



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1646

Date Filmed 6/29/84 Camera No. --- 2

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Stephen V. Monsma
Monsma for Congress Committee and
its treasurer, Thomas F. Blackwell,
et. al.

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MUR 1646

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 30, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1646:

1. Find no reason to believe that the Grand Rapids Construction Trades Union Affiliates Political Action Committee and its treasurer, Keith A. Phelps, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
3. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Oliver, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
4. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.

(Continued)

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5. Find reason to believe that the Monsma for Congress Committee and its treasurer, Thomas F. Blackwell, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1), but take no further action.
6. Approve the letters to the complainant and respondents as attached to the First General Counsel's Report signed May 23, 1984.
7. Close the file.

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

Attest:

May 30, 1984

Date

Gady C. Ransom

for Marjorie W. Emmons
Secretary of the Commission

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

5-24-84, 9:36
5-24-84, 4:00

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FEDERAL ELECTION COMMISSION

See attached list

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

George Demougeot

date

June 28, 1984

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Routing cards

Comments to 12 Day Report

12 Day Report dated 4-18-84

Memo From RAD re RFAI dated 5-28-84

Response to RAD re RFAI dated 3-30-84

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 1, 1984

Thomas F. Blackwell, Esquire
Smith, Haughey, Rice & Roegge
200 Calder Plaza Building
Grand Rapids, Michigan 49503

RE: MUR 1646
Monsma for Congress Committee,
and Thomas F. Blackwell,
Treasurer

Dear Mr. Blackwell:

On May 30, 1984, the Commission found reason to believe that the Monsma For Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 103.3(b)(1) in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that accepting contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to insure that this activity does not occur in the future. Also pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report.

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Thomas F. Blackwell, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

Enclosure
General Counsel's Report

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SENSITIVE

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

RECEIVED
OFFICE OF THE
CLERK OF THE
COMMISSION

FIRST GENERAL COUNSEL'S REPORT

34 MAY 24 A 9: 36

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/24/84 - 9:40

MUR # 1646
DATE COMPLAINT RECEIVED
BY OGC 3/16/84
DATE OF NOTIFICATION TO
RESPONDENT 3/22/84
STAFF MEMBER
GEORGE DEMOUGEOT

COMPLAINANT NAME: James Edward Antosh

RESPONDENTS' NAME: Stephen V. Monsma
Monsma for Congress Committee and its
treasurer, Thomas F. Blackwell
AFL-CIO Committee on Political
Education and Political Contributions
Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
Political Education Fund of the Building and
Construction Trades Department and its
treasurer, Joseph F. Maloney
Grand Rapids Construction Trades Union
Affiliates Political Action Committee and
its treasurer, Keith A. Phelps

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
11 C.F.R. § 104.14(d)
11 C.F.R. § 103.3(b)(1)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant alleges that the following political action
committees and their treasurers violated 2 U.S.C. § 441a(a)(2)(A)
by making excessive contributions to the Monsma for Congress
Committee during the 1982 general election:

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- a) American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC")
- b) Michigan State AFL-CIO COPE Voluntary Fund
- c) Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.")
- d) Grand Rapids Construction Trades Union Affiliates Political Action Committee

Complainant alleges that Stephen V. Monsma, Monsma for Congress Committee ("the Monsma Committee") and its treasurer violated 2 U.S.C. § 441a(f) for receipt of contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) from the above-named committees.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(2)(A), no multicandidate political committee shall make any contribution to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed \$5,000. In addition, pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

According to the complaint, the Monsma Committee received the following contributions for the 1982 general election totalling \$850 in excess of limitations at 2 U.S.C.

§ 441a(a)(2)(A):

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>
9/15/82	\$1,000	AFL-CIO COPE-PCC
10/5/82	\$2,500	AFL-CIO COPE-PCC
10/1/82	\$1,500	Michigan State AFL-CIO COPE Voluntary Fund
unreported	\$ 500	P.E.F.-B.C.T.D.
10/25/82	\$ 350	Grand Rapids Construction Trades Union Affiliates PAC
Total =		<u>\$5,850</u>

A. Affiliation

The response from Grand Rapids Construction Trades Union Affiliates Political Action Committee ("GRCTUA-PAC") indicates that it is not affiliated with the other respondent committees listed above. The response states that the Grand Rapids Construction Trades Union Affiliates is an independent local building trades union organization. GRCTUA-PAC states that it is not chartered by the Building and Construction Trades Department of the AFL-CIO. GRCTUA-PAC also states that it does not pay per-capita taxes, affiliation fees, or dues to the Building Trades Department, the Michigan State AFL-CIO, or the AFL-CIO. The AFL-CIO COPE-PCC, P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund also indicate that they are not affiliated with GRCTUA-PAC. For these reasons, the Office of General Counsel recommends that the Commission find no reason to believe that GRCTUA-PAC made excessive contributions to the Monsma Committee.

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The AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund do not deny that they are affiliated committees pursuant to 2 U.S.C. § 441a(a)(5).

B. Excessive Contribution

By check dated October 14, 1982, the P.E.F.-B.C.T.D., made a \$500 contribution to the Monsma for Congress Committee. This contribution put the AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund over the 2 U.S.C. § 441a(a)(2)(A) limit by \$500. The contribution was returned by the Monsma Committee six months later, in April 1983, in the form of the original check. The P.E.F.-B.C.T.D. subsequently voided the check and amended its October 1982 monthly report.

Pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report. The Monsma Committee violated 11 C.F.R. § 103.3(b)(1) by not following these procedures.

Since the \$500 check was neither returned to the contributor, nor deposited and reported as an illegal contribution within 10 days of receipt, a contribution was made and received. Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund,

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and the P.E.F.-B.C.T.D. violated 2 U.S.C. § 441a(a)(2)(A) and that the Monsma Committee violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1). However, since the \$500 check was never cashed by the Monsma Committee, but returned, and since P.E.F.-B.C.T.D. subsequently voided the check and amended its reports, it is recommended that no further action be taken.

RECOMMENDATION

1. Find no reason to believe that the Grand Rapids Construction Trades Union Affiliates Political Action Committee and its treasurer, Keith A. Phelps, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
3. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Olver, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
4. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
5. Find reason to believe that the Monsma for Congress Committee and its treasurer, Thomas F. Blackwell, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1), but take no further action.

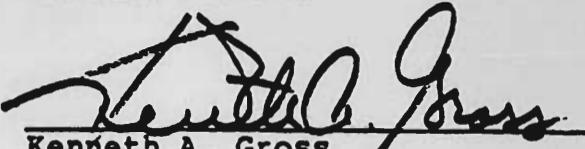
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6. Approve the attached letters to the Complainant and Respondents.

7. Close the file.

May 23, 1981
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Proposed letters (4)
- II. Response from GRCTUA-PAC
- III. Response from Stephen V. Monsma and Monsma for Congress Committee
- IV. Response from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

RE: MUR 1646
Grand Rapids Construction
Trades Union Affiliates
Political Action Committee;
Keith A. Phelps, Treasurer

Dear Mr. Phelps:

On March 22, 1984, the Commission notified Grand Rapids Construction Trades Union Affiliates Political Action Committee and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May , 1984, determined that on the basis of the information in the complaint, and information provided by your committee, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
American Federation of Labor-Congress
of Industrial Organizations
815 Sixteenth Street, N.W., Room 808
Washington, D.C. 20006

RE: MUR 1646
AFL-CIO Committee on Political
Education Political
Contributions Committee and
Thomas R. Donahue, Treasurer;
Michigan State AFL-CIO COPE
Voluntary Fund and
Walter Oliver; Treasurer
Political Education Fund of
the Building and Construction
Trades Department and
Joseph F. Maloney, Treasurer

Dear Ms. McCormick and Mr. Resnick:

On May , 1984, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that making contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(2)(A). You should take immediate steps to insure that this activity does not occur in the future.

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Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

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Enclosure
General Counsel's Report



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

4

Thomas F. Blackwell, Esquire
Smith, Haughey, Rice & Roegge
200 Calder Plaza Building
Grand Rapids, Michigan 49503

RE: MUR 1646
Monsma for Congress Committee,
and Thomas F. Blackwell,
Treasurer

Dear Mr. Blackwell:

On May , 1984, the Commission found reason to believe that the Monsma For Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 103.3(b)(1) in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that accepting contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to insure that this activity does not occur in the future. Also pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report.

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Thomas F. Blackwell, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

6

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

Re: MUR 1646

Dear Mr. Avakian and Ms. Poindexter:

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The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh dated March 16, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by Monsma for Congress Committee, the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

Further, the Commission determined that there is no reason to believe that a violation of the Act has been committed by the Grand Rapids Construction Trade Union Affiliates Political Action Committee.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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Michael Ernest Avakian
Martha M. Poindexter
Page 2

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

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MJR 1646
Demougeot

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

APR 4 P2:23

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCCTUA-PAC are undertaken completely without regard to action taken by other

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Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

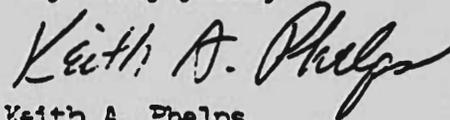
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respondents named in complaint MUR 1646. In our view, GRCITUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCITUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCITUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCITUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

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SMITH, HAUGHEY, RICE & ROEGGE

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A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

100 CALDER PLAZA BUILDING
GRAND RAPIDS, MICHIGAN 49503

TELEPHONE 616-774-8000
TELEX 224147

ROBERT V. V. RICE
1999-1963

LAURENCE D. SMITH
1913-1960

A. P. SMITH JR.
DAVID O. HAUGHEY
L. EGLAND ROEGGE
THOMAS F. BLACKWELL
P. LAURENCE MULVHILL
JAMES E. MILLER
LAURENCE P. MULLIGAN
MICHAEL S. BARNES
THOMAS P. TASSER
PAUL H. REINHARDT
LANCE E. MATHER
CHARLES P. BEMLER
GARY A. TOWE
WILLIAM W. JACK, JR.
WILLIAM J. MONDORP
THOMAS M. WEISSEL
JAMES G. BLACK
I. THOMAS MCCARTHY, JR.

THOMAS E. WURST
CRAG E. NOLAND
JOHN M. BROSTIC
PAUL M. OLENICZAK
CRAIG S. NECKERS
LEONARD M. WICKBY
DAVID N. CAMPOS
CONSTANCE J. GRZANKA
JOHN C. O'LOUGHLIN
ANTHONY J. QUARTO
BRUCE P. BISSI
MARY E. CLOUD
JOHN M. KEVIS
PAUL VAN OOSTENBURG
DALE A. IVERSON
MICHAEL O. KENNEY
WILLIAM B. JEWELL

April 4, 1984

*MUR 1646
Demougeot*

76:10 5:13

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463

Attention: Kenneth A. Gross
Assistant General Counsel

RE: MUR 1646
Antosh v. Monsma, et al

Dear Mr. Gross:

Pursuant to your letter of March 22, 1984, enclosed herewith please find Answers to the Complaint on behalf of Stephen V. Monsma, Candidate, Monsma for Congress Committee, and Thomas F. Blackwell, Treasurer with respect to the above-captioned matter.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

SMITH, HAUGHEY, RICE & ROEGGE

Thomas F. Blackwell

TFB/vm
Enclosure

34040463054

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades Department
and Grand Rapids Construction
Trade Union Affiliates Political
Action Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF MONSMA FOR
CONGRESS COMMITTEE

84040463055

Monsma for Congress Committee, named respondent, by and through Stephen V. Monsma, candidate, and Thomas F. Blackwell, Treasurer, says as and for its answer to its Complaint herein filed against it that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned:

3. Such contributions as were made to the candidate, the committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

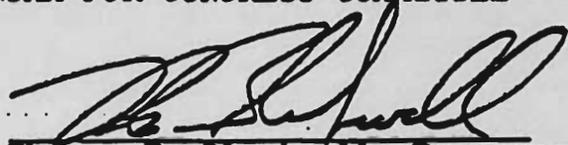
WHEREFORE, Monsma for Congress Committee, respondent:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984

MONSMA FOR CONGRESS COMMITTEE

By 
Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463057

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

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When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

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Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

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With very best wishes.

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Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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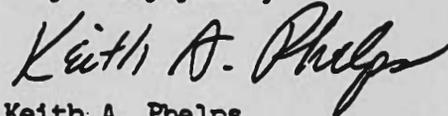
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463060

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades
Department and Grand Rapids
Construction Trade Union
Affiliates Political Action
Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF THOMAS F. BLACKWELL,
TREASURER

84040463061

Thomas F. Blackwell, treasurer, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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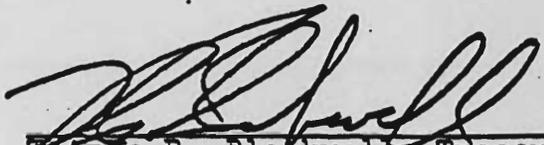
from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Thomas F. Blackwell, Treasurer:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463063

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

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When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

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Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

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GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

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Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

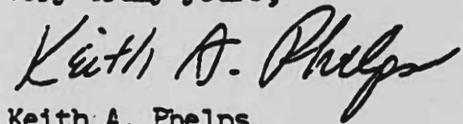
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463066

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

MUR No. 1646

v.)

ANSWER OF STEPHEN V. MONSMA,
CANDIDATE

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

Responder's.

84040463067

Stephen V. Monsma, candidate, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee, and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Stephen V. Monsma, candidate:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984

Stephen V. Monsma
Stephen V. Monsma
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463069

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

8404046070

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

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Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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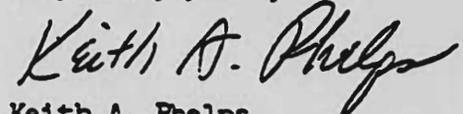
Mr. George Demougest
Federal Election Commission
March 28, 1984
Page 2

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Like the Grand Rapids Construction Trades Union Affiliates, GRCUUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCUUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCUUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

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American Federation of Labor and Congress of Industrial Organizations

EXECUTIVE COUNCIL



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

LANE KIRKLAND PRESIDENT

John H. Lyons
S. Frank Raftery
Glenn E. Watts
Angelo Fece
Lloyd McBride
Wm. W. Wimpelinger
Wayne E. Glenn
John J. Sweeney
Barbara Hutchinson
Gerald W. McEntee
Patrick J. Campbell

THOMAS R. DONAHUE SECRETARY-TREASURER

Thomas W. Steeden
Wynny M. Finley
Sol C. Chelkin
Charles H. Piller
Kenneth T. Stoydash
William H. Wynn
Robert F. Goss
Frank Drazak
Richard J. Kinney
William H. Bywater
Kenneth J. Brown

Frederick O'Neal
Albert Shonker
Edward T. Hanley
J. E. Yarnor
Alvin E. Praso
John DeConcini
James D. Miller
James E. Hatfield
Vincent R. Lombardo
Mervin J. Seede
Owen Sieber

ATTACHMENT I

April 6, 1984

(29)

(IV)

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

Re: FEC MUR 1646

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Walter Oliver, the Michigan State AFL-CIO COPE Voluntary Fund ("Michigan COPE"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letter dated March 22, 1984, stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered FEC MUR 1646, alleges that the respondents violated 2 U.S.C. §441a(a)(2)(A) by contributing in excess of \$5000 to the Monsma For Congress Committee for the 1982 general election.

For the reasons described below, respondents respectfully request that the Commission take no further action in the above-referenced matter.

L Respondents' contribution records for 1982 reflect the following contributions to the Monsma For Congress Committee for the 1982 general election: COPE-PCC contributed \$1000 on 9/14/82; Michigan COPE contributed \$1,500 on 10/1/82; and COPE-PCC contributed \$2,500 on 10/5/82.

In addition to the contributions listed above, the PEF-BCTD on October 14, 1982 made a \$500 contribution to the Monsma For Congress Committee for the 1982 general election. That contribution, however, was returned by the Monsma For Congress Committee in April 1983, in the form of the original check. The PEF-BCTD subsequently voided that check and amended its October 1982 monthly FEC report by deleting that contribution from those listed in that report. A copy of the voided check and the PEF-BCTD amendment is attached hereto. See Attachment

8404046073

A. Since the PEF-BCTD contribution was returned, the total amount contributed by COPE-PCC and its affiliated committees to the Monsma For Congress Committee for the 1982 general election was \$5000. Accordingly, COPE-PCC and its affiliated committees, Michigan COPE and PEF-BCTD did not violate S441a(a)(2)(A) of the Act.

2. Contrary to the complainant's assertions, the Grand Rapids Construction Trades Union Affiliates PAC ("G.R.C.T.U.A. PAC") is not affiliated with the AFL-CIO COPE PCC. Under the Act, all federal political committees sponsored by AFL-CIO departments or AFL-CIO state and local bodies are affiliated with COPE-PCC. 2 U.S.C. 441a(a)(5). This rule does not, however, apply to the G.R.C.T.U.A. PAC since that committee is sponsored by an organization which has no connection with the AFL-CIO. According to its Treasurer, Keith Phelps, the G.R.C.T.U.A. PAC is sponsored by the Grand Rapids Construction Trades Union Affiliates ("GRCTUA") an independent local building trade union organization which, in contrast to AFL-CIO Building and Construction Trades Councils, is not chartered by the AFL-CIO Building and Construction Trades Department and which is not affiliated with either the Michigan State AFL-CIO or any AFL-CIO local central body. The G.R.C.T.U.A. does not pay per capita, or dues, or any other fees to the AFL-CIO or any department or state or local body of the AFL-CIO. (See March 28, 1984, letter from Keith A. Phelps, Attachment B.) Furthermore, neither the G.R.C.T.U.A. nor its separate segregated fund was established or is financed, maintained, or controlled by the AFL-CIO, any department of the AFL-CIO, or any AFL-CIO state or local central body.

Since the G.R.C.T.U.A. PAC is not, as asserted by complainant, affiliated with AFL-CIO COPE-PCC for purposes of 2 U.S.C. 441a, contributions made by that committee are not attributable to COPE-PCC's contribution limits. Accordingly, the G.R.C.T.U.A. PAC's \$350 contribution to the Monsma For Congress Committee for the 1982 general election may not be counted towards COPE-PCC's contribution limit for the same election.

As demonstrated above, respondent political committees' contributions to the Monsma For Congress Committee for the 1982 general election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. 441a(a)(2)(A). Respondents therefore respectfully request that the Commission take no further action in this matter.

Sincerely,

Margaret E. McCormick
Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO COPE-PCC.
Walter Oliver and Michigan State AFL-CIO
COPE Voluntary Fund

Richard M. Resnick
Richard M. Resnick
Counsel for respondent
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosure

8404046507

POLITICAL EDUCATIONAL FUND OF THE
BUILDING & CONSTRUCTION TRADES DEPT.
815 - 16TH STREET, N.W., ROOM 603
WASHINGTON, D.C. 20005

2242

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12-35/840

TO THE
ORDER OF

Monica for Congress Committee

\$ 500.00

EXACTLY \$500.00 US

DOLLARS

AMERICAN SECURITY BANK, N.A.
1515 STREET, N.W.
WASHINGTON, D.C.

OR 1982 General

Robert L. Higgins
James F. Maloney

DEPT. - TREAS.

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(31)

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1. Name of Committee (in Full)
Political Educational Fund of the
Building and Construction Trades Department

Address (Number and Street)

815 16th Street, N.W., Suite 603

City, State and ZIP Code

Washington, D.C. 20006-4189

Check if address is different than previously reported.

2. FEC Identification Number

C 0000 3160

3. This committee qualified as a multicandidate com-

mittee during this Reporting Period on _____
(date)

4. TYPE OF REPORT (check appropriate boxes):

- (a) April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Monthly Report for _____
- Twelfth day report preceding _____
(Type of Election)
election on _____ in the State of _____
- Thirtieth day report following the General Election
on 11/2/82 in the State of Washington
- Termination Report

32

(b) Is this Report an Amendment?
 YES NO

SUMMARY

5. Covering Period 10/14/83 Through 11/22/83

6. (a) Cash on Hand January 1, 1982

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add lines 6(b) and 6(c) for Column A and
lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d)) ...

9. Debts and Obligations Owed TO the Committee
(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee
(Itemize all on Schedule C or Schedule D)

	Column A This Period	Column B Calendar Year-to-Date
6(a)		\$ 82,664.23
6(b)	\$ 76,934.45	
6(c)	\$ 179.10	\$ 68,396.20
6(d)	\$ 77,113.55	\$ 151,060.43
7	\$ 54,750.00	\$ 128,696.88
8	\$ 22,363.55	\$ 22,363.55
9	\$ -	
10	\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief
it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Joseph F. Maloney

Type or Print Name of Treasurer

Joseph F. Maloney
SIGNATURE OF TREASURER

May 16, 1983

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 4370

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

8404016076

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Political Educational Fund for the Building and Construction Trades Department

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kostmeyer for Congress 54 West State Street Doylestown, Pennsylvania 18901 Kingston Swayne, Treasurer	Contribution Peter Kostmeyer, 8th, Pa. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Stan Lundine for Congress Committee Box 849 Jamestown, N.Y. 14701 Miles Lasser, Treasurer	Contribution Stan Lundine, 4th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
Lyman for Congress Committee P.O. Box 1168 Great Falls, Montana 59403 Jack Stevens, Treasurer	Contribution Howard Lyman, 2nd, Mt Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
Friends of Matt McHugh P.O. Box 61 Ithaca, N.Y. 14850 Neil Massa, Treasurer	Contribution Matt McHugh, 28th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
McLeod for Congress P.O. Box 5247 N. Charleston, S.C. 29406 Roger Crook, Treasurer	Contribution Mullins McLeod, 1st, S.C. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Re-Elect Joe Moakley Committee Ten Post Office Square 400 Boston, Massachusetts 02109 William Shavel, Treasurer	Contribution Joseph Moakley, 9th, MA Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Melcher for Senate Committee 410 N. Broadway Billings, Montana 59101 Tony Gerhart, Treasurer	Contribution John Melcher, Sen., Mt. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	5,000.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Committee for Re-Elect Tip O'Neill 20 Ashburton Place Boston, Massachusetts 02101 Bryant O'Neill, Treasurer	Contribution Thomas P. O'Neill, 8th, Ma Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00

SUBTOTAL of Disbursements This Page (optional) 8,100.00

TOTAL This Period (last page this line number only)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 1, 1984

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
American Federation of Labor-Congress
of Industrial Organizations
815 Sixteenth Street, N.W., Room 808
Washington, D.C. 20006

RE: MUR 1646
AFL-CIO Committee on Political
Education Political
Contributions Committee and
Thomas R. Donahue, Treasurer,
Michigan State AFL-CIO COPE
Voluntary Fund and
Walter Oliver, Treasurer
Political Education Fund of
the Building and Construction
Trades Department and
Joseph F. Maloney, Treasurer

Dear Ms. McCormick and Mr. Resnick:

On May 30, 1984, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that making contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(2)(A). You should take immediate steps to insure that this activity does not occur in the future.

84040465078

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

Enclosure
General Counsel's Report

84040463079

SENSITIVE

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

34 MAY 24 A 9: 36

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/24/84 - 9:40

MUR # 1646
DATE COMPLAINT RECEIVED
BY OGC 3/16/84
DATE OF NOTIFICATION TO
RESPONDENT 3/22/84
STAFF MEMBER
GEORGE DEMOUGEOT

COMPLAINANT NAME: James Edward Antosh

RESPONDENTS' NAME: Stephen V. Monsma
Monsma for Congress Committee and its
treasurer, Thomas F. Blackwell
AFL-CIO Committee on Political
Education and Political Contributions
Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
Political Education Fund of the Building and
Construction Trades Department and its
treasurer, Joseph F. Maloney
Grand Rapids Construction Trades Union
Affiliates Political Action Committee and
its treasurer, Keith A. Phelps

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
11 C.F.R. § 104.14(d)
11 C.F.R. § 103.3(b)(1)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant alleges that the following political action committees and their treasurers violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Monsma for Congress Committee during the 1982 general election:

84040453030

- a) American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC")
- b) Michigan State AFL-CIO COPE Voluntary Fund
- c) Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.")
- d) Grand Rapids Construction Trades Union Affiliates Political Action Committee

Complainant alleges that Stephen V. Monsma, Monsma for Congress Committee ("the Monsma Committee") and its treasurer violated 2 U.S.C. § 441a(f) for receipt of contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) from the above-named committees.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(2)(A), no multicandidate political committee shall make any contribution to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed \$5,000. In addition, pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

According to the complaint, the Monsma Committee received the following contributions for the 1982 general election totalling \$850 in excess of limitations at 2 U.S.C.

§ 441a(a)(2)(A):

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>
9/15/82	\$1,000	AFL-CIO COPE-PCC
10/5/82	\$2,500	AFL-CIO COPE-PCC
10/1/82	\$1,500	Michigan State AFL-CIO COPE Voluntary Fund
unreported	\$ 500	P.E.F.-B.C.T.D.
10/25/82	\$ 350	Grand Rapids Construction Trades Union Affiliates PAC
Total =		\$5,850

A. Affiliation

The response from Grand Rapids Construction Trades Union Affiliates Political Action Committee ("GRCTUA-PAC") indicates that it is not affiliated with the other respondent committees listed above. The response states that the Grand Rapids Construction Trades Union Affiliates is an independent local building trades union organization. GRCTUA-PAC states that it is not chartered by the Building and Construction Trades Department of the AFL-CIO. GRCTUA-PAC also states that it does not pay per-capita taxes, affiliation fees, or dues to the Building Trades Department, the Michigan State AFL-CIO, or the AFL-CIO. The AFL-CIO COPE-PCC, P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund also indicate that they are not affiliated with GRCTUA-PAC. For these reasons, the Office of General Counsel recommends that the Commission find no reason to believe that GRCTUA-PAC made excessive contributions to the Monsma Committee.

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The AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund do not deny that they are affiliated committees pursuant to 2 U.S.C. § 441a(a)(5).

B. Excessive Contribution

By check dated October 14, 1982, the P.E.F.-B.C.T.D., made a \$500 contribution to the Monsma for Congress Committee. This contribution put the AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund over the 2 U.S.C. § 441a(a)(2)(A) limit by \$500. The contribution was returned by the Monsma Committee six months later, in April 1983, in the form of the original check. The P.E.F.-B.C.T.D. subsequently voided the check and amended its October 1982 monthly report.

Pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report. The Monsma Committee violated 11 C.F.R. § 103.3(b)(1) by not following these procedures.

Since the \$500 check was neither returned to the contributor, nor deposited and reported as an illegal contribution within 10 days of receipt, a contribution was made and received. Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund,

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and the P.E.F.-B.C.T.D. violated 2 U.S.C. § 441a(a)(2)(A) and that the Monsma Committee violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1). However, since the \$500 check was never cashed by the Monsma Committee, but returned, and since P.E.F.-B.C.T.D. subsequently voided the check and amended its reports, it is recommended that no further action be taken.

RECOMMENDATION

1. Find no reason to believe that the Grand Rapids Construction Trades Union Affiliates Political Action Committee and its treasurer, Keith A. Phelps, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
3. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Olver, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
4. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
5. Find reason to believe that the Monsma for Congress Committee and its treasurer, Thomas F. Blackwell, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1), but take no further action.

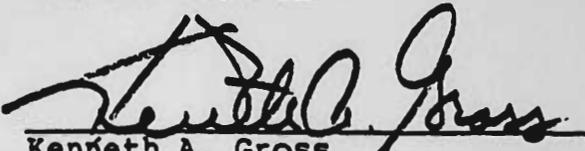
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6. Approve the attached letters to the Complainant and Respondents.

7. Close the file.

May 23, 1991
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Proposed letters (4)
- II. Response from GRCTUA-PAC
- III. Response from Stephen V. Monsma and Monsma for Congress Committee
- IV. Response from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D.

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ATTACHMENT I

①



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

RE: MUR 1646
Grand Rapids Construction
Trades Union Affiliates
Political Action Committee;
Keith A. Phelps, Treasurer

Dear Mr. Phelps:

On March 22, 1984, the Commission notified Grand Rapids Construction Trades Union Affiliates Political Action Committee and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May , 1984, determined that on the basis of the information in the complaint, and information provided by your committee, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040465086



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
American Federation of Labor-Congress
of Industrial Organizations
815 Sixteenth Street, N.W., Room 808
Washington, D.C. 20006

RE: MUR 1646
AFL-CIO Committee on Political
Education Political
Contributions Committee and
Thomas R. Donahue, Treasurer;
Michigan State AFL-CIO COPE
Voluntary Fund and
Walter Oliver; Treasurer
Political Education Fund of
the Building and Construction
Trades Department and
Joseph F. Maloney, Treasurer

Dear Ms. McCormick and Mr. Resnick:

On May , 1984, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that making contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(2)(A). You should take immediate steps to insure that this activity does not occur in the future.

84040463087

3

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

84040463088



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

4

Thomas F. Blackwell, Esquire
Smith, Haughey, Rice & Roegge
200 Calder Plaza Building
Grand Rapids, Michigan 49503

RE: MUR 1646
Monsma for Congress Committee,
and Thomas F. Blackwell,
Treasurer

Dear Mr. Blackwell:

On May , 1984, the Commission found reason to believe that the Monsma For Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 103.3(b)(1) in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that accepting contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to insure that this activity does not occur in the future. Also pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report.

84040463089

5

Thomas F. Blackwell, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

84040463090

Enclosure
General Counsel's Report



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

6

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

Re: MUR 1646

Dear Mr. Avakian and Ms. Poindexter:

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The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh dated March 16, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by Monsma for Congress Committee, the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

Further, the Commission determined that there is no reason to believe that a violation of the Act has been committed by the Grand Rapids Construction Trade Union Affiliates Political Action Committee.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

7

Michael Ernest Avakian
Martha M. Poindexter
Page 2

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040463092

ATTACHMENT II RECEIVED BY THE FEC
GCC# 2024

8

84 APR 4 12:33

MJR 1646
Demougeot

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

APR 4 12:23

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

8404043093

GRC TUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRC TUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRC TUA-PAC are undertaken completely without regard to action taken by other

Mr. George Demougnot
Federal Election Commission
March 28, 1984
Page 2

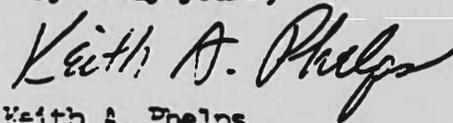
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respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040465094

ATTACHMENT III *Case 72*

SMITH, HAUGHEY, RICE & ROEGGE

10

84 APR 9 P2:31

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

300 CALDER PLAZA BUILDING
GRAND RAPIDS, MICHIGAN 49503

TELEPHONE 616-774-8000
TELEX 234147

ROBERT V. V. RICE
1979-1982

LAURENCE D. SMITH
1973-1980

DAVID G. HAUGHEY
L. EDWARD ROEGGE
THOMAS F. BLACKWELL
P. LAURENCE MULVIN
JAMES E. MILLER
LAWRENCE P. MULLIGAN
MICHAEL S. BARNES
THOMAS P. TASSER
PAUL W. FEINHARDT
LANCE P. WATHER
CHARLES P. BEMISE
GARY A. FOWE
WILLIAM W. JACK, JR.
WILLIAM J. HONDDORP
THOMAS M. WEIBEL
JAMES G. BLACK
I. THOMAS MCCARTHY, JR.

THOMAS R. WURST
CRAIG B. NOLAND
JOHN M. GROSTIC
PAUL M. OLENICZAK
CRAIG S. NICKERS
LEONARD M. HICKEY
DAVID N. CAMPOS
CONSTANCE J. GRZANEA
JOHN C. O'LOUGHLIN
ANTHONY J. QUARTO
BRUCE P. RISSI
MARY E. CLOUD
JOHN M. ERUIS
PAUL VAN OOSTENBURG
DALE A. IVERSON
MICHAEL O. KENNEY
WILLIAM E. JEWELL

April 4, 1984

*MUR 1646
Demougeot*

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463

Attention: Kenneth A. Gross
Assistant General Counsel

RE: MUR 1646
Antosh v. Monsma, et al

Dear Mr. Gross:

Pursuant to your letter of March 22, 1984, enclosed herewith please find Answers to the Complaint on behalf of Stephen V. Monsma, Candidate, Monsma for Congress Committee, and Thomas F. Blackwell, Treasurer with respect to the above-captioned matter.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

SMITH, HAUGHEY, RICE & ROEGGE

Thomas F. Blackwell

TFB/vm
Enclosure

84040463093

76:16:31:32

11

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades Department
and Grand Rapids Construction
Trade Union Affiliates Political
Action Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF MONSMA FOR
CONGRESS COMMITTEE

84040463095

Monsma for Congress Committee, named respondent, by and through Stephen V. Monsma, candidate, and Thomas F. Blackwell, Treasurer, says as and for its answer to its Complaint herein filed against it that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, the committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

84040463097

from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

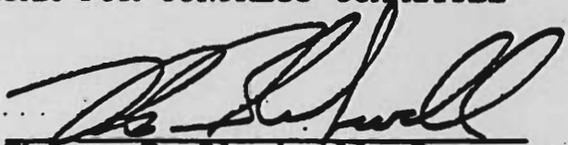
WHEREFORE, Monsma for Congress Committee, respondent:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984

MONSMA FOR CONGRESS COMMITTEE

By 
Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463098

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

84040463099

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COFE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504 .

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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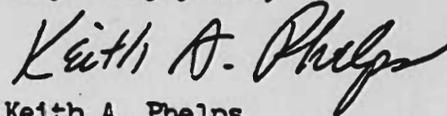
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed. .

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463101

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

v.)

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)
Respondents.)

MUR No. 1646

ANSWER OF THOMAS F. BLACKWELL,
TREASURER

84040463102

Thomas F. Blackwell, treasurer, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Thomas F. Blackwell, Treasurer:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463104

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

15 When recently going through some files from my congressional cam-
10 paign of last year, I came across the enclosed check. We never
5 cashed it since--as we informed your office by phone at the time--
0 the contributions already received from CCFE and from your PAC
3 totaled the maximum allowed by the FEC. I thought I would return
1 the check in case you need it to close out your books.

6 Let me take this occasion to thank you again for all of your help
4 last year. I fell short and that continues to be a disappointment,
0 but I am pleased and grateful for the splendid help I received
4 from labor in general and from the building and construction trades
0 in particular. Perhaps we will be able to work together again in
8 the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504 .

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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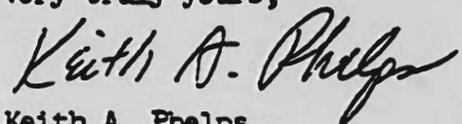
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463107

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

MUR No. 1646

v.)

ANSWER OF STEPHEN V. MONSMA,
CANDIDATE

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

Respondents.

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Stephen V. Monsma, candidate, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee, and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

84040463109

from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Stephen V. Monsma, candidate:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984


Stephen V. Monsma
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463110

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

84040463111

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRICTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

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Collections and disbursements of funds by individuals responsible for GRICTUA-PAC are undertaken completely without regard to action taken by other

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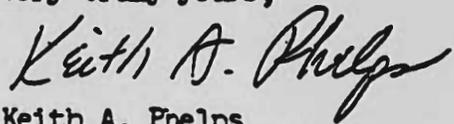
Mr. George Demougest
Federal Election Commission
March 28, 1984
Page 2

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Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463113

American Federation of Labor and Congress of Industrial Organizations



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

LANE KIRKLAND PRESIDENT

John H. Lyons
S. Frank Rattery
Giann E. Watts
Angelo Fosse
Lloyd McBride
Wm. W. Winpinger
Wayne E. Glenn
John J. Sweeney
Barbara Hutchinson
Gerald W. McEwen
Patrick J. Campbell

EXECUTIVE COUNCIL

THOMAS R. DONAHUE SECRETARY-TREASURER

Thomas W. Blazon
Walter H. Finley
Earl G. Chelton
Charles M. Pillard
Kenneth T. Stoycock
William H. Ryan
Robert F. Gans
Frank Drosak
Richard I. Kiley
William H. Bywater
Kenneth J. Brown

Frederick O'Neal
Albert Shanker
Edward T. Hanley
J. C. Turner
Alvin E. Hansen
John DeConcini
James D. Miller
Vincent E. Natfield
Vincent R. Semoretto
Morris J. Beale
Dwac Bieber

ATTACHMENT I

April 6, 1984

(29)

(IV)

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

Re: FEC MUR 1646

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Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Walter Oliver, the Michigan State AFL-CIO COPE Voluntary Fund ("Michigan COPE"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letter dated March 22, 1984, stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered FEC MUR 1646, alleges that the respondents violated 2 U.S.C. §441a(a)(2)(A) by contributing in excess of \$5000 to the Monsma For Congress Committee for the 1982 general election.

For the reasons described below, respondents respectfully request that the Commission take no further action in the above-referenced matter.

1. Respondents' contribution records for 1982 reflect the following contributions to the Monsma For Congress Committee for the 1982 general election: COPE-PCC contributed \$1000 on 9/14/82; Michigan COPE contributed \$1,500 on 10/1/82; and COPE-PCC contributed \$2,500 on 10/5/82.

In addition to the contributions listed above, the PEF-BCTD on October 14, 1982 made a \$500 contribution to the Monsma For Congress Committee for the 1982 general election. That contribution, however, was returned by the Monsma For Congress Committee in April 1983, in the form of the original check. The PEF-BCTD subsequently voided that check and amended its October 1982 monthly FEC report by deleting that contribution from those listed in that report. A copy of the voided check and the PEF-BCTD amendment is attached hereto. See Attachment

A. Since the PEF-BCTD contribution was returned, the total amount contributed by COPE-PCC and its affiliated committees to the Monsma For Congress Committee for the 1982 general election was \$5000. Accordingly, COPE-PCC and its affiliated committees, Michigan COPE and PEF-BCTD did not violate \$441a(a)(2)(A) of the Act.

2. Contrary to the complainant's assertions, the Grand Rapids Construction Trades Union Affiliates PAC ("G.R.C.T.U.A. PAC") is not affiliated with the AFL-CIO COPE PCC. Under the Act, all federal political committees sponsored by AFL-CIO departments or AFL-CIO state and local bodies are affiliated with COPE-PCC. 2 U.S.C. 441a(a)(5). This rule does not, however, apply to the G.R.C.T.U.A. PAC since that committee is sponsored by an organization which has no connection with the AFL-CIO. According to its Treasurer, Keith Phelps, the G.R.C.T.U.A. PAC is sponsored by the Grand Rapids Construction Trades Union Affiliates ("GRCTUA") an independent local building trade union organization which, in contrast to AFL-CIO Building and Construction Trades Councils, is not chartered by the AFL-CIO Building and Construction Trades Department and which is not affiliated with either the Michigan State AFL-CIO or any AFL-CIO local central body. The G.R.C.T.U.A. does not pay per capita, or dues, or any other fees to the AFL-CIO or any department or state or local body of the AFL-CIO. (See March 28, 1984, letter from Keith A. Phelps, Attachment B.) Furthermore, neither the G.R.C.T.U.A. nor its separate segregated fund was established or is financed, maintained, or controlled by the AFL-CIO, any department of the AFL-CIO, or any AFL-CIO state or local central body.

Since the G.R.C.T.U.A. PAC is not, as asserted by complainant, affiliated with AFL-CIO COPE-PCC for purposes of 2 U.S.C. 441a, contributions made by that committee are not attributable to COPE-PCC's contribution limits. Accordingly, the G.R.C.T.U.A. PAC's \$350 contribution to the Monsma For Congress Committee for the 1982 general election may not be counted towards COPE-PCC's contribution limit for the same election.

As demonstrated above, respondent political committees' contributions to the Monsma For Congress Committee for the 1982 general election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. 441a(a)(2)(A). Respondents therefore respectfully request that the Commission take no further action in this matter.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO COPE-PCC.
Walter Oliver and Michigan State AFL-CIO
COPE Voluntary Fund

Richard M. Resnick

Richard M. Resnick
Counsel for respondent
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

84040463115

POLITICAL EDUCATIONAL FUND OF THE
BUILDING & CONSTRUCTION TRADES DEPT.

815 - 16TH STREET, N.W., ROOM 603
WASHINGTON, D.C. 20006

2242

10-14-1982

18-50/1800

TO THE
ORDER OF

Moronia for Congress Committee

500.00

EXACTLY \$500.00 US

DOLLARS

AMERICAN SECURITY BANK, N.A.

1155 STREET, N.W.
WASHINGTON, D.C.

OR 1982 General

W. A. ...
W. F. Maloney

SECT-TREAS

⑆002242⑈⑆05400055⑆⑆13⑈87⑆678

(31)

84040463116

1. Name of Committee (in Full)
Political Educational Fund of the
Building and Construction Trades Department

Address (Number and Street)

815 16th Street, N.W., Suite 603

City, State and ZIP Code

Washington, D.C. 20006-4189

Check if address is different than previously reported.

2. FEC Identification Number
C 0000 3160

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

- (a) April 15 Quarterly Report
 - July 15 Quarterly Report
 - October 15 Quarterly Report
 - January 31 Year End Report
 - July 31 Mid Year Report (Non-election Year Only)
 - Monthly Report for _____
 - Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
 - Thirtieth day report following the General Election on 11/2/82 in the State of Washington
 - Termination Report
- (b) Is this Report an Amendment?
 YES NO

32

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SUMMARY

5. Covering Period 10/14/83 Through 11/22/83

- 6. (a) Cash on Hand January 1, 1982
- (b) Cash on Hand at Beginning of Reporting Period
- (c) Total Receipts (from Line 18)
- (d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)
- 7. Total Disbursements (from Line 28)
- 8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))
- 9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)
- 10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

	Column A This Period	Column B Calendar Year-to-Date
6(a)		\$ 82,664.23
6(b)	\$ 76,934.45	
6(c)	\$ 179.10	\$ 68,396.20
6(d)	\$ 77,113.55	\$ 151,060.43
7	\$ 54,750.00	\$ 128,696.88
8	\$ 22,363.55	\$ 22,363.55
9	\$ -	
10	\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Joseph F. Maloney

Type or Print Name of Treasurer

Joseph F. Maloney
SIGNATURE OF TREASURER

May 16, 1983
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437f.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Political Educational Fund fo the Building and Construction Trades Department

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kostmeyer for Congress 54 West State Street Doylestown, Pennsylvania 18901 Kingdon Swayne, Treasurer	Contribution Peter Kostmeyer, 8th, Pa. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
B. Full Name, Mailing Address and ZIP Code Stan Lundine for Congress Committee Box 849 Jamestown, N.Y. 14701 Wiles Lasser, Treasurer	Contribution Stan Lundine, 4th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
C. Full Name, Mailing Address and ZIP Code Lynan for Congress Committee P.O. Box 1168 Great Falls, Montana 59403 Jack Stevens, Treasurer	Contribution Howard Lynan, 2nd, Mt Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
D. Full Name, Mailing Address and ZIP Code Friends of Matt McHugh P.O. Box 61 Tithaca, N.Y. 14850 Neil Massa, Treasurer	Contribution Matt McHugh, 28th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
E. Full Name, Mailing Address and ZIP Code McLeod for Congress P.O. Box 5247 N. Charleston, S.C. 29406 Roger Cook, Treasurer	Contribution Mallins McLeod, 1st, S.C. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
F. Full Name, Mailing Address and ZIP Code Re-Elect Joe Moakley Committee Tea Post Office Square 400 Boston, Massachusetts 02109 William Shavel, Treasurer	Contribution Joseph Moakley, 9th, MA Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
G. Full Name, Mailing Address and ZIP Code Melcher for Senate Committee 410 N. Broadway Billings, Montana 59101 Tony Gerhart, Treasurer	Contribution John Melcher, Sen., Mt. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	5,000.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code Committee for Re-Elect Tip O'Neill 20 Ashburton Place Boston, Massachusetts 02101 Bryant O'Neill, Treasurer	Contribution Thomas P. O'Neill, 8th, Ma Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
SUBTOTAL of Disbursements This Page (optional)			8,100.00
TOTAL This Period (last page this line number only)			



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 1, 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 1646

Dear Mr. Avakian and Ms. Poindexter:

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The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh, dated March 16, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by the Monsma for Congress Committee, the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education Political Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

Further, the Commission determined that there is no reason to believe that a violation of the Act has been committed by the Grand Rapids Construction Trades Union Affiliates Political Action Committee.

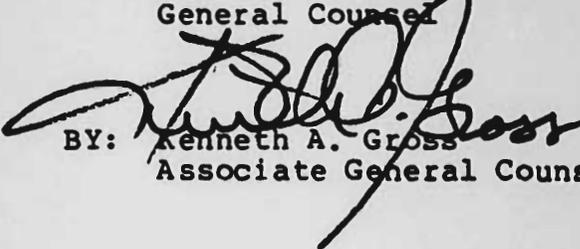
The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Michael Ernest Avakian, Esquire
Martha M. Poindexter, Esquire
Page 2

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

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040463120

SENSITIVE

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

34 MAY 24 A 9: 36

DATE AND TIME OF TRANSMITTAL

BY OGC TO THE COMMISSION 5/24/84 - 9:40

MUR # 1646

DATE COMPLAINT RECEIVED
BY OGC 3/16/84

DATE OF NOTIFICATION TO
RESPONDENT 3/22/84

STAFF MEMBER
GEORGE DEMOUGEOT

COMPLAINANT NAME: James Edward Antosh

RESPONDENTS' NAME: Stephen V. Monsma
Monsma for Congress Committee and its
treasurer, Thomas F. Blackwell
AFL-CIO Committee on Political
Education and Political Contributions
Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
Political Education Fund of the Building and
Construction Trades Department and its
treasurer, Joseph F. Maloney
Grand Rapids Construction Trades Union
Affiliates Political Action Committee and
its treasurer, Keith A. Phelps

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
11 C.F.R. § 104.14(d)
11 C.F.R. § 103.3(b)(1)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant alleges that the following political action committees and their treasurers violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Monsma for Congress Committee during the 1982 general election:

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- a) American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC")
- b) Michigan State AFL-CIO COPE Voluntary Fund
- c) Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.")
- d) Grand Rapids Construction Trades Union Affiliates Political Action Committee

Complainant alleges that Stephen V. Monsma, Monsma for Congress Committee ("the Monsma Committee") and its treasurer violated 2 U.S.C. § 441a(f) for receipt of contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) from the above-named committees.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(2)(A), no multicandidate political committee shall make any contribution to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed \$5,000. In addition, pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

According to the complaint, the Monsma Committee received the following contributions for the 1982 general election totalling \$850 in excess of limitations at 2 U.S.C.

§ 441a(a)(2)(A):

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>
9/15/82	\$1,000	AFL-CIO COPE-PCC
10/5/82	\$2,500	AFL-CIO COPE-PCC
10/1/82	\$1,500	Michigan State AFL-CIO COPE Voluntary Fund
unreported 10/25/82	\$ 500 \$ 350	P.E.F.-B.C.T.D. Grand Rapids Construction Trades Union Affiliates PAC
Total =		\$5,850

A. Affiliation

The response from Grand Rapids Construction Trades Union Affiliates Political Action Committee ("GRCTUA-PAC") indicates that it is not affiliated with the other respondent committees listed above. The response states that the Grand Rapids Construction Trades Union Affiliates is an independent local building trades union organization. GRCTUA-PAC states that it is not chartered by the Building and Construction Trades Department of the AFL-CIO. GRCTUA-PAC also states that it does not pay per-capita taxes, affiliation fees, or dues to the Building Trades Department, the Michigan State AFL-CIO, or the AFL-CIO. The AFL-CIO COPE-PCC, P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund also indicate that they are not affiliated with GRCTUA-PAC. For these reasons, the Office of General Counsel recommends that the Commission find no reason to believe that GRCTUA-PAC made excessive contributions to the Monsma Committee.

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The AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund do not deny that they are affiliated committees pursuant to 2 U.S.C. § 441a(a) (5).

B. Excessive Contribution

By check dated October 14, 1982, the P.E.F.-B.C.T.D., made a \$500 contribution to the Monsma for Congress Committee. This contribution put the AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund over the 2 U.S.C. § 441a(a) (2) (A) limit by \$500. The contribution was returned by the Monsma Committee six months later, in April 1983, in the form of the original check. The P.E.F.-B.C.T.D. subsequently voided the check and amended its October 1982 monthly report.

Pursuant to 11 C.F.R. § 103.3(b) (1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report. The Monsma Committee violated 11 C.F.R. § 103.3(b) (1) by not following these procedures.

Since the \$500 check was neither returned to the contributor, nor deposited and reported as an illegal contribution within 10 days of receipt, a contribution was made and received. Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund,

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and the P.E.F.-B.C.T.D. violated 2 U.S.C. § 441a(a)(2)(A) and that the Monsma Committee violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1). However, since the \$500 check was never cashed by the Monsma Committee, but returned, and since P.E.F.-B.C.T.D. subsequently voided the check and amended its reports, it is recommended that no further action be taken.

RECOMMENDATION

1. Find no reason to believe that the Grand Rapids Construction Trades Union Affiliates Political Action Committee and its treasurer, Keith A. Phelps, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
3. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Olver, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
4. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
5. Find reason to believe that the Monsma for Congress Committee and its treasurer, Thomas F. Blackwell, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1), but take no further action.

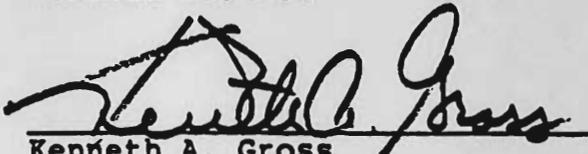
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6. Approve the attached letters to the Complainant and Respondents.

7. Close the file.

May 23, 1981
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Proposed letters (4)
- II. Response from GRCTUA-PAC
- III. Response from Stephen V. Monsma and Monsma for Congress Committee
- IV. Response from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D.

84040463126

ATTACHMENT I

①



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

RE: MUR 1646
Grand Rapids Construction
Trades Union Affiliates
Political Action Committee;
Keith A. Phelps, Treasurer

Dear Mr. Phelps:

On March 22, 1984, the Commission notified Grand Rapids Construction Trades Union Affiliates Political Action Committee and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May , 1984, determined that on the basis of the information in the complaint, and information provided by your committee, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040463127



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
American Federation of Labor-Congress
of Industrial Organizations
815 Sixteenth Street, N.W., Room 808
Washington, D.C. 20006

RE: MUR 1646
AFL-CIO Committee on Political
Education Political
Contributions Committee and
Thomas R. Donahue, Treasurer;
Michigan State AFL-CIO COPE
Voluntary Fund and
Walter Oliver; Treasurer
Political Education Fund of
the Building and Construction
Trades Department and
Joseph F. Maloney, Treasurer

Dear Ms. McCormick and Mr. Resnick:

On May , 1984, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that making contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(2)(A). You should take immediate steps to insure that this activity does not occur in the future.

84040463128

3

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

84040463129



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

4

Thomas F. Blackwell, Esquire
Smith, Haughey, Rice & Roegge
200 Calder Plaza Building
Grand Rapids, Michigan 49503

RE: MUR 1646
Monsma for Congress Committee,
and Thomas F. Blackwell,
Treasurer

Dear Mr. Blackwell:

On May , 1984, the Commission found reason to believe that the Monsma For Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 103.3(b)(1) in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that accepting contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to insure that this activity does not occur in the future. Also pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report.

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Thomas F. Blackwell, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

84040463131



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

(6)

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

Re: MUR 1646

Dear Mr. Avakian and Ms. Poindexter:

8 4 0 4 0 4 6 3 1 3 2
The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh dated March 16, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by Monsma for Congress Committee, the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

Further, the Commission determined that there is no reason to believe that a violation of the Act has been committed by the Grand Rapids Construction Trade Union Affiliates Political Action Committee.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

7

Michael Ernest Avakian
Martha M. Poindexter
Page 2

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040463133

ATTACHMENT II
RECEIVED THE FEC
GCC# 3024
84 APR 4 P12:33
MUR 1646
Demougeot

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MUR 1646

APR 4 P 2: 23

Dear Mr. Demougeot:

GRCIUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCIUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCIUA-PAC are undertaken completely without regard to action taken by other

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Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

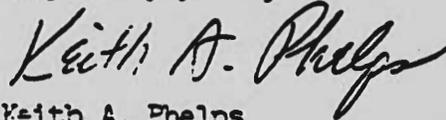
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respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463135

SMITH, HAUGHEY, RICE & ROEGGE

10

84 APR 9 P2:31

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

300 CALDER PLAZA BUILDING
GRAND RAPIDS, MICHIGAN 49503

TELEPHONE 516-774-3000

TELEX 224147

ROBERT V. V. RICE
1898-1988

LAURENCE D. SMITH
1913-1980

A. S. SMITH JR.
DAVID G. HAUGHEY
L. EDWARD ROEGGE
THOMAS F. BLACKWELL
D. LAURENCE MULVINHILL
JAMES E. MILLER D.
LAWRENCE P. MULLIGAN
MICHAEL S. BARNES
THOMAS P. TACKER
PAUL W. REINHARDT
LANCE E. MATHER
CHARLES F. BEHLER
GARY A. ROWE
WILLIAM W. JACK, JR.
WILLIAM J. MONDRO
THOMAS M. WEIBEL
JAMES G. SLACK
THOMAS MCCARTHY, JR.

THOMAS E. WURST
CRAIG B. NOLAND
JOHN M. GROSTIC
PAUL M. OLENICZAK
CRAIG S. NECKERS
LEONARD M. WICKEY
DAVID N. CAMPOS
CONSTANCE J. GRZANKA
JOHN C. O'LOUGHLIN
ANTHONY J. QUARTO
BRUCE P. RISSI
MARY E. CLOUD
JOHN M. KRUIS
PAUL VAN OOSTENBURG
DALE A. IVERSON
MICHAEL O. KENNEY
WILLIAM B. JEWELL

April 4, 1984

*MUR 1646
Demougeot*

20:10

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463

Attention: Kenneth A. Gross
Assistant General Counsel

RE: MUR 1646
Antosh v. Monsma, et al

Dear Mr. Gross:

Pursuant to your letter of March 22, 1984, enclosed herewith please find Answers to the Complaint on behalf of Stephen V. Monsma, Candidate, Monsma for Congress Committee, and Thomas F. Blackwell, Treasurer with respect to the above-captioned matter.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

SMITH, HAUGHEY, RICE & ROEGGE

Thomas F. Blackwell

TFB/vm
Enclosure

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11

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades Department
and Grand Rapids Construction
Trade Union Affiliates Political
Action Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF MONSMA FOR
CONGRESS COMMITTEE

84040463137

Monsma for Congress Committee, named respondent, by and through Stephen V. Monsma, candidate, and Thomas F. Blackwell, Treasurer, says as and for its answer to its Complaint herein filed against it that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, the committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

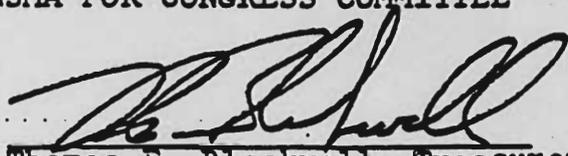
WHEREFORE, Monsma for Congress Committee, respondent:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984

MONSMA FOR CONGRESS COMMITTEE

By 
Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463139

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

84040463140

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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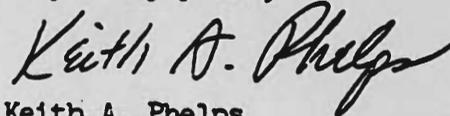
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463142

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
)
Complainant,)

v.)

MUR No. 1646

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

ANSWER OF THOMAS F. BLACKWELL,
TREASURER

Respondents.)

84040463143

Thomas F. Blackwell, treasurer, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

84040463144

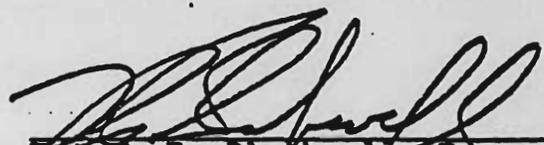
from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Thomas F. Blackwell, Treasurer:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463145

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

84040463146

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504 .

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise been made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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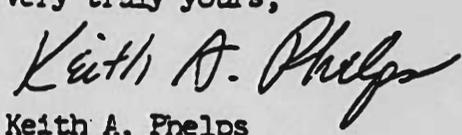
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463148

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

MUR No. 1646

v.)

ANSWER OF STEPHEN V. MONSMA,
CANDIDATE

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

Respondents.

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Stephen V. Monsma, candidate, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee, and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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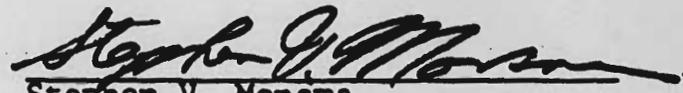
from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Stephen V. Monsma, candidate:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984



Stephen V. Monsma
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463151

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

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When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRICTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRICTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRICTUA-PAC are undertaken completely without regard to action taken by other

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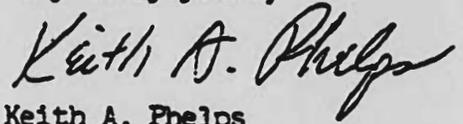
Mr. George Demougout
Federal Election Commission
March 28, 1984
Page 2

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Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

8 4 0 4 0 4 6 3 1 5 4

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-8000

LANE KIRKLAND PRESIDENT

John H. Lyons
S. Frank Rattery
Glenn E. Watts
Angelo Fasso
Lloyd McBride
Wm. W. Winplinger
Wayne E. Stern
John J. Sweeney
Barbara Hutchinson
Gerald W. McEnroe
Patrick J. Campbell

EXECUTIVE COUNCIL

THOMAS R. DONAHUE SECRETARY-TREASURER

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Kenneth J. Brown

Fredrick O'Hall
Albert Shaffer
George T. Hanley
J. C. Turner
Arlin J. Hesse
John DeConcini
James D. Miller
James E. Hatfield
Vincent R. Sombrotto
Marvin J. Bonds
Owen Bieber

ATTACHMENT I

April 6, 1984

29

IV

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

Re: FEC MUR 1646

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Walter Oliver, the Michigan State AFL-CIO COPE Voluntary Fund ("Michigan COPE"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letter dated March 22, 1984, stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered FEC MUR 1646, alleges that the respondents violated 2 U.S.C. 5441a(a)(2)(A) by contributing in excess of \$5000 to the Monsma For Congress Committee for the 1982 general election.

For the reasons described below, respondents respectfully request that the Commission take no further action in the above-referenced matter.

1. Respondents' contribution records for 1982 reflect the following contributions to the Monsma For Congress Committee for the 1982 general election: COPE-PCC contributed \$1000 on 9/14/82; Michigan COPE contributed \$1,500 on 10/1/82; and COPE-PCC contributed \$2,500 on 10/5/82.

In addition to the contributions listed above, the PEF-BCTD on October 14, 1982 made a \$500 contribution to the Monsma For Congress Committee for the 1982 general election. That contribution, however, was returned by the Monsma For Congress Committee in April 1983, in the form of the original check. The PEF-BCTD subsequently voided that check and amended its October 1982 monthly FEC report by deleting that contribution from those listed in that report. A copy of the voided check and the PEF-BCTD amendment is attached hereto. See Attachment

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A. Since the PEF-BCT contribution was returned, the total amount contributed by COPE-PCC and its affiliated committees to the Monsma For Congress Committee for the 1982 general election was \$5000. Accordingly, COPE-PCC and its affiliated committees, Michigan COPE and PEF-BCTD did not violate S441a(a)(2)(A) of the Act.

2. Contrary to the complainant's assertions, the Grand Rapids Construction Trades Union Affiliates PAC ("G.R.C.T.U.A. PAC") is not affiliated with the AFL-CIO COPE PCC. Under the Act, all federal political committees sponsored by AFL-CIO departments or AFL-CIO state and local bodies are affiliated with COPE-PCC. 2 U.S.C. 441a(a)(5). This rule does not, however, apply to the G.R.C.T.U.A. PAC since that committee is sponsored by an organization which has no connection with the AFL-CIO. According to its Treasurer, Keith Phelps, the G.R.C.T.U.A. PAC is sponsored by the Grand Rapids Construction Trades Union Affiliates ("GRCTUA") an independent local building trade union organization which, in contrast to AFL-CIO Building and Construction Trades Councils, is not chartered by the AFL-CIO Building and Construction Trades Department and which is not affiliated with either the Michigan State AFL-CIO or any AFL-CIO local central body. The G.R.C.T.U.A. does not pay per capita, or dues, or any other fees to the AFL-CIO or any department or state or local body of the AFL-CIO. (See March 28, 1984, letter from Keith A. Phelps, Attachment B.) Furthermore, neither the G.R.C.T.U.A. nor its separate segregated fund was established or is financed, maintained, or controlled by the AFL-CIO, any department of the AFL-CIO, or any AFL-CIO state or local central body.

Since the G.R.C.T.U.A. PAC is not, as asserted by complainant, affiliated with AFL-CIO COPE-PCC for purposes of 2 U.S.C. 441a, contributions made by that committee are not attributable to COPE-PCC's contribution limits. Accordingly, the G.R.C.T.U.A. PAC's \$350 contribution to the Monsma For Congress Committee for the 1982 general election may not be counted towards COPE-PCC's contribution limit for the same election.

As demonstrated above, respondent political committees' contributions to the Monsma For Congress Committee for the 1982 general election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. 441a(a)(2)(A). Respondents therefore respectfully request that the Commission take no further action in this matter.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO COPE-PCC.
Walter Oliver and Michigan State AFL-CIO
COPE Voluntary Fund

Richard M. Resnick

Richard M. Resnick
Counsel for respondent
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosure

84040463156

POLITICAL EDUCATIONAL FUND OF THE
BUILDING & CONSTRUCTION TRADES DEPT.
815 - 16TH STREET, N.W., ROOM 403
WASHINGTON, D.C. 20006

2242

10-14 1982

15-35/240

TO THE ORDER OF

Monica for Congress Committee

\$ 500.00

EXACTLY \$500.00

DOLLARS

AMERICAN SECURITY BANK, N.A.
1000 STREET, N.W.
WASHINGTON, D.C.

OR 1982 General

Richard G. ...
John F. Maloney

⑆002242⑆⑆05400055⑆⑆13⑆87⑆67⑆8

(31)

84040463157

1. Name of Committee (in Full)
Political Educational Fund of the
Building and Construction Trades Department

Address (Number and Street)
815 16th Street, N.W., Suite 603

City, State and ZIP Code
Washington, D.C. 20006-4189

Check if address is different than previously reported.

2. FEC Identification Number
C 0000 3160

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)
(a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Monthly Report for _____
 Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
 Thirtieth day report following the General Election on 11/2/82 in the State of Washington
 Termination Report
(b) Is this Report an Amendment?
 YES NO

32

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SUMMARY

5. Covering Period 10/14/83 Through 11/22/83
6. (a) Cash on Hand January 1, 1982
(b) Cash on Hand at Beginning of Reporting Period
(c) Total Receipts (from Line 18)
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)
7. Total Disbursements (from Line 28)
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

	Column A This Period	Column B Calendar Year-to-Date
6(a)		\$ 82,664.23
6(b)	\$ 76,934.45	
6(c)	\$ 179.10	\$ 68,396.20
6(d)	\$ 77,113.55	\$ 151,060.43
7	\$ 54,750.00	\$ 128,696.88
8	\$ 22,363.55	\$ 22,363.55
9	\$ -	
10	\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-521-4068

Joseph F. Maloney
Type or Print Name of Treasurer

Joseph F. Maloney
SIGNATURE OF TREASURER

Nov 16, 1983
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 3795

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Political Educational Fund for the Building and Construction Trades Department

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kostmeyer for Congress 54 West State Street Doylestown, Pennsylvania 18901 Kingston Swayne, Treasurer	Contribution Peter Kostmeyer, 8th, Pa. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Stan Lundine for Congress Committee Box 849 Jamestown, N.Y. 14701 Miles Lesser, Treasurer	Contribution Stan Lundine, 4th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
Lynan for Congress Committee P.O. Box 1168 Great Falls, Montana 59403 Jack Stevens, Treasurer	Contribution Howard Lynan, 2nd, Mt Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
Friends of Matt McHugh P.O. Box 61 Ithaca, N.Y. 14850 Neil Massa, Treasurer	Contribution Matt McHugh, 28th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
McLeod for Congress P.O. Box 5247 N. Charleston, S.C. 29406 Roger Crook, Treasurer	Contribution Mullins McLeod, 1st, S.C. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Re-Elect Joe Moakley Committee Tag Post Office Square 400 Boston, Massachusetts 02109 William Shavel, Treasurer	Contribution Joseph Moakley, 9th, MA Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Melcher for Senate Committee 410 N. Broadway Billings, Montana 59101 Tony Gerhart, Treasurer	Contribution John Melcher, Sen., Mt. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	5,000.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code Committee for Re-Elect Tip O'Neill 20 Ashburton Place Boston, Massachusetts 02101 Bryant O'Neill, Treasurer	Purpose of Disbursement Contribution Thomas P. O'Neill, 8th, Ma Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 10/14/82	Amount of Each Disbursement This Period 500.00

SUBTOTAL of Disbursements This Page (optional) 8,100.00

TOTAL This Period (last page this line number only)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 1, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

RE: MUR 1646
Grand Rapids Construction
Trades Union Affiliates
Political Action Committee;
Keith A. Phelps, Treasurer

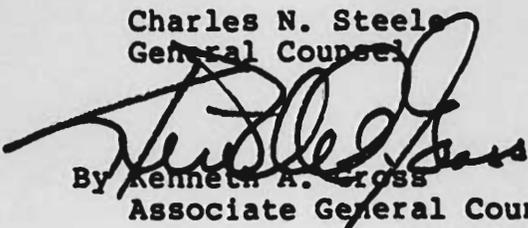
Dear Mr. Phelps:

On March 22, 1984, the Commission notified Grand Rapids Construction Trades Union Affiliates Political Action Committee and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 30, 1984, determined that on the basis of the information in the complaint, and information provided by your committee, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Cross
Associate General Counsel

Enclosure
General Counsel's Report

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SENSITIVE

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

RECEIVED
MAY 24 1984

FIRST GENERAL COUNSEL'S REPORT 34 MAY 24 A 9: 36

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/24/84 - 9:40

MUR # 1646
DATE COMPLAINT RECEIVED
BY OGC 3/16/84
DATE OF NOTIFICATION TO
RESPONDENT 3/22/84
STAFF MEMBER
GEORGE DEMOUGEOT

COMPLAINANT NAME: James Edward Antosh

RESPONDENTS' NAME: Stephen V. Monsma
Monsma for Congress Committee and its
treasurer, Thomas F. Blackwell
AFL-CIO Committee on Political
Education and Political Contributions
Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
Political Education Fund of the Building and
Construction Trades Department and its
treasurer, Joseph F. Maloney
Grand Rapids Construction Trades Union
Affiliates Political Action Committee and
its treasurer, Keith A. Phelps

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
11 C.F.R. § 104.14(d)
11 C.F.R. § 103.3(b)(1)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant alleges that the following political action
committees and their treasurers violated 2 U.S.C. § 441a(a)(2)(A)
by making excessive contributions to the Monsma for Congress
Committee during the 1982 general election:

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- a) American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC")
- b) Michigan State AFL-CIO COPE Voluntary Fund
- c) Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.")
- d) Grand Rapids Construction Trades Union Affiliates Political Action Committee

Complainant alleges that Stephen V. Monsma, Monsma for Congress Committee ("the Monsma Committee") and its treasurer violated 2 U.S.C. § 441a(f) for receipt of contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) from the above-named committees.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(2)(A), no multicandidate political committee shall make any contribution to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed \$5,000. In addition, pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

According to the complaint, the Monsma Committee received the following contributions for the 1982 general election totalling \$850 in excess of limitations at 2 U.S.C.

§ 441a(a)(2)(A):

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>
9/15/82	\$1,000	AFL-CIO COPE-PCC
10/5/82	\$2,500	AFL-CIO COPE-PCC
10/1/82	\$1,500	Michigan State AFL-CIO COPE Voluntary Fund
unreported	\$ 500	P.E.F.-B.C.T.D.
10/25/82	\$ 350	Grand Rapids Construction Trades Union Affiliates PAC
Total =		<u>\$5,850</u>

A. Affiliation

The response from Grand Rapids Construction Trades Union Affiliates Political Action Committee ("GRCTUA-PAC") indicates that it is not affiliated with the other respondent committees listed above. The response states that the Grand Rapids Construction Trades Union Affiliates is an independent local building trades union organization. GRCTUA-PAC states that it is not chartered by the Building and Construction Trades Department of the AFL-CIO. GRCTUA-PAC also states that it does not pay per-capita taxes, affiliation fees, or dues to the Building Trades Department, the Michigan State AFL-CIO, or the AFL-CIO. The AFL-CIO COPE-PCC, P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund also indicate that they are not affiliated with GRCTUA-PAC. For these reasons, the Office of General Counsel recommends that the Commission find no reason to believe that GRCTUA-PAC made excessive contributions to the Monsma Committee.

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The AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund do not deny that they are affiliated committees pursuant to 2 U.S.C. § 441a(a)(5).

B. Excessive Contribution

By check dated October 14, 1982, the P.E.F.-B.C.T.D., made a \$500 contribution to the Monsma for Congress Committee. This contribution put the AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund over the 2 U.S.C. § 441a(a)(2)(A) limit by \$500. The contribution was returned by the Monsma Committee six months later, in April 1983, in the form of the original check. The P.E.F.-B.C.T.D. subsequently voided the check and amended its October 1982 monthly report.

Pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report. The Monsma Committee violated 11 C.F.R. § 103.3(b)(1) by not following these procedures.

Since the \$500 check was neither returned to the contributor, nor deposited and reported as an illegal contribution within 10 days of receipt, a contribution was made and received. Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund,

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and the P.E.F.-B.C.T.D. violated 2 U.S.C. § 441a(a)(2)(A) and that the Monsma Committee violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1). However, since the \$500 check was never cashed by the Monsma Committee, but returned, and since P.E.F.-B.C.T.D. subsequently voided the check and amended its reports, it is recommended that no further action be taken.

RECOMMENDATION

1. Find no reason to believe that the Grand Rapids Construction Trades Union Affiliates Political Action Committee and its treasurer, Keith A. Phelps, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
3. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Olver, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
4. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
5. Find reason to believe that the Monsma for Congress Committee and its treasurer, Thomas F. Blackwell, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1), but take no further action.

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6. Approve the attached letters to the Complainant and Respondents.

7. Close the file.

May 23, 1981
Date

Charles N. Steele
General Counsel

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

Attachments

- I. Proposed letters (4)
- II. Response from GRCTUA-PAC
- III. Response from Stephen V. Monsma and Monsma for Congress Committee
- IV. Response from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D.

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ATTACHMENT I

①



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

RE: MUR 1646
Grand Rapids Construction
Trades Union Affiliates
Political Action Committee;
Keith A. Phelps, Treasurer

Dear Mr. Phelps:

On March 22, 1984, the Commission notified Grand Rapids Construction Trades Union Affiliates Political Action Committee and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May , 1984, determined that on the basis of the information in the complaint, and information provided by your committee, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040463167



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
American Federation of Labor-Congress
of Industrial Organizations
815 Sixteenth Street, N.W., Room 808
Washington, D.C. 20006

RE: MUR 1646
AFL-CIO Committee on Political
Education Political
Contributions Committee and
Thomas R. Donahue, Treasurer;
Michigan State AFL-CIO COPE
Voluntary Fund and
Walter Oliver; Treasurer
Political Education Fund of
the Building and Construction
Trades Department and
Joseph F. Maloney, Treasurer

Dear Ms. McCormick and Mr. Resnick:

On May , 1984, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that making contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(2)(A). You should take immediate steps to insure that this activity does not occur in the future.

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Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

84040463169

Enclosure
General Counsel's Report



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

4

Thomas F. Blackwell, Esquire
Smith, Haughey, Rice & Roegge
200 Calder Plaza Building
Grand Rapids, Michigan 49503

RE: MUR 1646
Monsma for Congress Committee,
and Thomas F. Blackwell,
Treasurer

Dear Mr. Blackwell:

On May , 1984, the Commission found reason to believe that the Monsma For Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 103.3(b)(1) in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that accepting contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to insure that this activity does not occur in the future. Also pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report.

84040463170

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Thomas F. Blackwell, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

84040463171



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

6

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

Re: MUR 1646

Dear Mr. Avakian and Ms. Poindexter:

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The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh dated March 16, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by Monsma for Congress Committee, the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

Further, the Commission determined that there is no reason to believe that a violation of the Act has been committed by the Grand Rapids Construction Trade Union Affiliates Political Action Committee.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

7

Michael Ernest Avakian
Martha M. Poindexter
Page 2

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040463173

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MJR 1646
Demougeot

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

APR 4 12:23

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCCTUA-PAC are undertaken completely without regard to action taken by other

84040463174

Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

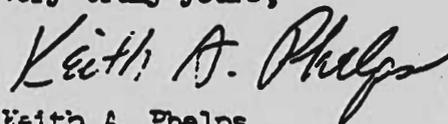
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respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463175

ATTACHMENT III *Case 84-2072*

SMITH, HAUGHEY, RICE & ROEGGE

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84 APR 9 P2:31

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

200 CALDER PLAZA BUILDING
GRAND RAPIDS, MICHIGAN 49503

TELEPHONE 616-774-8000
TELEX 224147

ROBERT D. V. RICE
1936-1993

LAURENCE D. SMITH
1913-1988

A. B. SMITH JR.
DAVID C. HAUGHEY
L. ECLAND ROEGGE
THOMAS F. BLACKWELL
P. LAURENCE MUIVHILL
JAMES E. MILLER D
LAWRENCE P. MULLIGAN
MICHAEL S. BARNES
THOMAS B. TASER
PAUL H. REINHARDT
LANCE E. MATHER
CHARLES P. BEHLER
GARY A. FOWE
WILLIAM W. JACK, JR.
WILLIAM J. HONDORF
THOMAS M. WEISEL
JAMES O. BLACK
THOMAS MCCARTHY, JR.

THOMAS R. WURST
CRAIG E. NOLAND
JOHN M. GROSTIC
PAUL M. OLENICIAK
CRAIG S. NECKERS
LEONARD M. HICKET
DAVID N. CAMPOS
CONSTANCE J. BRZANEA
JOHN C. O'LOUGHLIN
ANTHONY J. QUARTO
BRUCE P. RISSI
MARY E. CLOUD
JOHN M. REVUS
PAUL VAN DOOSTENBURG
DALE A. IVERSON
MICHAEL O. KENNEY
WILLIAM B. JEWELL

April 4, 1984

*MUR 1646
Demougeot*

20:31:32

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463

Attention: Kenneth A. Gross
Assistant General Counsel

RE: MUR 1646
Antosh v. Monsma, et al

Dear Mr. Gross:

Pursuant to your letter of March 22, 1984, enclosed herewith please find Answers to the Complaint on behalf of Stephen V. Monsma, Candidate, Monsma for Congress Committee, and Thomas F. Blackwell, Treasurer with respect to the above-captioned matter.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

SMITH, HAUGHEY, RICE & ROEGGE

[Signature]
Thomas F. Blackwell

TFB/vm
Enclosure

84040465176

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades Department
and Grand Rapids Construction
Trade Union Affiliates Political
Action Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF MONSMA FOR
CONGRESS COMMITTEE

84040463177

Monsma for Congress Committee, named respondent, by and through Stephen V. Monsma, candidate, and Thomas F. Blackwell, Treasurer, says as and for its answer to its Complaint herein filed against it that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, the committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial, on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

84040463178

from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Monsma for Congress Committee, respondent:

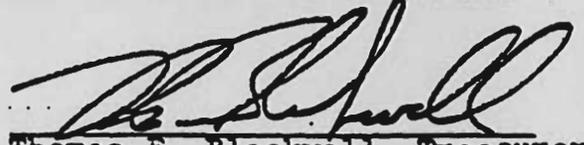
(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984

MONSMA FOR CONGRESS COMMITTEE

By



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463179

(14)

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

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When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COFE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504 .

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MUR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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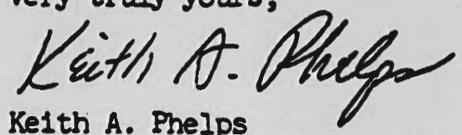
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463182

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades
Department and Grand Rapids
Construction Trade Union
Affiliates Political Action
Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF THOMAS F. BLACKWELL,
TREASURER

84040463183

Thomas F. Blackwell, treasurer, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Thomas F. Blackwell, Treasurer:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463185

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

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When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

Trades Union
Exec. Committee

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no action should be taken against our committee in
captioned matter.

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that it should not be included with the other
complaint, as the Grand Rapids Construction Trades
referred to as "the affiliates") is an independent
organization, and is not directed by actions of

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chartered by the Building and Construction Trades

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other types of affiliation fees or dues whatever
to the Building Trades Department, AFL-CIO; the
American Federation of Labor-Congress of Industrial

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the affiliates are collected as monthly fees paid
local unions, or generated by fundraising activities
various representatives of the same building trades
local construction craft concerns and causes. Funds
with locally adopted rules and regulations by
Rapids area crafts at regular and Special-called
from the segregated PAC fund are likewise been made
municipal, state and federal office in districts
local jurisdictions (i.e. candidates from the locality)
which comprise the affiliates, in accordance with
by-laws were promulgated and adopted by action of the

payments of funds by individuals responsible for
completely without regard to action taken by other

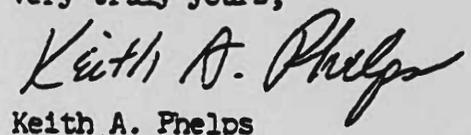
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463188

Stephen V. Monsma, candidate, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee, and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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source with respect to other contributions
-CIO COPE-PCC", and/or "Michigan State AFL-CIO
ry Fund."

FORE, Stephen V. Monsma, candidate:

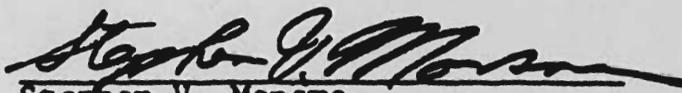
(a) Requests that the Commission find no reason.

believe that the Complaint sets forth a possible
ation of the FECA.

(b) Requests that the Commission close its

e in this matter.

March 31, 1984



Stephen V. Monsma
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

8404046319

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

84040463192

Union Trades Union
Action Committee

49504

mission
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budget

No action should be taken against our committee in above captioned matter.

maintains that it should not be included with the other the complaint, as the Grand Rapids Construction Trades (now referred to as "the affiliates") is an independent union organization, and is not directed by actions of

is not chartered by the Building and Construction Trades AFL-CIO.

axes or other types of affiliation fees or dues whatever dues to the Building Trades Department, AFL-CIO; the IO; or American Federation of Labor-Congress of Industrial

in by the affiliates are collected as monthly fees paid craft local unions, or generated by fundraising activities by various representatives of the same building trades of local construction craft concerns and causes. Funds accordance with locally adopted rules and regulations by Grand Rapids area crafts at regular and Special-called payments from the segregated PAC fund are likewise been made for municipal, state and federal office in districts geographical jurisdictions (i.e. candidates from the locality) unions which comprise the affiliates, in accordance with which by-laws were promulgated and adopted by action of the

disbursements of funds by individuals responsible for taken completely without regard to action taken by other

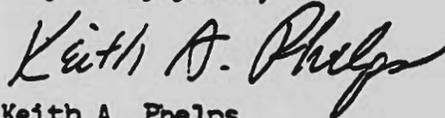
Mr. George Demougest
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463194

17 Street, N.W.
D.C. 20006

EXECUTIVE COUNCIL

LANE KIRKLAND PRESIDENT

THOMAS R. DONAHUE

SECRETARY-TREASURER

John M. Lyons
S. Frank Kelsey
Glenn E. White
Angelo Pezzo
Lloyd Morrison
Wm. W. Winkler
Wayne S. Sloan
John J. Swenson
Barbara Hutchinson
Gerald W. McEnroe
Patrick J. Campbell

Thomas W. Gleason
Murray H. Finley
Earl C. Chalkin
Charles H. Pittard
Kenneth T. Daylock
William H. Wynn
Robert F. Sosa
Frank Destak
Richard I. Kilroy
William H. Bywater
Kenneth J. Brown

Frederick O'Neal
Albert Shenker
Edward T. Hanley
J. C. Turner
Alan E. Hagan
John DeWolfe
Jayce D. Miller
James E. Harrell
Vincent R. Gamberello
Marvin J. Bonds
Owen Sieber

ATTACHMENT I

April 6, 1984

(29)

(IV)

Commission

463

Re: FEC MUR 1646

constitutes the response of Thomas R. Donahue, the AFL-CIO Political Education Political Contributions Committee ("COPE-Liver, the Michigan State AFL-CIO COPE Voluntary Fund (PEF-BCTD"), Joseph F. Maloney, and the Political Educational Fund of the Construction Trades Department ("PEF-BCTD") (hereinafter "PEF-BCTD") four letter dated March 22, 1984, stating that the Commission has filed a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

complaint, which the Commission has numbered FEC MUR 1646, alleges that respondents violated 2 U.S.C. §441a(a)(2)(A) by contributing in excess of \$500 to the Monsma For Congress Committee for the 1982 general election.

For the reasons described below, respondents respectfully request that the Commission take no further action in the above-referenced matter.

Respondents' contribution records for 1982 reflect the following contributions to the Monsma For Congress Committee for the 1982 general election: PEF-BCTD contributed \$1000 on 9/14/82; Michigan COPE contributed \$2,500; and COPE-PCC contributed \$2,500 on 10/5/82.

In addition to the contributions listed above, the PEF-BCTD on October 14, 1982, made a \$500 contribution to the Monsma For Congress Committee for the 1982 general election. That contribution, however, was returned by the Monsma For Congress Committee in April 1983, in the form of the original check. The PEF-BCTD subsequently voided that check and amended its October 1982 monthly FEC report indicating that contribution from those listed in that report. A copy of the amendment and the PEF-BCTD amendment is attached hereto. See Attachment

A. Since the PEF-BCTD contribution was returned, the total amount contributed by COPE-PCC and its affiliated committees to the Monsma For Congress Committee for the 1982 general election was \$5000. Accordingly, COPE-PCC and its affiliated committees, Michigan COPE and PEF-BCTD did not violate 5441a(a)(2)(A) of the Act.

2. Contrary to the complainant's assertions, the Grand Rapids Construction Trades Union Affiliates PAC ("G.R.C.T.U.A. PAC") is not affiliated with the AFL-CIO COPE PCC. Under the Act, all federal political committees sponsored by AFL-CIO departments or AFL-CIO state and local bodies are affiliated with COPE-PCC. 2 U.S.C. 441a(a)(5). This rule does not, however, apply to the G.R.C.T.U.A. PAC since that committee is sponsored by an organization which has no connection with the AFL-CIO. According to its Treasurer, Keith Phelps, the G.R.C.T.U.A. PAC is sponsored by the Grand Rapids Construction Trades Union Affiliates ("GRCTUA") an independent local building trade union organization which, in contrast to AFL-CIO Building and Construction Trades Councils, is not chartered by the AFL-CIO Building and Construction Trades Department and which is not affiliated with either the Michigan State AFL-CIO or any AFL-CIO local central body. The G.R.C.T.U.A. does not pay per capita, or dues, or any other fees to the AFL-CIO or any department or state or local body of the AFL-CIO. (See March 28, 1984, letter from Keith A. Phelps, Attachment B.) Furthermore, neither the G.R.C.T.U.A. nor its separate segregated fund was established or is financed, maintained, or controlled by the AFL-CIO, any department of the AFL-CIO, or any AFL-CIO state or local central body.

Since the G.R.C.T.U.A. PAC is not, as asserted by complainant, affiliated with AFL-CIO COPE-PCC for purposes of 2 U.S.C. 441a, contributions made by that committee are not attributable to COPE-PCC's contribution limits. Accordingly, the G.R.C.T.U.A. PAC's \$350 contribution to the Monsma For Congress Committee for the 1982 general election may not be counted towards COPE-PCC's contribution limit for the same election.

As demonstrated above, respondent political committees' contributions to the Monsma For Congress Committee for the 1982 general election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. 441a(a)(2)(A). Respondents therefore respectfully request that the Commission take no further action in this matter.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO COPE-PCC.
Walter Oliver and Michigan State AFL-CIO
COPE Voluntary Fund

Richard M. Resnick

Richard M. Resnick
Counsel for respondent
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosure

84040463196

NATIONAL FUND OF THE
TICKET TRADING DEPT.
N.W. ROOM 603
D.C. 20006

10-14-1982

\$ 500.00

For Congress Committed

EXACTLY \$500.00 US

DOLLARS

BANK, N.A.

Richard L. Perry
John F. Maloney

42# 1:05400055 1:13m871 67 8

(31)

84040463197

1. Name of Committee (in Full)
Political Educational Fund of the
Building and Construction Trades Department

Address (Number and Street)

815 16th Street, N.W., Suite 603

City, State and ZIP Code

Washington, D.C. 20006-4189

Check if address is different than previously reported.

2. FEC Identification Number

C 0000 3160

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

- (a) April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Monthly Report for _____
- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Thirtieth day report following the General Election on 11/2/82 in the State of Washington
- Termination Report

32

(b) Is this Report an Amendment?
 YES NO

SUMMARY

5. Covering Period 10/14/83 Through 11/22/83

6. (a) Cash on Hand January 1, 1982

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d)) ...

9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

	Column A This Period	Column B Calendar Year-to-Date
6(a)		\$ 82,664.23
6(b)	\$ 76,934.45	
6(c)	\$ 179.10	\$ 68,396.20
6(d)	\$ 77,113.55	\$ 151,060.43
7	\$ 54,750.00	\$ 128,696.88
8	\$ 22,363.55	\$ 22,363.55
9	\$ -	
10	\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Joseph F. Maloney

Type or Print Name of Treasurer

Joseph F. Maloney
SIGNATURE OF TREASURER

May 16, 1983

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Political Educational Fund for the Building and Construction Trades Department

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Kostmeyer for Congress 54 West State Street Doylestown, Pennsylvania 18901 Kingdon Swayne, Treasurer	Peter Kostmeyer, 8th, Pa. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
B. Full Name, Mailing Address and ZIP Code Stan Lundine for Congress Committee Box 849 Jonestown, N.Y. 14701 Wiles Lasser, Treasurer	Stan Lundine, 4th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
C. Full Name, Mailing Address and ZIP Code Lyman for Congress Committee P.O. Box 1168 Great Falls, Montana 59403 Jack Stevens, Treasurer	Howard Lyman, 2nd, Mt Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
D. Full Name, Mailing Address and ZIP Code Friends of Matt McHugh P.O. Box 61 Ithaca, N.Y. 14850 Neil Massa, Treasurer	Matt McHugh, 28th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
E. Full Name, Mailing Address and ZIP Code McLeod for Congress P.O. Box 5247 N. Charleston, S.C. 29406 Roger Crook, Treasurer	Mallins McLeod, 1st, S.C. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
F. Full Name, Mailing Address and ZIP Code Re-Elect Joe Moakley Committee Ten Post Office Square 400 Boston, Massachusetts 02109 William Shavel, Treasurer	Joseph Moakley, 9th, MA Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
G. Full Name, Mailing Address and ZIP Code Melcher for Senate Committee 410 N. Broadway Billings, Montana 59101 Tony Gerhartz, Treasurer	John Melcher, Sen., Mt. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	5,000.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code Committee for Re-Elect Tip O'Neill 20 Ashburton Place Boston, Massachusetts 02101 Eryant O'Neill, Treasurer	Thomas P. O'Neill, 8th, Ma Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00

SUBTOTAL of Disbursements This Page (optional) 8,100.00

TOTAL This Period (last page this line number only)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas F. Blackwell, Esquire
Smith, Haughey, Rice & Roegge
200 Calder Plaza Building
Grand Rapids, Michigan 49503

RE: MUR 1646
Monsma for Congress Committee,
and Thomas F. Blackwell,
Treasurer

Dear Mr. Blackwell:

On May , 1984, the Commission found reason to believe that the Monsma For Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 103.3(b)(1) in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that accepting contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to insure that this activity does not occur in the future. Also pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report.

84040463200

GD
5/30/84

Thomas F. Blackwell, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

84040463201



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
American Federation of Labor-Congress
of Industrial Organizations
815 Sixteenth Street, N.W., Room 808
Washington, D.C. 20006

RE: MUR 1646
AFL-CIO Committee on Political
Education Political
Contributions Committee and
Thomas R. Donahue, Treasurer;
Michigan State AFL-CIO COPE
Voluntary Fund and
Walter Oliver; Treasurer
Political Education Fund of
the Building and Construction
Trades Department and
Joseph F. Maloney, Treasurer

Dear Ms. McCormick and Mr. Resnick:

On May , 1984, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that making contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(2)(A). You should take immediate steps to insure that this activity does not occur in the future.

4
5/30/84

84040463202

Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

84040463203



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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

Re: MUR 1646

Dear Mr. Avakian and Ms. Poindexter:

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The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh dated March 16, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by Monsma for Congress Committee, the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

Further, the Commission determined that there is no reason to believe that a violation of the Act has been committed by the Grand Rapids Construction Trade Union Affiliates Political Action Committee.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

GD 5/30/84

Michael Ernest Avakian
Martha M. Poindexter
Page 2

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040463205



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

RE: MUR 1646
Grand Rapids Construction
Trades Union Affiliates
Political Action Committee;
Keith A. Phelps, Treasurer

Dear Mr. Phelps:

On March 22, 1984, the Commission notified Grand Rapids Construction Trades Union Affiliates Political Action Committee and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May , 1984, determined that on the basis of the information in the complaint, and information provided by your committee, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

GD
5/30/84

84040463206



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
 FROM: Office of General Counsel *cut*
 DATE: May 24, 1984
 SUBJECT: MUR 1646 - First General Counsel's Report

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

84040463207

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

SENSITIVE

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

34 MAY 24 A 9: 36

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/24/84 - 9:40

MUR # 1646
DATE COMPLAINT RECEIVED
BY OGC 3/16/84
DATE OF NOTIFICATION TO
RESPONDENT 3/22/84
STAFF MEMBER
GEORGE DEMOUGEOT

COMPLAINANT NAME: James Edward Antosh

RESPONDENTS' NAME: Stephen V. Monsma
Monsma for Congress Committee and its
treasurer, Thomas F. Blackwell
AFL-CIO Committee on Political
Education and Political Contributions
Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
Political Education Fund of the Building and
Construction Trades Department and its
treasurer, Joseph F. Maloney
Grand Rapids Construction Trades Union
Affiliates Political Action Committee and
its treasurer, Keith A. Phelps

RELEVANT STATUTE: 2 U.S.C. § 441a(a) (2) (A)
2 U.S.C. § 441a(f)
11 C.F.R. § 104.14(d)
11 C.F.R. § 103.3(b) (1)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant alleges that the following political action
committees and their treasurers violated 2 U.S.C. § 441a(a) (2) (A)
by making excessive contributions to the Monsma for Congress
Committee during the 1982 general election:

84040460208

- a) American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC")
- b) Michigan State AFL-CIO COPE Voluntary Fund
- c) Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.")
- d) Grand Rapids Construction Trades Union Affiliates Political Action Committee

Complainant alleges that Stephen V. Monsma, Monsma for Congress Committee ("the Monsma Committee") and its treasurer violated 2 U.S.C. § 441a(f) for receipt of contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) from the above-named committees.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(2)(A), no multicandidate political committee shall make any contribution to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed \$5,000. In addition, pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

According to the complaint, the Monsma Committee received the following contributions for the 1982 general election totalling \$850 in excess of limitations at 2 U.S.C.

§ 441a(a)(2)(A):

84040463209

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>
9/15/82	\$1,000	AFL-CIO COPE-PCC
10/5/82	\$2,500	AFL-CIO COPE-PCC
10/1/82	\$1,500	Michigan State AFL-CIO COPE Voluntary Fund
unreported	\$ 500	P.E.F.-B.C.T.D.
10/25/82	\$ 350	Grand Rapids Construction Trades Union Affiliates PAC
Total =		<u>\$5,850</u>

A. Affiliation

The response from Grand Rapids Construction Trades Union Affiliates Political Action Committee ("GRCTUA-PAC") indicates that it is not affiliated with the other respondent committees listed above. The response states that the Grand Rapids Construction Trades Union Affiliates is an independent local building trades union organization. GRCTUA-PAC states that it is not chartered by the Building and Construction Trades Department of the AFL-CIO. GRCTUA-PAC also states that it does not pay per-capita taxes, affiliation fees, or dues to the Building Trades Department, the Michigan State AFL-CIO, or the AFL-CIO. The AFL-CIO COPE-PCC, P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund also indicate that they are not affiliated with GRCTUA-PAC. For these reasons, the Office of General Counsel recommends that the Commission find no reason to believe that GRCTUA-PAC made excessive contributions to the Monsma Committee.

8 4 0 4 0 4 6 3 2 1 0

The AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund do not deny that they are affiliated committees pursuant to 2 U.S.C. § 441a(a)(5).

B. Excessive Contribution

By check dated October 14, 1982, the P.E.F.-B.C.T.D., made a \$500 contribution to the Monsma for Congress Committee. This contribution put the AFL-CIO COPE PCC, P.E.F.-B.C.T.D. and the Michigan State AFL-CIO COPE Voluntary Fund over the 2 U.S.C. § 441a(a)(2)(A) limit by \$500. The contribution was returned by the Monsma Committee six months later, in April 1983, in the form of the original check. The P.E.F.-B.C.T.D. subsequently voided the check and amended its October 1982 monthly report.

Pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report. The Monsma Committee violated 11 C.F.R. § 103.3(b)(1) by not following these procedures.

Since the \$500 check was neither returned to the contributor, nor deposited and reported as an illegal contribution within 10 days of receipt, a contribution was made and received. Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund,

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and the P.E.F.-B.C.T.D. violated 2 U.S.C. § 441a(a)(2)(A) and that the Monsma Committee violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1). However, since the \$500 check was never cashed by the Monsma Committee, but returned, and since P.E.F.-B.C.T.D. subsequently voided the check and amended its reports, it is recommended that no further action be taken.

RECOMMENDATION

1. Find no reason to believe that the Grand Rapids Construction Trades Union Affiliates Political Action Committee and its treasurer, Keith A. Phelps, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
3. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Olver, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
4. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A), but take no further action.
5. Find reason to believe that the Monsma for Congress Committee and its treasurer, Thomas F. Blackwell, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 103.3(b)(1), but take no further action.

84040463212

6. Approve the attached letters to the Complainant and Respondents.

7. Close the file.

May 23, 1991
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Proposed letters (4)
- II. Response from GRCTUA-PAC
- III. Response from Stephen V. Monsma and Monsma for Congress Committee
- IV. Response from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D.

84040463213

ATTACHMENT I

①



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

RE: MUR 1646
Grand Rapids Construction
Trades Union Affiliates
Political Action Committee;
Keith A. Phelps, Treasurer

Dear Mr. Phelps:

On March 22, 1984, the Commission notified Grand Rapids Construction Trades Union Affiliates Political Action Committee and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May , 1984, determined that on the basis of the information in the complaint, and information provided by your committee, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
American Federation of Labor-Congress
of Industrial Organizations
815 Sixteenth Street, N.W., Room 808
Washington, D.C. 20006

RE: MUR 1646
AFL-CIO Committee on Political
Education Political
Contributions Committee and
Thomas R. Donahue, Treasurer;
Michigan State AFL-CIO COPE
Voluntary Fund and
Walter Oliver; Treasurer
Political Education Fund of
the Building and Construction
Trades Department and
Joseph F. Maloney, Treasurer

Dear Ms. McCormick and Mr. Resnick:

On May , 1984, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that making contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(a)(2)(A). You should take immediate steps to insure that this activity does not occur in the future.

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Margaret E. McCormick, Esquire
Richard M. Resnick, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

Enclosure
General Counsel's Report

84040463216



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

4

Thomas F. Blackwell, Esquire
Smith, Haughey, Rice & Roegge
200 Calder Plaza Building
Grand Rapids, Michigan 49503

RE: MUR 1646
Monsma for Congress Committee,
and Thomas F. Blackwell,
Treasurer

Dear Mr. Blackwell:

On May , 1984, the Commission found reason to believe that the Monsma For Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 103.3(b)(1) in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The Commission reminds you that accepting contributions in excess of the limitations nevertheless appears to be a violation of 2 U.S.C. § 441a(f). You should take immediate steps to insure that this activity does not occur in the future. Also pursuant to 11 C.F.R. § 103.3(b)(1), contributions which appear to be illegal shall be, within 10 days, either returned to the contributor or deposited into the campaign depository, and reported. If deposited, a statement noting that the legality of the contribution is in question should be included in the report.

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Thomas F. Blackwell, Esquire
Page 2

If you have any questions, please direct them to
George Demougeot, the staff member assigned to this matter, at
(202) 523-4000.

Sincerely,

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Enclosure
General Counsel's Report



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

6

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

Re: MUR 1646

Dear Mr. Avakian and Ms. Poindexter:

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The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh dated March 16, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed by Monsma for Congress Committee, the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

Further, the Commission determined that there is no reason to believe that a violation of the Act has been committed by the Grand Rapids Construction Trade Union Affiliates Political Action Committee.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

7

Michael Ernest Avakian
Martha M. Poindexter
Page 2

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

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ATTACHMENT II

RECEIVED BY THE FEC
GCCH 2024

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MUR 1646
Demougeot

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MUR 1646

APR 4 P2:23

Dear Mr. Demougeot:

GRICTUA-FAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise been made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRICTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRICTUA-PAC are undertaken completely without regard to action taken by other

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Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

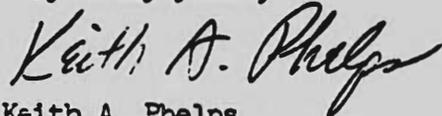
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respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463222

ATTACHMENT III *Case 7072*

SMITH, HAUGHEY, RICE & ROEGGE

10

84 APR 9 P2:31

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

300 CALDER PLAZA BUILDING
GRAND RAPIDS, MICHIGAN 49503

TELEPHONE 616-774-8000
TELEX 234147

ROBERT V. RICE
1959-1982

LAURENCE D. SMITH
1913-1980

A. B. SMITH, JR.
DAVID O. HAUGHEY
L. ROLAND ROEGGE
THOMAS F. BLACKWELL
P. LAURENCE MULVIMILL
JAMES K. MILLER II
LAWRENCE P. MULLIGAN
MICHAEL S. BARNES
THOMAS R. TASKER
PAUL H. REINHARDT
LANCE E. MATHER
CHARLES P. BEHLER
GARY A. ROWE
WILLIAM W. JACK, JR.
WILLIAM J. MONDORP
THOMAS M. WEIBEL
JAMES G. BLACK
E. THOMAS MCCARTHY, JR.

THOMAS R. WURST
CRAIG R. NOLAND
JOHN M. GROSTIC
PAUL M. OLENICZAK
CRAIG S. NECKERS
LEONARD M. HICKEY
DAVID N. CAMPOS
CONSTANCE J. GRZANKA
JOHN C. O'LOUGHLIN
ANTHONY J. QUARTO
BRUCE P. RISSI
MARY E. CLOUD
JOHN M. KRUIS
PAUL VAN GOOSTENBURG
DALE A. IVERSON
MICHAEL O. KENNEY
WILLIAM B. JEWELL

April 4, 1984

*MUR 1644
Demougeot*

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463

Attention: Kenneth A. Gross
Assistant General Counsel

RE: MUR 1646
Antosh v. Monsma, et al

Dear Mr. Gross:

Pursuant to your letter of March 22, 1984, enclosed herewith please find Answers to the Complaint on behalf of Stephen V. Monsma, Candidate, Monsma for Congress Committee, and Thomas F. Blackwell, Treasurer with respect to the above-captioned matter.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

SMITH, HAUGHEY, RICE & ROEGGE

Thomas F. Blackwell

TFB/vm
Enclosure

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades Department
and Grand Rapids Construction
Trade Union Affiliates Political
Action Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF MONSMA FOR
CONGRESS COMMITTEE

84040463224

Monsma for Congress Committee, named respondent, by and through Stephen V. Monsma, candidate, and Thomas F. Blackwell, Treasurer, says as and for its answer to its Complaint herein filed against it that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, the committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Monsma for Congress Committee, respondent:

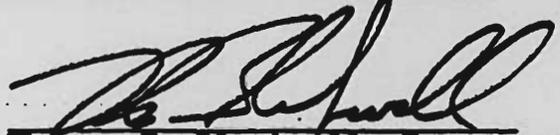
(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984

MONSMA FOR CONGRESS COMMITTEE

By



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463226

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

84040463227

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MUR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,

Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74081,

Complainant,

v.

Stephen V. Monsma; Monsma for
Congress Committee; the American
Federation of Labor-Congress
of Industrial Organizations
Committee on Political Education
and Political Contributions
Committee and its affiliated
separate segregated funds,
Michigan State AFL-CIO COPE-
Voluntary Fund, Political
Educational Fund of the Building
and Construction Trades
Department and Grand Rapids
Construction Trade Union
Affiliates Political Action
Committee; and all the
Committees' treasurers,

Respondents.

MUR No. 1646

ANSWER OF THOMAS F. BLACKWELL,
TREASURER

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Thomas F. Blackwell, treasurer, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Thomas F. Blackwell, Treasurer:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

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April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

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When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COFE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504 .

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise been made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

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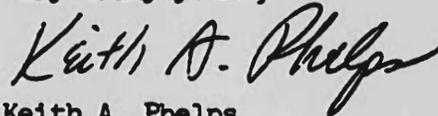
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463235

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

MUR No. 1646

v.)

ANSWER OF STEPHEN V. MONSMA,
CANDIDATE

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

Respondents.

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Stephen V. Monsma, candidate, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee, and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Stephen V. Monsma, candidate:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984


Stephen V. Monsma
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

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April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

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March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MUR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

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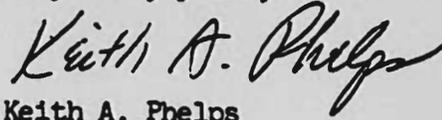
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463241

American Federation of Labor and Congress of Industrial Organizations

EXECUTIVE COUNCIL



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

LANE KIRKLAND PRESIDENT

John H. Lyons
S. Frank Haffery
Glenn E. Watts
Angela Fesco
Lloyd McBride
Wm. W. Wimpfinger
Wayne E. Glenn
John J. Sweeney
Barbara Hutchinson
Gerald W. McEneaney
Patrick J. Campbell

THOMAS R. DONAHUE SECRETARY-TREASURER

Thomas W. Gleason
Murray H. Finley
Sel C. Chelton
Charles H. Hillard
Kenneth T. Starbuck
William H. Wynn
Robert F. Goss
Frank Drosch
Richard I. Kirby
William H. Bywater
Kenneth J. Brown

Frederick O'Hair
Alfred Schaefer
Edward T. Hanley
J. S. Turner
Alvin E. Jones
John C. Gorman
James E. Miller
James E. Haffield
Vincent R. Sambrooke
Merrill J. Buede
Owen Sieber

ATTACHMENT I

April 6, 1984

29

IV

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

Re: FEC MUR 1646

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Walter Oliver, the Michigan State AFL-CIO COPE Voluntary Fund ("Michigan COPE"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letter dated March 22, 1984, stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered FEC MUR 1646, alleges that the respondents violated 2 U.S.C. §441a(a)(2)(A) by contributing in excess of \$5000 to the Monsma For Congress Committee for the 1982 general election.

For the reasons described below, respondents respectfully request that the Commission take no further action in the above-referenced matter.

1. Respondents' contribution records for 1982 reflect the following contributions to the Monsma For Congress Committee for the 1982 general election: COPE-PCC contributed \$1000 on 9/14/82; Michigan COPE contributed \$1,500 on 10/1/82; and COPE-PCC contributed \$2,500 on 10/5/82.

In addition to the contributions listed above, the PEF-BCTD on October 14, 1982 made a \$500 contribution to the Monsma For Congress Committee for the 1982 general election. That contribution, however, was returned by the Monsma For Congress Committee in April 1983, in the form of the original check. The PEF-BCTD subsequently voided that check and amended its October 1982 monthly FEC report by deleting that contribution from those listed in that report. A copy of the voided check and the PEF-BCTD amendment is attached hereto. See Attachment

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A. Since the PEF-BCTD contribution was returned, the total amount contributed by COPE-PCC and its affiliated committees to the Monsma For Congress Committee for the 1982 general election was \$5000. Accordingly, COPE-PCC and its affiliated committees, Michigan COPE and PEF-BCTD did not violate S441a(a)(2)(A) of the Act.

2. Contrary to the complainant's assertions, the Grand Rapids Construction Trades Union Affiliates PAC ("G.R.C.T.U.A. PAC") is not affiliated with the AFL-CIO COPE PCC. Under the Act, all federal political committees sponsored by AFL-CIO departments or AFL-CIO state and local bodies are affiliated with COPE-PCC. 2 U.S.C. 441a(a)(5). This rule does not, however, apply to the G.R.C.T.U.A. PAC since that committee is sponsored by an organization which has no connection with the AFL-CIO. According to its Treasurer, Keith Phelps, the G.R.C.T.U.A. PAC is sponsored by the Grand Rapids Construction Trades Union Affiliates ("GRCTUA") an independent local building trade union organization which, in contrast to AFL-CIO Building and Construction Trades Councils, is not chartered by the AFL-CIO Building and Construction Trades Department and which is not affiliated with either the Michigan State AFL-CIO or any AFL-CIO local central body. The G.R.C.T.U.A. does not pay per capita, or dues, or any other fees to the AFL-CIO or any department or state or local body of the AFL-CIO. (See March 28, 1984, letter from Keith A. Phelps, Attachment B.) Furthermore, neither the G.R.C.T.U.A. nor its separate segregated fund was established or is financed, maintained, or controlled by the AFL-CIO, any department of the AFL-CIO, or any AFL-CIO state or local central body.

Since the G.R.C.T.U.A. PAC is not, as asserted by complainant, affiliated with AFL-CIO COPE-PCC for purposes of 2 U.S.C. 441a, contributions made by that committee are not attributable to COPE-PCC's contribution limits. Accordingly, the G.R.C.T.U.A. PAC's \$350 contribution to the Monsma For Congress Committee for the 1982 general election may not be counted towards COPE-PCC's contribution limit for the same election.

As demonstrated above, respondent political committees' contributions to the Monsma For Congress Committee for the 1982 general election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. 441a(a)(2)(A). Respondents therefore respectfully request that the Commission take no further action in this matter.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO COPE-PCC.
Walter Oliver and Michigan State AFL-CIO
COPE Voluntary Fund

Richard M. Resnick

Richard M. Resnick
Counsel for respondent
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosure

84040463243

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

2242

10-14-1982

PAY TO THE ORDER OF

Monies for Congress Committee

\$ 500.00

EXACTLY \$500.00 US

DOLLARS

AMERICAN SECURITY BANK, N.A.
1040 B STREET, N.W.
WASHINGTON, D.C.

FOR 1982 General

Robert C. ...
John F. Maloney

SECT. TREAS.

⑆002242⑆⑆05400055⑆⑆13⑆87⑆67⑆8

(31)

84040463244

1. Name of Committee (in Full)

Political Educational Fund of the Building and Construction Trades Department

Address (Number and Street)

815 16th Street, N.W., Suite 603

City, State and ZIP Code

Washington, D.C. 20006-4189

Check if address is different than previously reported.

2. FEC Identification Number C 0000 3160

3. This committee qualified as a multicandidate committee during this Reporting Period on (date)

4. TYPE OF REPORT (check appropriate boxes)

- (a) April 15 Quarterly Report, July 15 Quarterly Report, October 15 Quarterly Report, January 31 Year End Report, July 31 Mid Year Report (Non-election Year Only), Monthly Report for, Twelfth day report preceding election on, Thirtieth day report following the General Election on 11/2/82 in the State of Washington, Termination Report. (b) Is this Report an Amendment? YES NO

32

SUMMARY

5. Covering Period 10/14/83 Through 11/22/83

6. (a) Cash on Hand January 1, 1982

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))

9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

Table with 2 columns: Column A This Period, Column B Calendar Year-to-Date. Rows correspond to summary items 6(a) through 10.

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Joseph F. Maloney

Type or Print Name of Treasurer

Signature of Joseph F. Maloney

SIGNATURE OF TREASURER

May 16, 1983

Date

Federal Election Commission Toll Free 800-424-9530 Local 202-523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

Grid of 10 empty boxes for reporting period or other data.

8 4 0 4 0 4 6 3 2 4 5

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Political Educational Fund for the Building and Construction Trades Department

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Kostmeyer for Congress 54 West State Street Doylestown, Pennsylvania 18901 Kingdon Swayne, Treasurer	Peter Kostmeyer, 8th, Pa. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Stan Lundine for Congress Committee Box 849 Jamestown, N.Y. 14701 Miles Lasser, Treasurer	Stan Lundine, 4th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
Lyman for Congress Committee P.O. Box 1168 Great Falls, Montana 59403 Jack Stevens, Treasurer	Howard Lyman, 2nd, Mt Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
Friends of Matt McHugh R.O. Box 61 Ithaca, N.Y. 14850 Neil Massa, Treasurer	Matt McHugh, 28th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
McLeod for Congress P.O. Box 5247 Charleston, S.C. 29406 Roger Crook, Treasurer	Mallins McLeod, 1st, S.C. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Re-Elect Joe Moakley Committee Ten Post Office Square 400 Boston, Massachusetts 02109 William Shauel, Treasurer	Joseph Moakley, 9th, MA Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
Melcher for Senate Committee 410 N. Broadway Billings, Montana 59101 Tony Gerharz, Treasurer	John Melcher, Sen., Mt. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	5,000.00
Committee for Re-Elect Tip O'Neill 20 Ashburton Place Boston, Massachusetts 02101 Bryant O'Neill, Treasurer	Thomas P. O'Neill, 8th, Ma Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
SUBTOTAL of Disbursements This Page (optional)			8,100.00
TOTAL This Period (last page this line number only)			

RECEIVED AT THE FEC
Case 2072

84 APR 9 P 2: 31

SMITH, HAUGHEY, RICE & ROEGGE

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
200 CALDER PLAZA BUILDING
GRAND RAPIDS, MICHIGAN 49503
TELEPHONE 616-774-8000
TELEX 224147

ROBERT V. V. RICE
1899-1982

LAURENCE D. SMITH
1913-1980

A. B. SMITH, JR.	THOMAS R. WURST
DAVID O. HAUGHEY	CRAIG R. NOLAND
L. ROLAND ROEGGE	JOHN M. GROSTIC
THOMAS F. BLACKWELL	PAUL M. OLENICZAK
P. LAURENCE MULVIHILL	CRAIG S. NECKERS
JAMES K. MILLER II	LEONARD M. HICKEY
LAWRENCE P. MULLIGAN	DAVID N. CAMPOS
MICHAEL S. BARNES	CONSTANCE J. GRZANKA
THOMAS R. TASKER	JOHN C. O'LOUGHLIN
PAUL H. REINHARDT	ANTHONY J. QUARTO
LANCE R. MATHER	BRUCE P. RISSI
CHARLES P. BEHLER	MARY E. CLOUD
GARY A. ROWE	JOHN M. KRUIS
WILLIAM W. JACK, JR.	PAUL VAN OOSTENBURG
WILLIAM J. HONDORP	DALE A. IVERSON
THOMAS M. WEIBEL	MICHAEL O. KENNEY
JAMES G. BLACK	WILLIAM R. JEWELL
E. THOMAS MCCARTHY, JR.	

April 4, 1984

*MUR 1646
Demougeot*

APR 9 1984 P 4: 32

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Washington, D.C. 20463

Attention: Kenneth A. Gross
Assistant General Counsel

RE: MUR 1646
Antosh v. Monsma, et al

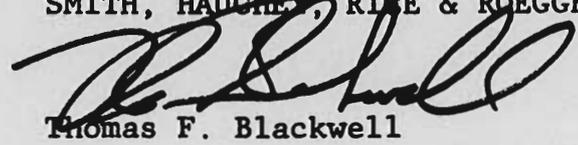
Dear Mr. Gross:

Pursuant to your letter of March 22, 1984, enclosed herewith please find Answers to the Complaint on behalf of Stephen V. Monsma, Candidate, Monsma for Congress Committee, and Thomas F. Blackwell, Treasurer with respect to the above-captioned matter.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

SMITH, HAUGHEY, RICE & ROEGGE



Thomas F. Blackwell

TFB/vm
Enclosure

84040463247

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

MUR No. 1646

v.)

ANSWER OF STEPHEN V. MONSMA,
CANDIDATE

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

Respondents.

84040465248

Stephen V. Monsma, candidate, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee, and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

94040463249

from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Stephen V. Monsma, candidate:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984


Stephen V. Monsma
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463250

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

84040463251

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504 .

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MUR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

All funds taken in by the affiliates are collected as monthly fees paid by Grand Rapids area craft local unions, or generated by fundraising activities undertaken and directed by various representatives of the same building trades unions, in furtherance of local construction craft concerns and causes. Funds are disbursed in accordance with locally adopted rules and regulations by action of the member Grand Rapids area crafts at regular and Special-called meetings. Disbursements from the segregated PAC fund are likewise been made strictly to candidates for municipal, state and federal office in districts located within the geographical jurisdictions (i.e. candidates from the locality) of the member craft unions which comprise the affiliates, in accordance with GRCTUA-PAC by-laws; which by-laws were promulgated and adopted by action of the affiliates.

Collections and disbursements of funds by individuals responsible for GRCTUA-PAC are undertaken completely without regard to action taken by other

MUR No. 1646 EXHIBIT 2

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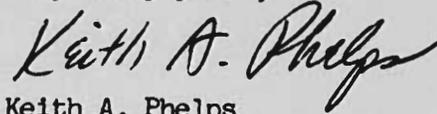
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

v.)

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades Department)
and Grand Rapids Construction)
Trade Union Affiliates Political)
Action Committee; and all the)
Committees' treasurers,)
Respondents.)

MUR No. 1646

ANSWER OF MONSMA FOR
CONGRESS COMMITTEE

84040463254

Monsma for Congress Committee, named respondent, by and through Stephen V. Monsma, candidate, and Thomas F. Blackwell, Treasurer, says as and for its answer to its Complaint herein filed against it that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, the committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, the committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Monsma for Congress Committee, respondent:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984

MONSMA FOR CONGRESS COMMITTEE

By


Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463256

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

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Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

84040463257

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

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The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

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MJR No. 1646 EXHIBIT 2

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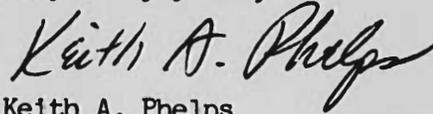
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

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Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

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

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74081,)
Complainant,)

v.)

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

Respondents.)

MUR No. 1646

ANSWER OF THOMAS F. BLACKWELL,
TREASURER

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Thomas F. Blackwell, treasurer, as named respondent, says as and for his answer to its Complaint herein filed against him that:

1. The five hundred dollar (\$500.00) contribution from Political Education Fund of the Building and Construction Trades Department, a/k/a "P.E.F. - B.C.T.D." was never accepted by the candidate, committee or its treasurer, as alleged in paragraph ten of the Complaint.

2. Attached as Exhibit 1 is a copy of the cover letter of April 25, 1983, whereby the check of "P.E.F. - B.C.T.D." was returned.

3. Such contributions as were made to the candidate, his committee and/or the treasurer, by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund", on the one hand, and the three hundred fifty dollar (\$350.00) contribution of the Grand Rapids Construction Trade Union Affiliates PAC, a/k/a "G.R.C.T.U.A.-PAC" on the other, were not contributions from a single committee within the meaning of the Act, as alleged in paragraph five of the Complaint.

4. Attached as Exhibit 2 is a copy of the March 28, 1984 letter of Keith A. Phelps, Treasurer, Grand Rapids Construction Trades Union Affiliates PAC, supporting respondent's denial on information and belief that "G.R.C.T.U.A.-PAC's" three hundred fifty dollar (\$350.00) contribution was

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from a single source with respect to other contributions made by "AFL-CIO COPE-PCC", and/or "Michigan State AFL-CIO COPE-Voluntary Fund."

WHEREFORE, Thomas F. Blackwell, Treasurer:

(a) Requests that the Commission find no reason to believe that the Complaint sets forth a possible violation of the FECA.

(b) Requests that the Commission close its file in this matter.

Dated: March 31, 1984



Thomas F. Blackwell, Treasurer
829 N. Kentview, N.E.
Grand Rapids, Michigan 49505

84040463262

April 25, 1983

Mr. Dan Mundy
Building and Construction Trades Department
815 - 16th Street NW
Washington, D. C. 20006

Dear Dan:

When recently going through some files from my congressional campaign of last year, I came across the enclosed check. We never cashed it since--as we informed your office by phone at the time--the contributions already received from COPE and from your PAC totaled the maximum allowed by the FEC. I thought I would return the check in case you need it to close out your books.

Let me take this occasion to thank you again for all of your help last year. I fell short and that continues to be a disappointment, but I am pleased and grateful for the splendid help I received from labor in general and from the building and construction trades in particular. Perhaps we will be able to work together again in the future.

With very best wishes.

Cordially yours,

Stephen V. Monsma

enclosure

SVM:s

MUR No 1646 EXHIBIT 1

84040463263

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504 .

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

GRCTUA-PAC believes no action should be taken against our committee in connection with the above captioned matter.

The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

The affiliates is not chartered by the Building and Construction Trades Department of the AFL-CIO.

No per-capita taxes or other types of affiliation fees or dues whatever are paid by the affiliates to the Building Trades Department, AFL-CIO; the Michigan State AFL-CIO; or American Federation of Labor-Congress of Industrial Organizations.

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MUR No 1646 EXHIBIT 2

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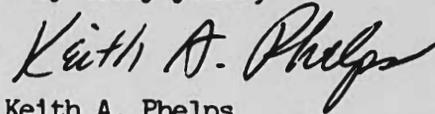
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

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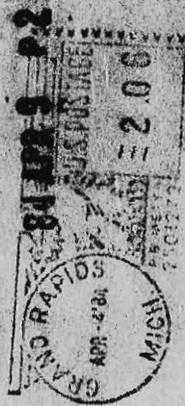
Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

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from SMITH, HAUGHEY, RICE & ROEGGE
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
205 CALDER PLAZA BUILDING
GRAND RAPIDS, MICHIGAN 49503

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

FIRST CLASS MAIL

CERTIFIED

P 440 748 612

MAIL

6cc# 2049

American Federation of Labor and Congress of Industrial Organizations

EXECUTIVE COUNCIL



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

LANE KIRKLAND PRESIDENT

John H. Lyons
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Angelo Pece
Lloyd McFride
Wm. W. Winklinger
Wayne E. Glenn
John J. Sweeney
Barbara Hutchinson
Gerald W. McEntee
Patrick J. Campbell

THOMAS R. DONAHUE SECRETARY-TREASURER

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Sol C. Chalkin
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Frank Drozak
Richard I. Kilroy
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Albert Shanker
Edward T. Hanley
J. C. Turner
Alvin E. Heape
John DeConcini
Joyce D. Miller
James E. Hatfield
Virginia R. Sombrotto
Marvin J. Boede
Owen Gleber

11:30
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March 27, 1984

*MUR 1646
Demougeot*

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

RE: FEC MUR 1646

Dear Mr. Steele:

Pursuant to 11 C.F.R. 111.23, the Michigan State AFL-CIO COPE Voluntary Fund, its treasurer Walter L. Oliver, the AFL-CIO Committee On Political Education Political Contributions Committee, and I hereby designate Margaret E. McCormick as our counsel in 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

84040463267

American Federation of Labor and Congress of Industrial Organizations



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

EXECUTIVE COUNCIL

LANE KIRKLAND PRESIDENT

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S. Frank Raftery
Glenn E. Watts
Angelo Foco
Lloyd McBride
Wm. W. Winpisinger
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J. C. Turner
Alvin E. Nease
John DeCensini
Joyce D. Miller
James E. Hatfield
Vincent R. Bombrotto
Marvin J. Soede
Owen Bieber

April 6, 1984

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

Re: FEC MUR 1646

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Walter Oliver, the Michigan State AFL-CIO COPE Voluntary Fund ("Michigan COPE"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letter dated March 22, 1984, stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered FEC MUR 1646, alleges that the respondents violated 2 U.S.C. §441a(a)(2)(A) by contributing in excess of \$5000 to the Monsma For Congress Committee for the 1982 general election.

For the reasons described below, respondents respectfully request that the Commission take no further action in the above-referenced matter.

1. Respondents' contribution records for 1982 reflect the following contributions to the Monsma For Congress Committee for the 1982 general election: COPE-PCC contributed \$1000 on 9/14/82; Michigan COPE contributed \$1,500 on 10/1/82; and COPE-PCC contributed \$2,500 on 10/5/82.

In addition to the contributions listed above, the PEF-BCTD on October 14, 1982 made a \$500 contribution to the Monsma For Congress Committee for the 1982 general election. That contribution, however, was returned by the Monsma For Congress Committee in April 1983, in the form of the original check. The PEF-BCTD subsequently voided that check and amended its October 1982 monthly FEC report by deleting that contribution from those listed in that report. A copy of the voided check and the PEF-BCTD amendment is attached hereto. See Attachment

A. Since the PEF-BCTD contribution was returned, the total amount contributed by COPE-PCC and its affiliated committees to the Monsma For Congress Committee for the 1982 general election was \$5000. Accordingly, COPE-PCC and its affiliated committees, Michigan COPE and PEF-BCTD did not violate §441a(a)(2)(A) of the Act.

2. Contrary to the complainant's assertions, the Grand Rapids Construction Trades Union Affiliates PAC ("G.R.C.T.U.A. PAC") is not affiliated with the AFL-CIO COPE PCC. Under the Act, all federal political committees sponsored by AFL-CIO departments or AFL-CIO state and local bodies are affiliated with COPE-PCC. 2 U.S.C. 441a(a)(5). This rule does not, however, apply to the G.R.C.T.U.A. PAC since that committee is sponsored by an organization which has no connection with the AFL-CIO. According to its Treasurer, Keith Phelps, the G.R.C.T.U.A. PAC is sponsored by the Grand Rapids Construction Trades Union Affiliates ("GRCTUA") an independent local building trade union organization which, in contrast to AFL-CIO Building and Construction Trades Councils, is not chartered by the AFL-CIO Building and Construction Trades Department and which is not affiliated with either the Michigan State AFL-CIO or any AFL-CIO local central body. The G.R.C.T.U.A. does not pay per capita, or dues, or any other fees to the AFL-CIO or any department or state or local body of the AFL-CIO. (See March 28, 1984, letter from Keith A. Phelps, Attachment B.) Furthermore, neither the G.R.C.T.U.A. nor its separate segregated fund was established or is financed, maintained, or controlled by the AFL-CIO, any department of the AFL-CIO, or any AFL-CIO state or local central body.

Since the G.R.C.T.U.A. PAC is not, as asserted by complainant, affiliated with AFL-CIO COPE-PCC for purposes of 2 U.S.C. 441a, contributions made by that committee are not attributable to COPE-PCC's contribution limits. Accordingly, the G.R.C.T.U.A. PAC's \$350 contribution to the Monsma For Congress Committee for the 1982 general election may not be counted towards COPE-PCC's contribution limit for the same election.

As demonstrated above, respondent political committees' contributions to the Monsma For Congress Committee for the 1982 general election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. 441a(a)(2)(A). Respondents therefore respectfully request that the Commission take no further action in this matter.

Sincerely,

Margaret E. McCormick
Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO COPE-PCC.
Walter Oliver and Michigan State AFL-CIO
COPE Voluntary Fund

Richard M. Resnick
Richard M. Resnick
Counsel for respondent
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosure

84040460269

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

2242

12-30/82

10-14 1982

PAY TO THE ORDER OF

Monrma for Congress Committee

\$ 500.00

EXACTLY \$500.00

DOLLARS

AMERICAN SECURITY BANK, N.A.

1618 STREET, N.W.
WASHINGTON, D.C.

FOR 1982 General

Robert A. Geringer
John F. Mahoney

SECY.-TREAS.

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REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

1. Name of Committee (in Full)
Political Educational Fund of the Building and Construction Trades Department

Address (Number and Street)
815 16th Street, N.W., Suite 603

City, State and ZIP Code
Washington, D.C. 20006-4189

Check if address is different than previously reported.

2. FEC Identification Number
C 0000 3160

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

(a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Monthly Report for _____
 Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

Thirtieth day report following the General Election on 11/2/82 in the State of Washington,

Termination Report

(b) Is this Report an Amendment?
 YES NO

SUMMARY

5. Covering Period 10/14/83 Through 11/22/83

6. (a) Cash on Hand January 1, 1982

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))

9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

	Column A This Period	Column B Calendar Year-to-Date
6(a)		\$ 82,664.23
6(b)	\$ 76,934.45	
6(c)	\$ 179.10	\$ 68,396.20
6(d)	\$ 77,113.55	\$ 151,060.43
7	\$ 54,750.00	\$ 128,696.88
8	\$ 22,363.55	\$ 22,363.55
9	\$ -	
10	\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

Joseph F. Maloney

Type or Print Name of Treasurer

Joseph F. Maloney
SIGNATURE OF TREASURER

May 16, 1983

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

84040463271

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Political Educational Fund fo the Building and Construction Trades Department

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Kostmeyer for Congress 54 West State Street Doylestown, Pennsylvania 18901 Kingdon Swayne, Treasurer	Peter Kostmeyer, 8th, Pa. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
B. Full Name, Mailing Address and ZIP Code Stan Lundine for Congress Committee Box 849 Jamestown, N.Y. 14701 Miles Lasser, Treasurer	Stan Lundine, 4th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
C. Full Name, Mailing Address and ZIP Code Lyman for Congress Committee P.O. Box 1168 Great Falls, Montana 59403 Jack Stevens, Treasurer	Howard Lyman, 2nd, Mt Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	300.00
D. Full Name, Mailing Address and ZIP Code Friends of Matt McHugh P.O. Box 61 Ithaca, N.Y. 14850 Neil Massa, Treasurer	Matt McHugh, 28th, N.Y. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
E. Full Name, Mailing Address and ZIP Code McLeod for Congress P.O. Box 5247 N. Charleston, S.C. 29406 Roger Crook, Treasurer	Mullins McLeod, 1st, S.C. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
F. Full Name, Mailing Address and ZIP Code Re-Elect Joe Moakley Committee Ten Post Office Square 400 Boston, Massachusetts 02109 William Shauel, Treasurer	Joseph Moakley, 9th, MA Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
G. Full Name, Mailing Address and ZIP Code Melcher for Senate Committee 410 N. Broadway Billings, Montana 59101 Tony Gerharz, Treasurer	John Melcher, Sen., Mt. Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	5,000.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code Committee for Re-Elect Tip O'Neill 20 Ashburton Place Boston, Massachusetts 02101 Bryant O'Neill, Treasurer	Thomas P. O'Neill, 8th, Ma Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	10/14/82	500.00
SUBTOTAL of Disbursements This Page (optional)			8,100.00
TOTAL This Period (last page this line number only)			

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

*Sent Certified Mail
P. 508-471-788
3/28/84*

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MJR 1646

Dear Mr. Demougeot:

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The committee maintains that it should not be included with the other committees listed on the complaint, as the Grand Rapids Construction Trades Union Affiliates (below referred to as "the affiliates") is an independent local building trades union organization, and is not directed by actions of the other respondents.

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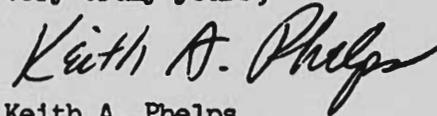
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

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Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 1646

NAME OF COUNSEL: Richard M. Resnick, Esq.

ADDRESS: Sherman, Dunn, Cohen, Leifer & Counts,
1125 15th Street, NW, Ste 801
Washington, DC 20005

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.

3/23/84
Date

Joseph F. Maloney
Signature

RESPONDENT'S NAME: Joseph F. Maloney

ADDRESS: Building & Construction Trades Department, AFL-CIO
815 16th Street, NW, Room 603
Washington, DC 20006

HOME PHONE: 301/881-1662

BUSINESS PHONE: 202/347-1461

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RECEIVED AT THE FEC

GCC# 2024

34 APR 4 12: 03

MUR 1646
Demougeot

March 28, 1984

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

34 APR 4 12: 23

Federal Election Commission
Washington, D.C. 20463
Attn: Mr. George Demougeot

Re: MUR 1646

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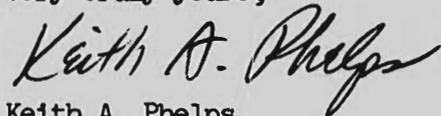
Mr. George Demougeot
Federal Election Commission
March 28, 1984
Page 2

respondents named in complaint MUR 1646. In our view, GRCTUA-PAC is only obligated in answering the local craft unions in Grand Rapids (which raise all its funds) as to performance of its purpose.

Like the Grand Rapids Construction Trades Union Affiliates, GRCTUA-PAC functions within an independent local context. No other labor organization or labor federation acts within organizational structures to direct its activities. Neither is GRCTUA-PAC affiliated with or directed by any other separate segregated political action funds maintained by other organizations. Its activities are local in character, controlled locally and financed locally.

For the above reasons, the GRCTUA feels the portion of the complaint involving our committee should be dismissed.

Very truly yours,



Keith A. Phelps
Chairman-Treasurer
Grand Rapids Construction Trades
Union Political Action Committee

84040463277

Keith A. Phelps, Treasurer
Grand Rapids Construction Trades Union
Affiliates Political Action Committee
1021 W. Fulton
Grand Rapids, Michigan 49504

APR 4 P 2:23

Federal Election Commission

Washington, D.C. 20463

RETURN RECEIPT REQUESTED

Att: Mr. George Demougeot



RETURN RECEIPT REQUESTED

8-40404632



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Keith A. Phelps, Treasurer
Grand Rapids Construction Trade
Union Affiliates Political
Action Committee
1021 Fulton Avenue, N.W.
Grand Rapids, Michigan 49504

Re: MUR 1646

Dear Mr. Phelps:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and 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 1646. 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 and 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 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.

84040463279

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

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross* (4/27)
Kenneth A. Gross
Associate General Counsel

84040465280

Enclosures

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

MUR 1646

2001 Apr 11 10:40 AM

1. The following service is requested please check:

Show to whom and date delivered

Show to whom, date, and address of delivery

2. REGISTERED MAIL (The addressee's liability for its charges is limited to the actual receipt fee.)

3. ARTICLE DESCRIPTION: Kenneth A. Gross, General Counsel, Construction Trade Union, Political Action Committee, 1021 N. FULTON, GRAND RAPIDS, MI 49504

4. TYPE OF SERVICE: REGISTERED, INSURED, CERTIFIED, CBS, EXPRESS MAIL

ARTICLE NUMBER: 943126

I have received the article described above.

SIGNATURE: *V. Burgher* ADDRESS AUTHORIZED SIGNATURE

DATE OF DELIVERY: 3-27-84

6. ADDRESSEE'S ADDRESS (and ZIP code): 1021 N. FULTON, GRAND RAPIDS, MI 49504

7. UNABLE TO DELIVER BECAUSE: *AP*

U.S. MAIL SERVICE

U.S. MAIL SERVICE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph F. Maloney, Treasurer
Political Educational Fund of the
Building & Construction Trades
Department
815 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1646

Dear Mr. Maloney:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and 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 1646. 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 and 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 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.

84040463281



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Walter L. Oliver, Treasurer
Michigan State AFL-CIO COPE
Voluntary Fund
419 S. Washington Avenue
Lansing, Michigan 48933

Re: MUR 1646

Dear Mr. Oliver:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and 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 1646. 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 and 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 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.

84040463283

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

Sincerely,

Charles N. Steele
General Counsel

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

34040465284

Enclosures

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

MAIL 1646

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

2. RESTRICTED DELIVERY (The recipient delivery fee is charged in addition to the above service fee.)

TOTAL \$

3. ARTICLE ADDRESS TO: *Walter L. Oliver*
 Michigan State AFL-CIO CONF-
 Voluntary Fund
 219 S. Washington Avenue
 Lansing, Michigan 48933

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

5. ARTICLE NUMBER: *943125*

I have received the article described above.
 SIGNATURE: *Patricia A. Reed*
 Addressed Registered mail

6. DATE OF DELIVERY: *3-26-84*

7. UNABLE TO DELIVER REASON:

8. DELIVERY STATUS:

MAIL 27 1984



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas R. Donahue, Treasurer
American Federation of Labor -
Congress of Industrial
Organizations Committee on
Political Education and
Political Contributions Committee
815 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1646

Dear Mr. Donahue:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and 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 1646. 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 and 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 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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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas F. Blackwell, Treasurer
Monsma for Congress Committee
829 N. Kentview Avenue
Grand Rapids, Michigan 49505

Re: MUR 1646

Dear Mr. Blackwell:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and 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 1646. 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 and 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 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.

84040463287

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

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross (6292)*
Kenneth A. Gross
Associate General Counsel

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Enclosures

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

MAIL 11-46

2025. April 1, 1984

1. The following service is requested:

Show to whom and date delivered

Show to whom, date, and address of recipient

2. RESTRICTED DELIVERY (No restricted delivery for a category of mail in the above number(s).)

3. ARTICLE ADDRESS TO:

Thomas F. Blackwell, Jr.
MEMBER OF CONGRESS
504 N. Kearsarge Avenue
Grand Rapids, Michigan 49505

4. TYPE OF SERVICE:

REGISTERED

CERTIFIED

EXPRESS MAIL

ARTICLE NUMBER: 743124

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE: *J. Morrison*

DATE OF DELIVERY: 3-26-84

6. ADDRESSEE'S ADDRESS (only if registered):

629 N. Kearsarge Ave.
Grand Rapids, Mich 49505

7. UNABLE TO DELIVER BECAUSE:

619P



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stephen V. Monsma
829 N. Kentview Avenue
Grand Rapids, Michigan 49505

Re: MUR 1646

Dear Mr. Monsma:

This letter is to notify you that on March 16, 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 1646. 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.

84040463289

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

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross (by 497)*
Kenneth A. Gross
Associate General Counsel

84040463290

Enclosures

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

MUR 11-46 Document

1. I have checked the above described work.

2. I have checked the above described work.

3. I have checked the above described work.

4. TYPE OF COMPLAINT: Disciplinary Grievance Other

5. DATE OF DELIVERY: 3-26-84

6. ADDRESS TO WHICH DELIVERED: 829 N. Kentview Avenue, Grand Rapids, Michigan 49505

7. NAME TO DELIVER TO: 618A



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 22, 1984

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

Dear Mr. Avakian & Ms. Poindexter:

This letter is to acknowledge receipt of your client's complaint which we received on March 16, 1984, against Stephen V. Monsma, Thomas F. Blackwell, Monsma for Congress Committee, Thomas R. Donahue, American Federation of Labor - Congress of Industrial Organizations, Committee on Political Education & Political Contributions Committee, Walter L. Oliver, Michigan State AFL-CIO COPE - Voluntary Fund, Joseph F. Maloney, Political Education Fund of the Building & Construction Trades Department, Keith A. Phelps and Grand Rapids Construction Trade Union Affiliates Political Action Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your client's 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

Kenneth A. Gross (4/29/84)
By Kenneth A. Gross
Associate General Counsel

Enclosure

84040463291

8 4 0 4 0 4 6 3 2 9 2

PS Form 3811, July 1982

MUR 1446 DEMONSTR

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- Show to whom and date delivered
- Show to whom, date, and address of delivery
2. **RESTRICTED DELIVERY**
- (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**
Michael Ernest Avakian
Martha M. Poindexter
Center on National Labor Policy
Suite 400 Royal Road
Springfield, Va 22151

4. **TYPE OF SERVICE:**

REGISTERED INSURED

CERTIFIED COD

EXPRESS MAIL

ARTICLE NUMBER
943115

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent
J. Fabian

5. **DATE OF DELIVERY** _____ **POSTMARK**
(may be on reverse side)

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:** _____ **7a. EMPLOYER'S INITIALS**

RETURN RECEIPT

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

APR 16 AM 10

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

v.)

Complaint)
MUR No. 1646)

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)
Respondents.)

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I. INTRODUCTION

1. Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against candidate for federal public office, Stephen V. Monsma, Monsma for Congress Committee, the 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"), Michigan State AFL-CIO COPE - Voluntary Fund, Political Education Fund of the Building and Construction Trades Department ("P.E.F. - B.C.T.D.") and Grand Rapids Construction Trade Union Affiliates Political Action Committee ("Grand Rapids Construction Trade Union Affiliates PAC"), 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. Stephen V. Monsma, 829 N. Kentview Avenue, Grand Rapids, Michigan 49505.

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- b. Thomas F. Blackwell, individually and in his capacity as treasurer of Monsma for Congress Committee, 829 N. Kentview Avenue, Grand Rapids, Michigan 49505.
- c. Monsma for Congress Committee, 829 N. Kentview Avenue, Grand Rapids, Michigan 49505.
- d. Thomas R. Donahue, individually and in his capacity as treasurer of American Federation of Labor-Congress of Industrial Organizations, Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- e. American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- f. Walter L. Oliver, individually and in his capacity as treasurer of Michigan State AFL-CIO COPE-Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- g. Michigan State AFL-CIO COPE-Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- h. Joseph F. Maloney, individually and in his capacity as treasurer of Political Education Fund of the Building and Construction Trades Department, 815 16th Street, N.W., Washington, D.C. 20006.

- 8 4 0 4 0 4 6 3 2 9 6
- i. Political Education Fund of the Building and Construction Trades Department, 815 16th Street, N.W., Washington, D.C. 20006.
 - j. Keith A. Phelps, individually and in his capacity as treasurer of Grand Rapids Construction Trade Union Affiliates Political Action Committee, 1021 Fulton Avenue, N.W., Grand Rapids, Michigan 49504.
 - k. Grand Rapids Construction Trade Union Affiliates Political Action Committee, 1021 Fulton Avenue, N.W., Grand Rapids, Michigan 49504.

III. LIABILITY

3. Liability may be imposed upon the candidate, Stephen V. Monsma, Monsma for Congress Committee, AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, pursuant to 2 U.S.C. §441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) 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 SSFs, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, 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)(1)(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 Stephen V. Monsma was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which Stephen V. Monsma; Monsma for Congress Committee and its treasurer; AFL-CIO COPE-PCC and its treasurer; Michigan State AFL-CIO COPE - Voluntary Fund and its treasurer; P.E.F.-B.C.T.D. and its treasurer; and Grand Rapids Construction Trade Union Affiliates PAC and its treasurer filed for the 1982 federal general election.

7. For the 1982 federal general election, excessive funds were contributed to Stephen V. Monsma, Monsma for Congress Committee and its treasurer by AFL-CIO COPE-PCC and its treasurer, Michigan State AFL-CIO COPE - Voluntary Fund and its treasurer, P.E.F.-B.C.T.D. and its treasurer, and Grand Rapids Construction Trade

Union Affiliates PAC 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.

V. VIOLATIONS OF THE F.E.C.A.
BY
MONSMA FOR CONGRESS COMMITTEE
IN THE
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, Stephen V. Monsma, Monsma 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 SSFs, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, in the amount of \$5,850.00 (FIVE THOUSAND EIGHT HUNDRED FIFTY DOLLARS).

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10. Candidate Stephen V. Monsma, Monsma for Congress Committee and its treasurer, for the 1982 federal general election, accepted contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
9/15/82	\$1,000.00	AFL-CIO COPE-PCC	#82012332089
10/5/82	\$2,500.00	AFL-CIO COPE-PCC	#82012332089
10/1/82	\$1,500.00	Michigan State AFL-CIO COPE- Voluntary Fund	#82012332089
un- reported	\$ 500.00	P.E.F.-B.C.T.D.	
10/25/82	\$ 350.00	Grand Rapids Construction Trade Union Affiliates PAC	#83012404971
Total = <u>\$5,850.00</u>			

11. A running total of contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC would have put on notice Stephen V. Monsma, Monsma for Congress Committee and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) by October 5, 1982. On that date, Stephen V. Monsma, Monsma for Congress Committee and its treasurer could no longer lawfully accept any contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D., Grand Rapids Construction Trade Union Affiliates PAC or any

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other affiliated SSF of the AFL-CIO. In violation of 2 U.S.C. §441(f), Stephen V. Monsma, Monsma for Congress Committee and its treasurer accepted contributions from these contributors in the amount of \$500.00 (FIVE HUNDRED DOLLARS) and \$350.00 (THREE HUNDRED FIFTY DOLLARS). This amount exceeded the statutory monetary ceiling by \$850.00 (EIGHT HUNDRED FIFTY DOLLARS).

**VI. VIOLATIONS OF THE F.E.C.A.
BY
AFL-CIO COPE-PCC,
MICHIGAN STATE AFL-CIO COPE VOLUNTARY FUND,
P.E.F. - B.C.T.D.,
AND GRAND RAPIDS CONSTRUCTION TRADE UNION AFFILIATES PAC
IN THE
1982 FEDERAL GENERAL ELECTION**

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, the Complainant believes that AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, for the 1982 federal general election contributed to candidate Stephen V. Monsma, Monsma for Congress Committee and its treasurer a total of \$5,850.00 (FIVE THOUSAND EIGHT HUNDRED FIFTY DOLLARS).

13. AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC contributed the following amounts:

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- a. On September 15, 1982, AFL-CIO COPE-PCC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032495326.)
- b. On October 5, 1982, AFL-CIO COPE-PCC contributed \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032505299.)
- c. On October 1, 1982, Michigan State AFL-CIO COPE Voluntary Fund contributed \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032520027.)
- d. On October 14, 1982, P.E.F. - B.C.T.D. contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032544397.)
- e. On October 25, 1982, Grand Rapids Construction Trade Union Affiliates PAC contributed \$350.00 (THREE HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032590253.)

14. A running total of contributions made to Stephen V. Monsma, Monsma for Congress Committee and its treasurer by AFL-CIO COPE-PCC and its affiliated SSFs would have put them on notice that as of October 5, 1982, they had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), P.E.F.-B.C.T.D. made a \$500.00 (FIVE HUNDRED DOLLARS) contribution on October 14, 1982 and Grand Rapids Construction Trade Union Affiliates PAC made a \$350.00 (THREE HUNDRED FIFTY DOLLARS) contribution

on October 25, 1982. This amount exceeded the statutory \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$850.00 (EIGHT HUNDRED FIFTY DOLLARS).

VII. CONCLUSION

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

16. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions and that civil sanctions be imposed on the Respondents.


Michael Ernest Avakian
Center on National Labor Policy


Martha M. Poindexter
Center on National Labor Policy
5211 Port Royal Road, Suite 400
North Springfield, VA 22151
(703) 321-9180

Attorneys for Complainant

March 16, 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.

Feb. 29, 1984
Date

James Edward Antosh
Complainant

DESIGNATED COUNSEL

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

84040463304

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

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

v.)

Stephen V. Monsma; Monsma for)
Congress Committee; the American)
Federation of Labor-Congress)
of Industrial Organizations)
Committee on Political Education)
and Political Contributions)
Committee and its affiliated)
separate segregated funds,)
Michigan State AFL-CIO COPE-)
Voluntary Fund, Political)
Educational Fund of the Building)
and Construction Trades)
Department and Grand Rapids)
Construction Trade Union)
Affiliates Political Action)
Committee; and all the)
Committees' treasurers,)

Respondents.)

Complaint)
MUR No. 1646)

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I. INTRODUCTION

1. Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against candidate for federal public office, Stephen V. Monsma, Monsma for Congress Committee, the 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"), Michigan State AFL-CIO COPE - Voluntary Fund, Political Education Fund of the Building and Construction Trades Department ("P.E.F. - B.C.T.D.") and Grand Rapids Construction Trade Union Affiliates Political Action Committee ("Grand Rapids Construction Trade Union Affiliates PAC"), 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. Stephen V. Monsma, 829 N. Kentview Avenue, Grand Rapids, Michigan 49505.

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- b. Thomas F. Blackwell, individually and in his capacity as treasurer of Monsma for Congress Committee, 829 N. Kentview Avenue, Grand Rapids, Michigan 49505.
- c. Monsma for Congress Committee, 829 N. Kentview Avenue, Grand Rapids, Michigan 49505.
- d. Thomas R. Donahue, individually and in his capacity as treasurer of American Federation of Labor-Congress of Industrial Organizations, Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- e. American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- f. Walter L. Oliver, individually and in his capacity as treasurer of Michigan State AFL-CIO COPE-Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- g. Michigan State AFL-CIO COPE-Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- h. Joseph F. Maloney, individually and in his capacity as treasurer of Political Education Fund of the Building and Construction Trades Department, 815 16th Street, N.W., Washington, D.C. 20006.

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- i. Political Education Fund of the Building and Construction Trades Department, 815 16th Street, N.W., Washington, D.C. 20006.
 - j. Keith A. Phelps, individually and in his capacity as treasurer of Grand Rapids Construction Trade Union Affiliates Political Action Committee, 1021 Fulton Avenue, N.W., Grand Rapids, Michigan 49504.
 - k. Grand Rapids Construction Trade Union Affiliates Political Action Committee, 1021 Fulton Avenue, N.W., Grand Rapids, Michigan 49504.

III. LIABILITY

3. Liability may be imposed upon the candidate, Stephen V. Monsma, Monsma for Congress Committee, AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, pursuant to 2 U.S.C. §441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) 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, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, 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)(1)(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 Stephen V. Monsma was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which Stephen V. Monsma; Monsma for Congress Committee and its treasurer; AFL-CIO COPE-PCC and its treasurer; Michigan State AFL-CIO COPE - Voluntary Fund and its treasurer; P.E.F.-B.C.T.D. and its treasurer; and Grand Rapids Construction Trade Union Affiliates PAC and its treasurer filed for the 1982 federal general election.

7. For the 1982 federal general election, excessive funds were contributed to Stephen V. Monsma, Monsma for Congress Committee and its treasurer by AFL-CIO COPE-PCC and its treasurer, Michigan State AFL-CIO COPE - Voluntary Fund and its treasurer, P.E.F.-B.C.T.D. and its treasurer, and Grand Rapids Construction Trade

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Union Affiliates PAC 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.

V. VIOLATIONS OF THE F.E.C.A.
BY
MONSMA FOR CONGRESS COMMITTEE
IN THE
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, Stephen V. Monsma, Monsma 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 SSFs, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, in the amount of \$5,850.00 (FIVE THOUSAND EIGHT HUNDRED FIFTY DOLLARS).

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10. Candidate Stephen V. Monsma, Monsma for Congress Committee and its treasurer, for the 1982 federal general election, accepted contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
9/15/82	\$1,000.00	AFL-CIO COPE-PCC	#82012332089
10/5/82	\$2,500.00	AFL-CIO COPE-PCC	#82012332089
10/1/82	\$1,500.00	Michigan State AFL-CIO COPE- Voluntary Fund	#82012332089
un- reported	\$ 500.00	P.E.F.-B.C.T.D.	
10/25/82	\$ 350.00	Grand Rapids Construction Trade Union Affiliates PAC	#83012404971
Total = <u>\$5,850.00</u>			

11. A running total of contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC would have put on notice Stephen V. Monsma, Monsma for Congress Committee and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) by October 5, 1982. On that date, Stephen V. Monsma, Monsma for Congress Committee and its treasurer could no longer lawfully accept any contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D., Grand Rapids Construction Trade Union Affiliates PAC or any

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other affiliated SSF of the AFL-CIO. In violation of 2 U.S.C. §441(f), Stephen V. Monsma, Monsma for Congress Committee and its treasurer accepted contributions from these contributors in the amount of \$500.00 (FIVE HUNDRED DOLLARS) and \$350.00 (THREE HUNDRED FIFTY DOLLARS). This amount exceeded the statutory monetary ceiling by \$850.00 (EIGHT HUNDRED FIFTY DOLLARS).

**VI. VIOLATIONS OF THE F.E.C.A.
BY
AFL-CIO COPE-PCC,
MICHIGAN STATE AFL-CIO COPE VOLUNTARY FUND,
P.E.F. - B.C.T.D.,
AND GRAND RAPIDS CONSTRUCTION TRADE UNION AFFILIATES PAC
IN THE
1982 FEDERAL GENERAL ELECTION**

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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, the Complainant believes that AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC, for the 1982 federal general election contributed to candidate Stephen V. Monsma, Monsma for Congress Committee and its treasurer a total of \$5,850.00 (FIVE THOUSAND EIGHT HUNDRED FIFTY DOLLARS).

13. AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE - Voluntary Fund, P.E.F.-B.C.T.D. and Grand Rapids Construction Trade Union Affiliates PAC contributed the following amounts:

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- a. On September 15, 1982, AFL-CIO COPE-PCC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032495326.)
 - b. On October 5, 1982, AFL-CIO COPE-PCC contributed \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032505299.)
 - c. On October 1, 1982, Michigan State AFL-CIO COPE Voluntary Fund contributed \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032520027.)
 - d. On October 14, 1982, P.E.F. - B.C.T.D. contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032544397.)
 - e. On October 25, 1982, Grand Rapids Construction Trade Union Affiliates PAC contributed \$350.00 (THREE HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032590253.)

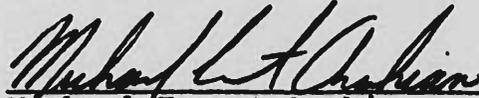
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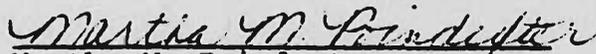
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VII. CONCLUSION

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

16. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions and that civil sanctions be imposed on the Respondents.


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March 16, 1984

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Feb. 29 1984
Date

James Edward Antosh
Complainant

DESIGNATED COUNSEL

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FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1646

Date Filmed 6/29/84 Camera No. --- 2

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