



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF TMR # 1273

Date Filmed 10/30/80 Camera No. --- 2

Cameraman LAC

PS Form 3811, Aug. 1973

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
Alan S. Becker

3. ARTICLE DESCRIPTION
 REGISTERED NO. *989765* CERTIFIED NO. _____ INSURED NO. _____
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY _____ POSTMARK _____

5. ADDRESS (Complete only if requested): _____

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

☆ GPO: 1978-272-382

MUR 1273 - Hagan

PS Form 3811, Aug. 1973

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
Honorable Edward J. Stack

3. ARTICLE DESCRIPTION
 REGISTERED NO. *989765* CERTIFIED NO. _____ INSURED NO. _____
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY *10-9-80* POSTMARK *WASH. DC 10 OCT 1980*

5. ADDRESS (Complete only if requested): _____

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

☆ GPO: 1978-272-382

MUR 1273 - Hagan



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 6, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Alan S. Becker
Becker, Poliakoff and Streitfeld, P.A.
P. O. Box 9057
Ft. Lauderdale, Florida 33310

RE: MUR 1273 (80)

Dear Mr. Becker:

The Federal Election Commission has reviewed the allegations of your complaint dated August 5, 1980 and determined that on the basis of the information provided in your complaint and information provided by the Respondent that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended ("the Act") has been committed.

Accordingly, the Commission has determined to close the file in this matter. It will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Steele", is written over the typed name.

Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Alan S. Becker
Becker, Poliakoff and Streitfeld, P.A.
P. O. Box 9057
Ft. Lauderdale, Florida 33310

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Accordingly, the Commission has determined to close the file in this matter. It will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

flu



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

October 6, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stack for Congress Committee
450 N. Park Road, Suite 700
Hollywood, Florida 33021

RE: MUR 1273 (80)

Dear Sir or Madam:

On August 12, 1980, the Commission notified you of a complaint alleging that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 2, 1980, determined that on the basis of the information in the complaint and information provided by Congressman Stack, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Steele", is written over the typed name.

Charles N. Steele
General Counsel

3004021033



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stack for Congress Committee
450 N. Park Road, Suite 700
Hollywood, Florida 33021

RE: MUR 1273 (30)

Dear Sir or Madam:

On August 12, 1980, the Commission notified you of a complaint alleging that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on *October 2*, 1980, determined that on the basis of the information in the complaint and information provided by Congressman Stack, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

ph



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 6, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Edward J. Stack
1440 Longworth House Office Building
Washington, D.C. 20515

RE: MUR 1273 (30)

Dear Congressman Stack:

On August 12, 1980, the Commission notified you of a complaint alleging that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 2, 1980, determined that on the basis of the information in the complaint and information provided by you that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,


Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Edward J. Stack
1440 Longworth House Office Building
Washington, D.C. 20515

RE: MUR 1273 (30)

Dear Congressman Stack:

On August 12, 1980, the Commission notified you of a complaint alleging that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on Oct. 2, 1980, determined that on the basis of the information in the complaint and information provided by you that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles V. Steele,
General Counsel

js

30040221035

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Congressman Edward J. Stack)
Stack for Congress Committee)

MUR 1273

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 2, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1273:

1. Find NO REASON TO BELIEVE that Congressman Edward J. Stack violated any provisions of the Federal Election Campaign Act of 1971, as amended.
2. Find NO REASON TO BELIEVE that the Stack for Congress Committee violated any of the provisions of the Federal Election Campaign Act of 1971, as amended.
3. CLOSE THE FILE.
4. Send the letters as attached to the First General Counsel's Report dated September 30, 1980.

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

Attest:

Date

10/2/80
Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 9-30-80, 9:59
Circulated on 48 hour vote basis: 9-30-80, 4:00



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

80 OCT 1 A10: 02

October 1, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garrity *EG*
SUBJECT: MUR 1273

300740221013

The First General Counsel's Report on MUR 1273 was circulated without the proposed letter to Mr. Alan S. Becker. Please add this letter to the report and remove the letter on MUR 1038, which was mistakenly attached. Thank you.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Alan S. Becker
Becker, Poliakoff and Streitfeld, P.A.
P. O. Box 9057
Ft. Lauderdale, Florida 33310

RE: MUR 1273 (80)

Dear Mr. Becker:

The Federal Election Commission has reviewed the allegations of your complaint dated August 5, 1980 and determined that on the basis of the information provided in your complaint and information provided by the Respondent that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended ("the Act") has been committed.

Accordingly, the Commission has determined to close the file in this matter. It will become a part of the public record within 30 days.

Sincerely,

Charles W. Steele
General Counsel

September 30, 1980

MEMORANDUM TO: Majjorie B. Emmons

FROM: Jane Colgrove

SUBJECT: MUR 1273

Please have the attached First General Counsel's Report on MUR 1273 distributed to the Commission on a 48 hour tally basis.

Thank you.

30040221000

FEDERAL ELECTION COMMISSION
1025 K Street, N.W.
Washington, D.C. 20008

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION SEP 30 1980

MUR # 1273
DATE COMPLAINT RECEIVED
BY OGC 8/8/80

STAFF MEMBER _____
Frances Hagan

COMPLAINANT'S NAME: Alan S. Becker

RESPONDENT'S NAME: Congressman Edward J. Stack
Stack for Congress Committee

RELEVANT STATUTE: 18 U.S.C. § 600

INTERNAL REPORTS CHECKED:

FEDERAL AGENCIES CHECKED:

SUMMARY OF ALLEGATIONS

On August 8, 1980, Mr. Alan S. Becker, candidate for the U.S. House of Representatives from Florida's 12th Congressional District, filed a complaint alleging that the incumbent, Congressman Edward J. Stack made "use of [the] advantages of incumbency [beyond] permissible limits."

The complainant made the following allegations:

- 1) The Congressman may have misused his congressional payroll by hiring officers of two local party organizations as part-time employees. Mr. Becker alleges a possible violation of 18 U.S.C. § 600 which forbids promises of employment or other benefit in exchange for political activity.
- 2) The Congressman misused congressional mailing privileges and taxpayers' dollars by mailing three newsletters during an election year which were of a "blatantly political" nature.
- 3) One of the incumbent's newsletters coincided with a "mass-mailing" solicitation of funds which the complainant contends was not mailed from a campaign headquarters.

In response to the complaint notification, Congressman Stack documented answers to each charge with excerpts from the House Rules governing franking privileges and content of newsletters.

FACTUAL BASIS AND LEGAL ANALYSIS

Our review of the allegations in Mr. Becker's complaint reveals that no provision of the Federal Election Campaign Act was violated through the stated activities. His allegation regarding possible promise of employment in exchange for political support (See 18 U.S.C. § 600) is baseless as the complainant suggests that the situation "bears scrutiny" but offers no substantive evidence to bolster his assertions. Furthermore, Mr. Stack states that he "has never attempted to secure the endorsement of any Democratic Club...through the good office of Staff Aides or otherwise."

All other allegations appear to be subject to House Rules and do not fall within the Act's jurisdiction. For the record, we attach the Congressman's memorandum which addresses these allegations.

The Office of General Counsel recommends that the Commission find no reason to believe that Congressman Edward J. Stack and the Stack for Congress Committee violated 18 U.S.C. § 600 or any other of the Act's provisions.

RECOMMENDATION

1. Find no reason to believe that Congressman Edward J. Stack violated any provisions of the Federal Election Campaign Act of 1971, as amended.
2. Find no reason to believe that the Stack for Congress Committee violated any of the provisions of the Federal Election Campaign of 1971, as amended.
3. Close the file.
4. Send attached letters.

Attachments A and B

Letters to Edward J. Stack, Stack for Congress Committee and Alan S. Becker

LAW OFFICES

CABLE "BEPOL"

Becker, Poliakoff & Streitfeld, P.A.

GARY A. POLIAKOFF
ALAN S. BECKER
JEFFREY E. STREITFELD
MARK B. SCHORR
KAY LATONA
ROBERT J. MANNE
WARREN ROSMARIN
EDWARD S. POLK
GRACE A. NIXON
ALAN E. TANNENBAUM
ANTHONY A. KALLICHE
DANIEL J. LOBECK

CORPORATE PARK AT CYPRESS CREEK
6520 N. ANDREWS AVENUE
POST OFFICE BOX 9057
FT. LAUDERDALE, FL 33310
DIRECT TELEPHONE LINES
FT. LAUDERDALE (305) 776-7550
MIAMI (305) 944-2926
PALM BEACH (305) 732-0803
BOCA RATON (305) 941-8069

5 August, 1980

Kenneth A. Gross, Assoc. Gen. Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Gross:

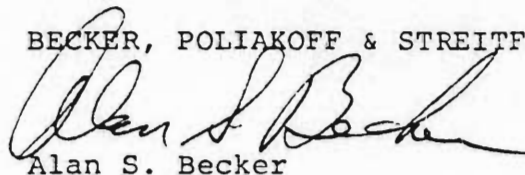
Thank you for your letter of July 31, 1980.

I am re-submitting a copy of my original complaint, which has now been sworn to and signed in the presence of a Notary. It appears to me that all of the other information referred to in your letter appears fully in the body of my complaint and supporting documentation.

If there is any specific information that you believe I should supply or where you need expansion, I will be happy to assist in any way I can.

Very truly yours,

BECKER, POLIAKOFF & STREITFELD, P.A.



Alan S. Becker

ASB:ss
encl.

88:28 3 987 00

Attachment H p.1

Becker, Poliakoff & Streiffeld, P.A.

GARY A. POLIAKOFF
ALAN S. BECKER
JEFFREY F. STREIFFELD
MARK B. SCHORR
KAY LATONA
ROBERT J. MANNE
WARREN ROSMARIN
EDWARD S. POLK
GRACE A. NIXON
ALAN F. TANNENBAUM
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CORPORATE PARK AT CYPRESS CREEK
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FT. LAUDERDALE (305) 776-7550
MIAMI (305) 944-2926
PALM BEACH (305) 732-0803
BOCA RATON (305) 941-8069

21 July, 1980

Robert O. Tiernan, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Tiernan:

I am a candidate for United States Representative in Congress from Florida's 12th District. I wish to register a complaint with regard to the campaign activities of another candidate, Hon. Edward Stack, the incumbent.

At a seminar I attended in Tallahassee last year, a representative of your commission indicated that the advantage of an incumbent in a Congressional race is about \$500,000.00. This sum takes into account the permissible use of printing, franked postage, staff, access to media and direct access to various PAC who are willing to invest large contributions in incumbents in return for past favors or anticipation of future ones. Sometimes the use of these advantages of incumbency can exceed permissible limits. I believe this is such an instance.

The incumbent Congressman has made interesting use of Congressional payroll. He has, for instance, employed the presidents of both the Sunrise Democratic Club and the West Broward Democratic Club as part-time employees with duties not clearly defined. According to an article in the Miami Herald, he, in turn, anticipated the endorsement of both groups and electoral support of both individuals. These are not the only such instances. I cannot say with certainty that this use of staff violates 18 U.S.C. §600 (Promises of Employment or Other Benefit for Political Activity). I do believe it bears scrutiny.

Robert O. Tiernan, Chairman
21 July, 1980
Page Two

More important is the incumbent's blatant misuse of the Congressional mailing privilege. He sent no newsletters to constituents in 1979, but in this election year has sent three. The first two were sent prior to (but obviously in anticipation of) his official announcement of candidacy for re-election. Copies of them are enclosed for your reference. Note the blatant political nature of the newsletter sent in April, 1980 including outright pandering to separate voting blocks (prevalent in each newsletter) and the misleading description of his voting record. For example, he voted "Yes" "To reform the Welfare System." That means everything to everyone: Did he vote for more money or less, more programs or fewer, greater state control or less, easier availability of benefits or stricter enforcement for fraud?

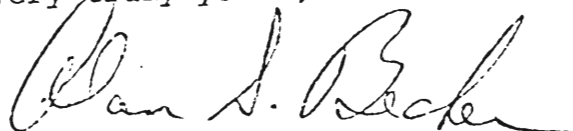
The latest newsletter should be viewed not only in terms of its content (the self-aggrandizing headlines, the use of the word "I" or "me" twenty times in four short pages), but also its timing. Federal law and House rules restrict the period in which franked mass mailings can be sent. This last newsletter apparently was sent after Stack's announcement of candidacy. It may have been (or may not have been) delivered to the post office at least 60 days before the September 9 primary, but it was not received by anyone in the district until Saturday, July 19 and today--well within 60 days preceding the primary election. This certainly violates the spirit and possibly the letter of law. Taxpayers have had to bear the expense of this campaign brochure to the tune of more than \$3,000.00 for printing and some \$25,000.00 for bulk mailing at the lowest rate. These sums should be charged to the campaign. In all, these newsletters have cost the taxpayers over \$80,000.00 this year alone.

Another instance of abuse involves a franked mass mailing dated July 15, 1980. It is an unsolicited letter apparently sent to the Hollywood Jewish Federation list. It contains various self-laudatory news clippings and basically the same text as a franked letter he sent last February. Copies of both are enclosed. The very next day, July 16, his campaign committee sent a letter to the same list of people soliciting a campaign contribution. This mass mailing (I do not know how many were sent) was posted nearer to the election than 60 days and was an obvious attempt to subvert the prohibition on solicitation of political support or financial assistance. Note, too, that the letter was sent from Washington, D.C. where (to the best of my knowledge) there is no campaign office. Obviously, the intent was to have the two letters considered in tandem.

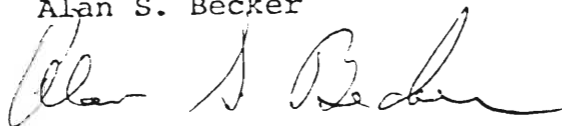
Robert O. Tiernan, Chairman
21 July, 1980
Page Three

Your attention to this matter would be appreciated by me and by the taxpayers who must sit by and watch this intolerable waste of taxpayers' money for personal gain.

Very truly yours,



Alan S. Becker



ASB:ss
encls. as noted

STATE OF FLORIDA)
COUNTY OF BROWARD) SS:

BEFORE ME, the undersigned authority, personally appeared ALAN S. BECKER, who, after being duly sworn upon oath, deposes and says that the above and foregoing is true and correct to the best of his knowledge, information and belief.

WITNESS my hand and official seal in the State and County last aforesaid this 5th day of August, 1980.


NOTARY PUBLIC
State of Florida At Large

My Commission Expires:

Notary Public, State of Florida At Large
My Commission Expires August 21, 1981
Sole Agent American Fire & Casualty Company

909933

Hagan
RECEIVED
HCC # 2517
80 SEP 2 P 3:42

1440 Longworth House Office Bldg.
Washington, D. C. 20515
August 28, 1980

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D. C. 20463

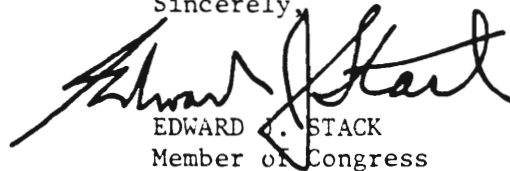
Dear Mr. Steele:

Enclosed please find a memorandum addressing the various charges brought against me by Alan S. Becker.

If you should need further documentation showing compliance with House Rules, please do not hesitate to contact me.

Kind regards.

Sincerely,


EDWARD J. STACK
Member of Congress

EJS:al

Attachment B pl

M E M O R A N D U M

TO: Federal Election Commission
FROM: Representative Edward J. Stack
RE: MUR 1273(80)
DATE: August 28, 1980

CHARGE I

30040221009
"The incumbent Congressman has made interesting use of Congressional payroll. He has, for instance, employed the presidents of both the Sunrise Democratic Club, and the West Broward Democratic Club as part-time employees, with duties not clearly defined. According to an article in the Miami Herald, he, in turn, anticipated the endorsement of both groups and electoral support of both individuals. These are not the only such instances. I cannot say with certainty that this use of staff violates 18 U.S.C. §600 (Promises of Employment or Other Benefit for Political Activity). I do believe it bears scrutiny."

S600. Promise of Employment or Other Benefit for Political Activity.

Whoever, directly or indirectly, promises any employment, position compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than \$10,000 or imprisoned not more than one year, or both.

ANSWER

The allegation that there is an impropriety in a Democratic Member of Congress employing, as a Congressional Aide, the President of a Democratic Club, has no substance.

Would the complainant suggest that the Member forbid his staff to affiliate with his Party? If the Aide is permitted to belong to a Party, and clearly he may, may he not also be a member and an officer of a Democratic Club? To ask the question is to answer it. Would the complainant disenfranchise Congressional Aides? Would that be in the tradition of the American Two-Party system? Perhaps, what the complainant is suggesting, is that a Democratic Congressman should only employ those who are Republicans, and vice versa.

PAGE TWO

ANSWER (cont'd.)

The Aides in question were employed under a job description as Constituent Service Interviewers. As part-time aides, they were employed pursuant to the regulations of the House Administration Committee, which stipulates the minimum number of hours which they are required to serve. Their duties are clearly spelled out in a written job description.

Further, all Congressional Aides are instructed, in writing, that they may not engage in any political activity during office hours, or use government property or premises while so engaged.

Moreover, respondent has never attempted to secure the endorsement of any Democratic Club in the Primary Election, and will not do so, either, through the good offices of Staff Aides or otherwise.

The complaint should be dismissed, on the basis that it is frivolous, and without merit.

CHARGE II

"More important is the incumbent's blatant misuse of the Congressional mailing privilege. He sent no newsletters to constituents in 1979, but in this election year he has sent three."

ANSWER

The first newsletter was dated and sent out December, 1979. The second was dated and sent out April, 1980, and the third was sent out July, 1980.

CHARGE III

"The first two were sent prior to (but obviously in anticipation of) his official announcement of candidacy for re-election. Copies of them are enclosed for your reference. Note the blatant political nature of the newsletter sent in April, 1980, including outright pandering to separate voting blocks (prevalent in each newsletter) and the misleading description of his voting record."

ANSWER

4(b). Examples of Frankable Items in Newsletters or News Releases

Tabulation of Member's voting record is frankable. (1)

- (1) The Commission on Feb. 21, 1974, by a unanimous vote also held as frankable a press release relating to the attendance record of a Member of the House.

PAGE THREE

ANSWER (cont'd.)

Report detailing the positions a Member took on various legislative proposals as frankable.

Notice that a Member will visit various sites in his district to conduct official business with the public is frankable.

Comments critical of administration or congressional policies or activities do not render a newsletter nonfrankable provided such comments are not presented in a partisan manner.

Invitations to meet and participate with a Member in a public discussion or report on Congress is frankable when the meeting is not under political auspices.

Statements of financial disclosure when contained in a press release or newsletter are frankable. (1)

CHARGE IV

"The latest newsletter should be viewed not only in terms of its content (the self-aggrandizing headlines, the use of the word "I" or "me" twenty times in four short pages), but also its timing. Federal law and House rules restrict the period in which franked mass mailings can be sent. This last newsletter apparently was sent after Stack's announcement of candidacy. It may have been (or may not have been) delivered to the post office at least 60 days before the September 9 primary, but it was not received by anyone in the district until Saturday, July 19 and today -- well within 60 days preceding the primary election. This certainly violates the spirit and possibly the letter of law."

ANSWER

Guidelines for Personally Phrased References

Personally phrased references contained in a mass mailing, for the most part, should not appear on the average more than eight times per page (the size of which is 8½" X 11"), except where such references:

- appear as the frank;
- appear in a masthead;
- consist of the signature and name following a letter, message, or the like;

B-4

(1) Regulations on the Use of the Congressional Frank by Members of the House or Representatives and Rules of Practice in Proceedings Before the House Commission on Congressional Mailing Standards.

ANSWER (cont'd.)

- appear in any return, district, or Washington office address;
- identify a Member in a photo;
- appear in Congressional Record reprints, in most cases; or
- appear in reprints of articles from magazines, newspapers and other periodicals, in most cases.

(The Commission points out that the guidelines set forth above do not carry the full force and effect of regulations. Thus, they are not outright limitations on the use of personally phrased references, but have been established to assist Members in preparing newsletters and other mass mailings. The use of personally phrased references in excess of these guidelines, when viewed as a whole and in the proper context, may not be in violation of the spirit and intent of the franking statutes or regulations thereunder.) (See Footnote 1, Pg. 3)

The rules would thus allow 32 personally phrased references.

Under Clause 6, of Rule XLVI, Rules of the House, a Member may not frank any mass mailing less than 60 days immediately before the date of any primary or general election (whether regular, special or runoff) in which such Member is a candidate for public office.

Mailings made through the facilities of the House Distribution Service (Folding Room) shall be deemed in compliance with this rule if such mailings are delivered to the House Folding Room not less than 62 days before the date of such election, with instructions for immediate dispatch. (See Footnote 1, Pg. 3)

The newsletter dated July, 1980, was delivered to the Folding Room July 7, 1980, at 9 A.M.

All newsletters received approved Advisory Opinions as required by the Commission on Congressional Mailing Standards, House of Representatives.

C. Advisory Opinions

Under clause 3, or Rule XLVI, a Member entitled to mail franked mail under section 3210(d) of title 39, United States Code (postal patron mail), shall, before making any such mailing, submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion on the frankability of such mail matter. Under regulations issued by the Commission, the staff of the Commission is authorized to issue advisory opinions on the frankability of mail matter. In order for the Commission staff to be responsive to the needs of Members in complying with this rule, each Member is asked to observe the following procedures:

ANSWER (cont'd.)

- assign a staff member familiar with the franking laws and regulations to supervise preparation of the mailing so that obvious violations of the franking laws are avoided before submitting the material for an advisory opinion;
- submit three copies of the material in its proof form, if possible, and suggest that staff resolve questions in advance by telephone or personal consultation; and
- allow at least three days for an advisory opinion to be processed.

CHARGE V

"Taxpayers have had to bear the expense of this campaign brochure to the tune of more than \$3,000.00 for printing and some \$25,000.00 for bulk mailing at the lowest rate. These sums should be charged to the campaign. In all, these newsletters have cost the taxpayers over \$80,000.00 this year alone."

ANSWER

House Rules -- Bulk Rate Mail.

Under clause 1, of Rule XLVI, any franked mail which is mailed by a Member under section 3210(d) of title 39, United States Code (simplified form of address or postal patron mail), shall be mailed at the equivalent rate of postage which assures that such mail will be sent by most economical means practicable.

Under this rule, bulk third-class mailings under the franking privilege of Members of the House began on April 11, 1977. These mailings consist of newsletters, questionnaires, and other third-class matter prepared under the simplified form of address procedures for general distribution to each resident of the Member's Congressional district.

The abbreviation "Blk. Rt." should be printed on the address side of each piece directly beneath the facsimile signature and title of the person entitled to frank it.

A Member who wishes to make franked bulk third-class mailings at the post office located in his Congressional district must make an application for a third-class mailing permit with his district postmaster

Limitation on Postal Patron Mailings

Under clause 2, of Rule XLVI, after December 31, 1977, the total number of pieces of mail which may be mailed as franked mail under section 3210(d) of title 39, United States Code (simplified form of address or postal patron mail), during

PAGE SIX

ANSWER (cont'd.)

any calendar year may not exceed an amount equal to six multiplied by the number of addresses to which such mail may be delivered in the area from which such Member is elected.

Any mail matter which relates solely to a notice of appearance or a scheduled itinerary of a Member in the area from which such Member was elected shall not count against the limitation.

"Notice of appearance or a scheduled itinerary of a Member" refers specifically to the personal presence of the Member in the district and would include mail matter announcing town meetings, small business and other similar conferences, and mobile office schedules.

However, if the Member is not scheduled to be present but is to be represented instead by staff, the mailing would count against the yearly limitation.

Accountability under this limitation is the responsibility of each Member.

CHARGE VI

"Another instance of abuse involves a franked mass mailing dated July 15, 1980. It is an unsolicited letter apparently sent to the Hollywood Jewish Federation list. It contains various self-laudatory news clippings and basically the same text as a franked letter he sent last February. Copies of both are enclosed. The very next day, July 16, his campaign committee sent a letter to the same list of people soliciting a campaign contribution. This mass mailing (I do not know how many were sent) was posted nearer to the election than 60 days and was an obvious attempt to subvert prohibition on solicitation of political support or financial assistance. Note, too, that the letter was sent from Washington, D.C. where (to the best of my knowledge) there is no campaign office. Obviously, the intent was to have the two letters considered in tandem. "

ANSWER

Mass Mailing. Means newsletters and other similar mailings of more than 500 pieces in which the content of the matter mailed is substantially identical but shall not apply to (a) mailings in direct response to communications from persons to whom the matter is mailed; (b) mailings to colleagues in the Congress or to government officials whether Federal, State, or Local; or (c) mailings of news releases to the communications media. Mail matter will be deemed to fall within the prohibition of the subject rule when the total of such pieces of mail matter exceeds 500, whether in cumulative mailings or a single mailing during the 60-day period of the rule.

Federal publications, publications purchased with Federal funds, publications containing items of general information, when individually addressed and not included in a planned mailing or one which can be reasonably anticipated, shall not be deemed "similar mailings" for the purpose of the subject statute or these regulations, unless such a mailing exceeds 500 pieces in a single mailing.

PAGE SEVEN

ANSWER (cont'd.)

For example, baby books and information to new home owners would be frankable during the 60-day period, but certificates to high school graduates would not be frankable since such a mailing would be considered planned or reasonably anticipated.

This mailing involves a packet of information concerning a project that my office has been engaged in for over a year, on behalf of Ida Nudel, a Soviet refusenik. Also included is information regarding two Soviet citizens who were given the death sentence. The information is merely informing a selected group of constituents (less than 500 as per the Rules) of my efforts on behalf of these individuals, providing information on recent developments, and requesting input from my constituents on this matter.

In regard to the campaign contribution letter, the letter was sent out by the Democratic Congressional Campaign Committee (DCCC), and the timing was merely coincidental, due to a delay on the part of the DCCC in sending out the letter.

In conclusion, the complaint should be dismissed, on the grounds that it has no merit, and is an obvious attempt by my opponent to discredit me before my September 9, 1980 Primary Election.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Edward J. Stack
1440 Longworth House Office Building
Washington, D.C. 20515

RE: MUR 1273 (30)

Dear Congressman Stack:

On August 12, 1980, the Commission notified you of a complaint alleging that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1980, determined that on the basis of the information in the complaint and information provided by you that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles V. Steele,
General Counsel

30040221105



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stack for Congress Committee
450 N. Park Road, Suite 700
Hollywood, Florida 33021

RE: MUR 1273 (30)

Dear Sir or Madam:

On August 12, 1980, the Commission notified you of a complaint alleging that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1980, determined that on the basis of the information in the complaint and information provided by Congressman Stack, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele,
General Counsel

909922

RECEIVED

ACC # 2517

80 SEP 2 P 3: 42

1440 Longworth House Office Bldg.
Washington, D. C. 20515
August 28, 1980

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D. C. 20463

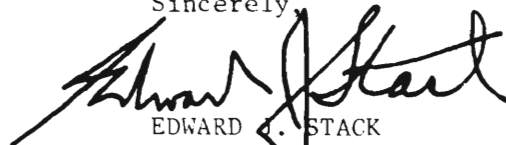
Dear Mr. Steele:

Enclosed please find a memorandum addressing the various charges brought against me by Alan S. Becker.

If you should need further documentation showing compliance with House Rules, please do not hesitate to contact me.

Kind regards.

Sincerely,



EDWARD J. STACK
Member of Congress

EJS:al

M E M O R A N D U M

TO: Federal Election Commission
FROM: Representative Edward J. Stack
RE: MUR 1273(80)
DATE: August 28, 1980

CHARGE I

"The incumbent Congressman has made interesting use of Congressional payroll. He has, for instance, employed the presidents of both the Sunrise Democratic Club, and the West Broward Democratic Club as part-time employees, with duties not clearly defined. According to an article in the Miami Herald, he, in turn, anticipated the endorsement of both groups and electoral support of both individuals. These are not the only such instances. I cannot say with certainty that this use of staff violates 18 U.S.C. §600 (Promises of Employment or Other Benefit for Political Activity). I do believe it bears scrutiny."

§600. Promise of Employment or Other Benefit for Political Activity.

Whoever, directly or indirectly, promises any employment, position compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than \$10,000 or imprisoned not more than one year, or both.

ANSWER

The allegation that there is an impropriety in a Democratic Member of Congress employing, as a Congressional Aide, the President of a Democratic Club, has no substance.

Would the complainant suggest that the Member forbid his staff to affiliate with his Party? If the Aide is permitted to belong to a Party, and clearly he may, may he not also be a member and an officer of a Democratic Club? To ask the question is to answer it. Would the complainant disenfranchise Congressional Aides? Would that be in the tradition of the American Two-Party system? Perhaps, what the complainant is suggesting, is that a Democratic Congressman should only employ those who are Republicans, and vice-versa.

PAGE TWO

ANSWER (cont'd.)

The Aides in question were employed under a job description as Constituent Service Interviewers. As part-time aides, they were employed pursuant to the regulations of the House Administration Committee, which stipulates the minimum number of hours which they are required to serve. Their duties are clearly spelled out in a written job description.

Further, all Congressional Aides are instructed, in writing, that they may not engage in any political activity during office hours, or use government property or premises while so engaged.

Moreover, respondent has never attempted to secure the endorsement of any Democratic Club in the Primary Election, and will not do so, either, through the good offices of Staff Aides or otherwise.

The complaint should be dismissed, on the basis that it is frivolous, and without merit.

CHARGE II

"More important is the incumbent's blatant misuse of the Congressional mailing privilege. He sent no newsletters to constituents in 1979, but in this election year he has sent three."

ANSWER

The first newsletter was dated and sent out December, 1979. The second was dated and sent out April, 1980, and the third was sent out July, 1980.

CHARGE III

"The first two were sent prior to (but obviously in anticipation of) his official announcement of candidacy for re-election. Copies of them are enclosed for your reference. Note the blatant political nature of the newsletter sent in April, 1980, including outright pandering to separate voting blocks (prevalent in each newsletter) and the misleading description of his voting record."

ANSWER

4(b). Examples of Frankable Items in Newsletters or News Releases

Tabulation of Member's voting record is frankable. (1)

- (1) The Commission on Feb. 21, 1974, by a unanimous vote also held as frankable a press release relating to the attendance record of a Member of the House.

PAGE THREE

ANSWER (cont'd.)

Report detailing the positions a Member took on various legislative proposals as frankable.

Notice that a Member will visit various sites in his district to conduct official business with the public is frankable.

Comments critical of administration or congressional policies or activities do not render a newsletter nonfrankable provided such comments are not presented in a partisan manner.

Invitations to meet and participate with a Member in a public discussion or report on Congress is frankable when the meeting is not under political auspices.

Statements of financial disclosure when contained in a press release or newsletter are frankable. (1)

CHARGE IV

"The latest newsletter should be viewed not only in terms of its content (the self-aggrandizing headlines, the use of the word "I" or "me" twenty times in four short pages), but also its timing. Federal law and House rules restrict the period in which franked mass mailings can be sent. This last newsletter apparently was sent after Stack's announcement of candidacy. It may have been (or may not have been) delivered to the post office at least 60 days before the September 9 primary, but it was not received by anyone in the district until Saturday, July 19 and today -- well within 60 days preceding the primary election. This certainly violates the spirit and possibly the letter of law."

ANSWER

Guidelines for Personally Phrased References

Personally phrased references contained in a mass mailing, for the most part, should not appear on the average more than eight times per page (the size of which is 8½" X 11"), except where such references:

- appear as the frank;
- appear in a masthead;
- consist of the signature and name following a letter, message, or the like;

(1) Regulations on the Use of the Congressional Frank by Members of the House or Representatives and Rules of Practice in Proceedings Before the House Commission on Congressional Mailing Standards.

PAGE FOUR

ANSWER (cont'd.)

- appear in any return, district, or Washington office address;
- identify a Member in a photo;
- appear in Congressional Record reprints, in most cases; or
- appear in reprints of articles from magazines, newspapers and other periodicals, in most cases.

(The Commission points out that the guidelines set forth above do not carry the full force and effect of regulations. Thus, they are not outright limitations on the use of personally phrased references, but have been established to assist Members in preparing newsletters and other mass mailings. The use of personally phrased references in excess of these guidelines, when viewed as a whole and in the proper context, may not be in violation of the spirit and intent of the franking statutes or regulations thereunder.) (See Footnote 1, Pg. 3)

The rules would thus allow 32 personally phrased references.

Under Clause 6, of Rule XLVI, Rules of the House, a Member may not frank any mass mailing less than 60 days immediately before the date of any primary or general election (whether regular, special or runoff) in which such Member is a candidate for public office.

Mailings made through the facilities of the House Distribution Service (Folding Room) shall be deemed in compliance with this rule if such mailings are delivered to the House Folding Room not less than 62 days before the date of such election, with instructions for immediate dispatch. (See Footnote 1, Pg. 3)

The newsletter dated July, 1980, was delivered to the Folding Room July 7, 1980, at 9 A.M.

All newsletters received approved Advisory Opinions as required by the Commission on Congressional Mailing Standards, House of Representatives.

C. Advisory Opinions

Under clause 3, of Rule XLVI, a Member entitled to mail franked mail under section 3210(d) of title 39, United States Code (postal patron mail), shall, before making any such mailing, submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion on the frankability of such mail matter. Under regulations issued by the Commission, the staff of the Commission is authorized to issue advisory opinions on the frankability of mail matter. In order for the Commission staff to be responsive to the needs of Members in complying with this rule, each Member is asked to observe the following procedures:

PAGE FIVE

ANSWER (cont'd.)

- assign a staff member familiar with the franking laws and regulations to supervise preparation of the mailing so that obvious violations of the franking laws are avoided before submitting the material for an advisory opinion;
- submit three copies of the material in its proof form, if possible, and suggest that staff resolve questions in advance by telephone or personal consultation; and
- allow at least three days for an advisory opinion to be processed.

CHARGE V

"Taxpayers have had to bear the expense of this campaign brochure to the tune of more than \$3,000.00 for printing and some \$25,000.00 for bulk mailing at the lowest rate. These sums should be charged to the campaign. In all, these newsletters have cost the taxpayers over \$80,000.00 this year alone."

ANSWER

House Rules -- Bulk Rate Mail.

Under clause 1, of Rule XLVI, any franked mail which is mailed by a Member under section 3210(d) of title 39, United States Code (simplified form of address or postal patron mail), shall be mailed at the equivalent rate of postage which assures that such mail will be sent by most economical means practicable.

Under this rule, bulk third-class mailings under the franking privilege of Members of the House began on April 11, 1977. These mailings consist of newsletters, questionnaires, and other third-class matter prepared under the simplified form of address procedures for general distribution to each resident of the Member's Congressional district.

The abbreviation "Blk. Rt." should be printed on the address side of each piece directly beneath the facsimile signature and title of the person entitled to frank it.

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PAGE SIX

ANSWER (cont'd.)

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Accountability under this limitation is the responsibility of each Member.

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"Another instance of abuse involves a franked mass mailing dated July 15, 1980. It is an unsolicited letter apparently sent to the Hollywood Jewish Federation list. It contains various self-laudatory news clippings and basically the same text as a franked letter he sent last February. Copies of both are enclosed. The very next day, July 16, his campaign committee sent a letter to the same list of people soliciting a campaign contribution. This mass mailing (I do not know how many were sent) was posted nearer to the election than 60 days and was an obvious attempt to subvert prohibition on solicitation of political support or financial assistance. Note, too, that the letter was sent from Washington, D.C. where (to the best of my knowledge) there is no campaign office. Obviously, the intent was to have the two letters considered in tandem. "

ANSWER

Mass Mailing. Means newsletters and other similar mailings of more than 500 pieces in which the content of the matter mailed is substantially identical but shall not apply to (a) mailings in direct response to communications from persons to whom the matter is mailed; (b) mailings to colleagues in the Congress or to government officials whether Federal, State, or Local; or (c) mailings of news releases to the communications media. Mail matter will be deemed to fall within the prohibition of the subject rule when the total of such pieces of mail matter exceeds 500, whether in cumulative mailings or a single mailing during the 60-day period of the rule.

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PAGE SEVEN

ANSWER (cont'd.)

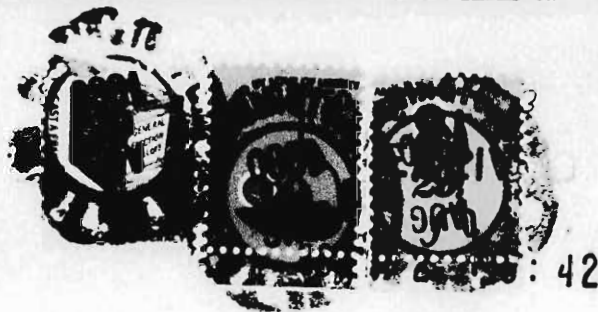
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In regard to the campaign contribution letter, the letter was sent out by the Democratic Congressional Campaign Committee (DCCC), and the timing was merely coincidental, due to a delay on the part of the DCCC in sending out the letter.

In conclusion, the complaint should be dismissed, on the grounds that it has no merit, and is an obvious attempt by my opponent to discredit me before my September 9, 1980 Primary Election.

Hon. Edward J. Stack
1440 Longworth House Office Bldg.
Washington, D.C. 20515



CERTIFIED

MAIL

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 12, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stack for Congress Committee
450 N. Park Road, Suite 700
Hollywood, Florida 33021

Re: MUR 1273(80)

Dear Sir or Madam:

This letter is to notify you that on August 8, 1980 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1273. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Fran Hagan, the staff member assigned to this matter at 202-523-4057. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

3004022117

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: <i>Stack for Congress</i> <i>Cothm</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>945806</i>	INSURED NO.
I have received the article described above: SIGNATURE ☐ Addressee ☐ Authorized agent <i>Shuan Cross</i>	
4. DATE OF DELIVERY <i>8/14/90</i>	POSTMARK HULLY W. CO. MD. 100 1990
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1273 Hagan



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 12, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Edward J. Stack
1440 Longworth House Office Building
Washington, D.C. 20515 Re: MUR 1273(80)

Dear Congressman Stack:

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Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

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Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosure
Complaint
Procedures

30040221119

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: <i>Hon. Edward Stack</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>945807</i>	INSURED NO.
I have received the article described above. SIGNATURE <i>C. Steele</i> ☐ Address ☐ Authorized agent (Always obtain signature of addressee or agent)	
4. DATE OF DELIVERY <i>8-17-80</i>	POSTMARK
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS	

1273 Hagan



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 12, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alan S. Becker
Becker, Poliakoff & Streitfeld, P.A.
Corporate Park at Cypress Creek
6520 N. Andrews Avenue
P.O. Box 9057
Ft. Lauderdale, Florida 33310

Dear Mr. Becker:

This letter is to acknowledge receipt of your complaint of August 5, 1980, against Congressman Stack and the Stack for Congress Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification. You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosure

PS Form 3811 Apr 1977

1. The following service is requested (check one):
☐ Show to whom and date delivered.
☐ Show to whom and date delivered.
☐ RESTRICTED DELIVERY
☐ RESTRICTED DELIVERY
Show to whom date and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Alan S. Becker

3. ARTICLE DESCRIPTION
REGISTERED NO. *945802* 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
Aug 13 1980

5. ADDRESS (Complete only if requested)
*6520 N. Andrews Avenue
P.O. Box 9057
Ft. Lauderdale, Florida 33310*

6. UNABLE TO DELIVER BECAUSE:
INITIALS

1273 Hager

RECEIVED
AUG 12 1980
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Honorable Edward J. Stack
1440 Longworth House Office Building
Washington, D.C. 20515

Stack for Congress Committee
450 N. Park Road, Suite 700
Hollywood, Florida 33021

30040221121

3004
 RECEIVED 0264
 CABLE "BEPOL"
 1964

GARY A. POLIAKOFF
ALAN S. BECKER
JEFFREY I. STREITFELD
MARK B. SCHORR
KAY LATONA
ROBERT J. MANNE
WARREN ROSMARIN
EDWARD S. POLK
GRACE A. NIXON
ALAN E. TANNENBAUM
ANTHONY A. KALLICHE
DANIEL J. LOBECK

CORPORATE PARK AT CYPRESS CREEK
6520 N. ANDREWS AVENUE
POST OFFICE BOX 9057
FT. LAUDERDALE FL 33310
DIRECT TELEPHONE LINES
FT. LAUDERDALE (305) 776-7530
MIAMI (305) 944-2926
PALM BEACH (305) 732-0803
BOCA RATON (305) 941-8069

Kenneth A. Gross, Assoc. Gen. Counsel
Federal Election Commission
Washington, D.C. 20463

Thank you for your letter of July 31, 1980.

I am re-submitting a copy of my original complaint, which has now been sworn to and signed in the presence of a Notary. It appears to me that all of the other information referred to in your letter appears fully in the body of my complaint and supporting documentation.

If there is any specific information that you believe I should supply or where you need expansion, I will be happy to assist in any way I can.

Very truly yours,

BECKER, POLIAKOFF & STREITFELD, P.A.

BECKER, POLIAKOFF & STREIT


Alan S. Becker

ASB:ss
encl.

30 AUG 8 P 2: 38

Becker, Pollakoff & Streiffeld, P.A.

GARY A. POLLAKOFF
ALAN S. BECKER
JEREMY F. STREIFFELD
MARK B. SCHORR
KAY LATONA
ROBERT J. MANNE
WARREN ROSMARIN
EDWARD S. POLK
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ALAN E. TANNENBAUM
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6520 N. ANDREWS AVENUE
POST OFFICE BOX 9057
FT. LAUDERDALE, FL. 33310
DIRECT TELEPHONE LINES
FT. LAUDERDALE (305) 776-7990
MIAMI (305) 934-2926
PALM BEACH (305) 732-0803
BOCA RATON (305) 941-8069

21 July, 1980

Robert O. Tiernan, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Tiernan:

I am a candidate for United States Representative in Congress from Florida's 12th District. I wish to register a complaint with regard to the campaign activities of another candidate, Hon. Edward Stack, the incumbent.

At a seminar I attended in Tallahassee last year, a representative of your commission indicated that the advantage of an incumbent in a Congressional race is about \$500,000.00. This sum takes into account the permissible use of printing, franked postage, staff, access to media and direct access to various PAC who are willing to invest large contributions in incumbents in return for past favors or anticipation of future ones. Sometimes the use of these advantages of incumbency can exceed permissible limits. I believe this is such an instance.

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Robert O. Tiernan, Chairman
21 July, 1980
Page Two

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Robert O. Tiernan, Chairman
21 July, 1980
Page Three

Your attention to this matter would be appreciated by me and by the taxpayers who must sit by and watch this intolerable waste of taxpayers' money for personal gain.

Very truly yours,

Alan S. Becker

Alan S. Becker

Alan S. Becker

ASB:ss
encls. as noted

STATE OF FLORIDA)
COUNTY OF BROWARD) SS:

BEFORE ME, the undersigned authority, personally appeared ALAN S. BECKER, who, after being duly sworn upon oath, deposes and says that the above and foregoing is true and correct to the best of his knowledge, information and belief.

WITNESS my hand and official seal in the State and County last aforesaid this 5th day of August, 1980.

Margery B. Goldman
NOTARY PUBLIC
State of Florida At Large

My Commission Expires:

Notary Public, State Of Florida At Large
My Commission Expires August 21, 1981
Bonded by American Fire & Casualty Company

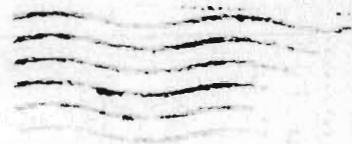
Becker, Peliakoff & Streitfeld, P. A.

CORPORATE PARK AT CYPRESS CREEK

6520 N. ANDREWS AVE.

POST OFFICE BOX 9057

FT. LAUDERDALE, FLA. 33310



Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

30

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

July 31, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alan S. Becker
Becker, Poliakoff & Streitfeld, P.A.
Corporate Park at Cypress Creek
6520 N. Andrews Avenue
Ft. Lauderdale, Florida 33310

Dear Mr. Becker:

We have received your letter of July 21, 1980, inquiring into the possibility of a violation of the Federal Election Campaign Act of 1971, as amended (the "Act").

As set forth in 2 U.S.C. § 437g(a)(1), any person who believes that there has been a violation of any law within the Commission's jurisdiction may file a written complaint. In order for the Commission to take action on such a complaint, its contents must be sworn to and signed in the presence of a notary, and notarized. Your letter did not satisfy this requirement of the Act.

In addition, Commission Regulations, found at 11 C.F.R. § 111.4, provide that a complaint:

- (1) must contain the full name and address of the person making the complaint;
- (2) should clearly identify as a respondent each person or entity who is alleged to have committed a violation;
- (3) should identify the source of information upon which the complaint is based;

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Enclosed please find a copy of §§ 111.4 - 111.10 of Commission regulations which deal with preliminary enforcement procedures. I hope that an examination of these materials will answer most of your questions, and will enable you to be specific in any assertions or allegations you might make in the event you wish to file a legally sufficient complaint with the Commission.

Sincerely,

By:  Kenneth A. Gross

Enclosure

cc: Hon. Edward Stack

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:

Hon Edward Stack

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

945678

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. *William Marquez* *WA HI*

DATE OF DELIVERY

5/4/80

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

☆ GPO 1977-O-234-337

ACC 2070

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
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- ☐ 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:

Alan Becker

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

945670

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. *C. LaVeck*

DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

☆ GPO 1977-O-234-337

ACC 2070

LAW OFFICES

Becker, Poliakoff & Streiffeld. P. A.

GARY A. POLYAKOFF
ALAN C. BECKER
DEBBY E. STREIFFELD
MADE B. SCHORK
KAY L. ADONIS
ROBERT J. MANNE
WARREN ROSMARIN
EDWARD S. POLK
GRACE A. NIXON
ALAN E. JANNENBAUM
ANTHONY A. KALLICHE
DANIEL J. LOBICK

CORPORATE PARK AT CLEVELAND, OHIO
SUITE 200, ANDREW A. SUE
PHONE 601-BOX 9057
CLEVELAND, OHIO 44110
DIRECT TELEPHONE LINES
CLEVELAND, OHIO 776-7350
MIAMI, FLORIDA 944-2926
PALM BEACH, FLORIDA 803
BOCA RATON, FLORIDA 869

21 July, 1980

Robert O. Tiernan, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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Robert O. Tiernan, Chairman
21 July, 1980
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Your attention to this matter would be appreciated by me and by the taxpayers who must sit by and watch this intolerable waste of taxpayers' money for personal gain.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Alan S. Becker". The signature is fluid and cursive, with the first name "Alan" and last name "Becker" clearly distinguishable.

Alan S. Becker

ASB:ss
encls. as noted

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Becker, Peliakoff & Streifeld, P.A.

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

80 JUN 25 P. 1

RECEIVED

Congressman
Edward J. Stack
reports from
Washington



STACK BILL SEEKS TO REIMBURSE COUNTY SCHOOL BOARDS FOR REFUGEE EDUCATION COSTS

On May 21, 1980, I introduced House Bill 7425, to require the Federal Government to fully reimburse local school districts for the additional cost to them incurred by the recent influx of Caribbean refugee children. By the phrase "Caribbean" I intended to include the children of all Cubans, Haitians or Nicaraguans, arriving in the United States during the calendar year 1980 who are applicants for "refugee status." The theory of the bill is that, since the added financial burden resulted from Federal immigration policy, the cost should be paid by the Federal Government, rather than the local taxpayer. None of the money appropriated will go to individual refugees.

A hearing on H.R. 7425 was held in Dade County on June 23rd. The Chairman of the House Committee on Education and Labor, Carl Perkins, presided. Testimony was presented by Florida Com-

missioner of Education, Ralph Turlington; State Legislators; local school officials; and teacher representatives. This testimony indicated that for the school year beginning September, 1980, these special costs to Dade County, alone, would approximate 20 million dollars, and that Broward County would require some 5 million dollars in additional funding for this purpose.

Chairman Perkins opened the hearing by announcing that the school districts in South Florida are confronted with a serious and urgent problem. Speaking to the panelists and public in attendance, he said: "I would appreciate hearing your comments on Mr. Stack's bill to remedy this burden on local governments."

Kathleen Wright, Vice Chair of the Broward County School Board, presented the Broward County position. "Broward County," she said, "is in need of emergency financial assistance to fund educational services which both comply with the federal regulations and accommodate the needs of this most recent influx of Caribbean refugees. Some of these services include bilingual education, remedial academic services and adult education in English training and vocational training."

As Florida's only Member on Education and Labor, I will make every effort to see that justice is done to the local taxpayer.

Additional committee hearings will be held in Washington during July. Chairman Perkins is fully supporting H.R. 7425, and, with his help, it is anticipated that it will be approved by the full Committee on Education and will appear on the House calendar in August.



Longtime Education & Labor Committee Chairman Carl Perkins examines bill sponsored by Broward's Congressman.

SAVING THE MARINE SANCTUARIES PROGRAM

As a Member of the House Committee on Merchant Marine and Fisheries, I have had the opportunity to lead the fight to reauthorize the Marine Sanctuaries Program. This program includes the Key Largo Coral Reef Marine Sanctuary, located in South Florida, which is one of the two existing sanctuaries in the United States. It is also expected that Looe Key, a proposed reserve off the southern part of the Florida Keys, will gain sanctuary designation in or about September of this year.

Recently, some Members from oil-producing states advocated repealing this legislation as a means of opening a proposed sanctuary off the Texas-Louisiana coast to oil drilling. They criticized the Marine Sanctuaries Program as an "example of unnecessary, costly, duplicative, interfering and ineffective bureaucracy." It appears that just the opposite is true: the Marine Sanctuary Program is unique in that no other statute has as its primary responsibility the conservation of these priceless underwater areas.

The Florida Audubon Society first contacted me last year to express its alarm that the loss of the Marine Sanctuaries Program would present a serious setback for marine conservation nationally. In disestablishing the Key Largo Coral Reef Marine Sanctuary, we would endanger a priceless national asset, situated contiguous to Florida's John Pennekamp Coral Reef State Park, one of the most admired state parks in the nation. The loss of the marine sanctuary program would also end all prospects of Looe Key gaining marine sanctuary status.

Of further concern is the financial impact the repeal of this program would have on the State of Florida. A study made in 1975, on the economic aspects of the Florida coral reefs, concluded that the existence of living coral reefs in Florida represents income of \$20 to \$30 million annually. This revenue is generated from sports diving, recreational fishing, tourism—including lodging, the sale of food, gasoline and supplies. The counties receiving the bulk of this income are Dade, Broward, Palm Beach and Monroe.

I am pleased to report that my efforts to save the

Marine Sanctuaries Program were successful and that it has been approved for funding by the full Committee on Merchant Marine and Fisheries.

Florida has been blessed with the presence of one of the most awe-inspiring biological communities our country has to offer—the coral reefs. Along with the blessing comes the heavy responsibility of conserving these vulnerable assemblages of polyps, fish and invertebrates. As demands on the marine environment increase, the need to protect highly valued sites will also increase. I will continue to work in the Congress for the protection of these invaluable natural resources.

STACK FIGHTS TAX ON SAVINGS INTEREST AND DIVIDENDS

The Administration's proposal to impose a 15% withholding tax on interest and dividends, to help balance the Federal budget, is not acceptable to me, and I will work and vote to defeat it. My main objection is that recipients of dividends and interest, of modest means, depend on interest and dividends for an essential portion of their income. They would have the tax withheld, and would have to file for an income tax refund annually, even if they would not be in an income bracket requiring the payment of taxes.

Suggestions that the bill exempt such individuals from withholding would present an administrative impossibility. It is also important to note that this legislation would serve as a disincentive to save. In these days of double-digit inflation, this is a highly undesirable result.

This is not the first time that an attempt has been made to enact a withholding tax. Similar proposals have been rejected in the past. I am confident that Congress will defeat this plan as well, especially after its many drawbacks are made clear to the Congress and the public.

In an attempt to balance the Federal budget, we need not resort to an undesirable and unpopular tax.

CONDO AND HOUSING PROBLEMS DEMAND ATTENTION

Those of us who are interested in assisting condominium unit owners with recreation leases containing escalation clauses, were pleased that the Senate approved legislation which includes a freeze on recreation lease rents, and also provides access to the Federal court system to have such leases set aside on the grounds of unconscionability based on criteria set forth in the bill—the Housing and Community Development Act. This legislation is part of a package which will go to a joint Senate-House Conference Committee on the 1981 H.U.D. reauthorization bill.

As a cosponsor of similar House legislation, I have enlisted the support of Congressman Henry Reuss, Chairman of the House Banking Committee, who will be a leader of the joint Senate-House conference on the Senate bill. If the conference adopts the Senate version, including the Housing and Community Development Act, the Senate and House must approve the conference report, which would then become law upon the President's signature. This procedure is the most promising avenue which has been opened to provide relief to the condominium unit owners affected, since Federal legislation obviates the constitutional and legal obstacles which made state efforts to provide relief unsuccessful.

The Senate bill also contains provisions protecting rental units from condominium conversions. Basic to the problem of condo conversions, is the lack of rental housing, which is in desperately short supply in South Florida. To meet this need, I am preparing legislation intended to stimulate the building of rental housing by encouraging mortgage lending under conditions affordable to builders.



Stack discusses condo legislation with the Chairman of the Committee on Banking, Finance, and Urban Affairs, Rep. Henry Reuss.

LEGISLATIVE MAIL TALLY

I am happy to report that you have contacted me over 5000 times in the past six months on various issues. Keeping me aware of your views on legislative matters is the best way to ensure that you will be effectively and accurately represented. I appreciate the benefit of your views, and hope you will continue to communicate with me. Some of the areas of the greatest concern to you are listed below, along with the number of letters received.

The Cuban/Haitian Refugees	911 letters
The Labor Management Act	345 letters
Social Security Taxes	391 letters
Withholding Tax on Interest & Dividends	211 letters
Inflation	291 letters
School Issues	405 letters

ADDRESS: 1440 Longworth HOB
Washington, D.C. 20515

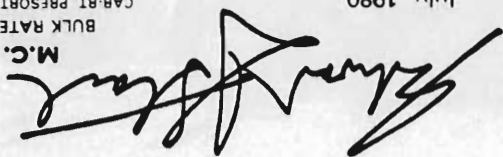
TELEPHONE: 202-225-3026

Washington
reports from
Edward J. Stack
Congressman

POSTAL PATRON — LOCAL
Twelfth Congressional District
Florida

M.C.
BULK RATE
CAR-RT. PRESORT

July, 1980



Congress of the United States
House of Representatives
Washington, D.C. 20515
Official Business

ENCOURAGING SMALL BUSINESS

Recently I was privileged to be appointed by Speaker Thomas P. O'Neill to the special House Task Force on Small Business Programs. The Task Force will develop legislative priorities for action by the Congress this fall and for the coming year.

Last week, final approval was given to the Omnibus Small Business Bill of 1980, the most comprehensive legislation affecting small business ever passed. It provides more than \$30 billion in loan and guarantee authority and represents a major shift in emphasis toward helping the small businessman to meet competition from big business.

Our task force will look closely at implementing the recent recommendations of the White House Conference on Small Business, as well as other proposals developed by the small business community. I am especially concerned about productivity, capital formation, unfair competition, regulatory reform, paperwork reduction and protection from unfair trade practices.

In this context I would like to report that I have cosponsored H.R. 4646, the Capitol Cost Recovery Act, which would reform our present depreciation allowances for business, in order to increase investment and expand employment opportunities.

H.R. 4646 would provide a ten year depreciation for new buildings, five years for equipment, and three years for vehicles. This more favorable depreciation schedule is desperately needed, especially by the small and medium sized American businessman. Over the past decade, inflation and steeply graduated income tax rates, coupled with low levels of capital investment, have created losses in productivity which plague our economy.

Other important business measures I have cosponsored, including the Independent Contractor Bill of concern to realtors, and the Soft Drink Inter-Brand Competition Bill, vital to protecting local soft drink distributors, are important components in improving the climate for small business. In undertaking my responsibilities on this task force, I would welcome the opportunity to hear your views on ways to help small businesses.

Congressman
Edward J. Stack
reports from
Washington



Dear Friends:

This is my first report, giving to you an interim accounting of my stewardship as your Congressman. Other reports will follow in 1980 — perhaps on a quarterly basis.

My first year in the Congress has been an exhilarating, learning experience, to which my entire time and energy has been devoted, with a measure of success. The job of a Congressman entails two major responsibilities — constituent service, that is, to act as a liaison with the federal government on behalf of individuals or agencies of local government having problems, running the gamut from Medicare claims, to assisting a local governmental entity with a grant application for federal funds. The second major responsibility of a Congressman is to become involved in the legislative process. It is the purpose of this letter to give you an overview of some of the matters in which I have been involved on your behalf in both these areas of responsibility.

I am deeply grateful to you for allowing me the great privilege of serving as your representative in the Congress.

You have my continued pledge to serve you faithfully in that capacity.

Sincerely,

EDWARD J. STACK
Member of Congress

FOR YOUR INFORMATION

WASHINGTON OFFICE

1440 Longworth House Office Building
Washington, D.C. 20515
(202) 225-3026

HOLLYWOOD

1801 Polk Street, Room 209
Hollywood, Florida 33022
(305) 925-0900

FORT LAUDERDALE

U.S. Federal Building
299 E. Broward Boulevard
Fort Lauderdale, Florida 33301
(305) 527-7253

SUNRISE

2670 N. University Drive
Sunrise, Florida 33322
(305) 741-1907

NUTRITION PROGRAM SAVED

Soon after taking office, I learned that a Congressman has ready access to the heads of federal agencies, and that the most expeditious and effective way to solve a constituent problem is to request a meeting with the head of the agency involved. Thus, last February when I learned of a problem with the County's federally assisted congregate meal program, in connection with the service of special menus, I asked for a meeting with Robert Benedict, the Federal Commissioner on Aging, which took place in my office.

The problem arose from the fact that "special menus" cost more than the regular meals served at congregate meal sites. The state agency took the position that it could serve more individuals if special menus were either eliminated, or, the difference in cost were paid by the participant or some benevolent association on his behalf.

The solution, which I suggested to Commissioner Benedict, was that his legal staff issue a clarification of the appropriate sections of the 1978 Amendments to the Older Americans Act, which provide:

"Each project will provide special menus, where feasible and appropriate, to meet the particular dietary needs arising from the health requirements, religious requirements, or ethnic backgrounds of eligible individuals."

The clarification issued by Commissioner Benedict's office on April 27, 1979, stated that:

"The purpose of this section is to assure that the particular menus necessary to serve certain groups of older persons will be made available, when not to do so would deny those persons participation in the nutrition program."

Commissioner Benedict ruled that cost factors alone cannot be used to determine that it is not feasible or appropriate to provide special menus. Projects may not require nutrition service sites, grantees, or participants to absorb the added costs for serving such menus. This decision insured the continuation of the special menu programs, not only in Broward County, but throughout the nation.

BILL TO AID DISABLED AND ELDERLY POOR

In March of this year, new regulations took effect which partially or entirely disqualified from food stamp benefits, thousands of disabled and elderly poor individuals — many of them in Broward County.

In determining eligibility for food stamps, the new regulations did not take into account the costs of medical and dental care and severely restricted the shelter care deduction.

After learning of the plight of these disabled and elderly individuals, I introduced legislation which would

allow a deduction for out-of-pocket medical and dental expenses, and remove the cap on the amount that could be deducted for shelter care. The bill was co-sponsored by 140 other Members of the House of Representatives.

My bill was incorporated into a consensus Agriculture Committee bill which was overwhelmingly adopted by both houses of the Congress and was signed by the President on August 14th and became Public Law 96-58. These new provisions of the food stamp program take effect on January 1, 1980.

ADDITIONAL BUSES FOR BROWARD

As a rapidly growing urban area, Broward County faces an enormous challenge in providing adequate public transportation, especially for the many retirees who do not drive. For that reason, I have worked with county officials to seek federal assistance for the development of adequate public transportation in Broward County. Recently these efforts were rewarded when a grant of \$4,005,000 was approved by the Urban Mass Transit Administration. These funds enabled the County to purchase 35 buses which are specially equipped for the elderly and handicapped.

A major obstacle to Broward County obtaining mass transit funds has been that the funding formula is based on 1970 census figures. Further, most mass transit funds are set aside for urban areas of over 750,000 residents. The 1970 census showed approximately 600,000 Broward County residents, thus automatically disqualifying the County from most of the funding, even though current population estimates are in the one million range.

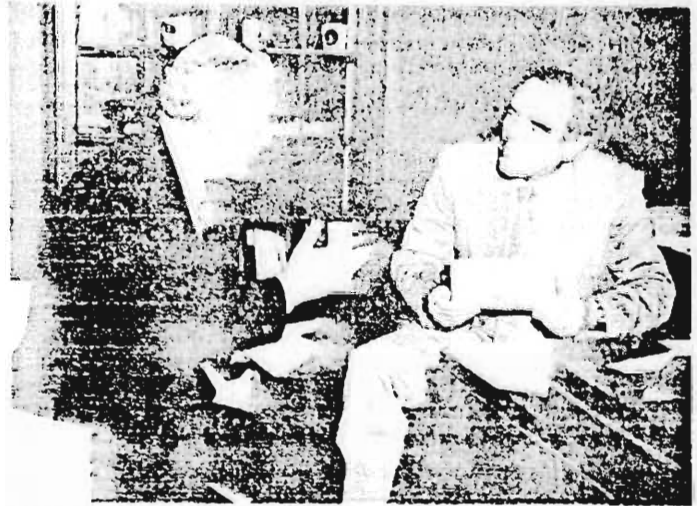
In response to this situation, County officials and I

(continued on page 3)

V.A. CLINIC GROUND BREAKING SET FOR SPRING

In June of 1978, while Paul Rogers was still in the Congress, he obtained approval of a V.A. clinic for Broward County. On Feb. 5, 1979, I arranged to meet with Max Cleland, the V.A. Administrator, and also later with Jay Solomon, then the Administrator of G.S.A. These meetings were initiated for two reasons — the first was that after the initial announcement in June, the V.A. had taken no further action to proceed with the clinic. The location was also a major concern.

Since Mr. Rogers represented North Broward, it was generally assumed that the clinic would be located in North Broward. In my opinion, as I stated to Mr. Cleland and Mr. Solomon, the clinic should be located as close as possible to the center of the veteran population to be served — that is, in West Central Broward County. In response to this urging, demographic studies were made which agreed with my views on location, and a site selection committee of V.A. identified 8 possible sites in an area bounded by McNab Rd. on the North, Sunrise Blvd. on the South, Dixie Hwy. on the East and Pine Island Rd. on the West. Thereafter, when it appeared that the entire process was moving forward, we were informed by the Office of Management and Budget that the Administration's urban policy required locating such a facility in the downtown business district of the principal city in the county. Since this policy was clearly intended for states having larger cities, such as Buffalo or Birmingham, I requested a waiver from the office of O.M.B., which was granted. After disposing of this additional frustration, I then met with Admiral Rowland Freeman, the present head of G.S.A. with the objective of accelerating the timetable for breaking ground for the clinic. Previously, it had been announced that ground-breaking would take place in 1981. During my meeting with Admiral Freeman, he agreed that it would be possible to break ground in the Spring of 1980, with completion before January of 1981. The clinic will contain approximately 42,000 square feet, as well as parking facilities, and will provide outpatient medical care for Broward County's 120,000 veterans. It would appear that this project, initiated by the Broward Veterans' Council, and in which I see my role as that of an expeditor, may soon be a reality.



Congressman Stack, left, and Rear Adm. Rowland Freeman, Administrator of the General Services Administration confer.



BUSES (continued from page 2)

met with the Director of the Urban Mass Transit Administration and pointed out the inequity and possible illegality of using outdated census figures.

Although the Director doesn't believe it is possible to update the nationwide funding formula before the 1980 census, he did agree that Broward County is in great need of more buses and promised to expedite their approval. The \$4,005,000 grant was forthcoming, and three other grant proposals have been submitted in an effort to obtain those mass transportation funds that Broward's population would justify.



Consumer Information

Where can you find publications about repairing your home and car, quitting smoking, learning your family's history, and planning a budget? Get a copy of the Fall 1979 *Consumer Information Catalog*. It is a free, 16-page listing of the best consumer publications. Just send a postcard, with name and address, to Consumer Info. Catalog, Pueblo, Colorado, 81009.

POSTAL PATRON — LOCAL
Twelfth Congressional District
Florida

December 1979

Washington
reports from
Edward J. Stack
Congressman

M.C.
BULK RATE



Congress of the United States
House of Representatives
Washington, D.C. 20515

LEGISLATIVE ROUNDUP

BILLS INTRODUCED

Food Stamps — H.R. 2663 allows the disabled and elderly poor to take into account certain out-of-pocket medical and dental expenses, and removes the shelter cap, in computing eligibility for the food stamp program.

Soviet Jewry — H.Con.Res. 202 urges the Soviet Union to allow Ida Nudel, a Soviet prisoner of conscience, to emigrate to Israel, unanimously passed by the House of Representatives on November 13, 1979.

Artificial Reefs — H.R. 4413 establishes a program to develop, maintain, and monitor marine artificial reefs in waters of United States jurisdiction.

Vocational Rehabilitation — H.R. 5143 amends the Rehabilitation Act of 1973, to allow the Secretary of Education to waive administrative requirements whenever such waiver is determined to be consistent with the objectives of the Act. This would prevent Florida's V.R. program from losing its federal funding of \$38 million.

BILLS CO-SPONSORED

Condominiums — H.R. 2792 grants to federal courts jurisdiction and criteria for reviewing abusive use of long-term leasing of recreation and other condominium-related facilities. Provides minimum

national standards for disclosure and consumer protection for condominium purchasers and owners, as well as tenants in condominium conversions.

Campaign Financing — H.R. 4970 amends the Federal Election Campaign Act of 1971 to prohibit any political committee from making contributions to a candidate for election to the House of Representatives of more than \$2500 for the primary and general election, for a total of \$5000.

Small Savers — H.R. 842 amends the Internal Revenue Code of 1954 to exclude from taxation up to \$400 of the interest income earned from savings accounts.

Alaska Lands — H.R. 3651 provides for the designation and conservation of certain public lands in the State of Alaska.

Carryover Basis — H.R. 2744 repeals the carryover basis provisions added by the Tax Reform Act of 1976.

Oil Spills — H.R. 85 provides a comprehensive system of liability and compensation for oil spill damage and removal costs.

Solar Bank — H.R. 605 provides for the creation of a Solar Development Bank to offer long-term, low-interest loans to home owners and businesses for the purchase and installation of solar energy equipment.

Congressman
Edward J. Stack
reports from
Washington



Dear Friends,

This is not an easy time to serve in the Congress, given the disarray in our national affairs, both foreign and domestic.

The most critical problem facing the nation, on the domestic scene, is that of inflation, to which the energy crisis is a contributing, but not the major factor.

In foreign affairs, the situation in the Middle East, is multi-faceted, involving not only our relationship with the Arab countries, from which we import a significant portion of our petroleum, but also, a possible confrontation with Russia, vis-a-vis the situation in Afghanistan; the stalemate regarding the hostages in Iran; not to mention the deterioration of our relationship with Israel and Egypt, resulting from the inexplicable vote of the United States in the U.N. Security Council, supporting the Jordanian-Moroccan resolution urging the "dismantling" of Israeli settlements in the West Bank, and accepting specific references to Jerusalem in this context, as well as the reference to the occupied territory as "Palestinian and other Arab territories".

These are times to try men's souls. The issues are grave and complex, and impossible to deal with adequately within the confines of a general constituent letter.

In this report, I will discuss inflation in the context of the President's revised budget request to the Congress, in which he calls for a balanced budget, leaving foreign policy to a subsequent letter.

Sincerely,

EDWARD J. STACK
Member of Congress

FOR YOUR INFORMATION

WASHINGTON OFFICE
1440 Longworth House Office Building
Washington, D.C. 20515
(202) 225-3026

HOLLYWOOD
1801 Polk Street, Room 209
Hollywood, Florida 33022
(305) 925-0900

FORT LAUDERDALE
U.S. Federal Building
299 E. Broward Boulevard
Fort Lauderdale, Florida 33301
(305) 527-7253

SUNRISE
2670 N. University Drive
Sunrise, Florida 33322
(305) 741-1907

THE INFLATIONARY SPIRAL

FISCAL CONTROL

Today, this great nation is facing an annual inflation rate approaching 20%. This is intolerable.

Reacting to this situation, only six weeks after he presented his 1981 budget request to a joint session of Congress in the amount of \$15.8 billion dollars, which projected a deficit of 15.8 billion dollars, the President, on Friday, March 14th, in an unprecedented maneuver, publicly announced a new projected **balanced budget**, along with credit restraints, and continued voluntary wage-price guidelines. This reaction was, in large measure, a political response, based on the assumption that a balanced budget will substantially reduce inflation, as Administration critics have alleged.

Professional economists are virtually unanimous in agreement that this is not the case.

Recent computer model studies show that cutting government spending in the magnitude of 25 billion dollars annually would slow inflation by only one tenth of one percentage point.

Is a balanced budget desirable? Yes, decidedly --- not because it will whip inflation now (remember Mr. Ford's WIN buttons?) --- but because we cannot continue to add to the national debt, which is now approaching one trillion dollars. The interest on this huge debt cost the U.S. taxpayer ten cents on every dollar of federal revenues. A balanced budget in 1981, using 25 billion as the goal of the saving to be achieved, would have the side effect of saving the taxpayer 2.5 billion dollars in interest payments.

It should be noted that in the last 35 years, the budget has been balanced in only 8 years. The last time this nation had a balanced budget was under President Johnson in FY 1969. The Nixon-Ford years produced deficits of 180 billion dollars; in 1976, under President Ford, the deficit was 66.4 billion dollars. Obviously, unbalanced national budgets are not the exclusive prerogative of Democratic administrations.

How does President Carter plan to balance the budget? He has called for a reduction in budget outlays in the range of 13 billion dollars, and for increased revenues.

Additionally, he has provided for a cushion of about 11 billion dollars, generated by an oil import fee of \$4.62 per barrel. The President has the authority to impose this fee without Congressional action. He is requesting, however, that the Congress substitute a gasoline tax of 10 cents a gallon, in lieu of the import fee. It should be noted that the President is suggesting that the approximate 11 billion dollars, which it is estimated the gasoline tax would yield, be held as a reserve, in the event that a budget deficit results from events not contemplated at the time the 1981 budget is adopted. Will the Congress impose such a gasoline tax? I, personally, do not intend to support this proposal, which is a poor way to fight inflation, since it is estimated that it will add at least .05% to inflation.

The argument is made that an increase in the federal gasoline tax will stimulate conservation. In my opinion, the cause of conservation can be served in more equitable fashion by gasoline rationing.

Also on the income side, the President has proposed

a withholding tax on interest and dividends paid by corporations, which it is estimated will yield about 3 billion dollars. I will oppose this tax.

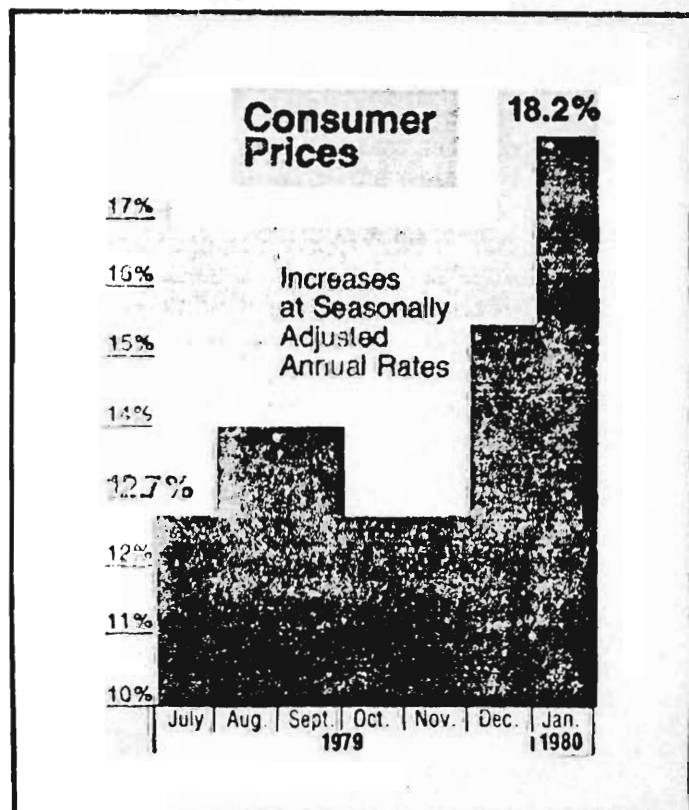
Many of the recipients of interest and dividends have modest incomes, and would not be required to pay income taxes. While they could apply for a refund, they would be denied the use of their own money in the interim, money which they might badly need.

On the other side of the ledger, proposed budget cuts include: a reduction in state revenue sharing to save about 1.7 billion dollars, a proposal which makes sense, since many of the states have a surplus, while the federal government very obviously does not; the elimination of Saturday mail delivery to save 700 million dollars; 859 million in welfare programs; a freeze on federal hiring to reduce, by attrition, 20,000 federal jobs by the end of 1980; changing the period for consumer price index adjustments of federal, civil and military pensions, to an annual basis, rather than semi-annually.

No reference was made in the President's new budget message to indicate that he would veto the Water Resources Development Act (H.R. 4788), a species of blatant pork-barrel legislation, which I voted against. Such a veto, if upheld by Congress, would save the taxpayer over 4 billion dollars.

The Department of Defense, as of January 31, 1980, has informed my office, that it has 1,038,077 civilian employees around the world. Reducing employment in this area by 10 percent would yield a substantial saving to the taxpayer, without impairing the efficiency of our defense capability.

The Administration has promised to supply the Congress with additional recommendations for budget cuts at an early date. Since March 14, the Congressional Budget Committee has been hard at work to produce a balanced budget, and is ready to report with suggested budget cuts approximating 16 billion dollars. This will be subject to full Congressional review and approval.



MONETARY CONTROL

AND

CREDIT CONTROLS

While the Administration and Congress control fiscal policy, the other side of the coin in reducing inflation, is monetary policy. Inflation is defined as too much money, chasing too few goods. Therefore, to control inflation, we must control the supply of money. This is within the province of the Federal Reserve System (FED), theoretically an independent agency, which, however, cannot be totally unresponsive to the views of Congress or the President, since the FED was created by an act of Congress. One of the tools available to the FED in controlling the supply of money, is to raise interest rates.

The current astronomically high interest rates for business and consumer credit are based upon the so-called "discount" rate, fixed by the FED, currently 13%. This is the charge which the FED makes to member banks of the system, for loans made to them, to provide, in turn, loans to their customers. Recently, the FED has raised the discount rate to 16%, under certain conditions, to large banks, those which have deposits in excess of 500 million dollars. There are 270 such banks throughout the country, of which three are in Florida; one is in my Congressional district.

If a member bank borrows from the Federal Reserve System at 16%, it must charge its customers a higher rate. Currently, the "prime rate", the rate of interest a bank charges to its most credit worthy customers, is 19%. Obviously, this will reduce loan demand and slow business activity.

Credit control is an essential element in controlling the supply of money. For all practical considerations, credit is money. In past periods of inflation in the United States, as prices rose, consumer demand dropped, leading to a moderation in prices. From 1977 to 1980, while the rate of inflation doubled, consumers increased their spending to 95% of their income. In fact, in the last quarter of 1979, consumer spending reached 96.7% of income. Much of this spending depends on consumer credit. The use of credit cards has grown enormously in recent years.

To check this credit binge, the President's inflation program includes controls on the amount and the conditions under which consumer credit can be extended, either by credit card companies, or by retailers, including reduced loan amounts, larger down payments, higher interest rates, shorter maturity dates, and service charges. The President, under existing law, may direct the FED to draft such regulations, with the FED being the enforcement agency.

The interest rate for conventional mortgages in Broward County is presently 16%. This is a reflection of mortgage rates nationwide. This has already drastically reduced the demand for mortgage loans. If these rates continue, construction starts will continue to diminish, leading to unemployment in the construction trades, and related business activity — a key factor in the economy of South Florida.

In summary, monetary and credit controls, including high interest rates, will restrict consumer purchases and business activity.

The Administration plans to continue **voluntary** wage price guidelines. Under this plan, wages and prices would be allowed to rise in a range between 7.5% and 9.5%. The Administration is projecting inflation for 1980 at 11.75%, compared to an estimate of 10.4% predicted in the January budget request, and a return to a single digit level by 1981. This overlooks the fact that at present, inflation, based on January and February statistics, is 18%; also, the fact that inflation in 1979 was 13.3%. This poses the obvious question, — will labor settle for wage increases of 7.5% to 9.5%? I think not. Salaries will rise at a rate, in general terms, sufficient to keep the work force, even with the rate of inflation. That is the insidious quality of inflation, it is like a dog chasing its tail. There is no end to it — the classic wage-price spiral.

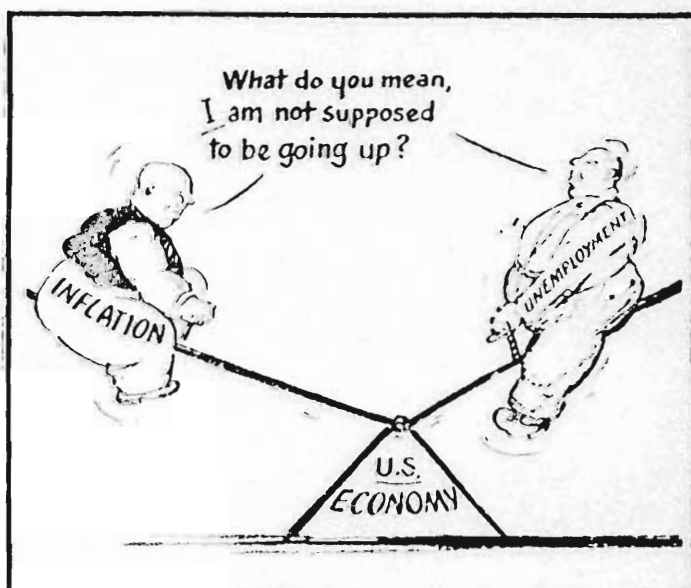
The Administration is planning to curb inflation by a budget reduction, monetary and credit controls, and by voluntary wage-price controls. They plan a recession to end inflation. This is a dangerous game. They suggest that unemployment, currently at 6%, will go to 7.5%. Suppose it goes higher? What happens to our balanced budget if unemployment goes to 8, 9, or 10 percent? Outlays for unemployment insurance, food stamps and a counter-cyclical jobs program will increase. Revenues, through the loss of income and other taxes will shrink. Our budget again becomes unbalanced. We run the risk not of a recession — but of a depression. In any event, the President's program, and its beneficent effect on inflation will take time to install — time we do not have. While the programs are being debated and installed, inflation will continue to soar. That is why, for the last year, I have advocated mandatory wage-price controls, a position favored, more and more, by many highly regarded economists.

Garry Wills, in a syndicated column dated March 24, 1980, states, in this context:

"There's no uniform way of stopping inflation but by an instant freeze. That affects everyone. It hurts, but not selectively, not randomly, automatically. It sets hard rules, but rules that everyone can understand."

This would be a first step to control inflation. It would buy us time to plan a solution to this vexing and complex problem.

This is a strong nation — if we stand together, with determined, competent leaders in charge, we can achieve anything we have the will to accomplish.



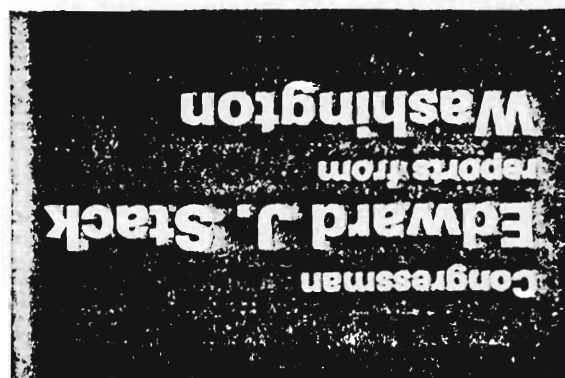
Florida
Twelfth Congressional District
LOCAL POSTAL PATRON

April 1980

M.C.
C.R. P. 1980



Congress of the United States
House of Representatives
Washington, D.C. 20515
Official Mail



LEGISLATIVE ROUNDUP

Various national public interest organizations have reviewed the voting records of Members of Congress for the first session of the 96th Congress. For example, the National League of Women Voters recently compiled its Political Accountability Rating and subsequently informed me "that on the major roll calls we have chosen as indicators of where Members of Congress stand, we have been in perfect agreement."

This 100% rating was duplicated by a 100% from the Children's Welfare League. On the basis of various votes affecting consumers, the Consumer Federation of America gave me an 81% rating. Some of the key votes used in establishing these ratings include:

KEY VOTES IN FIRST SESSION

STACK VOTED

- | | |
|---|-----|
| 1. To remove controls on the price of gasoline | NO |
| 2. To reduce the Windfall Profits Tax on oil company profits from 70% to 60% | NO |
| 3. To reduce the amount a Congressional candidate may receive from special interest groups | YES |
| 4. To continue regulation by the Federal Trade Commission on business activities, such as funeral homes | YES |
| 5. To place mandatory controls on hospital costs | YES |
| 6. To establish a Department of Education | YES |
| 7. To spend \$4 billion on water projects | NO |
| 8. To set up a stand-by gasoline rationing plan | YES |
| 9. To enact mandatory wage and price controls | YES |
| 10. To continue controls on the price of domestic oil | YES |
| 11. To reform the Welfare System | YES |

30010221117

STACK FOR CONGRESS COMMITTEE
450 NORTH PARK ROAD, SUITE 700
HOLLYWOOD, FLORIDA 33021



Mrs. Ellen Rose
4866 Sheridan Street
Hollywood, Florida 33021



CONGRESSMAN EDWARD J. STACK
TWELFTH DISTRICT

July 15, 1980

Mrs. Ellen Rose
4866 Sheridan Street
Hollywood, Florida 33021

Dear Mrs. Rose:

Fundraising is essential to the American political process. It is especially important in Congressional campaigns, since Congressmen must run for re-election every two years. The cost of doing so has accelerated to the extent that the amount of campaign funds available, may spell the difference between success and failure on Election Day.

I have worked hard to represent my constituents effectively. If you agree that I have done so with reasonable success, I would urge you to contribute to my re-election campaign to the extent which you think appropriate.

Vote now with your pocketbook!

This tangible evidence of your approval will give me the added confidence of having you as a member of my team. With you and other staunch friends by my side, I promise a vigorous and successful campaign. You may be certain that I will not let you down!

Cordially,

EDWARD J. STACK
Member of Congress

Stack for Congress Committee
450 North Park Road, Suite 700
Hollywood, Florida 33021

STACK FOR CONGRESS COMMITTEE

Name _____

Address _____

City and State _____ Zip _____

Telephone: Office _____

Occupation _____

Employer _____

Address _____

City and State _____ Zip _____

Paid for and authorized by Stack for Congress Committee.
A copy of our report is filed with the Federal Election Commission and is available
for purchase from the FEC, Washington, D.C. 20463.

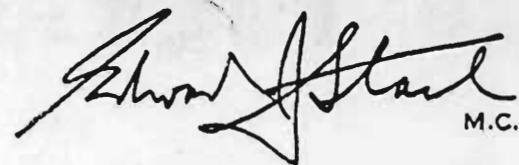
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U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C. 20515

PUBLIC DOCUMENT

OFFICIAL BUSINESS


M.C.

U.S. House of Representatives
WASHINGTON, D.C. 20515

PUBLIC DOCUMENT

OFFICIAL BUSINESS


M.C.

Mrs. Ellen Rose
4866 Sheridan Street
Hollywood, Florida 33021

EDWARD J. STACK
12TH DISTRICT, FLORIDA
BROWARD COUNTY

WASHINGTON OFFICE
1440 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
AC 202-225-1026

DISTRICT OFFICE:
BROWARD FEDERAL OFFICE BUILDING
299 EAST BROWARD BOULEVARD
FORT LAUDERDALE, FLORIDA 33301
AC 305-527-7253

Congress of the United States
House of Representatives
Washington, D.C. 20515

July 15, 1980,

**COMMITTEE ON EDUCATION
AND LABOR**

SUBCOMMITTEES:
HUMAN RESOURCES
SELECT EDUCATION

**COMMITTEE ON MERCHANT
MARINE AND FISHERIES**

SUBCOMMITTEES:
COAST GUARD AND NAVIGATION
FISHERIES, WILDLIFE CONSERVATION
AND THE ENVIRONMENT
OCEANOGRAPHY

**SELECT COMMITTEE ON
AGING**

SUBCOMMITTEE ON HEALTH AND LONG
TERM CARE

Mrs. Ellen Rose
4866 Sheridan Street
Hollywood, Florida 33021

Dear Mrs. Rose:

Knowing of your unyielding support for Soviet Jewry, I want to take this opportunity to share with you two recent developments.

In the continuing struggle to free Ida Nudel, I organized a Special Order on the floor of the House of Representatives on April 29th, to honor Ida's 49th birthday. Thirty-two of my colleagues in the House joined me in condemning the Soviet Union for denying Soviet Jews the right to emigrate from the Soviet Union as guaranteed by the Helsinki Accord. Enclosed is a copy of my statement from the Congressional Record, as well as a letter from Elana Fridman, Ida Nudel's sister. You also might find of interest an article from a French publication regarding the bill which I introduced urging the release of Ida Nudel.

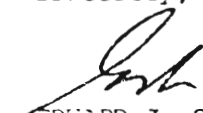
Another development of concern is the death sentence which was imposed on two Soviet citizens for "economic crimes". I immediately wired Chairman Leonid Brezhnev urging that these extreme sentences be commuted.

As you are well aware, these are extremely difficult times to appeal to the Soviet Union for compassion and mercy, however, our voices must be raised against such injustices. We in the Congress must take every opportunity to speak out and to bring world pressure to bear upon the Soviet Union.

Your input into matters which affect the Jewish Community or any other subject which concerns you, are always appreciated. Please do not hesitate to call me if I may be of assistance.

With warm regards.

Sincerely,


EDWARD J. STACK
Member of Congress

EJS/ad

Congress of the United States
House of Representatives
Washington, D.C. 20515

June 5, 1980

STACK SEEKS TO SAVE LIVES OF SOVIET PRISONERS

Congressman Edward J. Stack (D-Fort Lauderdale), appealed to Soviet officials to seek clemency for two Soviet citizens, who have been sentenced to death for "economic crimes". Congressman Stack cabled Chairman Leonid Brezhnev and Secretary Mikhail Georgadze, urging that the extreme sentences of Raphael Adziashvili and Abassov be commuted.

In September of 1978, a five-year investigation culminated in a year-long trial in the Ukrainian city of Donetsk, about 800 miles south of Moscow. A total of 54 individuals, 48 of them Jews, were charged and convicted of "economic crimes". The majority of the Jews pleaded guilty, and received prison terms ranging from ten to fifteen years. The other four Jews were sentenced to death. The sentences were imposed by the trial judge, even though the prosecutor merely demanded prison terms.

Abassov and Adziashvili were taken out of Donetsk prison and were transferred to a new location in the Denipropetrovsk region. They were given, on May 27th, a written notification that the Supreme Soviet had confirmed their death sentence. Their relatives have not been allowed to see them since. Abassov received a written notice confirming the death sentence. The Adziashvili family has not yet received such a notice.

"The execution of these individuals for 'economic crimes' is unconscionable", stated Stack. "It is apparent that the next few days are absolutely crucial for any efforts on behalf of Abassov and Adziashvili."

The Stack telegram read as follows:

ON HUMANITARIAN GROUNDS, I AM APPEALING TO YOUR OFFICE AND TO YOUR PERSONAL AUTHORITY OVER JUDICIAL MATTERS TO SEEK CLEMENCY FOR TWO SOVIET CITIZENS, RAPHAEL ADZIASHVILI AND ABASSOV, WHO HAVE BEEN SENTENCED TO DEATH FOR ECONOMIC CRIMES. ON BEHALF OF ALL THOSE WHO BELIEVE IN A SPIRIT OF COMPASSION AND MERCY, I ASK THAT YOU COMMUTE THESE EXTREME SENTENCES.

RECEIVED

JUN 6 1980

EDWARD J. STACK, M.C.
WASHINGTON OFFICE

37 Ramat Hagolan Street
Kiryat Sharett
Holon, Israel

26th May, 1980.

The Honorable Edward J. Stack
Congress of the United States
House of Representatives
Washington D.C. 20515

Dear Sir,

I am overwhelmed with the expression of support on my sister Ida Nudel's behalf, which your special order on April 29th has triggered on the part of the U.S. Congress. I have carefully read the Congressional Record of that date and feel that we are not alone in our struggle. I am sure that this outpouring of the leaders of the American people was a direct result of your personal sensitivity and concern and of your immediate understanding of the implications of Ida's telegram protesting that terrible newspaper article.

I am now orienting my efforts toward the Helsinki Review meeting in Madrid planned for September 9th, 1980. I will travel to that city in the hope of raising interest among the world's leaders and with the media, to the injustice being carried out by the Soviet Union in their treatment of my sister. I hope to be joined there by many good friends who will raise their voices with me.

May I be so presumptuous, kind sir, as to invite you, to be with me there at that time?

Sincerely yours

Elena Fridman

EF/RK



SOVIET JEW

COMMUNITY R

EN FLEUR D'IDA NUDEL

Washington, 15 nov—Une résolution a été approuvée par la Chambre des représentants, demandant instamment à l'Union soviétique de permettre à Ida Nudel d'émigrer vers Israël afin de rejoindre son mari et sa soeur.

Cette résolution qui avait été présentée par Edward Stack (démocrate de Floride) a été votée à l'unanimité. Une résolution similaire a été introduite devant le Sénat par les sénateurs Harrison Williams Jr (dém. du New Jersey) et Charles Perot (rép. de l'Illinois) qui est membre du comité du Sénat sur les relations étrangères.

*Thought you would find it interesting that
our campaign to free Ida Nudel is even
winning support in France!*

Congressman Edward J. Stack
1440 Longworth House Office Bldg.
Washington, D.C. 20515

Dear Mr. Stack:

Thank you so much for your letter of February 5
and your enclosed statement on behalf of Ida Nudel.

Our struggle against Soviet persecution is often
a frustrating and disheartening one, but we are encouraged
by the help that you and other responsive officials provide.

I thought you would enjoy the enclosed copy of an
article from France. This reports the unanimous approval
of the resolution you introduced in Congress calling for
the release of Ida Nudel. Your efforts are appreciated
around the world!

Thank you again for your continued support.

Sincerely,

Stan
Stanley A. Spatz, M.D.

SAS:hj

RECEIVED
MAR 11 1980
EDWARD J. STACK, M.C.
WASHINGTON OFFICE

JEWISH FEDERATION OF SOUTH BROWARD

2719 Hollywood Boulevard, Hollywood, Florida 33020 • Phones: (305) 921-8810 - Miami: 945-0964



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126

WASHINGTON, TUESDAY, APRIL 29, 1980

No. 67

House of Representatives

IDA NUDEL—COURAGEOUS SOVIET REFUSENIK

The SPEAKER. Under a previous order of the House, the gentleman from Florida (Mr. STACK) is recognized for 60 minutes.

Mr. STACK. Mr. Speaker, I rise today to speak out for a courageous woman, Ida Nudel, a Soviet refusenik, who has had very little opportunity to speak for herself. My colleagues and I have frequently made statements on the floor of this House on her behalf.

On November 13, 1979, the Congress unanimously passed a resolution, of which I was the author, urging the Soviet Union to issue a visa to Ida Nudel, to permit her emigrate to Israel, despite this, she remains today in exile in Siberia. As long as this situation prevails, we have an obligation to continue to speak out on her behalf. We cannot rest until she is released and reunited with her sister and her husband in Israel.

Mr. Speaker, all of the nations which signed the Helsinki Final Act, including the Soviet Union, pledged to do everything possible to reunite families separated by political boundaries. The Soviet Union has not adhered to its commitment. Sunday, April 27, was Ida Nudel's 49th birthday—she still languishes in exile in Siberia, far from her family and loved ones. We are taking the occasion of her birthday to again call attention to her

plight, as well as to remind the family of civilized nations that she, and countless other Soviet Jews, have been continually harassed and denied the right to emigrate from the Soviet Union as guaranteed by the Helsinki accords. This not only violates the obligation of the treaty, it is also a violation of the moral law and human decency.

As you may know, Ida Nudel was the "guardian angel" to the prisoners of conscience inside the Soviet Union until she, herself, became a prisoner of conscience in June of 1978. On June 21, 1978, she was sentenced to 4 years of internal exile in Siberia, on the specious charge of "malicious hooliganism," at a trial in which she was allowed no witnesses on her behalf—the charge?—unfurling a banner displaying the words "KGB, give me a visa."

I would like to report to you a recent development which could be very damaging to Ida Nudel. Her sister, Elana Fridman, has advised me that on February 28, 1980, the regional newspaper in Siberia published a slanderous article against Mrs. Nudel. The vicious allegations contained in this article have exacerbated the existing hostility against Ida by the townspeople in her place of exile. The authors of the article knowingly incited hatred against her for the purpose of bringing about violent reprisals. She has requested protection

from the local police chief, who said he would try to restrain the people from causing her bodily harm, but that he could not guarantee her safety.

Ida's response is that—

They have not succeeded in breaking me in the past—so they are keeping up the pressure . . . somehow they are going to fight me again . . . but I will hang on . . . they won't break me. I will not be silent . . . I'm determined to go to court. There are such damaging things in that article. I intend to prosecute the editors on three counts: libel, insulting behavior, and racist incitement.

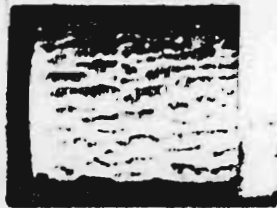
Ida has written:

The tiny piece of paper that we call a visa costs nine hundred rubles in Soviet money. But nobody has established the measure of suffering that must be paid for that piece of paper.

Considering the recent slanderous article against Ida, I am afraid her suffering will continue and intensify. We must continue to bring world pressure upon the Soviet Union until she is released.

May I close with these memorable words from Ida:

We are idealists. We do not believe that our suffering is for nothing. And this belief saves us from despair at the most difficult moments of our imprisonment. I so want to believe in my lucky stars. I so want to believe that some time I will rise up the board of an El Al aircraft, and my suffering and tears will remain in my memory only, and my heart will be full of triumph and victory.



Congress of the United States
House of Representatives
Washington, D.C. 20515
OFFICIAL BUSINESS

Allen / fy!

Edward J. Starn
M.C.

2/27/96

EDWARD J. STACK
12TH DISTRICT, FLORIDA
BROWARD COUNTY

WASHINGTON OFFICE:
1440 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
AC 202-225-3026

DISTRICT OFFICE:
BROWARD FEDERAL OFFICE BUILDING
299 EAST BROWARD BOULEVARD
FORT LAUDERDALE, FLORIDA 33301
AC 305-527-7253

Congress of the United States
House of Representatives
Washington, D.C. 20515

February 5, 1980

**COMMITTEE ON EDUCATION
AND LABOR**

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OCEANOGRAPHY

**SELECT COMMITTEE ON
AGING**

SUBCOMMITTEE ON HEALTH AND LONG
TERM CARE

Mrs. Ellen Rose
4866 Sheridan Street
Hollywood, Florida 33021

Dear Mrs. Rose:

On Tuesday, January 22nd I was invited to join several of my colleagues to express our support for Soviet Jewry.

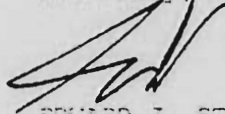
We took the occasion of Anatoly Shcharansky's thirty-second birthday, January 20, to recognize his plight, as well as that of countless other Soviet Jewish families who have been continually harassed and denied the right to emigrate from the Soviet Union, as guaranteed by the Helsinki Accords. I welcomed the opportunity to speak out once again and to urge the Soviet Union to allow Ida Mudel to join her family in Israel.

Knowing of your interest and commitment to Soviet Jewry, I wanted to share a copy of my statement from the Congressional Record with you.

Please feel free to contact me in the future about any matter in which I may be of service.

Kind regards.

Sincerely,



EDWARD J. STACK
Member of Congress

EJS/ad

80040221157



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126

WASHINGTON, TUESDAY, JANUARY 22, 1980

No. 6

House of Representatives

Mr. STACK. Mr. Speaker, today, as we reflect on the fact that Anatoly Shcharansky has spent his 32d birthday—January 20—thousands of miles from his loved ones, I recollect that all of the nations which signed the Helsinki Final Act, including the Soviet Union, pledged to do everything possible to reunite families separated by political boundaries.

Because the Soviet Union has failed to honor that promise, I would like to once again bring to the attention of my colleagues, the plight of Ida Nudel. This courageous and giving woman has repeatedly requested a visa to emigrate to Israel since 1971, and has been refused each time. As a result of her efforts to obtain the visa, on June 21, 1978, she was sentenced to 4 years of exile in Siberia. Her crime was displaying a banner from her apartment which read: "KGB, Give Me My Visa." She was tried in a Moscow court where she was allowed no representation, and no witnesses in her favor were allowed to testify.

This wonderful woman, suffering from a deteriorating heart condition, articulated her situation well when she wrote:

The tiny piece of paper that we call a visa cost nine hundred rubles in Soviet money. But nobody has established the measure of suffering that must be paid for that tiny piece of paper.

On October 19, 1979, I introduced House Concurrent Resolution 202, urg-

ing Soviet officials to allow Ida Nudel to be reunited with her family in Israel. Over 125 of my colleagues joined me in this effort. The House and the Senate have now both passed this resolution expressing the sense of the Congress. May I say, that I am extremely grateful for this unified expression of support.

Mr. Speaker, our labors have not been fulfilled. We must continue our vigil until the countless number of Soviet Jewish families who have been continually harassed and denied the rights which are guaranteed by the Helsinki Final Act, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, are reunited with their loved ones.

Ida Nudel continues to hope, fervently—

I can never cease looking forward to the wonderful moment when I clasp in my hand that fateful piece of paper, the longed for exit visa. For, though I came into the world and was reared here and I am a part of this country, I am at the same time a part of another land, a country which has been the dream of my nation—an ancient and wise nation with its tragic lot . . .

Mr. Speaker, until all the Ida Nudels and Anatoly Shcharanskys are allowed to enjoy the basic inalienable rights to which every human being is entitled, we, in Congress, must be ever vigilant and mindful of those repressed by Soviet tyranny.

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Robert O. Tiernan, Chairman
Federal Elections Commission
1325 K Street, N.W.
Washington, D.C.

20463



FEDERAL ELECTION COMMISSION

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

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