



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3293

DATE FILMED 11/5/91 CAMERA NO. 2

CAMERAMAN AS

91040872423



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

4 February 1991

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF MONTHLY UNAUTHORIZED COMMITTEES
FOR FAILING TO FILE THE 1990 12 DAY PRE-GENERAL
REPORT BY ELECTION DAY

Attached is a listing of thirty-five (35) monthly unauthorized committees which failed to file the 1990 12 Day Pre-General Report by Election Day, November 6, 1990.

For your information, each committee was sent Prior Notice of the due date of the report on October 1, 1990 (Attachment 36). Twenty-nine (29) of the committees were sent Non-Filer Notices on November 15, 1990 (Attachment 37). Six (6) of the committees

were not sent Non-Filer Notices because their 12 Day Pre-General Reports were filed by November 15, 1990.

If you have any questions, please contact Lisa Stolaruk at 376-2480.

Attachment

91040872424

C00006247

IUE Committee on Political Education
International Union/Electronic Electrical
Technical Salaried Machine Workers
AFL-CIO

91NF-35

91040872425

91040872426

**IUE CMTE ON POL EDU INT'L UNION/ELECTRONIC ELECTRICAL
TECH SALARIED MACH WORKERS AFL-CIO**

(Attachment 19a - 19b)

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1 NAME OF COMMITTEE (or the, THE COMMITTEE ON POLITICAL EDUCATION, INTERNATIONAL UNION OF ELECTRONIC, ELECTRICAL, SALARIED AND FURNITURE WORKERS AFL-CIO
ADDRESS (number and street) Check if different than previously reported

1126 16th Street, NW
CITY, STATE and ZIP CODE

Washington, DC 20036

90 NOV 15 11:10:51
2 FEC IDENTIFICATION NUMBER

C00006247
3 | The committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (Date)

4. TYPE OF REPORT

- (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)
 Termination Report
- Monthly Report Due On
 February 20 June 20 October 20
 March 20 July 20 November 20
 April 20 August 20 December 20
 May 20 September 20 January 31
- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
 Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5 Covering Period <u>10/1/90</u> through <u>10/17/90</u>		
6 (a) Cash on Hand January 1, 1990		\$ 239,790.40
(b) Cash on Hand at Beginning of Reporting Period	\$ 195,976.51	
(c) Total Receipts (from Line 18)	\$ - 0 -	\$ 156,846.74
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 195,976.51	\$ 396,637.14
7 Total Disbursements (from Line 28)	\$ 55,765.00	\$ 256,425.63
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 140,211.51	\$ 140,211.51
9 Debts and Obligations Owed TO the Committee (itemize all on Schedule C and or Schedule D)	\$	
10 Debts and Obligations Owed BY the Committee (itemize all on Schedule C and or Schedule D)	\$	

For further information contact:
Federal Election Commission
999 E Street NW
Washington DC 20463
Toll Free 800 424 9530
Local 202 376 3120

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

Type or Print Name of Treasurer

Edward Fire

Signature of Treasurer

Edward Fire

Date

11/15/90

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

FEC FORM 3X

(Revised 4/87)

2 J J 3 6 7 1 J J 3 3

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF		
					PAGES	MISCELLANEOUS LOCATION	
				TYPE OF FILER			
THE DATE ON FOR EACH INT'L DISBURSEMENT TO ELECTRICAL TECH SALARIES MATCH NUMBERS ARE-000 0000006247 NON-PARTY QUALIFIED							
CONNECTICUT ORGANIZATION: ELECTRICIAN MACH ELEM WORKERS; INTL UNION							
1988 ACKNOWLEDGEMENT OF FILING EFFICIENCY CHANGE							
	FEBRUARY MONTHLY	18,691	3,785	01JAN89	-01JAN89	1	69FED/300/4059
	NOTICE OF FAILURE TO FILE			1JAN89	-01JAN89	8	69FED/301/4480
	MARCH MONTHLY	72,759	21,183	1FEB89	-28FEB89	1	69FED/303/1810
	NOTICE OF FAILURE TO FILE			1FEB89	-28FEB89	8	69FED/301/4480
	APRIL QUARTERLY	-	-	1JAN89	-31MAR89	1	69FED/301/4480
	APRIL MONTHLY	5,564	18,785	1MAR89	-31MAR89	8	69FED/301/4480
	MAY MONTHLY	3,508	14,250	1APR89	-30APR89	8	69FED/307/3245
	NOTICE OF FAILURE TO FILE			1APR89	-30APR89	1	69FED/307/3245
	MID-YEAR REPORT	10,637	22,950	1MAY89	-30JUN89	8	69FED/300/4480
	YEAR-END	113,670	71,692	1JUL89	-31DEC89	11	69FED/303/1810
	YEAR-END - AMENDMENT	113,670	71,692	1JUL89	-31DEC89	8	69FED/301/4480
	1 OF LETTER INTERNATIONAL NOTICE			1JUL89	-31DEC89	1	69FED/301/4480
1990	MISCELLANEOUS NOTICE FROM SEC			14JUN90	-31DEC90	2	69FED/303/1810
	FEBRUARY MONTHLY	75,375	9,730	1JAN90	-31JAN90	1	69FED/301/4480
	MARCH MONTHLY	6,787	22,151	1FEB90	-28FEB90	8	69FED/301/4480
	APRIL MONTHLY	4,455	27,613	1MAR90	-31MAR90	8	69FED/307/3245
	MAY MONTHLY	3,237	20,675	1APR90	-30APR90	8	69FED/340/1693
	JUNE MONTHLY	4,073	17,100	1MAY90	-31MAY90	1	69FED/340/1693
	JULY MONTHLY	3,937	17,607	1JUN90	-30JUN90	7	69FED/340/1693
	AUGUST MONTHLY	2,778	8,950	1JUL90	-31JUL90	8	69FED/301/4480
	SEPTEMBER MONTHLY - AMENDMENT	2,778	8,950	1JUL90	-31JUL90	8	69FED/301/4480
	1 OF LETTER INTERNATIONAL NOTICE			1JUL90	-31JUL90	1	69FED/301/4480
	1 OF LETTER INTERNATIONAL NOTICE			1JUL90	-31JUL90	1	69FED/301/4480
	SEPTEMBER MONTHLY	32,596	38,742	1AUG90	-31AUG90	10	69FED/303/1810
	OCTOBER MONTHLY - AMENDMENT	32,596	38,742	1AUG90	-31AUG90	10	69FED/301/4480
	1 OF LETTER INTERNATIONAL NOTICE			1AUG90	-31AUG90	1	69FED/301/4480
	OCTOBER MONTHLY	17,939	39,230	1SEP90	-30SEP90	7	69FED/304/2576
	NOVEMBER MONTHLY - AMENDMENT	17,939	39,230	1SEP90	-30SEP90	7	69FED/301/4480
	YEAR-END	0	55,780	1OCT90	-31OCT90	8	69FED/301/4480
	NOTICE OF FAILURE TO FILE			1OCT90	-31OCT90	1	69FED/301/4480
	YEAR-END	11,151	43,543	1NOV90	-31NOV90	12	69FED/301/4480
	YEAR-END	75,463	100	1NOV90	-31NOV90	8	69FED/301/4480
	TOTAL	461,350	455,201			0	

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ALL REPORTS HAVE BEEN REVIEWED EXCEPT YEAR END
 ENDING CASH ON HAND AS OF 12/31/90: 174,631.00
 OUTSTANDING DEBTS OWED BY THE COMMITTEE AS OF 12/31/90: 0.00

REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACs

October 1, 1990

I. ALL MONTHLY FILERS

REPORT	REPORTING PERIOD	REG./CERT.	
		MAILING DATE*	FILING DATE
Pre-General	10/01/90**-10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

II. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17***

REPORT	REPORTING PERIOD	REG./CERT.	
		MAILING DATE*	FILING DATE
Pre-General	10/01/90**-10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

III. QUARTERLY FILERS WHICH DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17***

REPORT	REPORTING PERIOD	REG./CERT.	
		MAILING DATE*	FILING DATE
Post-General	10/01/90**-11/26/90	12/06/90	12/06/90

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) must follow the above charts in order to determine whether they must file the pre-general election report. All party committees and PACs, regardless of financial activity, must file the post-general election report.

WHAT MUST BE REPORTED

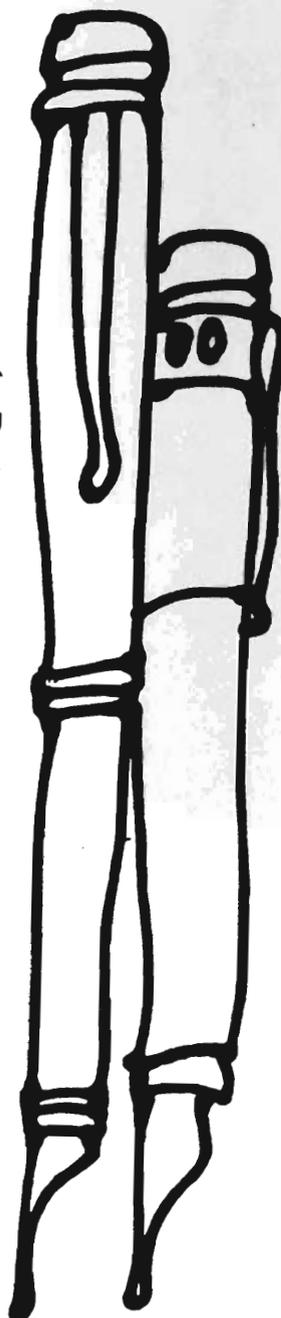
All financial activity (not previously reported) that occurred during the reporting period.

*Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

**The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

***Committees that made general election contributions or expenditures prior to October 1 which have not been previously reported must also follow the Chart II reporting requirements.

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PARTIES AND PACs

GENERAL ELECTION

REPORTING FORMS

Party committees and PACs use Form 3X (enclosed).

WHERE TO FILE

Consult the instructions on the back of the Form 3X Summary Page. Note State filing requirements also.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC which makes any independent expenditures aggregating \$1,000 or more during the period beginning October 18 and ending November 4 must report them within 24 hours. Call the FEC for more information.

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

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FOR INFORMATION, Call: 202/376-3120 or 800/424-9530



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-7

November 15, 1990

**TREASURER
COMMITTEE
STREET
CITY, STATE ZIP**

Identification Number: ID NUMBER

Reference: 12 Day Pre-General Report (10/1/90-10/17/90)

Dear **TREASURER**:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact **ANALYST** on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

91040872431

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral: 91NF 17 - 51
Staff Member: Noriega E. James

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS:

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91040872433

IUE Committee on Political Education
International Union/Electronic Electrical
Technical Salaried Machine Workers AFL-CIO and
Edward Fire, as treasurer (91NF-35)

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RELEVANT STATUTES: 434(a)(4)(B)
INTERNAL REPORTS CHECKED: Referral Materials
FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the above thirty-five (35) committees and their treasurers to the Office of the General Counsel on February 5, 1991. The basis of the attached RAD referral is the committees' failure to file the

1990 12 Day Pre-General Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(B).

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(B). According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

With regard to the 1990 general election, unauthorized committees were required to file a 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. The committees referred by RAD failed to file the 1990 Pre-General Report or a report covering the pre-election period by the required deadline. However, seven of the committees filed 1990 November Monthly Reports with coverage dates of October 1 through 31, 1990. These reports

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were received after the due date for the 12 Day Pre-General Report.

On October 1, 1990, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 25, 1990 (Attachment 1, pages 177 - 178). Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 15, 1990 (Attachment 1, page 179).

Accordingly, the Office of the General Counsel recommends that the Commission open Matters Under Review and find reason to believe that 34 of the 35 previously referenced committees and their treasurers (See Recommendation I) violated 2 U.S.C. § 434(a)(4)(B) by failing to file timely the 1990 12 Day Pre-General Report.

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

This Office also recommends that the Commission offer to enter into conciliation with the respondents prior to a finding of probable cause to believe.

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PAGES 7 THROUGH 27 DO NOT PERTAIN TO THESE RESPONDENTS.

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IV. RECOMMENDATIONS

1. Open Matters Under Review, find reason to believe that the following committees and their treasurer violated 2 U.S.C. § 434(a)(4)(B) and enter into conciliation prior to a finding of probable cause to believe:

A.

B.

C.

D.

E.

F.

G.

H.

I.

J.

K.

L.

M.

N.

O.

P.

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Q.

R.

S. IUE Committee on Political Education International
Union/Electronic Electrical Technical Salaried
Machine Workers AFL-CIO and Edward Fire, as
treasurer (91NF-35)

T.

U.

V.

W.

X.

Y.

Z.

AA.

BB.

CC.

DD.

EE.

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FF.

GG.

HH.

2.

3. Approve the attached Factual and Legal Analyses and proposed conciliation agreements and the appropriate letters.

Lawrence M. Noble
General Counsel

5/2/91
Date

BY: *Lois G. Lerner*
Lois G. Lerner
Associate General Counsel

Attachments:

- 1. RAD Referral
- 2. Factual and Legal Analysis (34)
- 3. Conciliation Agreement (34)

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Thirty-five (35) Committees and) RAD Referrals
their treasurers) #91NF 17-51)

CERTIFICATION

I, Marjorie W. Emmons, do hereby certify that
the Commission took the following actions with respect
to the above-captioned referrals:

1. Decided by a vote of 6-0 to
 - a) Open Matters Under Review, find reason to believe that the following committees and their treasurer violated 2 U.S.C. § 434(a)(4)(B) and enter into conciliation prior to a finding of probable cause to believe:
 - A.
 - B.
 - C.

(continued)

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D.

E.

F.

G.

H.

I.

J.

K.

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(continued)

L.

M.

N.

Q.

P.

Q.

R. IEU Committee on Political
Education International Union/
Electronic Electrical Technical
Salaried Machine Workers AFL-CIO
and Edward Fire, as treasurer
(91NF-35)

S.

(continued)

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Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 4

T.

U.

V.

W.

X.

Y.

Z.

AA.

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(continued)

BB.

CC.

DD.

EE.

FF.

GG.

b)

c) Approve the Factual and Legal Analyses
and proposed conciliation agreements
and the appropriate letters as
recommended in the General Counsel's
Report dated May 2, 1991.

(continued)

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Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 6

Commissioners Aikens, Elliott, Josefiak, ds
McDonald, McGarry, and Thomas voted
affirmatively for this decision.

Attest:

5-17-91
Date

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 28, 1991

Edward Fire, Treasurer
IUE Committee on Political Education
International Union/Electronic Electrical
Technical Salaried Machine Workers AFL-CIO
1126 16th Street, N.W.
Washington, DC 20036

RE: MUR 3293
IUE Committee on Political Education
International Union/Electronic
Electrical Technical Salaried Machine
Workers AFL-CIO and
Edward Fire, as treasurer

Dear Mr. Fire:

On May 14, 1991, the Federal Election Commission found that there is reason to believe IUE Committee on Political Education International Union/Electronic Electrical Technical Salaried Machine Workers AFL-CIO ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

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Edward Fire, Treasurer
Page 2

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Vice Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

91040872450

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR: 3293

RESPONDENTS: IUE Committee on Political Education International Union/Electronic Electrical Technical Salaried Machine Workers AFL-CIO and Edward Fire, as treasurer

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(B). According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

With regard to the 1990 general election, unauthorized committees were required to file a 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. The above referenced committee failed to file the 1990 Pre-General Report or a report covering the pre-election period by the required deadline. Therefore, there is reason to believe the IUE Committee on Political Education International Union/Electronic Electrical Technical Salaried Machine Workers AFL-CIO and Edward Fire, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file the 1990 12 Day Pre-General Report.

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06-1514

**International Union of Electronic, Electrical,
Salaried, Machine and Furniture Workers, AFL-CIO**



William H. Bywater, International President - Edward Fire, Secretary-Treasurer

June 10, 1991

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, NW, Rm. 657
Washington, D.C. 20463

Re: MUR 3293

Dear Mr. Noble:

On May 31, 1991, Edward Fire, Treasurer of the IUE Committee on Political Education ("IUE COPE"), received a letter from Vice Chairman Joan D. Aikens, stating that the Federal Election Commission has found that there is reason to believe that IUE COPE and its treasurer violated 2 U.S.C. § 434(a)(4)(B). This letter will demonstrate that no further action should be taken against IUE COPE and its treasurer and further constitutes acceptance of the Commission's offer to enter into negotiations aimed at reaching a preprobable cause conciliation agreement.

In support of our position that no further action is warranted, we are enclosing the Affidavit of William Gray, Senior Accountant for International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO. As explained by Mr. Gray, among his job duties is the preparation and filing of reports required under the Federal Election Campaign Act, under the supervision and direction of Mr. Fire. Mr. Gray prepared and filed IUE COPE's 1990 pre-general election report, which is the subject of the instant proceeding.

Mr. Gray was unaware of the filing requirement until on or about November 14, 1990, when he telephoned the Commission about an unrelated matter. The Commission representative with whom Mr. Gray spoke told him at that time that IUE COPE had failed to file the required pre-general election report. Mr. Gray immediately began work on the report, which was filed on November 15, 1990.

During the telephone conversation with Mr. Gray, the Commission representative further stated that IUE COPE should have received a notice in advance of the filing due date. Mr. Gray does not recall ever having seen any notice relating to the pre-general election report. All correspondence from the Commission is sent directly to Mr. Fire, who forwards it

RECEIVED
FEDERAL ELECTION COMMISSION
91 JUN 12 AM 9:36

RECEIVED
FEDERAL ELECTION COMMISSION
91 JUN 12 PM 2:33

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immediately to Mr. Gray. Mr. Fire has informed me that he has no recollection of any such notice being received from the Commission.

The first letter from the Commission concerning the late filing of the pre-general election report was dated December 14, 1990, and was received on December 18th. The letter, which was sent by the Reports Analysis Division, noted late filing of the February, March and May monthly reports as well as the pre-general election report. The letter further stated: "This communication is to advise you that, notwithstanding any matters which may be pending before the Commission, any additional report which is not submitted in a timely manner by your committee may result in the Commission initiating legal enforcement or audit action."

In a letter dated January 14, 1991, Mr. Gray explained the reasons for the late filings. The late filing of the monthly reports was due to confusion engendered by an attempt to change to reporting on a quarterly rather than a monthly basis. That attempt, which was initiated at the suggestion of the Commission, was unsuccessful and has been abandoned. With respect to the pre-general election report, Mr. Gray stated: "Concerning the report which was due 10/25/90 covering (10/1/90 -10/17/90) this report was overlooked and I apologize for this oversight." For your reference, the December 14 and January 14 letters are attached as Exhibits A and B to Mr. Gray's affidavit.

IUE COPE did not receive any further correspondence from the Commission concerning the pre-general election report until the letter dated May 28, 1991.

In these circumstances, we submit that no further action is warranted. Mr. Gray did not receive any advance notice of the filing requirement from the Commission and corrected his oversight immediately upon learning of it. He acknowledged his error in his letter of January 14, 1991, and has complied with all subsequent deadlines. In addition, in conjunction with the IUE Legislative Department, Mr. Gray is conducting a review of all filing requirements under the Federal Election Campaign Act and will prepare an updated schedule to ensure that future reports will be filed in a timely manner.

9 1 0 4 0 3 7 2 4 5 3

Accordingly, IUE COPE and its treasurer, Edward Fire, respectfully request that no further action be taken in this matter. In addition, we hereby accept the Commission's offer to enter into negotiations aimed at reaching a preprobable cause conciliation agreement.

Respectfully submitted,

Louise P. Zana

Louise P. Zana
Assistant General Counsel

Enclosure

cc: Mary Ann Bungarner, Attorney

91040872454

AFFIDAVIT OF WILLIAM GRAY

I, William Gray, state as follows:

1. I am employed by the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO. My job title is Senior Accountant. One of my job responsibilities is to prepare and file, under the direction of Edward Fire, Treasurer of IUE COPE, all reports required under the Federal Election Campaign Act.

2. I was unaware that IUE COPE was required to file a 1990 pre-general election report until on or about November 14, 1990, when I telephoned the Federal Election Commission about an unrelated matter. The Commission representative with whom I spoke informed me at that time that IUE COPE had failed to file a pre-general election report. I immediately began work on the report, which was filed on November 15, 1991.

3. During the telephone conversation described in Paragraph 2 above, the Commission representative further stated that IUE COPE should have received a notice in advance of the filing due date. I do not recall ever having seen any notice relating to the pre-general election report. All correspondence from the Commission is sent directly to Mr. Fire, who forwards it immediately to me.

4. On December 18, 1990, Mr. Fire received a letter dated December 14, 1990 from the Commission's Reports Analysis Division

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concerning the late filing of the pre-general election report. In a letter dated January 14, 1991, I replied to the Commission's letter. Copies of both letters are attached as Exhibits A and B. No further correspondence concerning the pre-general election report was received until the letter dated May 28, 1991.

5. To the best of my knowledge, since November 15, 1990, IUE COPE has submitted all reports required under the Federal Election Campaign Act in a timely manner. In addition, at Mr. Fire's direction and in conjunction with the IUE Legislative Department, I am conducting a review of all filing requirements under the Federal Election Campaign Act and will prepare an updated schedule to ensure that future reports will be filed on time.

I, William Gray, declare under penalty of perjury that the foregoing is true and correct.

Executed on 6-7-91.

William E. Gray II

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 3293

NAME OF COUNSEL: Louise P. Zonar, Assistant General Counsel

ADDRESS: IUE

1126-16th St., NW

Washington, D.C. 20036

TELEPHONE: (202) 296-1206

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.

6-10-21
Date

Edward Fire
Signature

RESPONDENT'S NAME: IUE Committee on Political Education and

ADDRESS: Edward Fire, as Treasurer

1126-16th St., NW

Washington, D.C. 20036

HOME PHONE: _____

BUSINESS PHONE: (202) 296-1200

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RECEIVED
F.E.C.
SECRETARIAT

91 SEP 20 PM 3:29

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

IUE Committee on Political Education)
International Union of Electronic,)
Electrical, Salaried, Machine and)
Furniture Workers, AFL-CIO and)
Edward Fire, as treasurer)

MUR 3293

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Edward Fire, treasurer of the IUE Committee on Political Education International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO ("Respondents"). Attachment 1.

The attached agreement contains no changes from the agreement approved by the Commission on August 26, 1991. A check for the civil penalty has not been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the IUE Committee on Political Education International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO and Edward Fire, as treasurer.
2. Close the file.

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3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date 9/20/91

By: 
Lois G. Lerner
Assistant General Counsel

Attachments

1. Conciliation Agreement

Staff Assigned: Mary Ann Bumgarner

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
IUE Committee on Political Education)
International Union of Electronic,) MUR 3293
Electrical, Salaried, Machine and)
Furniture Workers, AFL-CIO and)
Edward Fire, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 25, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 3293:

1. Accept the conciliation agreement with the IUE Committee on Political Education International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO and Edward Fire, as treasurer, as recommended in the General Counsel's Report dated September 20, 1991.
2. Close the file.

(Continued)

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3. Approve the appropriate letter, as recommended in the General Counsel's Report dated September 20, 1991.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Aikens did not cast a vote.

Attest:

9-25-91
Date


Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., Sept, 19, 1991 3:29 p.m.
Circulated to the Commission: Mon., Sept, 20, 1991 11:00 a.m.
Deadline for vote: Wed., Sept, 24, 1991 11:00 a.m.

dr

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 1991
CLOSED

Ms. Louise P. Zanar
Assistant General Counsel
International Union of Electronic,
Electrical, Salaried, Machine and
Furniture Workers, AFL-CIO
1126 16th Street, N.W.
Washington, D.C. 20036

RE: MUR 3293
IUE Committee on Political
Education International Union of
Electronic, Electrical,
Salaried, Machine and
Furniture Workers, AFL-CIO
and Edward Fire, as treasurer

Dear Ms. Zanar:

On September 25, 1991, the Federal Election Commission accepted the signed conciliation agreement submitted by the IUE Committee on Political Education International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO and Edward Fire, as treasurer, in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. I remind you that the civil penalty is due within 30 days of the conciliation

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Louise P. Zanar
Page 2

agreement's effective date. If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

91040872463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
IUE Committee on Political Education) MUR 3293
International Union of Electronic,)
Electrical, Salaried, Machine and)
Furniture Workers, AFL-CIO and Edward)
Fire, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that IUE Committee on Political Education International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO and Edward Fire, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(B).

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

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

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

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

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

1. IUE Committee on Political Education International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Edward Fire is the treasurer of IUE Committee on Political Education International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, AFL-CIO.

3. Section 434(a)(4)(B) of the Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees, that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

4. Respondents were required to file the 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. Respondents failed to file the 1990 12 Day Pre-General Report or a report covering the pre-election period until November 15, 1990, 21 days late, disclosing \$0 in receipts and \$55,765 in disbursements for the relevant reporting period.

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V. Respondents failed to file the 1990 12 Day Pre-General Report in a timely fashion in violation of 2 U.S.C. § 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Eight Hundred and Fifty dollars (\$850), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: *Lois G. Lerner*
Lois G. Lerner
Associate General Counsel

9/30/91
Date

FOR THE RESPONDENTS:

Edward Fie
Name:
Position: SECRETARY-TREASURER
1UE AFL-CIO

9-16-91
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3293

DATE FILMED 11/4/91 CAMERA NO. 2

CAMERAMAN AS

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3293.

11/6/91

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International Union of Electronic, Electrical,
Salaried, Machine and Furniture Workers, AFL-CIO



003250

RECEIVED
FEDERAL ELECTION COMMISSION

91 OCT 25 PM 2:51

William H. Bywater, International President - Edward Fire, Secretary-Treasurer

CLOSED

October 24, 1991

91 OCT 25 PM 1:02

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, NW, Rm. 657
Washington, D.C. 20463

Re: MUR 3293: Payment of Civil Penalty Under
Conciliation Agreement

Dear Mr. Noble:

On behalf of the IUE Committee on Political Education and its Treasurer, Edward Fire, I enclose a check for \$850 payable to the Federal Election Commission. This payment is made pursuant to Paragraph VI of the Conciliation Agreement in the above matter.

In addition, this letter constitutes notification under Paragraph IX of the Agreement that Respondents have complied with and implemented the Agreement.

Respectfully submitted,

Louise P. Zanar

Louise P. Zanar
Assistant General Counsel

Enclosure

cc: Edward Fire
Lois G. Lerner, Associate General Counsel ✓
Mary Ann Bumgarner, Attorney

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3293.

12/17/91

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06C 3258

**International Union of Electronic, Electrical,
Salaried, Machine and Furniture Workers, AFL-CIO**



William H. Bywater, International President - Edward Fire, Secretary-Treasurer

RECEIVED

October 24, 1991

91 OCT 28 AM 10 20

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, NW, Rm. 657
Washington, D.C. 20463

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Respectfully submitted,

Louise P. Zanar

Louise P. Zanar
Assistant General Counsel

Enclosure

cc: Edward Fire
Lois G. Lerner, Associate General Counsel
Mary Ann Bumgarner, Attorney

91 OCT 25 PM 1:02

RECEIVED
FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

Oct 25, 1991

TWO WAY MEMORANDUM

TO: Fabrae Brunson
OGC, Docket

FROM: Philomena Brooks *PB*
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from IUE, check number 005012, dated Oct 24, 1991, and in the amount of \$ 850.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Philomena Brooks
Accounting Technician

FROM: Fabrae Brunson *FB*
OGC, Docket

In reference to the above check in the amount of \$ 850.00, the MUR number is 6293 and in the name of International Education League. The account into which it should be deposited is indicated below:

Maria de la Soledad Warden

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: _____

Fabrae Brunson
Signature

Oct 29, 1991
Date

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International Union of Electronic,
Electrical, Salaried, Machine
& Furniture Workers AFL—CIO



SPECIAL ACTIVITIES FUND

THE AMALGAMATED BANK OF NEW YORK
11-15 Union Square, New York, N.Y.

005012

1-337
260

CHECK DATE
10/24/91

CHECK NO.
5012

PAY

EIGHT HUNDRED FIFTY AND 00/100 DOLLARS**

TO THE
ORDER
OF

FEDERAL ELECTION COMMISSION

PAY THIS AMOUNT

\$**850.00*

William H. Bywater
President

Edward P. ...
Secretary - Treasurer

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