



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1623

Date Filmed 11/13/84 Camera No. --- 2

Cameraman JBL

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FEDERAL ELECTION COMMISSION

12-Day Reports and Comments
12-Day Pre-Brief Reports
and Comments

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

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

Signed Robert H. Wessenhorn
date 11/2/84

FEC 9-21-77

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FEDERAL ELECTION COMMISSION

Routing slips and cards

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

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

Signed Lawrence H. Wasserman
date 11/2/84

FEC 9-21-77

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FEDERAL ELECTION COMMISSION

Bank account numbers

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):

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

Signed Lawrence H. Wersanbon
date 11/2/84

FEDERAL ELECTION COMMISSION

Conciliation Materials

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

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

Signed Joseph H. Wersan
date 11/2/84

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 22, 1984

William E. Gluba
2421 Gaines Street
Davenport, Iowa 52803

RE: MUR 1623
Gluba for Congress Committee
Charles L. Messmer as
treasurer

Dear Mr. Gluba:

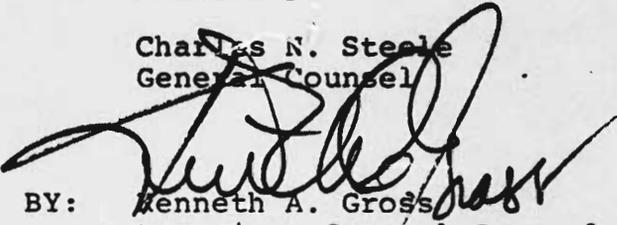
On October 18, 1984, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, by the Gluba for Congress Committee. Accordingly, the file in this matter has been closed, and it will become part of the public record within thirty days.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84040482851

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1623
Gluba for Congress Committee)
Charles L. Messmer as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that the Gluba for Congress Committee and Charles L. Messmer as Treasurer ("Respondents") violated 2 U.S.C. § 441a(f) by accepting aggregated contributions from AFL-CIO COPE-PCC, the Cedar Rapids Building and Trades Reference and Safety Book, and the Quad City Federation of Labor, AFL-CIO, which exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents voluntarily enter into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The AFL-CIO COPE-PCC is a separate segregated fund of a labor organization, the AFL-CIO.

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2. Quad City Federation of Labor AFL-CIO and the Cedar Rapids Building and Trades Reference and Safety Book ("CRBTRSB") are separate segregated funds respectively of a local unit of the AFL-CIO and of a local unit of a department of the AFL-CIO, the Building and Construction Trades Department.

3. In 1982 Respondents accepted contributions totaling \$4,800 from AFL-CIO COPE-PCC for use in the general election campaign.

4. In 1982 Respondents accepted a contribution of \$1,700 from the Quad City Federation of Labor AFL-CIO for use in the general election campaign.

5. In 1982 Respondents accepted a contribution of \$500 from CRBTRSB for use in the general election campaign.

6. The aggregated contributions accepted by Respondents in 1982 from AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO and CRBTRSB for the general election totaled \$7,000.

7. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a candidate for federal office with respect to any election.

8. 2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees established or financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit of such labor

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organization, are to be considered to have been made by a single committee.

9. AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO, and CRBTRSB in 1982 shared a \$5,000 contribution limitation as affiliated multicandidate committees.

10. 2 U.S.C. § 441a(f) prohibits a political committee from accepting any contributions in violation of the contribution limitations set forth at 2 U.S.C.

§ 441a(a)(2)(A).

V. By accepting contributions in 1982 for the general election from AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO, and CRBTRSB, which totaled \$7,000, Respondents violated 2 U.S.C. § 441a(f).

VI. Respondents will pay in the aggregate a civil penalty of One Thousand Dollars (\$1,000.00) to the Treasurer of the United States pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

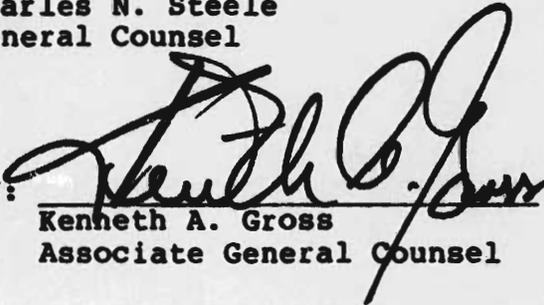
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this agreement shall be valid.

FOR THE COMMISSION:

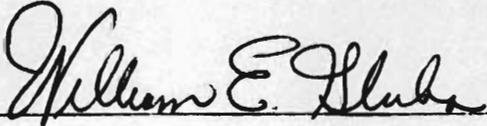
Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

October 22, 1984
Date

FOR THE RESPONDENTS:



10-1-84
Date

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1984

Michael Ernest Avakian, Esquire
Martha M. Poindexter, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

RE: MUR 1623

Dear Mr. Avakian and Ms. Poindexter:

This is in reference to the complaint filed on behalf of James Edward Antosh on January 30, 1984, concerning alleged violations of the Federal Election Campaign Act, as amended, by William Evans Gluba and the Gluba for Congress Committee, AFL-CIO COPE-PCC, the Cedar Rapids Building and Trades Reference and Safety Book, the Quad City Federation of Labor AFL-CIO, and the Active Ballot Club, a Department of the United Food and Commercial Workers International Union.

The Commission determined that there was reason to believe that AFL-CIO COPE-PCC, the Quad City Federation of Labor, the Cedar Rapids Building and Trades Reference and Safety Book, the Active Ballot Club, and their respective treasurers had violated 2 U.S.C. § 441a(a)(2)(A), and that the Gluba for Congress Committee and its treasurer had violated 2 U.S.C. § 441a(f). Conciliation agreements have been signed on behalf of AFL-CIO COPE-PCC, the Quad City Federation of Labor, the Cedar Rapids Building and Trades Reference and Safety Book, and the Gluba for Congress Committee, and have been accepted by the Commission. Copies of these agreements have been enclosed for your information. The Commission determined to take no further action with regard to the Active Ballot Club.

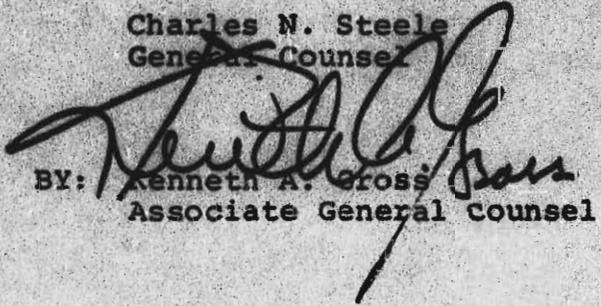
The Commission also determined that there was reason to believe that the Gluba for Congress Committee and the Active Ballot Club had violated 11 C.F.R. § 104.14(d), but took no further action.

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The file number in this matter is MUR 1623. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel



BY: Kenneth A. Cross
Associate General Counsel

Enclosure

Conciliation Agreements

84040482857



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 22, 1984

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue as treasurer
Quad City Federation of Labor
AFL-CIO
Patrick R. Devine as treasurer

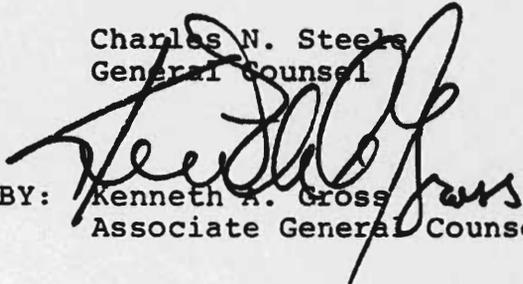
Dear Ms. McCormick:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

84040482858



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 22, 1984

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and
Trades Reference and
Safety Book
Melvin J. Smith as treasurer

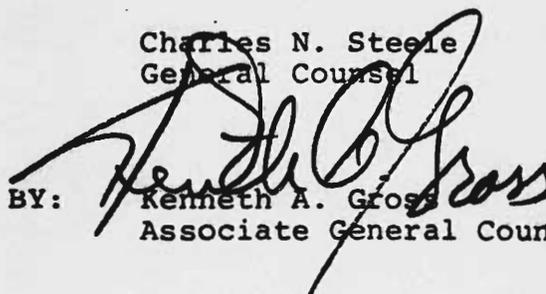
Dear Mr. Kurnick:

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Should you have any questions, contact Anne W. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

84040482859



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 22, 1984

Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club

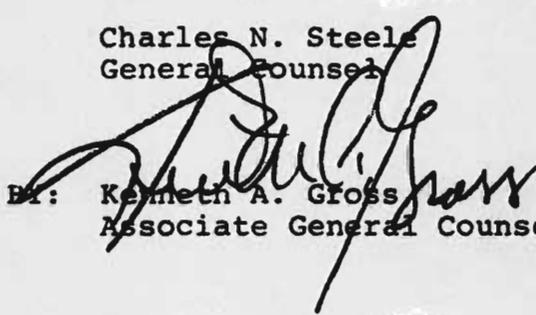
Dear Mr. Wendel:

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Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William E. Gluba
2421 Gaines Street
Davenport, Iowa 52803

RE: MUR 1623
Gluba for Congress Committee
Charles L. Messmer as
treasurer

Dear Mr. Gluba:

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Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

AW
10/22/84

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael Ernest Avakian, Esquire
Martha M. Poindexter, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

RE: MUR 1623

Dear Mr. Avakian and Ms. Poindexter:

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The Commission determined that there was reason to believe that AFL-CIO COPE-PCC, the Quad City Federation of Labor, the Cedar Rapids Building and Trades Reference and Safety Book, the Active Ballot Club, and their respective treasurers had violated 2 U.S.C. § 441a(a)(2)(A), and that the Gluba for Congress Committee and its treasurer had violated 2 U.S.C. § 441a(f). Conciliation agreements have been signed on behalf of AFL-CIO COPE-PCC, the Quad City Federation of Labor, the Cedar Rapids Building and Trades Reference and Safety Book, and the Gluba for Congress Committee, and have been accepted by the Commission. Copies of these agreements have been enclosed for your information. The Commission determined to take no further action with regard to the Active Ballot Club.

The Commission also determined that there was reason to believe that the Gluba for Congress Committee and the Active Ballot Club had violated 11 C.F.R. § 104.14(d), but took no further action.

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10/22/84

The file number in this matter is MUR 1623. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure

Conciliation Agreements

84040482863



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue as treasurer
Quad City Federation of Labor
AFL-CIO
Patrick R. Devine as treasurer

Dear Ms. McCormick:

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Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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AW
10/22/84



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and
Trades Reference and
Safety Book
Melvin J. Smith as treasurer

Dear Mr. Kurnick:

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Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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Aw
10/22/84



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club

Dear Mr. Wendel:

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Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

84040432866

AW
10/22/84

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

William Evan Gluba
William E. Gluba for Congress
Committee
Charles L. Messmer, individually
and as treasurer of the William E.
Gluba for Congress Committee

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MUR 1623

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 18, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1623:

1. Accept the conciliation agreement submitted with the General Counsel's Report signed October 15, 1984.
2. Close the file in this matter.

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

Attest:

10-18-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

10-15-84, 2:36
10-16-84, 11:00

84040482867



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CAK*
DATE: October 15, 1984
SUBJECT: MUR 1623 - General Counsel's Report

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

Open Session _____

Closed Session _____

CIRCULATIONS

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

Other []

DISTRIBUTION

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

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SENSITIVE

RECEIVED
THE FEC
SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

84 OCT 15 P2:36

In the Matter of

William Evan Gluba, William E. Gluba
for Congress Committee
Charles L. Messmer, individually and
as treasurer of the William E.
Gluba for Congress Committee

MUR 1623

GENERAL COUNSEL'S REPORT

BACKGROUND

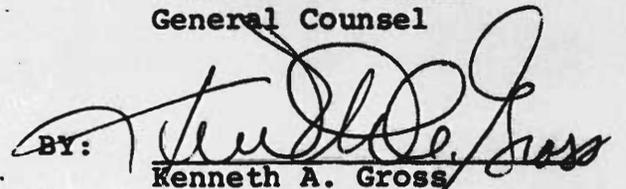
Attached is a conciliation agreement which has been signed by William E. Gluba on behalf of his authorized committee and its treasurer.

RECOMMENDATION

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file in this matter.

Charles N. Steele
General Counsel

Oct. 15, 1984
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachment
Conciliation Agreement
Copy of civil penalty check
Letters - 5

84040482869

WILLIAM E. OR PATRICIA A. GLUBA
DIET ACCOUNT
2421 GAINES PH. 324-2568
DAVENPORT, IA 52803

1027

October 5, 1984

10/5/84

PAY TO THE
ORDER OF

Treasurer of the United States

\$1,000.00

One thousand dollars $\frac{1000}{1000}$

DOLLARS



NORTHWEST BANK & TRUST COMPANY

Member FDIC

FEB United Penalty FEC

William E. Gluba

Good on Trust!

84040482870



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William E. Gluba
2421 Gaines Street
Davenport, Iowa 52803

RE: MUR 1623
Gluba for Congress Committee
Charles L. Messmer as
treasurer

Dear Mr. Gluba:

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Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84040482871



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue as treasurer
Quad City Federation of Labor
AFL-CIO
Patrick R. Devine as treasurer

Dear Ms. McCormick:

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Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

84040482872



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and
Trades Reference and
Safety Book
Melvin J. Smith as treasurer

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Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

84040482873



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club

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Should you have any questions, contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

84040482874



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Michael Ernest Avakian, Esquire
Martha M. Poindexter, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

RE: MUR 1623

Dear Mr. Avakian and Ms. Poindexter:

This is in reference to the complaint filed on behalf of James Edward Antosh on January 30, 1984, concerning alleged violations of the Federal Election Campaign Act, as amended, by William Evans Gluba and the Gluba for Congress Committee, AFL-CIO COPE-PCC, the Cedar Rapids Building and Trades Reference and Safety Book, the Quad City Federation of Labor AFL-CIO, and the Active Ballot Club, a Department of the United Food and Commercial Workers International Union.

The Commission determined that there was reason to believe that AFL-CIO COPE-PCC, the Quad City Federation of Labor, the Cedar Rapids Building and Trades Reference and Safety Book, the Active Ballot Club, and their respective treasurers had violated 2 U.S.C. § 441a(a)(2)(A), and that the Gluba for Congress Committee and its treasurer had violated 2 U.S.C. § 441a(f). Conciliation agreements have been signed on behalf of AFL-CIO COPE-PCC, the Quad City Federation of Labor, the Cedar Rapids Building and Trades Reference and Safety Book, and the Gluba for Congress Committee, and have been accepted by the Commission. Copies of these agreements have been enclosed for your information. The Commission determined to take no further action with regard to the Active Ballot Club.

The Commission also determined that there was reason to believe that the Gluba for Congress Committee and the Active Ballot Club had violated 11 C.F.R. § 104.14(d), but took no further action.

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The file number in this matter is MUR 1623. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure

Conciliation Agreements

84040482876

LAW OFFICES
SHERMAN, DUNN, COHEN, LEIFER & COUNTS

1125 FIFTEENTH STREET, N. W.

SUITE 801

WASHINGTON, D. C. 20005

LOUIS SHERMAN (RET.)
THOMAS X. DUNN (RET.)
LAURENCE J. COHEN
ELIHU I. LEIFER
JOHN R. COUNTS
TERRY R. YELLIG
RICHARD M. RESNICK
ROBERT D. KURNICK

VICTORIA L. BOR
D. WILLIAM HEINE, JR.*
MARY E. VOGEL

AREA CODE 202
785-9300

October 15, 1984

*MEMBER OF CALIFORNIA BAR

Ms. Anne Weisenborn, Esquire
Attorney
Federal Elections Commission
1325 K Street, N.W.
7th Floor
Washington, D.C. 20036

Re: FEC MUR 1623

Dear Ms. Weisenborn:

Pursuant to the conciliation agreement entered in FEC MUR 1623, I am enclosing a check for \$500.00 on behalf of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee, Patrick R. DeVine, the Quad City Federation of Labor AFL-CIO, Melvin J. Smith and the Cedar Rapids Building and Trades Reference & Safety Book.

If you have any questions about this matter please contact me.

Sincerely,

SHERMAN, DUNN, COHEN,
LEIFER & COUNTS

By: *Robert D. Kurnick*
Robert D. Kurnick

RDK:llp
Enclosure

84040482877

RECEIVED
GENERAL COUNSEL
OCT 17 10:00

GCC# 5180

MEMORANDUM

TO: CHERYL THOMAS
FROM: JOAN HARRIS

TO: JOAN HARRIS
FROM: CHERYL THOMAS

CHECK NO. 2585 (a copy of which is attached) RELATING

TO MUR 1623 AND NAME Thomas R. Donahue, AFL-CIO COPE PCC.
Patrick DeVine, Quad City Federation of Labor Aff.
Melvyn Smith + Cedar Rapids Bldg + Trades Ref + Sec
WAS RECEIVED ON October 17, 1984. PLEASE INDICATE THE ACCOUNT INTO
WHICH IT SHOULD BE DEPOSITED:

- / BUDGET CLEARING ACCOUNT (#95F3875.16)
- / CIVIL PENALTIES ACCOUNT (#95-1099.160)
- / OTHER _____

SIGNATURE Cheryl R. Thomas DATE 10/17/84

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POLITICAL EDUCATIONAL FUND OF THE
BUILDING & CONSTRUCTION TRADES DEPT.
815 - 16TH STREET, N.W., ROOM 603
WASHINGTON, D.C. 20006

2585
15-55 540

Oct. 15 1984

PAY TO THE ORDER OF

Treasury of the United States

\$ 500.00

EXACTLY \$500.00

DOLLARS

AMERICAN SECURITY BANK, N.A.
1612 K STREET, N.W.
WASHINGTON, D.C.

PRES.

FOR FEC Penalty

SECY.-TREAS.

[Signature]



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 12, 1984

William E. Gluba
2421 Gaines Street
Davenport, Iowa 52803

RE: MUR 1623
Gluba for Congress Committee
Charles L. Messmer as Treasurer

Dear Mr. Gluba:

On May 22, 1984, the Commission found reason to believe that the Gluba for Congress Committee, and Charles L. Messmer as treasurer, had violated 2 U.S.C. § 441a(f) by accepting excessive contributions.

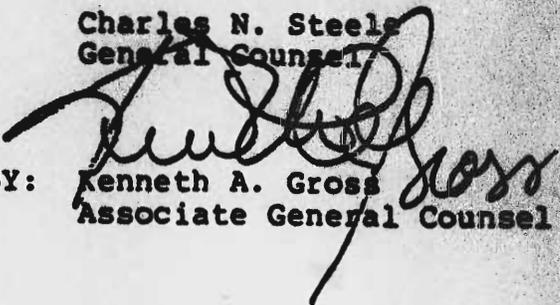
Based on information supplied by your committee and by the contributor, the Commission, on September 5, 1984, determined to take no further action with regard to the alleged receipt of excessive contributions from the Active Ballot Club. The Commission did find reason to believe that your committee and Charles L. Messmer, as treasurer, violated 11 C.F.R. § 104.14(d) by incorrectly reporting the election designation for the \$600 contribution from the Active Ballot Club, but also decided to take no further action in this regard.

Anna,
I decided to borrow some money
myself and pay this through my
own personal checking account. I hope
this ends the matter!
Bill

84040482880

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84040482881



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William E. Gluba
2421 Gaines Street
Davenport, Iowa 52803

RE: MUR 1623
Gluba for Congress Committee
Charles L. Messmer as Treasurer

Dear Mr. Gluba:

On May 22, 1984, the Commission found reason to believe that the Gluba for Congress Committee, and Charles L. Messmer as treasurer, had violated 2 U.S.C. § 441a(f) by accepting excessive contributions. ...

Based on information supplied by your committee and by the contributor, the Commission, on September 5, 1984, determined to take no further action with regard to the alleged receipt of excessive contributions from the Active Ballot Club. The Commission did find reason to believe that your committee and Charles L. Messmer, as treasurer, violated 11 C.F.R. § 104.14(d) by incorrectly reporting the election designation for the \$600 contribution from the Active Ballot Club, but also decided to take no further action in this regard.

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AW 9/11/84

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84040482883



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 12, 1984

Mr. Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club
Anthony J. Luty as Treasurer

Dear Mr. Wendel:

Based on a complaint filed with the Commission on January 30, 1984, the Commission determined on May 22, 1984, that the Active Ballot Club had violated 2 U.S.C. § 441a(a)(2) by making excessive contributions totaling \$5,600 to the Gluba for Congress Committee. An investigation followed.

After considering all of the evidence available to the Commission, including information supplied by both the Active Ballot Club and the Gluba for Congress Committee, the Commission has decided to take no further action with regard to the alleged statutory violation. The Commission has found reason to believe that the Active Ballot Club and Anthony J. Luty, as treasurer, violated 11 C.F.R. § 104.14(d) by incorrectly reporting the election designation for the committee's \$600 contribution to the Gluba for Congress Committee on October 27, 1982, but has also determined not to take any further action in this regard.

Accordingly, the file in this matter has been closed with regard to your client.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

84040482884



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 12, 1984

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and Trades
Reference and Safety Book
Melvin J. Smith, Treasurer

Dear Mr. Kurnick:

On September 5, 1984, the Commission accepted the conciliation agreement signed on behalf of your client and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(a)(2), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter with regard to your client, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved.

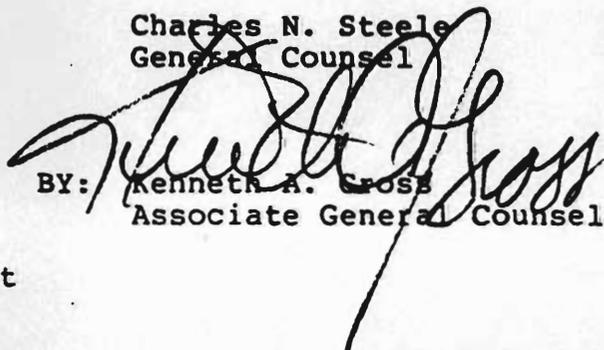
2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing within 10 days.

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

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Cross
Associate General Counsel

Enclosure
Conciliation Agreement

84040482835

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Cedar Rapids Building) MUR 1623
and Trades Safety and)
Reference Book)
Melvin J. Smith, as treasurer)
of the Cedar Rapids)
Building and Trades Safety)
and Reference Book)

CONCILIATION AGREEMENT

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This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that The Cedar Rapids Building and Trades Safety and Reference Book ("CRBTSRB") and Melvin J. Smith as treasurer of the Cedar Rapids Building and Trades Reference and Safety Book ("Respondents") violated 2 U.S.C. § 441a(a)(2)(A) by making contributions to the Gluba for Congress Committee, which, when aggregated with contributions to the same committee by committees affiliated with Respondent CRBTSRB, exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents voluntarily enter into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent CRBTSRB is the separate segregated fund of the Cedar Rapids Building and Reference Safety Council, a local unit of a department of a labor organization, the Building and Construction Trades Department, AFL-CIO.

2. Respondent Melvin J. Smith is treasurer of CRBTSRB.

3. Quad City Federation of Labor AFL-CIO is the separate segregated fund of a local unit of the AFL-CIO.

4. AFL-CIO COPE-PCC is a separate segregated fund of the AFL-CIO.

5. In 1982 Respondent CRBTSRB made a contribution of \$500 to the Gluba for Congress Committee for use in the general election campaign.

6. In 1982 the Quad City Federation of Labor AFL-CIO made a contribution of \$1,700 to the Gluba for Congress Committee for use in the general election campaign.

7. In 1982 AFL-CIO COPE-PCC made contributions totaling \$4,800 to the Gluba for Congress Committee for use in the general election campaign.

8. The aggregated contributions made in 1982 by AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO and CRBTSRB to the Gluba for Congress Committee for the general election totaled \$7,000.

9. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a candidate for federal office with respect to any election.

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10. 2 U.S.C. § 441(a)(5) provides that all contributions made by political committees established or financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit of such labor organization, are to be considered to have been made by a single committee.

11. As affiliated multicandidate committees, AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO, and CRBTRSB in 1982 shared a \$5,000 contribution limitation.

V. By making contributions in 1982 to the Gluba for Congress Committee for the general election which, when aggregated with contributions to the same committee by AFL-CIO COPE-PCC and the Quad City Federation of Labor AFL-CIO, totaled \$7,000, CRBTRSB, and Melvin J. Smith as treasurer of CRBTRSB, violated 2 U.S.C. § 441a(a)(2)(A).

VI. The AFL-CIO COPE-PCC, Quad City Federation of Labor AFL-CIO and CRBTRSB, will pay in the aggregate a civil penalty of Five Hundred Dollars (\$500.00) to the Treasurer of the United States pursuant to 2 U.S.C. § 437b(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: *Kenneth A. Gross* *September 11, 1984*
Kenneth A. Gross Date
Associate General Counsel

FOR THE RESPONDENTS:

Robert D. Kuronick *7-20-89*
Date

84040492887



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 12, 1984

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue as Treasurer
Quad City Federation of Labor AFL-CIO
Patrick R. DeVine as Treasurer

Dear Ms. McCormick:

On September 5, 1984, the Commission accepted the conciliation agreements signed by you on behalf of your clients in settlement of violations of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as to the above-cited respondents.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing.

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

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreements

84040482890

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
AFL-CIO COPE-PCC) MUR 1623
Thomas R. Donahue, as treasurer)
of AFL-CIO COPE-PCC)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that AFL-CIO COPE-PCC and Thomas R. Donahue as treasurer of AFL-CIO COPE-PCC ("Respondents") violated 2 U.S.C.

§ 441a(a)(2)(A) by making contributions to the Gluba for Congress Committee, which, when aggregated with contributions to the same committee by committees affiliated with Respondent AFL-CIO COPE-PCC, exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents voluntarily enter into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent AFL-CIO COPE-PCC is a separate segregated fund of a labor organization, the AFL-CIO.

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2. Respondent Thomas R. Donahue is the treasurer of AFL-CIO COPE-PCC.

3. Quad City Federation of Labor AFL-CIO and the Cedar Rapids Building and Trades Reference and Safety Book ("CRBTRSB") are separate segregated funds respectively of a local unit of the AFL-CIO and of a local unit of a department of the AFL-CIO, the Building and Construction Trades Department.

4. In 1982 Respondent AFL-CIO COPE-PCC made contributions totaling \$4,800 to the Gluba for Congress Committee for use in the general election campaign.

5. In 1982 the Quad City Federation of Labor AFL-CIO made a contribution of \$1,700 to the Gluba for Congress Committee for use in the general election campaign.

6. In 1982 CRBTRSB made a contribution of \$500 to the Gluba for Congress Committee for use in the general election campaign.

7. The aggregated contributions made in 1982 by AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO and CRBTRSB to the Gluba for Congress Committee for the general election totaled \$7,000.

8. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a candidate for federal office with respect to any election.

9. 2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees established or

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financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit of such labor organization, are to be considered to have been made by a single committee.

10. AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO, and CRBTRSB in 1982 shared a \$5,000 contribution limitation as affiliated multicandidate committees.

V. By making contributions in 1982 to the Gluba for Congress Committee for the general election which when aggregated with contributions to the same committee by the Quad City Federation of Labor AFL-CIO and CRBTRSB, totaled \$7,000, AFL-CIO COPE-PCC, and Thomas R. Donahue as treasurer of AFL-CIO COPE-PCC, violated 2 U.S.C. § 441a(a)(2)(A).

VI. The AFL-CIO COPE-PCC, Quad City Federation of Labor AFL-CIO and CRBTRSB, will pay in the aggregate a civil penalty of Five Hundred Dollars (\$500.00) to the Treasurer of the United States pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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civil action for relief in the United States District Court for the District of Columbia.

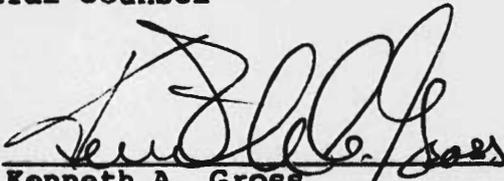
IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

September 11, 1984
Date

FOR THE RESPONDENTS:



July 12, 1984
Date

84040482894

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Quad City Federation of) MUR 1623
Labor AFL-CIO)
Patrick R. DeVine, as)
treasurer of Quad City)
Federation of Labor AFL-CIO)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that the Quad City Federation of Labor AFL-CIO and Patrick R. DeVine as treasurer of the Quad City Federation of Labor AFL-CIO ("Respondents") violated 2 U.S.C. § 441a(a)(2)(A) by making contributions to the Gluba for Congress Committee, which, when aggregated with contributions to the same committee by committees affiliated with Respondent Quad City Federation of Labor AFL-CIO, exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents voluntarily enter into this agreement with the Commission.

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IV. The pertinent facts in this matter are as follows:

1. Respondent Quad City Federation of Labor AFL-CIO is the separate segregated fund of a local unit of a labor organization, the AFL-CIO.

2. Respondent Patrick R. Devine is treasurer of the Quad City Federation of Labor AFL-CIO.

3. AFL-CIO COPE-PCC is a separate segregated fund of the AFL-CIO.

4. The Cedar Rapids Building and Trades Reference and Safety Book ("CRBTRSB") is the separate segregated fund of a local unit of a department of a labor organization, the Building and Construction Trades Department, AFL-CIO.

5. In 1982 Respondent Quad City Federation of Labor AFL-CIO made contributions totaling \$1,700 to the Gluba for Congress Committee for use in the general election campaign.

6. In 1982 AFL-CIO COPE-PCC made contributions totaling \$4,800 to the Gluba for Congress Committee for use in the general election campaign.

7. In 1982 CRBTRSB made a contribution of \$500 to the Gluba for Congress Committee for use in the general election campaign.

8. The aggregated contributions made in 1982 by AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO and CRBTRSB to the Gluba for Congress Committee for the general election totaled \$7,000.

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9. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a candidate for federal office with respect to any election.

10. 2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees established or financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit or such labor organization, are to be considered to have been made by a single committee.

11. As affiliated multicandidate committees, AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO, and CRBTRSB in 1982 shared a \$5,000 contribution limitation.

V. By making contributions in 1982 to the Gluba for Congress Committee for the general election which, when aggregated with contributions to the same committee by AFL-CIO COPE-PCC and CRBTRSB, totaled \$7,000, the Quad City Federation of Labor AFL-CIO and Patrick R DeVine as treasurer of the Quad City Federation of Labor AFL-CIO violated 2 U.S.C. § 441a(a)(2)(A).

VI. The AFL-CIO COPE-PCC, Quad City Federation of Labor AFL-CIO, and CRBTRSB, will pay in the aggregate a civil penalty of Five Hundred Dollars (\$500.00) to the Treasurer of the United States, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at

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issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

September 11, 1984
Date

FOR THE RESPONDENTS:

Margaret E. McCormick

July 12, 1984
Date

84040482898



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club

Dear Mr. Wendel:

Based on a complaint filed with the Commission on January 30, 1984, the Commission determined on May 22, 1984, that the Active Ballot Club had violated 2 U.S.C. § 441a(a)(2) by making excessive contributions totaling \$5,600 to the Gluba for Congress Committee. An investigation followed.

After considering all of the evidence available to the Commission, including information supplied by both the Active Ballot Club and the Gluba for Congress Committee, the Commission has decided to take no further action with regard to the alleged statutory violation. The Commission has found reason to believe that the Active Ballot Club violated 11 C.F.R. § 104.14(d) by incorrectly reporting the election designation for its \$600 contribution to the Gluba for Congress Committee on October 27, 1982, but has also determined not to take any further action in this regard.

Accordingly, the file in this matter has been closed with regard to your client.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

KW
9/11/84

84040482899



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and Trades
Reference and Safety Book
Melvin J. Smith, Treasurer

Dear Mr. Kurnick:

On September 5, 1984, the Commission accepted the conciliation agreement signed on behalf of your client and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(a)(2), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter with regard to your client, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing within 10 days.

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

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84040482900

AKW
9/11/84



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue as Treasurer
Quad City Federation of Labor AFL-CIO
Patrick R. DeVine as Treasurer

Dear Ms. McCormick:

On September 5, 1984, the Commission accepted the conciliation agreements signed by you on behalf of your clients in settlement of violations of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as to the above-cited respondents.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing.

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

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreements

AW 9/11/84

84040482901

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
William E. Gluba for) MUR 1623
Congress Committee,)
et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 5, 1984, do hereby certify that the Commission took the following actions in MUR 1623:

1. Decided by a vote of 6-0 to add the names of the committee treasurers with respect to the finding being made in recommendation number 4 of the General Counsel's report dated August 13, 1984.

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

(Continued)

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2. Decided by a vote of 6-0 to

- a) approve the conciliation agreements and letters attached to the General Counsel's August 13, 1984 report with regard to AFL-CIO COPE-PCC and Thomas R. Donahue, as treasurer; the Quad City Federation of Labor AFL-CIO and Patrick R. DeVine as treasurer; and the Cedar Rapids Building and Trades Reference and Safety Book and Melvin J. Smith as treasurer; and close the file as to these respondents.
- b) take no further action with regard to the alleged violation of 2 U.S.C. § 441a(a)(2)(A) by the Active Ballot Club.
- c) take no further action with regard to the alleged violation of 2 U.S.C. § 441a(f) by the Gluba for Congress Committee with regard to contributions received from the Active Ballot Club.
- d) find reason to believe that the Gluba for Congress Committee and Charles L. Messmer, as treasurer, and the Active Ballot Club and Anthony J. Luty, as treasurer, violated 11 C.F.R. § 104.14(d), but take no further action in this regard.
- e) Close the file with regard to the Active Ballot Club.

(Continued)

84040482903

- g) approve the letters attached to the General Counsel's report dated August 13, 1984, as amended to include the treasurers as noted above.

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

Attest:

9-10-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040482904



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/SUSAN M. TEIR ^{SMT}
DATE: AUGUST 16, 1984
SUBJECT: OBJECTION - MUR 1623 - GENERAL COUNSEL'S
REPORT signed August 13, 1984

The above-named document was circulated to the Commission on Tuesday, August 14, 1984 at 11:00.

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

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

This matter will be placed on the Executive Session agenda for Wednesday, September 5, 1984.

84040482905



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
 FROM: Office of General Counsel *CW*
 DATE: August 13, 1984
 SUBJECT: MUR 1623 - General Counsel's Report

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

Open Session _____

Closed Session _____

CIRCULATIONS

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

Other []

DISTRIBUTION

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

84040482906

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 AUG 13 P 2: 51

SENSITIVE

MUR 1623

In the Matter of)
 William Evan Gluba, William E. Gluba for)
 Congress Committee)
 Charles L. Messmer, individually and as)
 treasurer of William E. Gluba for)
 Congress Committee)
 AFL-CIO COPE-PCC)
 Thomas R. Donahue, individually and as)
 treasurer of AFL-CIO COPE-PCC)
 Cedar Rapids Building and Trades)
 Reference and Safety Book)
 Melvin J. Smith, individually and as)
 treasurer of Cedar Rapids Building and)
 Trades Reference and Safety Book)
 Quad City Federation of Labor AFL-CIO)
 Patrick R. DeVine, individually and as)
 treasurer of Quad City Federation of)
 Labor AFL-CIO)
 Active Ballot Club, A Department of)
 United Food and Commercial Workers)
 International Union)
 Anthony J. Luty, individually and as)
 treasurer of Active Ballot Club, A)
 Department of United Food and)
 Commercial Workers International Union)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 22, 1984, the Commission found reason to believe that AFL-CIO COPE-PCC; Thomas R. Donahue as treasurer of AFL-CIO COPE-PCC; the Quad City Federation of Labor; Patrick R. DeVine as treasurer of the Quad City Federation of Labor; the Cedar Rapids Building and Trades Reference and Safety Book ("CRBTRSB"); Melvin J. Smith as treasurer of CRBTRSB; the Active Ballot Club, a Department of the United Food and Commercial Workers International Union; and Anthony Luty as treasurer of the Active

84040482907

Ballot Club, had violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee.

The Commission also found reason to believe that the Gluba for Congress Committee and Charles L. Messmer as treasurer of the Gluba for Congress Committee had violated 2 U.S.C. § 441a(f) by accepting excessive contributions from AFL-CIO COPE-PCC, the Quad City Federation of Labor, AFL-CIO, and the Cedar Rapids Building and Trades Reference and Safety Book, and from the Active Ballot Club, a Department of the United Food and Commercial Workers International Union.

The Commission approved requests of AFL-CIO COPE-PCC, the Quad City Federation of Labor, and the Cedar Rapids Building and Trades Reference and Safety Book to enter into pre-probable cause conciliation. Notification letters and conciliation agreements were sent as appropriate.

II. LEGAL ANALYSIS

A. AFL-CIO COPE-PCC, Quad City Federation of Labor, AND CRBTRSB

Attached are conciliation agreements which have been signed on behalf of AFL-CIO COPE-PCC, the Quad City Federation of Labor, and the Cedar Rapids Building and Trades Reference and Safety Book. (Attachments 1, 2 and 3).

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In the First General Counsel's Report forwarded to the Commission on May 15, 1984, this Office noted the mitigating circumstances asserted by these respondents in their joint response to notification of the complaint, and stated that consideration of these circumstances would be appropriate during the conciliation process. The respondents cited administrative oversight; efforts to assure that federal committees sponsored by AFL-CIO state and local bodies inform the national federation before making contributions; the adoption on February 25, 1983, of a resolution asking all AFL-CIO state and local bodies and Department state and local bodies to terminate their federal committees; and a request by AFL-CIO COPE-PCC for a \$2,000 refund from Mr. Gluba.*/

This Office finds that these factors do in fact mitigate the violations by the three AFL-CIO-related respondents in this matter in that they show serious efforts to prevent such future violations and to rectify the present ones. Therefore, this Office recommends that the Commission approve the attached conciliation agreements with AFL-CIO COPE-PCC, the Quad City Federation of Labor, AFL-CIO, and the Cedar Rapids Building and Trades Reference and Safety Book, and close the file with regard to these three committees.

*/ As of August 2, 1984, no refund had been received.

84040482909

B. Gluba for Congress Committee and
The Active Ballot Club

84040482910

The contributions received by the Gluba for Congress Committee from the Active Ballot Club, and designated on both committees' reports as being for the general election campaign, were as follows:

<u>Date of Receipt</u>	<u>Amount</u>
August 6, 1982	\$1,600
September 28, 1982	1,000
October 27, 1982	1,000
November 2, 1982	600
November 2, 1982	<u>1,400</u>
	<u>\$5,600</u>

Both the Gluba for Congress Committee and the Active Ballot Club have argued that the latter's contribution of \$600 which was received on November 2, 1982, was actually intended to meet primary debts.

The Active Ballot Club has supported this position with a copy of a check request which includes the name of the candidate and the phrase "FOR PRIMARY DEFICIT" and with a copy of the contribution check dated October 27, 1982, and of the accompanying memorandum, the latter of which contains the language, "Local 431 Contr. to Bill Gluba, Re: Primary Deficit, 2nd." (Attachments 5 and 6). However, prior to the Commission's finding of reason to believe, it was not possible to determine from the reports of the Gluba for Congress Committee whether any debts actually remained at the close of the primary campaign. More recently, in response to the Commission's finding, Mr. Gluba has furnished documentation of \$2,899.19 in debts remaining as of the date of the primary election on June 2, 1982, thereby supporting the earlier arguments of his committee and of the Active Ballot Club.

11 C.F.R. § 110.1(a) states that

- (2) "With respect to any election" means
 - (i) In the case of a contribution designated in writing for a particular election, the election so designated, except that a contribution made after a primary election . . . shall be made only to the extent that the contribution does not exceed net debts outstanding from the primary election. . . .

The Gluba committee and the Active Ballot Club have provided evidence that \$600 of the \$5,600 in contributions at issue was designated for the primary election and that debts did remain. Therefore, this Office recommends that the Commission take no

84040482911

further action with regard to the alleged violations of 2 U.S.C. § 441a(a)(2) by the Active Ballot Club and of 2 U.S.C. § 441a(f) by the Gluba for Congress Committee. Both committees did apparently violate 11 C.F.R. § 104.14(d) by incorrectly reporting the election designation for the \$600 contribution. This Office recommends that the Commission find reason to believe that violations of 11 C.F.R. § 104.14(d) occurred, but take no further action in this regard.

II. RECOMMENDATIONS

1. That the Commission approve the attached conciliation agreements and letters with regard to AFL-CIO COPE-PCC and Thomas R. Donahue as treasurer; the Quad City Federation of Labor AFL-CIO and Patrick R. DeVine as treasurer; and the Cedar Rapids Building and Trades Reference and Safety Book and Melvin J. Smith as treasurer; and close the file as to these respondents.
2. That the Commission take no further action with regard to the alleged violation of 2 U.S.C. § 441a(a)(2)(A) by the Active Ballot Club.
3. That the Commission take no further action with regard to the alleged violation of 2 U.S.C. § 441a(f) by the Gluba for Congress Committee with regard to contributions received from the Active Ballot Club.
4. That the Commission find reason to believe that the Gluba for Congress Committee and the Active Ballot Club violated 11 C.F.R. § 104.14(d), but take no further action in this regard.
5. That the Commission close the file with regard to the Active Ballot Club.

84040482912

7. Approve the attached letters.

Charles N. Steele
General Counsel

August 13, 1984
Date

BY: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

Attachments

1. Conciliation Agreement with AFL-CIO COPE-PCC
2. Conciliation agreement with the Quad City Federation of Labor, AFL-CIO
3. Conciliation Agreement with the Cedar Rapids Building and Trades Reference and Safety Book
4. Check Request, Active Ballot Club
5. Check from Active Ballot Club
6. Memorandum from Review Printing Co.
7. Itemized credit card bill

9. Letters to Respondents

84040482913

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

34 JUN 18

PI2: 04

34 JUN 18 ALL: 102 1984

Mrs. Lee Ann Elliott, Chairman
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463

Re: MJA 1623
Clubs for Congress Committee

Dear Mrs. Elliott:

I am however, in the process of trying to provide the Commission with more information on my primary campaign debt as it relates to a donation received from the Active Ballot Club. This information will be forthcoming very shortly.

Thank you for your cooperation and I look forward to resolving this matter as expeditiously as possible.

Sincerely,


William E. Gluba

84040482914

Attachment 4 (14)

Department: U Secretary-Treasurer: _____
Accounting: _____ Other: _____

DATE: October 27, 1982

REQUESTOR'S NAME: Joyce McKenna

APPROVAL FOR PAYMENT:

DEPARTMENT: Political Affairs

President's Office: _____

TYPE OF CHECK: (Circle One)

- General - U. S. ABC: General - U. S. Retirement - U. S. Annuity - U. S.
- General - Canada ABC: General - Canada Retirement - Canada
- Death Benefit - U. S. ABC: Education - U. S. Sick Benefit - U. S.
- Death Benefit - Canada ABC: Education - Canada Sick Benefit - Canada
- Strike - U. S. Int'l Fund - U. S. Other: _____
- Strike - Canada Int'l Fund - Canada

PAYEE: GLUBA FOR CONGRESS COMMITTEE Vendor No. C0051 Prefix _____

GENERAL LEDGER ACCOUNT

Name	Number	Descriptor	DEBIT	CREDIT
<u>Political Contri & Grants</u>	<u>05 5 305 105</u>	<u>10431 /</u>	<u>600.00</u>	

Comments: _____

Comments: _____

Comments: _____

AMOUNT OF CHECK: \$ 600.00

COMMENTS: Local 431's contri. to Bill Gluba, candidate U.S. House of Reps. -

2nd. C.D., IA. Reporting information: P.O.Box 2126,

Davenport, IA. 52809

FOR PRIMARY DEFICIT

SPECIAL MAILING ADDRESS:

DISPOSITION OF CHECK:

Mail _____ Route back to Department X

Other _____



United Food and Commercial Workers International Union



ACTIVE PRIORITIES

GENERAL FUND

DATE: 11/27/82 CHECK NUMBER: 3122 AMOUNT: \$600.00

PAY TO THE ORDER OF: LOCAL 431 CONTR. TO BILL ILUWA, SE

By: NON-NEGOTIABLE

070755 0500043 3 4 0 00

DETACH BEFORE DEPOSITING

CO: 8404049 LOCAL 431 CONTR. TO BILL ILUWA, SE PRIMARY DEFICIT, 2ND AMOUNT 600.00

8404049

UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION - ACTIVE BALLOT CLUB

Attachment 5

16

high quality * prompt service * at the right price

311-21st. STREET. ROCK ISLAND. ILL.



Phone RI 736-6437



BILL KEITH

July 26, 1984

TO WHOM IT MAY CONCERN:

Our records show that on June 2, 1982, the Bill Gluba for Congress Committee owed Review Printing Company \$1,582.90 for political printing prior to the June 1982 primary election.

84040482917

W^{MA} R. Reith

Attachment

13

BANK CARD CENTER
POST OFFICE BOX 3911
DAVENPORT, IOWA 52808

SEND BILLING
INQUIRIES
TO THIS ADDRESS

PURCHASES
CASH ADVANCES

ANNUAL PERCENTAGE	
UP TO \$ 500	OVER \$ 500
1.50%	1.25%
1.50%	1.25%

TRANS DATE MO BY	REFERENCE NUMBER	CARD USED	POSTING DATE MO BY	DESCRIPTION	AMOUNT
0502	43990006070	OUFJYOL	V	0607 PHILLIPS PETROLEUM	16.7
0508	4425000517	DGFX8KA4	V	0518 GETTY REFINING 1871	17.5
0508	40160005241	7760662	V	0525 SPENCERS SERVICE	17.0
0510	4250000514C	CFX992C	V	0517 SHELL OIL CO.	18.0
0511	43660006019	0021678	V	0601 PIEDMONT AIRLINES	160.0
0511	43660006019	0021679	V	0601 PIEDMONT AIRLINES	160.0
0513	4425000520C	CG22PF7	V	0521 SHELL OIL CO.	14.3
0513	40160005213	7691502	V	0525 ITALIAN VILLAGE	16.6
0514	44180005241	4416673	V	0524 CASTING STANDARD	12.9
0515	43990006040	OUDLJX9	V	0604 PHILLIPS PETROLEUM	5.4
0515	4207000609U	7PBNN07	V	0609 ARION RESTAURANT	21.0
0516	40160005241	7760712	V	0525 SPENCERS SERVICE	14.2
0519	40160005213	7691544	V	0525 ITALIAN VILLAGE	9.7
0519	40160006010	7350454	V	0601 ITALIAN VILLAGE	6.2

PREVIOUS BALANCE OF	PAYMENTS	CREDITS	PURCHASES	CASH ADVANCES	FINANCE CHARGES	PAY NEW BALANCE BY DUE DATE TO AVOID ADDITIONAL FINANCE CHARGES	NEW BALANCE OF
VISA ACCOUNT NUMBER				YOUR CREDIT LIMIT	YOU HAVE UNUSED CREDIT OF	TOTAL FINANCE CHARGES	AVERAGE DAILY BALANCE
MASTERCARD ACCOUNT NUMBER				NOTICE: See other side for important information. CARD USED: M means MasterCard; V means VISA; "CR" means Credit. * This amount could include Average Daily Balance for previous month. NOTICE: Payment of any amount in dispute is not required pending the Bank's compliance with the billing error resolution procedure provisions of Regulation by the Board of Governors of the Federal Reserve System.		CLOSING DATE OF BILLING PERIOD	

PLEASE RETAIN THIS PORTION OF YOUR STATEMENT. IT IS YOUR PERMANENT RECORD. PLEASE REPORT ANY DISCREPANCIES ON THIS BILL TO THE BANK IMMEDIATELY.

FINANCE CHARGE RATES

PERIODIC RATE		ANNUAL PERCENTAGE	
UP TO \$ 500	OVER \$ 500	UP TO \$ 500	OVER \$ 500
1.50%	1.25%	18.0%	15%
1.50%	1.25%	18.0%	15%

BANK CARD CENTER
POST OFFICE BOX 3911
DAVENPORT, IOWA 52808

SEND BILLING
INQUIRIES
TO THIS ADDRESS

PURCHASES
CASH ADVANCES

TRANS DATE MO BY	REFERENCE NUMBER	CARD USED	POSTING DATE MO BY	DESCRIPTION	AMOUNT
0616	91430400		V	0616 PAYMENT THANK YOU	250.00
				YOUR ACCOUNT IS OVERLIMIT	
				THE OVERLIMIT AMOUNT IS DUE IMMEDIATELY	

72.18

PREVIOUS BALANCE OF	PAYMENTS	CREDITS	PURCHASES	CASH ADVANCES	FINANCE CHARGES	PAY NEW BALANCE BY DUE DATE TO AVOID ADDITIONAL FINANCE CHARGES	NEW BALANCE OF
1122.51	550.00		727.78		15.34		1316.29
VISA ACCOUNT NUMBER				YOUR CREDIT LIMIT	YOU HAVE UNUSED CREDIT OF	TOTAL FINANCE CHARGES	AVERAGE DAILY BALANCE
MASTERCARD ACCOUNT NUMBER				NOTICE: See other side for important information. CARD USED: M means MasterCard; V means VISA; "CR" means Credit. * This amount could include Average Daily Balance for previous month. NOTICE: Payment of any amount in dispute is not required pending the Bank's compliance with the billing error resolution procedure provisions of Regulation by the Board of Governors of the Federal Reserve System.		CLOSING DATE OF BILLING PERIOD	

Attachment 7



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue as Treasurer
Quad City Federation of Labor AFL-CIO
Patrick R. DeVine as Treasurer

Dear Ms. McCormick:

On , 1984, the Commission accepted the conciliation agreements signed by you on behalf of your clients in settlement of violations of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as to the above-cited respondents.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing.

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

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreements

Attachment 9

23

84040482919



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and Trades
Reference and Safety Book
Melvin J. Smith as Treasurer

Dear Mr. Kurnick:

On , 1984, the Commission accepted the conciliation agreement signed by you on behalf of your client in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter and will become a part of the public record within thirty days.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84040482920

(24)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club

Dear Mr. Wendel:

Based on a complaint filed with the Commission on January 30, 1984, the Commission determined on May 22, 1984, that the Active Ballot Club had violated 2 U.S.C. § 441a(a)(2) by making excessive contributions totaling \$5,600 to the Gluba for Congress Committee. An investigation followed.

After considering all of the evidence available to the Commission, including information supplied by both the Active Ballot Club and the Gluba for Congress Committee, the Commission has decided to take no further action with regard to the alleged statutory violation. The Commission has found reason to believe that the Active Ballot Club violated 11 C.F.R. § 104.14(d) by incorrectly reporting the election designation for its \$600 contribution to the Gluba for Congress Committee on October 27, 1982, but has also determined not to take any further action in this regard.

Accordingly, the file in this matter has been closed with regard to your client.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

84040482921

25



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William E. Gluba
2421 Gaines Street
Davenport, Iowa 52803

RE: MUR 1623
Gluba for Congress Committee
Charles L. Messmer as Treasurer

Dear Mr. Gluba:

On May 22, 1984, the Commission found reason to believe that the Gluba for Congress Committee, and Charles L. Messmer as treasurer, had violated 2 U.S.C. § 441a(f) by accepting excessive contributions.

Based on information supplied by your committee and by the contributor, the Commission, on _____, 1984, determined to take no further action with regard to the alleged receipt of excessive contributions from the Active Ballot Club. The Commission did find reason to believe that your committee violated 11 C.F.R. § 104.14(d) by incorrectly reporting the election designation for the \$600 contribution from the Active Ballot Club, but also decided to take no further action in this regard.

84040482922

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel .

Enclosure
Conciliation Agreement

84040482923

William E. Gluba
2421 Gains St.
Davenport, Iowa 52803

84040482924



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

Att: Ann A. Weissenborn



RECEIVED AT THE FEC

July 26, 1984

84 JUL 30 P 1: 06

Atty. Ann A. Weissenborn P 3: 2
Federal Election Commission
Washington, D. C. 20463

RE: MUR 1623

Dear Atty Weissenborn:

Pursuant to our earlier telephone conversation I have enclosed additional information to show that my Primary campaign did in fact carry over a substantial debt from the Primary to the General Election. The donations in question were intended to help pay off these Primary debts.

The enclosed VISA statement dated 6/24/82 shows an outstanding bill owed to the Bank Card Center for meals, gasoline, lodging in the amount of \$1,316.29, which was accumulated prior to the Primary elections.

Also, I have enclosed a letter from Review Printing which shows that we had an outstanding debt for printing done prior to the Primary in the amount of \$1,582.90.

Sincerely,



William E. Gluba
2421 Gaines St.
Davenport, Iowa 52803

84040482925

REVIEW PRINTING COMPANY

*high quality * prompt service * at the right price*

511-21ST. STREET. ROCK ISLAND. ILL.

Phone R.I. 786-6439

* BILL KEITH

July 26, 1984

TO WHOM IT MAY CONCERN:

Our records show that on June 2, 1982, the Bill Gluba for Congress Committee owed Review Printing Company \$1,582.90 for political printing prior to the June 1982 primary election.

84040482926

W^{MA} R. Keith

PLEASE RETAIN THIS PORTION OF YOUR STATEMENT. IT IS YOUR PERMANENT RECORD. PLEASE REPORT ANY DISCREPANCIES ON THIS BILL TO THE BANK IMMEDIATELY.

BANK CARD CENTER
POST OFFICE BOX 3911
DAVENPORT, IOWA 52808

FINANCE CHARGE RATES
 BILLING INQUIRIES PURCHASES
 TO THIS ADDRESS CASH ADVANCES

PERIODIC RATE		ANNUAL PERCENTAGE RATE	
UP TO \$ 500	OVER \$ 500	UP TO \$ 500	OVER \$ 500
1.50%	1.25%	18.0%	15.0%
1.50%	1.25%	18.0%	15.0%

TRANS DATE MO BY	REFERENCE NUMBER	CARD USED	POSTING DATE MO BY	DESCRIPTION	AMOUNT
05 02	43990006070	OUFJYOL	V 0607	PHILLIPS PETROLEUM MT PLEASANT IA	16.70
05 08	4425000517	DGF8KA4	V 0518	GETTY REFINING 1871 DAVENPORT IA	17.50
05 10	40160005241	7760662	V 0525	SPENCERS SERVICE BURLINGTON IA	17.00
05 10	4425000514C	CFX99ZC	V 0517	SHELL OIL CO. DAVENPORT IA	18.00
05 11	43660006019	0021678	V 0601	PIEDMONT AIRLINES DAVENPORT IA	160.00
05 11	43660006019	0021679	V 0601	PIEDMONT AIRLINES DAVENPORT IA	160.00
05 13	4425000520C	CG22PF7	V 0521	SHELL OIL CO. DAVENPORT IA	14.30
05 13	40160005213	7691502	V 0525	ITALIAN VILLAGE DAVENPORT IA	16.60
05 14	444180005241	4416673	V 0524	CASTING STANDARD ALBIA IA	12.90
05 15	43990006040	0UDLJX9	V 0604	PHILLIPS PETROLEUM BONAPARTE IA	5.45
05 15	4207000609J	7P8NN07	V 0609	ARION RESTAURANT BURLINGTON IA	21.00
05 16	40160005241	7760712	V 0525	SPENCERS SERVICE BURLINGTON IA	14.25
05 19	40160005213	7691544	V 0525	ITALIAN VILLAGE DAVENPORT IA	9.74
05 19	40160006010	7350454	V 0601	ITALIAN VILLAGE DAVENPORT IA	6.28

PREVIOUS BALANCE OF *	PAYMENTS	CREDITS	PURCHASES	CASH ADVANCES	FINANCE CHARGES ON PURCHASES ON CASH ADVANCES		PAY NEW BALANCE BY DUE DATE TO AVOID ADDITIONAL FINANCE CHARGES	NEW BALANCE OF *
VISA ACCOUNT NUMBER	YOUR CREDIT LIMIT		YOU HAVE UNUSED CREDIT OF	TOTAL FINANCE CHARGES	AVERAGE DAILY BALANCE + PURCHASES CASH ADVANCES		CLOSING DATE OF BILLING PERIOD	MINIMUM PAYMENT
4871 201 192531	1000.00			16.00	1127.49 53.22		06/16/82	65.00
MASTERCARD ACCOUNT NUMBER								DUE DATE
								07/11/82

NOTICE: See other side for important information.
 CARD USED: M means MasterCard; V means VISA. "CR" means Credit; + This amount could include Average Daily Balance for previous month.
 NOTICE: Payment of any amount in dispute is not required pending the Bank's compliance with the billing error resolution procedure provisions of Regulation Z as by the Board of Governors of the Federal Reserve System.

500
MINIMUM PAYMENT
DUE DATE

PLEASE RETAIN THIS PORTION OF YOUR STATEMENT. IT IS YOUR PERMANENT RECORD. PLEASE REPORT ANY DISCREPANCIES ON THIS BILL TO THE BANK IMMEDIATELY.

BANK CARD CENTER
POST OFFICE BOX 3911
DAVENPORT, IOWA 52808

FINANCE CHARGE RATES
 SEND BILLING INQUIRIES PURCHASES
 TO THIS ADDRESS CASH ADVANCES

PERIODIC RATE		ANNUAL PERCENTAGE RATE	
UP TO \$ 500	OVER \$ 500	UP TO \$ 500	OVER \$ 500
1.50%	1.25%	18.0%	15.0%
1.50%	1.25%	18.0%	15.0%

TRANS DATE MO BY	REFERENCE NUMBER	CARD USED	POSTING DATE MO BY	DESCRIPTION	AMOUNT
06 16	91430400	YOUR ACCOUNT IS OVERLIMIT	V 0616	PAYMENT THANK YOU THE OVERLIMIT AMOUNT IS DUE IMMEDIATELY	250.00CR

PREVIOUS BALANCE OF *	PAYMENTS	CREDITS	PURCHASES	CASH ADVANCES	FINANCE CHARGES ON PURCHASES ON CASH ADVANCES		PAY NEW BALANCE BY DUE DATE TO AVOID ADDITIONAL FINANCE CHARGES	NEW BALANCE OF *
1122.51	550.00		727.78		15.34	.66		1316.29
VISA ACCOUNT NUMBER	YOUR CREDIT LIMIT		YOU HAVE UNUSED CREDIT OF	TOTAL FINANCE CHARGES	AVERAGE DAILY BALANCE + PURCHASES CASH ADVANCES		CLOSING DATE OF BILLING PERIOD	MINIMUM PAYMENT
4871 201 192531	1000.00			16.00	1127.49 53.22		06/16/82	65.00
MASTERCARD ACCOUNT NUMBER								DUE DATE
								07/11/82

NOTICE: See other side for important information.
 CARD USED: M means MasterCard; V means VISA. "CR" means Credit; + This amount could include Average Daily Balance for previous month.
 NOTICE: Payment of any amount in dispute is not required pending the Bank's compliance with the billing error resolution procedure provisions of Regulation Z as by the Board of Governors of the Federal Reserve System.

T-3
72 19

600 3657



NORTH PARK REALTY, LTD.
#8 Village Shopping Center
Davenport, Iowa 52808
(319) 386-9200

RECEIVED
GENERAL

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

34 JUN 18 12: 04

34 JUN 18 All: 01

June 13, 1984

*MUR 1623
Wassentrom*

**Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463**

**Re: MUR 1623
Gluba for Congress Committee**

84040482928

Dear Ms. Elliott;

I acknowledge receipt of your letter of May 31, 1984.

Mr. Gluba has informed me that he has been in telephone communication with your office after receiving his copy of the above letter.

He is supplying additional datta under separate cover. I will continue to work with him too resolve this as rapidly and amicably as possible.

Please advise how you suggest we resolve this matter.

Sincerely,

Charles L. Messner

84040482929



NORTH PARK REALTY, LTD.
#8 Village Shopping Center
Davenport, Iowa 52806



Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D. C. 20463



Each Office is Independently Owned and Operated

3656

RECEIVED
IN THE
LEGISLATIVE SECRETARY

JUN 18 12:04
34 JUN 18 ALL: 102 1984

Mrs. Lee Ann Elliott, Chairman
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463

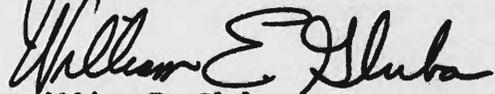
Re: MUR 1623
Gluba for Congress Committee

Dear Mrs. Elliott:

I am however, in the process of trying to provide the Commission with more information on my primary campaign debt as it relates to a donation received from the Active Ballot Club. This information will be forthcoming very shortly.

Thank you for your cooperation and I look forward to resolving this matter as expeditiously as possible.

Sincerely,


William E. Gluba

84040482930

Handwritten notes:
C. [unclear]
H. [unclear]
J. [unclear]
S. [unclear]

8404048293

ROCK ISLAND IL 612
4 PM
13 JUN
1984

84 JUN 13 1984
USA 20

Mrs. Lee Ann Elliott, Chairman
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463

Intelligent Mail Barcode

RECEIVED AT THE FED
UFCW
JUN 15 1984

604 3594

Legal Department
(202) 466-1520 / 1523

June 11, 1984

Ms. Anne A. Weissenborn
Federal Election Commission
Washington, D.C. 20463

Re: MJR 1623

Dear Ms. Weissenborn:

As we previously wrote to you on February 22, 1984, the contribution of \$600 to the Gluba for Congress Committee on October 27, 1982, was for Gluba's primary deficit. This contribution was made after we were advised of the existence of such a deficit by the Gluba Committee. Marv Hrubas, of the UFCW, who will be on vacation until June 18, can give an affidavit to this effect. I will supply it upon his return to work. Chairman Lee Ann Elliot stated in her letter of May 31, 1984 that "it cannot be determined from reports filed by the Gluba for Congress Committee that such debts were owed at the time the Active Ballot Club made its contribution of \$600 on October 27, 1982." While I recognize the problems that may exist for the Gluba Committee if there was no such debt, I am unaware of any regulations or Advisory Opinions of the Commission which would suggest that a contributor must perform some audit function if it is told there is a primary deficit. Obviously, we were never in control of, nor even privileged to, the records of the Gluba for Congress Committee at the time our contribution was made. That contribution was made with the good-faith belief, based upon the representations of the Gluba for Congress Committee, that there was such a debt.

If there are any additional questions or information that we can supply on this matter, please let me know.

Sincerely yours,

Edward P. Wendel /sgg

Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers International
Union

EPW:sgg

84040482932

JUN 13 4 51 PM '84

GENERAL COUNSEL

William H. Wynn
International
President

Anthony J. Luty
International
Secretary-Treasurer

United Food & Commercial Workers
International Union, AFL-CIO & CLC
1775 K Street, N.W.
Washington, D.C. 20006
(202) 223-3111



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 31, 1984

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue, Treasurer
Quad City Federation of Labor
AFL-CIO
Patrick R. DeVine, Treasurer

Dear Ms. McCormick:

The Federal Election Commission notified your clients, AFL-CIO COPE-PCC and its treasurer, Thomas R. Donahue, and the Quad City Federation of Labor AFL-CIO and its treasurer, Patrick R. DeVine, on February 2, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaint were forwarded to your clients at that time. We acknowledge receipt of your explanations of this matter received March 5, 1984, and April 17, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on May 22, 1984, determined that there is reason to believe that AFL-CIO COPE-PCC and Thomas R. Donahue as its treasurer, and the Quad City Federation of Labor AFL-CIO and Patrick R. DeVine as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982.

84040482934

Margaret E. McCormick, Esquire
Page 2

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

84040482935

Enclosures



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 31, 1984

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and
Trades Reference and Safety
Book
Melvin J. Smith, Treasurer

Dear Mr. Kurnick:

The Federal Election Commission notified your clients, the Cedar Rapids Building and Trades Reference and Safety Book, and its treasurer, Melvin J. Smith, on February 2, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your explanation of this matter dated March 5, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on May 22, 1984, determined that there is reason to believe that the Cedar Rapids Building and Trades Reference and Safety Book, and Melvin J. Smith, as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982.

8404082936

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

84040482937

Enclosure
Conciliation Agreement



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 31, 1984

Mr. Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club
Anthony J. Luty, Treasurer

Dear Mr. Wendel:

The Federal Election Commission notified your clients, the Active Ballot Club, a Department of the United Food and Commercial Workers Union, and Anthony J. Luty, its treasurer, on February 2, 1984, of a complaint alleging violations of sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to Mr. Luty at that time. We acknowledge receipt of your explanation of this matter dated February 22, 1984.

Upon further review of the allegations contained in the complaint, and of the information which you supplied, the Commission, on May 22, 1984, determined that there is reason to believe that the Active Ballot Club and Mr. Luty, as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982. Although your response demonstrates an intent on the part of the Active Ballot Club that its contribution be used to meet Mr. Gluba's primary campaign debts, it cannot be determined from reports filed by the Gluba for Congress Committee that such debts were owed at the time the Active Ballot Club made its contribution of \$600 on October 27, 1982. Post-primary contributions may be designated for the primary campaign only if debts remain. See 2 U.S.C. § 441a(a)(2) and 11 C.F.R. § 110.1(a)(2).

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 ten days of your receipt of this notification.

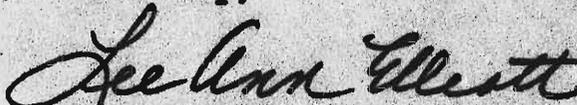
84040482938

Mr. Edward P. Wendel
Page 2

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 your clients, 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 your clients wish the matter to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures
Procedures

84040482939



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 31, 1984

Mr. Charles L. Messmer
Treasurer, Gluba for Congress
Committee
2324 West Rusholme Street
Davenport, Iowa 52804

RE: MUR 1623
Gluba for Congress Committee

Dear Mr. Messmer:

The Federal Election Commission notified you on February 2, 1984, of a complaint alleging violations of 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. We acknowledge receipt of the explanations of this matter provided by William Gluba, Cameron Moore, T. Michael Behan, and yourself on February 20, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on May 22, 1984, determined that there is reason to believe that the Gluba for Congress Committee and you, as treasurer, have violated 2 U.S.C. § 441a(f) by accepting excessive contributions for William Gluba's 1982 general election campaign from AFL-CIO COPE-PCC and its affiliated committees, the Cedar Rapids Building and Trades Reference and Safety Book and the Quad City Federation of Labor AFL-CIO, and from the Active Ballot Club, a Department of the United Food and Commercial Workers International Union. As regards the AFL-CIO contributions, the contributors have been unable to confirm an intent to contribute \$2,000 to pay primary election debts. It also cannot be determined from your committee's 1982 reports that such debts were owed as of the times the excessive contributions here at issue were received. Post-primary contributions may be designated for the primary campaign only if debts remain. See 2 U.S.C. § 441a(a)(2) and 11 C.F.R. § 110.1(a)(2).

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 ten days of your receipt of this notification.

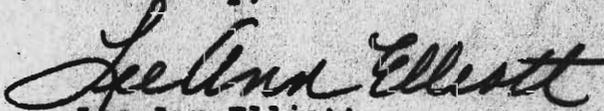
84040482940

Mr. Charles L. Messmer
Page 2

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 committee and you, as treasurer, 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 your clients wish the matter to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures
Procedures

cc: William E. Gluba

84040482941



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Charles L. Messmer
Treasurer, Gluba for Congress
Committee
2324 West Rusholme Street
Davenport, Iowa 52804

RE: MUR 1623
Gluba for Congress Committee

Dear Mr. Messmer:

The Federal Election Commission notified you on February 2, 1984, of a complaint alleging violations of 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. We acknowledge receipt of the explanations of this matter provided by William Gluba, Cameron Moore, T. Michael Behan, and yourself on February 20, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on May 22, 1984, determined that there is reason to believe that the Gluba for Congress Committee and you, as treasurer, have violated 2 U.S.C. § 441a(f) by accepting excessive contributions for William Gluba's 1982 general election campaign from AFL-CIO COPE-PCC and its affiliated committees, the Cedar Rapids Building and Trades Reference and Safety Book and the Quad City Federation of Labor AFL-CIO, and from the Active Ballot Club, a Department of the United Food and Commercial Workers International Union. As regards the AFL-CIO contributions, the contributors have been unable to confirm an intent to contribute \$2,000 to pay primary election debts. It also cannot be determined from your committee's 1982 reports that such debts were owed as of the times the excessive contributions here at issue were received. Post-primary contributions may be designated for the primary campaign only if debts remain. See 2 U.S.C. § 441a(a)(2) and 11 C.F.R. § 110.1(a)(2).

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 ten days of your receipt of this notification.

84040482942

AW
5/29/84

Mr. Charles L. Messmer
Page 2

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 committee and you, as treasurer, 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 your clients wish the matter to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Lee Ann Elliott
Chairman

Enclosures
Procedures

cc: William E. Gluba

84040482943



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club
Anthony J. Luty, Treasurer

Dear Mr. Wendel:

The Federal Election Commission notified your clients, the Active Ballot Club, a Department of the United Food and Commercial Workers Union, and Anthony J. Luty, its treasurer, on February 2, 1984, of a complaint alleging violations of sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to Mr. Luty at that time. We acknowledge receipt of your explanation of this matter dated February 22, 1984.

Upon further review of the allegations contained in the complaint, and of the information which you supplied, the Commission, on May 22, 1984, determined that there is reason to believe that the Active Ballot Club and Mr. Luty, as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982. Although your response demonstrates an intent on the part of the Active Ballot Club that its contribution be used to meet Mr. Gluba's primary campaign debts, it cannot be determined from reports filed by the Gluba for Congress Committee that such debts were owed at the time the Active Ballot Club made its contribution of \$600 on October 27, 1982. Post-primary contributions may be designated for the primary campaign only if debts remain. See 2 U.S.C. § 441a(a)(2) and 11 C.F.R. § 110.1(a)(2).

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 ten days of your receipt of this notification.

8440482944

AW
5/29/84

Mr. Edward P. Wendel
Page 2

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 your clients, 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 your clients wish the matter to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Lee Ann Elliott
Chairman

Enclosures
Procedures

84040482945



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and
Trades Reference and Safety
Book
Melvin J. Smith, Treasurer

Dear Mr. Kurnick:

The Federal Election Commission notified your clients, the Cedar Rapids Building and Trades Reference and Safety Book, and its treasurer, Melvin J. Smith, on February 2, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your explanation of this matter dated March 5, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on May 22, 1984, determined that there is reason to believe that the Cedar Rapids Building and Trades Reference and Safety Book, and Melvin J. Smith, as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982.

84040482946

RC
5/27/84

Sincerely,

Lee Ann Elliott
Chairman

Enclosure
Conciliation Agreement

84040482947



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue, Treasurer
Quad City Federation of Labor
AFL-CIO
Patrick R. DeVine, Treasurer

Dear Ms. McCormick:

The Federal Election Commission notified your clients, AFL-CIO COPE-PCC and its treasurer, Thomas R. Donahue, and the Quad City Federation of Labor AFL-CIO and its treasurer, Patrick R. DeVine, on February 2, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaint were forwarded to your clients at that time. We acknowledge receipt of your explanations of this matter received March 5, 1984, and April 17, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on May 22, 1984, determined that there is reason to believe that AFL-CIO COPE-PCC and Thomas R. Donahue as its treasurer, and the Quad City Federation of Labor AFL-CIO and Patrick R. DeVine as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982.

84040482948

Handwritten initials or marks at the bottom left corner of the page.

Sincerely,

Enclosures
Conciliation Agreements (2)

84040482949

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
William E. Gluba for Congress) MUR 1623
Committee, et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of May 22, 1984, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1623:

1. Find reason to believe that AFL-CIO COPE-PCC, Thomas R. Donahue as treasurer of AFL-CIO COPE-PCC, the Quad City Federation of Labor, Patrick R. DeVine as treasurer of the Quad City Federation of Labor, the Cedar Rapids Building and Trade Reference and Safety Book and Melvin J. Smith as treasurer of CRBTRSB, violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee.
2. Find reason to believe the Active Ballot Club, a Department of the United Food and Commercial Workers International Union and Anthony Luty as treasurer of the Active Ballot Club, violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee

(Continued)

84040482950

3. Find reason to believe that the Gluba for Congress Committee and Charles L. Messmer as treasurer of the Gluba for Congress Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO, and the Cedar Rapids Building and Trades Reference and Safety Book, and from the Active Ballot Club, a Department of the United Food and Commercial Workers International Union.

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

Attest:

5-24-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040482951



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/SUSAN M. TEIR *SMT*
DATE: MAY 17, 1984
SUBJECT: OBJECTION - MUR 1623 - FIRST GENERAL
COUNSEL'S REPORT dated May 15, 1984

The above-named document was circulated to the Commission on May 15, 1984 at 11:00.

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

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

This matter will be placed on the Executive Session agenda for Tuesday, May 22, 1984.

84040482952



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: MAY 16, 1984
SUBJECT: OBJECTION - MUR 1623 First General Counsel's
Report dated May 15, 1984

The above-named document was circulated to the Commission on Tuesday, May 15, 1984 at 11:00.

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 Tuesday, May 22, 1984.

84040482953



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
 FROM: Office of General Counsel *CA*
 DATE: May 14, 1984
 SUBJECT: MUR 1623 - First General Counsel's Report

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

Open Session _____

Closed Session _____

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SENSITIVE

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OFFICE OF THE
COMMISSION SECRETARY

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

FIRST GENERAL COUNSEL'S REPORT
JAN 14 3:48

DATE AND TIME OF TRANSMITTAL BY
OGC TO THE COMMISSION 5/14/84-3:45

MUR NO. 1623
DATE COMPLAINT RECEIVED
BY OGC January 30, 1984
STAFF MEMBER
Anne A. Weissenborn

COMPLAINANT'S NAME: James E. Antosh
c/o Center on National Labor Policy

RESPONDENTS' NAMES: William Evan Gluba, William E. Gluba for
Congress Committee
Charles L. Messmer, individually and as
treasurer of William E. Gluba for Congress
Committee
AFL-CIO COPE-PCC
Thomas R. Donahue, individually and as
treasurer of AFL-CIO COPE-PCC
Cedar Rapids Building and Trades Reference
and Safety Book
Melvin J. Smith, individually and as
treasurer of Cedar Rapids Building and
Trades Reference and Safety Book
Quad City Federation of Labor AFL-CIO
Patrick R. DeVine, individually and as
treasurer of Quad City Federation of
Labor AFL-CIO
Active Ballot Club, A Department of United
Food and Commercial Workers International
Union
Anthony J. Lutty, individually and as
treasurer of Active Ballot Club, A
Department of United Food and Commercial
Workers International Union

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(a)(5)
2 U.S.C. § 441a(f)

INTERNAL REPORTS
CHECKED: Reports submitted by respondent committees

FEDERAL AGENCIES
CHECKED: None

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SUMMARY OF ALLEGATIONS

The complainant alleges that AFL-CIO COPE-PCC and two affiliated separate segregated funds, the Cedar Rapids Building and Trades Reference and Safety Book ("CRBTRSB") and the Quad City Federation of Labor AFL-CIO, and their respective treasurers, have violated 2 U.S.C. § 441a(a)(2)(A) by contributing an aggregate total of \$7,000.00 to William E. Gluba and the Gluba for Congress Committee for use in Mr. Gluba's general election campaign in 1982. The complainant asserts that as affiliated multicandidate committees these entities are limited by 2 U.S.C. § 441a(a)(5) a single contribution limitation of \$5,000 per election per candidate as prescribed by 2 U.S.C. § 441a(a)(2)(A). The complainant also alleges that the Active Ballot Club, a Department of the United Food and Commercial Workers International Union ("Active Ballot Club") and its treasurer have violated 2 U.S.C. § 441a(a)(2)(A) by contributing \$5,600 to William E. Gluba and the Gluba for Congress Committee for the general election campaign. Finally, the complainant alleges that William E. Gluba, the Gluba for Congress Committee, and its treasurer have violated 2 U.S.C. § 441a(f) by knowingly accepting contributions totaling \$7,000 from the AFL-CIO COPE-PCC and its above-cited affiliated separate segregated funds and contributions totaling \$5,600 from the Active Ballot Club for use in the general election campaign.

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LEGAL AND FACTUAL ANALYSIS

A. Contributions by AFL-CIO COPE-PCC, the Quad City Federation of Labor and CRBTRSB.

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An examination of reports filed by the Gluba for Congress Committee confirms the reported receipt for the general election campaign of the contributions from AFL-CIO COPE-PCC, the Quad City Federation of Labor and CRBTRSB cited by the complainant . In response to notification of the complaint in this matter (see Attachments 1 and 2), Mr. Gluba and Cameron A. Moore, campaign manager for the Gluba for Congress Committee in 1982, have stated that in the last week of July, 1982, this committee received from the Quad City Federation of Labor a check for \$2,000 which was returned because the latter committee was not registered as a federal committee. Mr. Moore states that he returned the \$2,000 to the president of the Quad City Federation of Labor, Leonard Davis, with the understanding that it would be sent on to AFL-CIO COPE-PCC and that the latter committee would in turn re-contribute the \$2,000 to the Gluba committee with instructions that it was intended to be applied to primary debts. Mr. Gluba has submitted an unsigned letter from Mr. Davis to John Perkins, Director, AFL-CIO COPE, dated August 5, 1982, stating that an enclosed \$2,000 check was intended for Mr. Gluba's pre-primary expenses. (Attachment 3).^{1/} The Gluba committee reported

^{1/} Responses have also been received from Charles L. Messmer, treasurer of the Gluba for Congress Committee, and from the committee's accountant; both refer to the responses provided by Mr. Gluba and Mr. Moore. (Attachments 4 and 5).

receiving \$2,500 from AFL-CIO COPE on August 7, 1982, for the general election.

The response filed by counsel for AFL-CIO COPE and the Quad City Federation of Labor AFL-CIO, and by counsel for the Cedar Rapids Building and Trades Reference and Safety Book, states that these respondents' 1982 records show a contribution of \$2,500 to the Gluba for Congress Committee from AFL-CIO COPE-PCC on July 19, 1982, plus additional contributions of \$650 and \$1,650 from AFL-CIO COPE-PCC on September 21, 1982, and October 25, 1982, of \$500 from CRBTRSB on October 1, 1982, and of \$1,700 from the Quad City Federation of Labor on October 26, 1982, to the same committee. All of these contributions, totalling \$7,000, were reported by the contributors as being for the general election campaign. These respondents acknowledge exceeding the contribution limitation by \$2,000. (Attachment 6).

After the discrepancy between the contributors' and the recipient's responses was drawn to the attention of counsel for AFL-CIO COPE-PCC and the Quad City Federation, counsel pursued with her clients the issue of the asserted \$2,000 refund to the Quad City Federation and its re-contribution. Counsel has found that there is no record of these transactions in the possession of her clients. (See Attachment 7). It therefore appears that while the Gluba committee may have understood that the Quad City Federation was going to contribute to the primary campaign through AFL-CIO COPE-PCC, this did not occur. In addition, it should be noted that while the Gluba committee reported receipt

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of the \$2,500 contribution from AFL-CIO COPE-PCC on August 7, 1982, that contribution was reported by the contributor as having been made on July 19, 1982, and thus before the Gluba committee's return of the \$2,000 contribution from the Quad City Federation.^{2/}

In their joint response counsel for AFL-CIO COPE-PCC, the Quad City Federation of Labor and the Cedar Rapids Building and Trades Reference and Safety Book have requested that the Commission take no further action in this matter in light of certain enumerated mitigating circumstances. These circumstances include: (1) administrative oversight which resulted in the contributions by the Quad City Federation and CRBTRSB not being cleared with COPE-PCC, (2) efforts by the AFL-CIO to assure that federal committees sponsored by AFL-CIO state and local bodies inform the national federation before making contributions, (3) the adoption on February 25, 1983, of a resolution asking all AFL-CIO state and local bodies and Department state and local bodies to terminate their federal committees, and (4) the request by AFL-CIO COPE-PCC for a \$2,000 refund from Mr. Gluba.

^{2/} It should also be noted that even if it could be shown that AFL-CIO COPE-PCC and the Quad City Federation intended the \$2,000 to be designated for the primary campaign, the apparent lack of debt owed by the Gluba committee for that campaign would prevent such designation. See discussion in subsection B below.

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In light of the affiliated contributors' stated intention that their contributions were to be used for the general election campaign activities of the Gluba committee and given their aggregated contribution total of \$7,000, this Office recommends, notwithstanding the mitigating circumstances asserted, that the Commission find reason to believe that AFL-CIO COPE-PCC and its treasurer, Thomas R. Donahue; the Cedar Rapids Building and Trades Reference and Safety Book and its treasurer, Melvin J. Smith; and the Quad City Federation of Labor AFL-CIO and its treasurer, Patrick R. DeVine, violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee. We also recommend that the Commission find reason to believe that the Gluba for Congress Committee and its treasurer, Charles L. Messmer, violated 2 U.S.C. § 441a(f) by receiving excessive contributions from AFL-CIO COPE-PCC, the Quad City Federation of Labor, and the Cedar Building and Trades Reference and Safety Book.

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B. Contributions by the Active Ballot Club

As stated above, the complainant also alleges that the Active Ballot Club of the United Food and Commercial Workers International Union, and its treasurer, violated 2 U.S.C. § 441a(a)(2)(A) by contributing \$5,600 to the Gluba for Congress Committee for the general election campaign. Responses received from Mr. Gluba and representatives of his committee, and from the Active Ballot Club agree that the \$600 contributed by the latter, which was reported as received by the Gluba committee on November 2, 1982, was incorrectly reported by both contributor and recipient as being for the general election campaign. (Attachments 1, 2 and 8). Counsel for the Active Ballot Club has furnished copies of the check request and of the check and accompanying explanation; these documents confirm the respondents' contentions that this contribution was intended to be used to meet the primary deficit of the Gluba committee. (Attachment 8).

2 U.S.C. § 441a(a)(2) and all C.F.R. § 110.2(a)(1) provide that no multicandidate committee shall make contributions to any federal candidate and his authorized committee in excess of \$5,000 "with respect to any election." For purposes of these provisions, "with respect to any election" is to be defined in the same way as it is at 11 C.F.R. § 110.1(a)(2). Subsection 110.1(a)(2)(i) states in part, ". . . a contribution made after a

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primary election . . . and designated for the primary election . . . shall be made only to the extent that the contribution does not exceed net debts outstanding from the primary election. . . ."

In the case of the Gluba for Congress Committee, it appears from the committee's own reports that there were no debts outstanding for the primary campaign at the time the \$600 contribution from the Active Ballot Club was received on November 2, 1982. The last report filed by the committee during the primary period was the Twelve Day Report dated May 27, 1982; this report shows no debts owed and cash on hand of \$330.02. None of the subsequent reports filed by the Committee through January 31, 1983, show expenditures having been made for the primary; all expenditures are either reported as general election-related or are not designated for a particular election. This is true even of expenditures cited in these later reports as having been made prior to the June 5, 1982, primary date. Therefore, it appears that despite the agreement of the respondents that the \$600 contribution here at issue was designated to meet primary debts, such a designation was not permissible.

This Office recommends that the Commission find reason to believe that the Active Ballot Club violated 2 U.S.C. § 441a(a)(2) by making excessive contributions to the Gluba for Congress Committee and the Gluba for Congress Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from the Active Ballot Club.

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RECOMMENDATIONS

1. That the Commission find reason to believe that AFL-CIO COPE-PCC, Thomas R. Donahue as treasurer of AFL-CIO COPE-PCC, the Quad City Federation of Labor, Patrick R. Devine as treasurer of the Quad City Federation of Labor, the Cedar Rapids Building and Trade Reference and Safety Book and Melvin J. Smith as treasurer of CRBTRSB, violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee.
2. That the Commission find reason to believe the Active Ballot Club, a Department of the United Food and Commercial Workers International Union and Anthony Luty as treasurer of the Active Ballot Club, violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee.
3. That the Commission find reason to believe that the Gluba for Congress Committee and Charles L. Messmer as treasurer of the Gluba for Congress Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from AFL-CIO COPE-PCC, the Quad City Federation of Labor AFL-CIO, and the Cedar Rapids Building and Trades Reference and Safety Book, and from the Active Ballot Club, a Department of the United Food and Commercial Workers International Union.

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Charles N. Steele
General Counsel

May 14, 1989
Date

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

Attachments
Letters
Proposed Conciliation Agreements (3)

1623
Weissenborn
Mr. William E. Gluba
2421 Gaines St.
Davenport, IA 52803

February 20, 1984

Mr. Charles N. Steele
Federal Election Commission
1325 K St. NW
Washington, DC 20463

Dear Mr. Steele:

Please consider this communication as my good faith effort to respond to your letter of February 2, 1984 and that I received February 9, 1984 concerning certain aspects of my 1982 Campaign Finance Disclosure Report. I believe this case is to be referred to as MUR1623.

Mr. Steele, because of my very modest income and the fact I have a large family and a great number of regular bills, I simply cannot afford to hire a lawyer to represent me in the matter. In addition, I know I have not intentionally done anything wrong or purposely violated the Federal Election Campaign Act. The following, along with the enclosed letters from my campaign manager, treasurer, and bookkeeper is an honest and accurate explanation of the contributions in dispute.

After receiving your letter, I dug out all the records remaining from my 1982 campaign and talked to those individuals involved in its day to day operation, and tried to figure out why it appears my general election campaign received \$2,000 more from the AFL-CIO COPE-PCC, and \$600 more from the United Food and Commercial Workers International Union ABC Active Ballot Club than allowed by law.

The following is what I have concluded after looking into this matter:

First, in the last week of July 1982 my campaign received a check in the amount of \$2,000 from Leonard Davis, President of the Quad City Federation of Labor. This check was presented to my campaign on behalf of the Quad City Federation members to be used to help pay off debts accumulated during my primary election. Upon checking my campaign manager found that in order to be in compliance with F.E.C. regulation we were unable to accept this contribution due to the fact that the Quad-City Federation of Labor COPE was not registered on the Federal level.

At that time my campaign manager returned \$2000.00 to Mr. Davis with the understanding that he would forward this amount to AFL-CIO C.O.P.E., and they would in turn make a proper donation back to our campaign. It is my understanding that Mr. Davis complied with this request and in an accompanying letter again stipulated that this contribution was to "cover pre-primary expenses." A copy of this letter from Mr. Davis to Mr. Perkins is enclosed for your review.

Much to our delight, AFL-CIO took this opportunity to increase their dona-

Attachment 1

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RECEIVED
GENERAL COUNSEL
FEB 23 1984

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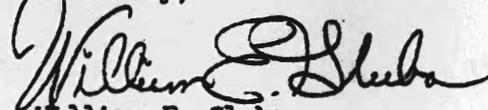
tion by \$500 when they sent a check to us. Whether they intended this additional \$500 to be attributed to the primary campaign, I don't know. However, it seems clear from the enclosed letter that at least \$2000 of the \$7000 aggregate AFL-CIO COPE-PCC general election contribution is in the wrong place.

I am aware that our reports showed these contributions to be all general election revenue. Apparently through lack of communication or carelessness our reports were completed inaccurately by our bookkeeper. A letter to this effect from our bookkeeper is enclosed.

Second, in response to the complaint that my campaign received \$500 more from the UFCW Active Ballot Club than allowed, I can only say that it is my understanding that the \$600 contribution of 11-2-82 was to have been assigned to the primary debt, since that organization did not give the maximum allowed during the primary campaign. Again, it appears that a mistake was made in preparing the report.

I hope the information I have provided will assist in clearing this matter up. Please be assured of my continued cooperation in this respect. However, since my old campaign headquarters has been closed since November of 1982, please send any correspondence on this case to my home at 2421 Gaines Street, Davenport, Iowa 52803.

Sincerely,


William E. Gluba

Enclosures

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Mr. Cameron Moore
2405 W. 29th St.
Davenport, IA 52804

February 20, 1984

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

Dear Mr. Steele:

As the campaign manager for the William E. Gluba for Congress Committee for the 1982 federal general election, I would like to take this opportunity to attempt some clarification of the matters pertaining to Complaint MUR No. 1623, filed by James Edward Antosh.

In response to the first claim concerning the surpassing of the \$5000.00 limit by the AFL-CIO C.O.P.E.-PCC and its affiliates there is an error which accounts for the \$2000.00 over-limit. In the last week of July 1982 we received a check in the amount of \$2000.00 from Leonard Davis, President of the Quad-City Federation of Labor. This check was presented on behalf of Quad City Federation members to be used for the primary campaign of William E. Gluba. Upon checking, I found that in order to be in compliance with FEC regulations we were unable to accept this contribution due to the fact that the Quad City Federation of Labor C.O.P.E. was not registered at the federal level.

At that time I returned \$2000.00 to Mr. Davis with the understanding that he would forward this amount to AFL-CIO C.O.P.E., and they would in turn send this amount to us. Mr. Davis complied with this request and in an accompanying letter again stipulated that this contribution was to "cover pre-primary expenses." A copy of this letter is enclosed.

Much to our delight, AFL-CIO C.O.P.E. increased this amount by \$500.00 when they sent a check to us. Whether they intended this additional amount to be attributed to the primary campaign, I don't know. However it seems clear that at least \$2000.00 of the \$7000.00 aggregate AFL-CIO C.O.P.E.-PCC general election contribution is in the wrong place.

I am aware that our reports showed these contributions to be all general election revenue. Apparently through miscommunications and/or carelessness our reports were completed inaccurately by our bookkeeper. A letter from our bookkeeper is also enclosed.

In response to the complaint alleging that the UFCW Active Ballot Club exceeded the \$5000.00 limit, it was intended that the \$600.00 contribution of 11/2/82 was to be assigned to the primary debt. Again, it appears that a mistake was made in preparing the report. The likelihood of this happening is apparent when you consider that by far the majority of contributions listed on the reports in question were attributable to the General Election. Haste or carelessness seem to be the culprit.

Attachment 2

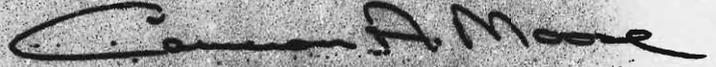
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I appreciate the opportunity to clear this matter up, and hope that my input has been helpful. If I can be of any further assistance in this matter, I am at your service.

I await your response and hope for the successful resolution of this matter, as soon as possible.

Respectfully,



Cameron A. Moore

Enclosures

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August 5, 1982

John Perkins, Director
AFL-CIO C.O.P.E.
815 16 Street NW
Washington, D.C. 20006

Dear Brother Perkins,

Enclosed you will find our check for \$2,000. This check was issued to cover pre-primary expenses incurred by Democratic Congressional candidate Bill Gluba, 1st District of Iowa.

Sincerely,

Leonard L. Davis, Jr.
C.O.P.E. Chairman

Patrick R. DeVine
C.O.P.E. Treasurer

kc

Attachment 3

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February 20, 1984

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

Dear Mr. Steele;

As treasurer of the Gluba for Congress committee please consider this letter my official response to your correspondence of February 2, 1984, which I received February 9, 1984 regarding MUR 1623.

I have chosen not to be represented by counsel, since to the best of my knowledge I have not intentionally or knowingly violated the Federal Election Campaign Act. Also, I cannot afford the expense of a lawyer.

In addition, as a volunteer I served in name only as treasurer and was not involved in the day to day administration of the campaign. A paid bookkeeper was hired to perform this work and to prepare the necessary F.E.C. reports for my signature.

I therefore must rely on the enclosed explanation provided by Mr. Gluba, Mr. Moore, and Mr. Behn concerning the contributions in question. To the best of my knowledge these explanations are accurate.

I hope that the enclosed accounts aid in the reconciliation of this matter. If any further assistance is required please be assured that I will do my best to cooperate with the commission in any way that I can.

Respectfully,



Charles L. Mesmer
2324 W. Rusholme St.
Davenport, Iowa 52804

Attachment 4

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February 20, 1984

Mr. Charles N. Steele
Federal Elections Commission
1325 K. Street N.W.
Washington, D.C. 20463

Re: William E. Gluba for Congress Committee

Dear Mr. Steele,

This letter is in reference to MUR1623 being considered by the F.E.C. In April 1982 my services were retained by the William E. Gluba for Congress Committee, to act as bookkeeper for that campaign.

In this capacity it was my responsibility to account for income and expenditures and to complete the required F.E.C. reports for Mr. Charles Messmer's Signature.

It has now come to my attention that certain contributions were apparently attributed to the general election campaign instead of the primary as intended. I believe the explanation provided by Mr. Gluba, Mr. Messmer, and Mr. Moore is an accurate and honest explanation of this matter.

I regret that I did not detect these mistakes originally and report them as they were intended to be. However, this was the first time I had ever done bookkeeping of this nature and I did not realize how confusing and hectic things can get in a political campaign. Honest mistakes were made due to inexperience and lack of communications.

I hope that this letter provides some insight into the possibility of error in the cases in question. I further hope that I have been of some service in alleviating the problems which may have resulted from reporting errors made by my firm.

Sincerely,



T. Michael Behan
Accountant

TMB/jn

Attachment 5

6

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20008
(202) 637-5000

EXECUTIVE COUNCIL

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John DeConcini
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James E. Hettfield
Vincent R. Samorotto
Mervin J. Beale
Gwyn Bieber

AW

March 5, 1984

P 2: 22

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

Re: FEC MUR 1623

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE - PCC"), Patrick R. DeVine, the Quad City Federation of Labor AFL-CIO ("Quad City"), Melvin J. Smith, and the Cedar Rapids Building and Trades Reference & Safety Book ("CRBTRSB") (hereinafter "respondents") to your letter, dated February 2, 1983, advising that the Commission had received a complaint alleging the respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered MUR 1623, alleges that respondent political committees and their treasurers violated §441a(a)(2)(A) of the Act by making contributions which in the aggregate totalled \$7000 to the 1982 general election campaign of congressional candidate William E. Gluba.

Respondents' 1982 contribution records reflect the following contributions to the William E. Gluba for Congress Committee for the 1982 general election: COPE-PCC contributed \$2,500.00 on 7/19/82; COPE-PCC contributed \$650.00 on 9/21/82; CRBTRSB contributed \$500.00 on 10/1/82; COPE-PCC contributed \$1650.00 on 10/25/82; and Quad City contributed \$1700.00 on 10/26/82.

Respondents acknowledge that they inadvertently contributed \$2000.00 more than the maximum contribution permitted by §441a(a)(2)(A) to the 1982 general election campaign of William Gluba. However, because of the mitigating circumstances described below, respondents respectfully request that the Commission take no further action in this matter.



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1. Respondents' violation of 5441a(a)(2)(A) was the result of administrative error rather than any deliberate attempt to evade the Act's contribution limits. Specifically, what happened is that respondents CRBTRSB and Quad City each made contributions for the general election which contributions, due to administrative oversight, were neither cleared with nor reported to COPE-PCC.

2. AFL-CIO has exercised its best efforts to ensure that contributions made by federal political committees sponsored by AFL-CIO state and local bodies do not, when aggregated with contributions made by COPE-PCC, exceed the contributions limits of the Act. The AFL-CIO and its Departments have repeatedly advised federal committees sponsored by AFL-CIO state and local bodies that those committees are affiliated with COPE-PCC and that their contributions therefore count towards COPE-PCC's contribution limit and has requested that such committees contact COPE-PCC or the national political committee of their respective AFL-CIO Department before making any contributions to a federal candidate. See, for example, the attached memorandum on this subject from Building and Construction Trades Department President Robert A. Georgine. (See Attachment A.)

3. Recognizing the risk that contributions made by federal political committees sponsored by AFL-CIO state and local central bodies could lead to inadvertent violations of 2 U.S.C. 5441a(a)(2)(A) despite best efforts to prevent such violations, the AFL-CIO Executive Council, on February 25, 1983, adopted a resolution calling for all AFL-CIO state and local bodies and all AFL-CIO Department state and local bodies to terminate their federal committees and stating that henceforth all AFL-CIO contributions to or expenditures on behalf of federal candidates will be made at the national level. A copy of that resolution is attached hereto. (See Attachment B.)

This resolution has been communicated to each AFL-CIO state or local central body that sponsors a federal committee affiliated with COPE-PCC. The Cedar Rapids Building and Construction Trades Council and the Quad City Federation of Labor AFL-CIO have already terminated their federal political committees, as have many other AFL-CIO state and local bodies.

As a result of this resolution, the number of AFL-CIO affiliated federal political committees will soon be reduced to three — COPE-PCC, PEF - BCTD, and the Industrial Union Department Voluntary Fund. These committees already operate under a closely monitored system designed to preclude limitation violations. Thus, there is little chance that future contributions made by these committees will exceed the statutory contribution limits.

4. Respondents have already voluntarily sought to bring themselves into compliance with the Act by seeking a refund of their \$2000 excess contribution from the Gluba For Congress Committee. A copy of the letter requesting that refund is attached hereto. (See Attachment C).

In light of the inadvertent nature of respondents' violation, respondents' previous efforts to avoid the occurrence of such violations, respondents' actions to minimize the risk that similar violations will occur in the future, and respondents' voluntary efforts to comply with the Act by seeking a refund of their excess contribution, respondents believe that the Commission should take no further action in this matter.

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Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for Respondents Thomas R. Donahue,
AFL-CIO COPE-PCG, Quad City
Federation of Labor, AFL-CIO and
Patrick R. DeVine

Robert D. Kurnick

Robert D. Kurnick
Counsel for Respondents Melvin J. Smith
and Cedar Rapids Building and Trades
Reference and Safety Book

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JOSEPH F. MALONEY, Secretary-Treasurer
JOHN M. LYONS, 1st Vice President
THOMAS F. MURPHY, 2nd Vice President
S. FRANK RAFTERY, 3rd Vice President
CHARLES H. PILLARD, 4th Vice President



JOSEPH T. POWEL, 5th Vice President
HAROLD J. SUOVI, 6th Vice President
MARTIN J. WARD, 7th Vice President
WILLIAM SIDELL, 8th Vice President
ANGELO POSCO, 9th Vice President
J.C. TURNER, 10th Vice President

Building and Construction Trades Department

AMERICAN FEDERATION OF LABOR - CONGRESS OF INDUSTRIAL ORGANIZATIONS

815 SIXTEENTH ST., N.W., Suite 608 • WASHINGTON, D. C. 20004

(202) 347-1461

October 11, 1976

IMPORTANT

To all State and Local Building and Construction
Trades Councils affiliated with the Building and
Construction Trades Department

Subject: Contributions to Candidates for Federal Office

Dear Sir and Brother:

It has been called to the attention of the AFL-CIO Committee for Political Education by the Federal Election Commission that COPE and the political committees considered under the federal law to be COPE's affiliates, on four occasions in the 1976 campaign year exceeded the applicable joint limit on contributions to federal candidates. That limit is \$5,000.00 per election to a candidate for federal office. National COPE did not itself exceed the contributions limit, rather contributions by affiliated political fund committees put COPE over the limit.

The Building and Construction Trades Department and any chartered subordinate of the Department, that is, the State and Local Building and Construction Trades Councils, are considered under the federal law as an affiliate of the National COPE. As such, any contribution that is made by the Political Educational Fund of the Building and Construction Trades Department and any committee of our affiliated Councils must be added to the aggregate total COPE contribution to a candidate for federal election. The International Unions affiliated with this Department are not included in the aggregate COPE amount, but rather are responsible for their own limitations within their own structure.

The FEC considers COPE to be a multi-candidate committee to which are assessed any contributions given to any federal candidate by State COPEs, AFL-CIO Central Bodies, Congressional COPEs, and directly affiliated union political committees and the political committees of the AFL-CIO trade and industrial departments.

Given the length of that list, it is impossible for COPE to maintain an informal system for keeping track of the amounts that are being contributed to federal candidates by affiliated committees. Therefore, in the future any contribution that any State or Local Building and Construction Trades Council political committee contemplates making to a federal candidate must first be cleared with the Accounting Department of the Building and Construction Trades Department (202 - 347-1461) so that we do not exceed the limit.

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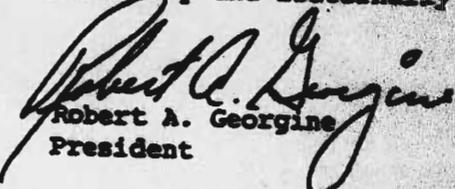
In the meantime, I am requesting you to forward the full name, address, Treasurer's name, and the FEC identification number for any committee set up by your Council.

To assist COPE in their record keeping and reporting, I would appreciate a report of any contributions you have made in the 1978 Federal Election Campaign.

I urge your immediate attention to this most important matter, and stress your Council's compliance with clearing all federal candidate contributions through this Department before any contributions are made.

Thanking you for your cooperation and with very best wishes, I am

Sincerely and fraternally,


Robert A. Georgine
President

RAG:edt
opeiu #2 afl-cio

84040482975

(10)

AFL-CIO Political Committees

The Federal Election Campaign Act (FECA) provides that if a Directly Affiliated Local Union (DALU), a state or local central body of the AFL-CIO, or a state or local body of a Department of the AFL-CIO, sets up a voluntary political contributions fund and makes contributions from that fund to a federal candidate, the fund is a "political committee." As a political committee, each such fund is required to register with the Federal Election Commission and to file comprehensive periodic financial reports with the Commission. Meeting these requirements is costly, both in the time it takes to meet the FEC's reporting requirements and in the money paid to lawyers and accountants.

The FECA also provides that the political committees of DALUs and of state and local bodies are "affiliated" with the AFL-CIO Political Contributions Committee (COPE-PCC). For the purposes of the FECA's contributions limits, political committees that are "affiliated" are treated as a single committee. This means that contributions by a state or local political committee count toward the \$5,000 per candidate per election limit of the national committee with which the state or local committee is affiliated. Consequently, if the combined contributions of affiliated committees to the same candidate for the same election total more than \$5,000, the national committee violates the Act.

Because of the burden and expense of maintaining and operating federal political committees at the state and local levels, and because experience has shown that there is a substantial risk that the contributions made by such committees may lead to violations of the contribution limits of the FECA despite the best efforts to avoid such inadvertent violations, the AFL-CIO Executive Council has concluded:

1. That no DALU, AFL-CIO state or local central body, or AFL-CIO Department state or local body, shall establish or maintain a separate segregated fund that makes contributions to or expenditures on behalf of candidates for federal office;
2. That existing federal political committees of the DALUs and of the state and local bodies of the AFL-CIO and of its Departments shall terminate their registration with the FEC and shall transfer the voluntary funds in their accounts to AFL-CIO COPE-PCC or to their respective AFL-CIO Department's political committee;
3. That henceforth all contributions to or expenditures on behalf of federal candidates attributable to the AFL-CIO shall be made at the national level;
4. That National AFL-CIO COPE shall work in close cooperation with the DALUs and the state and local bodies of the AFL-CIO and of its Departments to assure that those organizations will continue to play an active and visible role in the making of contributions to and expenditures on behalf of federal candidates.

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The Executive Council recognizes that in a number of instances, state or local law provides that to be able to make contributions to state and local candidates a union must maintain a political committee. In those states, DALUs and state and local bodies should continue to play an active role in state and local elections by taking the steps necessary to comply with those laws.

The Council recognizes too that the DALUs and the state and local bodies have done an excellent job in raising voluntary contributions for AFL-CIO COPE-PCC and urges those organizations to continue those efforts. The importance of this task cannot be overstated, since without the voluntary contributions raised at the state and local level, the AFL-CIO's ability to support federal candidates who share organized labor's goals and views would be greatly diminished. It is, therefore, essential that these fundraising activities continue.

Each DALU and state and local body that engages in ongoing fundraising activity for COPE-PCC should establish and maintain a separate bank account in which to deposit voluntary political contributions and from which to transmit contributions to COPE. These transmittal accounts, in contrast to the federal political contribution funds discussed above, are not treated as "political committees" within the meaning of the FECA and, therefore, do not subject their sponsoring organization to the burdensome registration and reporting requirements of the Act. This procedure is thus a simple, inexpensive and effective means for DALUs and state and local bodies to participate in the federal election process.

National COPE has prepared instructions on how to terminate a federal political committee and how to open a transmittal account and stands ready to provide DALUs and state and local bodies with all necessary technical assistance in carrying out this statement.

Committee on Political Education

LANE KIRKLAND, Chairman

THOMAS R. DONAHUE, Secretary-Treasurer

JOHN PERKINS, Director

815 16TH STREET, N.W. * WASHINGTON, D.C. 20006 * (202) 637-6101

February 29, 1984

Mr. William Gluba
2421 Gaines Street
Davenport, Iowa 52806

Dear Mr. Gluba:

I regret to inform you that we have recently discovered, as the result of a complaint filed with the Federal Election Commission, that the AFL-CIO Committee On Political Education Political Contributions Committee ("AFL-COPE PCC") and two committees which are by law affiliated with and thus share the same contribution limit as the AFL-CIO COPE PCC --the Quad City Federation of Labor AFL-CIO Committee and the Cedar Rapids Building and Construction Trades Reference and Safety Book (hereinafter "affiliated committees")--inadvertently exceeded the \$5000.00 per candidate per election contribution limit(2 U.S.C. 441a(a) (2)(A)) of the Federal Election Campaign Act by contributing a combined total of \$7000.00 to your 1982 general election campaign.

In order to remedy this situation and to bring the AFL-CIO COPE PCC and its affiliated committees into compliance with the Federal Election Campaign Act, it will be necessary for your campaign committee to refund \$2000.00 of the contributions made by the AFL-CIO COPE PCC and the affiliated committees for the 1982 general election. Accordingly, I hereby request that your committee make such a refund immediately. Since neither of the affiliated committees is still in existence, your refund check should be made payable to the AFL-CIO COPE PCC.

On behalf of the AFL-CIO COPE and the affiliated committees, I wish to apologize for any inconvenience which this request may cause you. Please be assured that we have already taken steps to ensure that errors such as this do not occur in the future.

Sincerely,

John Perkins
John Perkins
Director

84040482978

American Federation of Labor and Congress of Industrial Organizations

2159



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-6000

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Vincent A. Sambroto
Marvin J. Bonds
Owen Siebel |

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

Re: FEC MUR 1623

APR 17 1982 2:49

Dear Mr. Steele:

In response to an inquiry from your office, the AFL-CIO COPE Political Contributions Committee ("COPE-PCC") and the Quad City Federation of Labor AFL-CIO ("Quad City AFL-CIO") have reviewed their records for 1982 to determine whether Quad City AFL-CIO's federal political committee transferred \$2000 to COPE-PCC on or about August 5, 1982 with a request that the funds be contributed to the 1982 primary campaign of Congressional candidate William E. Gluba.

That review indicates that the above-described transfer was never made.

COPE-PCC's internal contribution ledger for 1982, which includes all transfers from affiliated committees, contains no record of a \$2000 transfer from the Quad City AFL-CIO in August 1982 nor is such a transfer reflected in the Committee's August 1982 monthly FEC report.

The Quad City AFL-CIO has in its files a copy of an unsigned letter dated August 5, 1982 to John Perkins, Director of AFL-CIO COPE, stating that a check in the amount of \$2000 is enclosed and that the check was issued to cover "pre-primary expenses incurred by Democratic Congressional Candidate Bill Gluba". However, the Quad City AFL-CIO is unable to locate a cancelled check for the transfer described in the August 5 letter and the committee's reports do not reflect an August 1982 transfer to COPE-PCC.

In light of the above, it appears that even though the Quad City AFL-CIO might have intended to make the above-described transfer to COPE-PCC, the transfer was never made.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO
COPE-PCC, Quad City Federation
of Labor AFL-CIO and Patrick DeVine

14

84040482979

Legal Department
(202) 466-1520 / 1523

MUR 1623
Weissenborn

February 22, 1984

F023 P12: 15

Ann Weissenborn, Esquire
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1623

Dear Ms. Weissenborn:

I am writing with regard to the complaint filed in MUR 1623 against the Active Ballot Club—a department of the United Food and Commercial Workers International Union. The complaint notes that contributions were made by the Active Ballot Club to candidate William Evan Gluba for the 1982 general election which totalled \$5,600.00, \$600 in excess of the contribution limit. In fact, a contribution of \$600, which was received by candidate Gluba on November 2, 1982, was incorrectly reported to the Federal Election Commission as a contribution to the general election. The internal records of the Union and the attachment to the check sent to Gluba both specify that the check was for the primary deficit of candidate Gluba. Copies of those documents are attached to this letter. We are in the process of filing an amended report with the FEC to correct our earlier mistake in reporting.

Sincerely yours,

Edward P. Wendel
Edward P. Wendel
Assistant General Counsel

Attachments

EPW:kl

Attachment 8

84040482980

CHECK REQUEST/DEPOSIT

Voucher No. 1027644

RECOMMENDATION FOR PAYMENT:

Department: JFK Secretary-Treasurer: _____

Accounting: _____ Other: _____

APPROVAL FOR PAYMENT:

President's Office: _____

Commercial Workers Union, AFL-CIO & CLC

October 27, 1982

Requester: Joyce McKenna

Department: Political Affairs

(Circle One)

ABC: General - U. S.

Retirement - U. S.

Annuity - U. S.

ABC: General - Canada

Retirement - Canada

U. S. ABC: Education - U. S.

Sick Benefit - U. S.

Canada ABC: Education - Canada

Sick Benefit - Canada

Int'l Fund - U. S.

Other: _____

Int'l Fund - Canada

FOR CONGRESS COMMITTEE

Vendor No. C0051

Prefix _____

GENERAL LEDGER ACCOUNT

	Number	Descriptor	DEBIT	CREDIT
99	05 5 305 105	10431 /	600.00	
2				
8				
4				
0				
4				
0				
4				
8				

AMOUNT OF CHECK: \$ 600.00

10431's contri. to Bill Gluba, candidate U.S. House of Reps. -

C.D., IA. Reporting information: P.O. Box 2126,

Portland, IA. 52809

FOR PRIMARY DEFICIT

ADDRESS:

DISPOSITION OF CHECK:

Mail _____ Route back to Department X

Other _____

Accounting YELLOW - President's Office PINK - Requestor

(16)



United Food and Commercial Workers International Union



ACTIVE BALLOT CLUBS

154
540

GENERAL FUND

DATE	CHECK NUMBER	AMOUNT
10/27/82	112764	200.00

PAY TO THE ORDER OF

GENERAL FUND CONFERENCE COMMITTEE
P.O. BOX 2120
DAVENPORT, IOWA 52805

NON-NEGOTIABLE

By _____

By _____

⑆020785⑆ ⑆095000043⑆ 3 ⑆4⑆ 0⑆0⑆

DETACH BEFORE DEPOSITING

ACCOUNT NO

8505105

LOCAL 431 CONTR. TO BILL FLORA, PRES

COMMENTS

PRIMARY DEFICIT, 2ND

AMOUNT

600.00

2
4
0
4
0
4
0
8

600.00

UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION - ACTIVE BALLOT CLUB



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Charles L. Messmer
Treasurer, Gluba for Congress
Committee
2324 West Rusholme Street
Davenport, Iowa 52804

RE: MUR 1623
Gluba for Congress Committee

Dear Mr. Messmer:

The Federal Election Commission notified you on February 2, 1984, of a complaint alleging violations of 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. We acknowledge receipt of the explanations of this matter provided by William Gluba, Cameron Moore, T. Michael Behan, and yourself on February 20, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on , 1984, determined that there is reason to believe that the Gluba for Congress Committee and you, as treasurer, have violated 2 U.S.C. § 441a(f) by accepting excessive contributions for William Gluba's 1982 general election campaign from AFL-CIO COPE-PCC and its affiliated committees, the Cedar Rapids Building and Trades Reference and Safety Book and the Quad City Federation of Labor AFL-CIO, and from the Active Ballot Club, a Department of the United Food and Commercial Workers International Union. As regards the AFL-CIO contributions, the contributors have been unable to confirm an intent to contribute \$2,000 to pay primary election debts. It also cannot be determined from your committee's 1982 reports that such debts were owed as of the times the excessive contributions here at issue were received. Post-primary contributions may be designated for the primary campaign only if debts remain. See 2 U.S.C. § 441a(a)(2) and 11 C.F.R. § 110.1(a)(2).

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 ten days of your receipt of this notification.

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Mr. Charles L. Messmer
Page 2

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 committee and you, as treasurer, 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 your clients wish the matter to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Enclosures
Procedures

cc: William E. Gluba

84040482984

(19)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
AFL-CIO COPE-PCC
Thomas R. Donahue, Treasurer
Quad City Federation of Labor
AFL-CIO
Patrick R. DeVine, Treasurer

Dear Ms. McCormick:

The Federal Election Commission notified your clients, AFL-CIO COPE-PCC and its treasurer, Thomas R. Donahue, and the Quad City Federation of Labor AFL-CIO and its treasurer, Patrick R. DeVine, on February 2, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). Copies of the complaint were forwarded to your clients at that time. We acknowledge receipt of your explanations of this matter received March 5, 1984, and April 17, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on , 1984, determined that there is reason to believe that AFL-CIO COPE-PCC and Thomas R. Donahue as its treasurer, and the Quad City Federation of Labor AFL-CIO and Patrick R. DeVine as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982.

84040482985

Margaret E. McCormick, Esquire
Page 2

Sincerely,

Enclosures

84040482986



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1623
Cedar Rapids Building and
Trades Reference and Safety
Book
Melvin J. Smith, Treasurer

Dear Mr. Kurnick:

The Federal Election Commission notified your clients, the Cedar Rapids Building and Trades Reference and Safety Book, and its treasurer, Melvin J. Smith, on February 2, 1984, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your explanation of this matter dated March 5, 1984.

Upon further review of the allegations contained in the complaint, and the information supplied by all respondents, the Commission, on , 1984, determined that there is reason to believe that the Cedar Rapids Building and Trades Reference and Safety Book, and Melvin J. Smith, as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982.

84040482987

Sincerely,

Enclosure

84040482988



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Edward P. Wendel
Assistant General Counsel
United Food and Commercial
Workers Union
1775 K Street, N.W.
Washington, D.C. 20006

RE: MUR 1623
Active Ballot Club
Anthony J. Luty, Treasurer

Dear Mr. Wendel:

The Federal Election Commission notified your clients, the Active Ballot Club, a Department of the United Food and Commercial Workers Union, and Anthony J. Luty, its treasurer, on February 2, 1984, of a complaint alleging violations of sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to Mr. Luty at that time. We acknowledge receipt of your explanation of this matter dated February 22, 1984.

Upon further review of the allegations contained in the complaint, and of the information which you supplied, the Commission, on _____, 1984, determined that there is reason to believe that the Active Ballot Club and Mr. Luty, as its treasurer, have violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Gluba for Congress Committee in 1982. Although your response demonstrates an intent on the part of the Active Ballot Club that its contribution be used to meet Mr. Gluba's primary campaign debts, it cannot be determined from reports filed by the Gluba for Congress Committee that such debts were owed at the time the Active Ballot Club made its contribution of \$600 on October 27, 1982. Post-primary contributions may be designated for the primary campaign only if debts remain. See 2 U.S.C. § 441a(a)(2) and 11 C.F.R. § 110.1(a)(2).

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 ten days of your receipt of this notification.

84040482989

Mr. Edward P. Wendel
Page 2

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 your clients, 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 your clients wish the matter to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Enclosures
Procedures

84040482990

(25)

GCC# 2159

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000

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

*MUR 1623
Weissenborn*

14 APR 17 P 2: 49

Re: **FEC MUR 1623**

Dear Mr. Steele:

In response to an inquiry from your office, the AFL-CIO COPE Political Contributions Committee ("COPE-PCC") and the Quad City Federation of Labor AFL-CIO ("Quad City AFL-CIO") have reviewed their records for 1982 to determine whether Quad City AFL-CIO's federal political committee transferred \$2000 to COPE-PCC on or about August 5, 1982 with a request that the funds be contributed to the 1982 primary campaign of Congressional candidate William E. Gluba.

That review indicates that the above-described transfer was never made.

COPE-PCC's internal contribution ledger for 1982, which includes all transfers from affiliated committees, contains no record of a \$2000 transfer from the Quad City AFL-CIO in August 1982 nor is such a transfer reflected in the Committee's August 1982 monthly FEC report.

The Quad City AFL-CIO has in its files a copy of an unsigned letter dated August 5, 1982 to John Perkins, Director of AFL-CIO COPE, stating that a check in the amount of \$2000 is enclosed and that the check was issued to cover "pre-primary expenses incurred by Democratic Congressional Candidate Bill Gluba". However, the Quad City AFL-CIO is unable to locate a cancelled check for the transfer described in the August 5 letter and the committee's reports do not reflect an August 1982 transfer to COPE-PCC.

In light of the above, it appears that even though the Quad City AFL-CIO might have intended to make the above-described transfer to COPE-PCC, the transfer was never made.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO
COPE-PCC, Quad City Federation
of Labor AFL-CIO and Patrick DeVine

84040482991

92

American Federation of Labor and Congress of Industrial Organizations

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



84040



OFFICE OF THE
GENERAL COUNSEL

24 APR 17 P 2:49

MJR 1623

American Federation of Labor and Congress of Industrial Organizations

6-11-1817

AW

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815 Sixteenth Street, N.W.
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(202) 637-6000

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Vincent R. Sombrotto
Marvin J. Soade
Eugene Bleber

March 5, 1984

P 2:22

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

Re: FEC MUR 1623

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE - PCC"), Patrick R. DeVine, the Quad City Federation of Labor AFL-CIO ("Quad City"), Melvin J. Smith, and the Cedar Rapids Building and Trades Reference & Safety Book ("CRBTRSB") (hereinafter "respondents") to your letter, dated February 2, 1983, advising that the Commission had received a complaint alleging the respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered MUR 1623, alleges that respondent political committees and their treasurers violated §441a(a)(2)(A) of the Act by making contributions which in the aggregate totalled \$7000 to the 1982 general election campaign of congressional candidate William E. Gluba.

Respondents' 1982 contribution records reflect the following contributions to the William E. Gluba for Congress Committee for the 1982 general election: COPE-PCC contributed \$2,500.00 on 7/19/82; COPE-PCC contributed \$650.00 on 9/21/82; CRBTRSB contributed \$500.00 on 10/1/82; COPE-PCC contributed \$1650.00 on 10/25/82; and Quad City contributed \$1700.00 on 10/26/82.

Respondents acknowledge that they inadvertently contributed \$2000.00 more than the maximum contribution permitted by §441a(a)(2)(A) to the 1982 general election campaign of William Gluba. However, because of the mitigating circumstances described below, respondents respectfully request that the Commission take no further action in this matter.

84040482993

1. Respondents' violation of §441a(a)(2)(A) was the result of administrative error rather than any deliberate attempt to evade the Act's contribution limits. Specifically, what happened is that respondents CRBTRSE and Quad City each made contributions for the general election which contributions, due to administrative oversight, were neither cleared with nor reported to COPE-PCC.

2. AFL-CIO has exercised its best efforts to ensure that contributions made by federal political committees sponsored by AFL-CIO state and local bodies do not, when aggregated with contributions made by COPE-PCC, exceed the contributions limits of the Act. The AFL-CIO and its Departments have repeatedly advised federal committees sponsored by AFL-CIO state and local bodies that those committees are affiliated with COPE-PCC and that their contributions therefore count towards COPE-PCC's contribution limit and has requested that such committees contact COPE-PCC or the national political committee of their respective AFL-CIO Department before making any contributions to a federal candidate. See, for example, the attached memorandum on this subject from Building and Construction Trades Department President Robert A. Georgine. (See Attachment A.)

3. Recognizing the risk that contributions made by federal political committees sponsored by AFL-CIO state and local central bodies could lead to inadvertent violations of 2 U.S.C. §441a(a)(2)(A) despite best efforts to prevent such violations, the AFL-CIO Executive Council, on February 25, 1983, adopted a resolution calling for all AFL-CIO state and local bodies and all AFL-CIO Department state and local bodies to terminate their federal committees and stating that henceforth all AFL-CIO contributions to or expenditures on behalf of federal candidates will be made at the national level. A copy of that resolution is attached hereto. (See Attachment B.)

This resolution has been communicated to each AFL-CIO state or local central body that sponsors a federal committee affiliated with COPE-PCC. The Cedar Rapids Building and Construction Trades Council and the Quad City Federation of Labor AFL-CIO have already terminated their federal political committees, as have many other AFL-CIO state and local bodies.

As a result of this resolution, the number of AFL-CIO affiliated federal political committees will soon be reduced to three — COPE-PCC, PEF - BCTD, and the Industrial Union Department Voluntary Fund. These committees already operate under a closely monitored system designed to preclude limitation violations. Thus, there is little chance that future contributions made by these committees will exceed the statutory contribution limits.

4. Respondents have already voluntarily sought to bring themselves into compliance with the Act by seeking a refund of their \$2000 excess contribution from the Gluba For Congress Committee. A copy of the letter requesting that refund is attached hereto. (See Attachment C).

In light of the inadvertent nature of respondents' violation, respondents' previous efforts to avoid the occurrence of such violations, respondents' actions to minimize the risk that similar violations will occur in the future, and respondents' voluntary efforts to comply with the Act by seeking a refund of their excess contribution, respondents believe that the Commission should take no further action in this matter.

9404048294

Sincerely,

Margaret E. McCormick

**Margaret E. McCormick
Counsel for Respondents Thomas R. Donahue,
AFL-CIO COPE-PCC, Quad City
Federation of Labor, AFL-CIO and
Patrick R. DeVine**

Robert D. Kurnick

**Robert D. Kurnick
Counsel for Respondents Melvin J. Smith
and Cedar Rapids Building and Trades
Reference and Safety Book**

84040482995

ROBERT A. GEORGINE, President
JOSEPH F. MALONEY, Secretary-Treasurer
JOHN H. LYONS, 1st Vice President
THOMAS F. MURPHY, 2nd Vice President
S. FRANK BATTERY, 3rd Vice President
CHARLES H. PILLARD, 4th Vice President



JOSEPH T. POWER, 5th Vice President
HAROLD J. BUCY, 6th Vice President
MARTIN J. WARD, 7th Vice President
WILLIAM SIDELL, 8th Vice President
ANGELO FOSCO, 9th Vice President
J. C. TURNER, 10th Vice President

Building and Construction Trades Department

AMERICAN FEDERATION OF LABOR — CONGRESS OF INDUSTRIAL ORGANIZATIONS

615 SIXTEENTH ST., N.W., Suite 408 • WASHINGTON, D. C. 20036

(202) 347-1461



October 11, 1978

I M P O R T A N T

To all State and Local Building and Construction
Trades Councils affiliated with the Building and
Construction Trades Department

Subject: Contributions to Candidates for Federal Office

Dear Sir and Brother:

It has been called to the attention of the AFL-CIO Committee for Political Education by the Federal Election Commission that COPE and the political committees considered under the federal law to be COPE's affiliates, on four occasions in the 1976 campaign year exceeded the applicable joint limit on contributions to federal candidates. That limit is \$5,000.00 per election to a candidate for federal office. National COPE did not itself exceed the contributions limit, rather contributions by affiliated political fund committees put COPE over the limit.

The Building and Construction Trades Department and any chartered subordinate of the Department, that is, the State and Local Building and Construction Trades Councils, are considered under the federal law as an affiliate of the National COPE. As such, any contribution that is made by the Political Educational Fund of the Building and Construction Trades Department and any committee of our affiliated Councils must be added to the aggregate total COPE contribution to a candidate for federal election. The International Unions affiliated with this Department are not included in the aggregate COPE amount, but rather are responsible for their own limitations within their own structure.

The FEC considers COPE to be a multi-candidate committee to which are assessed any contributions given to any federal candidate by State COPEs, AFL-CIO Central Bodies, Congressional COPEs, and directly affiliated union political committees and the political committees of the AFL-CIO trade and industrial departments.

Given the length of that list, it is impossible for COPE to maintain an informal system for keeping track of the amounts that are being contributed to federal candidates by affiliated committees. Therefore, in the future any contribution that any State or Local Building and Construction Trades Council political committee contemplates making to a federal candidate must first be cleared with the Accounting Department of the Building and Construction Trades Department (202 - 347-1461) so that we do not exceed the limit.

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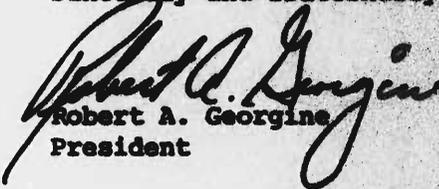
In the meantime, I am requesting you to forward the full name, address, Treasurer's name, and the FEC identification number for any committee set up by your Council.

To assist COPE in their record keeping and reporting, I would appreciate a report of any contributions you have made in the 1978 Federal Election Campaign.

I urge your immediate attention to this most important matter, and stress your Council's compliance with clearing all federal candidate contributions through this Department before any contributions are made.

Thanking you for your cooperation and with very best wishes, I am

Sincerely and fraternally,


Robert A. Georgine
President

RAG:edt
opeiu #2 afl-cio

84040482997

AFL-CIO Political Committees

The Federal Election Campaign Act (FECA) provides that if a Directly Affiliated Local Union (DALU), a state or local central body of the AFL-CIO, or a state or local body of a Department of the AFL-CIO, sets up a voluntary political contributions fund and makes contributions from that fund to a federal candidate, the fund is a "political committee." As a political committee, each such fund is required to register with the Federal Election Commission and to file comprehensive periodic financial reports with the Commission. Meeting these requirements is costly, both in the time it takes to meet the FEC's reporting requirements and in the money paid to lawyers and accountants.

The FECA also provides that the political committees of DALUs and of state and local bodies are "affiliated" with the AFL-CIO Political Contributions Committee (COPE-PCC). For the purposes of the FECA's contributions limits, political committees that are "affiliated" are treated as a single committee. This means that contributions by a state or local political committee count toward the \$5,000 per candidate per election limit of the national committee with which the state or local committee is affiliated. Consequently, if the combined contributions of affiliated committees to the same candidate for the same election total more than \$5,000, the national committee violates the Act.

Because of the burden and expense of maintaining and operating federal political committees at the state and local levels, and because experience has shown that there is a substantial risk that the contributions made by such committees may lead to violations of the contribution limits of the FECA despite the best efforts to avoid such inadvertent violations, the AFL-CIO Executive Council has concluded:

1. That no DALU, AFL-CIO state or local central body, or AFL-CIO Department state or local body, shall establish or maintain a separate segregated fund that makes contributions to or expenditures on behalf of candidates for federal office;
2. That existing federal political committees of the DALUs and of the state and local bodies of the AFL-CIO and of its Departments shall terminate their registration with the FEC and shall transfer the voluntary funds in their accounts to AFL-CIO COPE-PCC or to their respective AFL-CIO Department's political committee;
3. That henceforth all contributions to or expenditures on behalf of federal candidates attributable to the AFL-CIO shall be made at the national level;
4. That National AFL-CIO COPE shall work in close cooperation with the DALUs and the state and local bodies of the AFL-CIO and of its Departments to assure that those organizations will continue to play an active and visible role in the making of contributions to and expenditures on behalf of federal candidates.

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The Executive Council recognizes that in a number of instances, state or local law provides that to be able to make contributions to state and local candidates a union must maintain a political committee. In those states, DALUs and state and local bodies should continue to play an active role in state and local elections by taking the steps necessary to comply with those laws.

The Council recognizes too that the DALUs and the state and local bodies have done an excellent job in raising voluntary contributions for AFL-CIO COPE-PCC and urges those organizations to continue those efforts. The importance of this task cannot be overstated, since without the voluntary contributions raised at the state and local level, the AFL-CIO's ability to support federal candidates who share organized labor's goals and views would be greatly diminished. It is, therefore, essential that these fundraising activities continue.

Each DALU and state and local body that engages in ongoing fundraising activity for COPE-PCC should establish and maintain a separate bank account in which to deposit voluntary political contributions and from which to transmit contributions to COPE. These transmittal accounts, in contrast to the federal political contribution funds discussed above, are not treated as "political committees" within the meaning of the FECA and, therefore, do not subject their sponsoring organization to the burdensome registration and reporting requirements of the Act. This procedure is thus a simple, inexpensive and effective means for DALUs and state and local bodies to participate in the federal election process.

National COPE has prepared instructions on how to terminate a federal political committee and how to open a transmittal account and stands ready to provide DALUs and state and local bodies with all necessary technical assistance in carrying out this statement.



Committee on Political Education

LANE KIRKLAND, Chairman THOMAS S. DONAHUE, Secretary-Treasurer JOHN PERKINS, Director

815 10TH STREET, N.W. * WASHINGTON, D.C. 20006 * (202) 637-8101

February 29, 1984

Mr. William Gluba
2421 Gaines Street
Davenport, Iowa 52806

Dear Mr. Gluba:

84040483000

I regret to inform you that we have recently discovered, as the result of a complaint filed with the Federal Election Commission, that the AFL-CIO Committee On Political Education Political Contributions Committee ("AFL-COPE PCC") and two committees which are by law affiliated with and thus share the same contribution limit as the AFL-CIO COPE PCC --the Quad City Federation of Labor AFL-CIO Committee and the Cedar Rapids Building and Construction Trades Reference and Safety Book(hereinafter "affiliated committees")--inadvertently exceeded the \$5000.00 per candidate per election contribution limit(2 U.S.C. 441a(a) (2)(A)) of the Federal Election Campaign Act by contributing a combined total of \$7000.00 to your 1982 general election campaign.

In order to remedy this situation and to bring the AFL-CIO COPE PCC and its affiliated committees into compliance with the Federal Election Campaign Act, it will be necessary for your campaign committee to refund \$2000.00 of the contributions made by the AFL-CIO COPE PCC and the affiliated committees for the 1982 general election. Accordingly, I hereby request that your committee make such a refund immediately. Since neither of the affiliated committees is still in existence, your refund check should be made payable to the AFL-CIO COPE PCC.

On behalf of the AFL-CIO COPE and the affiliated committees, I wish to apologize for any inconvenience which this request may cause you. Please be assured that we have already taken steps to ensure that errors such as this do not occur in the future.

Sincerely,
John Perkins
John Perkins
Director

RECEIVED BY THE FEC 2-22

UFCW

Legal Department
(202) 486-1520 / 1523

*MUR 1623
Weissenborn*

February 22, 1984

FEB 23 P12:15

Ann Weissenborn, Esquire
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1623

Dear Ms. Weissenborn:

I am writing with regard to the complaint filed in MUR 1623 against the Active Ballot Club--a department of the United Food and Commercial Workers International Union. The complaint notes that contributions were made by the Active Ballot Club to candidate William Evan Gluba for the 1982 general election which totalled \$5,600.00, \$600 in excess of the contribution limit. In fact, a contribution of \$600, which was received by candidate Gluba on November 2, 1982, was incorrectly reported to the Federal Election Commission as a contribution to the general election. The internal records of the Union and the attachment to the check sent to Gluba both specify that the check was for the primary deficit of candidate Gluba. Copies of those documents are attached to this letter. We are in the process of filing an amended report with the FEC to correct our earlier mistake in reporting.

Sincerely yours,

Edward P. Wendel
Edward P. Wendel
Assistant General Counsel

Attachments

EPW:kl

84040483001

William H. Wynn
International
President

Anthony J. Luty
International
Secretary-Treasurer

United Food & Commercial Workers
International Union, AFL-CIO & CLC
1775 K Street, N.W.
Washington, D.C. 20006
(202) 223-3111



CHECK REQUEST/DEPOSIT

Voucher No. 1027644

United Food & Commercial Workers International Union, AFL-CIO & CLC

RECOMMENDATION FOR PAYMENT:

Department: [initials] Secretary-Treasurer:
Accounting: Other:

DATE: October 27, 1982

REQUESTOR'S NAME: Joyce McKenna

APPROVAL FOR PAYMENT:

DEPARTMENT: Political Affairs

President's Office:

TYPE OF CHECK: (Circle One)

- General - U. S. ABC: General - U. S. Retirement - U. S. Annuity - U. S.
General - Canada ABC: General - Canada Retirement - Canada
Death Benefit - U. S. ABC: Education - U. S. Sick Benefit - U. S.
Death Benefit - Canada ABC: Education - Canada Sick Benefit - Canada
Strike - U. S. Int'l Fund - U. S. Other:
Strike - Canada Int'l Fund - Canada

PAYEE: GLIBA FOR CONGRESS COMMITTEE Vendor No. C0051 Prefix

GENERAL LEDGER ACCOUNT

Table with 5 columns: Name, Number, Descriptor, DEBIT, CREDIT. Row 1: Political Contri & Grants, 05 5 305 105, L0431 /, 600.00

Comments:

Comments:

Comments:

AMOUNT OF CHECK: \$ 600.00

COMMENTS: Local 431's contri. to Bill Gluba, candidate U.S. House of Reps. - 2nd. C.D., IA. Reporting information: P.O.Box 2126, Davenport, IA. 52809

FOR PRIMARY DEFICIT

SPECIAL MAILING ADDRESS:

DISPOSITION OF CHECK:

Mail Route back to Department X
Other



United Food and Commercial Workers International Union



ACTIVE BALLOT CLUB

15-4
540

GENERAL FUND

DATE

CHECK NUMBER

AMOUNT

10/27/82

102766

*****250.00*

UNION CHECKS FOLLOWED AND RECEIVED

PAY TO THE ORDER OF

GLORIA FOR CONGRESS COMMITTEE
P.O. BOX 2126
DAVENPORT, IOWA 52809

NON-NEGOTIABLE

By

By

⑆070755⑆ ⑆05400043⑆ 3 4? 010*

DETACH BEFORE DEPOSITING

ACCOUNT NO
55305105

LOCAL 681 CONTR. TO BILL BLUSA, RE

COMMENTS

PRIMARY DEFICIT, 2ND

AMOUNT
600.00

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600.00

UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION - ACTIVE BALLOT CLUB

8 4 0 4 0 4 3 3 0 4

UFCW

**United Food & Commercial Workers
International Union, AFL-CIO & CLC**
1775 K Street, N.W.
Washington, D.C. 20006

**Ann Weissenborn, Esquire
Federal Election Commission
Washington, D.C. 20463**

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WASHINGTON
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U.S. POSTAGE
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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 22, 1984

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 Fifteenth Street, N.W.
Suite 801
Washington, D.C. 20005

RE: MURs 1622 and 1623

Dear Mr. Kurnick:

We have received your letters of February 15, 1984, in which you request an extension of time to March 4, 1984, within which to respond on behalf of your clients in the above-cited matters. Your requests have been granted, and we will thus expect to receive your responses on or before the above date.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

184040483005



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 22, 1984

Margaret B. McCormick, Esquire
AFL-CIO COPE-PCC
815 Sixteenth Street, N.W.
Washington, D.C. 20006

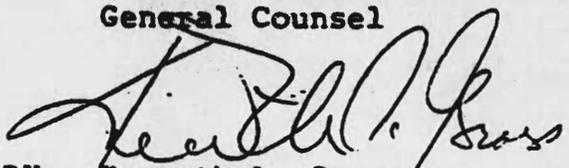
RE: MURs 1622 and 1623

Dear Ms. McCormick:

We have received your letters of February 15, 1984. The requests contained in these letters for extensions of time to March 4 and 5, 1984, to respond to the above-cited complaints have been granted, and we will therefore expect to receive the responses on or before the above dates.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

84040483006

602 1725

MUR 1623
Weissenborn

Mr. William E. Gluba
2421 Gaines St.
Davenport, IA 52803

February 20, 1984

Mr. Charles N. Steele
Federal Election Commission
1325 K St. NW
Washington, DC 20463

Dear Mr. Steele:

Please consider this communication as my good faith effort to respond to your letter of February 2, 1984 and that I received February 9, 1984 concerning certain aspects of my 1982 Campaign Finance Disclosure Report. I believe this case is to be referred to as MUR1623.

Mr. Steele, because of my very modest income and the fact I have a large family and a great number of regular bills, I simply cannot afford to hire a lawyer to represent me in the matter. In addition, I know I have not intentionally done anything wrong or purposely violated the Federal Election Campaign Act. The following, along with the enclosed letters from my campaign manager, treasurer, and bookkeeper is an honest and accurate explanation of the contributions in dispute.

After receiving your letter, I dug out all the records remaining from my 1982 campaign and talked to those individuals involved in its day to day operation, and tried to figure out why it appears my general election campaign received \$2,000 more from the AFL-CIO COPE-PCC, and \$600 more from the United Food and Commercial Workers International Union ABC Active Ballot Club than allowed by law.

The following is what I have concluded after looking into this matter:

First, in the last week of July 1982 my campaign received a check in the amount of \$2,000 from Leonard Davis, President of the Quad City Federation of Labor. This check was presented to my campaign on behalf of the Quad City Federation members to be used to help pay off debts accumulated during my primary election. Upon checking my campaign manager found that in order to be in compliance with F.E.C. regulation we were unable to accept this contribution due to the fact that the Quad-City Federation of Labor COPE was not registered on the Federal level.

At that time my campaign manager returned \$2000.00 to Mr. Davis with the understanding that he would forward this amount to AFL-CIO C.O.P.E., and they would in turn make a proper donation back to our campaign. It is my understanding that Mr. Davis complied with this request and in an accompanying letter again stipulated that this contribution was to "cover pre-primary expenses." A copy of this letter from Mr. Davis to Mr. Perkins is enclosed for your review.

Much to our delight, AFL-CIO took this opportunity to increase their dona-

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RECEIVED
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GENERAL INVESTIGATIVE

tion by \$500 when they sent a check to us. Whether they intended this additional \$500 to be attributed to the primary campaign, I don't know. However, it seems clear from the enclosed letter that at least \$2000 of the \$7000 aggregate AFL-CIO COPE-PCC general election contribution is in the wrong place.

I am aware that our reports showed these contributions to be all general election revenue. Apparently through lack of communication or carelessness our reports were completed inaccurately by our bookkeeper. A letter to this effect from our bookkeeper is enclosed.

Second, in response to the complaint that my campaign received \$500 more from the UFCW Active Ballot Club than allowed, I can only say that it is my understanding that the \$600 contribution of 11-2-82 was to have been assigned to the primary debt, since that organization did not give the maximum allowed during the primary campaign. Again, it appears that a mistake was made in preparing the report.

I hope the information I have provided will assist in clearing this matter up. Please be assured of my continued cooperation in this respect. However, since my old campaign headquarters has been closed since November of 1982, please send any correspondence on this case to my home at 2421 Gaines Street, Davenport, Iowa 52803.

Sincerely,


William E. Gluba

Enclosures

84040483008

August 5, 1982

John Perkins, Director
AFL-CIO C.O.P.E.
815th 16 Street NW
Washington, D.C. 20006

Dear Brother Perkins,

Enclosed you will find our check for \$2,000. This check was issued to cover pre-primary expenses incurred by Democratic Congressional candidate Bill Gluba, 1st District of Iowa.

Sincerely,

Leonard L. Davis, Jr.
C.O.P.E. Chairman

Patrick R. DeVine
C.O.P.E. Treasurer

kc

84040483009

Mr. Cameron Moore
2405 W. 29th St.
Davenport, IA 52804

February 20, 1984

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

Dear Mr. Steele:

As the campaign manager for the William E. Gluba for Congress Committee for the 1982 federal general election, I would like to take this opportunity to attempt some clarification of the matters pertaining to Complaint MUR No. 1623, filed by James Edward Antosh.

In response to the first claim concerning the surpassing of the \$5000.00 limit by the AFL-CIO C.O.P.E.-PCC and its affiliates there is an error which accounts for the \$2000.00 over-limit. In the last week of July 1982 we received a check in the amount of \$2000.00 from Leonard Davis, President of the Quad-City Federation of Labor. This check was presented on behalf of Quad City Federation members to be used for the primary campaign of William E. Gluba. Upon checking, I found that in order to be in compliance with FEC regulations we were unable to accept this contribution due to the fact that the Quad City Federation of Labor C.O.P.E. was not registered at the federal level.

At that time I returned \$2000.00 to Mr. Davis with the understanding that he would forward this amount to AFL-CIO C.O.P.E., and they would in turn send this amount to us. Mr. Davis complied with this request and in an accompanying letter again stipulated that this contribution was to "cover pre-primary expenses." A copy of this letter is enclosed.

Much to our delight, AFL-CIO C.O.P.E. increased this amount by \$500.00 when they sent a check to us. Whether they intended this additional amount to be attributed to the primary campaign, I don't know. However it seems clear that at least \$2000.00 of the \$7000.00 aggregate AFL-CIO C.O.P.E.-PCC general election contribution is in the wrong place.

I am aware that our reports showed these contributions to be all general election revenue. Apparently through miscommunications and/or carelessness our reports were completed inaccurately by our bookkeeper. A letter from our bookkeeper is also enclosed.

In response to the complaint alleging that the UFCW Active Ballot Club exceeded the \$5000.00 limit, it was intended that the \$600.00 contribution of 11/2/82 was to be assigned to the primary debt. Again, it appears that a mistake was made in preparing the report. The likelihood of this happening is apparent when you consider that by far the majority of contributions listed on the reports in question were attributable to the General Election. Haste or carelessness seem to be the culprit.

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I appreciate the opportunity to clear this matter up and hope that my input has been helpful. If I can be of any further assistance in this matter, I am at your service.

I await your response and hope for the successful resolution of this matter as soon as possible.

Respectfully,



Cameron A. Moore

Enclosures

84040483011

February 20, 1984

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

Dear Mr. Steele;

As treasurer of the Gluba for Congress committee please consider this letter my official response to your correspondence of February 2, 1984, which I received February 9, 1984 regarding MUR 1623.

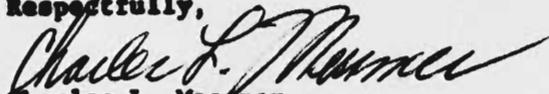
I have chosen not to be represented by counsel, since to the best of my knowledge I have not intentionally or knowingly violated the Federal Election Campaign Act. Also, I cannot afford the expense of a lawyer.

In addition, as a volunteer I served in name only as treasurer and was not involved in the day to day administration of the campaign. A paid bookkeeper was hired to perform this work and to prepare the necessary F.E.C. reports for my signature.

I therefore must rely on the enclosed explanation provided by Mr. Gluba, Mr. Moore, and Mr. Behan concerning the contributions in question. To the best of my knowledge these explanations are accurate.

I hope that the enclosed accounts aid in the reconciliation of this matter. If any further assistance is required please be assured that I will do my best to cooperate with the commission in any way that I can.

Respectfully,



Charles L. Mesemer
2324 W. Rusholme St.
Davenport, Iowa 52804

84040483012

February 20, 1984

Mr. Charles N. Steele
Federal Elections Commission
1325 K. Street N.W.
Washington, D.C. 20463

Re: William E. Gluba for Congress Committee

Dear Mr. Steele,

This letter is in reference to MUR1623 being considered by the F.E.C. In April 1982 my services were retained by the William E. Gluba for Congress Committee, to act as bookkeeper for that campaign.

In this capacity it was my responsibility to account for income and expenditures and to complete the required F.E.C. reports for Mr. Charles Messmer's Signature.

It has now come to my attention that certain contributions were apparently attributed to the general election campaign instead of the primary as intended. I believe the explanation provided by Mr. Gluba, Mr. Messmer, and Mr. Moore is an accurate and honest explanation of this matter.

I regret that I did not detect these mistakes originally and report them as they were intended to be. However, this was the first time I had ever done bookkeeping of this nature and I did not realize how confusing and hectic things can get in a political campaign. Honest mistakes were made due to inexperience and lack of communications.

I hope that this letter provides some insight into the possibility of error in the cases in question. I further hope that I have been of some service in alleviating the problems which may have resulted from reporting errors made by my firm.

Sincerely,



T. Michael Behan
Accountant

TMB/jn

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IA 52803

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**SPECIAL
DELIVERY**

Mr. Charles H. Steele
General Counsel
Federal Election Commission
1325 K St. NW
Washington, DC 20543

**SPECIAL
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LAW OFFICES

SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P. C.

1125 FIFTEENTH STREET, N. W.
SUITE 801
WASHINGTON, D. C. 20005

*Wissenborn
Mur 1623*

LOUIS SHERMAN (RET.)
THOMAS X. DUNN (RET.)
LAURENCE J. COHEN
ELIHU I. LEIFER
JOHN P. COUNTS
TERRY R. YELLOG
RICHARD M. RESNICK
ROBERT D. KURNICK
VICTORIA L. BOR
D. WILLIAM HEINE, JR.
MARY E. VOGEL

AREA CODE 202
785-9300

*MEMBER OF CALIFORNIA BAR

February 15, 1984

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20465

Re: FEC MUR 1622
FEC MUR 1623

Dear Mr. Steele:

I am writing to request an extension of time, to March 4, 1984, in which to reply to the complaint filed in the above-captioned matters. This office represents Joseph F. Maloney, the Political Education Fund of the Building and Construction Trades Department, Melvin J. Smith, and the Cedar Rapids Building and Construction Trades Reference and Safety Book, each of which are respondents in these cases.

During the next two weeks, I must be out of town for an argument before the United States Court of Appeals for the Sixth Circuit in Cincinnati and a deposition which will be conducted in Florida. Neither of these previously scheduled commitments can be rescheduled. Consequently, it will be impossible to prepare a response to the complaints in the above-captioned matters within the normal 15-day reply period.

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SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P.C.

Charles W. Steele, Esq.
February 15, 1984
Page 2

Accordingly, I hereby request an extension of time to March 4, 1984, in which to file a reply on behalf of the respondents that this office represents.

Sincerely,

SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P.C.

Robert D. Kurnick
Robert D. Kurnick

RDK:ijl

cc: Anne Weissenborn
Margaret McCormick

84040483016

American Federation of Labor and Congress of Industrial Organizations

COPE 1662



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-6000

EXECUTIVE COUNCIL

LANE KIRKLAND PRESIDENT	THOMAS R. DONAHUE SECRETARY-TREASURER
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	Frederick O'Neil Albert Shanley Edward T. Hanley J. C. Turner John E. Nease John DeConcini Joseph D. Miller James E. Hatfield Vincent R. Sombrotto Maurice J. Soode Owen Steber

February 15, 1984

MUR 1623
Weissenborn

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

RE: FEC MUR 1623

84040483017

Dear Mr. Steele:

The purpose of this letter is to request an extension of time from February 21, 1984 to March 5, 1984 for respondents Thomas R. Donahue, AFL-CIO COPE PCC, Patrick R. DeVine, and Quad City Federation of Labor AFL-CIO to reply to the complaint filed in the above-referenced matter.

The reason for this request is that I will be required to be out of the city for a substantial period of time over the next two weeks in connection with the AFL-CIO Executive Council meetings in Bal Harbour, Florida, and will therefore be unable to do the necessary preparation to respond to the complaint in this matter and in MUR 1622 without the requested extension.

Accordingly, I respectfully request an extension of time in which to file the reply of respondents Thomas R. Donahue, AFL-CIO COPE PCC, Patrick R. DeVine, and Quad City Federation of Labor AFL-CIO from February 21, 1984 until March 5, 1984.

Very truly yours,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO
COPE PCC, Patrick R. DeVine,
Quad City Federation of Labor
AFL-CIO

American Federation of Labor and Congress of Industrial Organizations

1315 Sixteenth Street, N.W.
Washington, D.C. 20008



840404830

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
7th Floor
Washington, D.C. 20463



1007
Weissenborn
Mur 1623

LAW OFFICES
SHERMAN, DUNN, COHEN, LEIPER & COUNTS, P. C.

1125 FIFTEENTH STREET, N. W.
SUITE 801
WASHINGTON, D. C. 20005

LOUIS SHERMAN (RET.)
THOMAS X. DUNN (RET.)
LAURENCE J. COHEN
ELIHU I. LEIFER
JOHN P. COUNTS
TERRY R. YELLOG
RICHARD M. RESNICK
ROBERT D. KURNICK
VICTORIA L. BOR
D. WILLIAM HEINE, JR.
MARY E. VOGEL

AREA CODE 202
785-9300

February 15, 1984

16
P 1:07

*MEMBER OF CALIFORNIA BAR

Ms. Anne W. Weissenborn
Federal Election Commission
1325 K Street, N.W.
Washington, DC 20465

Re: FEC MUR 1622
FEC MUR 1623

Dear Ms. Weissenborn:

I am enclosing a Statement of Designation of Counsel on behalf of Joseph F. Maloney, the Political Education Fund of the Building and Construction Trades Department (PEF-BCTD), Melvin J. Smith, and the Cedar Rapids Building and Construction Trades Reference and Safety Book (CRBCTRSB). Maloney and the PEF-BCTD are respondents in MUR 1622. Smith and the CRBCTRSB are respondents in both MUR 1622 and 1623.

Sincerely,

SHERMAN, DUNN, COHEN, LEIPER & COUNTS, P.C.

Robert D. Kurnick

Robert D. Kurnick

RDK:ljl

Enclosure

cc: Margaret McCormick

84040483019

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Robert D. Karnick
Sherman Dunn Cohen Leifer & Counts P.C.
1125 15th Street, NW, Suite 801
Washington, DC 20005

ADDRESS:

TELEPHONE: 202 785-9300

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

Feb. 13, 1984
Date

Joseph F. Maloney
Signature

NAME: Joseph F. Maloney, Treasurer
Political Education Fund of the Building
ADDRESS: Construction Trades Department

815 16th Street NW, Suite 603
Washington, DC 20006

HOME PHONE: 301 881-1662

BUSINESS PHONE: 341-1461

Melvin J. Smith, Treasurer
Cedar Rapids Building and Construction
Trades Reference and Safety Book

1211 Wiley Boulevard, SW
Cedar Rapids, IA 52404

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Conf 1653
MUR 1623
Weissenborn

1815 A9:02

February 14, 1984

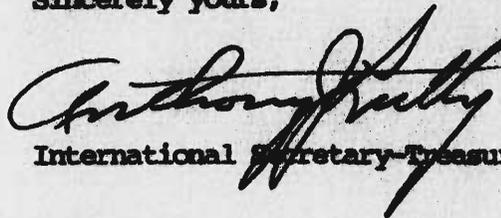
Charles N. Steele, Esquire
General Counsel
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1623

Dear Mr. Steele:

In connection with the complaint against the UFCW Active Ballot Club, I will be represented in this matter by Edward P. Wendel, Assistant General Counsel for the International Union. I authorize counsel to receive all notifications and communications on this matter from the Commission.

Sincerely yours,


International Secretary-Treasurer

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STATEMENT OF DESIGNATION OF COUNSEL

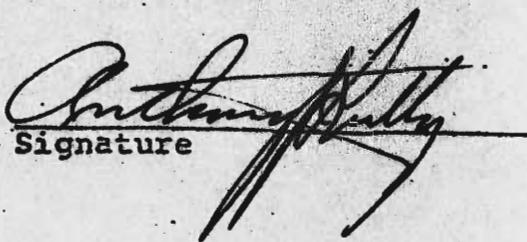
NAME OF COUNSEL: EDWARD P. WENDEL, ASSISTANT GENERAL COUNSEL
UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION

ADDRESS: 1775 K STREET, N. W., WASHINGTON, D. C. 20006

TELEPHONE: 202/466-1522

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

February 14, 1984
Date


Signature

NAME: ANTHONY J. LUTTY, INTERNATIONAL SECRETARY-TREASURER

ADDRESS: UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION
1775 K STREET, N. W.
WASHINGTON, D. C. 20006

HOME PHONE: 703/273-5013

BUSINESS PHONE: 202/466-1427

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84040403023

UFCW

**United Food & Commercial Workers
International Union, AFL-CIO & CLC
1775 K Street, N.W.
Washington, D.C. 20006**

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

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American Federation of Labor and Congress of Industrial Organizations

Oct 16 1985



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-6000

EXECUTIVE COUNCIL

LANE KIRKLAND PRESIDENT

John H. Lyons
S. Frank Fahary
Glenn E. Watts
Angelo Fazio
Lloyd McBride
Wm. W. Winklinger
Wayne E. Glenn
John J. Sweeney
Barbara Hutchinson
Gerald W. McEntee
Patrick J. Campbell

THOMAS R. DONAHUE SECRETARY-TREASURER

Thomas W. Gleason
Murray H. Finley
Sol S. Chaikin
Charles H. Pillerd
Kenneth T. Starlock
William H. Wynn
Robert F. Ocas
Frank Drozak
Richard J. Kilroy
William H. Sywater
Kenneth J. Brown

Fredrick O'Neal
Albert Shanker
Edward T. Hanley
J. C. Turner
Alvin E. Nassar
John DeConcini
Joyce D. Miller
James E. Hatfield
Vincent R. Sombrotto
Marvin J. Spode
Owen Sieber

February 13, 1984

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

FEB 14 AIO: 36

Re: FEC MUR 1623

Dear Mr. Steele:

Pursuant to 11 CFR 5111.23, the Quad City Federation of Labor AFL-CIO and its treasurer, Patrick R. DeVine and the AFL-CIO Committee on Political Education Political Contributions Committee and I hereby designate Margaret E. McCormick as our counsel with respect to the above-referenced matter.

Ms. McCormick is authorized to receive any notifications and other communications from the Commission in connection with this matter and to act on our behalf before the Federal Election Commission.

Ms. McCormick's address is: AFL-CIO Legal Department, 815 16th Street, N.W., Room 808, Washington, D.C. 20006. Her telephone numbers are: (office) 202/637-5397; (home) 301/656-9612.

Sincerely,

Thomas R. Donahue
Secretary-Treasurer

84040483024



LS
American Federation of Labor and Congress of Industrial Organizations

2
615 Sixteenth Street, N.W.
Washington, D.C. 20006



Charles N. Steele, General Counsel
Federal Election Commission
1325 K St., N.W.
Wash., D.C. 20463

84040





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anthony J. Luty, Treasurer
Active Ballot Club-A Department of
United Food and Commercial Workers
International Union
1775 K Street, N.W.
Washington, D.C. 20006

Re: MUR 1623

Dear Mr. Luty:

This letter is to notify you that on January 30, 1984 the Federal Election Commission received a complaint which alleges that the Active Ballot Club-A Department of United Food and Commercial Workers International Union committee and you, individually as treasurer, 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 1623. 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 the committee and you, individually as treasurer, 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.

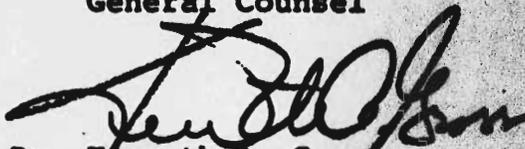
If you and your committee intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from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

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If you have any questions, please contact Anne Weissenborn the attorney assigned to this matter at (202) 523-4175. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

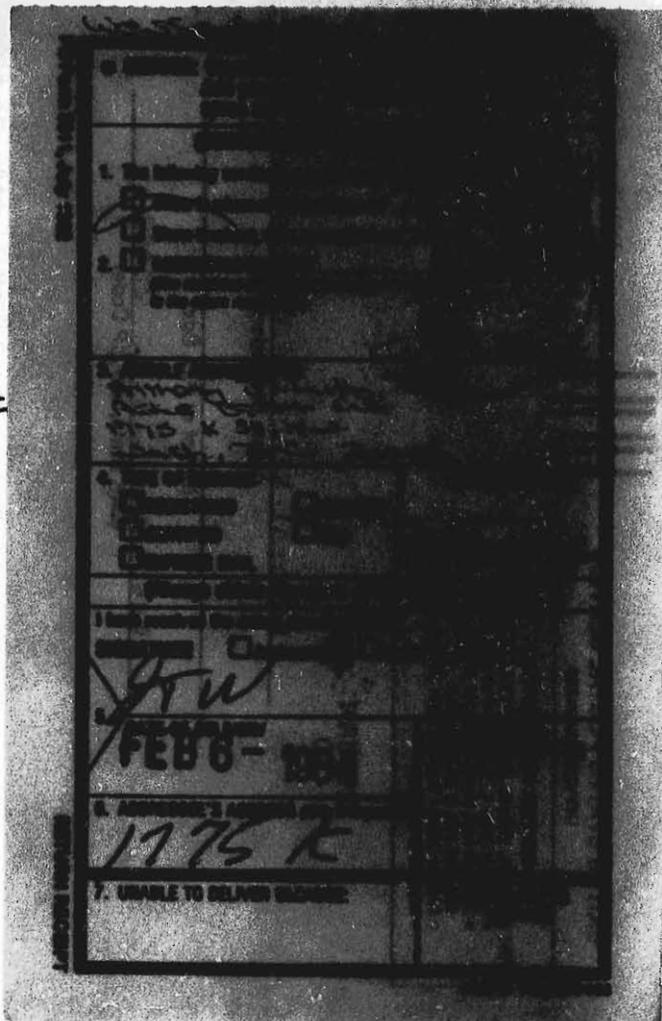


By Kenneth A. Gross
Associate General Counsel

Enclosures

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

84040483027



The stamp contains several fields, some of which are filled with handwritten text. At the bottom, there is a date stamp that reads "FEB 8 - 1975". Below the date, there is a handwritten number "1775 K".



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Patrick R. DeVine, Treasurer
Quad City Federation of Labor
AFL-CIO
Box 1116
Rock Island, IL 61201

Re: MUR 1623

Dear Mr. DeVine:

This letter is to notify you that on January 30, 1984 the Federal Election Commission received a complaint which alleges that the Quad City Federation of Labor AFL-CIO committee and you, individually as treasurer, 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 1623. 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 the committee and you, individually as treasurer, 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.

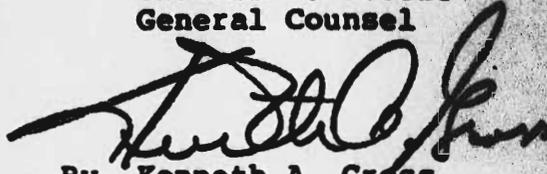
If you and your committee intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from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

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If you have any questions, please contact Anne Weissenborn the attorney assigned to this matter at (202) 523-4175. 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

Enclosures

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

84040483029



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Melvin J. Smith, Treasurer
Cedar Rapids Building and Trades
Reference and Safety Book
1211 Wiley Boulevard, S.W.
Cedar Rapids, Iowa 52404

Re: MUR 1623

Dear Mr. Smith:

This letter is to notify you that on January 30, 1984 the Federal Election Commission received a complaint which alleges that the Cedar Rapids Building and Trades Reference and Safety Book committee and you, individually as treasurer, 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 1623. 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 the committee and you, individually as treasurer, 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.

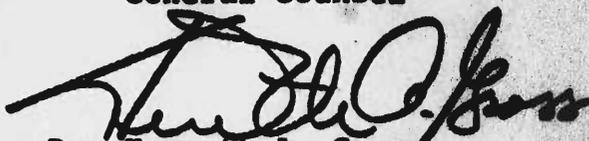
If you and your committee intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from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

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If you have any questions, please contact Anne Weissenborn the attorney assigned to this matter at (202) 523-4175. 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

Enclosures

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

84040483031



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas R. Donahue, Treasurer
AFL-CIO Committee on Political
Education/Political Contributions
Committee
815 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1623

Dear Mr. Donahue:

This letter is to notify you that on January 30, 1984 the Federal Election Commission received a complaint which alleges that the AFL-CIO Committee on Political Education/Political Contributions Committee and you, individually as treasurer, 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 1623. 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 the committee and you, individually as treasurer, 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.

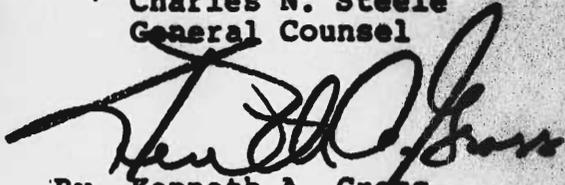
If you and your committee intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from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

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If you have any questions, please contact Anne Weissenborn the attorney assigned to this matter at (202) 523-4175. 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

Enclosures

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

84040483033



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles L. Messmer, Treasurer
William E. Gluba for Congress
Committee
1416 West 16th Street
Danvenport, Iowa 52804

Re: MUR 1623

Dear Mr. Messmer:

This letter is to notify you that on January 30, 1984 the Federal Election Commission received a complaint which alleges that the William E. Gluba for Congress Committee and you, individually as treasurer, 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 1623. 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 the committee and you, individually as treasurer, 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.

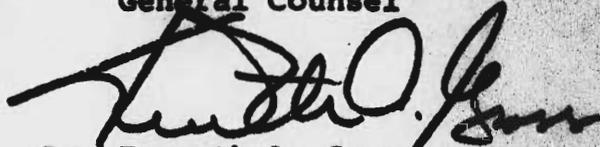
If you and your committee intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from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

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If you have any questions, please contact Anne Weissenborn the attorney assigned to this matter at (202) 523-4175. 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

Enclosures

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

84040483035



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Evan Gluba
1416 West 16th Street
Davenport, Iowa 52804

Re: MUR 1623

Dear Mr. Gluba:

This letter is to notify you that on January 30, 1984 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1623. 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.

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If you have any questions, please contact Anne Weissenborn the attorney assigned to this matter at (202) 523-4175. 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

Enclosures

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

84040483037

ROUTING SLIP

- Improper Complaint ltr.
- No Jurisdiction ltr.
- Respondent Notification ltr.
- Complainant Notification ltr. (1 ltr)
- Other:

To KAG from CLT on 1/30/84 for signature
To Docket from KAG on 1/31/84 for mailing

84040483038



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 31, 1984

Michael Ernest Avakian, Esquire
Martha M. Poindexter, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

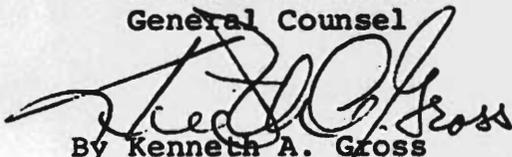
Dear Mr. Avakian and Ms. Poindexter:

This letter is to acknowledge receipt of the complaint filed on behalf of James Edward Antosh which we received on January 30, 1984 against William Evan Gluba, American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee and its affiliated Separate Segregated Funds and Active Ballot Club a Department of United Food and Commercial Workers International Union which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

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

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure

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NOV 30 AID: 52

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

84040483040

James Edward Antosh,)
13 Gilpin)
Shawnee, Oklahoma 74801)

Complainant,)

v.)

William Evan Gluba;)
American Federation of Labor-)
Congress of Industrial Organiza-)
tions Committee on Political)
Education and Political Contri-)
butions Committee and its)
affiliated Separate Segregated)
Funds; and Active Ballot Club)
a Department of United Food and)
Commercial Workers International)
Union)

Respondents.)

Complaint
MUR No. 1623

I. INTRODUCTION

1. Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against candidate for federal public office, William Evan Gluba, William E. Gluba for Congress Committee, American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC") and its affiliated separate segregated funds ("SSFs"), Cedar Rapids Building and Trades Reference and Safety Book ("CRBTRSB") and Quad City Federation of Labor AFL-CIO; and Active Ballot Club, a Department of United Food and Commercial Workers International Union ("U.F.C.W. Active Ballot Club"), and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. §441a(f) and 2 U.S.C. §441a(a)(2)(A).

II. PARTIES

2. Complainant is James Edward Antosh who resides at 13 Gilpin, Shawnee, Oklahoma 74801. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

Respondents are:

- a. William Evan Gluba, 1416 West 16th Street, Davenport, Iowa 52804.
- b. Charles L. Messmer, individually and in his capacity as

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treasurer of William E. Gluba for Congress Committee, 1416 West 16th Street, Davenport, Iowa 52804 and P.O. Box 2126, Davenport, Iowa 52801.

- c. William E. Gluba for Congress Committee, 1416 West 16th Street, Davenport, Iowa 52804 and P.O. Box 2126, Davenport, Iowa 52801.
- d. Thomas R. Donahue, individually and in his capacity as treasurer of AFL-CIO Committee on Political Education/Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- e. AFL-CIO Committee on Political Education/Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- f. Melvin J. Smith, individually and in his capacity as treasurer of Cedar Rapids Building & Trades Reference & Safety Book, 1211 Wiley Blvd., S.W., Cedar Rapids, Iowa 52404.
- g. Cedar Rapids Building & Trades Reference & Safety Book, 1211 Wiley Blvd., S.W., Cedar Rapids, Iowa 52404.
- h. Patrick R. DeVine, individually and in his capacity as treasurer of Quad City Federation of Labor AFL-CIO, Box 1116, Rock Island, Illinois 61201.
- i. Quad City Federation of Labor AFL-CIO, Box 1116, Rock Island, Illinois 61201.
- j. Anthony J. Luty, individually and in his capacity as treasurer of Active Ballot Club, A Department of United Food & Commercial Workers International Union, 1775 K Street, N.W., Washington, D.C. 20006.
- k. Active Ballot Club, A Department of United Food & Commercial Workers International Union, 1775 K Street, N.W. Washington, D.C. 20006.

III. LIABILITY

3. Liability may be imposed upon the candidate, William Evan Gluba, William E. Gluba for Congress Committee, AFL-CIO COPE-PCC and its affiliated SSFs, CRBTRSB and Quad City Federation of Labor AFL-CIO; and U.F.C.W. Active Ballot Club pursuant to 2 U.S.C. §441a(a) which establishes the \$5,000.00

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(FIVE THOUSAND DOLLAR) maximum contribution ceiling and 2 U.S.C. §441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. §104.14(d).

5. For purposes of this complaint, contributions made by AFL-CIO COPE-PCC and its affiliated SSPs, CRBTRSB and Quad City Federation of Labor AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. §441a(a) (5) as implemented through 11 C.F.R. §100.5(g) (i) (B).

IV. OVERVIEW

6. Based on complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1982 federal general election in which William Evan Gluba was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission's F.E.C. Forms 3 and 3X, Schedules "A" and "B" which William Evan Gluba; William E. Gluba for Congress Committee and its treasurer; AFL-CIO COPE-PCC and its treasurer; CRBTRSB and its treasurer; Quad City Federation of Labor AFL-CIO and its treasurer; and U.F.C.W. Active Ballot Club and its treasurer filed for the 1982 federal general

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election. These reports cover the July 19 1982 to November 2, 1982 time frame.

7. For the 1982 federal general election, excessive funds were contributed to William Evan Gluba, William E. Gluba for Congress Committee and its treasurer by AFL-CIO COPE-PCC and its treasurer; CRBTRSB and its treasurer; Quad City Federation of Labor AFL-CIO and its treasurer; and U.F.C.W. Active Ballot Club and its treasurer.

8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. §441a(a) (2) (A), which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate and his authorized political committee with respect to any election for federal office and §441a(f), which prohibits a candidate from receiving illegal contributions.

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1982 FEDERAL GENERAL ELECTION

9. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, William Evan Gluba, William E. Gluba for Congress Committee and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal general election from AFL-CIO COPE-PCC and its affiliated

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SSFs, viz., CRBTRS and Quad City Federation of Labor AFL-CIO, in the amount of \$7,000.00 (SEVEN THOUSAND DOLLARS).

10. Candidate William Evan Gluba, William E. Gluba for Congress Committee and its treasurer, for the 1982 federal general election, accepted contributions from AFL-CIO COPE-PCC and its affiliated SSFs, CRBTRSB and Quad City Federation of Labor AFL-CIO, in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>
8/7/82	\$2,500.00	AFL-CIO COPE-PCC
9/30/82	\$ 650.00	AFL-CIO COPE-PCC
11/2/82	\$1,650.00	AFL-CIO COPE-PCC
10/12/82	\$ 500.00	CRBTRSB
10/22/82	<u>\$1,700.00</u>	Quad City Federation of Labor AFL-CIO
Total	\$7,000.00	

11. A running total of the amount of contributions received from AFL-CIO COPE-PCC and its affiliated SSFs, CRBTRS and Quad City Federation of Labor AFL-CIO, would have put on notice William Evan Gluba, William E. Gluba for Congress Committee and its treasurer that they has received \$3,650.00 (THREE THOUSAND SIX HUNDRED FIFTY DOLLARS) on October 12, 1982. On that date, William Evan Gluba, William E. Gluba for Congress Committee and its treasurer were only permitted to accept an additional contribution of \$1,350.00 (ONE THOUSAND THREE HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. §441a(f), they accepted additional contributions and thereby exceeded the maximum

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\$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, William Evan Gluba, William E. Gluba for Congress Committee and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal general election from U.F.C.W. Active Ballot Club in the amount of \$5,600.00 (FIVE THOUSAND SIX HUNDRED DOLLARS).

13. Candidate William Evan Gluba, William E. Gluba for Congress Committee and its treasurer, for the 1982 federal general election, accepted contributions from U.F.C.W. Active Ballot Club in the following amounts:

<u>Date Received</u>	<u>Amount</u>
8/16/82	\$1,600.00
9/28/82	\$1,000.00
10/27/82	\$1,000.00
11/2/82	\$ 600.00
11/2/82	<u>\$1,400.00</u>
Total	\$5,600.00

14. A running total of the amount of contributions received from U.F.C.W. Active Ballot Club would have put on notice William Evan Gluba, William E. Gluba for Congress Committee and

its treasurer that they had received \$3,600.00 (THREE THOUSAND SIX HUNDRED DOLLARS) on October 27, 1982. On that date, William Evan Gluba, William E. Gluba for Congress Committee and its treasurer were only permitted to accept an additional contribution of \$1,400.00 (ONE THOUSAND FOUR HUNDRED DOLLARS). In violation of 2 U.S.C. §441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

VI. AFL-CIO COPE-PCC, CRBTRSB
AND QUAD CITY FEDERATION OF LABOR AFL-CIO
1982 FEDERAL GENERAL ELECTION

15. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that AFL-CIO COPE-PCC and its affiliated SSFs, CRBTRSB and Quad City Federation of Labor AFL-CIO, for the 1982 federal general election contributed to candidate William Evan Gluba, William E. Gluba for Congress Committee and its treasurer a total of \$7,000.00 (SEVEN THOUSAND DOLLARS).

16. AFL-CIO COPE-PCC, CRBTRSB and Quad City Federation of Labor AFL-CIO contributed the following amounts:

a. On July 19, 1982, AFL-CIO COPE-PCC contributed \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS).

b. On September 21, 1982, AFL-CIO COPE-PCC contributed

\$650.00 (SIX HUNDRED FIFTY DOLLARS)

c. On October 25, 1982, AFL-CIO COPE-PCC contributed \$1,650.00 (ONE THOUSAND SIX HUNDRED DOLLARS).

d. On October 1, 1982, CRBTRSB contributed \$500.00 (FIVE HUNDRED DOLLARS).

e. On October 26, 1982, Quad City Federation of Labor AFL-CIO contributed \$1,700.00 (ONE THOUSAND SEVEN HUNDRED DOLLARS).

17. A running total of the amount contributed to William Evan Gluba, William E. Gluba for Congress Committee and its treasurer would have put on notice AFL-CIO COPE-PCC and its affiliated SSFs, CRBTRSB and Quad City Federation of Labor AFL-CIO, that as of October 1, 1982, they had contributed \$3,650.00 (THREE THOUSAND SIX HUNDRED FIFTY DOLLARS) and that they could only contribute an additional \$1,350.00 (ONE THOUSAND THREE HUNDRED FIFTY DOLLARS) if they wished to meet the mandates of the law. In violation of 2 U.S.C. §441a(a) (2) (A), further contributions of \$1,650.00 (ONE THOUSAND SIX HUNDRED FIFTY DOLLARS) AND \$1,700.00 (ONE THOUSAND SEVEN HUNDRED DOLLARS) were made to William Evan Gluba, William E. Gluba for Congress Committee and its treasurer. This amount exceeded the statutory monetary ceiling by \$2,000.00 (TWO

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THOUSAND DOLLARS).

**VII. U.F.C.W. ACTIVE BALLOT CLUB
1982 FEDERAL GENERAL ELECTION**

18. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that U.F.C.W. Active Ballot Club, for the 1982 federal general election contributed to candidate William Evan Gluba, William E. Gluba for Congress Committee and its treasurer a total of \$5,600.00 (FIVE THOUSAND SIX HUNDRED DOLLARS).

19. U.F.C.W. Active Ballot Club contributed the following amounts:

a. On July 29, 1982, U.F.C.W. Active Ballot Club contributed \$1,600.00 (ONE THOUSAND SIX HUNDRED DOLLARS).

b. On September 21, 1982, U.F.C.W. Active Ballot Club contributed \$1,000.00 (ONE THOUSAND DOLLARS)

c. On October 20, 1982, U.F.C.W. Active Ballot Club contributed \$1,000.00 (ONE THOUSAND DOLLARS)

d. On October 27, 1982, U.F.C.W. Active Ballot Club

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contributed \$600.00 (SIX HUNDRED DOLLARS)

e. On October 27, 1982, U.F.C.W. Active Ballot Club contributed \$1,400.00 (ONE THOUSAND FOUR HUNDRED DOLLARS)

20. A running total of the amount contributed to William Evan Gluba, William E. Gluba for Congress Committee and its treasurer would have put on notice U.F.C.W. Active Ballot Club that as of October 20, 1982, it had contributed \$3,600.00 (THREE THOUSAND SIX HUNDRED DOLLARS) and that it could only contribute an additional \$1,400.00 (ONE THOUSAND FOUR HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. §441a(a)(2)(A), contributions of \$600.00 (SIX HUNDRED DOLLARS) and \$1,400.00 (ONE THOUSAND FOUR HUNDRED DOLLARS) were made to William Evan Gluba, William E. Gluba for Congress Committee and its treasurer. This amount exceeded the statutory monetary ceiling by \$600.00 (SIX HUNDRED DOLLAR).

IX. CONCLUSION

22. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

23. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return

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the accepted excess contributions and that civil sanctions be imposed on the Respondents.

Michael Ernest Avakian
Michael Ernest Avakian
Center on National Labor Policy

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(703) 321-9180

Attorneys for Complainant

January 30, 1984

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DESIGNATION OF COUNSEL

I, James Edward Antosh, a complainant to the attached complaint designate the attorney(s) identified below as complainant's attorney(s) of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

January 26, 1984
Date

James E. Antosh
Complainant

DESIGNATED COUNSEL

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Martha M. Poindexter
Center on National Labor Policy
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5211 Port Royal Road
Springfield, Virginia 22151

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FEDERAL ELECTION COMMISSION

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WASHINGTON, D.C. 20543

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