

ENDING MUR 660

78040074137



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20461

August 23, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Afshari for Congress Committee
12755 New Halls Ferry Road
Florissant, Missouri 63034

RE: MUR 660

Dear Gentlemen:

I am forwarding for your information the enclosed complaint which was received by the Commission.

The Commission has determined that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission intends to close its file on this matter.

If you have any questions, contact Suzanne Callahan at 202/523-4058.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel

Enclosure

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Sincerely,

SAC
8/22/78

William C. Oldaker
General Counsel

Enclosure

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jerry Welch
Route 2 Box 479-A
Florissant, Missouri 63034

RE: MUR 660

Dear MR. Welch:

The Federal Election Commission has reviewed the allegations of your complaint dated July 18, 1978 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("The Act") has been committed.

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

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 660.

Sincerely,

William C. Oldaker
General Counsel

78040074140

8/22/78



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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Afshari for Congress)
Committee)

MUR 660 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on August 21 1978, the Commission determined by a vote of 6-0 to adopt the recommendation of the General Counsel to find no reason to believe a violation of §434(b) has been committed and notify respondent and complainant.

Attest:

8/31/78

Date

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

First General Counsel's Report dated: 8-17-78
Received in Office of Commission Secretary: 8-17-78, 11:16
Circulated on 48 hour vote basis: 8-17-78, 3:30

78040974142

August 17, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 660

Please have the attached First General Counsel's
Report on MUR 660 distributed to the Commission on a 48
hour tally basis.

Thank you.

78040074143

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL SEP 17 1978
BY OGC TO THE COMMISSION _____

MUR NO. 660
DATE COMPLAINT RECEIVED _____
BY OGC _____
STAFF _____
MEMBER Callahan

COMPLAINANT'S NAME: Jerry F. Welch

RESPONDENT'S NAME: Afshari for Congress Committee

RELEVANT STATUTE: 2 U.S.C. §434(b)

INTERNAL REPORTS CHECKED: Afshari for Congress Committee

FEDERAL AGENCIES CHECKED: N/A

SUMMARY OF ALLEGATIONS

The complainant, Jerry Welch, alleges that the Afshari for Congress Committee ("the Committee") failed to report an expenditure for 39 pieces of plywood, on which campaign posters were mounted, in violation of 2 U.S.C. §434 and further alleges that the plywood was contributed by the Afshari Committee for use in a campaign for state office. According to the complaint, the committee reported an expenditure for the campaign posters but did not report an expenditure for the plywood itself.

PRELIMINARY LEGAL ANALYSIS

As set forth in 2 U.S.C. §434(b), reports shall include itemization of expenditures in excess of \$100 including the amount, date and purpose of the expenditures. The Committee's reports have been reviewed; disbursements for plywood are not reported. However, it appears from the news article photograph enclosed with the complaint, that Afshari owns real estate in the area and has used his real estate sign supports for the campaign posters. There is no evidence to indicate that Afshari or his committee did in fact spend in excess of \$100 of federal campaign funds for the plywood in question.

With respect to the allegation that the plywood was contributed to a campaign for state office, this is not within the purview of the Act.

RECOMMENDATION

Find no reason to believe a violation of §434(b) has been committed and notify respondent and complainant.

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General Counsel



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General Counsel

Enclosure

JERRY F. WELCH

ROUTE 2 BOX 479 A
FLORISSANT, MISSOURI 63034

FEDERAL ELECTION
COMMISSION

July 18, 1978

13 JUL 26 PM 12:11

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

804782

Dear Sir:

I would like to make an official complaint against the Afshari for Congress Committee, 12755 New Halls Ferry Road, Florissant, Missouri 63034. This committee, even though terminated in 1976, had some "unreported expenditures" that have found their way to a State Senate campaign for a George (Butch) Robinson of St. Charles, Missouri.

These "unreported expenditures" are thirty-nine pieces of plywood on which wall paper type signs are mounted. The Afshari Committee reported the purchasing of the wall paper type signs but not the plywood.

How do I know these particular plywood signs are from the old Afshari campaign? Because on one side of the signs there is a "Afshari for Congress" poster and on the other side a "Robinson for State Senate" poster. These signs are in full public view in at least ten locations in our area.

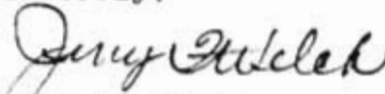
Since there was no reporting of the purchase of any plywood by the Afshari for Congress Committee, these pieces of plywood are an "unreported expenditure." The plywood has found its way to the Robinson for Senate campaign and the local newspapers have since written about this blatant example of lawbreaking.

I am an opponent of Mr. Robinson's for the State Senate. I do not like nor do I believe Mr. Afshari has a right to funnel illegal campaign expenditures from a federal campaign to a state campaign. Who knows what campaign this plywood will next be used in?

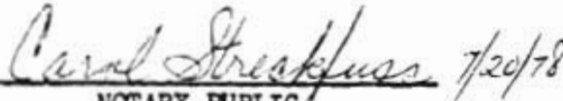
I would like to have a federal audit of Mr. Afshari's Committee and both Mr. Afshari and Mr. Robinson notified of the possible consequences of their actions in using such campaign materials.

Enclosed is a copy of a newspaper article written about this problem. The newspaper photographer who has several photos of both sides of the Robinson/Afshari signs is Bob Holt III. He can be contacted at The St. Charles Post, 119 S. Main Street, St. Charles, Missouri 63301 (Telephone number 314-724-1805).

Sincerely,



Jerry F. Welch



NOTARY PUBLIC

My Commission Expires May 14, 1979

7 9 0 1 3 3 7 1 1 4 9



ELECT
GEORGE "BUTCH"
ROBINSON
DEMOCRAT
STATE SENATOR
VOTE AUG. 8, 1978

AFSHARI ESTATES
PLAT B
3 ACRE WOODED LOTS
\$18,950 to \$24,950
831-6262 • 831-3482

CHALLENGED CAMPAIGN SIGNS: Two signs — which carry the same messages on opposite sides — standing side-by-side in a field on Old Jamestown Road north of New Halls

Ferry Road. One side carries a campaign ad and the other promotes a real estate development. The signs have been challenged by an opponent of Robinson. (Post-Dispatch Photo)

State Senate Race Signs Get Close Reading

Jerry F. Welch, seeking the Democratic nomination for state senator from the 2nd District, says that campaign signs promoting the nomination of George Robinson of St. Charles for the same post are in violation of state election laws.

Welch of Florissant says that Robinson's campaign signs do not carry "disclaimers" indicating who is paying for the signs. Welch says that is required by state law.

Further, says Welch, all of the Robinson signs in St. Louis County and many in St. Charles County formerly were used in an unsuccessful campaign by Joseph P. Afshari in 1976. Afshari, a north St. Louis County land developer and a Democrat, lost his campaign for nomination for United States representative from the 9th District. Afshari's name, Welch says, is on the back of Robinson's campaign signs.

The 2nd Senatorial District covers all of St. Charles County and portions of St. Louis County.

Robinson, coordinator for the St. Charles County Health Department, told a reporter that Afshari's support for his campaign was no secret.

"Joe Afshari loaned me 39 pieces of plywood," Robinson said. "I helped him in his campaign; he's helping me in mine. I got the signs on loan on the condition that I would return them when the campaign was over. He wanted his name left on the back of the signs to show people that he's backing me and in case he ever runs for something again."

"Welch called the St. Charles County prosecuting attorney to complain about the signs. So I checked around St. Charles County and I didn't see any other campaign signs with disclaimers. Frankly, it's really none of Welch's business where the signs came from or who's supporting me until 30 days after the election when I file my campaign report."

Welch disagrees.

"If the signs don't carry disclaimers, the public has no idea who is supporting the candidate or where the money is coming from. At least with a disclaimer, anyone interested would have a place to start checking a candidate's support. If you can't check, how do you know the candidate makes out his campaign report honestly?"

Welch's campaign signs do carry a disclaimer—1/4-inch high lettering that reads: Welch for Congress, Rt. 2, 429A, Florissant, Treasurer Robert E. Capp.

Welch said that the Welch for Congress group was formed when he sought a congressional seat last year. "We checked with the secretary of state and the Federal Election Commission to make sure we could use that disclaimer," Welch said, "and got approval."

The use of Afshari campaign signs is a real concern, Welch says.

"With no disclaimer, no one knows whether the signs were a gift from Afshari as an individual or a gift from

Afshari's corporation," Welch said. "If the corporation provided the lumber and materials, it could be considered a corporate gift — clearly illegal under Missouri election laws."

Welch said the tie-in with the corporation was especially notable at a location on Old Jamestown Road, about a mile north of New Halls Ferry Road in north St. Louis County. There, Welch said, a Robinson campaign sign stands beside an Afshari sign offering property for sale. The backs of both signs, Welch says, indicate that both formerly had been used in Afshari's political campaign.

"Robinson is saying he wants to be a state senator who's a lawmaker — now Robinson is a lawbreaker," Welch said.

Robinson said he assumed that Afshari owned the signs individually "and not his corporation. It's just a loan."

"I feel sorry for Jerry (Welch) if he's complaining about such things. I must have him pretty scared."

St. Charles / St. Louis Post-Dispatch 7-13-78

MURKIN
JERRY F. WELCH

ROUTE 2 BOX 479 A
FLORISSANT, MISSOURI 63034

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73 JUL 26 PM 12:11

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Carol Streckfuss 7/29/78

NOTARY PUBLIC

My Commission Expires May 14, 1979

2801774153

ELECT
GEORGE BUTCH
ROBINSON
DEMOCRAT
STATE SENATOR
VOTE AUG 8, 1978

AFSHARI ESTATES
PLAT B
3 ACRE WOODED LOTS
\$18,950 to \$24,950
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St. Charles / St. Louis Post-Dispatch 7-13-78

WELCH

RT 2 BOX 479 A FLOESSANT MO 63034



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

11 21



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78940774159

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St. Charles / St. Louis Post-Dispatch 7-13-78

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Murkelo - Callahan

PS Form 3871, Apr 1977

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

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

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

2. ARTICLE ADDRESSED TO
Murkelo
Route 2 Box 47
Florence, Missouri 63634

3. ARTICLE DESCRIPTION
REGISTERED NO. 435282 CERTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above
SIGNATURE ☐ Addressee ☐ Authorized agent
James W. Callahan

4. DATE OF DELIVERY
8-25-78

5. ADDRESS (Complete only if requested)
Lt 3/04/79

6. UNABLE TO DELIVER BECAUSE
63634

POSTMARK
1978
SEP 3

CLERK'S INITIALS

FEDERAL ELECTION COMMISSION

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

POSTAGE AND FEES PAID



8/22/81
7/2/81
Afshari for Congress Committee
C/O Joseph P. Afshari
1121 No. Highway 67
Florissant, Missouri 63031

CERTIFIED

438441

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7/2/81
8/22/81
Not a certified letter as file

780400708L
E9177200708L

PS Form 3811, Apr 1977-0-249595

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 ☐ RESTRICTED DELIVERY (CONSULT POSTMASTER FOR FEES)		2 ARTICLE ADDRESSED TO 1101 No. 4th St. Newark, N.J. 07102		3 ARTICLE DESCRIPTION 438441 REGISTERED NO. CERTIFIED NO. INSURED NO.		(Always obtain signature of addressee or agent) I have received the article described above SIGNATURE ☐ Addressee ☐ Authorized agent		4 DATE OF DELIVERY POSTMARK		5 ADDRESS (Complete only if requested)		6 UNABLE TO DELIVER BECAUSE CLERK'S INITIALS	
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RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

W.B. Mark L.

8 4 7 7 4 1 6 4
FEDERAL ELECTION COMMISSION

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



Return To Writer
Undeliverable as Addressed
No Forwarding Order on File

POSTAGE AND FEES PAID



Unknown

Afshari for Congress Committee
12755 New Halls Ferry Road
Florissant, Missouri 63034

CERTIFIED

438283

59146074165

MURKIN - Callahan

PS Form 3811, Apr 1977

● SENDER Complete items 1, 2, and 3.
Add your address in the RETURN TO space on reverse.

1. The following service is requested (check one):
☐ Show to whom and date delivered _____ 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
Callahan, Jr. Congress Committee
1371 S. 2nd St. N. Hwy. Rd.
Flomston, Maryland

3. ARTICLE DESCRIPTION *63034*
REGISTERED NO. CERTIFIED NO. INSURED NO.
438283

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL.

Beginning Mur 660

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