic flow can change dramatically in an hour or two creating hazards.

In addition bus drivers often have other jobs and cannot work on delayed schedules, leaving substitutes not as used to routes or the bus driving in less than desirable circumstances. Finally, how do you notify all the staff, faculty, personnel, and students affected by such a delay, Dr. Borders asked. Three of the four groups have to be contacted individually. Obviously there are many problems.

The past two winters make it clear that fuel costs and weather have to be a major consideration in school planning. What

See DR. BORDERS, Page 2

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FEDERAL ELECTION
COMMISSION

1621 Castle Hills Drive
New Castle, Indiana 47362
March 5, 1978

'78 MAR 13 AM 10:40

Counsel William Oldaker
Federal Election Commission
~~310 First Street SE~~
Washington, D. C. 20003 20063

Re: Your letter to me dated February 28, 1978

Dear Counsel Oldaker:

I received your letter outlining the complaint which I sent to you on February 17, 1978. According to this letter your procedure will be as outlined in 2 U.S.C. Section 437g and Section 3. I will await a favorable outcome to my complaint and appreciate your correspondence on the matter.

Very truly,

Robert J. Luelke
Candidate for Congress 1974, 1976 and 1978
10th District
Candidate for State Chairman 1977
Indiana Republicans 1977
Member of Republican National Committee Sustaining
1977 and 1978

78040010703

\$ 21 Castle Hills Dr.
New Castle, Indiana 47362



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FEDERAL GOVERNMENT

MAR 13 AM 10:40

Counsel W - Oldaker
Federal Election Commission
1325 15th St. NW
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

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

March 9, 1978

Mr. Robert J. Luellen
1521 Castle Hills Drive
New Castle, Indiana 47362

Re: MUR 537(78)

Dear Mr. Luellen:

The Federal Election Commission has reviewed the allegations of your complaint dated February 17, 1978 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

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

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 537(78).

Sincerely,

A handwritten signature in cursive script, appearing to read "W. C. Oldaker".

William C. Oldaker
General Counsel



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Muncie Star (Newspaper))

MUR 537 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on March 7, 1978, the Commission approved the recommendations of the General Counsel to find no reason to believe that the Act has been violated and to send the letter attached to the General Counsel's Report.

The file in the above-captioned matter has been closed.

73040010711

Date: 3-7-78

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Report dated:

Received in Commission Secretary's Office:

Circulated to the Commissioners:

Method of Circulation:

Dated

March 3, 1978, 1:03

March 6, 1978, 11:00

24 Hour No-objection Basis

March 2, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 537

Please have the attached 7 day report on MUR 537 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

78040040712

FEDERAL ELECTION COMMISSION
Washington, D. C.

FIRST GENERAL COUNSEL REPORT

MR NO. 537(78)

DATE AND TIME OF TRANSMISSION
BY OCC TO THE COMMISSION

DATE COMPLAINT RECEIVED
BY OCC 3/1/78

STAFF MEMBER Kellett

Complainant's Name: Mr. Robert J. Luellen
1521 Castle Hills Drive
New Castle, Indiana 47362

Respondent's Name: Muncie Star (Newspaper)

Relevant Statute: First Amendment to Constitution

Internal Reports Checked: Federal Agencies Checked

SUMMARY OF ALLEGATION

The Muncie Star committed slander and libel by publishing news stories describing Mr. Luellen's candidacy as "token," and "given no chance to finish higher than third."

PRELIMINARY LEGAL ANALYSIS

Libel and slander are not matters within the jurisdiction of the Act and the Supreme Court has upheld the First Amendment right of newspapers to choose the content of their articles and be more than a conduit for news. Miami Herald Publishing Co. v. Tornillo, 418 U.S. 241 (1974). The legislative history of 2 U.S.C. §431(f)(4)(A), the section which excludes newspaper stories from the definition of expenditure, notes that the clause was to assure the "...[U]nfettered right of the newspapers... to cover and comment on political campaigns."

RECOMMENDATION

Find no reason to believe that the Act has been violated; send attached letter.

Date of Next Commission Review:

73040010711



FEDERAL ELECTION COMMISSION

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

Mr. Robert J. Luellen
1521 Castle Hills Drive
New Castle, Indiana 47362

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Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 537(78).

Sincerely,

William C. Oldaker
General Counsel

73040010715





FEDERAL ELECTION COMMISSION

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

February 28, 1978

Mr. Robert J. Luellen
1521 Castle Hills Drive
New Castle, Indiana 47362

Dear Mr. Luellen:

This is to acknowledge receipt of your complaint of February 17, 1978, alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



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February 17, 1978

Field Complaints
Federal Election Commission
1325 K Street NW
Washington, D.C. 20463

ACC 27450

MUR 537

Dear Sir:

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The Lancel Star is a newspaper which is in the 1st Congressional District, where I ran in 1974 for the 1st District Congressman position. On Thursday, April 1, 1978, Lancel Star, ran the following on page 20: "A third Republican Candidate is Robert J. Luellen, 50, New Castle. We called him a 'white lister' on the ballot in the Presidential Primary and is expected to offer only token support to a warlord and trader." Arwin Larry S. ran for the Lancel Star wrote on a Sunday edition, "The third candidate is a ... race to Robert J. Luellen of New Castle, a perennial office seeker and is likely to chance to finish higher than third." This is a tall tale and can be considered libel and slander, as well, if we consider a prior in the 1974 district, where Luellen's was printed and distortions of the truth to favor two of our native sons, of Lancel, ...

I am Robert J. Luellen and I live at 181 ...
New Castle, Delaware. ...
primary election ... can certified by the Secretary of State on February 1, 1978. I ran in the 1974 ...

73747710721

Local Post Office
No. 10, 1st St. S.W.

5M



Post Office
Murfreesboro, Tennessee
78 FEB 27 AM 2:33
1963



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 537



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