



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1507

Date Filmed 11/ Camera No. --- 3

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FEDERAL ELECTION COMMISSION

Comment sheets (2) - § 552(b)(5)

12 Day Reports (2) - § 552(b)(5)

Routing cards - § 552(b)(5)

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |  |   |
|--|---|
| <input type="checkbox"/> (1) Classified Information                                | <input type="checkbox"/> (6) Personal privacy                             |
| <input type="checkbox"/> (2) Internal rules and practices                          | <input type="checkbox"/> (7) Investigatory files                          |
| <input type="checkbox"/> (3) Exempted by other statute                             | <input type="checkbox"/> (8) Banking Information                          |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents                         |   |

Signed

Maura E. Shute

date

11/7/83

83040434591



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 1, 1983

Alan V. Reuther, Esq.  
International Union,  
United Automobile, Aerospace and  
Agricultural Implement Workers  
of America - UAW  
1757 N Street, N.W.  
Washington, D.C. 20036

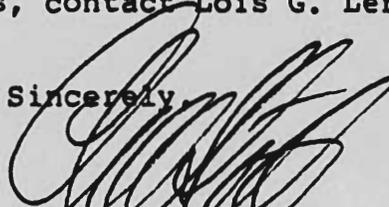
Re: MUR 1507

Dear Mr. Reuther:

This is to advise you that after an investigation was conducted, the Commission concluded on October 26, 1983, that there is no probable cause to believe that the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW violated 2 U.S.C. § 441b(a). Accordingly the file in this matter, numbered MUR 1507, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois G. Lerner at (202) 523-4166.

Sincerely,

  
Charles N. Steele  
General Counsel

83040434571



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 1, 1983

William J. Donlon, Esq.  
General Counsel  
Brotherhood of Railway, Airline and  
Steamship Clerks, Freight Handlers,  
Express and Station Employes  
3 Research Place  
Rockville, Md. 20850

Re: MUR 1507  
Brotherhood of Railway, Airline and  
Steamship Clerks, Freight Handlers,  
Express and Station Employes;  
Responsible Citizens Political League

Dear Mr. Donlon:

This is to advise you that after an investigation was conducted, the Commission concluded on October 26, 1983, that there is no probable cause to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes violated 2 U.S.C. § 441b(a). You were previously notified by letter dated March 17, 1983, that the Commission determined there is no reason to believe that the Responsible Citizens Political League violated any statute within its jurisdiction. Accordingly, the file in this matter, numbered MUR 1507, has been closed.

This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois G. Lerner at (202) 523-4166.

Sincerely,

Charles N. Steele  
General Counsel

83040434572



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 1, 1983

Lawrence J. Hogan  
Hogan for Senate  
P.O. Box 545  
Seabrook, Maryland 20706

Re: MUR 1507

Dear Mr. Hogan:

This is in reference to the complaint you filed with the Commission on December 2, 1982, concerning the Citizens for Sarbanes Committee, Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes ("BRAC"), International Union, the United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW"), the Responsible Citizens Political League, and Senator Paul Sarbanes.

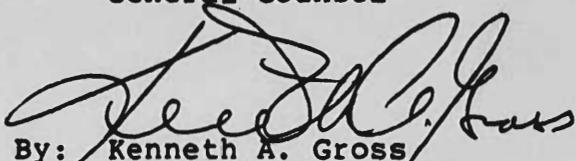
Based on your complaint, the Commission determined there was reason to believe that the Citizens for Sarbanes Committee, BRAC and the UAW violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter. The Commission also determined that there was no reason to believe the Responsible Citizens Political League violated 2 U.S.C. § 434(b) and that there was no reason to believe BRAC violated 2 U.S.C. § 431(9)(B) (iii). After an investigation was conducted the Commission concluded on August 1, 1983, to take no further action against the Citizens for Sarbanes Committee. In regard to the UAW, BRAC, and Senator Paul Sarbanes the Commission concluded on October 26, 1983, that there was no probable cause to believe the UAW or BRAC violated the Act and that there was no reason to believe Senator Paul Sarbanes violated the Act. Accordingly, the file in this matter, numbered MUR.1507, has been closed. A copy of the General Counsel's report which served as a basis for the Commission's action is enclosed for your information.

83049434574

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8). If you have any questions, please contact Lois G. Lerner, the attorney assigned to this matter, at (202)523-4039.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

Enclosure

8304043459

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Brotherhood of Railway, )  
Airline and Steamship )  
Clerks, Freight Handlers, )  
Express and Station Employes; )  
International Union, )  
United Automobile, Aerospace )  
and Agricultural Implement )  
Workers of America - UAW; )  
Citizens for Sarbanes; )  
Responsible Citizens )  
Political League; Senator )  
Paul Sarbanes )

MUR 1507

33 OCT 20 A 9: 24

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 15, 1983, the Commission found reason to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes ("BRAC") and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW ("UAW") violated 2 U.S.C. § 441b(a) by publishing and distributing partisan communications beyond their membership in support of Senator Paul S. Sarbanes. The Commission also determined that there was reason to believe Citizens for Sarbanes violated 2 U.S.C. § 441b(a), that there was no reason to believe BRAC violated 2 U.S.C. § 431(9)(B)(iii), and that there was no reason to believe the Responsible Citizens Political League violated 2 U.S.C. § 434(b). On August 1, 1983, the Commission determined to take no further action against Citizens for Sarbanes.

83040434596

In the course of the investigation conducted by the Office of General Counsel, no evidence was found which indicated that either the UAW or BRAC distributed or made available to the general public a brochure published in support of Senator Paul S. Sarbanes. On August 2, 1983, the Office of General Counsel sent BRAC and the UAW a brief stating its position. BRAC did not respond to the General Counsel's brief. The UAW responded by letter, agreeing with the General Counsel's brief.

## II. LEGAL ANALYSIS

8 3 0 4 0 4 3 4 5 9 7  
Since no response was received from BRAC and no brief was received from the UAW, the General Counsel's legal and factual analysis of August 2, 1983, remains the same.

While the Commission determined to take no further action against Citizens for Sarbanes ("Committee") after finding reason to believe the Committee violated 2 U.S.C. § 441b(a), no finding was made in this matter with respect to Senator Paul Sarbanes, whose name appeared in the complaint. \*/ As the instant investigation has not revealed a violation of any provision of the Act by Senator Sarbanes, the General Counsel recommends that the Commission find no reason to believe Senator Paul Sarbanes violated any provision of the Federal Election Campaign Act of 1971, as amended.

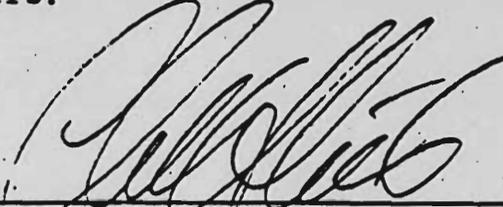
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\*/ Senator Sarbanes was mailed a copy of the complaint on December 16, 1982.

III. RECOMMENDATIONS

1. Find no probable cause to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees violated 2 U.S.C. § 441b(a).
2. Find no probable cause to believe that the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW violated 2 U.S.C. § 441b(a).
3. Find no reason to believe Senator Paul Sarbanes violated any provision of the Federal Election Campaign Act of 1971, as amended.
4. Close the file.
5. Approve the attached letters.

18 October 1983  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

Attachments  
Letters (5)

83040434598



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 1, 1983

Charles M. Kerr, Treasurer  
Citizens for Sarbanes Committee  
Venable, Baetjer and Howard  
1800 Mercantile Bank and Trust Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

Re: MUR 1507

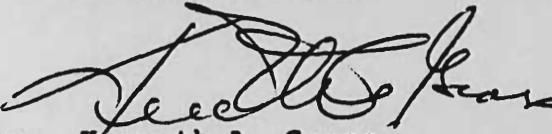
Dear Mr. Kerr:

This is to advise you that the entire file in the matter, numbered MUR 1507, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois G. Lerner at (202) 523-4166.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

83040434599



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 1, 1983

Honorable Paul Sarbanes  
2327 Dirksen Senate Office Building  
Washington, D.C. 20515

Re: MUR 1507

Dear Senator Sarbanes:

On December 16, 1982, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 26, 1983, determined that on the basis of the information in the complaint and the information obtained in the course of the investigation, there is no reason to believe that you violated any statute within its jurisdiction. A copy of the General Counsel's report which served as a basis for the Commission's action is enclosed for your information. This matter will become a part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days.

If you have any questions please contact Lois Lerner, the attorney assigned to this matter, at 523-4057.

Sincerely

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

83040434600

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Brotherhood of Railway, )  
Airline and Steamship )  
Clerks, Freight Handlers, )  
Express and Station Employes; )  
International Union, )  
United Automobile, Aerospace )  
and Agricultural Implement )  
Workers of America - UAW; )  
Citizens for Sarbanes; )  
Responsible Citizens )  
Political League; Senator )  
Paul Sarbanes )

33 OCT 20 A9: 24  
MUR 1507

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 15, 1983, the Commission found reason to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes ("BRAC") and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW ("UAW") violated 2 U.S.C. § 441b(a) by publishing and distributing partisan communications beyond their membership in support of Senator Paul S. Sarbanes. The Commission also determined that there was reason to believe Citizens for Sarbanes violated 2 U.S.C. § 441b(a), that there was no reason to believe BRAC violated 2 U.S.C. § 431(9)(B)(iii), and that there was no reason to believe the Responsible Citizens Political League violated 2 U.S.C. § 434(b). On August 1, 1983, the Commission determined to take no further action against Citizens for Sarbanes.

33040434601

In the course of the investigation conducted by the Office of General Counsel, no evidence was found which indicated that either the UAW or BRAC distributed or made available to the general public a brochure published in support of Senator Paul S. Sarbanes. On August 2, 1983, the Office of General Counsel sent BRAC and the UAW a brief stating its position. BRAC did not respond to the General Counsel's brief. The UAW responded by letter, agreeing with the General Counsel's brief.

## II. LEGAL ANALYSIS

8 3 0 4 0 4 3 4 6 0 2  
Since no response was received from BRAC and no brief was received from the UAW, the General Counsel's legal and factual analysis of August 2, 1983, remains the same.

While the Commission determined to take no further action against Citizens for Sarbanes ("Committee") after finding reason to believe the Committee violated 2 U.S.C. § 441b(a), no finding was made in this matter with respect to Senator Paul Sarbanes, whose name appeared in the complaint. \*/ As the instant investigation has not revealed a violation of any provision of the Act by Senator Sarbanes, the General Counsel recommends that the Commission find no reason to believe Senator Paul Sarbanes violated any provision of the Federal Election Campaign Act of 1971, as amended.

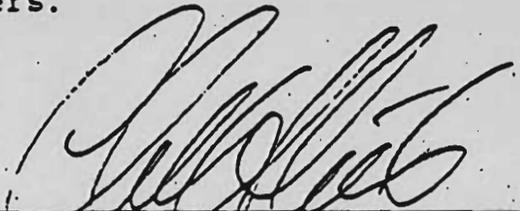
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\*/ Senator Sarbanes was mailed a copy of the complaint on December 16, 1982.

III. RECOMMENDATIONS

1. Find no probable cause to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees violated 2 U.S.C. § 441b(a).
2. Find no probable cause to believe that the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW violated 2 U.S.C. § 441b(a).
3. Find no reason to believe Senator Paul Sarbanes violated any provision of the Federal Election Campaign Act of 1971, as amended.
4. Close the file.
5. Approve the attached letters.

18 October 1983  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

Attachments  
Letters (5)

83040434603

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 1507  
Brotherhood of Railway, Airline )  
and Steamship Clerks, Freight )  
Handlers, Express and Station )  
Employees )  
International Union, United )  
Automobile, Aerospace and )  
Agricultural Implement Workers )  
of America - UAW )  
Citizens for Sarbanes )  
Responsible Citizens Political )  
League )  
Senator Paul Sarbanes )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 26, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1507:

1. Find no probable cause to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees violated 2 U.S.C. § 441b(a).
2. Find no probable cause to believe that the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW violated 2 U.S.C. § 441b(a).
3. Find no reason to believe Senator Paul Sarbanes violated any provision of the Federal Election Campaign Act of 1971, as amended.

(Continued)

83040434604

4. Close the file.
5. Approve the letters as attached to the General Counsel's Report signed October 18, 1983.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

10-27-83

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

83040434603

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

10-20-83, 9:24  
10-20-83, 11:00



83 OCT 20 A 9: 24

MUR 1507

In the Matter of )  
 )  
 Brotherhood of Railway, )  
 Airline and Steamship )  
 Clerks, Freight Handlers, )  
 Express and Station Employes; )  
 International Union, )  
 United Automobile, Aerospace )  
 and Agricultural Implement )  
 Workers of America - UAW; )  
 Citizens for Sarbanes; )  
 Responsible Citizens )  
 Political League; Senator )  
 Paul Sarbanes )

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On March 15, 1983, the Commission found reason to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes ("BRAC") and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW ("UAW") violated 2 U.S.C. § 441b(a) by publishing and distributing partisan communications beyond their membership in support of Senator Paul S. Sarbanes. The Commission also determined that there was reason to believe Citizens for Sarbanes violated 2 U.S.C. § 441b(a), that there was no reason to believe BRAC violated 2 U.S.C. § 431(9)(B)(iii), and that there was no reason to believe the Responsible Citizens Political League violated 2 U.S.C. § 434(b). On August 1, 1983, the Commission determined to take no further action against Citizens for Sarbanes.

83040434607

In the course of the investigation conducted by the Office of General Counsel, no evidence was found which indicated that either the UAW or BRAC distributed or made available to the general public a brochure published in support of Senator Paul S. Sarbanes. On August 2, 1983, the Office of General Counsel sent BRAC and the UAW a brief stating its position. BRAC did not respond to the General Counsel's brief. The UAW responded by letter, agreeing with the General Counsel's brief.

## II. LEGAL ANALYSIS

Since no response was received from BRAC and no brief was received from the UAW, the General Counsel's legal and factual analysis of August 2, 1983, remains the same.

While the Commission determined to take no further action against Citizens for Sarbanes ("Committee") after finding reason to believe the Committee violated 2 U.S.C. § 441b(a), no finding was made in this matter with respect to Senator Paul Sarbanes, whose name appeared in the complaint. \*/ As the instant investigation has not revealed a violation of any provision of the Act by Senator Sarbanes, the General Counsel recommends that the Commission find no reason to believe Senator Paul Sarbanes violated any provision of the Federal Election Campaign Act of 1971, as amended.

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\*/ Senator Sarbanes was mailed a copy of the complaint on December 16, 1982.

83040434608

**III. RECOMMENDATIONS**

1. Find no probable cause to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees violated 2 U.S.C. § 441b(a).
2. Find no probable cause to believe that the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW violated 2 U.S.C. § 441b(a).
3. Find no reason to believe Senator Paul Sarbanes violated any provision of the Federal Election Campaign Act of 1971, as amended.
4. Close the file.
5. Approve the attached letters.

18 October 1983  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

Attachments  
Letters (5)

33040434609



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Alan V. Reuther, Esq.  
International Union,  
United Automobile, Aerospace and  
Agricultural Implement Workers  
of America - UAW  
1757 N Street, N.W.  
Washington, D.C. 20036

Re: MUR 1507

Dear Mr. Reuther:

This is to advise you that after an investigation was conducted, the Commission concluded on \_\_\_\_\_, 1983, that there is no probable cause to believe that the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW violated 2 U.S.C. § 441b(a). Accordingly the file in this matter, numbered MUR 1507, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois G. Lerner at (202) 523-4166.

Sincerely,

Charles N. Steele  
General Counsel

Attachment I (1)

83040434610



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

William J. Donlon, Esq.  
General Counsel  
Brotherhood of Railway, Airline and  
Steamship Clerks, Freight Handlers,  
Express and Station Employes  
3 Research Place  
Rockville, Md. 20850

Re: MUR 1507  
Brotherhood of Railway, Airline and  
Steamship Clerks, Freight Handlers,  
Express and Station Employes;  
Responsible Citizens Political League

Dear Mr. Donlon:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1983, that there is no probable cause to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes violated 2 U.S.C. § 441b(a). You were previously notified by letter dated March 17, 1983, that the Commission determined there is no reason to believe that the Responsible Citizens Political League violated any statute within its jurisdiction. Accordingly, the file in this matter, numbered MUR 1507, has been closed.

This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois G. Lerner at (202) 523-4166.

Sincerely,

Charles N. Steele  
General Counsel

I (2)

83040434611



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Honorable Paul Sarbanes  
2327 Dirksen Senate Office Building  
Washington, D.C. 20515

Re: MUR 1507

Dear Senator Sarbanes:

On December 16, 1982, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on \_\_\_\_\_, 1983, determined that on the basis of the information in the complaint and the information obtained in the course of the investigation, there is no reason to believe that you violated any statute within its jurisdiction. A copy of the General Counsel's report which served as a basis for the Commission's action is enclosed for your information. This matter will become a part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days.

If you have any questions please contact Lois Lerner, the attorney assigned to this matter, at 523-4057.

Sincerely

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

Enclosure  
General Counsel's Report

I (3)

83040434618



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Charles M. Kerr, Treasurer  
Citizens for Sarbanes Committee  
Venable, Baetjer and Howard  
1800 Mercantile Bank and Trust Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

Re: MUR 1507

Dear Mr. Kerr:

This is to advise you that the entire file in the matter, numbered MUR 1507, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois G. Lerner at (202) 523-4166.

Sincerely,

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

83040434613

I (4)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Lawrence J. Hogan  
Hogan for Senate  
P.O. Box 545  
Seabrook, Maryland 20706

Re: MUR 1507

Dear Mr. Hogan:

This is in reference to the complaint you filed with the Commission on December 2, 1982, concerning the Citizens for Sarbanes Committee, Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees ("BRAC"), International Union, the United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW"), the Responsible Citizens Political League, and Senator Paul Sarbanes.

Based on your complaint, the Commission determined there was reason to believe that the Citizens for Sarbanes Committee, BRAC and the UAW violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter. The Commission also determined that there was no reason to believe the Responsible Citizens Political League violated 2 U.S.C. § 434(b) and that there was no reason to believe BRAC violated 2 U.S.C. § 431(9)(B)(iii). After an investigation was conducted the Commission concluded on August 1, 1983, to take no further action against the Citizens for Sarbanes Committee. In regard to the UAW, BRAC, and Senator Paul Sarbanes the Commission concluded on , 1983, that there was no probable cause to believe the UAW or BRAC violated the Act and that there was no reason to believe Senator Paul Sarbanes violated the Act. Accordingly, the file in this matter, numbered MUR 1507, has been closed. Copies of the General Counsels' reports which served as a basis for the Commission's action is enclosed for your information.

8304043461

I (5)

Letter to Lawrence J. Hogan  
Page 2

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8). If you have any questions, please contact Lois G. Lerner, the attorney assigned to this matter, at (202)523-4039.

Sincerely,

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

Enclosures

8304043461E

I(6)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1983

Charles M. Kerr, Treasurer  
Citizens for Sarbanes Committee  
Venable, Baetjer and Howard  
1800 Mercantile Bank and Trust Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

Re: MUR 1507

Dear Mr. Kerr:

On March 15, 1983, the Commission found reason to believe that your Committee had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to the Committee. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within ten days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

The Commission reminds you that the display of union brochures at the Citizens for Sarbanes Campaign Headquarters nevertheless appears to be a violation of 2 U.S.C. § 441b(a) and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Deborah M. Felton at 202-523-4040.

Sincerely,

Lee Ann Elliott,  
Vice Chairman

83040434616

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Citizens for Sarbanes ) MUR 1507

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 1, 1983, the Commission decided by a vote of 5-0 to take the following actions in MUR 1507:

1. Take no further action against the Citizens for Sarbanes Committee with respect to the Commission's finding of reason to believe that the Committee violated 2 U.S.C. § 441b(a).
2. Close the file as it pertains to Citizens for Sarbanes.
3. Send the letters as attached to the General Counsel's Report signed July 28, 1983.

Commissioners Aikens, Elliott, Harris, McDonald, and McGarry voted affirmatively in this matter; Commissioner Reiche did not cast a vote.

Attest:

8-2-83  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

7-28-83, 12:43  
7-28-83, 4:00

83040434617



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary  
FROM: Office of General Counsel *CA*  
DATE: July 28, 1983  
SUBJECT: MUR 1507 - General Counsel's Report

The attached is submitted as an Agenda document  
for the Commission Meeting of \_\_\_\_\_  
Open Session \_\_\_\_\_  
Closed Session \_\_\_\_\_

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote [X]  
Sensitive [X]  
Non-Sensitive [ ]  
24 Hour No Objection [ ]  
Sensitive [ ]  
Non-Sensitive [ ]  
Information [ ]  
Sensitive [ ]  
Non-Sensitive [ ]  
Other [ ]

Compliance [X]  
Audit Matters [ ]  
Litigation [ ]  
Closed MUR Letters [ ]  
Status Sheets [ ]  
Advisory Opinions [ ]  
Other (see distribution below) [ ]

83040434618

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

In the Matter of )  
Citizens for Sarbanes ) MUR 1507

83 JUL 28 P12: 43

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter arises from a complaint filed by Lawrence J. Hogan against the Citizens for Sarbanes Committee ("the Committee"). The complainant alleged that union brochures were on display at the Committee's Baltimore and Dundalk headquarters. On March 15, 1983, the Commission found reason to believe that the Committee violated 2 U.S.C. § 441b(a) by accepting an in-kind contribution from a labor organization.

The complaint initiating this action concerns the presence of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes ("BRAC") and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW") brochures published in support of Senator Paul S. Sarbanes at the Citizen for Sarbanes' headquarters. The literature was published and distributed by BRAC and UAW to their respective union members.

The Citizens for Sarbanes Committee submitted a response under oath to the Commission's reason to believe finding. The Committee stated that it had no knowledge of UAW brochures

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present in any of its campaign headquarters. \*/ (See Attachment 1 at 1). With regard to the BRAC brochures, the Committee admitted that there were BRAC brochures on display at its Baltimore headquarters. (See Attachment 1 at 1-2). The Committee explained that its staff came into possession of the BRAC brochures at an October 19, 1982, rally for Democratic candidates held in Baltimore by and for members of various labor unions. The Committee believes that discarded BRAC brochures were gathered up by its staff along with Sarbanes brochures which had also been discarded and taken to the Sarbanes headquarters.

The Committee further explained that it believes that one of its volunteers placed some of the BRAC brochures in a window display at Sarbanes' Baltimore campaign headquarters. Although not certain of the exact date that the BRAC brochures were on display, the Committee believes it was between October 20 and October 27, 1982.

The Citizens for Sarbanes Committee was informed on October 27 by the campaign manager for the Socialist Workers Party Senatorial candidate of the presence of the BRAC brochures in the Baltimore headquarters display window. The Committee stated that it immediately removed the BRAC brochures from the

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\*/ The complaint alleged that a UAW brochure was picked up at the Sarbanes headquarters in Dundalk, a neighborhood in Baltimore. In its response, however, Citizens for Sarbanes stated that it had no such headquarters. (See Attachment 2 at 2).

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display window and also searched the headquarters for additional BRAC brochures. (See Attachment 1 at 7-8). The Committee estimates that there were ten to twenty brochures in the Baltimore headquarters. The Committee has no knowledge of any BRAC brochures being present in any of its other Maryland headquarters.

II. LEGAL ANALYSIS

The Office of General Counsel recommends that, in light of the facts presented, the Commission take no further action against Respondent Citizens for Sarbanes. The violation alleged against the Committee assumes that it received an in-kind contribution by having the BRAC brochures on display in its Baltimore campaign headquarters. The evidence presented demonstrates that the brochures were on display for only a brief period of time and were put on display without the knowledge of the Committee's staff.

Moreover, when the staff learned of the presence of the BRAC brochures in the campaign headquarters, the brochures were removed and destroyed. (See Attachment 1 at 8). The evidence further indicates that the brochures were in the Baltimore headquarters only during the period of October 20 to October 27. No evidence of any connection between the Committee and BRAC or the UAW, other than the brochures themselves, has been presented by the complainant, and the affidavits submitted by Respondents deny any cooperation or consultation in the inadvertent display of union brochures in the Sarbanes' campaign headquarters.

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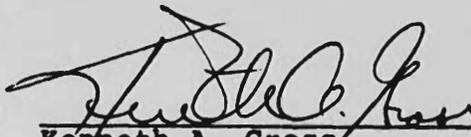
Therefore, the Office of General Counsel believes this is not a matter which presents a factual and legal situation compelling further administrative proceedings and additional action by the Commission.

**III. RECOMMENDATIONS**

1. Take no further action against the Citizens for Sarbanes Committee with respect to the Commission's finding of reason to believe that the Committee violated 2 U.S.C. § 441b(a).
2. Close the file as it pertains to Citizens for Sarbanes.
3. Send the attached letters.

July 28, 1983  
Date

Charles N. Steele  
General Counsel

By:   
Kenneth A. Gross  
Associate General Counsel

**Attachments**

- I - Affidavit of Citizens for Sarbanes
- II - Letter from Citizens for Sarbanes in response to complaint
- III - Letter to Respondent

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BEFORE THE  
FEDERAL ELECTION COMMISSION

CITIZENS FOR SARBANES

MATTER UNDER REVIEW

1507

\* \* \* \* \*

CITIZENS FOR SARBANES' ANSWERS  
TO INTERROGATORIES PROPOUNDED BY  
FEDERAL ELECTION COMMISSION

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Citizens for Sarbanes (hereinafter the "Committee"), the principal campaign committee of United States Senator Paul S. Sarbanes, by and through its authorized representative, James W. Smith, in answer to the Interrogatories served upon it by the Federal Election Commission, says:

(a) The information supplied in these Answers is not based solely upon the knowledge of the executing party, but includes the knowledge of the Committee's officers, employees, representatives, and, unless privileged, attorneys.

(b) The word usage and sentence structure of these Answers is that of the attorney who prepared these Answers and does not purport to be the exact language of the executing party.

INTERROGATORY NO. 1

How many copies of brochures published by the UAW and BRAC were at the Citizens for Sarbanes Baltimore Headquarters?

Answer: The Committee has no knowledge of any UAW brochures being present in the Committee's Baltimore headquarters or in any other of its headquarters.

With regard to the BRAC brochures, the Committee does not know the exact number of these brochures which were in its Baltimore Headquarters. Its best estimate is no more than 10 to 20. So far as the Committee has been able to determine, these BRAC brochures came into the Committee's possession on the evening of October 19, 1982, as the result of a rally for Democratic candidates held in Baltimore by and for members of various labor unions. A newspaper article describing that rally is attached hereto as Exhibit A. Senator Sarbanes, and several members of the Committee's campaign staff, attended the rally. Two members of the Committee's staff, Field Operations Director Brigid Smith and Assistant Field Operations Director Michael Davis, were responsible for making sure the brochures prepared by the Committee were distributed at the rally. They recall seeing the BRAC brochure at the rally, and, when the rally was over, they gathered up Sarbanes brochures which had been discarded or had not been distributed. They recall seeing some of the BRAC brochures (Exhibit B) among the discarded literature left after the rally, and they believe that they picked up

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a small number of these discarded BRAC brochures at the same time they gathered up the remaining Committee Sarbanes' brochures. All of this literature was mixed together in a large shopping bag, and the bag was then taken back to the Committee's Baltimore headquarters. As per existing procedure, this bag was set aside at the headquarters for sorting by volunteers, so that the Committee Sarbanes literature could be used again. The Committee has been unable to determine who actually did the sorting, but the Committee believes that, when these materials were sorted, one of its volunteers, under the mistaken impression that the BRAC brochure was Committee literature, placed some of these brochures in a window display of Sarbanes' Committee literature, bumper strips, buttons, etc. The Committee is not certain when this occurred but believes it happen sometime between the morning of October 20, 1982, and the morning of October 27, 1982. The placement of the BRAC brochures in the display window was done without the knowledge or approval of the Committee's management staff. It was not discovered until the morning of October 27, as is more fully described in the Answer to Interrogatory No. 6.

INTERROGATORY NO. 2

Submit a copy of the UAW and the BRAC brochures.

Answer: Attached as Exhibit B is a copy of the BRAC brochure. The Committee has no copy of the UAW brochure,

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other than a xerox copy of that brochure which counsel for the Committee requested and received from counsel for the UAW following receipt of Chairman McDonald's March 17, 1983, letter. A copy of that copy is attached hereto as Exhibit C.

INTERROGATORY NO. 3

Were the UAW or BRAC brochures at any other Citizens for Sarbanes Campaign headquarters in Maryland?

Answer: The Committee has no knowledge of any UAW brochures being present in any of its Maryland campaign headquarters. Other than the BRAC brochures at the Committee's Baltimore headquarters, described in the Committee's Answer to Interrogatory No. 1, the Committee has no knowledge of any BRAC brochures being present in any of its other Maryland headquarters.

INTERROGATORY NO. 4

If the answer to question #3 is yes, answer the following questions:

- a. Indicate which brochures were at which campaign headquarters; and
- b. How many UAW or BRAC brochures were displayed at each of the headquarters listed in answer a?

Answer : The Committee incorporates by reference its Answer to Interrogatory No. 3.

INTERROGATORY NO. 5

Submit a staff list of personnel at the Baltimore headquarters.

AH 1, pg 4 of 10

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Answer: Baltimore Headquarters paid staff

(\* 1 month or less)

Nadine Alston  
1816 E. 25th Street  
Balto., MD 21218

Computer Manager

Carol Bell  
1149 Gorsuch Avenue  
Balto., MD 21218

Receptionist

\* Carey Black  
3408 University Place  
Balto., MD 21218

Field Operations

Carolyn Colvin  
1163 Sherwood Ave.  
Balto., MD 21239

Field Director  
Minority Community

Michael Davis  
8814 Meadow Heights Rd.  
Randallstown, MD 21133

Asst. Director  
Field Operations

Marty Frame  
826 E. Joppa Road  
Towson, MD 21204

Computer Operator

Bruce Frame  
826 E. Joppa Rd.  
Towson, MD 21204

Press Secretary

Emily Gibbs  
502 Wingate Rd.  
Balto. MD 21210

Office Manager

Roslyn Goldner  
7031 Wallis Ave.  
Balto., MD 21215

Deputy Campaign Manager

\* Doug Hoffman  
5502 Stonington Ave.  
Balto., MD 21207

Field Operations

\* Tom Marudas  
9 Wendover Road  
Balto., MD 21218

Field Operations

Joan Miller  
613 Wilton Rd.  
Balto., MD 21204

Asst. to Press Secretary

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AH 1, pg 5 of 10

(4)

Jimmy B. Mills  
2136 N. Smallwood St.  
Balto., MD 21216

Field Operations

John Moore, Jr.  
573 Standish Rd.  
Teaneck, N.J. 07666

Field Operations

Jennell Parker  
35 Walden Cherry Ct.  
Balto., MD 21207

Computer Operator

Margery Peyton  
3210 Fallstaff Rd.  
Balto., MD 21215

Fundraising  
Special Events Coordinator

Tom Proctor  
1525 Dellsway Rd.  
Towson, MD 21204

Field Operations

Bob Roth  
62 Acorn Cir.  
Towson, MD 21204

Asst to Press Secretary

Monica Schwebs  
2518 N. Quincy St.  
Arlington, Va. 22207

Fields Operations

Steve Sindler  
6718 Westbrook Rd.  
Balto., MD 21215

Field Operations

Brigid Smith  
1018 Belfast Rd.  
Sparks, MD 21152

Director of Field Operations

James W. Smith  
114 Cross Keys Rd.  
Balto., MD 21210

Campaign Manager

Tom Svolos  
1111 Chatterleigh Circle  
Towson, MD 21204

Field Operations

Douglas O. Walker  
3408 Old York Rd.  
Balto., MD 21218

Field Operations

Joanna Watson  
4804 Wilmslow Rd.  
Balto., MD 21210

Volunteer Coordinator

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Finance Office  
P.O. Box 19644  
Balto., MD 21204

5115 Roland Ave.  
Balto., MD 21210

Diane Cimino  
1505 Kittering Ct.  
Bel Air, MD 21014

Secretary

Sebastia Svolos  
1111 Chatterleigh Circle  
Towson, MD 21204

Asst. Treasurer

Full-Time Volunteers - 3240 Greenmount Avenue (Baltimore Headquarters)

Paul O'Brien  
1 W. Franklin St.  
Balto., MD 21201

Asst. to Volunteer Coordinator

Sara Levi  
3601 Clarks Lane  
Balto., MD 21215

Fundraising Coordinator

Barbara Turner  
2814 Guilford Ave.  
Balto., MD 21218

Scheduling

Mitzi Swan  
3805 McDonough Rd.  
Randallstown, MD 21133

Reception, Driving, Field Operations

INTERROGATORY NO. 6

Who was responsible for monitoring the literature displayed at the Baltimore headquarters?

Answer: No member of the Committee's staff was specifically responsible for "monitoring the literature displayed at the Baltimore headquarters." General responsibility for Baltimore headquarters operations was vested in Baltimore Office Manager Emily Gibbs. Ms. Gibbs supervised Sarbanes volunteers who put together a window display of

Att 1, pg 7 of 10

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Sarbanes campaign literature in June, 1982, but, at that time, only Sarbanes Committee literature was placed in the window. Ms. Gibbs was not aware that BRAC brochures had been placed in that window display in the Baltimore headquarters until the morning of October 27. At that time, Ms. Dorothy Kolis came to the Sarbanes headquarters. Ms. Kolis identified herself as campaign manager for Socialist Workers Party Senatorial candidate Yvonne Hayes. She pointed out to Bruce Frame, the campaign's press secretary, the presence of the BRAC brochures in the Baltimore headquarters display window, and she complained to Mr. Frame about the use of her picture in the BRAC brochure. Mr. Frame examined the brochure, determined that it was published by BRAC, and advised Ms. Kolis to direct her complaints about the picture to BRAC. Mr. Frame and Ms. Gibbs then removed the BRAC brochures from the display window. They also searched the headquarters for additional BRAC brochures. A small number of additional BRAC brochures were discovered, and these too were removed and destroyed.

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INTERROGATORY NO. 7

Were there any UAW or BRAC members or members of their family who worked or volunteered in any capacity at the Baltimore headquarters? If yes, how many?

Answer: No BRAC or UAW members, or relatives of

Att 1, page 8 of 10

members, worked as paid staff for the Committee. Two retired UAW members, Joseph M. Bauernschub and Jim Mosley, were volunteers who served as drivers on a fairly regular basis. Other UAW and BRAC members, or relatives of members, may have worked in the Baltimore headquarters as volunteers, but the Committee has no way to make such a determination. The Committee's volunteer list contains in excess of 19,000 names, and, during the last six weeks of the campaign, in excess of 20 volunteers per day were working in the Baltimore headquarters. No lists or records were maintained by the Committee regarding the union affiliations of these volunteers.

INTERROGATORY NO. 8

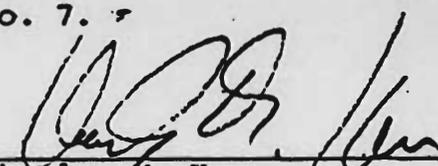
If the answer to question 7 is yes, list the positions held by each person.

Answer: The Committee incorporates by reference its Answer to Interrogatory No. 7.

INTERROGATORY NO. 9

Please submit the names of each person for each position listed in question.

Answer: The Committee incorporates by reference its Answer to Interrogatory No. 7.

  
 \_\_\_\_\_  
 Charles M. Kerr

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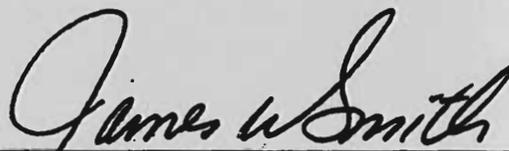
Venable, Baetjer and Howard  
1800 Mercantile Bank and Trust Bldg.  
Two Hopkins Plaza  
Baltimore, Maryland  
(301) 244-7544

Treasurer and Attorney for  
Citizens for Sarbanes

VERIFICATION

I, JAMES W. SMITH, do solemnly declare and affirm under the penalties of perjury that I am Campaign Manager for Citizens for Sarbanes, I am the duly authorized representative for Citizens for Sarbanes for the purpose of answering these Interrogatories, and the contents of the foregoing Answers are true and correct to the best of my knowlege, information and belief.

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James W. Smith

Dated: April 20, 1983

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# VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
1800 MERCANTILE BANK & TRUST BUILDING

EDWARD P. BARRON, JR.  
ARTHUR W. BARNER, JR., P.C.  
ROBERT W. THOMAS, P.C.  
A. SAMUEL COOK, P.C.  
ROBERT H. SAIR, P.C.  
JACQUES T. SCHLEISER, P.C.  
CHARLES D. REEVES, JR.  
WILLIAM J. McBERTY, P.C.  
RUSSELL B. REINO, JR., P.C.  
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BENJAMIN R. CIVILETTI, P.C.  
SERALD H. RAYS, P.C.  
LUKE HARBURY  
STUART H. ROSE, P.C.  
C. VAN LEUVEN STEWART, P.C.  
LAWRENCE S. WESBOTT, P.C.  
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JOHN HENRY LEWIN, JR., P.C.  
ALAN B. YARDES  
NEAL B. BORDEN  
ROBERT A. SHELTON  
JACOB L. FRIEDEL  
HARRY E. SHAPIRO  
STANLEY BARADOFF  
LEE H. MILLER  
FRANCIS THOMAS COLEMAN, JR.  
THOMAS J. KENNEY, JR.  
N. PETER LARBAU  
DOUGLAS S. CONNAN, JR.  
HARVEY S. SLAPP, III  
BENJAMIN ROSENBERG  
ROBERT S. SMITH  
JAMES S. WRIGHT  
ALEXANDER I. LEWIS, III

MAX STUL OPPENHEIM  
TERRY F. HALL  
GREGG E. SMITH  
THOMAS S. MARTIN  
CRYSTON L. GERR  
CHARLES H. KERR  
BENSON E. LEED  
ROBERT S. AMES  
NELL S. STRASMAN  
RICHARD L. WASSERMAN  
  
COUNSEL  
JOHN HENRY LEWIN  
HOWARD S. GORICH  
RICHARD W. SHERRY  
WILBUR E. SHIMONS, JR.  
PARTNER EMERTUS  
JOSEPH FRANCIS

RICHARD H. VENABLE (1888-1948)  
EDWIN S. BAETJER (1888-1968)  
CHARLES M.H. HOWARD (1870-1942)

2 HOPKINS PLAZA  
BALTIMORE, MARYLAND 21201  
(301) 544-7400  
  
WASHINGTON, D.C. OFFICE  
VENABLE, BAETJER, HOWARD & CIVILETTI  
SUITE 704  
1301 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004  
(202) 783-4300

\*ADMITTED IN DISTRICT OF COLUMBIA  
NOT ADMITTED IN MARYLAND

WRITER'S DIRECT NUMBER IS  
244-7544

LAWRENCE J. HOGAN  
JOHN W. GENEPLIN  
BARBARA E. SCHLAPP  
FRANCIS A. FROST  
RONALD S. BREFF  
JAMES L. ARNHELD  
CONSTANCE H. BAKER  
S. STEWART WOOD, JR.  
GEORGE W. JOHNSTON  
F. DUDLEY STAPLES, JR.  
EDWARD L. WENGER  
DAVID H. FLEISHMAN  
GEORGE S. RETNOLD, III  
JANA HOWARD  
MARGARET LEE QUINN  
MITCHELL ROLOAN  
JEAN E. SHASTRICH  
SARA F. BRYANELL  
VIRGI L. HAWKINS  
STEPHEN L. OWEN  
PETER P. FARVIS  
WILLIAM H. FITZPATRICK, JR.  
JEFFREY R. AYRES  
KENNETH R. HOFFMAN  
BRIGID E. BENEVEY  
PHYLLIS COLE FRIEDMAN  
FRANK L. ROLLMAN  
ABBE DAVID LOWELL  
BRUCE R. SPECTOR  
ELLEN S. WALKER  
JOHN H. MORRIS, JR.  
EARL L. McHENRY  
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HAURICE BAGGIN\*

H. LINDA HAYES  
ROSLAND J. SAPPANICK  
ROBERT A. SAPP  
ANN M. SAPP  
DAVID S. SAPPANOFF  
JACK L. SAPPANOFF  
CAROL E. SAPPANOFF  
JOAN FISHER FELDMAN  
CHARITY SAPP  
PETER S. SAPPANOFF  
ELYN L. SAPPANOFF  
CHRISTOPHER S. MELLOTT  
CYNTHIA ANN SAPP  
CHARLES A. SAPP  
CHRISTOPHER J. FRYE  
PETER S. SAPPANOFF  
MARGARET SAPPANOFF MELLORAN  
W. ROBERT SAPPANOFF  
KATHLEEN MORRIS MCDONALD  
CYNTHIA NEVENS MANN  
TAMARA S. NEVENS MANN  
MITCHELL W. SHAPIRO  
JOHN S. WATKINS, III  
ELIZABETH R. HUGHES  
JAMES A. BOWMAN  
RONALD W. TAYLOR  
STEPHEN F. DIBBLE  
ALISON D. ROHLER  
PAUL D. SHELTON  
WILLIAM T. FITZGERALD, JR.  
STEPHEN R. CARMY  
FRANCIS R. LAWS

JAN 17 P 3: 30

January 13, 1983

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

Re: MUR 1507

Dear Mr. Gross:

This letter is written in response to your letter of December 6, 1982, advising me, as treasurer of Citizens for Sarbanes (the "Sarbanes Committee") of the above-referenced Complaint, and is intended to serve as the Sarbanes Committee's response.

The Complaint, filed by Senator Sarbanes' Republican opponent, Lawrence J. Hogan, following the Maryland general election, is far from clear. It appears, however, to allege that two brochures, one published by the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, and the other published by the United Automobile Workers, as communications by labor organizations to their members, were made available to the Sarbanes Committee and distributed by it in violation of the Federal Election Campaign Act. I have reviewed this matter with the Sarbanes Committee's campaign staff, and, based on that review, there is no basis for this Complaint so far as I can determine.

Att II, pag 1 of 2

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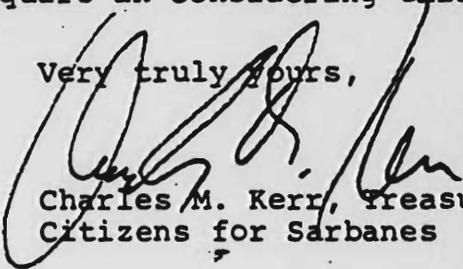
Kenneth A. Gross, Esquire  
January 13, 1983  
Page Two

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Both the Brotherhood and the UAW published brochures advocating the election of Senator Sarbanes which were distributed by these unions to their members. The brochures were not distributed to, or through, the Sarbanes Committee, and, so far as the Sarbanes Committee can determine, these brochures were, in fact membership communications which are neither contributions to, nor expenditures on behalf of Senator Sarbanes. See 11 CFR §§ 114.1(a)(2)(i), 114.3, 100.7(b)(10), 100.8(b)(4). We have determined that a few of these brochures did come into the Sarbanes Committee headquarters on Greenmount Avenue in Baltimore City either as the result of an individual union member, who had received the brochure from his union, bringing the brochure in to exhibit to other Sarbanes volunteers, or as the result of a Sarbanes volunteer having been given the brochure by an individual union member. At our headquarters, several of these brochures, as so acquired, apparently were within public view for a short period of time prior to the Baltimore Sun article of October 28, 1982, which is attached to Mr. Hogan's Complaint. That article alerted the Committee's staff to the presence of these materials in the headquarters and to the fact that these brochures should not be publicly displayed, and they were, at that time, removed from public view. At no time did the Committee have any significant number of these brochures. It did not distribute them, and it was not asked or authorized by the unions to distribute these materials to anyone. With regard to the "campaign headquarters of Paul S. Sarbanes in Dundalk" to which Mr. Hogan refers, the Committee had no such headquarters, and has no information about the incident Mr. Hogan mentions.

Please let me know, at the address and telephone number set forth on the letterhead, if our Committee can provide any further information you require in considering this Complaint.

Very truly yours,

  
Charles M. Kerr, Treasurer  
Citizens for Sarbanes

CMK:rmc

Enclosure

AH II, pg 2 of 2



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Charles M. Kerr, Treasurer  
Citizens for Sarbanes Committee  
Venable, Baetjer and Howard  
1800 Mercantile Bank and Trust Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

Re: MUR 1507

Dear Mr. Kerr:

On March 15, 1983, the Commission found reason to believe that your Committee had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to the Committee. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within ten days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

The Commission reminds you that the display of union brochures at the Citizens for Sarbanes Campaign Headquarters nevertheless appears to be a violation of 2 U.S.C. § 441b(a) and you should take immediate steps to insure that this activity does not occur in the future.

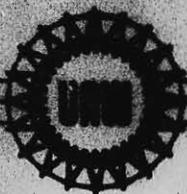
If you have any questions, please direct them to Deborah M. Felton at 202-523-4040.

Sincerely,

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GAC 628  
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OFFICE  
OF THE  
COUNSEL



INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA - UAW

OWEN F. BIEBER, PRESIDENT

RAYMOND E. MAJERUS, SECRETARY-TREASURER

VICE PRESIDENTS

BILL CASSTEVENS

DONALD F. EPHLIN

ODESSA KOMER

MARC STEPP

ROBERT WHITE

STEPHEN P. YORICH

IN REPLY REFER TO  
1757 N STREET, N.W.  
WASHINGTON, D.C. 20036  
TELEPHONE: (202) 838-8500

August 4, 1983

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

Re: MUR 1507

Dear Ms. Emmons:

This is to advise you that the International Union, UAW concurs with the position taken by the General Counsel in its brief concerning the legal and factual issues relating to the allegations against the UAW in the above referenced case. In particular, the UAW agrees with the General Counsel's recommendation that the Commission should find no probable cause to believe that a violation of the FECA has occurred.

Sincerely,

Alan V. Reuther  
Assistant General Counsel

AVR:njk  
opeiu494

cc: Charles N. Steele, Esq.

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*From*  
**UAW**

1757 N Street, N.W. — Washington, D. C. 20036

**for**

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

**FIRST CLASS MAIL**



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary  
 FROM: Office of General Counsel *JB*  
 DATE: August 2, 1983  
 SUBJECT: MUR 1507 - Memo & Briefs

The attached is submitted as an Agenda document  
 for the Commission Meeting of \_\_\_\_\_  
 Open Session \_\_\_\_\_  
 Closed Session \_\_\_\_\_

CIRCULATIONS

48 Hour Tally Vote      [ ]  
     Sensitive              [ ]  
     Non-Sensitive        [ ]  
 24 Hour No Objection    [ ]  
     Sensitive              [ ]  
     Non-Sensitive        [ ]  
 Information              ~~[ ]~~  
     Sensitive              ~~[ ]~~  
     Non-Sensitive        [ ]  
 Other                      [ ]

DISTRIBUTION

Compliance              [ ]  
 Audit Matters            [ ]  
 Litigation                [ ]  
 Closed MUR Letters      [ ]  
 Status Sheets            [ ]  
 Advisory Opinions       [ ]  
 Other (see distribution  
     below)                [ ]

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

83 AUG 2 PI2: 25

August 2, 1983

MEMORANDUM TO: The Commission

FROM: Charles N. Steele  
General Counsel

**SENSITIVE**

SUBJECT: MUR 1507

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. Copies of these briefs and letters notifying the Respondents of the General Counsel's intent to recommend to the Commission findings of no probable cause were mailed on August 2, 1983. Following receipt of the Respondents' replies to this notice, this Office will make a further report to the Commission.

Attachments  
Briefs  
Letters to Respondents

83040434639

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Brotherhood of Railway, Airline ) MUR 1507  
and Steamship Clerks, Freight )  
Handlers, Express and Station )  
Employes )

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

On March 15, 1983, the Commission found reason to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes ("BRAC") violated 2 U.S.C. § 441b(a) by publishing and distributing partisan communications beyond its membership. The reason to believe finding was based on information that a brochure published by BRAC in support of Senator Paul S. Sarbanes was on display at the Citizen for Sarbanes' Baltimore Headquarters.

In response to notification of the complaint, BRAC explained that the union did publish a brochure in support of Senator Sarbanes that was distributed to BRAC members and their families at local lodge meetings. BRAC submitted that it used its best efforts to insure that the brochures distributed were in conformity with the Act and were not distributed outside the permissible class of persons.

BRAC submitted under oath a further explanation of its method of distributing and publishing the brochures at issue after the Commission's reason to believe finding. BRAC's

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records indicate that eight thousand brochures were printed. Forty-six hundred brochures were mailed directly to BRAC members and another 1,700 were given to local lodge officers for distribution to BRAC members and their families. BRAC stated that BRAC officers received both verbal and written instructions pertaining to the distribution of internal political materials. In addition, at a June 1982, conference attended by key officers from BRAC's subordinate units located in Maryland, BRAC's International vice president specifically instructed the attendees that BRAC's political education materials, paid for with BRAC funds, could only be used for political education activity aimed at members and their families and not the general public. BRAC also published a political action guide which states that political education funds "...may only go toward political education for members and their families, not the general public." Furthermore, BRAC stated that it had no specific knowledge of BRAC brochures on display in the Citizens for Sarbanes' campaign headquarters until it received notification from this Office of the complaint.

## II. Legal Analysis

According to 2 U.S.C. §§ 441b(a), a labor organization is prohibited from making a contribution or expenditure in connection with any federal election. However, it is permissible

under 2 U.S.C. § 441b(b)(2)(A) for a labor organization to distribute communications regarding federal elections to its members and their families.

In the course of the investigation conducted by this Office, no evidence was found which would indicate that BRAC distributed or made available to the general public a brochure published in support of Senator Paul S. Sarbanes. A response received from the Citizens for Sarbanes Committee states that BRAC brochures came into the Committee's possession at a union rally held in Baltimore on October 19, 1982. Discarded BRAC brochures were gathered up by Citizens for Sarbanes staff, along with Sarbanes brochures which had also been discarded, and were taken to the Sarbanes headquarters. The BRAC brochures were then put on display at the Citizens for Sarbanes headquarters in Baltimore by Citizens for Sarbanes volunteers without the knowledge of the managing staff.

The distribution and publication of the BRAC brochure supporting Senator Sarbanes' election was conducted by BRAC in accordance with the provisions of the Federal Election Campaign Act. There is no evidence to indicate that the BRAC brochure was distributed by BRAC outside the permissible class of persons. BRAC's members were given oral and written instructions regarding the distribution of brochures published by the union which support the election of a federal candidate. The evidence presented by BRAC demonstrates that BRAC used its best efforts in complying with the Act.

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III. General Counsel's Recommendation

The Office of General Counsel recommends that the Commission find there is no probable cause to believe that Respondent Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes violated 2 U.S.C. § 441b(a).

1 August 1983  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 )  
International Union, United )  
Automobile, Aerospace and ) MUR 1507  
Agricultural Implement Workers )  
of America )

**GENERAL COUNSEL'S BRIEF**

**I. Statement of the Case**

On March 15, 1983, the Commission found reason to believe that the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW") violated 2 U.S.C. § 441b(a) by publishing and distributing partisan communications beyond its membership. The reason to believe finding was based on information that a brochure published by the UAW in support of Senator Paul S. Sarbanes was being distributed at the Citizen for Sarbanes' Dundalk headquarters.

In response to notification of the complaint, the UAW maintained that it did not donate or provide any pamphlets, literature or other material to the Citizens for Sarbanes campaign. The UAW submitted that it had not made any in-kind contribution to the Citizens for Sarbanes Committee.

The UAW submitted under oath a further explanation of its position after notification of the Commission's reason to believe finding. The UAW stated that its Region 8 CAP Council, a subordinate body of the International Union published a pamphlet in support of Senator Paul S. Sarbanes. The pamphlets were

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distributed from the offices of UAW Region 8 to Local Unions and Retiree Chapters. The UAW stated that it had no knowledge that any of its brochures were provided to the Citizens for Sarbanes campaign or in public view at the Sarbanes headquarters.

## II. Legal Analysis

According to 2 U.S.C. § 441b(a), a labor organization is prohibited from making a contribution or expenditure in connection with any federal election. However, it is permissible under 2 U.S.C. § 441b(b)(2)(A) for a labor organization to distribute communications regarding federal elections to its members and their families.

In the course of the investigation conducted by this Office, there was no evidence which would indicate that the UAW distributed or made available to the general public a brochure or pamphlet in support of Senator Paul S. Sarbanes. A response submitted under oath from the Citizens for Sarbanes Committee states that the Committee had no knowledge of any UAW brochures being present in any of its Maryland campaign headquarters. Further, in response to the complainant's allegation that he personally picked up a pamphlet published by UAW at the Citizens for Sarbane's Dundalk headquarters, the Committee stated that it had no campaign headquarters in Dundalk.

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The distribution of the UAW brochure supporting Senator Sarbanes' election was conducted by the UAW in accordance with the provisions of the Federal Election Campaign Act. There is no evidence to indicate that the UAW pamphlet was distributed by the UAW outside the permissible class of persons. Moreover, according to the Citizens for Sarbanes Committee, there was no campaign headquarters in Dundalk nor had they been aware of any UAW pamphlet in any of their Maryland campaign headquarters.

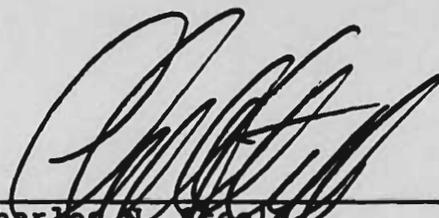
III. General Counsel's Recommendation

The Office of General Counsel recommends that the Commission find there is no probable cause to believe that Respondent International Union, United Automobile, Aerospace and Agricultural Implement Workers of America violated 2 U.S.C. § 441b(a).

Date

1 August 1983

Charles N. Steele  
General Counsel



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1983

Alan V. Reuther, Esq.  
International Union,  
United Automobile, Aerospace and  
Agricultural Implement Workers  
of America - UAW  
1757 N Street, N.W.  
Washington, D.C. 20036

Re: MUR 1507

Dear Mr. Reuther:

Based on a complaint filed with the Commission on November 30, 1982, and information supplied by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW, the Commission determined on March 15, 1983, that there was reason to believe that International Union, United Automobile, Aerospace and Agricultural Implement Workers of America - UAW had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

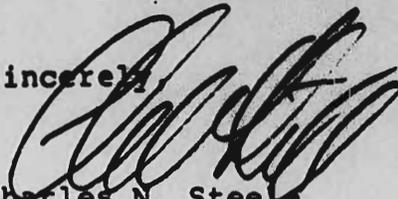
Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

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Letter to Alan Reuther  
Page 2

Should you have any questions, please contact Deborah M. Felton at (202) 523-4060.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure  
Brief

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 2, 1983

William J. Donlon, Esq.  
General Counsel  
Brotherhood of Railway, Airline and  
Steamship Clerks, Freight Handlers,  
Express and Station Employes  
3 Research Place  
Rockville, Md. 20850

Re: MUR 1507

Dear Mr. Donlon:

Based on a complaint filed with the Commission on November 30, 1982, and information supplied by the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes, the Commission determined on March 15, 1983, that there was reason to believe that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

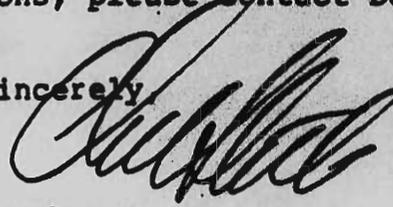
Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

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Letter to William J. Donlon  
Page 2

Should you have any questions, please contact Deborah M. Felton at (202) 523-4060.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure  
Brief

83040434650



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**MEMORANDUM TO:** CHARLES N. STEELE  
GENERAL COUNSEL

**FROM:** MARJORIE W. EMMONS/ JODY C. RANSOM *JCR*

**DATE:** MAY 11, 1983

**SUBJECT:** MUR 1507 - Comprehensive Investigative  
Report #1 signed May 9, 1983

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, May 10, 1983.

There were no objections to the Comprehensive Investigative Report at the time of the deadline.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary  
FROM: Office of General Counsel  
DATE: May 9, 1983  
SUBJECT: MUR 1507 - Comp Invest Report #1

The attached is submitted as an Agenda document  
for the Commission Meeting of \_\_\_\_\_  
Open Session \_\_\_\_\_  
Closed Session \_\_\_\_\_

CIRCULATIONS

48 Hour Tally Vote [ ]  
Sensitive [ ]  
Non-Sensitive [ ]  
24 Hour No Objection [X]  
Sensitive [X]  
Non-Sensitive [ ]  
Information [ ]  
Sensitive [ ]  
Non-Sensitive [ ]

Other [ ]  
\_\_\_\_\_  
\_\_\_\_\_  
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DISTRIBUTION

Compliance [X]  
Audit Matters [ ]  
Litigation [ ]  
Closed MUR Letters [ ]  
Status Sheets [ ]  
Advisory Opinions [ ]  
Other (see distribution below) [ ]

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**SENSITIVE**

**BEFORE THE FEDERAL ELECTION COMMISSION**

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

83 MAY 9 P4:40

In the Matter of	)	
Senator Paul Sarbanes	)	
Citizens for Sarbanes	)	MUR 1507
Responsible Citizens Political	)	
League (RCPL)	)	
Brotherhood of Railway, Airline	)	
and Steamship Clerks, Freight	)	
Handlers, Express and Station	)	
Employees (BRAC)	)	
International Union, United	)	
Automobile, Aerospace & Agri-	)	
cultural Implement Workers of	)	
America (UAW)	)	

COMPREHENSIVE INVESTIGATIVE REPORT # 1

On March 15, 1983, the Commission found reason to believe that the UAW, BRAC and Citizens for Sarbanes violated 2 U.S.C. § 441b(a). In addition, the Commission found no reason to believe that BRAC violated 2 U.S.C. § 431(9)(B)(iii) and no reason to believe that RCPL violated 2 U.S.C. § 434(b).

On April 25, 1983, this office received the ~~responses~~ to the questions sent to the respondents by OGC. Charles M. Kerr, treasurer of Citizens for Sarbanes submitted that the BRAC brochures in question came into the possession of Sarbanes' staff at a rally held in Baltimore for union workers. Mr. Kerr explained that all the discarded Sarbanes' brochures were collected after the rally and brought to the Sarbanes headquarters. He assumes that discarded BRAC brochures were inadvertently collected by Sarbanes' staff. Consequently,

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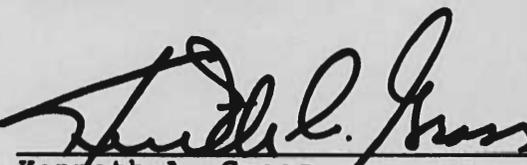
all the literature from the rally was sorted by volunteers and the BRAC brochures were placed in the display window. Mr. Kerr claims the brochures were on display for a period of seven days. When the error was discovered, they were immediately destroyed. Further, Mr. Kerr stated that there were no UAW brochures at the Sarbanes' headquarters.

The UAW and BRAC explained their procedures for distributing and publishing brochures for union members. Neither union was aware of their brochures being on display at the Sarbanes' Baltimore headquarters.

After further analysis of the documents submitted, a recommendation will be forthcoming.

May 9, 1983  
Date

Charles N. Steele  
General Counsel

By:   
Kenneth A. Gross  
Associate General Counsel

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GCC#9919

**VENABLE, BAETJER AND HOWARD**

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1800 MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA

BALTIMORE, MARYLAND 21201

(301) 244-7400

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

83 APR 25

Washington, D.C. OFFICE

VENABLE, BAETJER, HOWARD & CIVILETTI  
SUITE 704

1301 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004  
(202) 783-4300

RICHARD M. VENABLE (1838-1910)  
EDWIN G. BAETJER (1888-1948)  
CHARLES McH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

244-7544

CHARLES M. KERR

April 20, 1983

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

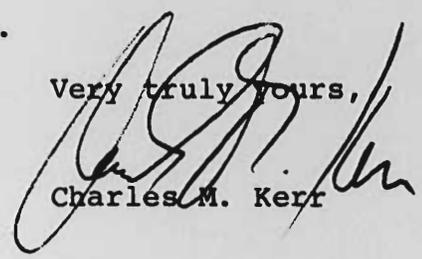
The Honorable Danny L. McDonald  
Chairman  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Re: MUR 1507 -- Citizens for Sarbanes

Dear Chairman McDonald:

As per your letter of March 17, 1983, and the time extension subsequently granted, enclosed please find Citizens for Sarbanes Answer to the FEC's Interrogatories regarding the above matter.

Very truly yours,



Charles M. Kerr

CMK:rmc

cc: Kenneth A. Gross, Esq.

Enclosure

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APR 26 1983 P 5:26

CERTIFIED MAIL

BEFORE THE  
FEDERAL ELECTION COMMISSION

CITIZENS FOR SARBANES

\*

MATTER UNDER REVIEW

\*

1507

\*

\* \* \* \* \*

CITIZENS FOR SARBANES' ANSWERS  
TO INTERROGATORIES PROPOUNDED BY  
FEDERAL ELECTION COMMISSION

Citizens for Sarbanes (hereinafter the "Committee"), the principal campaign committee of United States Senator Paul S. Sarbanes, by and through its authorized representative, James W. Smith, in answer to the Interrogatories served upon it by the Federal Election Commission, says:

(a) The information supplied in these Answers is not based solely upon the knowledge of the executing party, but includes the knowledge of the Committee's officers, employees, representatives, and, unless privileged, attorneys.

(b) The word usage and sentence structure of these Answers is that of the attorney who prepared these Answers and does not purport to be the exact language of the executing party.

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INTERROGATORY NO. 1

How many copies of brochures published by the UAW and BRAC were at the Citizens for Sarbanes Baltimore Headquarters?

Answer: The Committee has no knowledge of any UAW brochures being present in the Committee's Baltimore headquarters or in any other of its headquarters.

With regard to the BRAC brochures, the Committee does not know the exact number of these brochures which were in its Baltimore Headquarters. Its best estimate is no more than 10 to 20. So far as the Committee has been able to determine, these BRAC brochures came into the Committee's possession on the evening of October 19, 1982, as the result of a rally for Democratic candidates held in Baltimore by and for members of various labor unions. A newspaper article describing that rally is attached hereto as Exhibit A. Senator Sarbanes, and several members of the Committee's campaign staff, attended the rally. Two members of the Committee's staff, Field Operations Director Brigid Smith and Assistant Field Operations Director Michael Davis, were responsible for making sure the brochures prepared by the Committee were distributed at the rally. They recall seeing the BRAC brochure at the rally, and, when the rally was over, they gathered up Sarbanes brochures which had been discarded or had not been distributed. They recall seeing some of the BRAC brochures (Exhibit B) among the discarded literature left after the rally, and they believe that they picked up

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a small number of these discarded BRAC brochures at the same time they gathered up the remaining Committee Sarbanes' brochures. All of this literature was mixed together in a large shopping bag, and the bag was then taken back to the Committee's Baltimore headquarters. As per existing procedure, this bag was set aside at the headquarters for sorting by volunteers, so that the Committee Sarbanes literature could be used again. The Committee has been unable to determine who actually did the sorting, but the Committee believes that, when these materials were sorted, one of its volunteers, under the mistaken impression that the BRAC brochure was Committee literature, placed some of these brochures in a window display of Sarbanes' Committee literature, bumper strips, buttons, etc. The Committee is not certain when this occurred but believes it happen sometime between the morning of October 20, 1982, and the morning of October 27, 1982. The placement of the BRAC brochures in the display window was done without the knowledge or approval of the Committee's management staff. It was not discovered until the morning of October 27, as is more fully described in the Answer to Interrogatory No. 6.

INTERROGATORY NO. 2

Submit a copy of the UAW and the BRAC brochures.

Answer: Attached as Exhibit B is a copy of the BRAC brochure. The Committee has no copy of the UAW brochure,

other than a xerox copy of that brochure which counsel for the Committee requested and received from counsel for the UAW following receipt of Chairman McDonald's March 17, 1983, letter. A copy of that copy is attached hereto as Exhibit C.

INTERROGATORY NO. 3

Were the UAW or BRAC brochures at any other Citizens for Sarbanes Campaign headquarters in Maryland?

Answer: The Committee has no knowledge of any UAW brochures being present in any of its Maryland campaign headquarters. Other than the BRAC brochures at the Committee's Baltimore headquarters, described in the Committee's Answer to Interrogatory No. 1, the Committee has no knowledge of any BRAC brochures being present in any of its other Maryland headquarters.

INTERROGATORY NO. 4

If the answer to question #3 is yes, answer the following questions:

- a. Indicate which brochures were at which campaign headquarters; and
- b. How many UAW or BRAC brochures were displayed at each of the headquarters listed in answer a?

Answer : The Committee incorporates by reference its Answer to Interrogatory No. 3.

INTERROGATORY NO. 5

Submit a staff list of personnel at the Baltimore headquarters.

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Answer: Baltimore Headquarters paid staff

(\* 1 month or less)

Nadine Alston  
1816 E. 25th Street  
Balto., MD 21218

Computer Manager

Carol Bell  
1149 Gorsuch Avenue  
Balto., MD 21218

Receptionist

\* Carey Black  
3408 University Place  
Balto., MD 21218

Field Operations

Carolyn Colvin  
1163 Sherwood Ave.  
Balto., MD 21239

Field Director  
Minority Community

Michael Davis  
8814 Meadow Heights Rd.  
Randallstown, MD 21133

Asst. Director  
Field Operations

Marty Frame  
826 E. Joppa Road  
Towson, MD 21204

Computer Operator

Bruce Frame  
826 E. Joppa Rd.  
Towson, MD 21204

Press Secretary

Emily Gibbs  
502 Wingate Rd.  
Balto. MD 21210

Office Manager

Roslyn Goldner  
7031 Wallis Ave.  
Balto., MD 21215

Deputy Campaign Manager

\* Doug Hoffman  
5502 Stonington Ave.  
Balto., MD 21207

Field Operations

\* Tom Marudas  
9 Wendover Road  
Balto., MD 21218

Field Operations

Joan Miller  
613 Wilton Rd.  
Balto., MD 21204

Asst. to Press Secretary

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Jimmy B. Mills  
2136 N. Smallwood St.  
Balto., MD 21216

Field Operations

John Moore, Jr.  
573 Standish Rd.  
Teaneck, N.J. 07666

Field Operations

Jennell Parker  
35 Walden Cherry Ct.  
Balto., MD 21207

Computer Operator

Margery Peyton  
3210 Fallstaff Rd.  
Balto., MD 21215

Fundraising  
Special Events Coordinator

Tom Proctor  
1525 Dellsway Rd.  
Towson, MD 21204

Field Operations

Bob Roth  
62 Acorn Cir.  
Towson, MD 21204

Asst to Press Secretary

Monica Schwebs  
2518 N. Quincy St.  
Arlington, Va. 22207

Fields Operations

Steve Sindler  
6718 Westbrook Rd.  
Balto., MD 21215

Field Operations

Brigid Smith  
1018 Belfast Rd.  
Sparks, MD 21152

Director of Field Operations

James W. Smith  
114 Cross Keys Rd.  
Balto., MD 21210

Campaign Manager

Tom Svolos  
1111 Chatterleigh Circle  
Towson, MD 21204

Field Operations

Douglas O. Walker  
3408 Old York Rd.  
Balto., MD 21218

Field Operations

Joanna Watson  
4804 Wilmslow Rd.  
Balto., MD 21210

Volunteer Coordinator

Finance Office  
P.O. Box 19644  
Balto., MD 21204

5115 Roland Ave.  
Balto., MD 21210

Diane Cimino  
1505 Kittering Ct.  
Bel Air, MD 21014

Secretary

Sebastia Svolos  
1111 Chatterleigh Circle  
Towson, MD 21204

Asst. Treasurer

Full-Time Volunteers - 3240 Greenmount Avenue (Baltimore  
Headquarters)

Paul O'Brien  
1 W. Franklin St.  
Balto., MD 21201

Asst. to Volunteer Coordinator

Sara Levi  
3601 Clarks Lane  
Balto., MD 21215

Fundraising Coordinator

Barbara Turner  
2814 Guilford Ave.  
Balto., MD 21218

Scheduling

Mitzi Swan  
3805 McDonough Rd.  
Randallstown, MD 21133

Reception, Driving, Field Operations

INTERROGATORY NO. 6

Who was responsible for monitoring the literature displayed at the Baltimore headquarters?

Answer: No member of the Committee's staff was specifically responsible for "monitoring the literature displayed at the Baltimore headquarters." General responsibility for Baltimore headquarters operations was vested in Baltimore Office Manager Emily Gibbs. Ms. Gibbs supervised Sarbanes volunteers who put together a window display of

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Sarbanes campaign literature in June, 1982, but, at that time, only Sarbanes Committee literature was placed in the window. Ms. Gibbs was not aware that BRAC brochures had been placed in that window display in the Baltimore headquarters until the morning of October 27. At that time, Ms. Dorothy Kolis came to the Sarbanes headquarters. Ms. Kolis identified herself as campaign manager for Socialist Workers Party Senatorial candidate Yvonne Hayes. She pointed out to Bruce Frame, the campaign's press secretary, the presence of the BRAC brochures in the Baltimore headquarters display window, and she complained to Mr. Frame about the use of her picture in the BRAC brochure. Mr. Frame examined the brochure, determined that it was published by BRAC, and advised Ms. Kolis to direct her complaints about the picture to BRAC. Mr. Frame and Ms. Gibbs then removed the BRAC brochures from the display window. They also searched the headquarters for additional BRAC brochures. A small number of additional BRAC brochures were discovered, and these too were removed and destroyed.

INTERROGATORY NO. 7

Were there any UAW or BRAC members or members of their family who worked or volunteered in any capacity at the Baltimore headquarters? If yes, how many?

Answer: No BRAC or UAW members, or relatives of

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members, worked as paid staff for the Committee. Two retired UAW members, Joseph M. Bauernschub and Jim Mosley, were volunteers who served as drivers on a fairly regular basis. Other UAW and BRAC members, or relatives of members, may have worked in the Baltimore headquarters as volunteers, but the Committee has no way to make such a determination. The Committee's volunteer list contains in excess of 19,000 names, and, during the last six weeks of the campaign, in excess of 20 volunteers per day were working in the Baltimore headquarters. No lists or records were maintained by the Committee regarding the union affiliations of these volunteers.

INTERROGATORY NO. 8

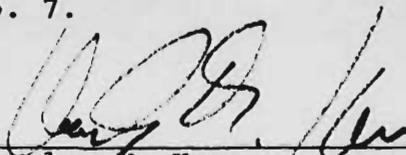
If the answer to question 7 is yes, list the positions held by each person.

Answer: The Committee incorporates by reference its Answer to Interrogatory No. 7.

INTERROGATORY NO. 9

Please submit the names of each person for each position listed in question.

Answer: The Committee incorporates by reference its Answer to Interrogatory No. 7.

  
\_\_\_\_\_  
Charles M. Kerr

Venable, Baetjer and Howard  
1800 Mercantile Bank and Trust Bldg.  
Two Hopkins Plaza  
Baltimore, Maryland  
(301) 244-7544

Treasurer and Attorney for  
Citizens for Sarbanes

VERIFICATION

I, JAMES W. SMITH, do solemnly declare and affirm under the penalties of perjury that I am Campaign Manager for Citizens for Sarbanes, I am the duly authorized representative for Citizens for Sarbanes for the purpose of answering these Interrogatories, and the contents of the foregoing Answers are true and correct to the best of my knowlege, information and belief.

*James W. Smith*

James W. Smith

Dated:

*April 20, 1983*

83040434665

THE SUN, Wednesday, October 20, 1982



The Sun/Irving H. Phillips, Jr.

Senator Paul S. Sarbanes (foreground) in jovial mood with Walter F. Mondale, center, and others at rally.

# Labor rallies for GOP's demise

By Tom Linthicum and Katie Gunther

About 1,500 workers jammed a Dundalk union hall last night for a star-studded, get-out-the-vote rally sponsored by the AFL-CIO that featured rousing speeches by a platoon of politicians and lots of foot-stomping cheers.

The rally at Steelworkers Hall—which included former Vice President Walter F. Mondale and Governor Hughes—was part of a concerted, nationwide effort by organized

labor to help congressional candidates who oppose President Reagan's economic policies.

Earlier in the day, the effort encouraging workers to vote Democratic in the November 2 election occasioned an appearance by AFL-CIO president Lane Kirkland at a factory in South Baltimore.

The workers at last night's rally reserved their loudest cheers for Senator Paul S. Sarbanes (D, Md.). As the senator's entourage forced its way through the crowd, the audience began chanting, "We want Paul."

"This is the most important election in 50 years in this country because the Republicans are trying to turn back all the economic and social progress we have made for 50 years," Mr. Sarbanes shouted above the din.

"But we are not going to let them do it," he said.

Governor Hughes, who also got a warm reception from the crowd, drew the most applause when he denounced an advertising campaign against Mr. Sarbanes mounted by the

See RALLY, D2, Col. 1

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end

# Mondale stirs rally against Reagan

By Paul D. Mindus  
Evening Sun Staff

Walter Mondale's purpling face and bellowing voice strained against the din of 1,200 steelworkers roaring in a musty, smoky, beer-slicked union hall.

"We got the people. They got the money," the former vice president shouted above the cheering workers. "The message we're going to give on Solidarity Day is, 'The government of the United States is not up for sale.'"

With a final effort, his face contorting into a mask of raging intensity, he screamed, "Let's give it to them."

Solidarity Day to Democrats is election day for everyone else. Last night solidarity reigned at the Steelworkers Hall on Dundalk Avenue.

Democratic politicians, statewide office-seekers and union leaders, workers and the jobless drank, sang, cheered and spoke of unity.

The "best political rally of the season, by far"—as Attorney General Stephen Sachs called it—gripped the sign-waving crowd in a frenzy of anger against high unemployment, censures of President Ronald Reagan's economic policies and feverish pledges to work for Democratic victories on Nov. 2.

Top-of-the-ticket Democrats and labor leaders, including AFL-CIO President Lane Kirkland, started their day here at 6:45 a.m. outside the Koppers Inc. plant gates, traveled to Silver Spring and Bowie and climaxed the visit at the steelworkers hall. Mondale later made a special appearance at a fund-raiser in Pike-



By Irving H. Phillips Jr.—Evening Sun Staff

Former Vice President Walter Mondale stands with Rep. Barbara Mikulski at a fund-raiser last night.

ville for Rep. Barbara A. Mikulski, D-3rd.

Joining Mondale at the rally, Sen. Paul S. Sarbanes, Gov. Harry R. Hughes, Comptroller Louis L. Goldstein and any other nearby Democrat clambered onto the stage to share in the cheers.

"The president the other night said we've got it better than we've ever had it before," said Mondale, prepping the partisan audience for a chorus of "No's."

"Was he talking about 12 million unemployed? Was he talking about six million underemployed? Was he talking about 1.5 million too discouraged to look for work? Was he talking about 32 million Americans on Social Security worried that their benefits will be cut? Was he talking about federal employees whose salaries have been cut?"

"Who's he talking about?" Mondale cried. "The rich," workers screamed back.

"I believe this president is out of touch," Mondale said. "Like Hoover, he doesn't know there's a difference

between Wall Street and Main Street."

Before Mondale spoke, the audience chanted, "We want Paul, we want Paul," and waved blue-and-white Sarbanes signs.

Sarbanes complimented Mondale and his late mentor and fellow Minnesotan, Hubert H. Humphrey.

"I want the vice president to know this is the state that went for Hubert Humphrey in 1968, and what a better country we'd be if he had been elected," Sarbanes said, setting off cheers.

Not mentioning former President Jimmy Carter, he told Mondale, "This is the state that went for you in 1976 and 1980.

"We want to get America back on track," Sarbanes shouted. "A lot of people who want to work, who have the skills to work, aren't being given a chance to work. They're being given the pink slip.

"In 1984, we're going to give the pink slip to the man who deserves it the most," he continued. "We're going to give it to Ronald Reagan."

Before and after the cheers, union

men holding plastic cups of beer told stories of hardship, layoffs and fears of losing their jobs. None of a dozen interviewed said he would vote Republican or support the president's policies.

Milton Engle, a 47-year-old Canton forklift driver at American Can Co., shook his head as he described the senior fellow workers who have gotten pink slips.

"I've worked there for 30 years and I'm one of the youngest people still working there," he said. "I'm hanging on by the skin of my teeth. I've only got about 14 people ahead of me before I go."

Engle said he liked Reagan "as a person. I think he's got the right idea, but it's going to take too long. A lot of people can't wait."

"They're feeling more disappointment than anger," said Lonnie Vick, vice president of Shipbuilders Local 33. "With the high unemployment, they see fellow brothers and workers losing their jobs, losing their homes, committing suicide, and with nothing to turn to."

# Labor rally calls for GOP defeat

**RALLY, from D1**

Washington-based National Conservative Political Action Committee.

"They are a bunch of cowards," Mr. Hughes said of the group. "They are making the most distorted, slanderous campaign against Paul Sarbanes: you can imagine, but they haven't got the guts to stand up and face him.

"And do you know what? They have spent \$700,000 to defeat Paul Sarbanes, and they have wasted every penny of it."

Mr. Mondale, who had campaigned earlier in the day with Mr. Sarbanes and Mr. Hughes, also joined the speechmakers last night.

"We have got the people and they have got the money," Mr. Mondale said, referring to the Republican Party. "The message we are going to give them on [Election Day] is this: The government of the United States is not up for sale."

Earlier in the day, AFL-CIO president Lane Kirkland appeared at the gates of Koppers Co., Inc., a South Baltimore piston-manufacturing firm, accompanied by Representatives Parren J. Mitchell (D, 7th) and Barbara A. Mikulski (D, 3d).

"Working people [must] understand the importance of this election," Mr. Kirkland said. "We're here to encourage labor to get out to vote and to support those politicians that have supported the working people."

Tom Bradley, head of the AFL-CIO in Maryland, said yesterday's rallies were part of an overall campaign strategy the labor organization laid out last year. The campaign began with an early endorsement of Mr. Sarbanes and continued with the Solidarity Day demonstrations in Washington and Annapolis.

Another part of that effort is a phone bank that was set up before the primary. Mr. Bradley said the AFL-CIO and two other labor organizations have 75 to 100 people manning phones five days a week. Their aim is to call as many of the 421,000 union members in Maryland as possible by November 2 and urge them to vote Democratic.

The rallies are "just another way of keeping the momentum going all



The Sun/Irving H. Phillips, Jr.

Representative Barbara Mikulski and Walter F. Mondale wave to crowd.

the way up to November 2," Mr. Bradley said.

The mood at the rally last night was militantly Democratic as workers, some retired and some unemployed, spoke freely of their frustration with the economy.

"Jobs—that's the only reason we are here," said Wayne Trapp, 40, an aluminum worker. Mr. Trapp said he was most concerned about reelecting Senator Sarbanes but had difficulty choosing between Mr. Hughes and Robert A. Pascal, the governor's Republican opponent.

"I haven't seen either of them do anything yet," he said.

Paul L. Brehm, state coordinator of senior citizens for the AFL-CIO, said he thought President Reagan had lost much of his support among the elderly because of the furor over proposed cutbacks in Social Security.

"Maybe 30 percent of the senior citizens voted for Reagan, but the support has gone to 10 percent from what I know," Mr. Brehm said.

Bob Shirey, a 30-year-old steelworker who was laid off last Decem-

ber, listened to all the speeches with a certain cynicism.

Asked if he was blaming Mr. Reagan for the state of the economy, Mr. Shirey said, "I'm blaming everybody . . . If the Democrats had done the job in the first place, the Republicans wouldn't have gotten in two years ago. But now the Republicans can't seem to get it right either.

"They all promise this and that—it's all a bunch of hearsay," Mr. Shirey said. But the registered Democrat added: "Whoever I vote for is going to be a Democrat."

Across the nation yesterday, top labor leaders traveled to 45 cities in 28 states and met with candidates at rallies, urging union support for those politicians at the polls.

Charles Hughes, an AFL-CIO spokesman, said Baltimore was selected as Mr. Kirkland's only stop because "it is a very important blue-collar city," where workers have been hit hard by unemployment and other economic problems.

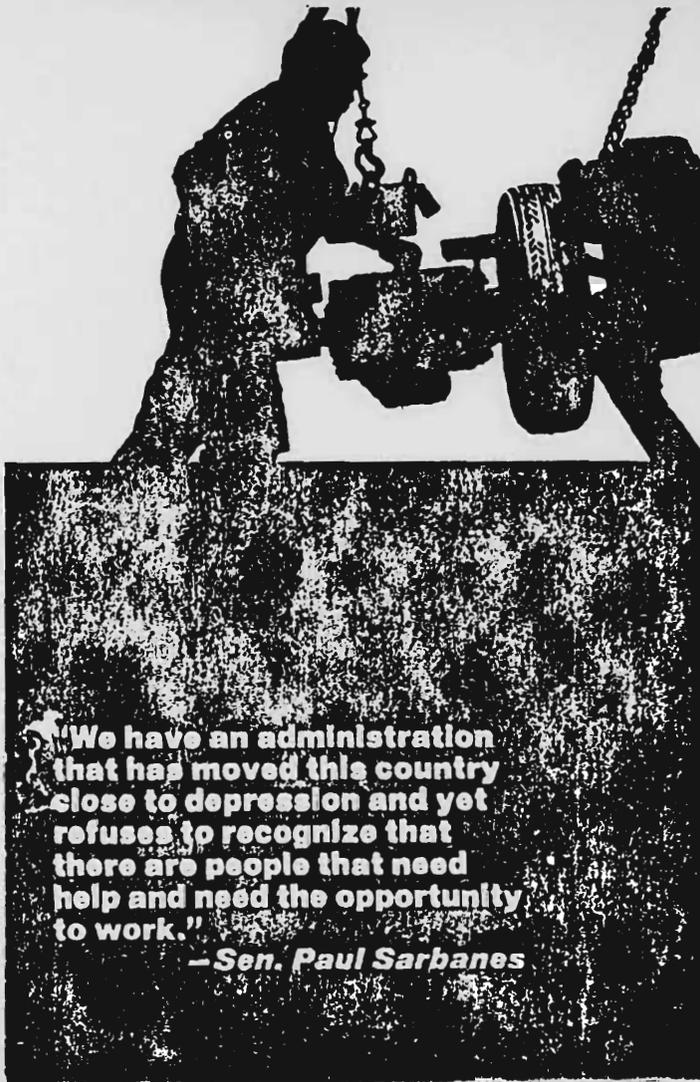
Reporter Lorraine Branham contributed to this article.

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End.

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# MARYLAND'S RECESSION: the human side



**"We have an administration that has moved this country close to depression and yet refuses to recognize that there are people that need help and need the opportunity to work."**

**- Sen. Paul Sarbanes**

# What Reagan Means to Autoworkers



## No Job, No Future for Family of Four

Tom Kovatch had over nine years seniority at GM when he was laid off from their assembly plant in East Baltimore. He's married, with two young boys, and has little chance of getting his job back. He's a victim of Reaganomics.

With unemployment still climbing, there will be many more like Tom Kovatch. Already some ten million American workers fill the ranks of President Reagan's army of unemployed.

Three years ago, Tom Kovatch and his family were looking forward to a bright future. He had a good job, a house and his wife, Mona, was even thinking of going back to school. Now he is jobless and will be lucky if he can hold on to his home.

His unemployment benefits will

soon run out. What will he do then? "I'll take two jobs if I have to," he says.

But what kind of jobs are available? He finds himself competing with thousands of other jobless workers for a scant few temporary jobs—mostly minimum wage jobs, like fast-food restaurants.

But they don't pay enough for a man with a family and a mortgage to even cover his bills. "It's hitting us all the way around," Mrs. Kovatch points out. We have to let credit cards go on the minimum to keep some ready cash, and the interest is compounding." They can thank President Reagan for their predicament.



## No One is Safe from Reaganomics

Loretta Carr lives across the Chesapeake Bay in Salisbury, Maryland. She hasn't lost her job at Dresser

Industries yet, and doesn't intend to let Reaganomics take her job too.

Loretta feels the upcoming November election is the chance workers have been waiting for to stop Reaganomics. I feel that this election is very important. A lot of us have a tendency to sit back as long as nothing affects us. Now, hopefully the people of Maryland will get up and move this election day."

Her idea of a representative that cares about working people is Senator Paul Sarbanes.

"We have a lot of politicians that work for the rich and forget about the poor and the workers. But Paul Sarbanes is from this area and cares about us.

"He knows that people are really suffering, losing their homes, everything because they are not able to work. He will be doing everything he can to get them back to work."



"Autoworkers need jobs not Reaganomics"  
Sen. Paul Sarbanes

# Senator Paul Sarbanes

## He's Fighting For Your Job



## "Our People Are Our Strength"

Senator Paul Sarbanes is fed up with Reaganomics. He has been one of the few in Washington, D.C. to stand up against the Reagan Administration, and points out that the Republicans have given us the worst unemployment since before World War II. Now it's time for a change.

"The first thing we must do is put the American people back to work. If we had a 5 percent unemployment rate, we would not only have a balanced budget, we would be running a surplus," he says.



"Every day a worker sits idle is a day we can never recapture. We can never get back what could have been produced. It's gone forever—lost to the country, lost to the society, lost to the individual."

He sees a dangerous trend in this country. "We are moving toward a two class society, with benefits going mostly to a small group at the top. The big people are getting bigger and the little people are being squeezed out and pushed right to the wall."

Sarbanes points out that the ultimate remedy for Reaganomics is going to be the election of 1982 and the election of 1984.

"Our people are our strength and we've got to elect representatives that have some feelings for the people."

## Senator Paul Sarbanes He's Fighting for Your Job



**United Automobile, Aerospace and  
Agricultural Implement Workers  
of America**

8000 East Jefferson Avenue  
Detroit, Michigan 48214



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# FIRST CLASS MAIL

**VENABLE, BAETJER, AND HOWARD**  
ATTORNEYS-AT-LAW  
1800 MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA  
BALTIMORE, MARYLAND 21201

CMK

TO:

The Honorable Danny L. McDonald  
Chairman  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D.C. 20463

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

ED

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 6, 1983

Charles M. Kerr, Esquire  
Treasurer  
Citizens for Sarbanes  
Venable, Baetjer and Howard  
1800 Mercantile Bank and Trust Building  
Baltimore, Maryland 21201

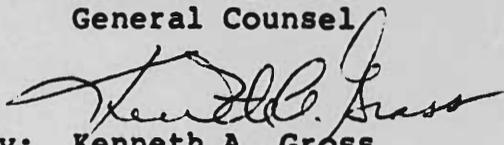
Re: MUR 1507

Dear Mr. Kerr:

This is in reference to your letter dated March 31, 1983, requesting an extension until April 20 in which to respond to interrogatories. Please be advised that your request has been granted. Your response is due on April 20, 1983.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

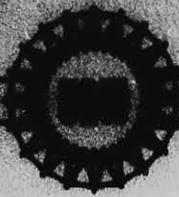
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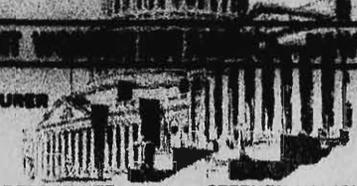
INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA

DOUGLAS A. FRASER, PRESIDENT

RAY MAJERUS, SECRETARY-TREASURER

VICE-PRESIDENTS

OWEN BIEBER • DON EPHLIN • MARTIN GERBER • ODESSA KOMER • MARC STEPP • ROBERT WHITE • STEPHEN YOKICH



IN REPLY REFER TO  
1757 M STREET, N.W.  
WASHINGTON, D.C. 20034  
TELEPHONE: (202) 528-8500

April 14, 1983

Ms. Deborah Felton  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20453

Re: MUR 1507

Dear Ms. Felton:

Enclosed please find the UAW's response to the questions submitted along with the FEC's letter of March 17th.

Sincerely,

Alan V. Reuther  
Assistant General Counsel

AVR:njk  
opeiu494

Enclosure

83040434674

APR 15 10 33:37

RECEIVED BY THE FEB

FEC Questions - MUR 1507

83 APR 15 Pg: 17

NOW COMES the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), by and through Alvin D. Lloyd, and having been duly sworn hereby states in response to the questions propounded by the Federal Election Commission in connection with MUR 1507 as follows:

Question 1

Did the UAW publish any brochure or pamphlet in support of Senator Paul Sarbanes?

Answer

The UAW Region 8 CAP Council, which is a subordinate body of the International Union, UAW, published a pamphlet in support of Senator Paul Sarbanes.

Question 2

If the answer to question number 1 is yes, answer the following questions:

- a. How many brochures were published?
- b. How and by whom were they distributed?
- c. To whom were the brochures distributed?
- d. What was the cost of the brochure?

Answer

- a. 20,000
- b. The pamphlets were made available at the offices of UAW Region 8, to be picked up by Local Unions and Retiree Chapters and taken back for distribution to UAW members only.
- c. Approximately 9,000 pamphlets were never distributed. The rest were distributed to UAW members in the manner described above.
- d. \$560.70.

Question 3

Did you become aware that some UAW brochures were in public view at the Citizens for Sarbanes' headquarters? If so, how and when did you become aware of this and what actions were taken in response?

Answer

To the best of my knowledge, the pamphlets were distributed exclusively to UAW members and their families. None of the pamphlets were donated or provided to

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Answer (continued)

the Sarbanes campaign, and thus none of the pamphlets were in view in any Sarbanes headquarters.

Question 4

How many UAW brochures, if any, were in public view?

Answer

None. See answer to question number 3 above.

Question 5

Please submit a copy of the brochure.

Answer

A copy of the pamphlet is attached.

  
\_\_\_\_\_  
Alvin D. Lloyd  
CAP Coordinator-UAW Region 8

*Jeanne Farnon, notary public expires 7/1/82*

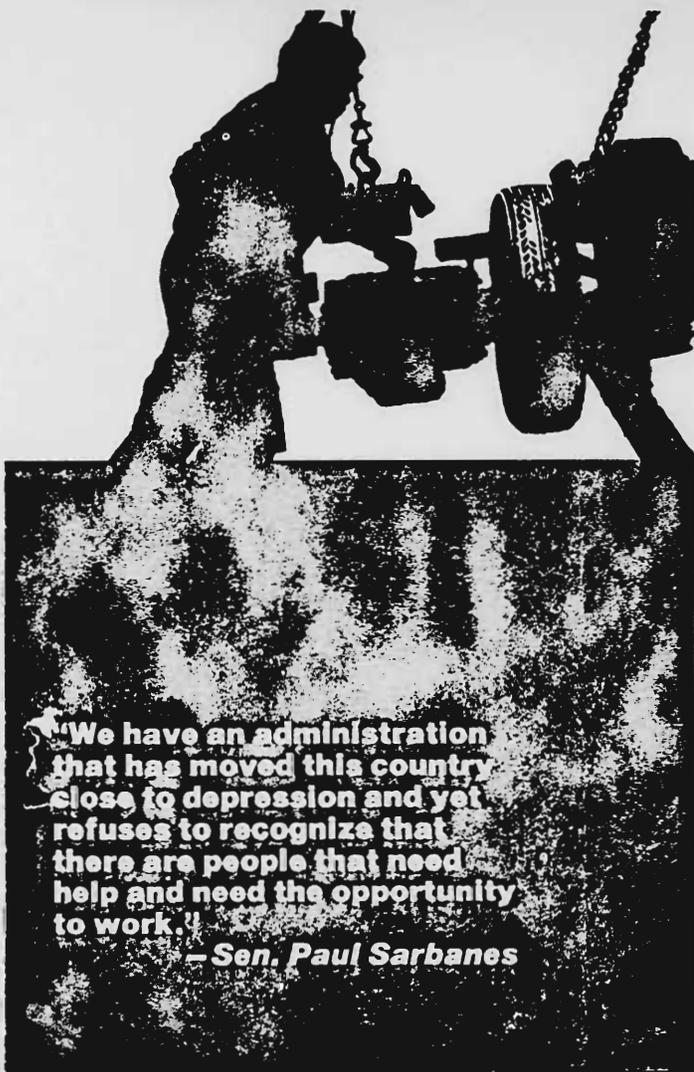
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# MARYLAND'S RECESSION: the human side



**"We have an administration that has moved this country close to depression and yet refuses to recognize that there are people that need help and need the opportunity to work."  
— Sen. Paul Sarbanes**

# What Reagan Means to Autoworkers



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**"Autoworkers  
need jobs  
not Reaganomics"  
Sen. Paul Sarbanes**



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# Senator Paul Sarbanes

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**United Automobile, Aerospace and  
Agricultural Implement Workers  
of America**

8000 East Jefferson Avenue  
Detroit, Michigan 48214





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 31, 1983

Alan V. Reuther  
Assistant General Counsel  
International Union, United Automobile,  
Aerospace & Agricultural Implement  
Workers of America (UAW)  
1757 N Street, N.W.  
Washington, D.C. 20036

Re: MUR 1507

Dear Mr. Reuther:

This is in reference to your letter dated March 28, 1983, requesting an extension until April 15 in which to respond to interrogatories. Please be advised that your request has been granted. Your response is due on April 15, 1983.

Sincerely,

Charles N. Steele  
General Counsel

  
By: Kenneth A. Gross  
Associate General Counsel

83040434630

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

**AFL-CIO — CLC**



R. I. KILROY,  
International President

83 APR 4 P 2:29  
RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY  
APR 4 P 4:09

File: 271-83

Subject: 1982 Elections - Political  
Action Program - Maryland

March 31, 1983

Mr. Danny L. McDonald, Chairman  
Federal Election Commission  
1325 K Street, NW  
Washington, DC 20463

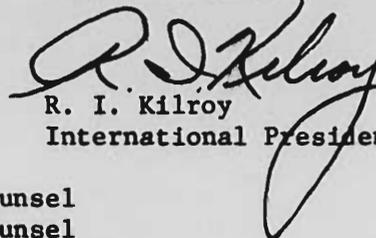
Re: FEC MUR 1507

Dear Mr. McDonald:

This will acknowledge receipt of your letter dated March 17, 1983. In response thereto, I am attaching answers to questions submitted.

Your letter further advises that the office of the General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. Please be advised that our organization is agreeable to participating in such a procedure. Please contact our General Counsel, William J. Donlon, relative to further handling.

Very truly yours,

  
R. I. Kilroy  
International President

CC: Charles N. Steele, General Counsel  
William J. Donlon, General Counsel

33040434681



letters discussed above, no written communications pertaining to the distribution of the Sarbanes' brochures were prepared or sent.

"2. You stated in your response to the complaint that you instructed local lodge officers to only distribute the brochure to BRAC members and their families.

- a. How were the officers instructed.
- b. Was this done by written memorandum? If so, submit the memorandum."

BRAC officers received both verbal and written instructions pertaining to the distribution of internal political materials, such as these brochures, prepared by BRAC for distribution to BRAC members and their families. At a June, 1982 conference attended by key officers from BRAC subordinate units located in Maryland as well as by BRAC officials from across the country, BRAC International Vice President J. F. Otero specifically instructed the attendees that BRAC's political education materials, paid for with BRAC funds, could only be used for political education activity aimed at members and their families and not to the general public.

In addition to those verbal instructions, officers attending this conference were provided with a booklet captioned "BRAC's Political Action Guide." A copy of this booklet is attached hereto. Your attention is directed to the last paragraph on Page 8 which provides, in relevant part:

"PEP's goals are aimed at educating our members and their families about political issues and candidates, encouraging them to register and urging them to vote. It is vital to remember that PEP funds may only go toward political education for members and their families, not the general public."

and to the last paragraph on Page 9 which states in boldface type:

"It is vital to remember that PEP funds may only go toward political education for members and their families, not the general public."

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Each of the individuals to whom Mr. Otero's letter was sent attended the June conference described above and received a copy of the attached BRAC booklet. Thus, the second paragraph of Mr. Otero's letter, suggesting that the brochure could be distributed to Local Lodge officers at meetings or rallies, must be read within the framework of Mr. Otero's previous verbal and written instructions to those same officers to distribute the material only to BRAC members and their families.

"3. When and how did you become aware of the fact that these brochures were in the Sarbanes' campaign headquarters."

To this date, BRAC and its officers have no specific knowledge concerning brochures being in the Sarbanes' campaign headquarters. The first knowledge of an allegation relative to brochures being in the Sarbanes' headquarters was the receipt of the letter dated December 6, 1982, received by International Secretary-Treasurer D. A. Bobo from Mr. Charles N. Steele, General Counsel of your honorable Commission. If such brochures were, indeed, in the Sarbanes' headquarters, BRAC and its officers have absolutely no knowledge relative to when the brochures were placed in the Sarbanes' headquarters or the individual involved in the placing of the brochures in the headquarters.

"4. How many brochures were in the Sarbanes' headquarters."

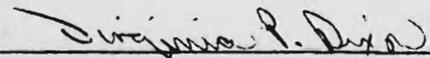
See answer to 3 above.

"5. Please submit a copy of the brochure."

Copy of the brochure is enclosed.

  
\_\_\_\_\_  
William J. Donlon  
General Counsel

Subscribed and sworn to before me  
this 31st day of March, 1983.

  
\_\_\_\_\_  
My Commission Expires July 1, 1986

3304043468

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

**AFL-CIO — CLC**



**File: 271-83**

**Subject: 1982 Elections - Political  
Action Program - MARYLAND**

**October 15, 1982**

**Mr. Joe Lanasa  
Legislative Representative  
BRAC Local Lodge 385  
3803 Evergreen Avenue  
Baltimore, Maryland 21206**

**Dear Joe:**

The enclosed brochures were prepared by BRAC on behalf of Senator Sarbanes. A few days before the Election, each BRAC member in the State of Maryland will receive this brochure in the mail.

Meanwhile, I thought you might find this supply useful for distribution in the manner you deem most appropriate (Local Lodge officers, meetings, rallies, etc.).

Thanking you for your cooperation and continued assistance, I remain

Sincerely and fraternally,

*Jack*

**J. F. Otero  
International Vice-President**

nd

Enclosures

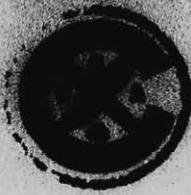
*(Approx 500)*

cc: R. I. Kilroy, IP  
E. J. Reynolds, GC, SBA 6  
J. P. Trainor, NLD  
D. R. Sweitzer, ANLD  
W. R. Williamson, D-R&E  
E. T. McDonald, RLD  
C. R. Glaze, RLD

83040434638

**RAILWAY, AIRLINE AND SEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

**AFL-CIO — CLC**



**File: 271-83**

**Subject: 1982 Elections - Political  
Action Program - MARYLAND**

**October 15, 1982**

**Mr. William J. Rosemond  
Local Chairman  
BRAC Local Lodge 176  
1308 Oakwood Road  
Glen Burnie, Maryland 21061**

**Dear Brother Rosemond:**

The enclosed brochures were prepared by BRAC on behalf of Senator Sarbanes. A few days before the Election, each BRAC member in the State of Maryland will receive this brochure in the mail.

Meanwhile, I thought you might find this supply useful for distribution in the manner you deem most appropriate (Local Lodge officers, meetings, rallies, etc.).

Thanking you for your cooperation, I remain

Sincerely and fraternally,

*Jack*

**J. F. Otero  
International Vice-President**

nd  
Enclosures (*Approx 200*)

**cc: R. I. Kilroy, IP  
R. F. Malcolm, GC, SBA 146  
J. P. Trainor, NLD  
D. R. Sweitzer, ANLD  
W. R. Williamson, D-R&E  
E. T. McDonald, RLD  
C. R. Glaze, RLD  
J. Lanasa, LR, LL 385**

33040434636

.. AIRLINE AND STEAMSHIP CLERKS,  
EXPRESS AND STATION EMPLOYEES



File: 271-83

Subject: 1982 Elections - Political  
Action Program - MARYLAND

October 15, 1982

Mr. Thomas F. Donovan  
Recording Secretary  
BRAC Local Lodge 514  
2422 C. Wellbridge Drive  
Baltimore, Maryland 21234

Dear Brother Donovan:

The enclosed brochures were prepared by BRAC on behalf of Senator Sarbanes. A few days before the Election, each BRAC member in the State of Maryland will receive this brochure in the mail.

Meanwhile, I thought you might find this supply useful for distribution in the manner you deem most appropriate (Local Lodge officers, meetings, rallies, etc.).

Thanking you for your cooperation, I remain

Sincerely and fraternally,

*Jack*

J. F. Otero  
International Vice-President

nd  
Enclosures (Approx 250)

cc: R. I. Kilroy, IP  
A. Archual, IVP, GC, SBA 86  
J. P. Trainor, NLD  
D. R. Sweitzer, ANLD  
W. R. Williamson, D-R&E  
E. T. McDonald, RLD  
C. R. Glaze, RLD  
J. Lanasa, LR, LL 385

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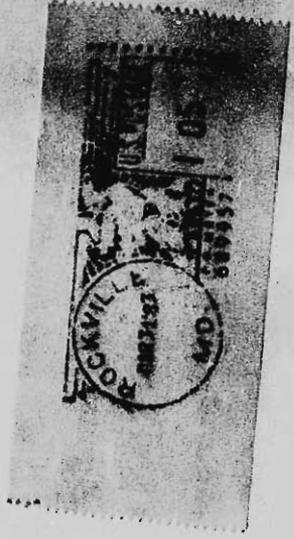
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Brotherhood of Railway, Airline & Steamship Clerks  
Freight Handlers, Express & Station Employees

**D. A. BOBO**

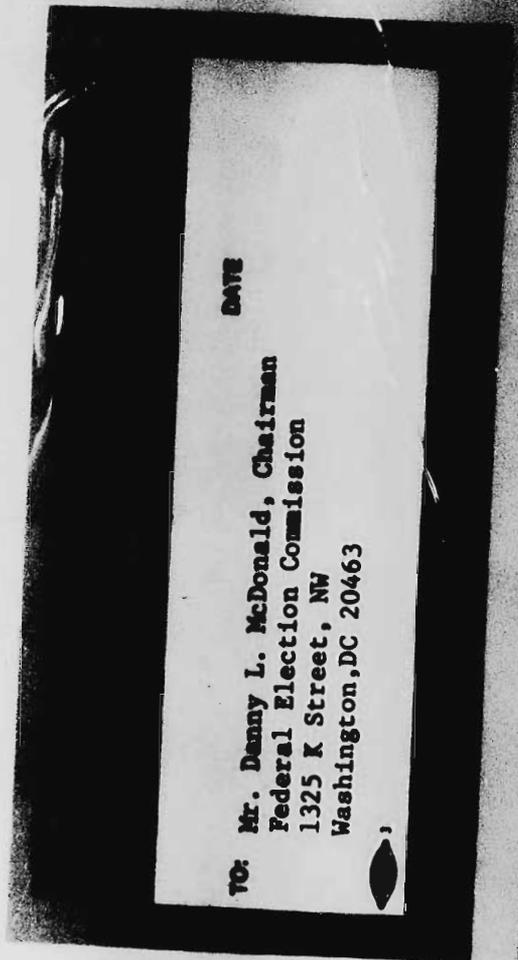
International Secretary-Treasurer

3 Research Place — Rockville, Maryland 20850



FIRST CLASS MAIL

FIRST CLASS MAIL



DATE

TO: Mr. Denny L. McDonald, Chairman  
Federal Election Commission  
1325 K Street, NW  
Washington, DC 20463

006  
6cc# 9793

RECEIVED  
OFFICE OF THE  
**VENABLE, BAETJER AND HOWARD**  
COMMISSION SECRETARY  
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

83 APR 4 10:28  
1800 MERCANTILE BANK & TRUST BUILDING  
SPRINGS PLAZA

BALTIMORE, MARYLAND 21201  
(301) 244-7400

WASHINGTON, D. C. OFFICE  
VENABLE, BAETJER, HOWARD & CIVILETTI  
SUITE 704

1301 PENNSYLVANIA AVENUE, N. W.  
WASHINGTON, D. C. 20004  
(202) 783-4300

\*ADMITTED IN DISTRICT OF COLUMBIA-  
NOT ADMITTED IN MARYLAND

WRITER'S DIRECT NUMBER IS

(301) 244-7544

March 31, 1983

CERTIFIED MAIL/RETURN  
RECEIPT REQUESTED

The Honorable Danny L. McDonald  
Chairman  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D. C. 20463

Re: MUR 1507 - Citizens for Sarbanes

Dear Chairman McDonald:

I received, on March 21, 1983, your letter, with regard to the above matter, dated March 17, 1983, and the enclosed interrogatories to Citizens for Sarbanes. Citizens for Sarbanes was required to respond to the interrogatories within 15 days of receipt of the letter, i.e., by Tuesday, April 5. We are in the process of doing so; however, we will be unable to complete our investigation and file our answers by the April 5 deadline. Consequently, I hereby request, on behalf of Citizens for Sarbanes, that we be granted an additional 15 days to respond, i.e., that we be permitted to respond on or before Wednesday, April 20, 1983.

ARTHUR W. MASHEN, JR., P.C.  
ROBERT M. THOMAS, P.C.  
A. SAMUEL COON, P.C.  
ROBERT R. SAIR, P.C.  
JACQUES T. SCHLENGER, P.C.  
CHARLES S. REEVES, JR.  
WILLIAM J. MCCARTHY, P.C.  
RUSSELL R. RENO, JR., P.C.  
THOMAS P. FERRIS, III, P.C.  
BENJAMIN R. CIVILETTI, P.C.  
GERALD M. KATE, P.C.  
LUKE HARBURY  
STUART N. ROME, P.C.  
C. VAN LEUVEN STEWART, P.C.  
LAWRENCE S. WESGOTT, P.C.  
GEORGE C. DOUS, JR.  
JOHN HENRY LEWIN, JR., P.C.  
ALAN D. YARBRO  
NEAL D. BORSER  
ROBERT A. SHELTON  
JACOB L. FRIEDEL  
HARRY D. SHAPIRO  
STANLEY MAZAROFF  
LEE M. MILLER  
THOMAS J. KENNEY, JR.  
N. PETER LAREAU  
DOUGLAS D. CONNAM, III  
HARVEY R. CLAPP, III  
BENJAMIN ROSENBERG  
ROBERT S. SMITH  
JAMES D. WRIGHT  
ALEXANDER I. LEWIS, III  
MAX STUL OPPENHEIMER  
TERRY F. HALL  
CRAIG E. SMITH

THOMAS S. MARTIN  
BRYSON L. COON  
CHARLES H. KERR  
ROBERT E. LEO  
ROBERT S. ANES  
NELL S. STRACHAN  
RICHARD L. WASSERMAN  
JOHN W. SCHEFF  
BARBARA E. SCHLAPP  
RONALD S. SHEFF  
JAMES R. ARCHIBALD  
G. STEWART WEBB, JR.  
GEORGE W. JOHNSTON  
GEMMEL  
JOHN HENRY LEWIN  
NORWOOD S. ORRICK  
RICHARD W. EMORY  
EDMUND P. SANDRIDGE, JR.  
WILBUR E. SIMMONS, JR.  
PARTNER EMERITUS  
JOSEPH FRANCE

RICHARD M. VENABLE (1899-1910)  
EDWIN G. BAETJER (1886-1946)  
CHARLES McN. HOWARD (1870-1948)

LAWRENCE J. MERWIN  
FREDRIC A. PRESS  
CONSTANCE H. BAKER  
ROBERT C. SOMMER  
P. DUDLEY STAPLES, JR.  
EDWARD L. WENDER  
DAVID H. FLEISHMAN  
GEORGE H. REYNOLDS, III  
JANA HOWARD CAREY  
MARGARET LEE QUINN  
MITCHELL ROLKIN  
JEAN E. KILPATRICK  
VICKI L. HAWKINS  
STEPHEN L. OWEN  
PETER P. PARVIS  
WILLIAM N. PATERATRICK, JR.  
JEFFREY R. AYRES  
KENNETH R. HOFFMAN  
BRIGID E. KENNEY  
PHYLLIS COLE FRIEDMAN  
FRANK L. KOLLMAN  
ABBE DAVID LOWELL  
BRUCE R. SPECTOR  
ELLEN S. WALKER  
JOHN H. MORRIS, JR.  
EARL L. METHENY  
LESLIE A. VIAL  
MAURICE BASKIN  
ELIZABETH C. HONEYWELL  
M. LUCINDA MOTSKO  
RICHARD J. SAPPANEX  
ROBERT A. RAPP  
ANN N. BOSSE  
DAVID S. ABRAMOFF  
JACK L. HARVEY

CAROL E. GREENFELD  
JOAN FISHBEN FELSMAN  
CHARITY SCOTT  
PETER S. SAUCIER  
ELLYN L. BROWN  
CHRISTOPHER R. HELLOTT  
CHRISTOPHER J. FRITZ  
PETER S. KEITH  
MARIANNE SCHMITT HELLAUER  
W. ROBERT ZINKHAM  
KATHLEEN MORRIS McDONALD  
CYNTHIA MEYERS NANN  
DAVID EUGENE RICE  
YAAKOV S. NEUBERGER  
MITCHELL W. SHAPIRO  
JOHN S. WATKINS, III  
ELIZABETH R. HUGHES  
JAMES A. SUNBAR  
RONALD W. TAYLOR  
STEPHEN F. BISBEE  
ALISON D. KOHLER  
PAUL D. SHELTON  
WILLIAM T. FITZGERALD, JR.  
STEPHEN P. CARNEY  
FRANCIS R. LAWS  
HERMAN EUGENE FUNK, JR.  
ALLAN NEIL KRINSMAN  
W. CARTER LESTER, JR.  
BERT SLACK  
KATHLEEN M. FLYNN  
ROBERT J. PROUTY  
BARBARA G. GOLDEN  
ARCHIBALD R. MONTGOMERY, III  
MICHAEL D. HANNIN  
ROBERT J. BOLSER

3304043463

60:40 p4:09

The Honorable Danny L. McDonald  
March 31, 1983  
Page Two

The Commission's consideration in this matter will  
certainly be appreciated.

Very truly yours,



Charles M. Kerr  
Treasurer and Attorney for  
Citizens For Sarbanes

CMK:km

cc: Kenneth A. Gross, Esq.

83040434690

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

1800 MERCANTILE BANK & TRUST BUILDING

2 HOPKINS PLAZA

BALTIMORE, MARYLAND 21201

GMK



P 304 620 399

The Honorable Danny L. McDonald  
Chairman  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D. C. 20463

3  
CERTIFIED MAIL/RETURN  
RECEIPT REQUESTED

83 APR 4  
P12:50

**VENABLE, BARTJER AND HOWARD**

**ATTORNEYS AT LAW**  
**1800 MERCANTILE BANK & TRUST BUILDING**  
**2 HOPKINS PLAZA**  
**BALTIMORE, MARYLAND 21201**  
**CNK**

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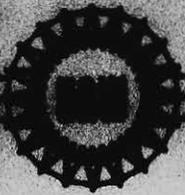
**Kenneth A. Gross, Esquire**  
**Associate General Counsel**  
**Federal Election Commission**  
**Washington, D. C. 20463**

RECEIVED AT THE FES



204441

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Ccc # 9768  
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INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA

DOUGLAS A. FRASER, PRESIDENT

RAY MAJERUS, SECRETARY-TREASURER

VICE-PRESIDENTS

OWEN BIEBER • DON EPHLIN • MARTIN GERBER • ODESSA KOMER • MARC STEPP • ROBERT WHITE • STEPHEN YOKICH



IN REPLY REFER TO  
1757 M STREET, N.W.  
WASHINGTON, D.C. 20034  
TELEPHONE: (202) 626-8500

March 28, 1983

Ms. Deborah Felton  
Federal Election Commission  
Washington, D. C. 20463

Re: MUR 1507

Dear Ms. Felton:

The UAW is in the process of investigating the matters raised in the questions posed in the FEC's letter of March 17th. Because we will not be able to complete the investigation and obtain sworn answers to the questions within fifteen days, I am hereby requesting that you grant the UAW an extension until April 15th in which to respond to the questions.

Sincerely,

*Alan V. Reuther*

Alan V. Reuther  
Assistant General Counsel

AVR:njk  
opeiu494

83040434693

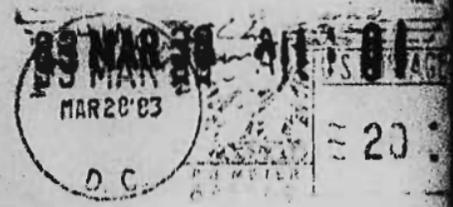


INTERNATIONAL UNION OF  
AUTOMOBILE · AEROSPACE · AGRICULTURAL IMPLEMENT WORKERS  
OF AMERICA (IAAW)

WASHINGTON OFFICE  
1757 N STREET, N.W.  
WASHINGTON, D. C. 20036



RECEIVED AT THE FEE



9304043

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



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

March 17, 1983

William J. Donlon  
General Counsel  
Brotherhood of Railway, Airline  
and Steamship Clerks, Freight  
Handlers, Express and Station Employees  
3 Research Place  
Rockville, Maryland 20850

Re: MUR 1507  
Brotherhood of Railway, Airline  
and Steamship Clerks

Dear Mr. Donlon:

The Federal Election Commission notified you on December 16, 1982, of a complaint which alleges that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees had violated certain sections of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on March 15, 1983, determined that there is reason to believe that the union has violated 2 U.S.C. § 441b(a). Specifically, it appears that brochures published and distributed by the union to its membership were also distributed outside the membership.

Your response to the Commission's initial notification of the complaint provided a detailed description of the publication and distribution of the brochure published by BRAC. However, additional information regarding the matter in question is requested. Please submit answers to the enclosed questions within 15 days of receipt of this letter. Statements should be submitted under oath.

We also want to advise you that the Commission determined that on the basis of information provided by you, there is no reason to believe that the union violated 2 U.S.C. § 431(9)(B)(iii).

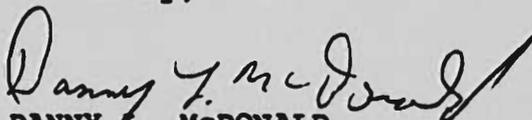
83040434672

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

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

If you have any questions, please contact Deborah Felton, the attorney, assigned to this matter at 523-4060.

Sincerely,

  
DANNY L. McDONALD  
Chairman

Enclosures  
Procedures  
Questions

83040434696

**QUESTIONS TO: Brotherhood of Railway, Airline and Steamship  
Clerks, Freight Handlers, Express and Station Employees**

1. What procedures were used to distribute the brochures to union and lodge members advocating Senator Sarbanes election.

2. You stated in your response to the complaint that you instructed local lodge officers to only distribute the brochure to BRAC members and their families:

a. How were the officers instructed?

b. Was this done by written memorandum? If so, submit the memorandum.

3. When and how did you become aware of the fact that these brochures were in the Sarbanes' campaign headquarters?

4. How many brochures were in the Sarbanes' headquarters?

5. Please submit a copy of the brochure.

83040434697



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 17, 1983

Charles M. Kerr, Treasurer  
Citizens for Sarbanes  
Venable, Baetjer and Howard  
2 Hopkins Plaza  
Baltimore, Maryland 21201

Re: MUR 1507 - Citizens for Sarbanes

Dear Mr. Kerr:

The Federal Election Commission notified you on December 6, 1982, of a complaint which alleges that the Citizens for Sarbanes Committee had violated certain sections of the Federal Election Campaign Act of 1971. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on March 15, 1983, determined that there is reason to believe that the committee has violated 2 U.S.C. § 441b(a), a provision of the Act. Specifically, it appears that the committee knowingly accepted or received a contribution from the UAW and BRAC in that it displayed union brochures in its Baltimore campaign headquarters.

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 15 days of receipt of this letter. Statements should be submitted under oath.

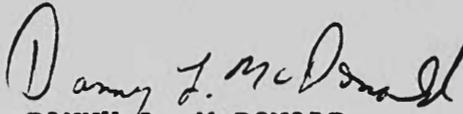
The Office of General Counsel would like to settle this matter thorough conciliation prior to a finding of probable cause. However in the absence of any information which demonstrates that no further action should be taken against the Citizens for Sarbanes Committee, the Office of General Counsel must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

83040434698

Letter to Charles M. Kerr  
Page 2

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you have any questions, please contact Deborah Felton, the attorney, assigned to this matter at (202) 523-4060.

Sincerely,

  
DANNY L. McDONALD  
Chairman

Enclosures  
Procedures  
Questions

83040434699

**QUESTIONS TO: Citizens for Sarbanes Committee**

1. How many copies of brochures published by the UAW and BRAC were at the Citizens for Sarbanes Baltimore headquarters?
2. Submit a copy of the UAW and the BRAC brochures.
3. Were the UAW or BRAC brochures at any other Citizens for Sarbanes campaign headquarters in Maryland?
4. If the answer to question #3 is yes, answer the following questions:
  - a. Indicate which brochures were at which campaign headquarters; and
  - b. How many UAW or BRAC brochures were displayed at each of the headquarters listed in answer a?
5. Submit a staff list of personnel at the Baltimore headquarters.
6. Who was responsible for monitoring the literature displayed at the Baltimore headquarters?
7. Were there any UAW or BRAC members or members of their family who worked or volunteered in any capacity at the Baltimore headquarters? If yes, how many?
8. If the answer to question 7 is yes, list the positions held by each person.
9. Please submit the names of each person for each position listed in question 8.

33040434700



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

March 17, 1983

Alan V. Reuther  
Assistant General Counsel  
International Union, United Automobile,  
Aerospace & Agricultural Implement  
Workers of America (UAW)  
1757 N Street, N.W.  
Washington, D.C. 20036

Re: MUR 1507 - UAW

Dear Mr. Reuther:

The Federal Election Commission notified you on December 16, 1982, of a complaint which alleges that the UAW had violated certain sections of the Federal Election Campaign Act of 1971. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on March 15, 1983, determined that there is reason to believe that the UAW has violated 2 U.S.C. § 441b(a), a provision of the Act. Specifically, it appears that brochures published and distributed by the union to its membership were also distributed outside the membership.

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 15 days of receipt of this letter. Statements should be submitted under oath.

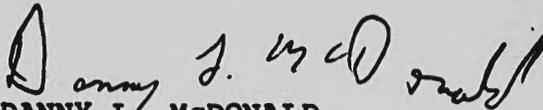
The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However in the absence of any information which demonstrates that no further action should be taken against the UAW, the Office of General Counsel must proceed to the next compliance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

83040434701

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

If you have any questions, please contact Deborah Felton, the attorney assigned to this matter at 523-4060.

Sincerely,

  
DANNY L. McDONALD  
Chairman

Enclosures  
Procedures  
Questions

83040434702

**QUESTIONS TO: International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)**

1. Did the UAW publish any brochure or pamphlet in support of Senator Paul Sarbanes?

2. If the answer to question #1 is yes, answer the following questions:

- a. How many brochures were published?
- b. How and by whom were they distributed?
- c. To whom were the brochures distributed?
- d. What was the cost of the brochure?

3. Did you become aware that some UAW brochures were in public view at the Citizens for Sarbanes' headquarters? If so, how and when did you become aware of this and what actions were taken in response?

4. How many UAW brochures, if any, were in public view?

5. Please submit a copy of the brochure.

8 3 0 4 0 4 3 4 7 0 3



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 17, 1983

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William J. Donlon  
General Counsel  
Brotherhood of Railway, Airline  
and Steamship Clerks, Freight  
Handlers, Express and Station Employees  
3 Research Place  
Rockville, Maryland 20850

Re: MUR 1507 - Responsible Citizens  
Political League

Dear Mr. Donlon:

On December 6, 1982, the Commission notified you of a complaint alleging that the Responsible Citizens Political League (RCPL) had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March 15, 1983, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed by RCPL. Accordingly, the Commission closed its file in this matter as it pertains to RCPL. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

Charles N. Steele  
General Counsel

83040434704

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Senator Paul Sarbanes )  
Citizens for Sarbanes )  
Responsible Citizens Political ) MUR 1507  
League (RCPL) )  
Brotherhood of Railway, Airline )  
and Steamship Clerks, Freight )  
Handlers, Express and Station )  
Employees (BRAC) )  
International Union, United )  
Automobile, Aerospace & )  
Agricultural Implement Workers )  
of America (UAW) )

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on March 15, 1983, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 1507:

1. Find reason to believe that the UAW violated 2 U.S.C. §441b(a);
2. Find reason to believe that BRAC violated 2 U.S.C. §441b(a);
3. Find reason to believe that the Citizens for Sarbanes Committee violated 2 U.S.C. §441b(a);
4. Find no reason to believe that BRAC violated 2 U.S.C. §431(9)(B)(iii);

(CONTINUED)

83040434705

5. Find no reason to believe that RCPL violated 2 U.S.C. §434(b); and
6. Approve the letters and questions attached to the General Counsel's March 1, 1983 report on this matter.

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

Attest:

3-16-83

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

83040434706



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL  
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*  
DATE: MARCH 7, 1983  
SUBJECT: OBJECTIONS - MUR 1507 General Counsel's  
Report signed March 1, 1983

The above-named document was circulated to the  
Commission on Wednesday, March 2, 1983 at 4:00.

Objections have been received from the Commissioners  
as indicated by the name(s) checked:

Commissioner Aikens	<u>          X          </u>
Commissioner Elliott	<u>                          </u>
Commissioner Harris	<u>                          </u>
Commissioner McDonald	<u>          X          </u>
Commissioner McGarry	<u>                          </u>
Commissioner Reiche	<u>                          </u>

This matter will be placed on the Executive Session  
agenda for Tuesday, March 15, 1983.

83040434707



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 2, 1983

MEMORANDUM TO: Marjorie W. Emmons

FROM: George Demougeot *GD*

SUBJECT: MUR 1507

Please have the attached General Counsel's Report distributed to the Commission on a 48 hour tally basis as a sensitive matter. Thank you.

Attachment

83040434708

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

83 MAR 2 All: 14

In the Matter of	)	
Senator Paul Sarbanes	)	
Citizens for Sarbanes	)	MUR 1507
Responsible Citizens Political	)	
League (RCPL)	)	
Brotherhood of Railway, Airline	)	
and Steamship Clerks, Freight	)	
Handlers, Express and Station	)	
Employees (BRAC)	)	
International Union, United	)	
Automobile, Aerospace & Agri-	)	
cultural Implement Workers of	)	
America (UAW)	)	

GENERAL COUNSEL'S REPORT

I. Background

Lawrence J. Hogan, a former candidate for the U.S. Senate, filed a properly executed complaint with the Commission on December 2, 1982. The complaint alleges possible violations by Senator Paul S. Sarbanes, Citizens for Sarbanes, Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees (BRAC), Responsible Citizens Political League (RCPL) (a project of BRAC), and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW).

The complaint alleges that BRAC or its separate segregated fund, RCPL, published a flyer in support of Paul S. Sarbanes, a candidate for the Office of U.S. Senate. It is the complainant's belief that this flyer received widespread distribution at a public rally for Senator Sarbanes and was available at Citizens for Sarbanes' Baltimore headquarters. The complainant also

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submitted an article which appeared in the Baltimore Sun on October 28, 1982, describing a flyer published by the "Railway Employees Union" which indicated support for Senator Sarbanes. (See Attachment 1). The article stated that there were a small number of flyers in the Citizens for Sarbanes Baltimore Headquarters, but that these were removed when a union member of BRAC complained about them. A spokesman for Senator Sarbanes indicated in the newspaper article that the senator's campaign was not involved in producing the brochure.

The complainant further alleges that RCPL failed to report the publication of this brochure as an "expenditure" and that they also may have exceeded their contribution limit to Senator Sarbanes' campaign. With regard to the UAW, the complainant alleges that he personally picked up a pamphlet about Senator Sarbanes published by the UAW at a campaign headquarters of Senator Sarbanes in Dundalk.

#### LEGAL ANALYSIS

According to 2 U.S.C. § 441b(a), a labor organization is prohibited from making a contribution or expenditure in connection with any federal election. However, it is permissible under 2 U.S.C. § 441b(b)(2)(A), for a labor organization to distribute communications regarding federal elections to its members and their families. Additionally, 2 U.S.C. § 441b(a) prohibits a political committee from knowingly accepting or receiving any contribution from a labor organization.

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In response to the allegations made by the complainant, BRAC explained that the union and not its separate segregated fund, RCPL, published a brochure in support of Senator Sarbanes. 1/ (See Attachment 2). The brochure, the union admits, was prepared by BRAC and distributed by mail to BRAC members and their families. BRAC states that the disbursements for the brochure totalled \$1,318.04, and that therefore BRAC was not required to report the costs of the communication. 2/ Brochures also were given to local lodge officers of BRAC for distribution to BRAC members and their families at local lodge meetings. BRAC states that the lodge officers were specifically instructed that the brochures were to be distributed only to BRAC members and their families.

BRAC contends it used best efforts to insure that the brochures distributed were in conformity with the Act and were not distributed outside the permissible class of persons. Although BRAC has been responsive in detailing the circumstances surrounding the publication and distribution of the brochure in question, the fact remains unclear as to how the brochure became available at the Citizens for Sarbanes Baltimore headquarters.

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1/ BRAC contends they were not properly served with the complaint and that only RCPL had been served. We note that BRAC did accept service on December 17, 1982.

2/ 2 U.S.C. § 431(9)(B)(iii) requires a labor organization to report the costs of a communication to its members when those costs exceed \$2,000 for any election.

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Under the circumstances, we believe there is a sufficient basis for finding reason to believe BRAC violated 2 U.S.C. § 441b(a) by paying for partisan communications beyond its membership.

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The UAW submits that Mr. Hogan's complaint fails to comply with 11 C.F.R. 111.4(d), in that it does not clearly identify the UAW as a respondent and it fails to contain a clear recitation of facts or documentation of the allegations. (See Attachment 3). Further, the UAW contends that they did not donate or provide any pamphlets, literature or other materials to the Sarbanes campaign. However, the complainant alleges in his sworn statement that he personally picked up a pamphlet at the Citizens for Sarbanes campaign headquarters in Dundalk published by the UAW. The response from the Citizens for Sarbanes Committee also indicated that the UAW published brochures advocating the election of Senator Sarbanes which were distributed to UAW members. Notwithstanding the UAW response in this matter, the evidence indicates that a brochure was published by the UAW and distributed in Senator Sarbanes' Baltimore campaign headquarters in possible violation of 2 U.S.C. § 441b(a).

The response from Charles M. Kerr, Treasurer of Citizens for Sarbanes, asserts that the BRAC and UAW brochures were membership communications and were neither contributions to, nor expenditures on behalf of Senator Sarbanes. 3/ (See Attachment 4). The Committee states that they did not participate in the

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3/ A separate response has not been received from Senator Sarbanes.

publication or distribution of these brochures. The Committee contends that the Baltimore Sun article referred to in the complaint alerted the Committee's staff to the presence of these brochures in their campaign headquarters and that they were immediately removed from public view. The Sarbanes Committee determined that these brochures came into the Sarbanes Committee headquarters, either as the result of an individual union member or as the result of a Sarbanes volunteer having been given the brochure by a union member. With regard to the complainant's allegation that union brochures were present at campaign headquarters in Dundalk, the Committee submits that there were no such headquarters.

The evidence indicates that union brochures published by the UAW and BRAC were on display at the Citizens for Sarbanes Baltimore headquarters. The Federal Election Campaign Act prohibits a political committee from accepting or receiving any contribution from a labor organization. It appears that the presence of these brochures at the Sarbanes campaign headquarters violates the prohibition of a political committee accepting or receiving union contributions. It is therefore recommended that there is sufficient basis for finding reason to believe that the Citizens for Sarbanes Committee violated 2 U.S.C. § 441b(a) by receiving a union contribution.

In view of the foregoing, the General Counsel recommends that the Commission find reason to believe that BRAC and the UAW violated 2 U.S.C. § 441b(a), find reason to believe that the

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Citizens for Sarbanes Committee violated 2 U.S.C. § 441b(a), find no reason to believe that RCPL violated 2 U.S.C. § 434(b), and find no reason to believe that BRAC violated 2 U.S.C. § 431(9) (B) (iii).

Recommendations

1. Find reason to believe that the UAW violated 2 U.S.C. § 441b(a);
2. Find reason to believe that BRAC violated 2 U.S.C. § 441b(a);
3. Find reason to believe that the Citizens for Sarbanes Committee violated § 441b(a);
4. Find no reason to believe that BRAC violated 2 U.S.C. § 431(9) (B) (iii);
5. Find no reason to believe that RCPL violated 2 U.S.C. § 434(b) and
6. Approve the attached letters and questions.

83040434714

March 1, 1983  
Date

Charles N. Steele  
General Counsel

By:   
Kenneth A. Gross  
Associate General Counsel

Attachments

- 1 - Newspaper article
- 2 - BRASC response
- 3 - UAW response
- 4 - Citizens for Sarbanes response
- 5 - Proposed letters and questions (4)

Oct 28, 1982

Baltimore Sun

C6.

# Socialist for Sarbanes?

## Pictured unionist stanches the notion

By Tom Linthicum

What's a picture of the campaign manager for the Socialist Workers Party candidate for the U.S. Senate doing in a brochure endorsing Democratic Senator Paul S. Sarbanes?

That's exactly what Dorothy Kolis wanted to know last week when she first saw the flyer published by her Railway Employees union.

There was her picture, describing her as "another [Railway Employees] victim of the Reagan recession" who had been laid off from her job with the B&O Railroad. There were also angry quotes from Ms. Kolis about Reaganomics.

"Members like ... Dorothy Kolis are looking to the November elections to straighten things out. They need a representative who really cares about working people," the brochure said.

"The implication is inescapable: That I support Sarbanes," Ms. Kolis

said in a written statement issued yesterday. "But that, of course, is a lie."

Ms. Kolis, who said she ran for governor as a Socialist in 1978, is campaign manager for Yvonne Hayes, a member of the Socialist Workers Party, who is running a write-in campaign against Senator Sarbanes and the Republican, Lawrence J. Hogan.

"It is certainly regrettable," said Diane Curry, publications director for the Railway Employees union. "She said this has been a source of personal embarrassment to her, which I can certainly appreciate."

Ms. Curry explained that Ms. Kolis was interviewed originally for an article in the union's national magazine about members suffering under current economic conditions. Material in that interview was then used in the political brochure, which was distributed among the union's

7,000 to 8,000 members in Maryland.

"The interviewer did not specifically ask Dorothy Kolis if she was a Sarbanes supporter, nor did she say she was or she wasn't," Ms. Curry said.

Ms. Kolis said, however, that "... as I made very clear to the reporter during the taped interview, I don't think that Democratic or Republican politicians—either Sarbanes or Hogan—can solve our problems."

Ms. Curry said that Ms. Kolis will be given the opportunity to clarify her views in the December issue of the union magazine.

Bruce C. Frame, a spokesman for Mr. Sarbanes, said the senator's campaign was not involved in producing the brochure. He said he removed a small number of the flyers from public view in the senator's Baltimore headquarters yesterday after Ms. Kolis complained about them.



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**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES** (2)

**AFL-CIO — CLC**

**LEGAL DEPARTMENT**

WILLIAM J. DONLON, General Counsel  
MITCHELL M. KRAUS, Assistant General Counsel

January 11, 1983

33 JAN 12 AID: 50

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

Re: FEC MUR 1507

Dear Mr. Steele:

This letter is the response to the Federal Election Commission's letter of December 6, 1982, by the Responsible Citizens Political League ("RCPL"), the separate segregated fund of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees ("BRAC").

The Commission's letter notified RCPL that the Commission has received a complaint filed by Lawrence J. Hogan and dated November 30, 1982, alleging that the Committee has violated certain sections of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. §431 et seq. This complaint, which is based on a newspaper article and on "informal information," alleges that the RCPL, or alternatively BRAC, may have violated 2 U.S.C. §434 by failing to report expenditures for a brochure supporting U.S. Senate candidate Paul S. Sarbanes. This brochure, it is alleged, was placed "in public view" at Mr. Sarbanes' campaign headquarters and was also allegedly distributed at a Democratic rally. The complaint alleges too that the RCPL's expenditures for the brochure may have caused the Committee to exceed the contribution limits of 2 U.S.C. §441a(a)(2)(A) with respect to Mr. Sarbanes' 1982 candidacy.

Initially, we note that even though the complaint appears to be directed both at RCPL and BRAC, BRAC has not been designated as a respondent in this matter by the FEC. Nor, so far as we can determine, has the Union received the statutorily-required notice of this complaint or been served with a copy of the complaint, as required by 2 U.S.C. §437g(a)(1). However, since the brochure which lies at the heart of this matter was published and distributed by BRAC, not RCPL, and without waiving any of the Union's objections to the defects in notice and service, the Union has decided to cooperate in this matter to the extent of joining in this response.

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Mr. Charles N. Steele, General Counsel  
Page 2  
January 11, 1983

For the reasons stated below, the RCPL and BRAC respectfully request that the Federal Election Commission take no action with regard to the allegations made in the complaint filed with the Commission by Lawrence J. Hogan and that the Commission dismiss the complaint.

Relevant Facts

The brochure described in the 10/28/82 Baltimore Sun article attached to Mr. Hogan's complaint was neither prepared nor distributed by the RCPL. It was prepared by BRAC and was distributed by BRAC to BRAC members and their families. BRAC's records indicate that 8,000 copies of the brochure were printed at a cost of \$800.36. Distribution occurred as follows: On or about October 15, 1982, approximately 4,600 of the brochures were mailed directly to BRAC members. The costs of that mailing totalled approximately \$517.00. At about the same time, another 1,700 brochures were given to BRAC Local Lodge officers for distribution to BRAC members and their families at Local Lodge meetings and other Local Lodge functions. (Local Lodges are separate organizations affiliated with BRAC that elect their own officers and conduct their own affairs.) The remainder of the brochures were destroyed.

Neither BRAC nor RCPL authorized distribution of the brochure to an office of Citizens for Sarbanes or "widespread distribution" of the brochure at a Democratic rally. To the contrary, the Local Lodge officers to whom distribution of the brochure was made were instructed that the brochure was to be distributed only to BRAC members and their families.

Discussion

1. Since RCPL made no expenditures for the preparation or distribution of the brochure described above, RCPL did not make a "contribution-in-kind" to the Sarbanes' campaign of the costs of the brochure. Accordingly, RCPL has not violated 2 U.S.C. §434 by failing to report such a contribution-in-kind.

2. Nor has RCPL violated 2 U.S.C. §441a by making contributions in excess of \$5,000.00 per election to the Citizens for Sarbanes Committee. A review of RCPL's contribution records reflects that the committee made the following contributions to Senator Sarbanes' 1982 campaign: \$2,000.00 on July 14, 1981 for the primary; \$3,000.00 on March 12, 1982 for the primary; \$1,000.00 on August 30, 1982 for the general; \$1,500.00 on September 23, 1982 for the general; and \$1,500.00 on October 8, 1982 for the general. These contributions total \$9,000.00 -- \$5,000.00 for the primary election and \$4,000.00 for the general -- which amounts do not exceed the contribution limits of 2 U.S.C. §441a. RCPL made no other contributions -- monetary or in-kind -- to the Sarbanes campaign.

3. BRAC's disbursements for the brochure totalled \$1,318.04. Those disbursements were made on or about October 19, 1982. The Act requires a

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Att. II, page 2 of 4

Mr. Charles N. Steele, General Counsel  
Page 3  
January 11, 1983

labor organization to report the costs of a communication made to its members and their families which expressly advocates the election or defeat of a clearly identified federal candidate if those costs exceed \$2,000.00 per election. 2 U.S.C. §431(9)(B)(iii). Such reports must be filed in accordance with 2 U.S.C. §434(a)(4)(A)(i) and (ii). Id. Because the direct costs of the above-described brochure did not exceed \$2,000.00, BRAC has no obligation to file an FEC Form 7 Report based on those costs alone. And, even if BRAC has exceeded the reporting threshold of 2 U.S.C. §431(9)(B)(iii) for the 1982 general election, (because the costs of the brochure when aggregated with other reportable communication costs exceed \$2,000.00), it would be under no obligation to file such a report until January 31, 1983. Accordingly, BRAC has not violated 2 U.S.C. §434.

4. It is a well-settled principle of law that no person will be held responsible for the acts of another unless those acts were either authorized or subsequently ratified by that person.

Therefore, with regard to the 4,600 brochures that were mailed directly to individual BRAC members, to the extent that one of those members or someone in his family may have given the brochure to someone else, BRAC may not be held responsible for that individual's action.

With regard to the 1,700 brochures distributed in bulk to Local Lodge officers, under the specific instruction that they were to be distributed to BRAC members at membership meetings and other Lodge functions, the same result obtains. BRAC used its "best efforts" to insure that those brochures were distributed in conformity with the restrictions of 2 U.S.C. §441b(b)(2)(A). If, therefore, an individual Local Lodge officer disregarded those instructions and distributed the brochures he received to persons other than BRAC members or their families, BRAC may not be held responsible for his action.

In any event, given the number of copies at issue here -- a maximum of 1,700 since the other 4,600 brochures were mailed directly to members -- any unauthorized distribution outside the Union's restricted class must be regarded as de minimis. The Commission has ruled that a labor organization does not violate §441b of the Act if it solicits contributions for its separate segregated fund from members in a newsletter, financed out of treasury funds, which is sent to a de minimis number of non-members. See FEC Advisory Opinion 1978-97. In addition, the Commission's regulations provide that a labor organization which uses "best efforts" to comply with the Act's restrictions with regard to the persons whom it may solicit, will not be deemed to have violated the Act because of its accidental or inadvertent solicitation of persons apart from those it is permitted to solicit. 11 CFR §114.5(h). Since solicitations are merely a form of partisan communication, it follows that where as here a labor organization has used "best efforts" to limit the distribution of a partisan communication to its

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Mr. Charles N. Steele, General Counsel  
Page 4  
January 11, 1983

members and their families but where the communication nonetheless appears to have been distributed without that organization's permission in de minimis numbers outside that class, that labor organization should not be deemed to have violated the Act. Accordingly, the allegation that BRAC has violated the Act due to the alleged distribution of its brochure to persons other than its members or their families should be rejected.

Very truly yours,



William J. Donlon  
General Counsel

WJD:v  
CC: R. I. Kilroy, IP

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INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA—UAW

DOUGLAS A. FRASER, PRESIDENT

RAY MAJERUS, SECRETARY-TREASURER

VICE-PRESIDENTS

WEN BIEBER • DON EPHLIN • MARTIN GERBER • ODESSA KOMER • MARC STEPP • ROBERT WHITE • STEPHEN YOKICH

G.C. #9293  
83 JAN 10 11:50  
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IN REPLY REFER TO  
1757 N STREET, N.W.  
WASHINGTON, D.C. 20036  
TELEPHONE: (202) 820-8200

January 5, 1983

Ms. Deborah Felton  
Federal Election Commission  
Washington, D.C. 20463

Re: MJR 1507

Dear Ms. Felton:

This statement is submitted on behalf of the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), in response to the complaint which was filed by Mr. Hogan in the above referenced case.

At the beginning of his complaint, Mr. Hogan states that he believes there is a sufficient basis for a complaint against Paul Sarbanes and 'The Railways Employees Union'. The bulk of Mr. Hogan's complaint then goes on to make various allegations against Senator Sarbanes and the Brotherhood of Railways and Airline Clerks.

The only portion of Mr. Hogan's complaint which even refers to the UAW is the next to last paragraph, wherein Hogan alleges that he "personally picked up a pamphlet about Senator Sarbanes published by the United Auto Workers which was being distributed at a campaign headquarters of Paul S. Sarbanes in Durdalk."

Mr. Hogan insinuates that this amounted to an in-kind contribution, which was not reported and/or exceeded the contribution limitations. Significantly, however, Mr. Hogan's complaint completely fails to provide any corroboration for his allegations. In addition, the complaint does not even contain any details concerning the nature or contents of the "pamphlet" which he allegedly picked up at the Sarbanes headquarters, the date when this allegedly occurred, how many of the pamphlets allegedly were in the Sarbanes headquarters, what was allegedly being done with the pamphlets, or any other relevant information.

Section 111.4 (d) of the Commission's regulations, 11 C.F.R. 111.4(d), provides that all complaints must conform to certain provisions. Specifically, they must "clearly identify" as a respondent each person

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Att III, page 1 of 2

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who is alleged to have committed a violation; they must contain a "clear recitation" of all facts which describe the alleged violation; and they must be accompanied by any documentation supporting the facts alleged in the complaint. See 11 C.F.R. 111.4(d) (1), (3) & (4). Because the complaint filed by Mr. Hogan obviously fails to satisfy these requirements, the UAW submits that the Commission should not take any further action on the complaint with respect to the UAW. First, the complaint does not "clearly identify" the UAW as a respondent. Accordingly, the UAW should not be treated as a respondent in the present case, and should not be required to submit any response. Second, the complaint does not contain a "clear recitation" of specific facts which make out a violation by the UAW, and is not accompanied by any corroborative documentation. Rather, the portion of the complaint which refers to the UAW is based entirely upon an unsupported, personal allegation by Mr. Hogan. Since Mr. Hogan was the candidate who opposed Senator Sarbanes in the 1982 general election, his unsupported allegation is clearly lacking in credibility, and should not be accorded any weight by the Commission. For both of the foregoing reasons, the complaint filed by Mr. Hogan is defective, and should be dismissed - at least with respect to the UAW.

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Because of the vague and unsubstantiated nature of the allegations in Mr. Hogan's complaint, it is difficult to respond to the "merits". Our internal investigation regarding this matter, however, has revealed that there is simply no truth to Mr. Hogan's allegations. Specifically, the UAW did not donate or provide any pamphlets, literature or other materials to the Sarbanes campaign - either in Durdalk or anywhere else. Furthermore, the UAW did not make any other in-kind contributions to the Sarbanes campaign. Since the UAW did not donate any pamphlets or make any other in-kind contributions, the UAW did not violate either the reporting provisions or the contribution limitations in the FECA.

Sincerely,

Alan V. Reuther  
Assistant General Counsel

AVR:jeb  
opeiu494

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**VENABLE, BAETJER AND HOWARD** 3 JAN 17 P2:04  
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
1800 MERCANTILE BANK & TRUST BUILDING

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EDWARD P. SANDRICH, JR.  
ARTHUR W. MANNEN, JR., P.E.  
ROBERT W. THOMAS, P.E.  
A. DANIEL COOK, P.E.  
ROBERT R. GALT, P.E.  
JACQUES T. SCHLUBER, P.E.  
CHARLES S. REYER, JR.  
WILLIAM J. MCARTHY, P.E.  
RUSSELL S. REYNOLDS, JR., P.E.  
THOMAS P. PERRINE, III, P.E.  
BERNARD S. CIVILETTI, P.E.  
GERALD H. RAYE, P.E.  
LARS BERGMAN  
STUART H. ROSE, P.E.  
C. VAN LEUVEN STEWART, P.E.  
LAWRENCE S. WOODS, P.E.  
GEORGE S. BOUL, JR.  
JOHN HENRY LEWIS, JR., P.E.  
ALAN S. WOODS  
GEO. S. GORDEN  
ROBERT A. SHELTON  
JAMES L. FINEDEL  
MARY T. SHARRO  
STANLEY MARSHOFF  
LEE H. MILLER  
FRANCIS THOMAS COLEMAN, JR.  
THOMAS J. KENNEY, JR.  
M. PETER LARSEN  
DOUGLAS D. CONNOR, JR.  
HARVEY R. CLAPP, III  
BERNARD ROSENBERG  
ROBERT S. SMITH  
JAMES S. WRIGHT  
ALEXANDER I. LEWIS, III

DAVID STYL OPPENHEIMER  
TERRY F. WALL  
GRAND S. SMITH  
THOMAS S. SMITH  
STYRON L. COOK  
CHARLES H. GERR  
ROBERT S. AMES  
NELL S. STRACHAN  
RICHARD L. GARDNERMAN  
  
COUNSEL  
JOHN HENRY LEWIS  
HOWARD S. GORNER  
RICHARD S. GORNER  
WILBUR E. SHIMONS, JR.  
ARTHUR SHERRILL  
JOSEPH FRANGE

RICHARD M. VENABLE (1939-1918)  
EDWIN S. BAETJER (1939-1948)  
CHARLES WILK. HOWARD (1970-1948)

3 HOPKINS PLAZA  
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VENABLE, BAETJER, HOWARD & CIVILETTI  
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(202) 783-4300

\* ADMITTED IN DISTRICT OF COLUMBIA -  
NOT ADMITTED IN MARYLAND

WRITER'S DIRECT NUMBER IS  
244-7544

January 13, 1983

LAWRENCE J. HOGAN  
JOHN W. GONFLETT  
BARBARA S. GONFLETT  
FREDERICK A. PRESS  
DONALD S. SHEFF  
JAMES A. ARCHIBALD  
CONSTANCE H. BAKER  
G. STEWART WEBB, JR.  
GEORGE W. JOHNSTON  
F. DUDLEY STAPLES, JR.  
EDWARD L. WENGER  
DAVID H. FLEISHMAN  
GEORGE R. STEWART, III  
JANA HOWARD  
MARGARET LEE DUNN  
MITCHELL KOLMAN  
JEAN E. KILPATRICK  
VIGOR L. HARRING  
STEPHEN L. SWIN  
PETER P. PARVIS  
WILLIAM H. FITZPATRICK, JR.  
JEFFREY A. AVRES  
KENNETH S. HOFFMAN  
BRIGID S. KENNEY  
PHYLLIS GOLE FRIEDMAN  
FRANK L. KOLLMAN  
ABBE DAVID LOWELL  
BRUCE S. SPECTOR  
ELLEN S. WALKER  
JOHN H. MORRIS, JR.  
EARL L. KEYSNEY  
LESLIE A. VIAL  
MAURICE BARRIN

H. LAWRENCE LAYTON  
RICHARD J. ZAPFEN  
ROBERT A. BARR  
ANN H. BOGGS  
DAVID S. ZAPFENOFF  
JACOB L. MURPHY  
CAROL S. GREENFIELD  
JOHN FISHER FELDMAN  
CHARITY DEBET  
PETER S. BAUBER  
ELVIN L. BROWN  
CHRISTOPHER R. KELLOTT  
STEPHEN ANN BOSS  
CHARLES J. BARRY  
CHRISTOPHER J. PRITZ  
PETER E. KEITH  
MARGARET SCHMITZ HELLAUER  
W. ROBERT SHURMAN  
KATHLEEN MERRIS GOODMAN  
STEPHAN MERRIS BOON  
TERRY S. MERRIS  
MITCHELL W. SHARRO  
JOHN S. MERRIS, III  
ELIZABETH S. MERRIS  
JAMES A. DUNBAR  
DONALD W. TAYLOR  
STEPHEN F. BOGGS  
ALAN S. SCHLER  
GAIL S. SHELTON  
WILLIAM T. FITZGERALD, JR.  
STEPHEN P. GARNET  
FRANCIS R. LAWS

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

Re: MUR 1507

Dear Mr. Gross:

This letter is written in response to your letter of December 6, 1982, advising me, as treasurer of Citizens for Sarbanes (the "Sarbanes Committee") of the above-referenced Complaint, and is intended to serve as the Sarbanes Committee's response.

The Complaint, filed by Senator Sarbanes' Republican opponent, Lawrence J. Hogan, following the Maryland general election, is far from clear. It appears, however, to allege that two brochures, one published by the Brotherhood of Railway, Airline and Steamship Clerks, Fright Handlers, Express and Station Employees, and the other published by the United Automobile Workers, as communications by labor organizations to their members, were made available to the Sarbanes Committee and distributed by it in violation of the Federal Election Campaign Act. I have reviewed this matter with the Sarbanes Committee's campaign staff, and, based on that review, there is no basis for this Complaint so far as I can determine.

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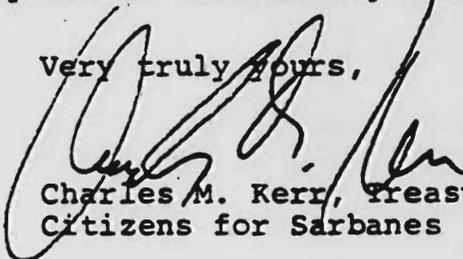
Kenneth A. Gross, Esquire  
January 13, 1983  
Page Two

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Both the Brotherhood and the UAW published brochures advocating the election of Senator Sarbanes which were distributed by these unions to their members. The brochures were not distributed to, or through, the Sarbanes Committee, and, so far as the Sarbanes Committee can determine, these brochures were, in fact membership communications which are neither contributions to, nor expenditures on behalf of Senator Sarbanes. See 11 CFR §§ 114.1(a)(2)(i), 114.3, 100.7(b)(10), 100.8(b)(4). We have determined that a few of these brochures did come into the Sarbanes Committee headquarters on Greenmount Avenue in Baltimore City either as the result of an individual union member, who had received the brochure from his union, bringing the brochure in to exhibit to other Sarbanes volunteers, or as the result of a Sarbanes volunteer having been given the brochure by an individual union member. At our headquarters, several of these brochures, as so acquired, apparently were within public view for a short period of time prior to the Baltimore Sun article of October 28, 1982, which is attached to Mr. Hogan's Complaint. That article alerted the Committee's staff to the presence of these materials in the headquarters and to the fact that these brochures should not be publicly displayed, and they were, at that time, removed from public view. At no time did the Committee have any significant number of these brochures. It did not distribute them, and it was not asked or authorized by the unions to distribute these materials to anyone. With regard to the "campaign headquarters of Paul S. Sarbanes in Dundalk" to which Mr. Hogan refers, the Committee had no such headquarters, and has no information about the incident Mr. Hogan mentions.

Please let me know, at the address and telephone number set forth on the letterhead, if our Committee can provide any further information you require in considering this Complaint.

Very truly yours,

  
Charles M. Kerr, Treasurer  
Citizens for Sarbanes

CMK:rmc

Enclosure

Att. IV, page 2 of 2



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

10

Alan V. Reuther  
Assistant General Counsel  
International Union, United Automobile,  
Aerospace & Agricultural Implement  
Workers of America (UAW)  
1757 N Street, N.W.  
Washington, D.C. 20036

Re: MUR 1507 - UAW

Dear Mr. Reuther:

The Federal Election Commission notified you on December 16, 1982, of a complaint which alleges that the UAW had violated certain sections of the Federal Election Campaign Act of 1971. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on , 1983, determined that there is reason to believe that the UAW has violated 2 U.S.C. § 441b(a), a provision of the Act. Specifically, it appears that brochures published and distributed by the union to its membership were also distributed outside the membership.

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 15 days of receipt of this letter. Statements should be submitted under oath.

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

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Att V, Page 1 of 10

Letter to Alan V. Reuther  
Page 2

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

If you have any questions, please contact Deborah Felton, the attorney assigned to this matter at 523-4060.

Sincerely,

83040434725

Enclosures  
Procedures  
Questions

**QUESTIONS TO: International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)**

1. Did the UAW publish any brochure or pamphlet in support of Senator Paul Sarbanes?

2. If the answer to question #1 is yes, answer the following questions:

a. How many brochures were published?

b. How and by whom were they distributed?

c. To whom were the brochures distributed?

3. Did you become aware that some UAW brochures were in public view at the Citizens for Sarbanes' headquarters? If so, how and when did you become aware of this and what actions were taken in response?

4. How many UAW brochures, if any, were in public view?

83040434726

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

William J. Donlon  
General Counsel  
Brotherhood of Railway, Airline  
and Steamship Clerks, Freight  
Handlers, Express and Station Employees  
3 Research Place  
Rockville, Maryland 20850

Re: MUR 1507  
Brotherhood of Railway, Airline  
and Steamship Clerks

Dear Mr. Donlon:

The Federal Election Commission notified you on December 16, 1982, of a complaint which alleges that the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees had violated certain sections of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on , 1983, determined that there is reason to believe that the union has violated 2 U.S.C. § 441b(a). Specifically, it appears that brochures published and distributed by the union to its membership were also distributed outside the membership.

Your response to the Commission's initial notification of the complaint provided a detailed description of the publication and distribution of the brochure published by BRAC. However, additional information regarding the matter in question is requested. Please submit answers to the enclosed questions within 15 days of receipt of this letter. Statements should be submitted under oath.

We also want to advise you that the Commission determined that on the basis of information provided by you, there is no reason to believe that the union violated 2 U.S.C. § 431(9)(B) (iii).

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Letter to William J. Donlon  
Page 2

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

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

If you have any questions, please contact Deborah Felton, the attorney, assigned to this matter at 523-4060.

Sincerely,

83040434728

Enclosures  
Procedures  
Questions

**QUESTIONS TO: Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees**

1. What procedures were used to distribute the brochures to union and lodge members advocating Senator Sarbanes election.

2. You stated in your response to the complaint that you instructed local lodge officers to only distribute the brochure to BRASC members and their families:

a. How were the officers instructed?

b. Was this done by written memorandum? If so, submit the memorandum.

3. When and how did you become aware of the fact that these brochures were in the Sarbanes' campaign headquarters?

4. How many brochures were in the Sarbanes' headquarters?

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18



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William J. Donlon  
General Counsel  
Brotherhood of Railway, Airline  
and Steamship Clerks, Freight  
Handlers, Express and Station Employees  
3 Research Place  
Rockville, Maryland 20850

Re: MUR 1507 - Responsible Citizens  
Political League

Dear Mr. Donlon:

On December 6, 1982, the Commission notified you of a complaint alleging that the Responsible Citizens Political League (RCPL) had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on \_\_\_\_\_, 1983, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed by RCPL. Accordingly, the Commission closed its file in this matter as it pertains to RCPL. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

83040434730

AH V, page 7 of 10



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Charles M. Kerr, Treasurer  
Citizens for Sarbanes  
Venable, Baetjer and Howard  
2 Hopkins Plaza  
Baltimore, Maryland 21201

Re: MUR 1507 - Citizens for Sarbanes

Dear Mr. Kerr:

The Federal Election Commission notified you on December 6, 1982, of a complaint which alleges that the Citizens for Sarbanes Committee had violated certain sections of the Federal Election Campaign Act of 1971. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on , 1983, determined that there is reason to believe that the committee has violated 2 U.S.C. § 441b(a), a provision of the Act. Specifically, it appears that the committee knowingly accepted or received a contribution from the UAW and BRAC in that it displayed union brochures in its Baltimore campaign headquarters.

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within 15 days of receipt of this letter. Statements should be submitted under oath.

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

83040434731

Letter to Charles M. Kerr  
Page 2

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you have any questions, please contact Deborah Felton, the attorney, assigned to this matter at (202) 523-4060.

Sincerely,

83040434732

Enclosures  
Procedures  
Questions

**QUESTIONS TO: Citizens for Sarbanes Committee**

1. How many copies of brochures published by the UAW and BRAC were at the Citizens for Sarbanes Baltimore headquarters?

2. Submit a copy of the UAW and the BRAC brochures.

3. Were the UAW or BRAC brochures at any other Citizens for Sarbanes campaign headquarters in Maryland?

4. If the answer to question #3 is yes, answer the following questions:

a. Indicate which brochures were at which campaign headquarters; and

b. How many UAW or BRAC brochures were displayed at each of the headquarters listed in answer a?

5. Who was in charge of the Baltimore headquarters ?

6. Who was responsible for monitoring the literature displayed at the Baltimore headquarters?

7. Were there any UAW or BRAC members or members of their family who worked or volunteered in any capacity at the Baltimore headquarters? If yes, how many?

8. If the answer to question 7 is yes, list the positions held by each person.

9. Please submit the names of each person for each position listed in question 8.

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RECEIVED AT THE FEC  
6cc# 9343

**VENABLE, BAETJER AND HOWARD**  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
1800 MERCANTILE BANK & TRUST BUILDING

3 JAN 17 P2: 04

8 HOPKINS PLAZA  
BALTIMORE, MARYLAND 21201  
(301) 244-7400

WASHINGTON, D. C. OFFICE  
VENABLE, BAETJER, HOWARD & CIVILETTI  
SUITE 704  
1301 PENNSYLVANIA AVENUE, N. W.  
WASHINGTON, D. C. 20004  
(202) 783-4300

\*ADMITTED IN DISTRICT OF COLUMBIA  
NOT ADMITTED IN MARYLAND

WRITER'S DIRECT NUMBER IS  
244-7544

January 13, 1983

EDMUND P. SANDWICH, JR.  
ARTHUR W. MAGNEN, JR., P.C.  
ROBERT H. THOMAS, P.C.  
A. SAMUEL COOK, P.C.  
ROBERT R. BAIR, P.C.  
JACQUES T. SCHLENGER, P.C.  
CHARLES S. REEVES, JR.  
WILLIAM J. MCARTHY, P.C.  
RUSSELL R. KENS, JR., P.C.  
THOMAS P. PERKINS, III, P.C.  
BENJAMIN R. CIVILETTI, P.C.  
GERALD M. KATZ, P.C.  
LUKE MARSURRY  
STUART H. BOME, P.C.  
C. VAN LEUVEN STEWART, P.C.  
LAWRENCE S. WESCOTT, P.C.  
GEORGE C. DOUB, JR.  
JOHN HENRY LEWIN, JR., P.C.  
ALAN D. YARBRO  
NEAL D. BROWN  
ROBERT A. SHELTON  
JACOB L. FRIEDEL  
HARRY D. SHAPIRO  
STANLEY MABAROFF  
LEE H. MILLER  
FRANCIS THOMAS COLEMAN, JR.  
THOMAS J. KENNEY, JR.  
N. PETER LAREAU  
DOUGLAS D. CONNAN, JR.  
HARVEY R. CLAPP, III  
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JAMES D. WRIGHT  
ALEXANDER I. LEWIS, III

MAX STUL OPPENHEIMER  
TERRY F. HALL  
CRAS E. SMITH  
THOMAS S. MARTIN  
BRYSON L. COOK  
CHARLES M. KERR  
BENSON E. LESS  
ROBERT G. AMES  
NELL S. STRACHAN  
RICHARD L. WASSERMAN

COUNSEL  
JOHN HENRY LEWIN  
HORWOOD S. ORRICK  
RICHARD W. SMORY  
WILBUR E. SIMMONS, JR.  
PARTNER EMERITUS  
JOSEPH FRANCE

RICHARD M. VENABLE (1838-1910)  
EDWIN G. BAETJER (1888-1948)  
CHARLES McH. HOWARD (1870-1948)

LAWRENCE J. HOGAN  
JOHN W. SCHWELBY  
BARBARA S. SCHLAPP  
FREDRIC A. PRESS  
RONALD S. SHEFF  
JAMES R. ARCHIBALD  
CONSTANCE H. BAKER  
G. STEWART WEBB, JR.  
GEORGE W. JOHNSTON  
F. DUDLEY STAPLES, JR.  
EDWARD L. WENGER  
DAVID M. FLEISHMAN  
GEORGE K. REYNOLDS, III  
JANA HOWARD  
MARGARET LES QUINN  
MITCHELL HOLKIN  
JEAN E. KILPATRICK  
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STEPHEN L. OWEN  
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WILLIAM N. FITZPATRICK, JR.  
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BRIGID E. KENNEY  
PHYLLIS COLE FRIEDMAN  
FRANK L. KOLLMAN  
ABBE DAVID LOWELL  
BRUCE N. SPECTOR  
ELLEN S. WALKER  
JOHN H. MORRIS, JR.  
EARL L. MATHENY  
LESLIE A. VIAL  
MAURICE BASKIN

N. LINDSA MOTERS  
RICHARD J. SAPPANER  
ROBERT A. RAPP  
ANN M. BRASSE  
DAVID S. ABRAMOFF  
JACK L. HARVEY  
CAROL E. GREENFELD  
JOAN FISHER FELDMAN  
CHARITY SCOTT  
PETER S. SANDER  
ELLYN L. BROWN  
CHRISTOPHER R. MELLOTT  
CYNTHIA ANN ROSS  
CHARLES J. HABIT  
CHRISTOPHER J. PRITZ  
PETER E. KEITH  
MARIANNE SCHMITT HELLAUER  
W. ROBERT ZINKMAN  
KATHLEEN MORRIS McDONALD  
CYNTHIA MEYERS HANN  
YAROV S. NEUBERGER  
MITCHELL W. SHAPIRO  
JOHN B. WATKINS, II  
ELIZABETH R. HUGHES  
JAMES A. DUNBAR  
RONALD W. TAYLOR  
STEPHEN F. SIBBER  
ALISON D. KOHLER  
PAUL D. SHELTON  
WILLIAM T. FITZGERALD, JR.  
STEPHEN T. CARNEY  
FRANCIS R. LAWS

1 JAN 17 P3: 38

2304043473

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

Re: MUR 1507

Dear Mr. Gross:

This letter is written in response to your letter of December 6, 1982, advising me, as treasurer of Citizens for Sarbanes (the "Sarbanes Committee") of the above-referenced Complaint, and is intended to serve as the Sarbanes Committee's response.

The Complaint, filed by Senator Sarbanes' Republican opponent, Lawrence J. Hogan, following the Maryland general election, is far from clear. It appears, however, to allege that two brochures, one published by the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, and the other published by the United Automobile Workers, as communications by labor organizations to their members, were made available to the Sarbanes Committee and distributed by it in violation of the Federal Election Campaign Act. I have reviewed this matter with the Sarbanes Committee's campaign staff, and, based on that review, there is no basis for this Complaint so far as I can determine.

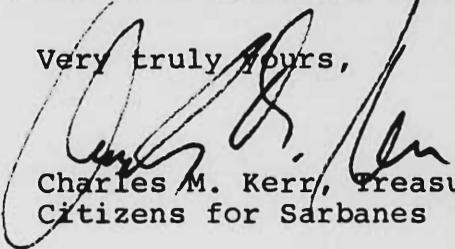
Kenneth A. Gross, Esquire  
January 13, 1983  
Page Two

83040434735

Both the Brotherhood and the UAW published brochures advocating the election of Senator Sarbanes which were distributed by these unions to their members. The brochures were not distributed to, or through, the Sarbanes Committee, and, so far as the Sarbanes Committee can determine, these brochures were, in fact membership communications which are neither contributions to, nor expenditures on behalf of Senator Sarbanes. See 11 CFR §§ 114.1(a)(2)(i), 114.3, 100.7(b)(10), 100.8(b)(4). We have determined that a few of these brochures did come into the Sarbanes Committee headquarters on Greenmount Avenue in Baltimore City either as the result of an individual union member, who had received the brochure from his union, bringing the brochure in to exhibit to other Sarbanes volunteers, or as the result of a Sarbanes volunteer having been given the brochure by an individual union member. At our headquarters, several of these brochures, as so acquired, apparently were within public view for a short period of time prior to the Baltimore Sun article of October 28, 1982, which is attached to Mr. Hogan's Complaint. That article alerted the Committee's staff to the presence of these materials in the headquarters and to the fact that these brochures should not be publicly displayed, and they were, at that time, removed from public view. At no time did the Committee have any significant number of these brochures. It did not distribute them, and it was not asked or authorized by the unions to distribute these materials to anyone. With regard to the "campaign headquarters of Paul S. Sarbanes in Dundalk" to which Mr. Hogan refers, the Committee had no such headquarters, and has no information about the incident Mr. Hogan mentions.

Please let me know, at the address and telephone number set forth on the letterhead, if our Committee can provide any further information you require in considering this Complaint.

Very truly yours,

  
Charles M. Kerr, Treasurer  
Citizens for Sarbanes

CMK:rmc

Enclosure



203749  
RECEIVED AT THE  
FCD 49 243  
83 JAN 12 10:43  
**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

AFL-CIO — CLC

LEGAL DEPARTMENT

WILLIAM J. DONLON, General Counsel  
MITCHELL M. KRAUS, Assistant General Counsel

January 11, 1983

03 JAN 12 AIO: 50

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

Re: FEC MUR 1507

Dear Mr. Steele:

This letter is the response to the Federal Election Commission's letter of December 6, 1982, by the Responsible Citizens Political League ("RCPL"), the separate segregated fund of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees ("BRAC").

The Commission's letter notified RCPL that the Commission has received a complaint filed by Lawrence J. Hogan and dated November 30, 1982, alleging that the Committee has violated certain sections of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. §431 et seq. This complaint, which is based on a newspaper article and on "informal information," alleges that the RCPL, or alternatively BRAC, may have violated 2 U.S.C. §434 by failing to report expenditures for a brochure supporting U.S. Senate candidate Paul S. Sarbanes. This brochure, it is alleged, was placed "in public view" at Mr. Sarbanes' campaign headquarters and was also allegedly distributed at a Democratic rally. The complaint alleges too that the RCPL's expenditures for the brochure may have caused the Committee to exceed the contribution limits of 2 U.S.C. §441a(a)(2)(A) with respect to Mr. Sarbanes' 1982 candidacy.

Initially, we note that even though the complaint appears to be directed both at RCPL and BRAC, BRAC has not been designated as a respondent in this matter by the FEC. Nor, so far as we can determine, has the Union received the statutorily-required notice of this complaint or been served with a copy of the complaint, as required by 2 U.S.C. §437g(a)(1). However, since the brochure which lies at the heart of this matter was published and distributed by BRAC, not RCPL, and without waiving any of the Union's objections to the defects in notice and service, the Union has decided to cooperate in this matter to the extent of joining in this response.

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Mr. Charles N. Steele, General Counsel

Page 2

January 11, 1983

For the reasons stated below, the RCPL and BRAC respectfully request that the Federal Election Commission take no action with regard to the allegations made in the complaint filed with the Commission by Lawrence J. Hogan and that the Commission dismiss the complaint.

#### Relevant Facts

The brochure described in the 10/28/82 Baltimore Sun article attached to Mr. Hogan's complaint was neither prepared nor distributed by the RCPL. It was prepared by BRAC and was distributed by BRAC to BRAC members and their families. BRAC's records indicate that 8,000 copies of the brochure were printed at a cost of \$800.36. Distribution occurred as follows: On or about October 15, 1982, approximately 4,600 of the brochures were mailed directly to BRAC members. The costs of that mailing totalled approximately \$517.00. At about the same time, another 1,700 brochures were given to BRAC Local Lodge officers for distribution to BRAC members and their families at Local Lodge meetings and other Local Lodge functions. (Local Lodges are separate organizations affiliated with BRAC that elect their own officers and conduct their own affairs.) The remainder of the brochures were destroyed.

Neither BRAC nor RCPL authorized distribution of the brochure to an office of Citizens for Sarbanes or "widespread distribution" of the brochure at a Democratic rally. To the contrary, the Local Lodge officers to whom distribution of the brochure was made were instructed that the brochure was to be distributed only to BRAC members and their families.

#### Discussion

1. Since RCPL made no expenditures for the preparation or distribution of the brochure described above, RCPL did not make a "contribution-in-kind" to the Sarbanes' campaign of the costs of the brochure. Accordingly, RCPL has not violated 2 U.S.C. §434 by failing to report such a contribution-in-kind.

2. Nor has RCPL violated 2 U.S.C. §441a by making contributions in excess of \$5,000.00 per election to the Citizens for Sarbanes Committee. A review of RCPL's contribution records reflects that the committee made the following contributions to Senator Sarbanes' 1982 campaign: \$2,000.00 on July 14, 1981 for the primary; \$3,000.00 on March 12, 1982 for the primary; \$1,000.00 on August 30, 1982 for the general; \$1,500.00 on September 23, 1982 for the general; and \$1,500.00 on October 8, 1982 for the general. These contributions total \$9,000.00 -- \$5,000.00 for the primary election and \$4,000.00 for the general -- which amounts do not exceed the contribution limits of 2 U.S.C. §441a. RCPL made no other contributions -- monetary or in-kind -- to the Sarbanes campaign.

3. BRAC's disbursements for the brochure totalled \$1,318.04. Those disbursements were made on or about October 19, 1982. The Act requires a

83040434737

Mr. Charles N. Steele, General Counsel

Page 3

January 11, 1983

labor organization to report the costs of a communication made to its members and their families which expressly advocates the election or defeat of a clearly identified federal candidate if those costs exceed \$2,000.00 per election. 2 U.S.C. §431(9)(B)(iii). Such reports must be filed in accordance with 2 U.S.C. §434(a)(4)(A)(i) and (ii). Id. Because the direct costs of the above-described brochure did not exceed \$2,000.00, BRAC has no obligation to file an FEC Form 7 Report based on those costs alone. And, even if BRAC has exceeded the reporting threshold of 2 U.S.C. §431(9)(B)(iii) for the 1982 general election, (because the costs of the brochure when aggregated with other reportable communication costs exceed \$2,000.00), it would be under no obligation to file such a report until January 31, 1983. Accordingly, BRAC has not violated 2 U.S.C. §434.

4. It is a well-settled principle of law that no person will be held responsible for the acts of another unless those acts were either authorized or subsequently ratified by that person.

Therefore, with regard to the 4,600 brochures that were mailed directly to individual BRAC members, to the extent that one of those members or someone in his family may have given the brochure to someone else, BRAC may not be held responsible for that individual's action.

With regard to the 1,700 brochures distributed in bulk to Local Lodge officers, under the specific instruction that they were to be distributed to BRAC members at membership meetings and other Lodge functions, the same result obtains. BRAC used its "best efforts" to insure that those brochures were distributed in conformity with the restrictions of 2 U.S.C. §441b(b)(2)(A). If, therefore, an individual Local Lodge officer disregarded those instructions and distributed the brochures he received to persons other than BRAC members or their families, BRAC may not be held responsible for his action.

In any event, given the number of copies at issue here -- a maximum of 1,700 since the other 4,600 brochures were mailed directly to members -- any unauthorized distribution outside the Union's restricted class must be regarded as de minimis. The Commission has ruled that a labor organization does not violate §441b of the Act if it solicits contributions for its separate segregated fund from members in a newsletter, financed out of treasury funds, which is sent to a de minimis number of non-members. See FEC Advisory Opinion 1978-97. In addition, the Commission's regulations provide that a labor organization which uses "best efforts" to comply with the Act's restrictions with regard to the persons whom it may solicit, will not be deemed to have violated the Act because of its accidental or inadvertent solicitation of persons apart from those it is permitted to solicit. 11 CFR §114.5(h). Since solicitations are merely a form of partisan communication, it follows that where as here a labor organization has used "best efforts" to limit the distribution of a partisan communication to its

83040434739

Mr. Charles N. Steele, General Counsel

Page 4

January 11, 1983

members and their families but where the communication nonetheless appears to have been distributed without that organization's permission in de minimis numbers outside that class, that labor organization should not be deemed to have violated the Act. Accordingly, the allegation that BRAC has violated the Act due to the alleged distribution of its brochure to persons other than its members or their families should be rejected.

Very truly yours,

  
William J. Donlon  
General Counsel

WJD:v

CC: R. I. Kilroy, IP

03040434739

DEPARTMENT OF COMMERCE  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20540  
BUREAU OF AIRCRAFT  
RESEARCH AND DEVELOPMENT  
WASHINGTON, D.C. 20540

RECEIVED AT THE

JAN 12 1963  
AIR MAIL

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

6304043



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE *mwe*  
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*  
DATE: JANUARY 7, 1983  
SUBJECT: MUR 1507 - First General Counsel's Report  
dated January 5, 1983; Received in OCS,  
1-5-83, 5:06

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, January 6, 1983.

There were no objections to the First General Counsel's Report at the time of the deadline.

83040434741

January 5, 1983

MEMORANDUM TO: Marjorie W. Emmons  
FROM: Phyllis A. Kayson  
SUBJECT: MUR 1507

Please have the attached First General Counsel's Report distributed to the Commission on a 24 hour no objection basis as a sensitive matter. Thank you.

Attachment

cc: Felton

83040434743

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

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

83 JAN 5 P5: 07

**FIRST GENERAL COUNSEL'S REPORT**

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION 1-5-83

NUR #1507  
DATE COMPLAINT RECEIVED  
BY OGC 12/2/82  
DATE OF NOTIFICATION TO  
RESPONDENT 12/6/82  
STAFF MEMBER Felton

**SENSITIVE**

COMPLAINANT'S NAME: Lawrence J. Hogan

RESPONDENTS' NAMES: Senator Paul Sarbanes  
Citizens for Sarbanes  
Responsible Citizens Political League  
(RCPL)  
Brotherhood of Railway, Airline and  
Steamship Clerks (BRASC)  
International Union, United Automobile,  
Aerospace & Agricultural Implement  
Workers of America (UAW)

RELEVANT STATUTE: 2 U.S.C. §§ 434(b), 441b(a) and (b)(2)(A),  
and 431(9)(B)(iii)  
11 C.F.R. 104.13(a)(1) and (2)

INTERNAL REPORTS CHECK: Reports of Citizens for Sarbanes and  
RCPL; Communications Reports of BRASC  
and UAW

FEDERAL AGENCIES CHECKED: None

**SUMMARY OF ALLEGATIONS**

Lawrence J. Hogan, a former candidate for the U.S. Senate, filed a properly-executed complaint with the Commission on December 2, 1982. The complaint alleges possible violations by Senator Paul S. Sarbanes, Citizens for Sarbanes, Responsible Citizens Political League (RCPL) (a project of BRASC), Brotherhood of Railway, Airline and Steamship Clerks (BRASC), and International Union, United Automobile, Aerospace and

83040434743

**Agricultural Implement Workers of America (UAW).**

The complaint alleges that BRASC or its separate segregated fund, RCPL, published a flyer in support of Paul S. Sarbanes, a candidate for the Office of U.S. Senate. It is the complainant's belief that this flyer received widespread distribution at a public rally for Senator Sarbanes and was available at the Citizens for Sarbanes Headquarters. The complainant alleges that RCPL failed to report this "expenditure." With regard to the UAW, the complainant alleges that a pamphlet published by the Union was distributed at one of Senator Sarbanes' campaign headquarters.

**FACTUAL AND LEGAL ANALYSIS**

Under 2 U.S.C. § 441b(a), a labor organization is prohibited from making a contribution or expenditure in connection with any federal election. If the flyer at issue was paid for by BRASC and was distributed beyond its membership, a violation of 2 U.S.C. § 441b(a) may have occurred. If the flyer is proven to be an "in-kind" contribution by RCPL, RCPL has failed to report it as such. Further, RCPL may have also exceeded their contribution limit.

Depending on who paid for the flyer and whether there was coordination with the Sarbanes campaign, the Citizens for Sarbanes Committee may have violated 2 U.S.C. § 434(b) for

8304043474

failing to report an in-kind contribution from RCPL and 2 U.S.C. § 441a(f) for accepting an excessive contribution, or 2 U.S.C. § 441b(a) for accepting a union contribution. The pamphlet allegedly published by the UAW and distributed beyond its membership would also expose the UAW to a violation of 2 U.S.C. § 441b(a).

On December 17, 1982, counsel for BRASC, requested an extension of time due to a death in the immediate family. Counsel for the UAW also requested an extension of time on December 22, 1982, in order to compile a response to the complaint. This office notified both counsel that their extensions were granted.

Upon receipt of the responses from the above-named respondents, this office will prepare its recommendation accordingly.

1/5/83  
Date

Charles N. Steele  
General Counsel

*Kenneth A. Gross - by [signature]*

By: Kenneth A. Gross  
Associate General Counsel

83040434745

203732

RECEIVED AT THE FED

G.001-9293

83 JAN 10 10 58



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA

DOUGLAS A. FRASER, PRESIDENT

RAY MAJERUS, SECRETARY-TREASURER

VICE-PRESIDENTS

OWEN BIEBER • DON EPHLIN • MARTIN GERBER • ODESSA KOMER • MARC STEPP • ROBERT WHITE • STEPHEN YOKICH

IN REPLY REFER TO  
1757 M STREET, N.W.  
WASHINGTON, D.C. 20036  
TELEPHONE: (202) 828-8500

January 5, 1983

Ms. Deborah Felton  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 1507

Dear Ms. Felton:

This statement is submitted on behalf of the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), in response to the complaint which was filed by Mr. Hogan in the above referenced case.

At the beginning of his complaint, Mr. Hogan states that he believes there is a sufficient basis for a complaint against Paul Sarbanes and "The Railways Employees Union". The bulk of Mr. Hogan's complaint then goes on to make various allegations against Senator Sarbanes and the Brotherhood of Railways and Airline Clerks.

The only portion of Mr. Hogan's complaint which even refers to the UAW is the next to last paragraph, wherein Hogan alleges that he "personally picked up a pamphlet about Senator Sarbanes published by the United Auto Workers which was being distributed at a campaign headquarters of Paul S. Sarbanes in Dundalk."

Mr. Hogan insinuates that this amounted to an in-kind contribution, which was not reported and/or exceeded the contribution limitations. Significantly, however, Mr. Hogan's complaint completely fails to provide any corroboration for his allegations. In addition, the complaint does not even contain any details concerning the nature or contents of the "pamphlet" which he allegedly picked up at the Sarbanes headquarters, the date when this allegedly occurred, how many of the pamphlets allegedly were in the Sarbanes headquarters, what was allegedly being done with the pamphlets, or any other relevant information.

Section 111.4 (d) of the Commission's regulations, 11 C.F.R. 111.4(d), provides that all complaints must conform to certain provisions. Specifically, they must "clearly identify" as a respondent each person

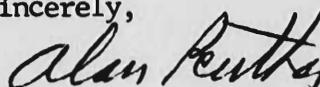
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JAN 10 11:58

who is alleged to have committed a violation; they must contain a "clear recitation" of all facts which describe the alleged violation; and they must be accompanied by any documentation supporting the facts alleged in the complaint. See 11 C.F.R. 111.4(d) (1), (3) & (4). Because the complaint filed by Mr. Hogan obviously fails to satisfy these requirements, the UAW submits that the Commission should not take any further action on the complaint with respect to the UAW. First, the complaint does not "clearly identify" the UAW as a respondent. Accordingly, the UAW should not be treated as a respondent in the present case, and should not be required to submit any response. Second, the complaint does not contain a "clear recitation" of specific facts which make out a violation by the UAW, and is not accompanied by any corroborative documentation. Rather, the portion of the complaint which refers to the UAW is based entirely upon an unsupported, personal allegation by Mr. Hogan. Since Mr. Hogan was the candidate who opposed Senator Sarbanes in the 1982 general election, his unsupported allegation is clearly lacking in credibility, and should not be accorded any weight by the Commission. For both of the foregoing reasons, the complaint filed by Mr. Hogan is defective, and should be dismissed - at least with respect to the UAW.

Because of the vague and unsubstantiated nature of the allegations in Mr. Hogan's complaint, it is difficult to respond to the "merits". Our internal investigation regarding this matter, however, has revealed that there is simply no truth to Mr. Hogan's allegations. Specifically, the UAW did not donate or provide any pamphlets, literature or other materials to the Sarbanes campaign - either in Dundalk or anywhere else. Furthermore, the UAW did not make any other in-kind contributions to the Sarbanes campaign. Since the UAW did not donate any pamphlets or make any other in-kind contributions, the UAW did not violate either the reporting provisions or the contribution limitations in the FECA.

Sincerely,



Alan V. Reuther  
Assistant General Counsel

AVR: jeb  
opeiu494

33040434747



WASHINGTON OFFICE  
1757 N STREET, N.W.  
WASHINGTON, D. C. 20036



Ms. Deborah Felton  
Federal Election Commission  
Washington, D.C. 20463

8304013

Perm file



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 27, 1982

William J. Donlon  
General Counsel  
Brotherhood of Railway, Airline and  
Steamship Clerks, Freight Handlers,  
Express and Station Employees  
3 Research Place  
Rockville, Maryland, 20850

Re: MUR 1507

Dear Mr. Donlon:

This is in reference to your letter dated December 17, 1982 requesting an extension of twenty days to respond to the allegations in MUR 1507. Please be advised that your request has been granted. Your response is due on January 12, 1983.

Sincerely,

Charles N. Steele  
General Counsel

By: Kenneth A. Gross  
Associate General Counsel

83040434749

*Perm file*



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 28, 1982

Alan V. Reuther  
Assistant General Counsel  
International Union, United Automobile,  
Aerospace and Agricultural Implement Workers  
of America - UAW  
1757 N Street, N.W.  
Washington, D.C. 20036

Re: MUR 1507

Dear Mr. Reuther:

This is in reference to your letter dated December 22, 1982 requesting an extension of time to respond to the allegations in MUR 1507. Please be advised that your request has been granted. Your response is due on January 14, 1983.

Sincerely,

Charles N. Steele  
General Counsel

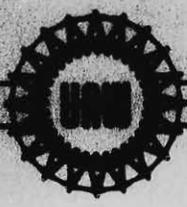
By: Kenneth A. Gross  
Associate General Counsel

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20-66

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C-4 9197

82 0000



INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS

DOUGLAS A. FRASER, PRESIDENT

RAY MAJERUS, SECRETARY-TREASURER

VICE-PRESIDENTS

OWEN BIEBER • DON EPHLIN • MARTIN GERBER • ODESSA KOMER • MARC STEPP • ROBERT WHITE • STEPHEN YOKICH



December 22, 1982

IN REPLY REFER TO  
1757 N STREET, N.W.  
WASHINGTON, D.C. 20034  
TELEPHONE: (202) 828-8400

Ms. Deborah Felton  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 1507

Dear Ms. Felton:

This is to advise you that I will be representing the International Union, UAW in connection with the above referenced case. Please direct all future communications regarding this matter to my attention.

As I indicated in our conversation, the UAW will need an extension of time in which to respond to the allegations in Mr. Hogan's charge. Due to the vague nature of Mr. Hogan's allegations, it will take additional time to determine what the facts are in this case. Also, because the UAW's offices are closed between Christmas and New Years, I will not be able to contact the necessary persons during that period of time. I am therefore requesting that the FEC grant the UAW an extension of time until January 14, 1983 in which to respond to Mr. Hogan's charge.

Sincerely,

Alan V. Reuther  
Assistant General Counsel

AVR:cw  
opeiu494

33040434751

UNITED AUTOMOBILE - AEROSPACE - AGRICULTURAL IMPLEMENT WORKERS  
INTERNATIONAL UNION

WASHINGTON OFFICE  
1757 ALBERT ST. N.W.  
WASHINGTON, D. C. 20036

WASHINGTON, DC 200  
PM  
22 DEC  
1982

RECEIVED AT THE FBI

WASHINGTON, DC  
DEC 22 1982  
D.C.  
P.O. NUMBER  
685569

Ms. Deborah Felton  
Federal Election Commission  
Washington, D.C. 20463

03040164

cc# 9148



**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

**AFL-CIO — CLC**

**LEGAL DEPARTMENT**

**WILLIAM J. DONLON, General Counsel  
MITCHELL M. KRAUS, Assistant General Counsel**

December 17, 1982

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

Attention: Deborah Felton

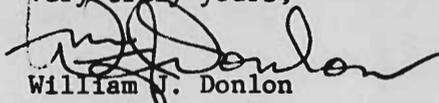
Dear Mr. Steele:

This will confirm a telephone conversation with Ms. Deborah Felton of your office December 17, 1982, concerning your file MUR 1507 and a complaint filed that the Responsible Citizens Political League may have violated certain sections of the Federal Election Campaign Act of 1971, and, more specifically, my request that I be granted an extension in time to respond thereto.

Please be advised your letter was dated December 6, 1982, and received in Mr. D. A. Bobo's office December 8, 1982. I am in the process of gathering information and data for an appropriate response and had anticipated filing thereof on or before December 23. I was advised this morning of the death of my Father in Colorado Springs, Colorado, and I am departing this date for such location. In view thereof, it will be impossible for me to prepare and file a response by December 23.

In view of the above, I am requesting a 20-day extension until January 12, 1983, to file an answer on behalf of the Responsible Citizens Political League. It is my understanding from the telephone conversation that this request will be granted.

Very truly yours,

  
William J. Donlon  
General Counsel

WJD:v

CC: R. I. Kilroy, IP  
D. A. Bobo, IST

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**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

**LEGAL DEPARTMENT**

**3 RESEARCH PLACE  
ROCKVILLE, MD. 20850**



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

23040434



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 16, 1982

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Honorable Paul Sarbanes  
2327 Dirksen Senate Office Building  
Washington, D.C. 20515

Re: MUR 1507

Dear Senator Sarbanes:

This letter is to notify you that on December 6, 1982, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1507. Please refer to this number in all future correspondence.

You were not previously notified as you were not clearly identified as a respondent in the complaint. Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

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

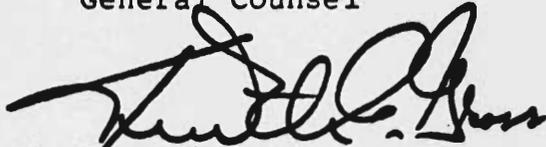
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Deborah Felton, the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele  
General Counsel



By Kenneth A. Gross  
Associate General Counsel

8 3 0 4 0 4 3 4 7 3 6

Enclosures

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

1507

RECEIVED: Complete  
Add your name  
ON REVERSE

(CONSULT REVERSE)

1. The following service is required:

- Show to whom and date
- Show to whom, date, and time

2.  RESTRICTED DELIVERY  
(The restricted delivery fee is \$3.00 per item. See the return receipt fee.)

3. ARTICLE ADDRESS FOR  
 Don. Barbara  
 Wash. D.C.

4. TYPE OF SERVICE:

- REGISTERED  INSURED
- CERTIFIED  COD
- EXPRESS MAIL

5. I have received the article(s) described above.

SIGNATURE: 

6. ADDRESSER'S ADDRESS (No P.O. boxes)

7. UNABLE TO DELIVER BECAUSE

NO. OF ATTEMPTS  
DETAILS

1507

NOV 20 1982



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 16, 1982

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

International Union, United Automobile, Aerospace  
& Agricultural Implement Workers of America  
1757 N Street, NW  
Washington, D.C. 20036

Re: MUR 1507

Dear Sir/Madam:

This letter is to notify you that on December 6, 1982, the Federal Election Commission received a complaint which alleges that the union may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1507. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative inadvertance. Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the union in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

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

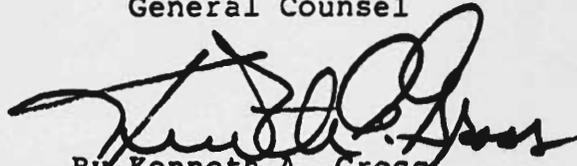
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

B 3 0 4 0 4 3 4 7 5 7

If you have any questions, please contact Deborah Felton, the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele  
General Counsel



By Kenneth A. Gross  
Associate General Counsel

83040434758

Enclosures

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

1507

1. The following services are provided:	
<input type="checkbox"/> Show to whom...	
<input type="checkbox"/> Show to whom...	
<input type="checkbox"/> RESTRICTED...	
(The restricted... for the return receipt)	
TOTAL \$	
2. ARTICLE REFERRED TO	
UAW	
Washington, D.C. 20031	
438695	
3. TYPE OF SERVICE	
<input type="checkbox"/> ...	
<input type="checkbox"/> ...	
4. NAME OF DELIVERER	
K. H. ...	
5. ADDRESS OF DELIVERER	
...	
6. PHONE NO. OF DELIVERER	
...	
7. UNABLE TO DELIVER REASON	
...	

DEC 17 1982



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 16, 1982

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Brotherhood of Railway and Airline Clerks  
3 Research Plaza  
Rockville, MD 20850

Re: MUR 1507

Dear Sir/Madam:

This letter is to notify you that on December 6, 1982, the Federal Election Commission received a complaint which alleges that the union may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1507. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative inadvertance. Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the union in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

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

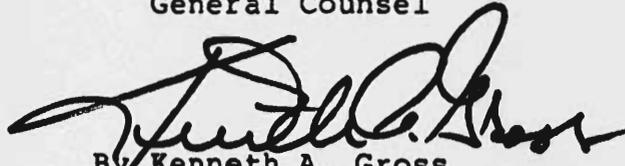
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040434759

If you have any questions, please contact Deborah Felton, the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele  
General Counsel



By Kenneth A. Gross  
Associate General Counsel

83040434760

Enclosures

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

1507

RECEIVED

1. The following article is being submitted to the Commission:

Show to whom and to what effect

Show to whom, date, and to what effect

RESTRICTED (The restricted delivery is to be returned to the sender)

ARTICLE ADDRESS TO: *Franklin + Arthur Clark*  
*Rockville, MD 20850*

2. TYPE OF SERVICE

Registered  Insured

Certified  Signature Required

3. I have advised the addressee of the contents of this article.

4. I have advised the addressee of the Commission's procedure for handling complaints.

5. I have advised the addressee of the Commission's procedure for handling complaints.

6. I have advised the addressee of the Commission's procedure for handling complaints.

7. UNABLE TO DELIVER

12/17

ROCKVILLE, MD 20850

7373EH

U.S. MAIL



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 6, 1982

Mr. Lawrence J. Hogan  
Hogan for Senate  
P.O. Box 545  
Seabrook, MD 20706

Dear Mr. Hogan:

This letter is to acknowledge receipt of your complaint of November 30, 1982, against Senator Paul Sarbanes, Citizens for Sarbanes, and the Responsible Citizens Political League 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 five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Steven Barndollar at (202) 523-4073.

Sincerely,

Charles N. Steele  
General Counsel

By Kenneth A. Gross  
Associate General Counsel

Enclosure

83040434761



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 6, 1982

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Citizens for Sarbanes  
Charles M. Kerr, Treasurer  
P.O. 106444  
Baltimore, MD 21204

Re: MUR 1507

Dear Mr. Kerr:

This letter is to notify you that on December 2, 1982, 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"). A copy of the complaint is enclosed. We have numbered this matter MUR 1507. Please refer to this number in all future correspondence.

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

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

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

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

83040434768

If you have any questions, please contact Deborah Felton, the staff member assigned to this matter at (202) 523-4064. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele  
General Counsel

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

83040434763

Enclosures

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

cc: Honorable Paul Sarbanes

1302

1. TO WHOM DELIVERED <input type="checkbox"/> To the addressee <input type="checkbox"/> To the addressee's attention <input type="checkbox"/> To the addressee's attention (if not specified in the address) <input type="checkbox"/> To the addressee's attention (if not specified in the address) TOTAL	
2. ARTICLE IDENTIFICATION <i>Article for delivery</i> <i>Letter 2/20/04</i>	
3. TYPE OF SERVICE <input type="checkbox"/> REGISTERED <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> REGISTERED MAIL (Always obtain signature of addressee or agent) I have received the article described above.	
SIGNATURE <input type="checkbox"/> Address <input type="checkbox"/> Address <i>Sethig</i> DATE OF DELIVERY	
4. ADDRESSEE'S ADDRESS (Only if repeated)	
7. UNABLE TO DELIVER REASON 8. EMPLOYEE'S INITIALS <i>MM</i>	



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 6, 1982

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Responsible Citizens Political League  
D.A. Bobo, Secretary-Treasurer  
3 Research Plaza  
Rockville, MD 20850

Re: MUR 1507

Dear Mr. Bobo:

This letter is to notify you that on December 2, 1982, 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"). A copy of the complaint is enclosed. We have numbered this matter MUR 1507. Please refer to this number in all future correspondence.

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

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

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

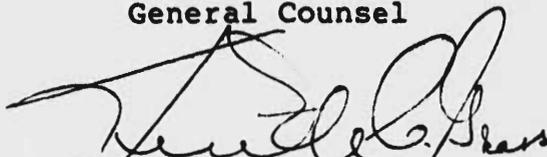
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

33040434764

If you have any questions, please contact Deborah Felton, the staff member assigned to this matter at (202) 523-4064. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele  
General Counsel



By Kenneth A. Gross  
Associate General Counsel

83040434765

Enclosures

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

1507

1. The following article is enclosed in this envelope: <input type="checkbox"/> None to whom the article is addressed <input type="checkbox"/> None to whom, etc., and enclosed in delivery <input checked="" type="checkbox"/> Enclosed in this envelope (The number of copies of the article is indicated on the envelope)	
2. ARTICLE ADDRESS Kavanaugh City, Little League Buckville, MD 20850	
3. DATE OF DELIVERY <input type="checkbox"/> Registered <input type="checkbox"/> Certified <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt	6698ch
4. SIGNATURE (Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
5. DATE OF DELIVERY 12/8	6. ADDRESSEE'S ADDRESS (Only if not on envelope) 7. UNABLE TO DELIVER REASON
8. UNABLE TO DELIVER REASON	



CLIP 7032

# HOGAN FOR SENATE

POST OFFICE BOX 345  
SEABROOK, MARYLAND 20706

November 30, 1982

82 DEC 2 P 2: 02  
RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

Honorable Frank Reiche  
Chairman  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Mr. Chairman:

I believe there is sufficient basis for a complaint against Paul S. Sarbanes, a candidate for the office of U.S. Senator from Maryland, Citizens for Sarbanes, 1800 Mercantile Bank and Trust Building, 2 Hopkins Place, Baltimore, Maryland, 21201, and "The Railways Employees Union" as described in attached newspaper account for violations of the Federal Election Campaign Act, 2 U.S.C. Section 434.

83040434756

In an article appearing in the Baltimore Sun of October 28, 1982, copy attached, "a flyer published by the Railways Employees Union" contains the "inescapable implication" of support for Paul S. Sarbanes for U.S. Senate. This brochure was in public view in the "senator's Baltimore headquarters." Informal information from other sources indicates the pamphlet received widespread distribution during the Democratic rally at which former Vice President Mondale was the principal speaker. It would seem that use of such material would require the reporting of an "in-kind" contribution by Citizens for Sarbanes and an equal disbursement by the union's Political Action Committee. No such reporting has been noted.

Further, under the Packwood Amendment, the "Railways Employees Union" would seem to be required to report expenditures of over \$2,000 even to its own members. The "distribution among 7,000-8,000 members" may well exceed this amount. The "Railways Employees Union" may be the Responsible Citizens Political League, a project of the Brotherhood of Railway and Airline Clerks of 3 Research Plaza, Rockville, Maryland. If so, it has contributed \$2,000, August 18, 1981; \$3,000, March 26, 1982; \$1,000, September 10, 1982; and \$1,500, September 30, 1982 and perhaps more in the month before the election. Thus, that PAC may be exceeding the limit when in-kind expenditures are counted.

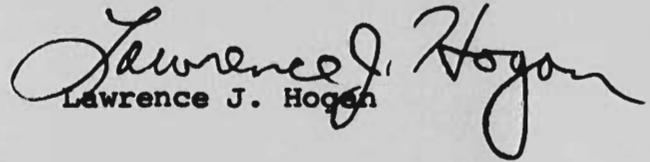
Citizens for Sarbanes received more labor PAC contributions than any other Senatorial candidate according to newspaper reports. There were, however, no in-kind contributions from union PAC's that could be identified. I personally picked up a pamphlet about

Honorable Frank Reiche  
Page Two

Senator Sarbanes published by the United Auto Workers which was being distributed at a campaign headquarters of Paul S. Sarbanes in Dundalk. This would also appear to be a violation. In addition, many unions contributed the maximums in dollar amounts for one or both elections.

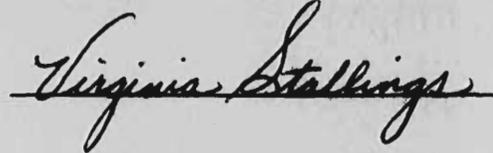
I trust the Commission will investigate the probable violations of election law by the extensive distribution of such material.

Sincerely,

  
Lawrence J. Hogan

Enclosure

Subscribed and sworn before me this 30<sup>th</sup> day of November, 1982.



83040434767

Oct 28, 1982

Baltimore Sun.

C6.

# Socialist for Sarbanes?

## Pictured unionist stanches the notion

By Tom Linthicum

What's a picture of the campaign manager for the Socialist Workers Party candidate for the U.S. Senate doing in a brochure endorsing Democratic Senator Paul S. Sarbanes?

That's exactly what Dorothy Kolis wanted to know last week when she first saw the flyer published by her Railway Employees union.

There was her picture, describing her as "another [Railway Employees] victim of the Reagan recession" who had been laid off from her job with the B&O Railroad. There were also angry quotes from Ms. Kolis about Reaganomics.

"Members like ... Dorothy Kolis are looking to the November elections to straighten things out. They need a representative who really cares about working people," the brochure said.

"The implication is inescapable: That I support Sarbanes," Ms. Kolis

said in a written statement issued yesterday. "But that, of course, is a lie."

Ms. Kolis, who said she ran for governor as a Socialist in 1978, is campaign manager for Yvonne Hayes, a member of the Socialist Workers Party, who is running a write-in campaign against Senator Sarbanes and the Republican, Lawrence J. Hogan.

"It is certainly regrettable," said Diane Curry, publications director for the Railway Employees union. "She said this has been a source of personal embarrassment to her, which I can certainly appreciate."

Ms. Curry explained that Ms. Kolis was interviewed originally for an article in the union's national magazine about members suffering under current economic conditions. Material in that interview was then used in the political brochure, which was distributed among the union's

7,000 to 8,000 members in Maryland.

"The interviewer did not specifically ask Dorothy Kolis if she was a Sarbanes supporter, nor did she say she was or she wasn't," Ms. Curry said.

Ms. Kolis said, however, that "... as I made very clear to the reporter during the taped interview, I don't think that Democratic or Republican politicians—either Sarbanes or Hogan—can solve our problems."

Ms. Curry said that Ms. Kolis will be given the opportunity to clarify her views in the December issue of the union magazine.

Bruce C. Frame, a spokesman for Mr. Sarbanes, said the senator's campaign was not involved in producing the brochure. He said he removed a small number of the flyers from public view in the senator's Baltimore headquarters yesterday after Ms. Kolis complained about them.

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# HIGGAN FOR SENATE

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Chairman  
Federal Election Commission  
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FEDERAL ELECTION COMMISSION

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

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Date Filmed 11/16/83 Camera No. --- 3

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