FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1508

Date Filmed 2/10/84 Camera No. --- 4

Cameraman JRL

Levin

FEDERAL ELECTION COMMISSION

1) Intra-OGC Routing Slips

2) 12 Day Report

3) 12 Day Report Comment Sheets

4) 12 Day Pre-Brief Report

5) 12 Day Pre-Brief Report Comment Sheet

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):

___	(1) Classified Information	___	(6) Personal privacy
✓	(2) Internal rules and practices	___	(7) Investigatory files
___	(3) Exempted by other statute	___	(8) Banking Information
___	(4) Trade secrets and commercial or financial information	___	(9) Well Information (geographic or geophysical)
✓	(5) Internal Documents		

Signed Jonathan M. Levin

date 1/30/84

FEC 9-21-77

8403044263 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 6, 1984

Norman M. Gleichman, Esq.
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508
Communication Workers of
America - Local 2108

Dear Mr. Gleichman:

This is to advise you that, after an investigation was conducted in the above-captioned matter, the Commission concluded on January 4, 1984, that there is probable cause to believe that your client, the Communication Workers of America - Local 2108, violated 2 U.S.C. § 441b(a). Due to the circumstances of this matter, however, the Commission decided that no further action should be taken with respect to the allegation. Accordingly, the file in this matter 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 Jonathan M. Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 6, 1984

Charles M. Carron, Esq.
General Counsel
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508
Chesapeake and Potomac
Telephone Companies

Dear Mr. Carron:

This is to advise you that after an investigation was conducted, the Commission concluded on January 4 , 1984, that there is no probable cause to believe that your client, the Chesapeake and Potomac Telephone Companies, violated the Act. Accordingly the file in this matter, numbered MUR 1508, 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 Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

8403044259

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 6, 1984

Ms. Jo Ann Truax
9356 Cherry Hill Road, #202
College Park, Maryland 20740

Re: MUR 1508

Dear Ms. Truax:

This is in reference to the complaint you filed with the Commission on December 6, 1982, concerning possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Communication Workers of America - Local 2108 ("CWA") and the Chesapeake and Potomac Telephone Companies ("C&P).

Based on your complaint, the Commission determined there was reason to believe that CWA and C&P violated 2 U.S.C. § 441b(a), a provision of the Act, and instituted an investigation of this matter. After the investigation was conducted and briefs of the General Counsel and the respondents were considered, the Commission concluded, on January 4, 1984, that there is no probable cause to believe that C&P violated the Act. On that date, the Commission also concluded that there is probable cause to believe that CWA violated 2 U.S.C. § 441b(a) but that no further action should be taken with respect to the allegation. Accordingly, the file in this matter, numbered MUR 1508, 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. 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 Jonathan M. Levin, the attorney assigned to this matter, at (202)523-4060.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles M. Carron, Esq.
General Counsel
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

JI 1/6/84

Re: MUR 1508
Chesapeake and Potomac
Telephone Companies

Dear Mr. Carron:

This is to advise you that after an investigation was conducted, the Commission concluded on , 198 , that there is no probable cause to believe that your client, the Chesapeake and Potomac Telephone Companies, violated the Act. Accordingly the file in this matter, numbered MUR 1508, 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 Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Jo Ann Truax
9356 Cherry Hill Road, #202
College Park, Maryland 20740

Re: MUR 1508 1/6/84

Dear Ms. Truax:

This is in reference to the complaint you filed with the Commission on December 6, 1982, concerning possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Communication Workers of America - Local 2108 ("CWA") and the Chesapeake and Potomac Telephone Companies ("C&P).

Based on your complaint, the Commission determined there was reason to believe that CWA and C&P violated 2 U.S.C. § 441b(a), a provision of the Act, and instituted an investigation of this matter. After the investigation was conducted and briefs of the General Counsel and the respondents were considered, the Commission concluded, on January 4, 1984, that there is no probable cause to believe that C&P violated the Act. On that date, the Commission also concluded that there is probable cause to believe that CWA violated 2 U.S.C. § 441b(a) but that no further action should be taken with respect to the allegation. Accordingly, the file in this matter, numbered MUR 1508, 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. 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 Jonathan M. Levin, the attorney assigned to this matter, at (202)523-4060.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Norman M. Gleichman, Esq.
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

JI 1/6/84

Re: MUR 1508
Communication Workers of
America - Local 2108

Dear Mr. Gleichman:

This is to advise you that, after an investigation was conducted in the above-captioned matter, the Commission concluded on January 4, 1984, that there is probable cause to believe that your client, the Communication Workers of America - Local 2108, violated 2 U.S.C. § 441b(a). Due to the circumstances of this matter, however, the Commission decided that no further action should be taken with respect to the allegation. Accordingly, the file in this matter 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 Jonathan M. Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Communication Workers of America,	)	MUR 1508
Local 2108 (CWA)	)	
Chesapeake and Potomac Telephone	)	
Companies (C&P)	)	

CERTIFICATION

I, Mary W. Dove, Recording Secretary for the Federal Election Commission Executive Session on January 4, 1984, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 1508:

1. Find probable cause to believe that the Communication Workers of America, Local 2108 (CWA) violated 2 U.S.C. § 441b(a) but take no further action.

2. Find no probable cause to believe that the Chesapeake and Potomac Telephone Companies violated 2 U.S.C. § 441b(a).

3. Send the appropriate letters in accordance with findings in No. 1 and No. 2 above, and close the file.

Commissioners Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively in this matter. Commissioner Aikens was not present at the time of the vote.

Attest:

1-4-84
Date

Mary W. Dove
Mary W. Dove
Recording Secretary

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

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

DATE: DECEMBER 21, 1983

SUBJECT: OBJECTION - MUR 1508 General Counsel's Report signed December 19, 1983

The above-named document was circulated to the Commission on Tuesday, December 20, 1983 at 4:00.

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

Commissioner Aikens	
Commissioner Elliott	
Commissioner Harris	X
Commissioner McDonald	
Commissioner McGarry	
Commissioner Reiche	

This matter will be placed on the Executive Session agenda for Wednesday, January 4, 1984.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: December 20, 1983

SUBJECT: MUR 1508 - 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]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8403044256

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	83 DEC 20 A10: 13
Communication Workers of America, Local 2108 (CWA)	)	MUR 1508
Chesapeake and Potomac Telephone Companies (C&P)	)	SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 1, 1983, the Commission found reason to believe that the Communication Workers of America - Local 2108 ("CWA") violated 2 U.S.C. § 441b(a) in its solicitation of pledges for CWA's political action committee ("COPE"). On July 26, 1983, the Commission found reason to believe that the Chesapeake and Potomac Telephone Companies ("C&P") violated 2 U.S.C. § 441b(a) by making a prohibited in-kind contribution to the CWA. According to the complaint filed in this matter, CWA's stewards were instructed by the president of CWA's Local 2108 to solicit for COPE while they were soliciting for the United Way, thus creating a situation whereby corporate contributions (presumably those made to the United Way) were being commingled with political contributions to COPE. The complaint further alleged that the solicitation for CWA's political action committee was conducted during company paid time and, therefore, represented an in-kind contribution by C&P and an acceptance by CWA.

On March 28, 1983, this Office received a response from Norman M. Gleichman, counsel for CWA, and an affidavit from Victor O. Musick, president of the local. On August 2, 1983,

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this Office received the affidavit of Albert E. Sears, Assistant Vice-President for Labor Relations at C&P. Based upon the respondents' replies, the General Counsel sent briefs on October 28, 1983, stating that he would recommend that the Commission find no probable cause to believe that either CWA or COPE violated 2 U.S.C. § 441b(a). On November 8, this Office received a letter from C&P's counsel stating that the company agreed with the General Counsel's analysis. No response was received from CWA.

II. LEGAL ANALYSIS

Since neither respondent submitted any additional analysis of this matter after receipt of the briefs, the General Counsel refers the Commission to its briefs, dated October 28, 1983.

III. RECOMMENDATIONS

1. Find no probable cause to believe that the Communication Workers of America, Local 2108 (CWA) violated 2 U.S.C. § 441b(a).
2. Find no probable cause to believe that the Chesapeake and Potomac Telephone Companies violated 2 U.S.C. § 441b(a).
3. Approve the attached letters.
4. Close the file.

19 December 1983
Date

Charles N. Steele
General Counsel

Attachments
1. Letter to Norman M. Gleichman, counsel for CWA.
2. Letter to Charles M. Carron, counsel for C&P.
3. Letter to the complainant.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Norman M. Gleichman, Esq.
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508
Communication Workers of
America - Local 2108

Dear Mr. Gleichman:

This is to advise you that after an investigation was conducted, the Commission concluded on , 198 , that there is no probable cause to believe that your client, the Communication Workers of America - Local 2108, violated the Act. Accordingly the file in this matter, numbered MUR 1508, 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 Jonathan M. Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

8403044265

Attachment 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles M. Carron, Esq.
General Counsel
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508
Chesapeake and Potomac
Telephone Companies

Dear Mr. Carron:

This is to advise you that after an investigation was conducted, the Commission concluded on , 198 , that there is no probable cause to believe that your client, the Chesapeake and Potomac Telephone Companies, violated the Act. Accordingly the file in this matter, numbered MUR 1508, 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 Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

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Attachment 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Jo Ann Truax
9356 Cherry Hill Road, #202
College Park, Maryland 20740

Re: MUR 1508

Dear Ms. Truax:

This is in reference to the complaint you filed with the Commission on December 6, 1982, concerning possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Communication Workers of America - Local 2108 ("CWA") and the Chesapeake and Potomac Telephone Companies ("C&P).

Based on your complaint, the Commission determined there was reason to believe that CWA and C&P violated 2 U.S.C. § 441b(a), a provision of the Act, and instituted an investigation of this matter. After the investigation was conducted and briefs of the General Counsel and the respondents were considered, the Commission concluded, on , 198 , that there was no probable cause to believe that CWA and C&P violated the Act. Accordingly, the file in this matter, numbered MUR 1508, 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. 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 Jonathan M. Levin, the attorney assigned to this matter, at (202)523-4060.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachment 3

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Gen Corr 1076

NOV 8 P3:50

C&P Telephone

Charles M. Carron
Attorney

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-3236

NOV 8 P4:46

November 3, 1983

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

Dear Ms. Emmons:

Re: MUR 1508

I am in receipt of a letter dated October 27, 1983 from the General Counsel of the Commission, enclosing a copy of the brief stating the position of the General Counsel on the legal and factual issues of the above-referenced case. The General Counsel's letter invited me to submit a brief stating the position of The Chesapeake and Potomac Telephone Companies on the issues and replying to the brief of the General Counsel.

The Chesapeake and Potomac Telephone Companies agree with the General Counsel's statement of the case, legal analysis and recommendation. We would like to emphasize that we have no knowledge that any contributions for the CWA's political action committee ever were solicited on company time, and that we have taken all appropriate steps to insure that no such activities will ever occur.

If you require additional information, or if you are unable to accept this letter in lieu of a brief, please call me at 392-3236.

Sincerely,

Charles M. Carron

Charles M. Carron

CMC:is

cc: Charles N. Steele, Esq.

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es M. Carron, Esq.
Atlantic
H Street, N.W.
ngton, D.C. 20006

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

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: October 27, 1983

SUBJECT: MUR 1508 - GC's Briefs and Memorandum

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[ ]	Compliance	[X]
Sensitive	[ ]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[X]	Status Sheets	[ ]
Sensitive	[X]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8405044267

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1983

Charles M. Carron, Esq.
General Counsel
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508

Dear Mr. Carron:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on August 1, 1983, that there was reason to believe that the C & P Telephone Companies 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 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 (10 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.

Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles M. Carron, Esq.
General Counsel
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508 81 10/11/83

Dear Mr. Carron:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on August 1, 1983, that there was reason to believe that the C & P Telephone Companies 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 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 (10 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.

Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1983

Norman M. Gleichman, Esq.
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508

Dear Mr. Gleichman:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on February 1, 1983, that there was reason to believe that the Communication Workers of America 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 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 (10 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.

Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Norman M. Gleichman, Esq.
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

JI 10/11/83

Re: MUR 1508

Dear Mr. Gleichman:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on February 1, 1983, that there was reason to believe that the Communication Workers of America 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 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 (10 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.

Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

MEMORANDUM TO: THE COMMISSION

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

DATE: OCTOBER 28, 1983

SUBJECT: GENERAL COUNSEL'S BRIEF - MUR 1508
Memorandum to the Commission
dated October 27, 1983

The attached documents are circulated for your information.

Attachments:
Memo, Brief and Letter

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RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

83 OCT 27 P2: 05

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1983

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1508

Attached for the Commission's review are two 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 a finding of no probable cause to believe were mailed on October 27, 1983. Following receipt of the respondents' replies to the notices, this Office will make a further report to the Commission.

Attachments

1. Briefs
2. Letters to Respondents

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Communication Workers of America - Local 2108	)	MUR 1508
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On February 1, 1983, the Commission found reason to believe that the Communication Workers of America - Local 2108 ("CWA") violated 2 U.S.C. § 441b(a) by soliciting for pledges for CWA's political action committee ("COPE") during the collection of pledges for the United Way Campaign. According to the complaint filed in the matter, the chief steward and other stewards were instructed by the president of CWA's Local 2108 to solicit for COPE while they were soliciting for the United Way. The complaint further alleged that the solicitation for CWA's political action committee was conducted during company paid time and, therefore, represented an acceptance by CWA of an "in-kind" contribution from C&P Telephone Companies ("C&P").

In response to the Commission's finding of reason to believe, CWA explained that prior to the United Way Campaign the stewards were asked to mention to union members the possibility of signing up for payroll deductions to CWA's political action committee. CWA submitted that it had no idea that this instruction to its stewards would be construed as a violation of the Federal Election Campaign Act.

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The president of CWA's Local 2108 submitted under oath that:

1) There are 2600 union members in the C&P bargaining unit.
2) During the United Way solicitation period, 57 checkoff cards were received for CWA's political action committee.
3) Of the 57 checkoff cards received, 33 were solicited during working time.
4) The remainder of the checkoff cards were received outside of working time.

II. LEGAL ANALYSIS

According to 2 U.S.C. § 441b(a), a labor organization is prohibited from accepting an "in-kind" contribution in connection with any federal election. There is no evidence to indicate that C&P Telephone Companies knew of the solicitations or coordinated with CWA the solicitation of union members for CWA's political action committee. In fact, the evidence shows that C&P did all that it could to prevent solicitations for the union during C&P paid time. Under the facts presented, therefore, CWA did not accept an in-kind contribution from C&P.

III. GENERAL COUNSEL'S RECOMMENDATION

The Office of General Counsel recommends that the Commission find there is no probable cause to believe that Respondent Communication Workers of America - Local 2108 violated 2 U.S.C. § 441b(a).

26 October 1983
Date

Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
C&P Telephone Companies) MUR 1508

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On July 26, 1983, the Commission found reason to believe that the C&P Telephone Companies ("C&P") violated 2 U.S.C. § 441b(a) by making a prohibited in-kind contribution to the Communication Workers of America - Local 2108 ("CWA"). According to the complaint filed in the matter, CWA's stewards solicited for the CWA political action committee on company paid time. The complaint further alleges that the total number of hours spent by stewards soliciting pledges for CWA on company time represents an in-kind contribution by C&P.

In response to the complaint, Albert E. Sears, Assistant Vice President for Labor Relations at C&P, submitted an affidavit stating that he had become aware that CWA might be requiring its members to solicit for pledges for CWA. He further averred that, upon inquiry into the matter, CWA had assured him that contributions for CWA's political action committee would not be solicited during the United Way Campaign. Reason to believe was found in order to inquire further as to how C&P initially became aware that CWA was requiring its stewards to solicit for its political action committee. In response to that inquiry,

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Mr. Sears submitted under oath, that he was first informed of CWA's instruction to its stewards by C&P's attorney. He further stated that he has never been informed that stewards of CWA - Local 2108 had, in fact, solicited contributions for their political action committee from union members while soliciting for the United Way.

II. **LEGAL ANALYSIS**

According to 2 U.S.C. § 441b(a), a corporation is prohibited from making an "in-kind" contribution in connection with any federal election. There is no evidence to indicate that C&P Telephone Companies knew of the solicitation or coordinated with CWA the solicitation of union members for CWA's political action committee during the United Way Campaign. Since C&P had no involvement and was not aware of this solicitation by CWA, it did not make an in-kind contribution to CWA.

III. **GENERAL COUNSEL'S RECOMMENDATION**

The Office of General Counsel recommends that the Commission find there is no probable cause to believe that Respondent C&P Telephone Companies violated 2 U.S.C. § 441b(a).

26 October 1983
Date

Charles N. Steele
General Counsel

8 4 0 3 0 4 4 2 6 8 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1983

Norman M. Gleichman, Esq.
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508

Dear Mr. Gleichman:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on February 1, 1983, that there was reason to believe that the Communication Workers of America 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 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 (10 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.

Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

8403044258

ATTACHMENT 2 - p. 1 of 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1983

Charles M. Carron, Esq.
General Counsel
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508

Dear Mr. Carron:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on August 1, 1983, that there was reason to believe that the C & P Telephone Companies 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 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 (10 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.

Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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2 - p. 2 of 2

Docket
I

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

MEMORANDUM TO: THE COMMISSION

FROM: MARJORIE W. EMMONS/JODY C. RANSOM

DATE: OCTOBER 28, 1983

SUBJECT: GENERAL COUNSEL'S BRIEF - MUR 1508
Memorandum to the Commission
dated October 27, 1983

The attached documents are circulated for your information.

Attachments:
Memo, Brief and Letter

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 OCT 27 P2:05

October 27, 1983

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1508

Attached for the Commission's review are two 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 a finding of no probable cause to believe were mailed on October 27, 1983. Following receipt of the respondents' replies to the notices, this Office will make a further report to the Commission.

Attachments

1. Briefs
2. Letters to Respondents

8405044253 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Communication Workers of America - Local 2108	)	MUR 1508
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On February 1, 1983, the Commission found reason to believe that the Communication Workers of America - Local 2108 ("CWA") violated 2 U.S.C. § 441b(a) by soliciting for pledges for CWA's political action committee ("COPE") during the collection of pledges for the United Way Campaign. According to the complaint filed in the matter, the chief steward and other stewards were instructed by the president of CWA's Local 2108 to solicit for COPE while they were soliciting for the United Way. The complaint further alleged that the solicitation for CWA's political action committee was conducted during company paid time and, therefore, represented an acceptance by CWA of an "in-kind" contribution from C&P Telephone Companies ("C&P").

In response to the Commission's finding of reason to believe, CWA explained that prior to the United Way Campaign the stewards were asked to mention to union members the possibility of signing up for payroll deductions to CWA's political action committee. CWA submitted that it had no idea that this instruction to its stewards would be construed as a violation of the Federal Election Campaign Act.

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Attachment 1 - p. 1 of 4

The president of CWA's Local 2108 submitted under oath that:

1) There are 2600 union members in the C&P bargaining unit.
2) During the United Way solicitation period, 57 checkoff cards were received for CWA's political action committee.
3) Of the 57 checkoff cards received, 33 were solicited during working time.
4) The remainder of the checkoff cards were received outside of working time.

II. LEGAL ANALYSIS

According to 2 U.S.C. § 441b(a), a labor organization is prohibited from accepting an "in-kind" contribution in connection with any federal election. There is no evidence to indicate that C&P Telephone Companies knew of the solicitations or coordinated with CWA the solicitation of union members for CWA's political action committee. In fact, the evidence shows that C&P did all that it could to prevent solicitations for the union during C&P paid time. Under the facts presented, therefore, CWA did not accept an in-kind contribution from C&P.

III. GENERAL COUNSEL'S RECOMMENDATION

The Office of General Counsel recommends that the Commission find there is no probable cause to believe that Respondent Communication Workers of America - Local 2108 violated 2 U.S.C. § 441b(a).

26 October 1983
Date

Charles N. Steele
General Counsel

8 4 0 3 0 4 4 2 6 9 0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
C&P Telephone Companies) MUR 1508

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On July 26, 1983, the Commission found reason to believe that the C&P Telephone Companies ("C&P") violated 2 U.S.C. § 441b(a) by making a prohibited in-kind contribution to the Communication Workers of America - Local 2108 ("CWA"). According to the complaint filed in the matter, CWA's stewards solicited for the CWA political action committee on company paid time. The complaint further alleges that the total number of hours spent by stewards soliciting pledges for CWA on company time represents an in-kind contribution by C&P.

In response to the complaint, Albert E. Sears, Assistant Vice President for Labor Relations at C&P, submitted an affidavit stating that he had become aware that CWA might be requiring its members to solicit for pledges for CWA. He further averred that, upon inquiry into the matter, CWA had assured him that contributions for CWA's political action committee would not be solicited during the United Way Campaign. Reason to believe was found in order to inquire further as to how C&P initially became aware that CWA was requiring its stewards to solicit for its political action committee. In response to that inquiry,

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Mr. Sears submitted under oath, that he was first informed of CWA's instruction to its stewards by C&P's attorney. He further stated that he has never been informed that stewards of CWA - Local 2108 had, in fact, solicited contributions for their political action committee from union members while soliciting for the United Way.

II. **LEGAL ANALYSIS**

According to 2 U.S.C. § 441b(a), a corporation is prohibited from making an "in-kind" contribution in connection with any federal election. There is no evidence to indicate that C&P Telephone Companies knew of the solicitation or coordinated with CWA the solicitation of union members for CWA's political action committee during the United Way Campaign. Since C&P had no involvement and was not aware of this solicitation by CWA, it did not make an in-kind contribution to CWA.

III. **GENERAL COUNSEL'S RECOMMENDATION**

The Office of General Counsel recommends that the Commission find there is no probable cause to believe that Respondent C&P Telephone Companies violated 2 U.S.C. § 441b(a).

26 October 1983
Date

Charles N. Steele
General Counsel

8 4 0 3 0 4 4 2 6 9 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1983

Norman M. Gleichman, Esq.
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508

Dear Mr. Gleichman:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on February 1, 1983, that there was reason to believe that the Communication Workers of America 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 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 (10 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.

Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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ATTACHMENT 2 - p. 1 of 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 27, 1983

Charles M. Carron, Esq.
General Counsel
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508

Dear Mr. Carron:

Based on a complaint filed with the Commission on December 6, 1982, and information supplied by you, the Commission determined on August 1, 1983, that there was reason to believe that the C & P Telephone Companies 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 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.

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Should you have any questions, please contact Jonathan Levin at (202) 523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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2 - p. 2 of 2

RECEIVED AT THE FEC
Case # 590
AUG 2 A10:26

C&P Telephone

John W. Plaatje
Attorney

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-2934

August 2, 1983

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

AUG 2 P4:05

Re: MUR 1508
Communications Workers of
America Local 2108
The Chesapeake and Potomac
Telephone Companies

Enclosed are the sworn Answers of Albert E. Sears which are submitted pursuant to the Commission's Order to Submit Written Answers dated July 27, 1983. We expect that these answers will provide the Commission with the information it needs to dispose of this matter without further action being taken against the C&P Telephone Companies.

If there are any further questions, or if any problems arise, we would appreciate the opportunity to discuss them with the Office of General Counsel before any action is taken by the Commission.

John W. Plaatje

Charles M. Carron

Copy to D. Felton

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Communciations Workers of America Local 2108 The Chesapeake and Potomac Telephone Companies	)))))	MUR 1508

83 AUG 2 P4:06

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ANSWERS OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

Albert E. Sears, being duly sworn deposes and says in response to the questions addressed to him by the Federal Election Commission on July 27, 1983:

1. On or about September 27, 1982, I was contacted by my attorney, Mr. Charles Carron, who advised me that a manager in the Marketing Department had called him and told him that Local 2108 of the Communications Workers of America (CWA) might be requiring its stewards and chief stewards to solicit contributions for COPE while soliciting for the United Way Campaign that was scheduled to begin on October 1, 1982. As I stated in my affidavit of December 16, 1982, on the same day I learned of these alleged CWA plans I informed Mr. Lewinski of the CWA that any plan to solicit contributions for COPE during the United Way Campaign would violate the terms of C&P's General Agreement with the CWA and the spirit of the joint undertaking to support the United Way. I was given assurance by Mr. Lewinski that steps would be taken to ensure that contributions for COPE would not be solicited during the the United Way Campaign.

2. I have never been informed that the chief stewards or stewards of CWA-Local 2108 in fact solicited COPE contributions from union members while soliciting for the United Way. The purpose of my conversation with Mr. Lewinski prior to the beginning of the United Way Campaign was to prevent any such solicitation. Because Mr. Lewinski assured me that COPE contributions would not be solicited as part of the United Way drive, it is my belief that no such solicitation occurred. If the facts ultimately prove otherwise it will be necessary to take appropriate disciplinary action against the chief stewards and stewards involved.

Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 1st day of August, 1983

Priscilla J. Fritz
Notary Public

My commission expires:

May 14, 1984

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Occ # 582

C&P Telephone
1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-2934

John W. Plastje
Attorney

AUG 3 A10:31

August 2, 1983

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

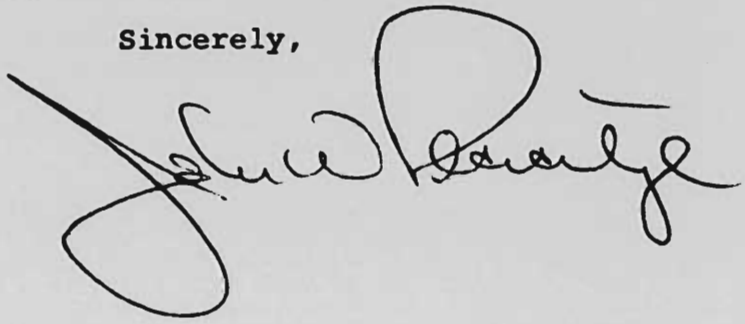
Dear Ms. Felton:

Re: MUR 1508
Communications Workers of
America Local 2108
The Chesapeake and Potomac
Telephone Companies

As I informed you yesterday, an unexpected break in the labor negotiations with the Communications Workers of America enabled me to consult with Mr. Sears and obtain his sworn answers to the Commission's two questions. I appreciate your courtesy in granting the extension I requested last Thursday, but I am pleased that we did not have to use it and delay the disposition of this matter.

I expect that Mr. Sears' answers will provide all the information the Commission needs to dispose of this matter. If any questions or problems arise please contact me immediately.

Sincerely,



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C&P Telephone

John W. Plaatje
Attorney

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-2934

August 2, 1983

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

Re: MUR 1508
Communications Workers of
America Local 2108
The Chesapeake and Potomac
Telephone Companies

Enclosed are the sworn Answers of Albert E. Sears which are submitted pursuant to the Commission's Order to Submit Written Answers dated July 27, 1983. We expect that these answers will provide the Commission with the information it needs to dispose of this matter without further action being taken against the C&P Telephone Companies.

If there are any further questions, or if any problems arise, we would appreciate the opportunity to discuss them with the Office of General Counsel before any action is taken by the Commission.

John W. Plaatje

Charles M. Carron

Copy to D. Felton

8403044259 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Communciations Workers of America Local 2108 The Chesapeake and Potomac Telephone Companies	)))))	MUR 1508

ANSWERS OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

Albert E. Sears, being duly sworn deposes and says in response to the questions addressed to him by the Federal Election Commission on July 27, 1983:

1. On or about September 27, 1982, I was contacted by my attorney, Mr. Charles Carron, who advised me that a manager in the Marketing Department had called him and told him that Local 2108 of the Communications Workers of America (CWA) might be requiring its stewards and chief stewards to solicit contributions for COPE while soliciting for the United Way Campaign that was scheduled to begin on October 1, 1982. As I stated in my affidavit of December 16, 1982, on the same day I learned of these alleged CWA plans I informed Mr. Lewinski of the CWA that any plan to solicit contributions for COPE during the United Way Campaign would violate the terms of C&P's General Agreement with the CWA and the spirit of the joint undertaking to support the United Way. I was given assurance by Mr. Lewinski that steps would be taken to ensure that contributions for COPE would not be solicited during the the United Way Campaign.

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2. I have never been informed that the chief stewards or stewards of CWA-Local 2108 in fact solicited COPE contributions from union members while soliciting for the United Way. The purpose of my conversation with Mr. Lewinski prior to the beginning of the United Way Campaign was to prevent any such solicitation. Because Mr. Lewinski assured me that COPE contributions would not be solicited as part of the United Way drive, it is my belief that no such solicitation occurred. If the facts ultimately prove otherwise it will be necessary to take appropriate disciplinary action against the chief stewards and stewards involved.

Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 1st day of August, 1983

Priscilla J. Fritz
Notary Public

My commission expires:

May 14, 1984

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J. W. Ziegler, Esq.
CAP Telephone
[illegible] N.W.
Washington, D.C. [illegible]

8403044702

Deborah Felton, Esq.
Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

Sec# 549

BY HAND

C&P Telephone

John W. Plastje
Attorney

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-2934

July 28, 1983

83 JUL 28 P4:21

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

Dear Ms. Felton:

Re: MUR 1508
C&P Telephone Companies

This is a follow up to our telephone conversation this afternoon regarding an extension of the time in which Mr. Sears must submit answers to the Order to Answer Questions. As I explained to you, Mr. Sears is presently C&P's bargaining committee chairman in the negotiation of a labor contract with the Communications Workers of America (CWA) covering over thirty thousand employees. This responsibility is consuming virtually all of his time and he is not able to consult with me or Mr. Carron.

Because of the unavailability of Mr. Sears, we hereby request that the period he has to answer the questions addressed to him by the Commission be extended until ten days after the completion of negotiations for a labor contract between C&P and CWA. The current schedule calls for these negotiations to be completed by midnight August 13, 1983, but as I am sure you understand, scheduled dates are sometimes not met in labor negotiations. We request, therefore, that the extension run from the time negotiations are actually completed rather than the scheduled date.

Thank you for your prompt attention to this request for extension of time.

Sincerely,

John W. Plastje

cet

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J. W. PLAATNE, ESQ.

C&P Telephone

1710 H. STREET, N.W
WASHINGTON, DC 20006

BY HAND

DEBORAH FELTON, ESQ.
FEDERAL ELECTION COMMISSION
1325 K. STREET, N.W
WASHINGTON, DC 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

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

DATE: JULY 27, 1983

SUBJECT: ORDER RE: MUR 1508

The attached order, which was Commission approved in Executive Session on July 26, 1983, has been signed and sealed this date.

Attachment:
Order

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 27, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles M. Carron
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508
C & P Telephone Companies

Dear Mr. Carron:

The Federal Election Commission notified you on December 7, 1982, of a complaint which alleges that the C&P Telephone Companies had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time. You were also notified on February 14, 1983, that the Commission decided to take no action at that time with respect to allegations against the C&P Telephone Companies.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on July 26, 1983, determined that there is reason to believe that the C&P Telephone Companies have violated 2 U.S.C. § 441b, a provision of the Act. Specifically, it appears that C&P made in-kind contributions to the Communication Workers of America-Local 2108 (CWA) separate segregated fund (COPE) in the form of paid company time used by CWA-Local 2108 agents to solicit political contributions.

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 Order to Albert E. Sears to Answer Questions.

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 C&P Telephone Companies, the Office of General Counsel must proceed to the next

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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.

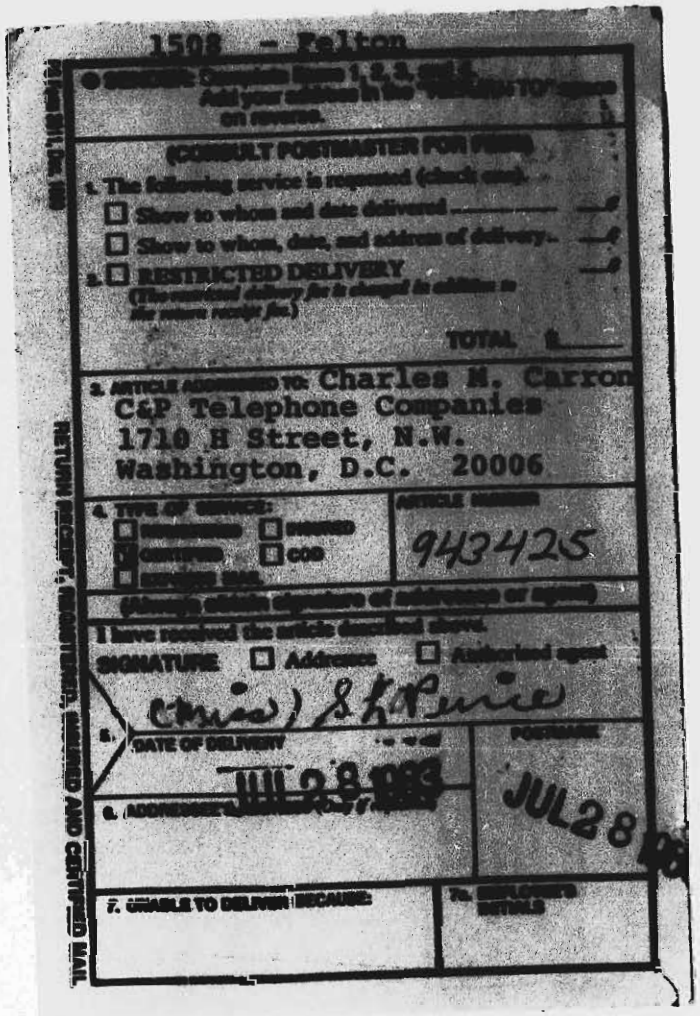
If you have any questions, please contact Deborah Felton, the attorney assigned to this matter, at 523-4060.

Sincerely,

Lee Ann Elliott

Lee Ann Elliott,
Vice Chairman

Enclosures
Procedures
Order


1508 - Felton

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one)
☐ Show to whom and date delivered
☐ Show to whom, date, and address of delivery
2. ☐ RESTRICTED DELIVERY

TOTAL $

3. ARTICLE ADDRESSED TO: Charles M. Carron
C&P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☐ CERTIFIED ☐ COD ☐ EXPRESS MAIL
ARTICLE NUMBER 943425

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

5. DATE OF DELIVERY JUL 28 1983
POSTMARK JUL 28 1983

6. ADDRESSEE'S ADDRESS (ONLY IF REQUESTED)

7. UNABLE TO DELIVER BECAUSE:

RETURN RECEIPT, SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY

8403044427 07

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Communication Workers of America,	)	
Local 2108	)	MUR 1508
Chesapeake and Potomac Telephone	)	
Companies	)	

ORDER TO SUBMIT WRITTEN ANSWERS

To: Albert E. Sears
Assistant Vice President
C&P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within ten days of your receipt of this Order.

WHEREFORE, the Vice Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 27th day of July, 1983.

Lee Ann Elliott
Lee Ann Elliott
Vice Chairman

ATTEST:

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

Attachment

8403042708

QUESTIONS TO: Albert E. Sears
Assistant Vice President
Labor Relations
C&P Telephone Companies

1. In your affidavit of December 16, 1982, you stated in ¶2 that you became aware of the fact that CWA-Local 2108 may be requiring its stewards to solicit for COPE while soliciting for the United Way.

Please state from whom and under what circumstances you received this information.

2. Did you become aware that stewards of CWA-Local 2108 were, in fact, soliciting union members for COPE while soliciting for the United Way?

a. If so, when did you become aware of the solicitation?

b. Please state from whom and under what circumstances you learned that the stewards had actually solicited for COPE, while soliciting for United Way.

c. Are you aware of any action taken by C&P Telephone Companies to prevent such solicitation? If so, describe all such actions.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles M. Carron
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508
C & P Telephone Companies

Dear Mr. Carron:

The Federal Election Commission notified you on December 7, 1982, of a complaint which alleges that the C&P Telephone Companies had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time. You were also notified on February 14, 1983, that the Commission decided to take no action at that time with respect to allegations against the C&P Telephone Companies.

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 C&P Telephone Companies have violated 2 U.S.C. § 441b, a provision of the Act. Specifically, it appears that C&P made in-kind contributions to the Communication Workers of America-Local 2108 (CWA) separate segregated fund (COPE) in the form of paid company time used by CWA-Local 2108 agents to solicit political contributions.

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 Order to Albert E. Sears to Answer Questions.

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 C&P Telephone Companies, the Office of General Counsel must proceed to the next

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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,

Enclosures
Procedures
Order

8403044271 1

7-26-83 DMF

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Communication Workers of America, Local 2108 (CWA)	)	MUR 1508
Chesapeake and Potomac Telephone Companies (C&P)	)	

CERTIFICATIONS

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on July 26, 1983, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions in MUR 1508:

1. Find reason to believe that the C&P Telephone Companies violated 2 U.S.C. §441b(a).

2. Approve the letter and Order to Submit Written Answers as recommended in the General Counsel's report dated July 12, 1983.

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

Attest:

7/26/83
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

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

DATE: JULY 15, 1983

SUBJECT: OBJECTION - MUR 1508 General Counsel's Report signed July 12, 1983

The above-named document was circulated to the Commission on Wednesday, July 13, 1983 at 4:00.

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

Commissioner Aikens	X
Commissioner Elliott	
Commissioner Harris	
Commissioner McDonald	
Commissioner McGarry	
Commissioner Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, July 26, 1983.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel Cit

DATE: July 13, 1983

SUBJECT: MUR 1508 - 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]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

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RECEIVED
THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	83 JUL 13 A10: 57
Communication Workers of America, Local 2108 (CWA)	)	MUR 1508
Chesapeake and Potomac Telephone Companies (C&P)	)	

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 1, 1983, the Commission found reason to believe that the Communication Workers of America, Local 2108 ("CWA") had violated 2 U.S.C. § 441b(a) by accepting in-kind contributions from the C&P Telephone Companies in the form of compensated time used by CWA-Local 2108 stewards in soliciting political contributions. On March 28, 1983, this Office received a response from Norman Gleichman, counsel for the respondents and an affidavit from Victor O. Musick, President of CWA Local 2108. The response states that any solicitation by CWA stewards for CWA's political action committee, COPE was insignificant in comparison to the amount of money solicited for the United Way. Further, the Local stated "it did not intend that any solicitation for COPE during the United Way solicitation would be construed as a technical violation of the Act".

In addition, the Commission decided to take no action at that time against C&P Telephone Companies. Subsequently, Charles M. Carron, counsel for C&P was contacted by the staff attorney assigned to this case regarding the affidavit submitted by Albert E. Sears, Assistant Vice President of Labor Relations. Specifically, clarification was requested concerning from whom

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Mr. Sears initially heard about CWA's requiring its stewards to solicit for the COPE while soliciting for United Way. (See Attachment 1, ¶2). Mr. Carron responded that he could not disclose from whom Mr. Sears initially heard about CWA's instruction to its stewards. He refused to disclose this information based on the attorney-client privilege.

II. LEGAL ANALYSIS

According to 2 U.S.C. § 441b(a) a corporation is prohibited from making a contribution in connection with any federal election. Based on Mr. Carron's response it is necessary to investigate further whether C&P did make an in-kind contribution to CWA's separate segregated fund (COPE) in violation of 2 U.S.C. § 441b(a). Although C&P initially maintained that the union stewards did not solicit on company time, the response from CWA indicates that a solicitation of this nature did occur. It remains unclear as to whether C&P knew of this solicitation and in fact possibly consented to the activity.

Thus, in order to investigate what occurred, the General Counsel recommends that the Commission find reason to believe that C&P violated 2 U.S.C. § 441b(a). Additionally, we have prepared questions under order in that the respondent has refused to answer the questions which the Office of General Counsel at the direction of the Commission posed to C&P.

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III. **RECOMMENDATIONS**

1. Find reason to believe that the C&P Telephone Companies violated 2 U.S.C. § 441b(a).

2. Approve the attached letter and Order to Submit Written Answers.

July 12, 1983
Date

Charles N. Steele
General Counsel

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

Attachments
1 - C&P Affidavit
2 - Proposed letter
3 - Proposed Order to Submit Written Answers with Questions

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

COMPLAINT OF JOANN TRUAX	)	MUR 1508

AFFIDAVIT OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

Albert E. Sears, being duly sworn deposes and says:

1. My name is Albert E. Sears. I am the Assistant Vice President - Labor Relations for The Chesapeake and Potomac Telephone Companies (C&P).

2. On or about September 27, 1982, I became aware that Local 2108 of Communications Workers of America (CWA) might be requiring its stewards and chief stewards to solicit contributions for the Committee on Political Education (COPE) while soliciting for the "United Way."

3. On or about September 27, 1982, I informed Mr. Edwin Lewinski, Assistant to the Vice President of the CWA that the alleged plan to solicit contributions for COPE during the United Way Campaign would violate the terms of C&P's General Agreement with the CWA and the spirit of the joint undertaking to support the United Way. Mr. Lewinski assured me that steps would be taken to ensure that contributions for COPE would not be solicited during the United Way Campaign.

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4. Subseqently, on or about Setpember 30, 1982, I received a letter from the Complainant, JoAnn Truax, containing the same allegation. I responded to Ms. Truax's letter on October 4, 1982, in which I acknowledged that Mr. Lewinski had assured me that steps would be taken to be sure that no COPE solicitations would take place during the United Way Campaign.

Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 16th day of December 1982.

Priscilla J. Fitz
Notary Public

My commission expires:

May 14, 1984

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(3)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles M. Carron
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508
C & P Telephone Companies

Dear Mr. Carron:

The Federal Election Commission notified you on December 7, 1982, of a complaint which alleges that the C&P Telephone Companies had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time. You were also notified on February 14, 1983, that the Commission decided to take no action at that time with respect to allegations against the C&P Telephone Companies.

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 C&P Telephone Companies have violated 2 U.S.C. § 441b, a provision of the Act. Specifically, it appears that C&P made in-kind contributions to the Communication Workers of America-Local 2108 (CWA) separate segregated fund (COPE) in the form of paid company time used by CWA-Local 2108 agents to solicit political contributions.

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 Order to Albert E. Sears to Answer Questions.

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 C&P Telephone Companies, the Office of General Counsel must proceed to the next

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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,

Enclosures
Procedures
Order

8 4 0 3 0 4 4 2 7 2 1

(5)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Communication Workers of America,	)	
Local 2108	)	MUR 1508
Chesapeake and Potomac Telephone	)	
Companies	)	

ORDER TO SUBMIT WRITTEN ANSWERS

To: Albert E. Sears
Assistant Vice President
C&P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within ten days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this day of , 1983.

Danny L. McDonald
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment

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Att II, page 3 of 4

QUESTIONS TO: Albert E. Sears
Assistant Vice President
Labor Relations
C&P Telephone Companies

1. In your affidavit of December 16, 1982, you stated in ¶2 that you became aware of the fact that CWA-Local 2108 may be requiring its stewards to solicit for COPE while soliciting for the United Way.

Please state from whom and under what circumstances you received this information.

2. Did you become aware that stewards of CWA-Local 2108 were, in fact, soliciting union members for COPE while soliciting for the United Way?

a. If so, when did you become aware of the solicitation?

b. Please state from whom and under what circumstances you learned that the stewards had actually solicited for COPE, while soliciting for United Way.

c. Are you aware of any action taken by C&P Telephone Companies to prevent such solicitation? If so, describe all such actions.

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Communications
Workers of America
AFL-CIO

5 20th Street, N.W., Suite 300
Washington, D.C. 20036
202 331-9802

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P2:03

CWA

April 25, 1983

Deborah Felton, Esquire
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1508 - CWA Local 2108

Dear Ms. Felton:

In my letter to you of March 28, 1983, I mentioned Local 2108's estimate of the amount of money it raised for the United Way during the 1982 campaign which is the subject of the complaint. I have been able to determine that the exact amount is $176,960.00 for 1982 (see the attached affidavit of President Musick). I believe this provides strong support for the Union's position that time spent soliciting for CWA-COPE during this period (which resulted in a total contribution of $39.00 per pay period for all members) was de minimis.

Sincerely,

Norman M. Gleichman

Norman M. Gleichman

NMG/lg

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Norman M. Gleichman
District 2 Counsel

UNITED STATES OF AMERICA
FEDERAL ELECTIONS COMMISSION

COMMUNICATIONS WORKERS OF AMERICA, LOCAL 2108) MUR 1508

AFFIDAVIT OF VICTOR O. MUSICK

I, Victor O. Musick, being duly sworn, depose and say:

1. A representative of the C&P Telephone Co. of Maryland has informed Local 2108 that the Local raised $176,960.00 for United Way in the 1982 United Way campaign.

Victor O. Musick
President, CWA Local 2108

County of Prince George's)
State of Maryland) SS:

Subscribed to and sworn before me this 21st day of April, 1983.

Geraldine L. Allison
Notary Public

My commission expires: GERALDINE L. ALLISON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 1986

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Communications
Workers of America
AFL-CIO

1015 20th Street, N.W., Suite 300
Washington, D.C. 20036

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Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: April 1, 1983

SUBJECT: MUR 1508 - Comp Inv Rpt #1

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[ ]	Compliance	[✓]
Sensitive	[ ]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[✓]	Litigation	[ ]
Sensitive	[✓]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
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Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

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COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of	)	
	)	
Chesapeake and Potomac Telephone Companies ("C&P")	)	MUR 1508
Communication Workers of America, Local 2108 ("CWA")	)	

COMPREHENSIVE INVESTIGATIVE REPORT # 1

On February 1, 1983, the Commission found reason to believe that the Communication Workers of America, Local 2108 ("CWA") had violated 2 U.S.C. § 441b(a). In addition, the Commission decided to take no action at that time against C&P Telephone Company.

On March 28, 1983, this office received a response from Norman Gleichman, counsel for the respondents and an affidavit from Victor O. Musick, President of CWA Local 2108. The response states that any solicitation by CWA stewards for COPE was insignificant in comparison to the amount of money solicited for the United Way. Further, the Local did not intend that any solicitation for COPE during the United Way solicitation would be construed as a technical violation of the Act.

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

March 31, 1983
Date

Charles N. Steele
General Counsel

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

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Communications Workers of America
AFL-CIO

101[illegible]th Street, N.W., Suite 300
Wash[illegible]ngton, D.C. 20036
202 7[illegible] 331-9802

CWA

March 28, 1983

Deborah Felton, Esquire
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1508 -
Communications Workers of America - Local 2108

Dear Ms. Felton:

Enclosed is attachment "A" to Mr. Musick's Affidavit which was inadvertently not included along with the Affidavit.

Sincerely,

Norman M. Gleichman

Norman M. Gleichman

NMG/lg

Enc.

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Norman M. Gleichman
District 2 Counsel

United Way
of the National
Capital Area

Serving Alexandria, Arlington, District of Columbia, Fairfax-Falls Church, Loudoun, Montgomery, Prince George's, and Prince William

Edwin W. Pfeiffer
President

Oral Suer
Executive Vice President

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March 15, 1983

Mr. Victor O. Musick
President
Communications Workers of America, Local 2108
4301 Garden City Drive
Landover, Maryland 20785

Dear Mr. Musick:

As General Campaign Chairman of the 1982 United Way Campaign, I'd like to take this opportunity to personally thank you for your role in helping us raise $35,220,385. This figure represents an impressive 12% increase over last year, and marks our sixth consecutive double-digit percentage increase. It makes this Campaign the best in our area's history, and one of the most successful in the nation.

This superb achievement would not have been possible without your outstanding support and can also be directly attributed to the work of internal campaign chairpersons. Your chairperson, Katie Talmage, was most instrumental in our success.

As a result of the excellent Campaign efforts of your employees, vital human service needs will continue to be met. Under your leadership, your employees earned the United Way Platinum Award. Congratulations!

In order to acknowledge the achievements of those who made this success possible, there will be an Awards Luncheon at the Washington Hilton Hotel on Friday, April 8, 1983. Hopefully, you and your campaign team will be able to attend this luncheon and accept our thanks and your well-deserved award.

A copy of this letter and reservation forms for the luncheon are being sent to your company campaign chairperson. If you have additional questions, please contact Ms. Tommie Morgan, 488-2060, and she will be glad to assist you.

Again, my congratulations and thanks to you on behalf of over one million of our neighbors who will benefit from your generosity. TOGETHER...we made the United Way Campaign work!

Sincerely,

Michael A. Brunner

Michael A. Brunner
1982 General Campaign Chairman

RECEIVED 3-17-83

cc: Katie Talmage

95 M Street, S.W., Washington, D.C. 20024 Tel. No. 202—488-2000

Communications
Workers of America
AFL-CIO

1015 20th Street, N.W., Suite 300
Washington, D.C. 20036

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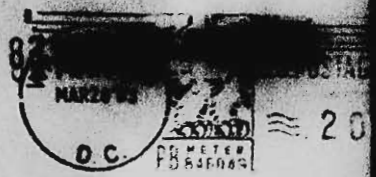

Deborah Felton, Esquire
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

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AFL-CIO

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Washington, D.C. 20036
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CWA

HAND DELIVER

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March 28, 1983

Deborah Felton, Esquire
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1508 -
Communications Workers of
America - Local 2108

Dear Ms. Felton:

This is in response to the Commission's letter of February 14, 1983. The atttached Affidavit of Victor O. Musick, President of CWA Local 2108, demonstrates that the total amount of compensated time used by each CWA steward to solicit for contributions to CWA-COPE was negligible, even assuming arguendo that all members of CWA Local 2108 were solicited and that all solicitations during the period of the United Way drive were made during working hours (Affidavit, paragraph 7). In fact, based upon the information received from a member of stewards, we know that some CWA-COPF solicitations made during the period of the 1982 United Way drive occurred outside of working hours.(Id.).

Because of the Company's accounting methods for United Way checkoff contributions, we have been unable to determine exactly how much money was raised for this charity by Local 2108. We suspect, however, that it falls within a range between $100,000 and $400,000 per year, and thus dwarfs the extremely modest sum raised for CWA-COPF (($39.00 total per pay period of one week). This is further evidence of the insignificant amount of compensated time spent by Local 2108 stewards on CWA-COPF solicitations. Because any possible C&P compensated solicitation which occurred was purely of a technical and de minimis nature, it is Local 2108's position that there has been no violation of federal law and that the Commission should proceed no further in this matter.

In this connection, Local 2108 would draw the Commission's attention to its regulation governing use of corporate facilities, 11 CFR Section 114.9 (a)(1), which states in pertinent part (emphasis supplied):

Norman M. Gleichman
District 2 Counsel

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> [E]mployees of the corporation may, subject to the rules and practices of the corporation, make occasional, isolated, or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election and will be required to reimburse the Corporation only to the extent that the overhead or operating costs of the corporation are increased. As used in this paragraph, "occasional, isolated, or incidental use" generally means-
>
> (i) When used by employees during working hours, an amount of activity during any particular work period which does not prevent the employee from completing the normal amount of work which that employee usually carries out during such work period; or
>
> * * * *
>
> (iii) Any such activity which does not exceed one hour per week or four hours per month, regardless of whether the activity is undertaken during or after normal working hours, shall be considered a s occasional, isolated, or incidental use of the corporate facilities.

In light of the fact that Local 2108 members were only solicited once by the stewards during the drive, and that each COPE solicitation lasted about 2½ minutes on the average, even if all Local 2108 members were solicited for COPE at this time, it is doubtful that any steward engaged in more than a de minimus amount of COPE solicitation under Commission regulations. Nor is there any evidence whatsoever that the minimal time spent on CWA-COPE solicitations in any way prevented the stewards from "completing the normal amount of work" assigned to him or her. On the contrary, the evidence shows that the "work" of the stewards, which in this context consisted of soliciting employees to contribute to United Way, was more successful than ever (Affidvit, paragraph 8 and Attachment "A").

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The Local never dreamed that is COPF solicitations during this period might be construed as a technical violation of federal election laws, and certainly never intended to violate federal law. In this spirit, Mr. Musick has alredy asked his stewards to solicit only for United Way during the 1983 United Way campaign and all future campaigns (Affidavit, paragraph 9).

For the reasons set out above, Local 2108 respectfully requests the Commission not to proceed further with this matter. Should you need any further information from Local 2108, please advise.

Sincerely,

Norman M. Gleichman

NMG/lg

cc: Victor O. Musick

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UNITED STATE OF AMERICA
FEDERAL ELECTIONS COMMISSION

COMMUNICATIONS WORKERS OF AMERICA, LOCAL 2108	)))	MUR 1508

AFFIDAVIT OF VICTOR O. MUSICK

I, Victor O. Musick, being duly sworn, depose and say:

1. I am president of CWA Local 2108 and have held that position at all material times herein.

2. Part of my responsibility as president is the appointment and supervision of chief stewards and stewards of Local 2108.

3. A joint campaign of Local 2108 and the C&P Telephone Co. involving Local solicitation of members to sign United Way payroll deduction authorizations took place in October, 1982.

4. 15 chief stewards and 57 stewards of Local 2108 were the United Way solicitors. Each member was solicited one time. According to reports I have received from stewards, the typical United Way solicitation took approximately twenty minutes. The Company paid the stewards and chief stewards for time spent on this solicitation project.

5. At the time of the United Way solicitations there were approximately 2600 members of Local 2108 in the C&P bargaining unit.

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6. Prior to the United Way solicitations I asked the stewards to mention to members the possibility of signing up for CWA-COPE payroll deductions. I had no idea that such solicitations might be construed as technical violations of federal election laws, and did not intend to violate any federal law.

7. Fifty-seven CWA-COPE checkoff cards representing new authorizations or authorizations for increased or decreased deductions, were turned in during the United Way solicitation period. Four checkoff cancellations were turned in during this period. The total CWA-COPE contribution represented by these new, increased, decreased and cancelled authorizations amounts to about $39.00 per one week pay period. I received reports from six stewards who accounted for thirty-seven of the fifty-seven authorizations noted above. These six (Audrey Bell, Kathryn Bowling, Dave Cullinan, Paul Goldbeck, Earl Johnson, Bob Belanger) reported that four of the thirty-seven cards were solicited outside of working time, and that the remaining thirty-three were solicited during United Way solicitations. They also reported that a typical CWA-COPE solicitation generally took about two and one half minutes.

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8. Attachment "A" hereto is a copy of a letter to me from an official of United Way, National Capital Area, commending the Local for its part in the 1982 United Way fund drive.

9. For the 1983 United Way campaign, stewards and chief stewards have been told by me to solicit only for contributions to United Way during time for which they are being paid by the Company.

Victor O. Musick
President, CWA Local 2108

County of Prince George's)
State of Maryland) SS:

Subscribed to and sworn before me this 25th day of March, 1983.

Geraldine L. Allison
Notary Public

My commission expires: July 1, 1986

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Deborah Felton
Off. of Gen. Counsel
Fed. Election Comm.
1325 K St. N.W.
13th Fl.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1983

Norman M. Gleichman, Esquire
Communication Workers of America
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508

Dear Mr. Gleichman:

This is in reference to your letter dated March 9, 1983, requesting an extension of time until March 25, 1983, to respond to the allegations in MUR 1508. Please be advised that your request has been granted.

Sincerely,

Charles N. Steele
General Counsel

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Communications Workers of America
AFL-CIO

101[illegible]th Street, N.W., Suite 300
Washington, D.C. 20036
202[illegible] 331-9802

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83 MAR 17 P4:14

March 9, 1983

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

Re: MUR 1508 -
Communications Workers of America Local 2108

Dear Ms. Felton:

I am in the process of collecting information with regard to the above matter and hereby request an extension of time until March 25, 1983 for responding to the Commission's notice dated February 14, 1983 and received in my office February 23, 1983. Thank you for your consideration of this request.

Sincerely,

Norman M. Gleichman

NMG/lg

8 4 0 3 0 4 4 2 7 4 0

Norman M. Gleichman
District 2 Counsel

Communications
Workers of America
AFL-CIO

1015 20th Street, N.W., Suite 300
Washington, D.C. 20036

FIRST CLASS

WASHINGTON, DC
7-AM
16 MAR
1983

WASHINGTON, DC
1-PM
10 MAR
1983

RECEIVED
MAR 9 '83
D.C.

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Norman M. Gleichman
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508
Communication Workers of
America - Local 2108

Dear Mr. Gleichman:

The Federal Election Commission notified you on December 7, 1982, of a complaint which alleges that the Communication Workers of America-Local 2108 has violated the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was forwarded to you at that time. We acknowledge receipt of your explanation of this matter which was dated December 16, 1982.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on February 1, 1983, determined that there is reason to believe that the CWA-Local 2108 has violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act. Specifically, it appears that CWA-Local 2108, on behalf of its separate segregated fund, may have accepted in-kind contributions from the C&P Telephone Companies in the form of compensated time used by CWA-Local 2108 agents to solicit political contributions. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within 15 days of your receipt of this notification.

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 CWA-Local 2108,

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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 Lee McDonald

DANNY L. McDONALD
Chairman

Enclosure
Procedures

8403044274 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles M. Carron
C&P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508
C&P Telephone Companies

Dear Mr. Carron:

The Federal Election Commission notified you on December 7, 1982, of a complaint which alleges that C&P Telephone Companies violated the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was forwarded to you at that time. We acknowledge receipt of your explanation of this matter which was dated December 16, 1982.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on February 1, 1983, decided to take no action at this time with respect to the allegations against C&P Telephone Companies. You will be notified if the Commission determines that further action in this matter is warranted.

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,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Communication Workers of America,	)	
Local 2108 (CWA)	)	MUR 1508
Chesapeake and Potomac Telephone	)	
Companies (C & P)	)	

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on February 1, 1983, do hereby certify that the Commission took the following actions in MUR 1508:

1. Decided by a vote of 6-0 to take no action at this time with respect to the General Counsel's recommendation to find no reason to believe that the C & P Telephone Companies violated 2 U.S.C. §441b(a).

   Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

2. Decided by a vote of 5-1 to find reason to believe that the Communication Workers of America violated 2 U.S.C. §441b(a).

   Commissioners Aikens, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision; Commissioner Elliott dissented.

3. Decided by a vote of 6-0 to authorize the Office of General Counsel to send appropriate letters pursuant to the above actions.

   Commissioners Aikens, Harris, Elliott, McDonald, McGarry, and Reiche voted affirmatively for this decision.

Attest:

February 2, 1983

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

8403044274 5

January 18, 1983

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1508

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

Attachment

cc: Felton

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

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

DATE: JANUARY 20, 1983

SUBJECT: OBJECTION - MUR 1508 First General Counsel's Report dated January 18, 1983

The above-named document was circulated to the Commission on January 19, 1983 at 4:00.

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

Commissioner Aikens _____

Commissioner Elliott _____

Commissioner Harris _____

Commissioner McDonald _____

Commissioner McGarry _____

Commissioner Reiche X (comments attached)

This matter will be placed on the Executive Session agenda for Tuesday, February 1, 1983.

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SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

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

83 JAN 19 A 9: 47

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 1-18-83

MUR # 1508
DATE COMPLAINT RECEIVED BY OGC December 6, 1982
DATE OF NOTIFICATION TO RESPONDENT December 7, 1982
STAFF MEMBER Deborah Felton

COMPLAINANT'S NAME: Jo Ann Truax

RESPONDENTS' NAMES: Communication Workers of America, Local 2108 ("CWA")
Chesapeake and Potomac Telephone Companies ("C & P")

RELEVANT STATUTE: 2 U.S.C. § 441b(a)
2 U.S.C. § 441b(b)(3)(B) and (C)
11 C.F.R. § 100.7(a)(3)(i)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On December 6, 1982, the Office of General Counsel received a complaint from Jo Ann Truax, an employee of the Chesapeake and Potomac Telephone Company, alleging that the Communication Workers of America, Local 2108 ("CWA") and its Committee on Political Education ("COPE"), and the Chesapeake and Potomac Telephone Company ("C & P") violated the Federal Election Campaign Act.

The complainant alleges that during the collection of pledges for the United Way Campaign, the Chief Steward and stewards were also collecting pledges for CWA's political

8403044274 3

action committee, COPE. She submits that the stewards were instructed by the president of CWA's Local 2108 to solicit for COPE while they were soliciting for the United Way. The complainant states that when she was chief steward, she was also instructed in the same manner to collect pledges for the United Way and COPE. 1/ The complainant also believes that corporate contributions (presumably those made to the United Way) are being commingled with the private contributions made to COPE.

According to the complainant, the solicitation of COPE contributions is conducted during working hours at C & P. The complainant submits that the total number of hours spent by stewards soliciting pledges on company time represents "in-kind" contributions by C & P.

FACTUAL AND LEGAL ANALYSIS

A response has been received by C & P regarding the allegations herein. Mr. Sears, Assistant Vice President of Labor Relations for C & P, submitted an affidavit stating that he was made aware on September 27, 1982, that Local 2108 of CWA might be requiring their stewards to solicit for COPE while soliciting for the United Way. (See Attachment 1). However, he submitted that CWA assured him that contributions for COPE would not be solicited during the United Way Campaign. Furthermore, he

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1/ The complainant states that she has names of witnesses, but she has not submitted them with this complaint.

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stated he advised the union that any such solicitation for COPE would violate C & P's General Agreement with the CWA. Counsel for C & P explained in the cover letter accompanying Mr. Sears' affidavit that the General Agreement does not permit on the job solicitations for the union's political fund.

In response to notification from the Commission of the complaint, CWA submitted a letter from its General Counsel. (See Attachment II). CWA denies any violation, asserts that the complainant has not stated any claim under the Act, and asserts that the arrangements for the use of company time for CWA-COPE solicitations are a matter of collective bargaining beyond the FEC's jurisdiction. 2/

In our view, the complainant has presented insufficient evidence to support a finding of reason to believe that either C & P or CWA violated any provision of the Act. With regard to a possible in-kind contribution by C & P to CWA's separate

---

2/ With regard to the latter assertion, the mere fact that certain matters are the subject of a collective bargaining agreement does not necessarily remove them from the purview of the Act. For example, if the company agreed as part of a collective bargaining agreement to pay for all of the administrative and solicitation costs of the union's separate segregated fund or agreed to provide direct transfers to such fund, the Act would cover such matters. The Commission, in fact, in Advisory Opinion 1979-21, 1 Federal Election Campaign Financing Guide (CCH) ¶5431, at 10, 464 (1979), held that the Communications Workers of America COPE Political Contributions Committee could not, as part of a collective bargaining agreement, receive at no cost the value of a payroll deduction plan for political contributions administered by the corporate employer.

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segregated fund (COPE) in violation of 2 U.S.C. § 441b(a), the responses suggest that although there may have been a plan at one time to have union stewards solicit for COPE, it did not come to fruition. Thus, it appears that no C & P employees actually engaged in political activities on paid company time. Even though the complainant stated that she herself received instructions to solicit for COPE on company time, no evidence was presented to show that she had carried out such instructions. Moreover, even if some employees did solicit COPE contributions on paid company time, the complainant has provided no evidence that the time used was not made up by the employees within a reasonable time. See 11 C.F.R. § 100.7(a)(3)(i).

With regard to possible violations by CWA, for the reasons set forth above, there does not appear to be a basis for finding that CWA's separate segregated fund (COPE) accepted prohibited in-kind contributions from C & P. The allegation that corporate funds were somehow being commingled with voluntary contributions to COPE, which would be a violation of 2 U.S.C. § 441b(a) for COPE's acceptance of prohibited funds, is not explained or substantiated by complainant. There is no assertion by complainant, for example, that union stewards collected corporate funds while soliciting for the United Way Campaign and then combined such funds with voluntary contributions to COPE.

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Finally, even if a solicitation for COPE by union stewards did occur, complainant has not presented evidence to suggest that solicitees were not advised of the political nature of the fund and of their right to refuse to contribute without reprisal. See 2 U.S.C. § 441b(b)(3)(B) and (C).

Based upon the foregoing analysis, there appears to be no basis for proceeding against C & P or CWA. Therefore, the General Counsel recommends that the Commission find no reason to believe that C & P violated 2 U.S.C. § 441b(a) and find no reason to believe that CWA violated 2 U.S.C. § 441b(a) or § 441b(b)(3)(B) and (C).

Recommendations

1. Find no reason to believe that the C & P Telephone Companies violated 2 U.S.C. § 441b(a).

2. Find no reason to believe that the Communication Workers of America violated 2 U.S.C. § 441b(a) or 441b(b)(3)(B) and (C).

3. Close the file.

4. Approve the attached letters.

January 18, 1983
Date

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachments
1 - C & P response
2 - CWA response
3 - proposed letters

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RECEIVED AT THE FEC

C&P Telephone

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-8900

December 16, 1982

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

Re: Complaint of JoAnn Truax, MUR 1508

Commissioners:

This letter is in response to the Commission's letter of December 7, 1982, concerning the allegations made in a complaint filed by Ms. JoAnn Truax.

Ms. Truax does not allege any violation of the Federal Election Law by a committee sponsored by any of The Chesapeake and Potomac Telephone Companies. The matters complained of involve the chief stewards and stewards of Local 2108 of Communications Workers of America (CWA) acting on behalf of the CWA's Committee on Political Education (COPE). We understand that CWA-COPE is a separate segregated fund for political purposes that is sponsored by the CWA.

On the job solicitation of contributions for the union's political fund is not permitted under C&P's General Agreement with the CWA. As evidenced by the attached affidavit of C&P's Assistant Vice President - Labor Relations, C&P took prompt action to prevent any such solicitation when informed of CWA Local 2108's alleged plans to collect COPE pledges from employees of The Chesapeake and Potomac Telephone Company of Maryland during the recent United Way Campaign. A senior union official gave the Company assurance that steps would be taken to ensure that there would not be any such solicitation of funds for CWA-COPE.

It is evident that none of The Chesapeake and Potomac Telephone Companies have participated in or condoned the alleged solicitation of funds for CWA-COPE by Local 2108; thus, further action against any of the C&P Companies is not warranted. If the Commission determines that further investigation of the activities of Local 2108 is appropriate, it can be assured of our full cooperation.

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If it is established that any solicitation of funds for CWA-COPE occurred on company time, we will seek full reimbursement from the CWA.

Sincerely,

John W. Plaatje

Charles M. Carron

Counsel for The Chesapeake and Potomac Telephone Companies

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82 DEC 17 A9:41

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

COMPLAINT OF JOANN TRUAX	)	MUR 1508

AFFIDAVIT OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

Albert E. Sears, being duly sworn deposes and says:

1. My name is Albert E. Sears. I am the Assistant Vice President - Labor Relations for The Chesapeake and Potomac Telephone Companies (C&P).

2. On or about September 27, 1982, I became aware that Local 2108 of Communications Workers of America (CWA) might be requiring its stewards and chief stewards to solicit contributions for the Committee on Political Education (COPE) while soliciting for the "United Way."

3. On or about September 27, 1982, I informed Mr. Edwin Lewinski, Assistant to the Vice President of the CWA that the alleged plan to solicit contributions for COPE during the United Way Campaign would violate the terms of C&P's General Agreement with the CWA and the spirit of the joint undertaking to support the United Way. Mr. Lewinski assured me that steps would be taken to ensure that contributions for COPE would not be solicited during the United Way Campaign.

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4. Subseqently, on or about Setpember 30, 1982, I received a letter from the Complainant, JoAnn Truax, containing the same allegation. I responded to Ms. Truax's letter on October 4, 1982, in which I acknowledged that Mr. Lewinski had assured me that steps would be taken to be sure that no COPE solicitations would take place during the United Way Campaign.

Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 16th day of December 1982.

Priscilla J. Fitz
Notary Public

My commission expires:

May 14, 1984

84030442736

Communications
Workers of America
1111 16th Street N.W. Suite 800
Washington, D.C. 20036
202 xxxxxxx 331-9802

RECEIVED BY THE FEC
82 DEC 20 A10:43

CWA

December 16, 1982

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

Re: MUR 1508

Dear Mr. Gross:

This office represents Communications Workers of America Local 2108 in the above matter. It is the position of Local 2108 that, for the reasons which follow, the Commission should take no action against the Local Union in connection with the complaint filed by JoAnn Truax.

In essence Ms. Truax complains that Local 2108 violated the Federal Election Campaign Act of 1974 because Union stewards solicited contributions to the CWA Committee on Political Education ("CWA COPE") "during working hours." But even if this allegation were proved it would not constitute a violation of the Act. Ms. Truax has not stated any facts which suggest that Local 2108 has made a "contribution or expenditure" prohibited by §441b(a) of the Act. Indeed, Ms. Truax concedes that money allegedly solicited by stewards of Local 2108 goes into a separate fund (CWA COPE). But §411b(b)(4)(A)(ii) states explicitly that labor organizations may solicit contributions from members to such a fund; and of course the Commission's own regulations make clear that the establishment of such a fund is not a "contribution and expenditure" within the meaning of the Act. 11 CFR 114.1(a)(2)(iii).

The pay treatment of employees who solicit contributions to the separate fund, or the hours during which such funds may be solicited, are terms and conditions of employment which are entirely matters of collective bargaining between

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Norman M. Gleichman

Attachment II, page 1 of 2

CWA and the C&P Telephone Companies; they are clearly beyond the purview of the Commission. I am not aware of any provision in the Act or Commission regulation concerning these subjects.

Accordingly, Local 2108 urges that the Commission dismiss the complaint herein. Should you have any questions concerning the position of Local 2108 in this matter, please contact the undersigned.

Sincerely,

Norman M. Gleichman

NMG/lg

cc: George R. Strick
Edwin Lewinski
James Mazzi
Victor O. Musick

8403044278

Attachment 2, page 2 of 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles M. Carron
C & P Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Re: MUR 1508
C & P Telephone Companies

Dear Mr. Carron:

On December 7, 1982, the Commission notified you of a complaint alleging that C & P Telephone Companies 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. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

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Attachment 3, page 1 of 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Norman M. Gleichman
1015 - 20th Street, N.W.
Suite 300
Washington, D.C. 20036

Re: MUR 1508
Communication Workers of
America - Local 2108

Dear Mr. Gleichman:

On December 7, 1982, the Commission notified you of a complaint alleging that Communication Workers of America - Local 2108 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. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

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Attachment 3, p 2 of 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Jo Ann Truax
9356 Cherry Hill Road, #202
College Park, Maryland 20740

Re: MUR 1508

Dear Ms. Truax:

The Federal Election Commission has reviewed the allegations of your complaint dated September 9, 1982, and determined that on the basis of the information provided in your complaint and information provided by the Respondents there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, has been committed. See the enclosed Report.

Accordingly, the Commission has decided to close the file in this matter. 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).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
First General Counsel's Report

8405044276 1

Attachment 3, page 3 of 3

Communications Workers of America
AFL-CIO

20th Street, N.W., Suite 300
ington, D.C. 20036
202 331-9802

203633

RECEIVED AT THE FEC
acc# 9141
82 DEC 20 A10:

CWA

82 DEC 20 P1:38

December 16, 1982

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

Re: MUR 1508

Dear Mr. Gross:

This office represents Communications Workers of America Local 2108 in the above matter. It is the position of Local 2108 that, for the reasons which follow, the Commission should take no action against the Local Union in connection with the complaint filed by JoAnn Truax.

In essence Ms. Truax complains that Local 2108 violated the Federal Election Campaign Act of 1974 because Union stewards solicited contributions to the CWA Committee on Political Education ("CWA COPE") "during working hours." But even if this allegation were proved it would not constitute a violation of the Act. Ms. Truax has not stated any facts which suggest that Local 2108 has made a "contribution or expenditure" prohibited by §441b(a) of the Act. Indeed, Ms. Truax concedes that money allegedly solicited by stewards of Local 2108 goes into a separate fund (CWA COPE). But §411b(b)(4)(A)(ii) states explicitly that labor organizations may solicit contributions from members to such a fund; and of course the Commission's own regulations make clear that the establishment of such a fund is not a "contribution and expenditure" within the meaning of the Act. 11 CFR 114.1(a)(2)(iii).

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Norman M. Gleichman
District 2 Counsel

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Accordingly, Local 2108 urges that the Commission dismiss the complaint herein. Should you have any questions concerning the position of Local 2108 in this matter, please contact the undersigned.

Sincerely,

Norman M. Gleichman

NMG/lg

cc: George R. Strick
Edwin Lewinski
James Mazzi
Victor O. Musick

8 4 0 3 0 4 4 2 7 5 3

Communications
Workers of America
AFL-CIO

1015 20th Street, N.W., Suite 300
Washington, D.C. 20036

FIRST CLASS

WASHINGTON, D.C.
PM
18 DEC
1982

RECEIVED AT THE FEC

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

Return Postage Guaranteed

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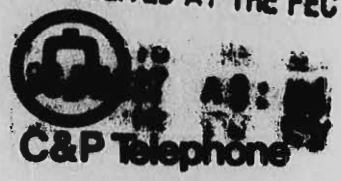

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-8900

December 16, 1982

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

Re: Complaint of JoAnn Truax, MUR 1508

Commissioners:

This letter is in response to the Commission's letter of December 7, 1982, concerning the allegations made in a complaint filed by Ms. JoAnn Truax.

Ms. Truax does not allege any violation of the Federal Election Law by a committee sponsored by any of The Chesapeake and Potomac Telephone Companies. The matters complained of involve the chief stewards and stewards of Local 2108 of Communications Workers of America (CWA) acting on behalf of the CWA's Committee on Political Education (COPE). We understand that CWA-COPE is a separate segregated fund for political purposes that is sponsored by the CWA.

On the job solicitation of contributions for the union's political fund is not permitted under C&P's General Agreement with the CWA. As evidenced by the attached affidavit of C&P's Assistant Vice President - Labor Relations, C&P took prompt action to prevent any such solicitation when informed of CWA Local 2108's alleged plans to collect COPE pledges from employees of The Chesapeake and Potomac Telephone Company of Maryland during the recent United Way Campaign. A senior union official gave the Company assurance that steps would be taken to ensure that there would not be any such solicitation of funds for CWA-COPE.

It is evident that none of The Chesapeake and Potomac Telephone Companies have participated in or condoned the alleged solicitation of funds for CWA-COPE by Local 2108; thus, further action against any of the C&P Companies is not warranted. If the Commission determines that further investigation of the activities of Local 2108 is appropriate, it can be assured of our full cooperation.

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If it is established that any solicitation of funds for CWA-COPE occurred on company time, we will seek full reimbursement from the CWA.

Sincerely,

John W. Plaatje

Charles M. Carron

Counsel for The Chesapeake
and Potomac Telephone Companies

8403044427556

RECEIVED AT THE FEC
82 DEC 17 A9:

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

COMPLAINT OF JOANN TRUAX	)	MUR 1508

AFFIDAVIT OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

Albert E. Sears, being duly sworn deposes and says:

1. My name is Albert E. Sears. I am the Assistant Vice President - Labor Relations for The Chesapeake and Potomac Telephone Companies (C&P).

2. On or about September 27, 1982, I became aware that Local 2108 of Communications Workers of America (CWA) might be requiring its stewards and chief stewards to solicit contributions for the Committee on Political Education (COPE) while soliciting for the "United Way."

3. On or about September 27, 1982, I informed Mr. Edwin Lewinski, Assistant to the Vice President of the CWA that the alleged plan to solicit contributions for COPE during the United Way Campaign would violate the terms of C&P's General Agreement with the CWA and the spirit of the joint undertaking to support the United Way. Mr. Lewinski assured me that steps would be taken to ensure that contributions for COPE would not be solicited during the United Way Campaign.

8 4 0 3 0 4 4 2 7 5 7

4. Subseqently, on or about Setpember 30, 1982, I received a letter from the Complainant, JoAnn Truax, containing the same allegation. I responded to Ms. Truax's letter on October 4, 1982, in which I acknowledged that Mr. Lewinski had assured me that steps would be taken to be sure that no COPE solicitations would take place during the United Way Campaign.

Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 16th day of December 1982.

Priscilla J. Fitz
Notary Public

My commission expires:

May 14, 1984

8 4 0 3 0 4 4 2 7 5 8

STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1508

NAME OF COUNSEL: John W. Plaatje, Charles M. Carron

ADDRESS: The Chesapeake and Potomac Telephone Companies
1710 H Street, N. W.
Washington, D.C. 20006

TELEPHONE: (202) 392-2934 (Plaatje)
(202) 392-3236 (Carron)

The above-named individuals are hereby designated as counsel for each of The Chesapeake and Potomac Telephone Companies and are authorized to receive any notifications and other communications from the Commission and to act on behalf of any of the C&P Companies before the Commission.

THE CHESAPEAKE AND POTOMAC
TELEPHONE COMPANIES

December 16, 1982 — John M. Kelleher, General Solicitor

Date — Signature

NAME: The Chesapeake and Potomac Telephone Companies

ADDRESS: 1710 H Street, N. W.
Washington, D.C. 20006

HOME PHONE:

BUSINESS PHONE: (202) 392-5118

8403042756

RECEIVED AT THE FEC

C&P Telephone

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-9900

December 16, 1982

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

Re: Complaint of JoAnn Truax, MUR 1508

Commissioners:

This letter is in response to the Commission's letter of December 7, 1982, concerning the allegations made in a complaint filed by Ms. JoAnn Truax.

Ms. Truax does not allege any violation of the Federal Election Law by a committee sponsored by any of The Chesapeake and Potomac Telephone Companies. The matters complained of involve the chief stewards and stewards of Local 2108 of Communications Workers of America (CWA) acting on behalf of the CWA's Committee on Political Education (COPE). We understand that CWA-COPE is a separate segregated fund for political purposes that is sponsored by the CWA.

On the job solicitation of contributions for the union's political fund is not permitted under C&P's General Agreement with the CWA. As evidenced by the attached affidavit of C&P's Assistant Vice President - Labor Relations, C&P took prompt action to prevent any such solicitation when informed of CWA Local 2108's alleged plans to collect COPE pledges from employees of The Chesapeake and Potomac Telephone Company of Maryland during the recent United Way Campaign. A senior union official gave the Company assurance that steps would be taken to ensure that there would not be any such solicitation of funds for CWA-COPE.

It is evident that none of The Chesapeake and Potomac Telephone Companies have participated in or condoned the alleged solicitation of funds for CWA-COPE by Local 2108; thus, further action against any of the C&P Companies is not warranted. If the Commission determines that further investigation of the activities of Local 2108 is appropriate, it can be assured of our full cooperation.

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If it is established that any solicitation of funds for CWA-COPE occurred on company time, we will seek full reimbursement from the CWA.

Sincerely,

John W. Plaatje

Charles M. Carron

Counsel for The Chesapeake
and Potomac Telephone Companies

8403044277 1

RECEIVED AT THE FEC
82 DEC 17 A 8:

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

COMPLAINT OF JOANN TRUAX	)	MUR 1508

AFFIDAVIT OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

Albert E. Sears, being duly sworn deposes and says:

1. My name is Albert E. Sears. I am the Assistant Vice President - Labor Relations for The Chesapeake and Potomac Telephone Companies (C&P).

2. On or about September 27, 1982, I became aware that Local 2108 of Communications Workers of America (CWA) might be requiring its stewards and chief stewards to solicit contributions for the Committee on Political Education (COPE) while soliciting for the "United Way."

3. On or about September 27, 1982, I informed Mr. Edwin Lewinski, Assistant to the Vice President of the CWA that the alleged plan to solicit contributions for COPE during the United Way Campaign would violate the terms of C&P's General Agreement with the CWA and the spirit of the joint undertaking to support the United Way. Mr. Lewinski assured me that steps would be taken to ensure that contributions for COPE would not be solicited during the United Way Campaign.

8 4 0 3 0 4 4 2 7 7 2

4. Subseqently, on or about Setpember 30, 1982, I received a letter from the Complainant, JoAnn Truax, containing the same allegation. I responded to Ms. Truax's letter on October 4, 1982, in which I acknowledged that Mr. Lewinski had assured me that steps would be taken to be sure that no COPE solicitations would take place during the United Way Campaign.

Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 16th day of December 1982.

Priscilla J. Fitz
Notary Public

My commission expires:

May 14, 1984

8 4 0 3 0 4 4 2 7 7 3

STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1508

NAME OF COUNSEL: John W. Plaatje, Charles M. Carron

ADDRESS: The Chesapeake and Potomac Telephone Companies
1710 H Street, N. W.
Washington, D.C. 20006

TELEPHONE: (202) 392-2934 (Plaatje)
(202) 392-3236 (Carron)

The above-named individuals are hereby designated as counsel for each of The Chesapeake and Potomac Telephone Companies and are authorized to receive any notifications and other communications from the Commission and to act on behalf of any of the C&P Companies before the Commission.

THE CHESAPEAKE AND POTOMAC
TELEPHONE COMPANIES

December 16, 1982 — John M. Kelleher, General Solicitor

Date — Signature

NAME: The Chesapeake and Potomac Telephone Companies

ADDRESS: 1710 H Street, N. W.
Washington, D.C. 20006

HOME PHONE:

BUSINESS PHONE: (202) 392-5118

8403044277 4

RECEIVED AT THE FEC
82 DEC 17 A9:

C&P Telephone
1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-8900

December 16, 1982

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

Re: Complaint of JoAnn Truax, MUR 1508

Commissioners:

This letter is in response to the Commission's letter of December 7, 1982, concerning the allegations made in a complaint filed by Ms. JoAnn Truax.

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It is evident that none of The Chesapeake and Potomac Telephone Companies have participated in or condoned the alleged solicitation of funds for CWA-COPE by Local 2108; thus, further action against any of the C&P Companies is not warranted. If the Commission determines that further investigation of the activities of Local 2108 is appropriate, it can be assured of our full cooperation.

8 4 0 3 0 4 4 2 7 7 5

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Sincerely,

John W. Plaatje

Charles M. Carron

Counsel for The Chesapeake
and Potomac Telephone Companies

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RECEIVED AT THE FEC
82 DEC 17 A9:12

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

COMPLAINT OF JOANN TRUAX	)	MUR 1508

AFFIDAVIT OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

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Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 16th day of December 1982.

Priscilla J. Fitz
Notary Public

My commission expires:

May 14, 1984

8403044277 8

STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1508

NAME OF COUNSEL: John W. Plaatje, Charles M. Carron

ADDRESS: The Chesapeake and Potomac Telephone Companies
1710 H Street, N. W.
Washington, D.C. 20006

TELEPHONE: (202) 392-2934 (Plaatje)
(202) 392-3236 (Carron)

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THE CHESAPEAKE AND POTOMAC
TELEPHONE COMPANIES

December 16, 1982 — John M Kelleher, General Solicitor

Date — Signature

NAME: The Chesapeake and Potomac Telephone Companies

ADDRESS: 1710 H Street, N. W.
Washington, D.C. 20006

HOME PHONE:

BUSINESS PHONE: (202) 392-5118

8403044279

RECEIVED AT THE FEC

C&P Telephone

1710 H Street, N.W.
Washington, D.C. 20006
Phone (202) 392-9900

December 16, 1982

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

Re: Complaint of JoAnn Truax, MUR 1508

Commissioners:

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8 4 0 3 0 4 4 2 7 3 0

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Sincerely,

John W. Plaatje

Charles M. Carron

Counsel for The Chesapeake and Potomac Telephone Companies

8403044281

RECEIVED AT THE FEC
82 DEC 17 A9:42

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

COMPLAINT OF JOANN TRUAX	)	MUR 1508

AFFIDAVIT OF ALBERT E. SEARS

DISTRICT OF COLUMBIA, ss:

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Albert E. Sears
ALBERT E. SEARS

Subscribed and sworn to before me this 16th day of December 1982.

Priscilla J. Fitz
Notary Public

My commission expires:

May 14, 1984

8403044278 3

STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1508

NAME OF COUNSEL: John W. Plaatje, Charles M. Carron

ADDRESS: The Chesapeake and Potomac Telephone Companies
1710 H Street, N. W.
Washington, D.C. 20006

TELEPHONE: (202)392-2934 (Plaatje)
(202)392-3236 (Carron)

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THE CHESAPEAKE AND POTOMAC
TELEPHONE COMPANIES

December 16, 1982 — General Solicitor

Date — Signature

NAME: The Chesapeake and Potomac Telephone Companies

ADDRESS: 1710 H Street, N. W.
Washington, D.C. 20006

HOME PHONE:

BUSINESS PHONE: (202)392-5118

8403044279 4

Gcc # 9130

STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1508

12 DEC 16 P2:22

NAME OF COUNSEL: Norman M. Gleichman

ADDRESS: 1015 20th Street, N.W.
Suite 300
Washington, D.C. 20036

TELEPHONE: (202) 331-9802

The above-named individual is hereby designated as my counsel and is authorizied to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

8403044273 5

December 10, 1982

Date

Victor O. Musick Jr.

Signature

NAME: Victor O. Musick, Jr. President CWA Local 2108

ADDRESS: 4301 Garden City Drive
Landover, Maryland 20785

HOME PHONE: 439-5084

BUSINESS PHONE: 459-8844

Communications
Workers of America
AFL-CIO

1015 20th Street, N.W., Suite 300
Washington, D.C. 20036

FIRST CLASS

WASHINGTON, D.C. PM 15 DEC 1982

WASHINGTON DEC 15 '82 D.C.

U.S. POSTAGE 20

Federal Election Commission
Washington, D.C. 20463

82 DEC 16 PM 3:03

Return Postage Guaranteed

40 0 0 4 4 2 7 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Communications Workers of America
Local 2108
Mr. Victor O. Musick, President
4301 Garden City Drive, Suite 102
Landover, MD

Re: MUR 1508

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Dear Mr. Musick:

This letter is to notify you that on December 6, 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 1508. 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.

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

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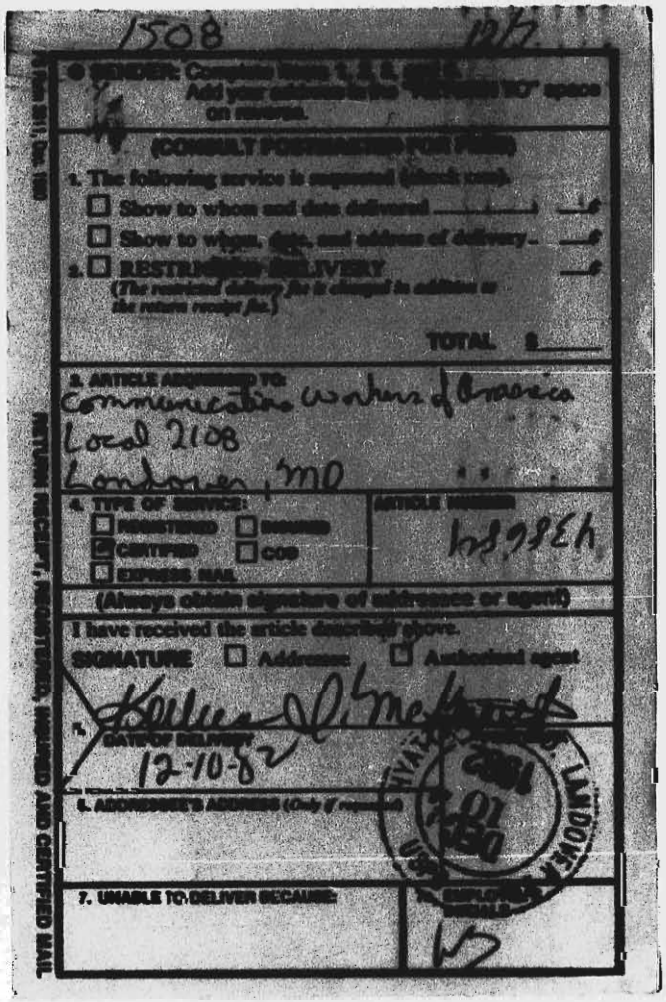
1508

(CONSULT POSTMASTER FOR FEES)

The following service is requested (check one)

Show to whom and date delivered

Show to whom, date, and address of delivery

RESTRICTED DELIVERY

TOTAL $

3. ARTICLE ADDRESSED TO:
Communications Workers of America
Local 2108
Landover, MD

4. TYPE OF SERVICE:
REGISTERED INSURED
CERTIFIED COD
EXPRESS MAIL

ARTICLE NUMBER
P 343 984 [illegible]

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

DATE OF DELIVERY
12-10-82

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

8. SERVICE CHARGE

PLEASE RETURN THIS CARD

RETURN RECEIPT, ARTICLE DELIVERED AND DELIVERY RECORD

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

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Chesapeake & Potomac Telephone Company
Mr. Robert E. Allen, President
930 H Street, NW
Washington, D.C. 20001

Re: MUR 1508

Dear Mr. Allen:

This letter is to notify you that on December 6, 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 1508. Please refer to this number in all future correspondence.

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

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

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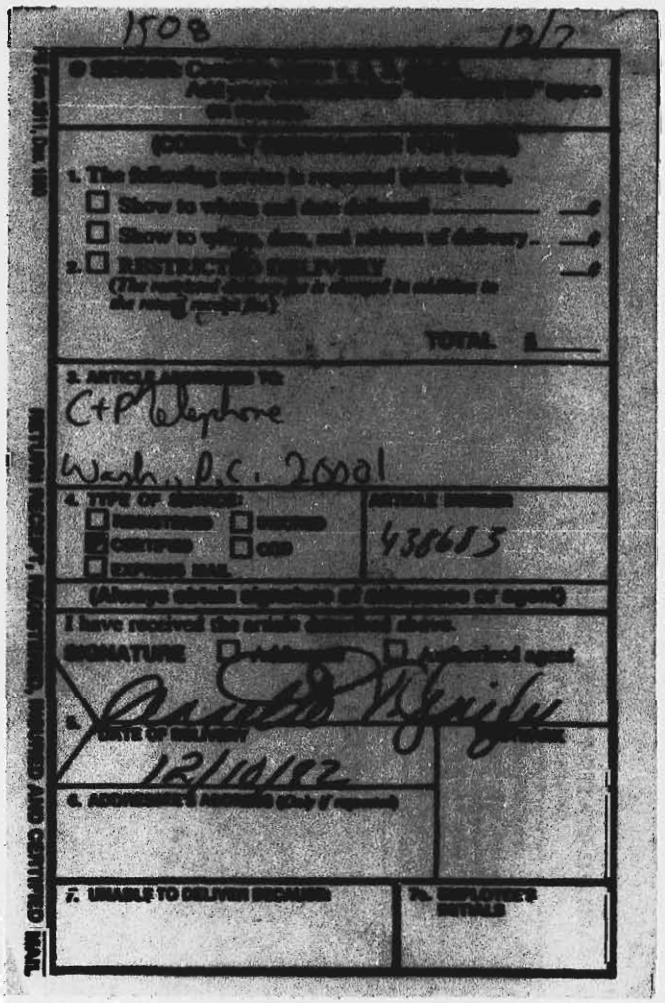
If you have any questions, please contact Deborah Felton, the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

8403044270


1508 12/7
C+P Telephone
Wash., D.C. 20001
438615
12/10/82

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

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1982

Ms. Jo Ann Truax
9356 Cherry Hill Road #202
College Park, MD 20740

Dear Ms. Truax:

This letter is to acknowledge receipt of your complaint which we received on December 6, 1982, against the Communications Workers of America, Local 2108 and Chesapeake & Potomac Telephone Company which alleges violations of the Federal Election Campaign laws. Unfortunately, I was not made aware of the fact that you had attempted to contact me. 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

8403044279 1

Ccc# 9048.

2 DEC 6 P 2:28

Dear Mr. Gross,

I hope the enclosed letter meets all your criteria for your investigation. I'm sorry for the delay, but I tried calling you to discuss the matter, however I never received a call back from you. I assume you everything in the letter is the status and I'm prepared to help you in any way possible.

Sincerely,

Jean Tucap

8405044279 2

September 9, 1982

Federal Election Commission
Washington, D.C. 20463
Attn: Kenneth A Gross

Dear Mr. Gross,

In response to your letter, this complaint is in regards to a violation of Federal Laws prohibiting Corporate Contributions from being mixed with private contributions when these combined contributions are used to support a candidate for Federal office. The Communications Workers of America Local 2108, 4301 Garden City Drive Suite 102, Landover, Maryland whose president is Peter J. Nusca instructs their stewards and chief stewards to collect pledges to the CWA COPE (Committee on Political Education) fund. These stewards and chief stewards are being paid by the C&P Telephone Co as well as the solicited workers. All activity occurs during working hours while theoretically they are soliciting pledges for the United Way program. I do not believe the telephone company is aware of this practice, but the total number of hours represents thousands of dollars in political contributions in kind made by the C&P Telephone Company.

When I was a chief steward I personally received instructions from the president to solicit these funds in this manner. There are witnesses who have received the

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same instructions within the last three weeks of this date. The proof of this activity would be to check the pledge dates of both Cope fund pledges and the United Long pledges. They both occur the same time during regular working hours when both the solicitor and employee are taken off the job with compensation.

I would be very happy to discuss this matter with you. I'm interested in correcting this violation of federal laws as quickly as possible. Because of my concern of corporate funds being spent on the election of federal officials I await your reply.

Sincerely,

JoAnn Truax
9356 Cherry Hill Rd #202
College Park, Md. 20740
home - 345-4406
office - 954-4319

I swear the above information is true to the best of my knowledge.

8 4 0 3 0 4 4 2 7

State of Maryland
County of Prince George, City of Hyattsville
On this 30th day of November, 1982, before me, the undersigned officer, personally appeared JoAnn Truax, known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.
In witness whereof, I hereunto set my hand and official seal.

Subscribed and sworn to before me this 30th day of November 1982.

Gertrude McCamley
Notary Public (My commission expired 7/1/87)

O ANN TRUAX
3356 Cherry Hill Road
#202
College PARK, Maryland
20740

PRINCE GEORGES, MD 207
PM
3 DEC
1982

Federal Election Commission
Washington, D.C. 20463

Attn:
Kenneth A. Gross

82 DEC 6 A9:39

American Federation of Labor and Congress of Industrial Organizations

815 Sixteenth Street, N.W.
Washington, D.C. 20006

Ms. Maura White
Office of the General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

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FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1508

Date Filmed 2/10/84 Camera No. --- 4

Cameraman JRL