



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF NF # 179

Date Filmed 11/19/79 Camera No. --- 2

Cameraman LPC

79040164256

79040164256

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)	
<u>Howard</u> for Congress	)	NF 68 (Arizona)
Joseph H. <u>Parisian</u> Congressional Campaign	)	NF 68 (Florida)
Allen <u>Blume</u> for Congress	)	NF 75 (Alaska)
Bill <u>Mack</u> 21st Congressional Committee for Bill <u>Mack</u>	)	NF 93 (Ohio)
<u>Ares</u> for Congress	)	NF 95 (California)
Harold <u>Boylan</u>	)	NFs 95, 124, 161 (California)
B. E. (Happy) <u>Henschel</u> My Principal Campaign Committee (<u>Henschel</u>)	)	NFs 95, 124 (California)
Nicholas <u>Kudrovzeff</u> Nicholas <u>Kudrovzeff</u> for Congress	)	NFs 95, 124 (California)
<u>Ortiz</u> for Congress	)	NFs 95, 124 (California)
Irv <u>Sutley</u>	)	NF 95 (California)
Robert K. <u>Watson</u>	)	NF 95 (California)
Walter Bradley Doc <u>Bradley</u> Campaign	)	NF 106 (Tennessee)
Gene <u>Basalyga</u> Gene <u>Basalyga</u> Committee	)	NF 114 (Pennsylvania)
<u>Hughes</u> for Congress	)	NF 124 (California)
Kevin Casey <u>Peters</u>	)	NF 124 (California)
Irv <u>Sutley</u> for Congress	)	NFs 124, 161 (California)
Committee to Elect George <u>Waldron</u>	)	NF 124 (California)
<u>Watson</u> for Congress	)	NFs 124, 161 (California)
Donald Wylie <u>Hobbs</u>)	NF 158 (Alaska)
<u>Norsworthy</u> for Congress)	NF 165 (Georgia)

(Continued)

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Melvin <u>Perkins</u>)	NF 171 (Maryland)
Thomas P. <u>Swank</u>)	NF 172 (Massachusetts)
<u>Conlin</u> for Congress)	NF 173 (Michigan)
Larry <u>Penner</u>	)	NF 179 (New York)
People for <u>Poth</u> Committee	)	NF 179 (New York)
James A. <u>Plummer</u> for Congress)	)	NF 181 (Ohio)
Jessie Dennis <u>Knipp</u>	)	NF 182 (Oklahoma)
Marilyn Coyle <u>Ecoff</u> for Congress	)	NF 183 (Pennsylvania)
Anthony <u>Pannuccio</u>	)	NF 184 (South Carolina)
Ronald C. <u>Arline</u> People Working for Ron <u>Arline</u>)	)	NF 185 (Tennessee)
Peter <u>Diamondstone</u> (Committee))	)	NF 188 (Vermont)
Committee to Elect Debbie <u>Figueroa</u>	)	NF 218 (Hawaii)
Amelia Lew <u>Fritts</u> Amelia Lew <u>Fritts</u> for Congress Committee	)	NF 218 (Hawaii)
Nicholas Wacil <u>Kudrovzeff</u> Committee	)	NF 222 (California)

79040154258

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on October 10, 1979, do hereby certify that the Commission determined by a vote of 6-0 to take the following actions in the above-captioned matter:

1. File a civil action against the Conlin for Congress (NF 173) for failure to file required reports in violation of 2 U.S.C. §434;

(Continued)

2. Close the file and rescind the authorization to file a civil action with regard to:

Howard for Congress	(NF 68)
Joseph H. Parisian	(NF 68)
Congressional Campaign	
Allen Blume for Congress	(NF 75)

3. Close the file with regard to:

Bill Mack	(NF 93)
21st Congressional	(NF 93)
Committee for Bill Mack	
Ares for Congress	(NF 95)
Harold Boylan	(NFs 95, 124, 161)
B. E. (Happy) Henschel	(NFs 95, 124)
My Principal Campaign	(NFs 95, 124)
Committee (Henschel)	
Nicholas Kudrovzeff	(NFs 95, 124)
Nicholas Kudrovzeff	
for Congress	(NFs 95, 124)
Ortiz for Congress	(NFs 95, 124)
Irv Sutley	(NF 95)
Robert K. Watson	(NF 95)
Walter Bradley	(NF 106)
Doc Bradley Campaign	(NF 106)
Gene Basalyga	(NF 114)
Gene Basalyga Committee	(NF 114)
Hughes for Congress	(NF 124)
Kevin Casey Peters	(NF 124)
Irv Sutley for Congress	(NFs 124, 161)
Committee to Elect	
George Waldron	(NF 124)
Watson for Congress	(NFs 124, 161)
Donald Wylie Hobbs	(NF 158)
Norsworthy for Congress	(NF 165)
Melvin Perkins	(NF 171)
Thomas P. Swank	(NF 172)
Larry Penner	(NF 179)
People for Poth Committee	(NF 179)
James A. Plummer for	(NF 181)
Congress	
Jessie Dennis Knipp	(NF 182)
Marilyn Coyle Ecoff	(NF 183)
Congress	
Anthony Pannuccio	(NF 184)
Ronald C. Arline	(NF 185)
People Working for	(NF 185)
Ron Arline	
Peter Diamondstone	(NF 188)
Committee	

(Continued)

79040164259

Committee to Elect	(NF 218)
Debbie Figueroa	
Amelia Law Fritts	(NF 218)
Amelia Law Fritts for	(NF 218)
Congress Committee	
Nicholas Wacil	(NF 222)
Kudrovzeff Committee	

Attest:

10/17/79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

79040164260

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Howard for Congress) NF 68 (Arizona)
)
Joseph H. Parisian Congressional) NF 68 (Florida)
Campaign)
)
Allen Blume for Congress) NF 75 (Alaska)
)
Bill Mack) NF 93 (Ohio)
21st Congressional Committee)
for Bill Mack)
)
Ares for Congress) NF 95 (California)
)
Harold Boylan) NFs 95,124,161 (California)
)
B. E. (Happy) Henschel) NFs 95,124 (California)
My Principal Campaign)
Committee (Henschel))
)
Nicholas Kudrovzeff) NFs 95,124 (California)
Nicholas Kudrovzeff for Congress)
)
Ortiz for Congress) NFs 95,124 (California)
)
Irv Sutley) NF 95 (California)
)
Robert K. Watson) NF 95 (California)
)
Walter Bradley) NF 106 (Tennessee)
Doc Bradley Campaign)
)
Gene Basalyga) NF 114 (Pennsylvania)
Gene Basalyga Committee)
)
Hughes for Congress) NF 124 (California)
)
Kevin Casey Peters) NF 124 (California)
)
Irv Sutley for Congress) NFs 124,161 (California)
)
Committee to Elect George Waldron) NF 124 (California)
)
Watson for Congress) NFs 124,161 (California)
)
Donald Wylie Hobbs) NF 158 (Alaska)
)
Norsworthy for Congress) NF 165 (Georgia)

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Melvin <u>Perkins</u>)	NF 171 (Maryland)
Thomas P. <u>Swank</u>)	NF 172 (Massachusetts)
<u>Conlin</u> for Congress)	NF 173 (Michigan)
Larry <u>Penner</u>	)	NF 179 (New York)
People for <u>Poth</u> Committee	)	NF 179 (New York)
James A. <u>Plummer</u> for Congress	)	NF 181 (Ohio)
Jessie Dennis <u>Knipp</u>	)	NF 182 (Oklahoma)
Marilyn Coyle <u>Ecoff</u> for Congress	)	NF 183 (Pennsylvania)
Anthony <u>Pannuccio</u>	)	NF 184 (South Carolina)
Ronald C. <u>Arline</u> People Working for Ron <u>Arline</u>	)	NF 185 (Tennessee)
Peter <u>Diamondstone</u> (Committee)	)	NF 188 (Vermont)
Committee to Elect Debbie <u>Figueroa</u>	)	NF 218 (Hawaii)
Amelia Lew <u>Fritts</u> Amelia Lew <u>Fritts</u> for Congress Committee	)	NF 218 (Hawaii)
Nicholas Wacil <u>Kudrovzeff</u> Committee	)	NF 222 (California)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

In 1978 the Reports Analysis Division referred to the Office of General Counsel all candidates and committees which failed to timely file one or more of the following reports: the 1977 year-end report, the 10 day pre-primary report, the 30 day post-primary report, and the 10 day pre-general report.

The Commission reviewed all of the candidates and committees which failed to file and in accordance with the criteria set forth in the Commission's non-filer memorandum dated May 23, 1978, determined to take further action through conciliation against a number of the candidates and committees. For those candidates and committees which did not conciliate, the Commission found probable cause. 1/ The Commission directed the Office of General Counsel to review all of the candidates and committees against which probable cause was found and to recommend to the Commission those candidates and committees against which a civil action should be filed.2/

-
- 1/ Except for those candidates and committees which failed to file the 1977 year-end report, the Commission did not authorize the filing of civil suits.
- 2/ Four candidates and one committee against which the Commission found probable cause for failure to file reports of receipts and expenditures are not included in this report. They are: the Committee Amigos de Jaime Benitez, NF 54 (Puerto Rico); the New York State Voter Registration Drive, NF 59 (New York); the Committee to Elect Louis Nine to Congress, NF 62 (New York); the North Carolina Democratic Inaugural Committee, NF 70 (North Carolina); and Sanford Krasnoff, NF 193 (Louisiana). Civil actions for failure to timely file and for other violations of FECA were brought against the Committee Amigos de Jaime Benitez and Sanford Krasnoff. A civil action for failure to timely file was brought against the Committee to Elect Louis Nine to Congress and a consent decree has been obtained. The New York State Voter Registration Drive was referred to the Audit Division for an audit. Conciliation is proceeding for failure to timely file and for other violations of FECA with the North Carolina Democratic Inaugural Committee in MUR 859.

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II. ANALYSIS

A. 1977 Year-End Non-Filers

The Commission has found probable cause against the following 1977 year-end non-filers:

Allen Blume for Congress	(Alaska)
Howard for Congress	(Arizona)
Joseph H. Parisian Congressional Campaign	(Florida)

Attachment I lists each respondent and indicates each respondent's filing history and financial activity for 1978.

All of the respondents are principal campaign committees of candidates who ran for election to federal office in 1976. None of the candidates ran for election to federal office in 1978. The respondent committees appear to be defunct. As none of the respondents filed 1978 quarterly reports there is no indication of financial activity.

Because of the inactivity of these committees in the 1978 elections, the Office of General Counsel recommends that the Commission not bring a civil action for relief against them, but close the files.

B. Pre- and Post-Election Non-Filers

The Commission has found probable cause against the following 10 day pre-primary, 30 day post-primary, and 10 day pre-general non-filers:

Donald Wylie Hobbs	(Alaska)
Ares for Congress	(California)
Harold R. Boylan	(California)
B. E. (Happy) Henschel	(California)
My Principal Campaign Committee (Henschel)	(California)
Hughes for Congress	(California)

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Nicholas Wacil Kudrovzeff	(California)
Nicholas Kudrovzeff for Congress	(California)
Nicholas Wacil Kudrovzeff Committee	(California)
Ortiz for Congress	(California)
Kevin Casey Peters	(California)
Irv Sutley	(California)
Irv Sutley for Congress Committee to Elect George Waldron	(California)
Robert K. Watson	(California)
Watson for Congress	(California)
Norsworthy for Congress Committee to Elect Debbie Figueroa	(Georgia) (Hawaii)
Amelia Lew Fritts	(Hawaii)
Amelia Lew Fritts for Congress Committee	(Hawaii)
Melvin Perkins	(Maryland)
Thomas P. Swank	(Massachusetts)
Conlin for Congress	(Michigan)
Larry Penner	(New York)
People for Poth Committee	(New York)
Bill Mack	(Ohio)
21st Congressional Committee for Bill Mack	(Ohio)
James A. Plummer for Congress	(Ohio)
Jessie Dennis Knipp	(Oklahoma)
Gene Basalyga	(Pennsylvania)
Gene Basalyga Committee	(Pennsylvania)
Marilyn Coyle Ecoff for Congress	(Pennsylvania)
Anthony Pannuccio	(South Carolina)
Walter Bradley	(Tennessee)
Doc Bradley Campaign	(Tennessee)
Ronald C. Arline	(Tennessee)
People Working for Ron Arline	(Tennessee)
Peter Diamondstone (Committee)	(Vermont)

Attachment II lists each respondent and indicates each respondent's filing history and financial activity for 1978.

The General Counsel's Office used three criteria in reviewing the respondents. We are recommending the filing

of a civil action against any respondent who meets all three criteria. The criteria are as follows:

1. whether the respondent failed to timely file two of the 1978 reports;
2. whether the respondent (or the candidate if the respondent was a principal campaign committee) received more than 30% of the vote in either the primary or general election; and
3. whether the respondent had more than \$20,000 in receipts.

One committee, Conlin for Congress, meets all three criteria: failing to timely file both the 10 day pre-general election report and the 30 day post-general election report, receiving 42% of the vote in the general election, and having receipts in the amount of \$160,614.

The Office of General Counsel recommends that the Commission bring a civil action for relief against Conlin for Congress. Further, we recommend closing the files with respect to all other respondents.

III. RECOMMENDATIONS

The Office of General Counsel recommends the following:

1. file a civil action against Conlin for Congress (NF 173) for failure to file required reports in violation of 2 U.S.C. § 434;
2. close the file and rescind the authorization to file a civil action with regard to:

7 9 0 1 9 1 5 4 2 6 6

Howard for Congress (NF 68)
Joseph H. Parisian (NF 68)
Congressional Campaign
Allen Blume for Congress (NF 75)

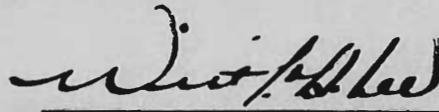
3. close the file with regard to:

Bill Mack (NF 93)
21st Congressional (NF 93)
Committee for Bill Mack
Ares for Congress (NF 95)
Harold Boylan (NFs 95,124,161)
B. E. (Happy) Henschel (NFs 95,124)
My Principal Campaign (NFs 95,124)
Committee (Henschel)
Nicholas Kudrovzeff (NFs 95,124)
Nicholas Kudrovzeff (NFs 95,124)
for Congress
Ortiz for Congress (NFs 95,124)
Irv Sutley (NF 95)
Robert K. Watson (NF 95)
Walter Bradley (NF 106)
Doc Bradley Campaign (NF 106)
Gene Basalyga (NF 114)
Gene Basalyga Committee (NF 114)
Hughes for Congress (NF 124)
Kevin Casey Peters (NF 124)
Irv Sutley for Congress (NFs 124,161)
Committee to Elect (NF 124)
George Waldron
Watson for Congress (NFs 124,161)
Donald Wylie Hobbs (NF 158)
Norsworthy for Congress (NF 165)
Melvin Perkins (NF 171)
Thomas P. Swank (NF 172)
Conlin for Congress (NF 173)
Larry Penner (NF 179)
People for Poth Committee (NF 179)
James A. Plummer for (NF 181)
Congress
Jessie Dennis Knipp (NF 182)
Marilyn Coyle Ecoff (NF 183)
Congress
Anthony Pannuccio (NF 184)
Ronald C. Arline (NF 185)
People Working for (NF 185)
Ron Arline
Peter Diamondstone (NF 188)
(Committee)

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Committee to Elect Debbie Figueroa	(NF 218)
Amelia Lew Fritts	(NF 218)
Amelia Lew Fritts for Congress Committee	(NF 218)
Nicholas Wacil Kudrovzeff Committee	(NF 222)

10/4/79
DATE


WILLIAM C. OLDAKER
GENERAL COUNSEL

Attachments

- Attachment I - 1977 Year-End Non-Filers
- Attachment II - Pre- and Post-Election Non-Filers

79040164268

KEY

F = FILED TIMELY

= REPORT NOT REQUIRED

* = INDICATES RESPONDENT

STATE: ALASKA

X = NON-FILER

P = PRIMARY

G = GENERAL

W = WON

L = LOST

PRIMARY DATE: 8/22/78

X F = FILED AFTER PUBLICATION OR REFERRAL

79040164269

ATTACHMENT I

CANDIDATE/COMMITTEE NAME & I.D.	Q1	Q2	1QP	3OP	Q3	1OG	3OG	YE	FEC 1	FEC 2	FEC 2a	D G	W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REG.
	1/1-3/31	4/1-6/30	7/1-8/7	8/8-9/11	9/12-9/30	10/1-10/23	10/24-11/27	11/28-12/31									
HOUSE	/	/	/	/	/	/	/	/									
* Allen Blume for Congress NE 75 C00051235 PC 11/15/78	X	X	/	/	X	/	/	X	/	/	/					\$1,050. \$1,950.	

KEY

= FILED TIMELY

= REPORT NOT REQUIRED

* = INDICATES
RESPONDENT

STATE: ARIZONA

= NON-FILER

P = PRIMARY

PRIMARY DATE: 9/12/78

= FILED AFTER PUBLICATION OR REFERRAL

G = GENERAL

W = WON

L = LOST

79040164270 ATTACHMENT I

CANDIDATE/COMMITTEE NAME & I.D.	Q1	Q2	10P	Q3	30P	10G	30G	YE	FEC 1	FEC 2	FEC 2a	D/G	L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC.
	11-3/31	11-6/30	7/1-8/28	8/29-9/30	10/1-10/2	10/3-10/23	10/24-11/27	11/28-12/31									
HOUSE	/	/	/	/	/	/	/	/	/	/	/						
* Howard for Congress NF 68 C00076026 PC 7/10/78	X	X	/	X	/	/	/	X	F 1/1/77	/	/				=	=	

KEY

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* = INDICATES
RESPONDENT

STATE: FLORIDA

= NON-FILER

P = PRIMARY

G = GENERAL

W = WON

L = LOST

PRIMARY DATE: 9/12/78

= FILED AFTER PUBLICATION OR REFERRAL

79010164271

ATTACHMENT I

CANDIDATE/COMMITTEE NAME & I.D.	Q1	Q2	TOP	Q3	3OP	1OG	3OG	YE	FEC 1	FEC 2	FEC 2a	D/G	W/L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC.
	11-3/31	4/1-6/30	7/1-8/28	8/29-9/30	10/1-10/2	10/5-10/23	10/24-11/27	11/28-12/31									
HOUSE	/	/	/	/	/	/	/	/	/	/	/						
* Joseph H. Parisian Congressional Campaign C00076604 NF 68 7/10/78	X	X	/	X	/	/	/	/	F 9/22/77	/	/				—	—	

KEY

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* = INDICATES
RESPONDENT

STATE: ALASKA

= NON-FILER

P = PRIMARY

PRIMARY DATE: 8/22/78

= FILED AFTER PUBLICATION OR REFERRAL
 = DATE FILED

G = GENERAL

W = WON

L = LOST

6-4272 ATTACHMENT #

73010

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE										FEC 1	FEC 2	FEC 2a	P G W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REQ
	Q1	Q2	10P	30P	Q3	10/28/78 10G	12/7/78 30G	YE										
SENATE	/	/	/	/	/	/	/	/	/	/	/	/	/					
* Hobbs, Donald Wylie NF 158 SBAK00025 (Democrat) PC 3/22/79	/	F	F	F	X F	X F 11/6/78 P.C.	F	F	/	F 5/26	/	P W 51.6			0	0	\$ 85,797.	
Hobbs for Senate Committee	/	/	/	/	/	/	F	F	F 11/6	/	/							

KEY

F = FILED TIMELY

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* INDICATES
RESPONDENT

STATE: CALIFORNIA

X = NON-FILER

P = PRIMARY

PRIMARY DATE: 6/6/78

X
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G = GENERAL

W = WON

L = LOST

ATTACHMENT 1

790

CANDIDATE/COMMITTEE NAME & I.D.	Q1	10P	30P	Q2	Q3	10G	30G	YE	FEC 1	FEC 2	FEC 2a	P G W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REG
HOUSE	/	/	/	/	/	/	/	/	/	/	/					
Hughes, Charles (Republican) waiver Filed 4/24/78	/	/	/	/	/	/	/	/	/	X 4/24	/					
* Hughes for Congress C00092718 NF124 3/14/79	F (3a)	F	X P.C.	F (3a)	F	F	X F	F	F 11/24	/	/	P W G L	13.0	\$5,100. \$5,100.	\$7,185. \$7,933.	
* Kudrovzeff, Nicholas Wacil (American Independent) H6CA11060 NF15 12/13/78 waiver Filed 10/6/78	X	X F 12/13/78 P.C.	X	/	/	/	/	/	/	F 11/18	/	P W G L	4.0	0. 0.	— —	
* Nicholas Kudrovzeff for Congress C00093476 NF15 12/13/78	F (3a)	X F 6/20/78 P.C.	F	F (3a)	F (3a)	F	F	/	F 10/6	/	/	P W G L	4.0	0. 0.	\$96. \$96.	

Special General Election - held 4/3/79
105G Report Due 3/24/79

105G 305G

Kudrovzeff, Nicholas Wacil (American Independent) waiver Filed 3/21/79	/	/	/	/	/	/	/	/	/	X 3/21	/					
* Nicholas Wacil Kudrovzeff Committee NF222 6/5/79	/	/	/	/	/	X F 12/25/78	X	/	X 3/21	/	/	P W G L	8		\$841 \$730	

KEY

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RESPONDENT

STATE: CALIFORNIA

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PRIMARY DATE: 6/6/78

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= DATE FILED

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L = LOST

ATTACHMENT II

64275
7040

DATE DUE

CANDIDATE/COMMITTEE NAME & I.D.

Q1	5/27/78		7/6/78		Q2	Q3	10/28/78		30G	YE	FEC 1	FEC 2	FEC 2a	D/G	L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC
	TOP	30P	TOP	30P			10G	10G											
HOUSE	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
Ortiz, Phillip (Republican) waiver Filed 4/20/78	/	/	/	/	/	/	/	/	/	/	/	X	/	/	/	/	/	/	/
* Ortiz for Congress NF 95 12/13/78 C00093666 NF 124 1/18/79	/	X	X	X	X	/	/	/	X	F 1/25	/	/	/	P	L	0	—	—	—
		P.C.	P.C.																
* Peters, Kevin Casey (Peace & Freedom) H8CA24044 NF 124 4/14/79 NF 161 4/14/79	F (3a)	F	X	/	X	X	X	X	/	/	/	F 1/5/79	/	P	X	Unopposed	—	\$0.	\$0.
			P.C.				P.C.							G	L	5	—	—	—
NO COMMITTEE	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
* Sutley, Irv (Peace & Freedom) H8CA02040 waiver Filed 3/30/78	/	X	/	/	/	/	/	/	/	/	/	F 4/3	/	P	W	Unopposed	—	—	—
		P.C.												G	L	3.0	—	—	—
* Irv Sutley for Congress C00091322 NF 124 1/18/79 NF 161 1/25/79	/	/	X	F (3a)	F (3a)	X	X	/	/	F 5/30	/	/	/	F	W	Unopposed	—	—	—
			P.C.				P.C.							G	L	3.0	—	—	—

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- = DATE FILED

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- L = LOST

* INDICATES
RESPONDENT

STATE: CALIFORNIA
PRIMARY DATE: 6/6/78

ATTACHMENT II
64276

790

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE		Q2	Q3	10/28/78 10G	30G	YE	FEC 1	FEC. 2	FEC 2a	P G L	W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC
	Q1	TOP 30P														
HOUSE	11-3/31	4-5/22 5/23-6/26	6/27-6/30	7/1-9/30	10/1-10/23	10/24-11/27	11/28-12/31									
Waldron, George (American Independent) waiver Filed 10/18/78		F	F						F 4/14							
* Cmte to Elect George Waldron NF 124 3/14/79 C00096388			X F 9/18/78	X F	F	F	F	F 5/25			P W	Unopposed		\$ 970. \$ 1,076.		
* Watson, Robert K. NF 95 12/13/78 H8CA25025		X							X F (4/6)		P W	100				
* Watson for Congress NF 124 1/18/79 NF 161 1/25/79 C00096982			X	F (3a)	F (3a)	X	X	F 6/6			P W	100		\$ 575. \$ 575.		

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P
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= WON
= LOST

* INDICATES
RESPONDENT

STATE: GEORGIA

PRIMARY DATE: 8/8/78

ATTACHMENT II

79010164277

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE						10G	30G	YE	FEC 1	FEC 2	FEC 2a	P G W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC.
	Q1	Q2	10P	30P	Q3	Q3											
HOUSE	/	/	/	/	/	/	/	/	/	/	/						
Norsworthy, Ernest Myzell Jr. (Republican) waiver Filed 7/02/78	/	/	/	/	/	/	/	/	/	F 7/2	/						
* Norsworthy for Congress NF 105 4/19/79 000100511	/	/	F	F	F	X F 4/19/79	F	F	F 7/22	/	/	P W G	63.1 32	\$ 4,568. \$ 1,461.	\$ 8,473. \$ 9,269.		

KEY

F = FILED TIMELY

= REPORT NOT REQUIRED

* = INDICATES
RESPONDENT

STATE: HAWAII

X = NON-FILER

P = PRIMARY

G = GENERAL

W = WON

L = LOST

PRIMARY DATE: 10/7/78

X F = FILED AFTER PUBLICATION OR REFERRAL
: DATE FILED

ATTACHMENT II

54278
20101

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE											BY G L	W	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC.
	Q1	Q2	10P	Q3	10/28/78 10G	11/6/78 30P	30G	YE	FEC 1	FEC 2	FEC 2a						
HOUSE	/1-3/31	4/1-6/30	7/1-9/22	9/23-9/30	10/1-10/23	10/24-10/27	10/28-11/27	11/28-12/31									
<u>Figueroa, Debbie</u> H8HI01051			X							X			PW	Unopposed	0	0	||
* Cmte to Elect Debbie Figueroa C00104356 NF 218 P.C. 8116179			F	F	X	X	X	X	F				PW	Unopposed	0	0	\$75. \$75.
* <u>Fritts, Amelia Lew</u> H8HI02034 NF 218 P.C. 8116179			F	F (3a)		X	X						PW	Unopposed	0	0	||
* <u>Amelia Lew Fritts for Congress</u> C00104240 NF 218 P.C. 8116179					F	X	X		F				PW	Unopposed	0	0	\$630. \$714.

KEY

= FILED TIMELY

= REPORT NOT REQUIRED

* INDICATES
RESPONDENT

STATE: MARYLAND

= NON-FILER

P = PRIMARY

PRIMARY DATE: 9/12/78

= FILED AFTER PUBLICATION OR REFERRAL
 = DATE FILED

G = GENERAL

W = WON

L = LOST

79010164279 ATTACHMENT II

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE										D/G	L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGG REC
	Q1	Q2	TOP	Q3	3QP	10/28/78 10G	30G	YE	FEC 1	FEC 2							FEC 2a
HOUSE	/1-3/31	/1-6/30	/1-8/28	8/29-9/30	10/1-10/2	10/3-10/23	10/24-11/27	11/28-12/31								
Perkins, Melvin (unreg) NP171 3/29/79 H8MD06010 (Republican)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	X	<input checked="" type="checkbox"/>	X	X	X	<input checked="" type="checkbox"/>	X	<input checked="" type="checkbox"/>	P	UNOPPOSED	—	—	
NO COMMITTEE												G	UNAVAILABLE	—	—	

KEY

= FILED TIMELY

= REPORT NOT REQUIRED

* INDICATES
RESPONDENT

STATE: MASSACHUSETTS

= NON-FILER

P = PRIMARY

PRIMARY DATE: 9/19/78

= FILED AFTER PUBLICATION OR REFERRAL
 = DATE FILED

G = GENERAL

W = WOM

L = LOST

LATE DUE

CANDIDATE/COMMITTEE NAME & I.D.

	Q1	Q2	9/9/78 TOP	Q3	30P	10/28/78 10G	30G	YE	FEC 1	FEC 2	FEC 2a	P G L	W %	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC
HOUSE	11-3/31	11-6/30	71-9/4	7/5-9/30	10/1-10/19	10/10-10/23	10/21-11/27	11/28-12/31								
* Swank, Thomas P. (Republican) NF172 1/31/79 H8MA02025	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	X F 1/31/79	F (32)	F	X	F	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	F 9/16	<input checked="" type="checkbox"/>	P	UNPROPOSED		\$ 30. \$ 30.	
NO COMMITTEE																

ATTACHMENT II

799 54280

ATTACHMENT II

STATE: Michigan
 PRIMARY DATE: August 8, 1978

KEY

- = FILED TIMELY
- = NON-FILER
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- = DATE FILED

- = REPORT NOT REQUIRED
- P = PRIMARY
- G = GENERAL
- W = WON
- L = LOST

* INDICATES RESPONDENT

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE			Q3	10/28/79		12/7/78		YE	FEC 1	FEC 2	FEC 2a	P/G	L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGG REG
	Q1	Q2	10P		30P	10G	30G											
HOUSE	/	/	/	/	/	/	/	/	/	/	/	/						
Conlin, Michael (Republican) waiver Filed 1/17/78	/	/	/	/	/	/	/	/	/	/	F 1/17	/						
* Conlin for Congress C00085282 NF173 3/22/79	F	F	F	F	X F 1/19/78	X F 3/24/79	F	F	F 1/17	/	/	P/W	UNOPPOSED		\$0.	\$160,614.	\$161,509.	
					P.C.							G-L	12.0	\$32,154.				

ATTACHMENT II

KEY

- = FILED TIMELY
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- = DATE FILED
- = REPORT NOT REQUIRED
- P = PRIMARY
- G = GENERAL
- W = WON
- L = LOST

* INDICATES
RESPONDENT

STATE: New York
PRIMARY DATE: September 12, 1978

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE										DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC				
	Q1	Q2	10P	Q3	10/12/78 30P	10/29/78 10G	30G	YE	FEC 1	FEC 2				FEC 2a			
HOUSE	/	/	/	/	/	/	/	/	/	/	/						
* Renner, Larry (Republican) HBNY16013 NF 179 4/26/79	/	/	/	/	/	X	X	X	/	X	F(9/22)			P UNOPPOSED			
NO COMMITTEE	/	/	/	/	/	/	/	/	/	/	/						
Poth, Charles (Republican) waiver Filed 8/22/78	/	/	/	/	/	/	/	/	/	/	F 8/22						
* People for Poth Committee C00056325 NF 179 4/26/79	F	F (3a)	/	F	X	F	F	/	/	/				P UNOPPOSED	\$0.	\$3,275.	\$8,095.

KEY

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- W = WON
- L = LOST

* INDICATES
RESPONDENT

STATE: OHIO
PRIMARY DATE: 6/6/78

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE										DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC				
	Q1	Q2	10P	Q3	5/27/78 10P	7/6/78 30P	02	03	10/24/78 10G	12/7/78 30G				YE	FEC 1	FEC 2	FEC 2a
SE	/	/	/	/	/	/	/	/	/	/	/						
* Bill, Bill (Republican) NF 93 3/22/79	/	X	F	/	X	F	(3a)	/	/	/	/	/	F 6/5		P UNOPPOSED	0.	0.
waiver Filed 6/5/78															G L UNOPPOSED	0.	0.
Congressional Cmte for Bill NF 93 3/22/79	/	X	F	X	X	F		X	F	X	F	F 6/5	/		P UNOPPOSED	0.	0.
Plummer, James A. (Democrat) waiver Filed 6/12/78	/	/	/	/	/	/	/	/	/	/	/	/	F 6/12				
James A. Plummer for Congress NF 181 3/22/79	/	F	F	F	X	X	F	F	F	F	F	F 9/7	/	P UNOPPOSED		\$175.	\$154.

KEY

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= REPORT NOT REQUIRED

* INDICATES
RESPONDENT

= NON-FILER

P = PRIMARY

G = GENERAL

W = WON

L = LOST

= FILED AFTER PUBLICATION OR REFERRAL
 = DATE FILED

STATE: OKLAHOMA
PRIMARY DATE: 8/22/78

542183
ATTACHMENT II

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE										FEC 1	FEC 2	FEC 2a	P G W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGG REG
	Q1	Q2	1QP	3QP	Q3	10/28/78 10G	30G	YE										
HOUSE																		
* Knipp, Jessie Dennis (Democrat) H80K05026 waver Filed 10/26/78 NP 182 3/22/79 Knipp for Congress Committee			F	F	F	X F 8/18/78					F 8/1		P W G L	53 20	0 500	1640 2569	3285 4801	

KEY

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= REPORT NOT REQUIRED

* INDICATES
RESPONDENT

= NON-FILER

P = PRIMARY

G = GENERAL

W = WON

L = LOST

= FILED AFTER PUBLICATION OR REFERRAL
 = DATE FILED

STATE: PENNSYLVANIA

PRIMARY DATE: 5/16/78

64284
90131
7

ATTACHMENT II

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE		Q1	TOP	6/15/78 30P	Q2	Q3	10/28/78 10G	30G	YE	FEC 1	FEC 2	FEC 2a	P G W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC
	1-31	4-5	4-5	6-30	7-30	10-23	11-27	11-31										
HOUSE	/	/	/	/	/	/	/	/	/	/	/	/	/					
* Basalyga, Gene NF 114 7/11/79 H8PA10014 (Democrat)	/	F	X F 11/24/78	X F	F	X T 11/24/78	/	/	/	/	/	F 8/4	/	P G	W L	100 24	0 0	35 35
* Gene Basalyga (Cmte) NF 114 7/11/79 C00101337	/	/	/	F 3a	F 3a	X F 11/24/78 PC	/	/	/	/	F	/	/	P G	W L	100 24	0 0	3258 3258
Ecoff, Marilyn Coyle (Republican) waiver Filed 4/21/78	/	/	/	/	/	/	/	/	/	/	/	F 4/21	/					
Marilyn Coyle Ecoff for Congress NF 183 7/11/79 C00093328	/	F	F	F	F 3a	X F 11/24/78 PC	/	/	/	/	F 4/21	/	/	P G	W L	100 28	0 0	668 363

KEY

- F = FILED TIMELY
- X = NON-FILER
- X F = FILED AFTER PUBLICATION OR REFERRAL
- F = DATE FILED

- = REPORT NOT REQUIRED
- P = PRIMARY
- G = GENERAL
- W = WON
- L = LOST

* INDICATES
RESPONDENT

STATE: SOUTH CAROLINA

PRIMARY DATE: 6/13/78

ATTACHMENT II

HOUSE

CANDIDATE/COMMITTEE NAME & I.D.	DATE DUE							YE	FEC 1	FEC 2	FEC 2a	P G W L	W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC.
	Q1 1/1-3/31	1QP 4/1-5/29	Q2 5/30-6/30	3QP 7/1-7/31	Q3 7/1-9/30	10/28/78 10G 10/1-10/23	12/7/78 30G 10/24-11/27										
Panuccio, Anthony H8SC03013			F 3a			X	X			F 4/28		PW GL	100 18	00	00		
Pannucio for Congress C00098822								X				PW GL	100 18	=	=		

ATTACHMENT II

STATE: **TENNESSEE**
 PRIMARY DATE: 8/3/78

KEY

- = FILED TIMELY
- = NON-FILER
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- = REPORT NOT REQUIRED
- P = PRIMARY
- G = GENERAL
- W = WON
- L = LOST

* INDICATES RESPONDENT

CANDIDATE/COMMITTEE NAME & I.D.	Q1	Q2	7/24/78 10P	10/31/78 30P	Q3	10/28/78 10G	30G	YE	FEC 1	FEC 2	FEC 2a	P G W L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REG
	1-3/31	4-6/30	7-7/19	7-20-8/2	8-21-9/30	10-1-10/23	10-21-11/27	11-28-12/31								
<u>SENATE</u>																
* Bradley, Walter D.V.M. (Democrat) SBTN00139 NF 106 3/1/79	<input checked="" type="checkbox"/>	X F	X F 10/24/78	F T	<input checked="" type="checkbox"/>	F 415	<input checked="" type="checkbox"/>	P L	4		Candidates own money 55,300 55,300					
* Doc Bradley Campaign C00097659 NF 106 3/1/79	<input checked="" type="checkbox"/>	X F	X F 10/24/78	X F 12/11/78	X F	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	F 415	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	P L	4			
<u>HOUSE</u>																
* Arline, Ronald C. (Democrat) H8TN06011 NF 185 3/1/79	F 3a	F 3a	F	F	F	X F 11/7/78	X	X	<input checked="" type="checkbox"/>	F 3/21	<input checked="" type="checkbox"/>	P G	W L	100 250		
* People Working for Ron Arline C00090225 NF 185 3/1/79	F	F	F	F	F	X F 11/7/78	X	X	F 3/21	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	P G	W L	100 250	15474 10175	

KEY

F = FILED TIMELY

X = NON-FILER

X
 F = FILED AFTER PUBLICATION OR REFERRAL
= DATE FILED

= REPORT NOT REQUIRED

P = PRIMARY
G = GENERAL
W = WON
L = LOST

* INDICATES
RESPONDENT

STATE: VERMONT

PRIMARY DATE: 9/12/78

DATE DUE

CANDIDATE/COMMITTEE NAME & I.D.

Q1	Q2	10P	Q3	30P	10/28/78 10G	12/7/78 30G	YE	FEC 1	FEC 2	FEC 2a	P G L	%	DEBTS TO FROM	RECEIPTS EXPENDITURES	OGC REC.
1-3/31	4-7/30	7-8/28	8-9/30	10-10/2	10-10/3-23	10-11/24-27	11-12/28-31								
HOUSE															
Peter Diamondstone (Liberty Union) waiver Filed 9/26/78															
		F							F 9/26						
* Peter Diamondstone (Cmte) C00103804 NP 188 P.C. 7/31/79															
			X	X	X 7/17/78	X	X	F					- - 50	00	00
					PC	PC									

70040164287



FEDERAL ELECTION COMMISSION

1225 K STREET N.W.
WASHINGTON, D.C. 20543

MICROFILM ROLL #

79010164288

PS Form 3811, Apr. 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

dated 7-2-78

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:
People for Park
40 The Charles Park
612 Niagara St
14201

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>943610</i>	

 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY *6* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

179 Sheriff

☆GPO: 1977-0-248-585



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463



Uncertain if postage is sufficient
Address unknown
Insufficient postage
No such office in state
Do not remove from this envelope

People For Poth
c/o Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

POSTAGE AND FEES PAID



CERTIFIED

943610



FEDERAL ELECTION COMMISSION

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

May 2, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

People For Poth
c/o Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

RE: NF # 179

Dear Mr. Poth:

This is to notify you that on April 26, 1979, the Federal Election Commission found probable cause to believe that your committee, People For Poth, violated 2 U.S.C. §434(a)(1)(A)(i) by failing to file its 10 Day Pre-General Election Report timely.

Accordingly, the Commission may authorize the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, please contact Judy Thedford, at 202/523-4529.

Sincerely,

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

William C. Oldaker
General Counsel



719 10164290



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

People For Poth
c/o Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

RE: NF # 179

Dear Mr. Poth:

This is to notify you that on April ²⁶, 1979, the Federal Election Commission found probable cause to believe that your committee, People For Poth, violated 2 U.S.C. §434(a)(1)(A)(i) by failing to file its 10 Day Pre-General Election Report timely.

Accordingly, the Commission may authorize the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, please contact Judy Thedford, at 202/523-4529.

Sincerely,

William C. Oldaker
General Counsel

JA
5-1-79



79040164291



FEDERAL ELECTION COMMISSION

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

May 2, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Larry Penner
1333 East 27th Street
Brooklyn, NY 11210

RE: NF #179

Dear Mr. Penner:

This is to notify you that on April 26, 1979, the Federal Election Commission found probable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1)(A)(i) by failing to file your 10 Day Pre-General Election Report.

Accordingly, the Commission may authorize the institution of a civil action for relief in U.S. District Court.

Should you have any questions, please contact Judy Thedford, at 202/523-4529.

Sincerely,

79 40164292

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). <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery. (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO Mr. Larry Penner 1333 East 27th St. Brooklyn, NY 11210	
3. ARTICLE DESCRIPTION REGISTERED NO. 94309	CERTIFIED NO. 94309 INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Larry Penner</i>	
DATE OF DELIVERY 5-2-79	POSTMARK
5. ADDRESS (Complete only if requested) 1333 East 27th St	
6. UNABLE TO DELIVER BECAUSE	
CLERK'S INITIALS J. Thedford	

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

5-DPO: 1977-0-249-565



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Larry Penner
1333 East 27th Street
Brooklyn, NY 11210

RE: NF #179

Dear Mr. Penner:

This is to notify you that on April 26, 1979, the Federal Election Commission found probable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1)(A)(i) by failing to file your 10 Day Pre-General Election Report.

Accordingly, the Commission may authorize the institution of a civil action for relief in U.S. District Court.

Should you have any questions, please contact Judy Thedford, at 202/523-4529.

Sincerely,

William C. Oldaker
General Counsel

5-1-79



79040154293

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
New York 10 Day Pre-) NF #179
General Election Non-Filers)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, certify that on April 26, 1979, the Commission, meeting in an executive session at which a quorum was present, determined by a vote of 6-0 to adopt the recommendation of the General Counsel to take the following actions in the matter of NF #179:

1. FIND PROBABLE CAUSE TO BELIEVE that Larry Penner violated 2 U.S.C. §432(e) (1), 11 C.F.R. §101.2 and 2 U.S.C. §434(a) (1) (A) (i).
2. FIND PROBABLE CAUSE TO BELIEVE that People for Poth violated 2 U.S.C. §434(a) (1) (A) (i).
3. Send the letter attached to the General Counsel's November 17, 1979, report.

Attest:

4/30/79
Date

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

79040154294

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
	)	NF #179
New York 10 Day Pre-)	
General Election Non-Filers)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND:

The Reports Analysis Division referred to the Office of the General Counsel the names of six candidates and committees which failed to file their 10 Day Pre-General Election Report. On January 25, 1979, the Commission voted to take no further action with respect to William A. Clark, Dunstan Lionel Haettenschwiller, and Committee to Elect Jim Peck. The Commission voted to continue compliance with regards to Larry Penner, Leo J. Kesselring, and People for Poth. Letters and conciliation agreements were sent to the respondents on January 25, 1979. The Commission approved an agreement signed by Mr. Kesselring as settlement in this matter on March 27, 1979.

II. ANALYSIS:

LARRY PENNER

Correspondence sent to Mr. Penner has been returned to the Commission marked, "UNCLAIMED." Mr. Penner does not have a listed phone number; therefore, we were unable to reach him by phone. No response has been received from Mr. Penner and the 30 day time period for conciliation has expired.

79040164295

PEOPLE FOR POTH

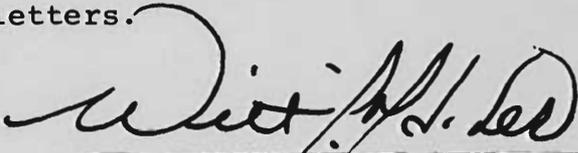
The letter and conciliation agreement originally sent to the treasurer of People for Poth was returned to the Commission with no forwarding address. Further communications were then directed to Mr. Poth, the candidate.

Correspondence sent to Mr. Poth by certified mail-return receipt requested has been returned to the Commission marked, "UNCLAIMED." On March 8, 1979, Mr. Poth was contacted by phone. He acknowledged receipt of a copy of the letter and conciliation agreement which was sent to him by regular mail. He also stated he would respond shortly. His response was not forthcoming; therefore, a letter dated March 29, 1979 was sent to him requesting his response by April 13, 1979. No response has been received from People for Poth and the 30 day time period for conciliation has expired.

III. RECOMMENDATION:

- 1) Find probable cause to believe that Larry Penner violated 2 U.S.C. §432(e)(1), 11 C.F.R. §101.2 and 2 U.S.C. §434(a)(1)(A)(i).
- 2) Find probable cause to believe People for Poth violated 2 U.S.C. §434(a)(1)(A)(i).
- 3) Send the attached letters.

DATE: 4/17/79



William C. Oldaker
General Counsel

79040154296



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Larry Penner
1333 East 27th Street
Brooklyn, NY 11210

RE: NF #179

Dear Mr. Penner:

This is to notify you that on April , 1979, the Federal Election Commission found probable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1)(A)(i) by failing to file your 10 Day Pre-General Election Report.

Accordingly, the Commission may authorize the institution of a civil action for relief in U.S. District Court.

Should you have any questions, please contact Judy Thedford, at 202/523-4529.

Sincerely,

William C. Oldaker
General Counsel



79040164297



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

People For Poth
c/o Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

RE: NF # 179

Dear Mr. Poth:

This is to notify you that on April , 1979, the Federal Election Commission found probable cause to believe that your committee, People For Poth, violated 2 U.S.C. §434(a)(1)(A)(i) by failing to file its 10 Day Pre-General Election Report timely.

Accordingly, the Commission may authorize the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, please contact Judy Thedford, at 202/523-4529.

Sincerely,

William C. Oldaker
General Counsel



79010154298



FEDERAL ELECTION COMMISSION

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

March 29, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

RE: NF #179

Dear Mr. Poth:

On March 7, 1979, you received a conciliation agreement that this office proposed in settlement of NF # 179. You were also notified that you had ten days from the date you received the letter to agree to the provisions stated in the agreement or to notify us of any suggestions for change. To date, we have not received a response from you.

Please note that under 2 U.S.C. §437g(a)(5)(A), the Commission has a duty to attempt to correct such violations for a period of thirty days by informal methods of conference, conciliation, and persuasion. If we are unable to reach an agreement during that period, the Commission, upon a finding of probable cause to believe a violation has occurred, may institute a civil suit in the United States District Court and seek a civil penalty.

Unless we receive your response by Friday, April 13, 1979, this office will recommend to the Commission that they find probable cause to believe a violation has occurred.

Sincerely,

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

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

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

March 29, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

RE: NF #179

Dear Mr. Poth:

On March 7, 1979, you received a conciliation agreement that this office proposed in settlement of NF # 179. You were also notified that you had ten days from the date you received the letter to agree to the provisions stated in the agreement or to notify us of any suggestions for change. To date, we have not received a response from you.

Please note that under 2 U.S.C. §437g(a)(5)(A), the Commission has a duty to attempt to correct such violations for a period of thirty days by informal methods of conference, conciliation, and persuasion. If we are unable to reach an agreement during that period, the Commission, upon a finding of probable cause to believe a violation has occurred, may institute a civil suit in the United States District Court and seek a civil penalty.

Unless we receive your response by Friday, April 13, 1979, this office will recommend to the Commission that they find probable cause to believe a violation has occurred.

Sincerely, .

William C. Oldaker
General Counsel

79040164300

7 9 0 1 9 4 3 2 2

PS Form 3811, Apr. 1977

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)

ARTICLE ADDRESSED TO
 Mrs. Charles J. Gahan III
 632 Niagara St.
 Buffalo, N.Y. 14201

3. ARTICLE DESCRIPTION: _____
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 _____ | 943123 | _____

(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) _____

6. UNABLE TO DELIVER BECAUSE _____ CLERK'S INITIALS _____

179 Sheaford 1977-0-24-555

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION

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

March 28, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David A. Falk
P.O. Box 971
Rochester, NY 14603

RE: NF #179

Dear Mr. Falk:

On March 27, 1979, the Commission voted to accept the conciliation agreement which Mr. Kesselring signed on March 12, 1979 as settlement of this matter. A copy of the agreement signed by Mr. Kesselring and the Commission's General Counsel is enclosed.

Accordingly, and upon my recommendation, the Commission has closed the file in this matter as it pertains to you.

If you have any questions, please contact Judy Thedford, at 202-523-4529.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosure:
Conciliation Agreement

719 40154303



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David A. Falk
P.O. Box 971
Rochester, NY 14603

RE: NF #179

Dear Mr. Falk:

On March 27, 1979, the Commission voted to accept the conciliation agreement which Mr. Kesselring signed on March 12, 1979 as settlement of this matter. A copy of the agreement signed by Mr. Kesselring and the Commission's General Counsel is enclosed .

Accordingly, and upon my recommendation, the Commission has closed the file in this matter as it pertains to you.

If you have any questions, please contact Judy Thedford, at 202-523-4529.

Sincerely,

William C. Oldaker
General Counsel

Enclosure:
Conciliation Agreement

JA
3-27-79

79040164304

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of
Leo J. Kesselring

)
)
)

NF # 179 .

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Leo J. Kesselring violated 2 U.S.C. §434(a)(1)(A)(i) by failing to timely file his 10 Day Pre-General Election Report.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Leo J. Kesselring having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:

79049154305

- A. That the respondent asserts that he filed a candidate statement and designated a principal campaign committee for the 1978 general election on October 20, 1978.
- B. That the Commission does not have any record of receipt for the candidate statement.
- C. That an unregistered committee, Kesselring for Congress, filed a 10 Day Pre-General Election Report on November 2, 1978, the report was filed 5 days late.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his 10 Day Pre-General Report on October 28, 1978 was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That he will pay a civil penalty in the amount of \$25 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been

79040164306

violated, it may institute civil action for relief in the United States District Court for the District of Columbia.

II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

3/26/79
Date

William C. Oldaker
William C. Oldaker
General Counsel

OS:SP 3:5:50

3/12/79
Date

Leo J. Kesselring
Leo J. Kesselring

OS:SP 10:10:50

79040164307

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Leo J. Kesselring) NF 179

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on March 27, 1979, the Commission approved by a vote of 5-0 the conciliation agreement attached to the General Counsel's Memorandum dated March 22, 1979 as settlement in this matter.

Voting for this determination were Commissioners McGarry, Harris, Friedersdorf, Thomson, and Aikens.

3/27/79
Date

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

Received in Office of Commission Secretary: 3-22-79, 4:33
Circulated on 48 hour vote basis: 3-23-79, 11:00

79040164308

March 22, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: NF 179

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

Thank you.

79040164309



FEDERAL ELECTION COMMISSION

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

79 MAR 22 P 4: 33

March 22, 1979

MEMORANDUM

TO: The Commissioners

FROM: William C. Oldaker *W. C. Oldaker*

SUBJECT: NF #179 (Kesselring)

Attached is a conciliation agreement signed by the respondent, Leo J. Kesselring, on March 12, 1979 and offered as settlement in this matter. The proposed civil penalty was submitted by the respondent with the signed agreement.

The attached agreement varies from the agreement approved by the Commission on January 22, 1979, in that this agreement reflects the respondent's assertion that he filed a Candidate Statement in October of 1978, for which the Commission has no record of receipt; that the respondent's unregistered committee, Kesselring For Congress, filed a 10 Day Pre-General Election Report late reflecting all financial activity; and that the proposed civil penalty has been reduced to \$25. The civil penalty has been reduced to reflect the Commission's pursuit of Mr. Kesselring's committee's late filing of the 10 Day Pre-General Election report only; and the minimal financial activity involved in the campaign.

The Office of the General Counsel recommends that the

79040164310

Commission accept the attached conciliation as settlement
in this matter.

ATTACHMENT:
Conciliation Agreement
Civil Penalty

79040164311

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of
Leo J. Kesselring

)
)
)

NF # 179 .

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Leo J. Kesselring violated 2 U.S.C. §434(a)(1)(A)(i) by failing to timely file his 10 Day Pre-General Election Report.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Leo J. Kesselring having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:

79040164312

- A. That the respondent asserts that he filed a candidate statement and designated a principal campaign committee for the 1978 general election on October 20, 1978.
- B. That the Commission does not have any record of receipt for the candidate statement.
- C. That an unregistered committee, Kesselring for Congress, filed a 10 Day Pre-General Election Report on November 2, 1978, the report was filed 5 days late.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his 10 Day Pre-General Report on October 28, 1978 was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That he will pay a civil penalty in the amount of \$25 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been

79040164313

violated, it may institute civil action for relief in the United States District Court for the District of Columbia.

II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

79040164314

Date

3/12/79

Date

William C. Oldaker
General Counsel



Leo J. Kesselring

7 0 0 1 0 1 6 4 3 1 5

DAVID A. FALK, ATTORNEY
ROCHESTER, N. Y.

1711

SECURITY TRUST OFFICE
SECURITY TRUST COMPANY
OF ROCHESTER
ROCHESTER, NEW YORK

PAY
TO THE
ORDER OF

U. S. Treasury

March 14 19 *79* ⁵⁰⁻¹⁶/₂₂₃

\$ *25* ⁰⁰/₁₀₀

EXACTLY \$25 AND 00 CTS

DOLLARS

BY ENDORSEMENT THIS CHECK WHEN PAID IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING ACCOUNT

*RE KEFFERMAN
MATTER*

DAVID A. FALK, ATTORNEY

David A. Falk

⑈001711⑈ Ⓞ ⑆0223⑈0016⑆ 36 314706 3⑈

7 9 0 4 0 1 6 4 3 1 6

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" section (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:
*Mr David A. Falk
Rt. 2 Box 971
Rockwell, N.Y. 14603*

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.
443082 | |

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY | POSTMARK
| *MAR 30 1979*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLEARANCE INITIALS

179 *Madison*

☆GPO: 1977-0-248-585

RECEIVED
AT ELECTION
COMMISSION

MARCH 16TH, 1979 11:40

901643

CONCILIATION
CHECK IN THE AMOUNT OF \$ 25.00,
DISFACTION OF ANY AND ALL CLAIMS AND

VERY TRULY YOURS,

DAVID A. FALK
Rt. 2 Box 971
Rockwell, N.Y. 14603

BOOK
9643

CR074
9643

DAVID A. FALK
775 MENDON CENTER ROAD
PITTSFORD, NEW YORK 14854

RECEIVED
FEDERAL ELECTION
COMMISSION

79 MAR 20 AM 11:40

MARCH 16TH, 1979

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

901643

Ms. JUDY THEDFORD

DEAR Ms. THEDFORD:

PURSUANT TO YOURS OF FEBRUARY 27TH, I AM ENCLOSED SIGNED CONCILIA-
TION AGREEMENT ALONG WITH ATTORNEY'S CHECK IN THE AMOUNT OF \$ 25.00,
AS PER AGREEMENT, IN FULL SATISFACTION OF ANY AND ALL CLAIMS AND
LIABILITIES RELATIVE TO THIS MATTER.

PLEASE RETURN SIGNED COPY TO ME FOR MY RECORDS.

THANKING YOU IN ADVANCE, I REMAIN

VERY TRULY YOURS,



DAVID A. FALK
P. O. Box 971
ROCHESTER, NEW YORK 14603

DAF:E
CERTIFIED MAIL - RRR

79040164317

79040164318

DAVID A. FALK, ATTORNEY
ROCHESTER, N. Y.

1711

SECURITY TRUST COMPANY
ROCHESTER, NEW YORK

PAY TO THE ORDER OF

U. S. Treasury

March 14 19 79 ⁵⁰⁻¹⁶/₂₂₃

\$ *25* ⁰⁰/₁₀₀

EXACTLY \$25 AND 00 CTS

DOLLARS

BY ENDORSEMENT THIS CHECK WHEN PAID IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING ACCOUNT

<i>BE KESSEL</i>				
<i>NOTED</i>				

DAVID A. FALK, ATTORNEY

David A. Falk

⑈001711⑈ ⑆0223⑈0016⑆ 36 314706 3⑈

DAVID A. FALK
P. O. Box 971
Rochester, New York 14603

ROCHESTER NY 14603
PM
16 MAR
1979



79 MAR 20 AM 11:40

Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Attn: Ms. Judy Theford

CERTIFIED
No. 378753
MAIL

7904016431



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO CHARLES STEELE
FROM: MARJORIE W. EMMONS *MWE*
DATE: MARCH 15, 1979
SUBJECT: NF 179 - Interim Conciliation Report
 dated 3-12-79; Signed 3-13-79;
 Received in OCS 3-13-79, 3:21

The above-named document was circulated on a 24
hour no-objection basis at 9:00, March 14, 1979.

The Commission Secretary's Office has received
no objections to the Interim Conciliation Report as of
10:00 this date.

79040164320

March 13, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: NF 179

Please have the attached Interim Concil Report
on NF 179 distributed to the Commission.

Thank you.

79040164321

BEFORE THE FEDERAL ELECTION COMMISSION
March 12, 1979

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

79 MAR 13 P 3: 21

In the Matter of)
)
New York 10 Day Pre-General)
Election Non-Filers)

NF #179

INTERIM CONCILIATION REPORT

RESPONDENT LEO J. KESSELRING

On February 27, 1979, a revised conciliation agreement was sent to Mr. David Falk, who is representing Leo J. Kesselring in this matter. To date, we have had no response to the revised agreement.

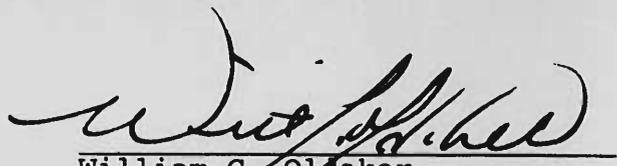
RESPONDENT LARRY PENNER

Mr. Penner's agreement was returned to the Commission marked, "UNCLAIMED." On February 22, 1979, letters and agreements were re-sent to the respondent certified mail/return receipt requested and through the regular mail. To date, we have had no response from Mr. Penner.

RESPONDENT PEOPLE FOR POTH

The agreement for People for Poth was sent to Mr. Poth and returned to the Commission marked, "UNCLAIMED." On February 27, 1979, letters and agreements were re-sent to Mr. Poth certified mail/ return receipt requested and through the regular mail. On March 8, 1979, the Office of the General Counsel contacted Mr. Poth by phone. Mr. Poth acknowledged receipt of the agreement and stated that his response would be submitted to the Commission shortly.

Date: 3/13/79


William C. Oldaker
General Counsel

79040164322



FEDERAL ELECTION COMMISSION

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

February 27, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David A. Falk
P.O. Box 971
Rochester, NY 14603

RE: NF #179

Dear Mr. Falk:

Enclosed is a revised conciliation agreement which this office offers as settlement in this matter. The agreement reflects your assertion that Mr. Kesselring filed a candidate statement and designated a principal campaign committee in October of 1978, and includes the late filing of the 10 Day Pre-General Election Report by the unregistered committee, Kesselring For Congress. The civil penalty has also been reduced accordingly.

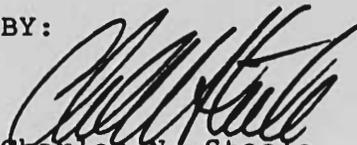
If you agree with the provisions of the enclosed conciliation agreement, please sign and return it, along with the civil penalty, to the Commission within 10 days. (The check should be made payable to the "U.S. Treasurer.") I will then recommend that the Commission approve the agreement.

If you have any questions, please contact Judy Thedford, at 202-523-4529.

Sincerely,

William C. Oldaker
General Counsel

BY:


Charles N. Steele
Associate General Counsel

Enclosure:
Conciliation Agreement

719 10164323

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of
Leo J. Kesselring

)
)
)

NF # 179

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Leo J. Kesselring violated 2 U.S.C. §434(a)(1)(A)(i) by failing to timely file his 10 Day Pre-General Election Report.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Leo J. Kesselring having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:

79040154324

- A. That the respondent asserts that he filed a candidate statement and designated a principal campaign committee for the 1978 general election on October 20, 1978.
- B. That the Commission does not have any record of receipt for the candidate statement.
- C. That an unregistered committee, Kesselring for Congress, filed a 10 Day Pre-General Election Report on November 2, 1978, the report was filed 5 days late.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his 10 Day Pre-General Report on October 28, 1978 was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That he will pay a civil penalty in the amount of \$25 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been

79040164325

violated, it may institute civil action for relief in the United States District Court for the District of Columbia.

- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date

William C. Oldaker
General Counsel

Date

Leo J. Kesselring

79040164326

79040164327

Shepherd NF #179

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:
 Mr David A. Falk
 P.O. Box 971
 Rochester, NY 14603

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 438108

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 4. *Benny B...*
 DATE OF DELIVERY

5. ADDRESS (Complete only if required)
 VISITATION

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

February 27, 1979

NF #179

The letter sent to Mr. Charles Poth III and returned to the Commission marked, "UNCLAIMED", has been resent to Mr. Poth by certified mail/ return receipt requested. A copy of the letter and attachments has also been sent to Mr. Poth through the regular mail.

79040164328

79040164329

FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

POSTAGE AND FEES PAID

CLAIM CHECK NO.

059118

HOLD

DATE

2-12-79

1ST NOTICE

2-17

2ND NOTICE

2-27

RETURN

Detached from
PS Form 3849-A
July 1977

People v. Poth
c/o Mr. Charles Poth III
612 Niagara St.
Buffalo, NY 14201

CERTIFIED

943953

79040164330

★GPO 1977-0-248-595

4-179 *Handwritten*

6 UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS	
5 ADDRESS (Complete only if requested)	
POSTMARK	4 DATE OF DELIVERY
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent (Always obtain signature of addressee or agent!)	
3 ARTICLE DESCRIPTION: REGISTERED NO. CERTIFIED NO. INSURED NO.	<i>943953</i>
2 ARTICLE ADDRESSED TO: <i>Handwritten address</i>	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> Show to whom and date delivered. (CONSULT POSTMASTER FOR FEES)	
● SENDER Complete items 1, 2, and 3 Add your address in the RETURN TO space on reverse	

PS Form 3827, 4-19-77 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



7 2 0 1 0 6 4 3 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CLAIM CHECK NO.
059122

HOLD

DATE 3-1-79
1ST NOTICE 3/6
2ND NOTICE 3/6
RETURN

Detached from
PS Form 3845A
July 1977



POSTAGE AND FEES PAID

CERTIFIED

438066

Mr. Charles Both III
612 Niagara Street
Buffalo, NY 14201

7 3 0 1 0 1 6 4 3 3 2

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

2. ARTICLE ADDRESSED TO:
*Charles Fick III
 615 Niagara St
 Buffalo NY 14201*

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 438660

(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)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

Medford 179 ☆GPO 1977-0-249-595

ne. w my





FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS
DATE: FEBRUARY 16, 1979
SUBJECT: NF 179 - Interim Conciliation Report
dated 2-14-79: Received in OCS
2-14-79, 4:15

The above-named document was circulated on a 24
hour no-objection basis at 9:00, February 15, 1979.

The Commission Secretary's Office has received
no objections to the Interim Conciliation Report as of
10:00 this date.

79040164333

February 14, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MF 179

Please have the attached Interim Concil Report on
NF 179 distributed to the Commission.

Thank you.

79010164334

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION
February 14, 1979 79 FEB 14 P 4: 15

In the Matter of)
New York 10 Day Pre-General) NF #179
Election Non-Filers)

INTERIM CONCILIATION REPORT

On January 25, 1979, conciliation agreements were sent to respondents Leo J. Kesselring, People For Poth, and Larry Penner.

LEO J. KESSELRING

We received a response to the agreement sent to Mr. Kesselring on February 13, 1979. We are currently preparing an amended agreement to send to the respondent.

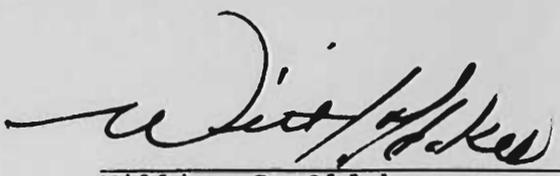
PEOPLE FOR POTH

The agreement sent to People for Poth was returned to the Commission with no forwarding address. The agreement was re-sent to the candidate, Charles Poth III on February 7, 1979.

LARRY PENNER

As of this date, we have not received notification from the Post Office that Mr. Penner received his agreement.

Date: 2/14/79



William C. Oldaker
General Counsel

79040164335

200
9321

RECEIVED
DAVID A. FALK FEDERAL ELECTION
778 MENDON CENTER ROAD COMMISSION
PITTSFORD, NEW YORK 14864

FEBRUARY 8TH 1979 P 1:34

FEDERAL ELECTION COMMISSION
1325 K STREET, N.W.
WASHINGTON, D.C. 20463

Ms. JUDY THEDFORD

900858

RE: REF. NF #179

DEAR Ms. THEDFORD:

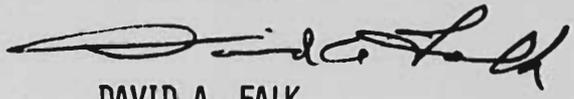
MR. OLDAKER'S LETTER OF 1-25-79 TO MR. KESSELRING HAS BEEN REFERRED TO ME.

I ATTACH HERETO COPY OF CANDIDATE STATEMENT WHICH WAS MAILED TO YOUR OFFICE ON 10-21-78. ON 11-1-78 A FINANCIAL REPORT WAS SENT TO THE ELECTION COMMISSION AND WE HAVE A POST OFFICE CERTIFIED MAIL RECEIPT FOR SAME. THIS STATEMENT WAS NOT MADE ON OFFICIAL FORMS BUT RATHER WAS PUT TOGETHER PER VERBAL INSTRUCTIONS OF THE ELECTION COMMISSION OFFICE IN AS MUCH AS WE DID NOT HAVE, AT THAT TIME, THE PROPER FORMS FOR FILING. A COMPLETE FINANCIAL STATEMENT AND NOTICE OF TERMINATION OF THE COMMITTEE WAS ALSO MAILED TO YOUR OFFICE UNDER DATE OF 12-6-78.

IN VIEW OF THESE FACTS AND CIRCUMSTANCES, I RESPECTFULLY SUGGEST THAT, WHILE THERE MAY HAVE BEEN A DELAY BECAUSE OF A LACK OF UNDERSTANDING AS TO WHAT WAS REQUIRED AND ALSO A LACK OF THE PROPER FORMS, MR. KESSELRING AND HIS COMMITTEE SUBSTANTIALLY DID COMPLY, WITH SPIRIT IF NOT THE LETTER, OF THE REGULATIONS. I WOULD APPRECIATE YOUR REVIEWING THIS MATTER IN THE LIGHT OF THE ABOVE CONSIDERATIONS AND RECONSIDERING YOUR PROPOSED CONCILIATION AGREEMENT RELATIVE TO THIS MATTER.

YOUR EARLY ADVICE IS SOLICITED.

YOURS TRULY,



DAVID A. FALK

DAF:E
P.S. PLEASE DIRECT ALL YOUR RESPONSES TO ME AT P. O. Box 971,
ROCHESTER, NEW YORK 14603.

79010164336

**Statement of a Candidate
 for Nomination or Election to
 Federal Office**

("Candidate" as defined by 2 USC 431 (b))
 (See reverse side for instructions)

FEDERAL ELECTION COMMISSION
 20 FEB 1978 P.L. 334

Note: Committees authorized to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

1(a) Name of Candidate (in full) LEO J. KESSELRING	2 Identification Number (Commission use only) 78IMMON04A	3 Party Affiliation CONSERVATIVE
(b) Address (number and street) 333 THAYER ROAD	4 Office Sought HOUSE OF REPRESENTATIVES	
(c) City, State and ZIP code FAIRPORT, NEW YORK 14450	5 District and State of Candidate 34th CONGRESSIONAL DISTRICT - N.Y.	

Designation of Principal Campaign Committee

6 I hereby designate the following named political committee as my Principal Campaign Committee for the 1978 election(s). Note: The principal campaign committee must register as a political committee on FEC Form 1.
 (Year of election)

(a) Name of Committee (in full) KESSELRING FOR CONGRESS
(b) Address (number and street) 349 POWERS BUILDING
(c) City, State and ZIP code ROCHESTER, NEW YORK 14614

7 I hereby designate the following national and/or State bank(s) as campaign depositories to be used by myself and the above political committee.

(a) Name of Bank (in full) CHASE MANHATTAN BANK - GREATER ROCHESTER	(a) Name of Bank (in full)
(b) Address (number and street) 14 FRANKLIN STREET	(b) Address (number and street)
(c) City, State and ZIP code ROCHESTER, NEW YORK 14604	(c) City, State and ZIP code
(a) Name of Bank (in full)	(a) Name of Bank (in full)
(b) Address (number and street)	(b) Address (number and street)
(c) City, State and ZIP code	(c) City, State and ZIP code

Candidate Reporting Status

8 Check Reporting Status (a) or (b) (whichever is applicable)
 (a) I hereby certify that the above named committee and authorized agents thereof will receive and disburse ALL funds in support of my candidacy in the above election(s). Based upon this certification I hereby request a waiver of my reporting responsibility. If, after filing this form, I personally receive contributions or make expenditures, the waiver becomes void and I must file a separate report as required by 2 USC 434 on Federal Election Commission Form 3.
 (b) I intend to personally receive contributions and/or make expenditures in support of my candidacy and will file separate reports of such receipts and expenditures as required by 2 USC 434, on Federal Election Commission Form 3.

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Leo J. Kesselring (Signature of Candidate) 10/20/78 (Date)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 437g or § 441j (see reverse side of form)

For further information contact:  Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20463

79010154337



FEDERAL ELECTION COMMISSION

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

February 7, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

People For Poth
c/o Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

Re: NF #179

Dear Mr. Poth:

The enclosed letter and conciliation agreement were sent to your principal campaign committee's treasurer, Marie Broginski, at 143 Parkview Street, Buffalo, NY. The letter was returned to the Commission with no forwarding address; therefore, we are sending the letter and conciliation agreement to you.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosures:
Letter
Conciliation Agreement

79040164338



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

People For Poth
c/o Mr. Charles Poth III
612 Niagara Street
Buffalo, NY 14201

2/8/79

Re: NF #179

Dear Mr. Poth:

The enclosed letter and conciliation agreement were sent to your principal campaign committee's treasurer, Marie Brogcinski, at 143 Parkview Street, Buffalo, NY. The letter was returned to the Commission with no forwarding address; therefore, we are sending the letter and conciliation agreement to you.

Sincerely,

/s/

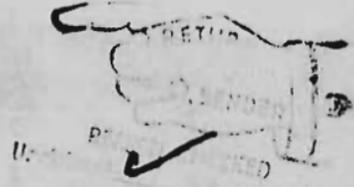
William C. Oldaker
General Counsel

Enclosures:
Letter
Conciliation Agreement

79040164339

FEDERAL ELECTION COMMISSION

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



POSTAGE AND FEES PAID



CLASSIFICATION
059331

MAIL

DATE
1/19/97

2-3

2-13

Created from
FD Form 3825-A
July 1997

Mr. Charles Poth III
612 Niagara Street
Buffalo NY 14201

CERTIFIED
943711



79040107341

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:
Charles Pratt III
612 Niagara St
Buffalo, N.Y. 14201

3. ARTICLE DESCRIPTION:
 REGISTERED NO. *943711* | CERTIFIED NO. _____ | INSURED NO. _____
 (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)

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

NF179 Theford 5690 1877-0-249-585



FEDERAL ELECTION COMMISSION

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

January 25, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Leo J. Kesselring
333 Thayer Rd.
Fairport, NY 14450

RE: NF #179

Dear Mr. Kesselring:

On October 18, 1978 and November 1, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1) for failing to file a Ten Day Pre-Election Report.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed agreement, please sign and return it along with civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please

7 9 9 1 0 1 5 4 3 4 2

contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker

William C. Oldaker
General Counsel

Enclosure
Conciliation Agreement

79010154343

PS Form 3811, MAR 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:
Mr. Roy J. Kessling
333 Shaver Rd.
Fairfax, Va 22030

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | *743709* | |

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY *1/29/79* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

NF 178



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Leo J. Kesselring
333 Thayer Rd.
Fairport, NY 14450

RE: NF #179

Dear Mr. Kesselring:

On October 18, 1978 and November 1, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1) for failing to file a Ten Day Pre-Election Report.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed agreement, please sign and return it along with civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please

79040164344

contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure
Conciliation Agreement

79040164345

JA
1-25-79

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of
Leo J. Kesselring

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)

NF 179

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Leo J. Kesselring violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 by failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1)(A)(i) by failing to file his 10 Day Pre-General Election Report

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Leo J. Kesselring having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:

79040164346

- A. That the respondent, as of January 18, 1979, had failed to file a candidate statement and designate a principal campaign committee for the 1978 general election.
- B. That the respondent, as of January 18, 1979, had failed to file his 10 Day Pre-General Election Report which was due on October 28, 1978.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his candidate statement and designate a principal campaign committee for the 1978 New York general election was in violation of 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2.
- II. Respondent's action in failing to file his 10 Day Pre-General Election Report on October 28, 1978 was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- III. Respondent will file the candidate statement and designate a principal campaign committee as a provision of this conciliation agreement.
- IV. Respondent will file the 10 Day Pre-General Election Report of receipts and expenditures as a provision of this conciliation agreement.
- V. That he will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- VI. Respondent agrees that he will not undertake any activity which is in violation of the Federal

79040164347

Election Campaign Act of 1971, as amended,
2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date

William C. Oldaker
General Counsel

Date

Leo J. Kesselring

79040154348



FEDERAL ELECTION COMMISSION

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

January 25, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Marie J. Brogcinski,
Treasurer
People For Poth
143 Parkview Ave.
Buffalo, New York 14210

RE: NF 179

Dear Ms. Brogcinski:

On November 1, 1978, the Commission found reasonable cause to believe that your committee, People For Poth, was in violation of 2 U.S.C. §434(a)(1) for failing to file the 10 Day Pre-Election Report timely.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

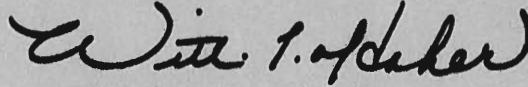
If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the entire agreement.

If you have any questions or suggestions for changes in the enclosed agreement, please contact Judy Thedford, the staff member assigned to this matter,

7 2 0 1 0 1 6 4 3 4 9

at 202-523-4057.

Sincerely,



William C. Oldaker
General Counsel

Enclosure:
Conciliation Agreement

cc: Charles Poth III
612 Niagara St.
Buffalo, N.Y. 14201

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FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Marie J. Brogcinski,
Treasurer
People For Poth
143 Parkview Ave.
Buffalo, New York 14210

RE: NF 179

Dear Ms. Brogcinski:

On November 1, 1978, the Commission found reasonable cause to believe that your committee, People For Poth, was in violation of 2 U.S.C. §434(a)(1) for failing to file the 10 Day Pre-Election Report timely.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the entire agreement.

If you have any questions or suggestions for changes in the enclosed agreement, please contact Judy Thedford, the staff member assigned to this matter,

79040164351

at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure:
Conciliation Agreement

cc: Charles Poth III
612 Niagara St.
Buffalo, N.Y. 14201

79040154352

JA
1-25-79

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)

People For Poth

NF 179

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent People for Poth violated 2 U.S.C. §434(a)(1)(A)(i) by failing to file its Ten Day Pre-General Election Report timely.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent People For Poth having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. That the 10 Day Pre-General Election Report

79010164353

filed by People For Poth shows \$0 receipts,
\$0 expenditures and an outstanding debt of
\$7,595.36

B. That the Committee, as of October 28, 1978,
had failed to file its 10 Day Pre-General Election
Report, the report was filed on January 11, 1979,
thereby making the report 75 days late.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file its 10
Day Pre-General Election report on October 28,
1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of
\$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any
activity which is in violation of the Federal Election
Campaign Act of 1971, as amended, 2 U.S.C. §431,
et seq.

GENERAL CONDITIONS

- I. The Commission, on request of anyone filing a
complaint under 2 U.S.C. §437g(a)(1) concerning
the matters at issue herein, or on its own motion,
may review compliance with this agreement. If the
Commission believes that this agreement or any
requirement thereof has been violated, it may
institute civil action for relief in the United
States District Court for the District of Columbia.

79040164354

II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

79040164355

Date

William C. Oldaker
General Counsel

Date

Marie J. Brogcinski
Treasurer
People For Poth

February 7, 1979

MEMORANDUM TO FILE:

The letter and conciliation agreement previously sent to Ms. Marie Broginski, treasurer of People For Poth, and returned with no forwarding address, was resent to Mr. Charles Poth III.

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6

FEDERAL ELECTION COMMISSION
1105 K STREET, N.W.
WASHINGTON, D.C. 20543

POSTAGE AND FEE PAID

Ms. Marie J. Broginski
Treasurer
People for Poth
143 Parkview Ave.
Buffalo, NY 14210

MLNA

CERTIFIED
943 710





FEDERAL ELECTION COMMISSION

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

January 25, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Larry Penner
1333 East 27th St.
Brooklyn, New York 11210

RE: NF #179

Dear Mr. Penner:

On September 20, 1978 and November 1, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1) for failing to file a Ten Day Pre-Election Report.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

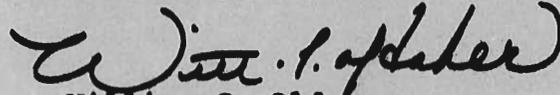
If you agree with the provisions of the enclosed agreement, please sign and return it along with civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please

7 7 0 4 0 1 6 4 3 5 7

contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,



William C. Oldaker
General Counsel

Enclosure
Conciliation Agreement

79010164358

February 22, 1979

NF #179

The letter and conciliation agreement sent to Mr. Penner on January 25, 1979, was returned to the Commission marked "Unclaimed". The letter and agreement have been re-sent to Mr. Penner certified mail/return receipt requested. A copy of the letter and the agreement has been sent through regular mail.

79040164359

FEDERAL COMMISSION
N.W.
D.C. 20463

FINAL NOTICE

2/13



Larry Penner
East 27th Street
NY

UNCLAIMED

CERTIFIED
943712

7 9 0 4 0 1 6 4 3 6 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FINAL NOTICE

3/14



POSTAGE AND FEES PAID

PAID



Mr. Larry Penner
1330 East 27th Street
Brooklyn, NY 11210

UNCLAIMED

CERTIFIED
438045

7 0 0 0 1 5 4 3 5

PS Form 3811, April 1977

● **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 c
 Show to whom, date, and address of delivery c
 RESTRICTED DELIVERY Show to whom and date delivered c
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ ____ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
*Mr. Harry L. ...
 1333 ... 27th St
 Brooklyn, N.Y. 11216*

3. ARTICLE DESCRIPTION:

REGISTERED NO	CERTIFIED NO	INSURED NO.
	<i>138045</i>	

 (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)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1 5 1 1 2 2 2 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
New York 10 Day Pre-) NF 179
General Election Non-Filers)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 25, 1979, the Commission determined by a vote of 5-0 to adopt the following recommendations, as set forth in the General Counsel Report dated January 22, 1979, regarding the above-captioned matter:

1. Take no further action and close the file with respect to respondents William A. Clark, Dunstan Lionel Haettenschwiller, and Committee to Elect Jim Peck.
2. Initiate conciliation with respondents Larry Penner, Leo J. Kesselring, and People for Poth. Approve the conciliation agreements attached to the above-named report. Send the letters attached to the above-named report.

Voting for this determination were Commissioners Aikens, Tiernan, McGarry, Springer, and Thomson.

Attest:

1/25/79

Date

Marjorie W Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 1-22-79, 11:57
Circulated on 48 hour vote basis: 1-22-79, 5:00

79040164362

January 22, 1979

MEMORANDUM TO: Marge Emons
FROM: Elissa T. Garr
SUBJECT: NF 179

Please have the attached General Counsel's Report
on NF 179 distributed to the Commission on a 48 hour
tally basis.

Thank you.

79030164363

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

79 JAN 22 11: 57

In the Matter of)
)
)
New York 10 Day Pre-) NF 179
General Election Non-Filers)

General Counsel's Report

I. Background:

The Reports Analysis Division referred to the Office of the General Counsel the names of candidates and committees which failed to file a 10 Day Pre-Election report for the general election in violation of 2 U.S.C. §434(a)(1). The reports were due October 28, 1978. The reason to believe notices were sent on October 30, 1978 and the reasonable cause to believe notices were mailed November 1, 1978. On November 4, 1978, a list of those candidates and committees which failed to file the 10 Day Pre-Election report for the general election were published.

II. Analysis:

A copy of the Reports Analysis Referral (Exhibit I) and a New York non-filer chart (Exhibit II) are attached.

WILLIAM A. CLARK

Respondent William Clark was a Libertarian candidate for the U.S. House of Representatives. He lost the general election receiving 1,686 votes or 1% of the votes cast. The respondent filed his Ten Day Pre-Election report after publication listing \$0 receipts and expenditures. As

79010164364

respondent William Clark received less than 10% of the votes cast and had minimal financial activity, the Office of the General Counsel, in accordance with the Commission's non-filer procedures dated May 23, 1978, recommends taking no further action against respondent William Clark.

LARRY PENNER

Respondent Larry Penner was a Republican candidate for the U.S. House of Representatives. Mr. Penner lost the general election receiving 9,405 votes or 13% of the votes cast. His name was also referred to the Office of the General Counsel for failing to file a candidate statement and designate a principal campaign committee (See Exhibit III). Respondent Larry Penner has not filed a 10 Day Pre-Election report. He previously filed a miscellaneous document on September 22, 1978, which listed \$0 financial activity and stated that he did not designate a principal campaign committee due to a lack of expenditures. As respondent Larry Penner received more than 10% of the votes cast, the Office of the General Counsel, in accordance with the Commission's non-filer procedures dated May 23, 1978, recommends that the Commission initiate conciliation with respondent Larry Penner.

LEO J. KESSELRING

Respondent Leo J. Kesselring was a Conservative candidate for the U.S. House of Representatives. He lost

79040164365

the election receiving 18,127 votes or 13% of the votes cast. A committee named, Kesselring for Congress, which has neither registered with the Commission nor was designated by the candidate on a candidate statement, filed a 10 Day Pre-Election report after publication. The report listed \$1225 in receipts and \$911 in expenditures. The report also states that the report "represents all receipts and expenditures from September 1, 1978 which was the date of designation of the candidate and the committee known as 'Kesselring for Congress'...". Mr. Kesselring's name was also referred to the Office of the General Counsel for failing to file a candidate statement and designate a principal campaign committee in violation of 2 U.S.C. §432 (e)(1) and 11 C.F.R. §101.2. As the respondent received more than 10% of the votes cast, the Office of the General Counsel recommends in accordance with the Commission non-filer procedures dated May 23, 1978, that the Commission initiate conciliation with respondent Leo Kesselring.

DUNSTAN LIONEL HAETTENSCHWILLER

Respondent Dunstan Haettenschwiller was a Conservative candidate for the U.S. House of Representatives. He lost the election receiving 1,501 votes or 2% of the votes cast. The candidate designated a principal campaign committee and waived his reporting requirements on his candidate statement filed September 20, 1978. The principal campaign committee

79040164366

did not register until October 30, 1978; and, therefore, only the candidate was tracked for failing to file a 10 Day Pre-Election report. Respondent Dunstan Haettenschwiller filed a 10 Day Pre-Election report after publication. The report listed \$0 receipts and expenditures. As respondent Dunstan Haettenschwiller received less than 10% of the vote cast and reported minimal financial activity, the Office of the General Counsel recommends, in accordance with the Commission's non-filer procedures dated May 23, 1978, that no further action should be taken against respondent Dunstan Haettenschwiller.

COMMITTEE TO ELECT JIM PECK

Mr. Peck was a Liberal candidate for the U.S. House of Representatives. He lost the election receiving 6,204 votes or 5% of the votes cast. Respondent Committee to Elect Jim Peck filed its 10 Day Pre-Election report after publication. The report listed \$3308 in receipts and \$3308 in expenditures. As the candidate received less than 10% of the votes cast and the committee reported minimal financial activity, the Office of the General Counsel, in accordance with the Commission's non-filer procedures dated May 23, 1978, recommends that no further action be taken against respondent Committee to Elect Jim Peck.

PEOPLE FOR POTH

Charles Poth III was a Republican candidate for the U.S. House of Representatives. He lost the general election

79040154367

receiving 17,585 votes or 19% of the votes cast. The respondent, People for Poth, filed a Ten Day Pre-Election report on January 11, 1979 listing \$0 receipts, \$0 expenditures, and an outstanding debt of \$7,595.36. Previous reports filed in 1978 revealed financial activity aggregating \$4,253.24. As the candidate received more than 10% of the votes cast, the Office of the General Counsel, in accordance with the Commission's non-filer procedures dated May 23, 1978, recommends initiating conciliation with respondent People For Poth.

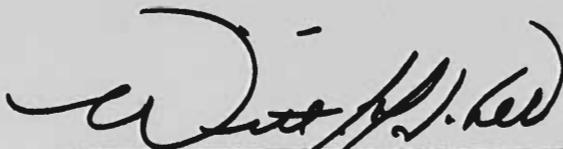
III. Recommendation:

1) Take no further action and close the file with respect to respondents William A. Clark, Dunstan Lionel Haettenschwiller, and Committee to Elect Jim Peck.

2) Initiate conciliation with respondents Larry Penner, Leo J. Kesselring, and People for Poth. Approve the attached conciliation agreements. Send the attached letters.

Date:

1/22/79



William C. Oldaker
General Counsel

ATTACHMENTS:

- Exhibit I- Referral
- Exhibit II-Chart
- Exhibit III- Referral (Penner)
- Exhibit IV- Referral (Kesselring)
- Letters
- Conciliation Agreements

79040164368

NP 199

FEC LISTS CANDIDATES & THEIR AUTHORIZED COMMITTEES WHO FAILED TO FILE
10 DAY PRE-GENERAL ELECTION REPORTS

NOTE: "Cand" = Candidate Report
"PCC" = Principal Campaign Committee Report
"Auth" = Authorized Committee Report

STATE DISTRICT NAME OF CANDIDATE/COMMITTEE (Party Affiliation & Report Type)

STATE	DISTRICT	NAME OF CANDIDATE/COMMITTEE (Party Affiliation & Report Type)
New York	House - 3	William A. Clark (Lib. - Cand.)
	House - 16	Larry Penner (Rep - Cand.)
	House - 34	Leo J. Kesselring (CRV - Cand.)
	House - 37	Dunstan Lionel Haettenschwiller (CRV - Cand.)
	House - 38	Committee to Elect Jim Peck to Congress (James Peck - Liberal - PCC)
House - 37	People for Poth Committee (Charles Poth - Rep - PCC)	

79040164369

(EXHIBIT I)

79040164370

NY

FEDERAL ELECTION COMMISSION
10 DAY PRE ELECTION STATUS REPORT
GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID COMMENTS * CANDIDACY * COMPLIANCE TRACK RCTH PUB OGC DATE SATISFIED
* REGISTERED * RTB

CARMAN, GREGORY W.
H8NY03011

03/20/78

WAIVED

CARMAN FOR CONGRESS
C00090506

Y

OCT 30 1978

FILED

LARK, WILLIAM A.
H8NY03029

09/19/78

OCT 30 1978

NOV 01 1978

11/4

11/9 FILED

LENT, NORMAN F.
H6NY04039

04/26/77

WAIVED

LENT FOR CONGRESS COMMITTEE
C00000794

Y

OCT 30 1978

FILE

ROSENBLUM, EVERETT A.
H8NY04027

08/16/78

WAIVED

COMMITTEE TO ELECT EVERETT A. ROSENBLUM
C00101790

Y

FILED

SCHEIN, AARON M.
H8NY04019

08/17/78

WAIVED

COMMITTEE TO ELECT AARON M. SCHEIN
C00101741

Y

FILED

MATTHEWS, JOHN W.
H3NY05024

08/31/78

WAIVED

MATTHEWS FOR CONGRESS 178
C00102640

Y

OCT 30 1978

NOV 01 1978

FILED

7 9 0 4 0 1 6 4 3 7 1

FEDERAL ELECTION COMMISSION
10 DAY PRE ELECTION STATUS REPORT
GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	OGC	DATE SATISFIED
HOLTZMAN, ELIZABATH H6NY16025			05/06/77				WAIVED
RE-ELECT LIZ HOLTZMAN COMMITTEE (AKA HOLTZMAN FOR CONGRESS C00004093							FILED

WINNER, LARRY
H6NY16013

OCT 30 1978

NOV 0 1 1978

11/4

MURPHY, JOHN M.
H6NY17049

05/11/77

WAIVED

CITIZENS FOR CONGRESSMAN JOHN M. MURPHY
C00019968

Y

OCT 30 1978

FILED

PETERS, JOHN M
H6NY17072

06/15/78

WAIVED

PETERS FOR CONGRESS
C00052209

Y

OCT 30 1978

FILED

STOKES, THOMAS M.
H6NY17011

12/27/77

WAIVED

TOM STOKES FOR CONGRESS COMMITTEE
C00083899

Y

FILED

FEDERAL ELECTION COMMISSION
10 DAY PRE ELECTION STATUS REPORT
GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID COMMENTS * CANDIDACY * COMPLIANCE TRACK DATE SATISFIED
* REGISTERED * RTH RCTH PUR OGC

MUNDY, FRANCIS P. 09/05/78 WAIVED
H6NY36029

COMMITTEE TO ELECT FRANCIS P. MUNDY TO CONGRESS R+R
C00103176 152/3403 Y FILED

GHANDHI, KHUSHRO 05/09/78 WAIVED
H6NY37019

COMMITTEE TO ELECT GHANDHI (CTER) R+R
C00094839 152/0320 Y FILED

HAETTENSCHWILLER, DUNSTAN LIONEL (W) 09/18/78 OCT 30 1978 NOV 01 1978 11/4 11/6 FILED
H6NY37027

NOWAK, HENRY J. 05/10/77 WAIVED
H6NY37039

FRIENDS OF NOWAK OCT 30 1978 FILED
C00046607

POTH, CHARLES III 08/22/78 WAIVED
H6NY37021

PEOPLE FOR POTH COMMITTEE OCT 30 1978 11/4
C00056325

KEMP, JACK 09/08/77 WAIVED
H6NY38029

CITIZENS FOR JACK KEMP OCT 30 1978 FR
C00013565

FEDERAL ELECTION COMMISSION
 10 DAY PRE ELECTION STATUS REPORT
 GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID	COMMENTS	CANDIDACY		COMPLIANCE TRACK		RCT#	PUH	OGC	DATE SATISFIED
		REGISTERED	RTB						
PECK, JAMES A. H8NY38017									WAIVED
COMMITTEE TO ELECT JIM PECK TO CONGRESS C00102269		Y		OCT 30 1978		NOV 01 1978	114		FILED ^{11/13}
LUNDINE, STANLEY N. H6NY39035									WAIVED
STAN LUNDINE FOR CONGRESS COMMITTEE C00036699		Y		OCT 30 1978					FILED
MAGUIRE, CRISPIN H8NY39015									WAIVED
MAGUIRE FOR CONGRESS C00092882		Y		OCT 30 1978		NOV 01 1978			FILED

HSNY03029
CLARK, WILLIAM A.
8. MODELL COURT

EAST NORTHPORT NY 11731

DATE OF P. OR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

5110

PERSON CONTACTED

TITLE

TELEPHONE #

(516) 490-3336

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 10D RTB RCTB _____ PUBLICATION: _____

DATE/TIME: 11/1/78 WHO CALLED: _____ INITIALS: _____

5:30

COMMENTS: Left message to call me as

soon as possible

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

FILED

79040164375

HNNT16013
PENNER, LARRY
1333 EAST 27TH ST.

BROOKLYN

NY 11210

DATE OF P R NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

no listing

PERSON CONTACTED

TITLE

TELEPHONE #

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: _____ RTB _____ RCTB _____ PUBLICATION: _____

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

7 9 0 4 0 1 5 4 3 7 6

MoNY34016
KESSELRING, LEO J. (NREG.)
333 THAYER RD.

FAIRPORT NY 14450

DATE OF P. OR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

PERSON CONTACTED

TITLE

TELEPHONE #

Leo J. Kesselring

(716) 222-9227

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 100 RTB RCTB _____ PUBLICATION: _____

DATE/TIME: 11/11 5:20 WHO CALLED: _____ INITIALS: _____

COMMENTS: Left message to call as soon as possible.

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: 11/14 WHO CALLED: _____ INITIALS: MM
2:50 11/15 3:00 11/22 9:10

COMMENTS: Off on answer Off on answer
Left message to call as soon as possible in regards to 100 per general report.

79040164377

10131021
HAETTENSCHWILLER, D. STAN LIONEL (W)

89 THATCHER AVE
BUFFALO NY 14215

DATE OF 1ST OR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

PERSON CONTACTED

TITLE

TELEPHONE #

(716) 831-7438

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 10 D RTB RCTB _____ PUBLICATION: _____

DATE/TIME: 5:30 11/1 WHO CALLED: _____ INITIALS: _____

COMMENTS: *Spoke with the candidate and he said he would send report today. I recommended air express, but he said he would mail it regular.*

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS: *FILED*

79040154378

C00006325
PEOPLE FOR POETH COMMITTEE

DATE OF P. NOTICE _____

MARIE J. PROBEINSKI
143 PARKVIEW AVENUE

PRIOR NOTICE FOLLOW-UP _____

not listed

BUFFALO NY 14210

PERSON CONTACTED

TITLE

TELEPHONE #

(716)

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: _____ RTB _____ RCTB _____ PUBLICATION: _____

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

79010154379

C00102269
COMMITTEE TO ELECT PECK TO CONGRESS

DATE OF PUBLICATION _____

PRIOR NOTICE FOLLOW-UP _____

LOIS M. PECK
4451 CLINTON ST.

BUFFALO
PERSON CONTACTED

NY 14224
TITLE

TELEPHONE #

~~527 5417~~

COMMENTS

REPC RAPID NOTE FROM James Peck
REPC COMMITTEE TO ELECT
DATE Jim Peck
NY-38

DATE 10/31/78

TO J. EASTWOOD

(716) 668-2704

COM: Response to 106 non file notice. Mr. Peck said he had not filed report. = explained the importance of filing the report immediately, and told him of the mitgram procedure. He said that we would receive the report tomorrow, probably.

SIGNED JAC

REF TOPS NO 3702 LITHO U.S.A.

DAI

COMMENTS:

FILED

79040164380

William Clark

RTB

RCTB

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

79040164387

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:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 WA12915-H5303-00392
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 X Mrs. Wm. Clark

4. DATE OF DELIVERY POSTMARK
 11/1/78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆ GPO : 1977-O-234-337

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:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 WA12915-H5303-00392
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY POSTMARK
 11-4-78

5. ADDRESS (Complete only if requested)

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

☆ GPO : 1977-O-234-337

Larry Penner

RCTB

RTB

UNACCOUNTED FOR

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:
Larry Penner

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	WA12915-H	B303-00349

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
11-1-70

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

GPO : 1977-O-234-337

79040154388



Leo Kesselring

RTB

RCTB

79040164389

PS Form 3811, Jan. 1975

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..... 15¢
 Show to whom, date, & address of delivery.. 35¢
 RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
 LEO J. KESSELRING
 333 THAYER RD.
 FAIRPORT, N.Y. 14450

3. ARTICLE DESCRIPTION:
~~REGISTERED~~ CERTIFIED NO. ~~UNREGISTERED~~
 WA12915 - H6303 - 00396
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY: NOV 1 1978
 POSTMARK: FAIRPORT, N.Y. NOV 1 1978

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

GPO: 1975-O-568-047

PS Form 3811, Jan. 1975

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..... 15¢
 Show to whom, date, & address of delivery.. 35¢
 RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
 LEO J. KESSELRING
 333 THAYER RD.
 FAIRPORT, N.Y. 14450

3. ARTICLE DESCRIPTION:
~~REGISTERED~~ CERTIFIED NO. ~~UNREGISTERED~~
 WA12915 - H1305 - 00719
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY: NOV 3 1978
 POSTMARK: FAIRPORT, N.Y. NOV 3 1978

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

GPO: 1975-O-568-047

Dunstan Haettenschwiler

RTB

RCTB

7 9 0 1 0 1 6 4 3 9 0

311 42 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 C
 Show to whom, date, and address of delivery C
 RESTRICTED DELIVERY
 Show to whom and date delivered C
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery . S
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 D. L. 121 / 13. Haettenschwiler
 59 Thatcher Ave
 14215

3. ARTICLE DESCRIPTION: 4/21/75
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 48503
 00117

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 X D. L. Haettenschwiler

DATE OF DELIVERY POSTMARK
 11/2/78

ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

NOV 1977-0-73955

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 C
 Show to whom, date, and address of delivery C
 RESTRICTED DELIVERY
 Show to whom and date delivered C
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery . S
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 DUNSTAN LIONEL
 59 THATCHER AVE
 14215

3. ARTICLE DESCRIPTION: 4/21/75
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 48503
 00117

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 X D. L. Haettenschwiler

DATE OF DELIVERY POSTMARK
 11/2/78

ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

NOV 1977-0-73955

People for Poth

RTB

RCTB returned

UNACCOUNTED FOR

79040164391

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 c
 Show to whom, date, and address of delivery c
 RESTRICTED DELIVERY
 Show to whom and date delivered c
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery c
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 MARIE J BROGEMSKI
 143 PARKVIEW AVE
 14210

3. ARTICLE DESCRIPTION: *4/27/75*
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | *H 1355* | |
 | *00137* | |
 (Always obtain signature of addressee or agent)

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

DATE OF DELIVERY | POSTMARK

4. ADDRESS: *Complete only if requested*
10

5. UNABLE TO DELIVER BECAUSE:
WRONG LIST NO ADDRESS | CLERK'S INITIALS

WGPO 1977-0-249 539

Date Recd _____
 Eff. Date _____
 Initials _____
 P

Committee to Elect Jim Peck

RTB

RCTB

79040154392

1977 PSN 301 A7 1917 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

2. ARTICLE ADDRESSED TO:
 L.M. Peck
 4451 Clinton St.
 Buffalo NY 14224

3. ARTICLE DESCRIPTION: 6 AP 12915
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 H0303 00415

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY: 10-31-78 POSTMARK

5. ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

PSN 301 A7 1917

1977 PSN 301 A7 1917 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

2. ARTICLE ADDRESSED TO:
 LOUIS M PECK
 4461 CLINTON ST
 14224

3. ARTICLE DESCRIPTION: 12915
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 H2305 00127

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY: 9-2-78 POSTMARK
 NOV 2 1978

5. ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

PSN 301 A7 1917

Report Due----- October 28, 1978
 Publication----- November 4, 1978
 Date of Election----- November 7, 1978
 Reason to Believe----- October 30, 1978
 Reasonable Cause to Believe--- November 1, 1978

State--- NEW YORK

Page 1

UAF= Unaccounted for
 * indicates Respondent

3
9
3
4
1
0
1
9

Candidate/ Committee	Dis- trict	Party	Number of Votes	Win/Lose % of Votes	Waiver or Report Filed	Date Filed	Aggregate Receipts	Aggregate Expenditures	Aggregate Activity on Previous Reports	RTB, RCTB Notices	Recommendation
William A. Clark	3	Libertar- ian	1,686	Lost 1%	Report filed	11/9	0	0		rtb 11/1 rctb- 11/4	Take no further action
Larry Penner	16	Republican	9,405	Lost 13%					0 (Misc. Report)	rtb 11/1 rctb- UAF	Initiate conciliation
*Leo J. Kesselring Kesselring For Congress	34	Conserva- tive	18,127	Lost 13%	Report filed	11/5	\$1225	\$911		rtb - 11/1 rctb - 11/3	Initiate conciliation
*Dunstan Lionel Haettenschwiller Haettenschwiller For Congress	37	Conserva- tive	1,501	Lost 2%	Waived Report filed Regis. 10/30	11/6	0	0	0	rtb- 10/31 rctb- 11/2	Take no further action
James A. Peck *Comte to Elect Jim Peck	38	Liberal	6,204	Lost 5%	Waived Report filed	11/13	\$3308	\$3308	0	rtb- 10/31 rctb- 11/2	Take no further action

(EXHIBIT II)

Candidate/ Committee	Dis- trict	Party	Number of Votes	Win/Lose % of Votes	Waiver or Report Filed	Date Filed	Aggregate Receipts	Aggregate Expenditures	Aggregate Activity on Previous Reports	RTB, RCTB Notices	Recommendation
Charles Poth III People for Poth Comte	37	Republic- an	17,503	Lost 19%	Waived	1/11/79	None	None	\$4,253.24	rtb-UAF rctb- returned	Initiate conciliation

79040164394

MUR 706
161

D-257



FEDERAL ELECTION COMMISSION

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

October 24, 1978

MEMORANDUM

TO: OFFICE OF GENERAL COUNSEL ATTN: GARY JOHANSON

THROUGH: ORLANDO B. POTTER ^{o.b.p.}
TOM HASELHORST TH

FROM: NON-FILER COORDINATOR ^{ORBU}

SUBJECT: FAILURE TO FILE A STATEMENT OF CANDIDACY AND DESIGNATE A
PRINCIPAL CAMPAIGN COMMITTEE - REFERRAL - NEW YORK

In accordance with Directive No. 1 for non-filers, attached please find the referral of the names of the candidates who have failed to file their Statement of Candidacy (FEC Form 2) and designate a principal campaign committee.

An informational notice was sent to the candidates by the Public Information Division on July 31, 1978.

The candidates were sent reason to believe letters by certified mail on August 31, 1978.

Reasonable cause to believe letters were sent certified to the candidates on September 20, 1978.

Copies of the certified letters, certified green cards and any telecons available are included in this packet.

CANDIDATE - GENERAL

PRIMARY

Larry Penner

NY/16

Vito Battista

NY/15

7 2 0 1 0 1 6 4 3 9 3

(EXHIBIT III)



FED.

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

August 31, 1978

Mr. Larry Penner
1333 E 27th Street
Brooklyn, NY 11210

Dear Mr. Penner:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the general election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e) (1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4173.

Sincerely,

A handwritten signature in cursive script that reads "Joan D. Aikens".

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure

79040164396



FEDERAL ELECTION COMMISSION

1155 STREET N.W.
WASHINGTON, D.C. 20463

September 20, 1978

Mr. Larry Penner
1333 East 27th Street
Brooklyn, NY 11210

Dear Mr. Penner:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

79040164397

Larry Penner

RTB Unaccounted for

RCTB Unaccounted for

79040164398



FEDERAL ELECTION COMMISSION

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

August 31, 1978

Mr. Vito T. Battista
289 Etna Street
Brooklyn, NY 11208

Dear Mr. Battista:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the primary election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e) (1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800) 424-9530. Our local number is (202) 523-4173.

Sincerely,

A handwritten signature in cursive script that reads "Joan Aikens".

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure

79010164399



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20543

September 20, 1978

Vito T. Battista
289 Etna Street
Brooklyn, NY 11208

Dear Mr. Battista:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

A handwritten signature in cursive script that reads "Joan Aikens".

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

79040154400

Vita B...ista

RCTB

RTB Unaccounted for

Bethista

FEC 2

NF 152

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:

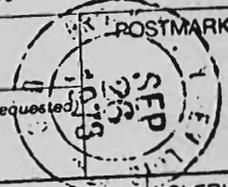
3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943312
 (Always obtain signature of addressee or agent)

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

DATE OF DELIVERY *3/2/78*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS



☆GPO 1977-0-249 595

79040164401

MEMORANDUM: FOR FILES

RE: TELECON

FROM: Non-Filer Section

DATE:

NAME OF ~~COMMITTEE~~: CANDIDATE: Vito Battista

Numerous attempts have been made to reach Mr. Battista - all unsuccessful.

79040164402

NF 150

D-279

8L-878



FEDERAL ELECTION COMMISSION

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

November 21, 1978

MEMORANDUM

TO: OFFICE OF GENERAL COUNSEL

THROUGH: ORLANDO B. POTTER *RL-FJC D.P.*
Cap. TOM HASELHORST

FROM: NON-FILER COORDINATOR *HT*

SUBJECT: FAILURE TO FILE A STATEMENT OF CANDIDACY AND DESIGNATE A
 PRINCIPAL CAMPAIGN COMMITTEE - REFERRAL - NEW YORK

In accordance with Directive No. 1 for non-filers, attached please find the referral of the names of the candidates who have failed to file their Statement of Candidacy (FEC Form 2) and designate a principal campaign committee.

An information notice was sent to the candidates by the Public Information Division on August 10, 1978.

The candidates were sent reason to believe letters by certified mail on September 28, 1978.

Reasonable cause to believe letters were sent certified to the candidates on October 18, 1978.

Copies of the certified letters, certified green cards, and any telecons available are included in this packet.

<u>CANDIDATE</u>	<u>DISTRICT</u>
Kesselring, Leo J.	NY/34



(EXHIBIT IV)

79010164403



FEDERAL ELECTION COMMISSION

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

September 28, 1978

Mr. Leo J. Kesselring
333 Mayer Road
Fairport, NY 14450

Dear Mr. Kesselring:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the general election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Beverly White in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4173.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure

79040154404



FEDERAL ELECTION COMMISSION

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

October 18, 1978

Mr. Leo J. Kesselring
333 Thayer Road
Fairport, NY 14450

Dear Mr. Kesselring:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Kevin Kelly in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Joan D. Aikens,
Chairman

Certified Mail
Return Receipt Requested

79010154405

KESSELING, LEO J.

RTB - claimed

RCTB - unaccounted for

Kesseling, Leo J. NF171

PS Form 3811, Apr 1977

● **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:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | 945427 | |

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY 10-4-78 POSTMARK

5. ADDRESS: (Complete only if requested)
Fairfield Po

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO 1977-0-249-595

77049164406



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Larry Penner
1333 East 27th St.
Brooklyn, New York 11210

RE: NF #179

Dear Mr. Penner:

On September 20, 1978 and November 1, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1) for failing to file a Ten Day Pre-Election Report.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed agreement, please sign and return it along with civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please

79040164407

contact Judy Thedford, the staff member assigned to
this matter, at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure
Conciliation Agreement

7 9 0 4 0 1 6 4 4 0 8



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Leo J. Kesselring
333 Thayer Rd.
Fairport, NY 14450

RE: NF #179

Dear Mr. Kesselring:

On October 18, 1978 and November 1, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1) for failing to file a Ten Day Pre-Election Report.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed agreement, please sign and return it along with civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please

79040164409

contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure
Conciliation Agreement

79040164410



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Marie J. Broginski,
Treasurer
People For Poth
143 Parkview Ave.
Buffalo, New York 14210

RE: NF 179

Dear Ms. Broginski:

On November 1, 1978, the Commission found reasonable cause to believe that your committee, People For Poth, was in violation of 2 U.S.C. §434(a)(1) for failing to file the 10 Day Pre-Election Report timely.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the entire agreement.

If you have any questions or suggestions for changes in the enclosed agreement, please contact Judy Thedford, the staff member assigned to this matter,

79040164411

at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure:
Conciliation Agreement

cc: Charles Poth III
612 Niagara St.
Buffalo, N.Y. 14201

7 2 0 4 2 1 6 4 4 1 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of

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NF 179

)

)

Larry Penner

)

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, and investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Larry Penner violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 by failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1)(A)(i) by failing to file his 10 Day Pre-General Election Report.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Larry Penner having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

79040164413

III. That the pertinent facts in this matter are as follows:

- A. That the respondent, as of January 18, 1979, had failed to file a candidate statement and designate a principal campaign committee for the 1978 general election.
- B. That the respondent, as of January 18, 1979, failed to file his 10 Day Pre-General Election Report which was due on October 28, 1978.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his candidate statement and designate a principal campaign committee for the 1978 General Election was in violation of 2 U.S.C. §432(e) (1) and 11 C.F.R. §101.2.
- II. Respondent's action in failing to file his 10 Day Pre-General Election Report on October 28, 1978, was in violation of 2 U.S.C. §434(a) (1) (A) (i).
- III. Respondent will file the candidate statement and designate a principal campaign committee as a provision of this conciliation agreement.
- IV. Respondent will file the 10 Day Pre-General Election Report of receipts and expenditures as a provision of this conciliation agreement.
- V. That he will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a) (6) (B) (i).

79040164414

VI. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

79040164413

Date

William C. Oldaker
General Counsel

Date

Larry Penner

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of

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)
)

NF 179

Leo J. Kesselring

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Leo J. Kesselring violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 by failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1)(A)(i) by failing to file his 10 Day Pre-General Election Report

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Leo J. Kesselring having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:

70010154416

- A. That the respondent, as of January 18, 1979, had failed to file a candidate statement and designate a principal campaign committee for the 1978 general election.
- B. That the respondent, as of January 18, 1979, had failed to file his 10 Day Pre-General Election Report which was due on October 28, 1978.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his candidate statement and designate a principal campaign committee for the 1978 New York general election was in violation of 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2.
- II. Respondent's action in failing to file his 10 Day Pre-General Election Report on October 28, 1978 was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- III. Respondent will file the candidate statement and designate a principal campaign committee as a provision of this conciliation agreement.
- IV. Respondent will file the 10 Day Pre-General Election Report of receipts and expenditures as a provision of this conciliation agreement.
- V. That he will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- VI. Respondent agrees that he will not undertake any activity which is in violation of the Federal

79040164417

Election Campaign Act of 1971, as amended,
2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date

William C. Oldaker
General Counsel

Date

Leo J. Kesselring

79040164418

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)
)

NF 179

People For Poth

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent People for Poth violated 2 U.S.C. §434(a)(1)(A)(i) by failing to file its Ten Day Pre-General Election Report timely.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent People For Poth having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. That the 10 Day Pre-General Election Report

79040164419

filed by People For Poth shows \$0 receipts, \$0 expenditures and an outstanding debt of \$7,595.36.

B. That the Committee, as of October 28, 1978, had failed to file its 10 Day Pre-General Election Report, the report was filed on January 11, 1979, thereby making the report 75 days late.

THEREFORE, respondent agrees:

- I. Respondent's action in failing to file its 10 Day Pre-General Election report on October 28, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.

79040164420

II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

79040164421

Date

William C. Oldaker
General Counsel

Date

Marie J. Broginski
Treasurer
People For Poth

December 18, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MF 142

Please have the attached General Counsel's Report on NF 142 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040164423

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION
NOV 18 11:15

In the Matter of)
))
Larry Penner) NF#142
Vito Battista)

GENERAL COUNSEL'S REPORT

On October 24, 1978, the Reports Analysis Division referred Larry Penner's and Vito Battista's name to the Office of the General Counsel for their failure to file a candidate statement and designate a principal campaign committee in connection with their candidacies for the U.S. House of Representatives from New York (Exhibit 1-NF# 142).

Previously, on September 24, 1978, the Reports Analysis Division referred Mr. Battista's name to the Office of the General Counsel on a list of New York 10 Day Pre-Primary Election non-filers (NF# 128 formerly MUR 747). Mr. Battista's failure to file a statement of candidacy and designate a principal campaign committee was incorporated into NF# 128 and presented to the Commission in the General Counsel's Report on November 3, 1978.

The Reports Analysis Division referred Mr. Penner's name to the Office of the General Counsel on a list of New York 10 Day Pre-General Election non-filers (NF#179). To expedite the Commission's handling of this matter, we recommend that Mr. Penner's failure to file a candidate statement and designate a principal campaign committee be incorporated into

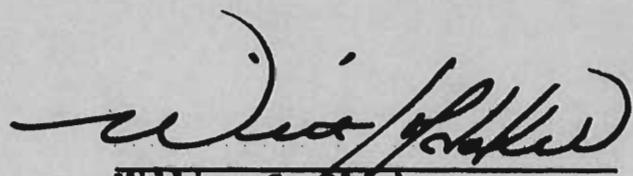
79040164424

NF# 179 which deals with his failure to file the 10 Day Pre-General Election report.

RECOMMENDATION:

- 1) Incorporate respondent Penner's violation of 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 into NF# 179.
- 2) Close the file.

Date: 12/16/78



William C. Oldaker
General Counsel

Attachment:
Referral

79040164425



FED-

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

August 31, 1978

Mr. Larry Penner
1333 E 27th Street
Brooklyn, NY 11210

Dear Mr. Penner:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the general election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e) (1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800) 424-9530. Our local number is (202) 523-4173.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure

79040164427



FEDERAL ELECTION COMMISSION

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

September 20, 1978

Mr. Larry Penner
1333 East 27th Street
Brooklyn, NY 11210

Dear Mr. Penner:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

79040164428

Larry Palmer

RTB Unaccounted for

RCTB Unaccounted for

79040164429



FEDERAL ELECTION COMMISSION

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

August 31, 1978

Mr. Vito T. Battista
289 Etna Street
Brooklyn, NY 11208

Dear Mr. Battista:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the primary election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e) (1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4173.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure

79010164430



FEDERAL ELECTION COMMISSION

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

September 20, 1978

Vito T. Battista
289 Etna Street
Brooklyn, NY 11208

Dear Mr. Battista:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

A handwritten signature in cursive script that reads "Joan Aikens".

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

79040164431

MEMORANDUM: FOR FILES

RE: TELECON

FROM: Non-Filer Section

DATE:

NAME OF ~~COMMITTEE~~: CANDIDATE: Vito Battista

Numerous attempts have been made to reach Mr. Battista - all unsuccessful.

70040164432

Vita Battista

RCTB

RTB Unaccounted for

Battista

FCC 2

NF 152

79040164433

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

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943312	

(Always obtain signature of addressee or agent)

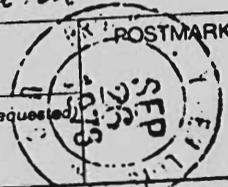
I have received the article described above.

SIGNATURE Addressee Authorized agent

Mildred Longoria

DATE OF DELIVERY

5. ADDRESS (Complete only if requested)



6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



FELC

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

August 31, 1978

Mr. Larry Penner
1333 E 27th Street
Brooklyn, NY 11210

Dear Mr. Penner:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the general election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800) 424-9530. Our local number is (202) 523-4173.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure

79040164435



FEDERAL ELECTION COMMISSION

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

September 20, 1978

Mr. Larry Penner
1333 East 27th Street
Brooklyn, NY 11210

Dear Mr. Penner:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

79040164436

Larry Penner

RTB Unaccounted for

RCTB Unaccounted for

79040164437



FEDERAL ELECTION COMMISSION

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

August 31, 1978

Mr. Vito T. Battista
289 Etna Street
Brooklyn, NY 11208

Dear Mr. Battista:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the primary election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e) (1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4173.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure



FEDERAL ELECTION COMMISSION

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

September 20, 1978

Vito T. Battista
289 Etna Street
Brooklyn, NY 11208

Dear Mr. Battista:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

A handwritten signature in cursive script that reads "Joan Aikens".

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

79010164439

Vita Battista

RCTB

RTB Unaccounted for

Battista

FEC 2

AF 152

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:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943317
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

POSTMARK

☆GPO-1977-0-249-585

79040164440

MEMORANDUM: FOR FILES

RE: TELECON

FROM: Non-Filer Section

DATE:

NAME OF ~~COMMITTEE~~: CANDIDATE: Vito Battista

Numerous attempts have been made to reach Mr. Battista - all unsuccessful.

79040164441

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Non-filer Leo J. Kesselring) NF #150

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 19, 1978, the Commission determined by a vote of 6-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated December 14, 1978, regarding the above-captioned matter:

1. Incorporate respondent's violation of 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 into NF #179.
2. Close the file.

Attest:

12-19-78

Date

Margaret E. Chaney
for Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 12-15-78, 10:26
Circulated on 48 hour vote basis: 12-15-78, 3:00

79040164442

December 15, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: NF 150

Please have the attached General Counsel's Report
on NF 150 distributed to the Commission on ^{48 hour} ~~24 hour~~ tally
basis.

Thank you.

7904016443

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

78 DEC 15 A10: 26

In the Matter of)
)
Non-filer Leo J. Kesselring) NF #150

GENERAL COUNSEL'S REPORT

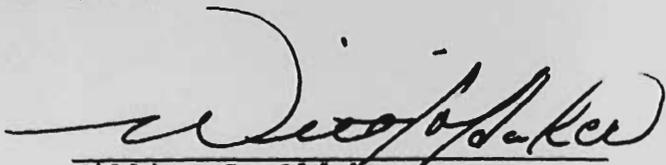
On November 21, 1978, the Reports Analysis Division referred Leo J. Kesselring's name to the Office of the General Counsel for his failure to file a statement of candidacy and designate a principal campaign committee in connection with his candidacy for the U.S. House of Representatives from the 34th district in New York in the November 7, 1978 general election. (Attachment I NF#150).

The Reports Analysis Division also referred Mr. Kesselring's name to the Office of the General Counsel on a list of New York 10 day pre-general election non-filers (NF #179). To expedite the Commission's handling of this matter, we recommend that Mr. Kesselring's failure to file a candidate statement and designate a principal campaign committee be incorporated into NF #179 which deals with his failure to file the 10 day pre-general election report.

RECOMMENDATION:

- 1) Incorporate respondent's violation of 2 U.S.C. §432 (e)(1) and 11 C.F.R. §101.2 into NF #179.
- 2) Close the file.

Date: 12/14/78


William C. Oldaker
General Counsel

79040164444

NF 150

D-279

8L-878



FEDERAL ELECTION COMMISSION

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

November 21, 1978

MEMORANDUM

TO: OFFICE OF GENERAL COUNSEL

THROUGH: ORLANDO B. POTTER *RL for O.A.P.*
Chap. TOM HASELHORST

FROM: NON-FILER COORDINATOR *HT*

SUBJECT: FAILURE TO FILE A STATEMENT OF CANDIDACY AND DESIGNATE A
 PRINCIPAL CAMPAIGN COMMITTEE - REFERRAL - NEW YORK

In accordance with Directive No. 1 for non-filers, attached please find the referral of the names of the candidates who have failed to file their Statement of Candidacy (FEC Form 2) and designate a principal campaign committee.

An information notice was sent to the candidates by the Public Information Division on August 10, 1978.

The candidates were sent reason to believe letters by certified mail on September 28, 1978.

Reasonable cause to believe letters were sent certified to the candidates on October 18, 1978.

Copies of the certified letters, certified green cards, and any telecons available are included in this packet.

<u>CANDIDATE</u>	<u>DISTRICT</u>
Kesselring. Leo J.	NY/34

(ATTACHMENT I - NF 150)



79019164448



FEDERAL ELECTION COMMISSION

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

September 28, 1978

Mr. Leo J. Kesselring
333 Mayer Road
Fairport, NY 14450

Dear Mr. Kesselring:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the general election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Beverly White in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4173.

Sincerely,

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure

7704016444



FEDERAL ELECTION COMMISSION

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

October 18, 1978

Mr. Leo J. Kesselring
333 Thayer Road
Fairport, NY 14450

Dear Mr. Kesselring:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Kevin Kelly in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Joan D. Aikens,
Chairman

Certified Mail
Return Receipt Requested

79040164447

1050

D-279

8L-878



FEDERAL ELECTION COMMISSION

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

November 21, 1978

MEMORANDUM

TO: OFFICE OF GENERAL COUNSEL

THROUGH: ORLANDO B. POTTER *AL for O.P.P.*
[Signature] TOM HASELHORST

FROM: NON-FILER COORDINATOR *[Signature]*

SUBJECT: FAILURE TO FILE A STATEMENT OF CANDIDACY AND DESIGNATE A
 PRINCIPAL CAMPAIGN COMMITTEE - REFERRAL - NEW YORK

In accordance with Directive No. 1 for non-filers, attached please find the referral of the names of the candidates who have failed to file their Statement of Candidacy (FEC Form 2) and designate a principal campaign committee.

An information notice was sent to the candidates by the Public Information Division on August 10, 1978.

The candidates were sent reason to believe letters by certified mail on September 28, 1978.

Reasonable cause to believe letters were sent certified to the candidates on October 18, 1978.

Copies of the certified letters, certified green cards, and any telecons available are included in this packet.

<u>CANDIDATE</u>	<u>DISTRICT</u>
Kesselring, Leo J.	NY/34



79010164449



FEDERAL ELECTION COMMISSION

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

September 28, 1978

Mr. Leo J. Kesselring
333 Mayer Road
Fairport, NY 14450

Dear Mr. Kesselring:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the general election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Beverly White in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4173.

Sincerely,

Joan D. Aikens
Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

Enclosure



FEDERAL ELECTION COMMISSION

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

October 18, 1978

Mr. Leo J. Kesselring
333 Thayer Road
Fairport, NY 14450

Dear Mr. Kesselring:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Kevin Kelly in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

A handwritten signature in cursive script that reads "Joan D. Aikens".

Joan D. Aikens
Chairman

Certified Mail
Return Receipt Requested

79040164451

KESSELRING, LEO J.

RTB - claimed

RCTB - unaccounted for

Kesselring, Leo J. NF171

POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

● **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.....c
 - Show to whom, date, and address of delivery.....c
 - RESTRICTED DELIVERY
Show to whom and date delivered.....c
 - RESTRICTED DELIVERY
Show to whom, date, and address of delivery. \$ ____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<u>943427</u>	

(Always obtain signature of addressee or agent)

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

Leo J. Kesselring

DATE OF DELIVERY <u>10-4-78</u>	POSTMARK
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5. ADDRESS (Complete only if requested)
Fairfax Po

6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS
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79040164452

NE 179

FEC LISTS CANDIDATES & THEIR AUTHORIZED COMMITTEES WHO FAILED TO FILE
TO DAY PRE-GENERAL ELECTION REPORTS

NOTE: "Cand" = Candidate Report
"PCC" = Principal Campaign Committee Report
"Auth" = Authorized Committee Report

STATE DISTRICT NAME OF CANDIDATE/COMMITTEE (Party Affiliation & Report Type)

New York

House - 3 William A. Clark (Lib. - Cand.)

House - 16 Larry Penner (Rep - Cand.)

House - 34 Leo J. Kesselring (CRV - Cand.)

House - 37 Dunstan Lionel Haettenschwiler (CRV - Cand.)

House - 38 Committee to Elect Jim Peck to Congress (James Peck -
Liberal - PCC)

House - 37 People for Poth Committee (Charles Poth - Rep - PCC)

7 9 0 4 0 1 6 4 4 9 3

NY

FEDERAL ELECTION COMMISSION
10 DAY PRE ELECTION STATUS REPORT
GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	OGC	DATE SATISFIED
CARMAN, GREGORY W. H8NY03011							WAIVED
CARMAN FOR CONGRESS C00090506		Y	OCT 30 1978				FILED
CLARK, WILLIAM A. H8NY03029			OCT 30 1978	NOV 01 1978	11/4		11/4 FILED
LENT, NORMAN F. H8NY04039							WAIVED
LENT FOR CONGRESS COMMITTEE C00000794		Y	OCT 30 1978				FILE
ROSENBLUM, EVERETT A. H8NY04027							WAIVED
COMMITTEE TO ELECT EVERETT A. ROSENBLUM C00101790		Y					FILED
SCHIEIN, AARON M. H8NY04019							WAIVED
COMMITTEE TO ELECT AARON M. SCHIEIN C00101761		Y					FILED
MATTHEWS, JOHN W. H8NY05024							WAIVED
MATTHEWS FOR CONGRESS '78 C00102040		Y	OCT 30 1978	NOV 01 1978			FILED

NOTICE: THE REPORTS AND STATEMENTS LISTED ABOVE ARE AVAILABLE FOR PUBLIC INSPECTION AND COPYING AT THE FEDERAL ELECTION COMMISSION. ANY INFORMATION COPIED FROM SUCH REPORTS AND STATEMENTS SHALL NOT BE SOLD OR UTILIZED BY ANY PERSON FOR THE PURPOSE OF SOLICITING CONTRIBUTIONS OR ANY COMMERCIAL PURPOSE. THE INFORMATION LISTED ABOVE IS AS REPORTED BY CANDIDATES AND COMMITTEES.

7 5 2 7 9 1 0 1 0 6 2

FEDERAL ELECTION COMMISSION
 10 DAY PRE ELECTION STATUS REPORT
 GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID COMMENTS * CANDIDACY * COMPLIANCE TRACK * REGISTERED * RTB RCTB PUB OGC DATE SATISFIED

MOLTZMAN, ELIZABATH 05/06/77 WAIVED
 H6NY16025

RE-ELECT LIZ MOLTZMAN COMMITTEE (AKA MOLTZMAN FOR CONGRESS COMMITTEE)
 C00004093

FILED

PENNER, LARRY OCT 30 1978 NOV 01 1978 11/4
 H6NY16013

MURPHY, JOHN M. 05/11/77 WAIVED
 H6NY17049

CITIZENS FOR CONGRESSMAN JOHN M. MURPHY
 C00019968 Y OCT 30 1978 *FILED*

PETERS, JOHN M 06/15/78 WAIVED
 H6NY17072

PETERS FOR CONGRESS
 C0002209 Y OCT 30 1978 *FILED*

STOKES, THOMAS H. 12/27/77 WAIVED
 H6NY17011

TOM STOKES FOR CONGRESS COMMITTEE
 C00003099 Y *FILED*

79040164455

FEDERAL ELECTION COMMISSION
10 DAY PRE ELECTION STATUS REPORT
GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID COMMENTS * CANDIDACY * COMPLIANCE TRACK * REGISTERED * HTB RCT: PUM OGC DATE SATISFIED

KESSELRING, LEO J. (UNREG.)
HONY36016

OCT 30 1978 NOV 01 1978

114

CONABLE, DANER D.
HONY28025

09/14/77

WAIVED

CONABLE CONGRESSIONAL COMMITTEE
C00019982

Y

OCT 30 1978

FR

HANDEL, KAREN ANN
HONY28021

09/26/78

WAIVED

HANDEL FOR CONGRESS
C00103895

152/0555

Y

R+R
FILED

REPICCI, FRANCIS C.
HONY28013

06/12/78

WAIVED

REPICCI FOR CONGRESS
C00097436

151/2007

Y

Rq ML
10/26

CARTONIA, FRANCINA JOYCE
HONY28011

07/08/78

WAIVED

COMMITTEE TO ELECT FRANCINA J. CARTONIA 36TH CONGRESSIONAL DISTRICT
C00099820

151/3911

Y

C
10/26

LAFALCE, JOHN J.
HONY36015

05/09/77

WAIVED

COMMITTEE TO RE-ELECT LAFALCE
C00099379

152/1273

Y

R+R
FILED

7 9 0 4 0 1 6 4 4 5 6

FEDERAL ELECTION COMMISSION
10 DAY PRE ELECTION STATUS REPORT
GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID COMMENTS * CANDIDACY * COMPLIANCE TRACK * REGISTERED * RTB RCTH PUB OGC DATE SATISFIED

MUNDY, FRANCIS P. 09/05/78 WAIVED
H6NY36029

COMMITTEE TO ELECT FRANCIS P. MUNDY TO CONGRESS 152/3403 Y R+R FILED
C00103176

GHANDHI, KHUSHRO 05/09/78 WAIVED
H6NY37019

COMMITTEE TO ELECT GHANDHI (CTER) 152/0320 Y R+R FILED
C00094839

HAETTENSCHWILLER, DUNSTAN LIONEL (W) 09/18/78 OCT 30 1978 NOV 01 1978 11/4 11/6 FILED
H6NY37027

NOWAK, HENRY J. 05/18/77 WAIVED
H6NY37039

FRIENDS OF NOWAK OCT 30 1978 11/6 FILED
C00046607

POTH, CHARLES III 08/22/78 WAIVED
H6NY37021

PEOPLE FOR POTH COMMITTEE OCT 30 1978 NOV 01 1978 11/4
C00056325

KEMP, JACK 09/08/77 WAIVED
H6NY38029

CITIZENS FOR JACK KEMP OCT 30 1978 Free
C00013565

79040164458

FEDERAL ELECTION COMMISSION
10 DAY PRE ELECTION STATUS REPORT
GENERAL ELECTION

ELECTION: 100

ELECTION DATE: NOV 7 1978

DUE DATE: OCT 28 1978

CANDIDATE/PCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK NTB	ACT	PUH	DGC	DATE SATISFIED
PECK, JAMES A. H6NY38017							WAIVED
COMMITTEE TO ELECT JIM PECK TO CONGRESS C00102269		Y	OCT 30 1978	NOV 01 1978	11/4		FILED 11/13
LUNDINE, STANLEY N. H6NY39035							WAIVED
STAN LUNDINE FOR CONGRESS COMMITTEE C00036699		Y	OCT 30 1978				FILED R
MAGUIRE, CRISPIN H6NY39015							WAIVED
MAGUIRE FOR CONGRESS C00092882		Y	OCT 30 1978	NOV 01 1978			FILED

274

EDWARD WELLES K.
81 BELL COURT

WEST HORTHPORT

NY 11731

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

516

PERSON CONTACTED

TITLE

TELEPHONE #

(516) 499-3336

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 100 RTB RCTB _____ PUBLICATION: _____

DATE/TIME: 11/1/78 WHO CALLED: _____ INITIALS: _____

5:30

COMMENTS:

Left message to call me as soon as possible

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

FILED

79040164459

FRANK LARRY
1822 EAST 27TH ST.

BRONX

NY 11210

DATE OF PRIORITY NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

no listing

PERSON CONTACTED

TITLE

TELEPHONE #

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: _____ RIB _____ RCTB _____ PUBLICATION: _____

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

79040154460

LEO J. KESSELRING (REG.)
335 TRAYER RD.

FAIRPORT NY 14450

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

716

PERSON CONTACTED

TITLE

TELEPHONE #

Leo J. Kesselring

(716) 223-4604 res.

325-6446 bus.

in Rochester

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 10D RIB RCTB _____ PUBLICATION: _____

DATE/TIME: 11/11 5:20 WHO CALLED: _____ INITIALS: _____

COMMENTS:

left message to call as soon as possible

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: 11/14 WHO CALLED: _____ INITIALS: MM

2:50 11/15 3:00 11/22 9:10

COMMENTS:

No answer No answer

Left message to call as soon as possible in regards to 100 per general report.

79040164461

WELLEN, DAN LEONEL (M)
20 HUNTER AVE
BUFFALO NY 14215

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

PERSON CONTACTED

TITLE

TELEPHONE #

(716) 837-7438

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 10D RTB RCTB _____ PUBLICATION: _____

DATE/TIME: 5:30 11/1 WHO CALLED: _____ INITIALS: _____

COMMENTS: *Spoke with the candidate and he said he would send report today. I recommended air express, but he said he would mail it regular.*

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

FILED

79040164462

PEOPLE FOR POTW COMMITTEE

MARIE U. BROZEWSKI
143 PARKVIEW AVENUE

BUFFALO

NY 14210

PERSON CONTACTED

TITLE

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

not listed

TELEPHONE #

(716)

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: _____ RTB _____ RCTB _____ PUBLICATION: _____

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

79040164463

COMMISSIONER
COMMITTEE TO ELECT JIM PECK TO CONGRESS

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

LOIS M. PECK
4451 CLINTON ST.

BUFFALO

NY 14224

PERSON CONTACTED

TITLE

TELEPHONE #

~~07-217~~

COMMENTS

REPO

RAPID NOTE
FORM

James Peck

TO BELIEVE CALLS

DATE 10/31/78

REPO

COMMITTEE TO ELECT

BY	J. EASTWOOD	PUBLICATION:
WHO CALLED:		INITIALS:

DATE/TIME

Jim Peck

NY-38

(716) 668-2704

COM

Response to 106 non file notice. Mr. Peck said he had not filed report. I explained the importance of filing the report immediately, and told him of the midgram procedure. He said that we would receive the report tomorrow, probably.

SIGNED

JAC

REF

FORM NO. 8702
LITHO U.S.A.

DN

WHO CALLED:

INITIALS:

COMMENTS:

FILED

79040164464

William Clark

RTB

RCTB

PS Form 3811, Apr. 1977

7-9 0 1 0 1 5 4 4 7 1
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:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 WA12915-H5303-00392
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 X Mr. Wm. Clark

4. DATE OF DELIVERY POSTMARK
 11/1/78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆ GPO : 1977-O-234-337

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:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 WA12915-H5303-00115
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY POSTMARK
 11-4-78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS
 Blair R. Hays

☆ GPO : 1977-O-234-337

Larry Penner

RCTB

RTB

UNACCOUNTED FOR

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:
Larry Penner

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
WA 12915-H 8303-00849

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
11-1-78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS



79040154472

Leo Kesselring

RTB

RCTB

79040164473

PS Form 3811, Jan. 1975

● 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..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢

RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
LEO J. KESSELRING
333 THAYER RD.
FAIRPORT, N.Y. 14450

3. ARTICLE DESCRIPTION:
WA12915 — CERTIFIED NO. H6303 — 00396
(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
NOV 1 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO: 1975-O-568-047

PS Form 3811, Jan. 1975

● 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..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢

RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
LEO J. KESSELRING
333 THAYER RD.
FAIRPORT, N.Y. 14450

3. ARTICLE DESCRIPTION:
WA12915 — CERTIFIED NO. H1305 — 00419
(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
NOV 3 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO: 1975-O-568-047

Dunstan Haettenschwiler

RTB

RCTB

79040164474

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

2. ARTICLE ADDRESSED TO:
 D. L. Haettenschwiler
 89 Thatcher Ave
 14215

3. ARTICLE DESCRIPTION: 4/2815
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 H 3303
 00117

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 X D. L. Haettenschwiler

4. DATE OF DELIVERY POSTMARK
 1/12/78

5. ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

★GPO 1977-0-241525

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

2. ARTICLE ADDRESSED TO:
 DUNSTAN LIONEL
 89 THATCHER AVE
 14215

3. ARTICLE DESCRIPTION: 4/2815
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 H 3303
 00117

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 X D. L. Haettenschwiler

4. DATE OF DELIVERY POSTMARK
 1/12/78

5. ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

★GPO 1977-0-241525

People for Poth

RTB

RCTB returned

UNACCOUNTED FOR

79040164475

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 c
 Show to whom, date, and address of delivery c
 RESTRICTED DELIVERY
 Show to whom and date delivered c
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$ ____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 MARIE J BROCKINSKI
 143 PARKVIEW AVE
 14210

3. ARTICLE DESCRIPTION *A13915*
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 H1305
 00137

(Always obtain signature of addressee or agent)

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

DATE OF DELIVERY POSTMARK

5. ADDRESS *(Complete only if requested)*
 70
 15

6. UNABLE TO DELIVER BECAUSE:
 LABEL LEFT NO ADDRESS CLERK'S INITIALS

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

DATE
MAY 1977

Committee to Elect Jim Peck

RTB

RCTB

79040164476

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

2. ARTICLE ADDRESSED TO:
 L.M. Peck
 4451 Clinton St.
 Buffalo NY 14224

3. ARTICLE DESCRIPTION: *LA 12915*
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 H0303 00127

(Always obtain signature of addressee or agent)

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

4 *Jim Peck*
 DATE OF DELIVERY POSTMARK
 10-31-78

5. ADDRESS (Complete only if requested)

6 UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO 1977-0-249-595

● 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 c
 Show to whom, date, and address of delivery c
 RESTRICTED DELIVERY Show to whom and date delivered c
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ c
 (CONSULT POSTMASTER FOR FEES)

2 ARTICLE ADDRESSED TO:
 L.M. Peck
 4461 CLINTON ST
 14224

3 ARTICLE DESCRIPTION: *LA 12915*
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 H2305 00127

(Always obtain signature of addressee or agent)

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

4 DATE OF DELIVERY POSTMARK
 9-2-78 NOV 2 1978

5 ADDRESS (Complete only if requested)

6 UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO 1977-0-249-595



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF NF # 179

Date Filmed 11/19/79 Camera No. --- 2

Cameraman LPC

7 9 0 1 0 1 6 4 7 2

APR 1980