



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4197

DATE FILMED 5-3-95 CAMERA NO. 4

CAMERAMAN S.E.G

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

SENSITIVE

MEMORANDUM

APR 28 1992

EXECUTIVE SESSION

TO: The Commission
FROM: Vice Chairman Thomas
Commissioner Potter
DATE: April 23, 1992
RE: Possible Pre-Murs
(Corporate Contributions)

SUBMITTED LATE

In accordance with the Commission's current Directive Six, we recommend that the Commission refer the attached accounts of recent and potentially illegal corporate activity to the Office of General Counsel. These accounts have already been circulated to the Commissioners by the Commission's Press Office as part of the news summary process.

We do not take this step lightly, and are doing so on a bipartisan basis to ensure impartiality. We have chosen not to wait until the Commission has considered revising the Directive Six procedures because we believe these matters are of sufficient potential importance that they should be dealt with on an expedited basis.

In our joint view, the use of corporate resources on behalf of federal candidates is a potentially serious problem at this time. Allegations of possible coercion make some matters even more disturbing. Whether any of the corporations identified in these materials in fact violated the law is a matter for investigation, and cannot now be determined.

Our request that the Commission refer this matter to the Office of General Counsel does not mean that we will be proposing many similar referrals, nor that OGC should in the future devote resources only to corporate-type MURS. However, we believe that the Commission would be remiss if it did not at least investigate these particular corporate matters at this time.

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CHECOTA FIRM WORKERS URGED TO AID RACE

by Craig Gilber, Milwaukee Journal, 4/15/92

* Many of businessman Joe Checota's more than 100 employes were asked recently to contribute a portion of their salaries to Checota's US Senate campaign, according to four people who work for his Milwaukee company, Universal Medical Buildings. Workers in at least two departments at the firm were called in personally by their bosses on the last day of March and urged to make campaign contributions, said employes who spoke to The Journal.

Three employes said they and their co-workers were summoned into meetings with supervisors that day and asked to give 1% of their yearly salary to the campaign.

Others were solicited over the phone by company executives and asked to give whatever amount they wished, the employes said.

Employes were not ordered to donate, they said, but some were asked a second time after initially declining. Some decided to contribute, some didn't.

Of four employes who spoke to The Journal, three said they regarded the solicitations from supervisors, department heads and high-ranking executives as being highly inappropriate. A fourth wasn't disturbed by the request for a contribution, and said it was made in a non-threatening way.

* Checota

Each spoke to The Journal on the condition that their names not be used. Those who complained about the solicitations said they feared losing their jobs if their identities were known.

* "I would call it extortion," one professional employed at Checota's firm said of the requests for campaign donations.

* In response, a Checota campaign spokesman said Tuesday that if any employes were put on the spot or pressured to contribute, it was not at Checota's direction.

* "If it happened that way, it doesn't sound appropriate," said Checota's political consultant, Bill Christofferson. But, he said, "I have no way of knowing" if the allegations are true.

* "I can tell you flat-out that Checota did not direct that to be done," Christofferson said. "Checota himself has not solicited anyone in the company. Checota himself has made it quite clear to the company's employes that they were not required to give."

According to a spokesman for the Federal Elections Commission, federal law does not directly address situations in which employes of candidates are asked to give to a candidate's campaign.

* Asked if he would make Checota available to discuss the matter with a reporter, Christofferson said no. A message was left at Checota's home Tuesday night, but he did not return the call.

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"He doesn't have anything to say about it. He would say what I have just said, except that I probably know more about it than he does," Christofferson said.

* Checota, 52, is chairman and chief executive officer of Universal Medical Buildings, a company that develops medical buildings around the country. A self-made multimillionaire who has never held elected office, he is one of three Democrats seeking the job now filled by Republican Sen. Bob Kasten. He has said he plans to spend \$5 million on the race, half of it his own money and half of it raised from campaign contributors.

* Checota's latest campaign finance report indicates 15 mostly high-ranking company employes had given to the campaign as of March 31, the day contributions from employes were requested.

Official Hopes It Didn't Happen

Two Universal vice presidents reached by The Journal refused to comment on the solicitations or on their own contributions to the campaign. Company controller Edith Peters, who is also treasurer of the Checota campaign, said:

"I know of nothing inappropriate that has gone on. People overreact. There are some people around here who are very gung-ho about Joe, and I suppose there are some that don't like Joe."

As for department heads pressing employes for contributions, "I would certainly hope that it didn't happen," she said. "I can't say it didn't happen. I certainly hope it didn't."

"Joe made it perfectly clear a long time ago he didn't want anyone to feel that their jobs would be in jeopardy over this campaign."

* Employes who spoke to The Journal said they believed most of their co-workers at the company were asked for campaign contributions on or about March 31, the date of an evening fund-raiser for Checota to which many employes had been invited.

A 'Revolving Door' of Employes

Two of the employes who spoke to The Journal said they and their co-workers were called in individually to see a supervisor that day.

* "The way it was explained to me was we were being asked to cheerfully donate 1% of our salary to Joe Checota," said one employe. "They said it would be very nice if we gave today."

The employe described being stunned by the request.

"Basically, my direct supervisor was asking," the employe said. "This is something that is unacceptable behavior. Most people were kind of flabbergasted."

Another employe told a similar story, saying there was a "revolving door" of employes called in to see their supervisors March 31. The person asking for contributions was "the same [person] who doles out raises, bonuses, hires and fires," this employe said.

The employe said he was told by that supervisor: "We're asking all of our employes to donate one point of our annual income to the campaign."

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* The supervisor suggested an exact dollar amount as a gift to the Checota campaign, the employe said, and was told to regard it as a "personal contribution, not a political one."

The employe said the supervisor "did say it was optional but also called back two people (the next day) and asked them where their checks were."

The employe called the situation an "absolute outrage."

"Because the company is really run with an iron fist, the unspoken part of it was if you value your position in the company you will consider making a contribution," the employe said.

A third employe who described being solicited by a company executive was also indignant about the incident.

* "Nobody says no to Joe Checota. That's the atmosphere there. If you say no, you really don't know what to expect," said the employe. "He's the guy that signs our paychecks."

Not All Employes Objected

A fourth employe described being solicited by two higher-ups at the company in a meeting March 31.

"It was strongly suggested we give," said the employe, who was also asked to contribute 1% of salary, and like the others was asked to make a contribution that very day.

But this employe was not offended by the request or the way in which it was made. The employes who spoke to The Journal work in three different areas of the company. Several employes in other departments at the firm refused comment Tuesday night.

Employes at Universal fall into several different areas, such as marketing, sales and leasing, accounting, design and production, pricing and estimating and construction management.

* As evidence that Checota had made it clear to employes they were not obligated to give to his campaign, Christofferson cited the invitation Checota sent employes to his fund-raiser on March 31. It noted, "no contribution is required; your presence is the important thing."

End of Story Reached

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

RECEIVED

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

STAFF MEMBERS: Jonathan Bernstein
Richard Vuernick

SOURCE: INTERNALLY GENERATED

RESPONDENTS:

Joe Checota
Joe Checota for Senate Campaign,
and Edith Peters, as treasurer
Universal Medical Buildings

RELEVANT STATUTES:

2 U.S.C. § 441b(a)

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I. GENERATION OF MATTER

On April 28, 1992, the Commission determined to refer this matter to the Office of the General Counsel for its analysis and recommendations.

The matter arises from news clippings compiled by the Commission's Press Office in the ordinary course of its operations and involves a number of different transactions, events, and entities. All of the reports have a common denominator: the apparent use of business firm resources to raise substantial sums of money for federal election campaigns. the fact patterns, involving Universal Medical Buildings, raise the possibility of coercion of employees and subordinates. As this report will discuss, the articles along with other information compiled from public sources by this Office point to potential violations of law which may be substantial. Therefore, the Office of the General Counsel recommends reason to

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believe findings and initiation of a complete investigation to fully explore the activities and events.

Although some documentary evidence is already in the Commission's possession with respect to the activities, the primary source of the allegations is in the form of news articles. These articles describe the activities at issue as well as quote responses to reporters' questions by the actors involved. It is important to note that this Office does not view these articles as actual evidence of the facts reported or the statements quoted. Rather, as contemplated by Directive Six, these articles play a more limited role: as a predicate for initiation of an investigation.

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II. LEGAL PRINCIPLES

Corporate Prohibition

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation to make a contribution or expenditure in connection with a Federal election, or for a candidate or political committee knowingly to accept such a contribution. It is also unlawful for any corporate officer or director to consent to any such contribution. This broad prohibition extends to "anything of value" given to a federal candidate or campaign. 2 U.S.C. § 441b(b)(2).

Although corporations are prohibited from making any such contribution, the Act exempts a corporation's internal communications with its executive and administrative personnel. 2 U.S.C. § 441b(b)(2)(A).^{2/} The Commission's regulations permit a corporation to make partisan communications to its restricted class, including endorsing candidates and urging their support. 11 C.F.R. § 114.3(a)(1),(c)(1); Advisory Opinions 1987-29, 1982-2. The Commission has repeatedly made clear, however, that corporations may not step beyond the line of "communication" to actually collecting contribution checks or otherwise facilitating the making of contributions to a Federal candidate. See Advisory Opinions 1987-29, 1986-4, 1982-2, and 1977 Explanation and Justification (describing permissible corporate communication).

Other Commission regulations provide that employees of a

^{2/} Elaboration of the class of corporate employees that fall within this exception is found at 2 U.S.C. § 441b(b)(7) and 11 C.F.R. § 114.1(c) of the Commission's regulations.

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corporation may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R.

§ 114.9(a)(1). Employees must reimburse the corporation only for any increased overhead or operating costs. Id. In MUR 1690, however, this Office advised the Commission that "the plain intent of [11 C.F.R. § 114.9(a)]... excludes from the scope of 'individual volunteer activity' collective enterprises where the top executives of firms direct their subordinates in fundraising projects..., use resources of the corporation such as lists of vendors and customers..., solicit whole classes of corporate executives and employees..., or attempt to ensure that the corporation is the beneficiary of the candidate's appreciation...." General Counsel's Report dated October 2, 1986. See also MUR 2668, General Counsel's Report dated November 17, 1988 at pp. 7-8 (corporate president's use of corporate television network to contact employees and systematic involvement of corporate vice-presidents is basis for analysis that activity is outside "individual volunteer activity").

In summary, where fundraising activities involve the use of corporate resources and facilities and such activities are beyond the safe harbor of the Act and regulation's exceptions, the corporation has contributed something "of value" to the beneficiary candidate, in violation of section 441b.

Additionally, the manner in which company fundraising from employees or vendors takes place may have consequences under other generally applicable provisions of the Act. Where contributions

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are "earmarked or otherwise directed through an intermediary or conduit to such candidate," the Act requires the "intermediary or conduit" to report such transmissions. 2 U.S.C. § 441a(a)(8). The Commission's regulations in this area, newly revised in 1989, define "conduit or intermediary" to include "any person who receives and forwards an earmarked contribution to a candidate," 11 C.F.R. § 110.6(b)(2), and explains that campaign employees, full-time volunteers, or individuals who have significant positions within the campaign who are expressly authorized to fundraise are not conduits for purpose of the regulations. 11 C.F.R. § 110.6(b)(2)(i)(A), (E).

Under these regulations, if a person collects contributions as a conduit, and exercises "direction or control" over the making of the contribution, the contribution is chargeable to the conduit's limit for the recipient candidate in addition to the limit of the actual donor.^{3/} 11 C.F.R. § 110.6(d)(2). This regulation was based on the 1974 Conference Committee Report on the earmarking provision at section 441a(a)(8), stating that "if a person exercises any direct or indirect control over the making of a contribution, then such contribution shall count toward the limitation imposed with respect to such person" under the Act.

^{3/} Furthermore, in AO 1980-46 the Commission stated that expenditures made by the conduit or intermediary for the purpose of solicitation are considered in-kind contributions to the candidate and are reportable as such. 2 U.S.C. § 434. Once the conduit collects and forwards the checks to the candidate, the candidate's acceptance of the checks constitutes acceptance of the costs incurred by the conduit in connection with the solicitation. See AO 1980-46.

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H.R. Conf. Rep. No. 93-1438, 93rd Cong., 2d Sess. 51 (1974), reprinted in Legislative History of the Federal Election Campaign Act Amendments of 1974, at 995, 996 (1977). Corporations are explicitly forbidden from acting as conduits for contributions. 11 C.F.R. § 110.6(b)(2)(ii). Nonetheless, following Congress' broadly expressed intent, corporations that exercise any control over contributions should be responsible for these contributions, i.e. the contributions themselves are chargeable to the corporation.

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The Commission articulated this position in Advisory Opinion 1986-4. There, the Commission concluded that where a company collects contributions to candidates from its executives, actively persuading its executives to participate, and deciding what candidate would be supported and in what amount, the corporation would "exercise direction and control over the making of such earmarked contributions as well as act as the conduit and intermediary for them."^{4/} It follows that if a company through its officers employs coercive tactics in order to collect contributions, it plainly exercises control over the contributions. "[Where] a job or livelihood may be jeopardized by a refusal to comply, and the contact between solicitor and solicitee may be direct and personal . . . the potential clearly exists for earmarked contributions to have been 'directed or controlled' by means of coercion, harassment, or undue pressure."

^{4/} Section 441b's broad prohibition of "direct or indirect" gifts of anything of value, see 2 U.S.C. § 441b(b)(2), provides further support for this conclusion.

Statement of Reasons, Commissioner Josefiak, MUR 2282, p. 14.

Thus, in addition to contributing something "of value" by facilitating the making of contributions, under the settled principles discussed above, the resulting contributions would be chargeable to the company itself. Indeed, this conclusion should follow in any circumstances similar to that envisioned in AO 1986-4 where a company orchestrates a fundraising activity for the benefit of a specific candidate and asks a class of its employees to participate.

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Liability of Campaign Committees

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Section 441b(a) makes it illegal for political committees to knowingly accept or receive contributions from prohibited entities such as corporations. 2 U.S.C. § 441b(a). An analogous prohibition exists in the statute governing federal contractors. 2 U.S.C. § 441c(a)(2) (unlawful for any person "knowingly to solicit" contributions from government contractors). In the case of fundraising by a corporation or a government contractor, if there is proof of the committee's knowledge of the circumstances under which the contributions were raised, there is a basis for finding that the committee knowingly accepted prohibited contributions.

Where corporate officers act on behalf of political committees and are given fundraising duties and roles, it suggests that these individuals may have been authorized to raise funds on behalf of the committee. See 11 C.F.R. § 102.8(b) (setting out obligations of "[e]very person who receives a contribution . . . for a political committee"); cf. 11 C.F.R. § 110.6(b)(2)(E) (describing persons who are not conduits); 11 C.F.R. § 109.1(b)(5)

(definition of "agent" for purpose of making expenditures). In such a situation, under settled principles of agency law the committee is charged with the knowledge of its agents and may be liable for having knowingly accepted prohibited contributions.

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III. FACTS AND ANALYSIS

Pages 11-27 do not apply to these respondents and thus have been deleted from this file.

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E. Universal Medical Buildings

Joe Checota is a U.S. Senate candidate and the Chairman and Chief Executive Officer of a Milwaukee corporation, Universal Medical Buildings. Many of Mr. Checota's more than 100 employees at University Medical Buildings were reportedly asked to contribute a portion of their salaries to his U.S. Senate Campaign. "Checota Firm Workers Urged to Aid Race," Milwaukee Journal, April 15, 1992 (Attachment S, 1). According to three

employees (none of whom would be publicly identified), they and their co-workers were called into meetings with their supervisors on March 31, 1992, the date of a Checota fundraiser, and allegedly asked to give 1% of their yearly salary to the campaign.^{20/} Company executives reportedly solicited other employees over the phone and asked them to give whatever amount they wished. Although the article states that employees were not ordered to donate, some were asked a second time after initially declining.^{21/}

Three of the four Checota employees the Milwaukee Journal interviewed reportedly regarded the solicitations as highly inappropriate. The Journal reported that one employee said that there was a "revolving door" of employees called in to see their supervisors on March 31, 1992. The same employee was reportedly told by a supervisor: "We're asking all of our employees to donate one point of our annual income to the campaign." Milwaukee Journal, April 15, 1992 (Attachment S, 2).

Mr. Checota's campaign reportedly denied his involvement with the requests. According to the Journal article, Bill Christofferson, Mr. Checota's political consultant, stated:

I can tell you flat-out that Checota did not direct

^{20/} The contributor chart shows that 18 contributions totaling \$13,000 were made by Universal Medical Buildings employees, 15 of which totaling \$10,900 were made on March 31, 1992, the reported date of the Checota fundraiser (Attachment C, 5).

^{21/} According to the Journal article, one employee who was upset over the solicitation revealed: "Nobody says no to Joe Checota. That's the atmosphere there. If you say no, you really don't know what to expect. He's the guy that signs our paychecks." Milwaukee Journal, April 15, 1992 (Attachment T, 3).

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that to be done. Checota himself has not solicited anyone in the company. Checota himself has made it quite clear to the company's employees that they were not required to give.

The article states that Mr. Christofferson pointed out the invitation sent to employees for the March 31 fundraiser read: "no contribution is required; your presence is the important thing."

As previously set forth, section 441b prohibits corporations from contributing anything of value to federal candidates. A corporate effort to collect contributions from most of a company's employees would fall outside the exception for individual volunteer activity, 11 C.F.R. § 114.9(a)(1), as well as the exception for internal communications, 11 C.F.R. § 114.3(a)(1). Such corporate fundraising for federal candidates would result in a donation of something of value to the recipient campaign in violation of section 441b(a). Further, in light of this corporation's alleged direct appeal to subordinates, the alleged frequency of appeals, as well as the candidate to whom the contributions were to be made, Universal Medical Buildings may have exercised direction or control over the resulting contributions. See AO 1986-4. Therefore, this Office recommends the Commission find reason to believe that Universal Medical Buildings violated 2 U.S.C. § 441b(a).

As chairman of the company, Joe Checota reportedly knew of the organized solicitation done on his behalf -- his protests in the press dealt mainly with the idea that the employees were not coerced. Thus, Checota may have consented to the corporate

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contributions and so this Office recommends the Commission find reason to believe that Joe Checota violated 2 U.S.C. § 441b(a). If in fact Mr. Checota consented to the contributions, he was simultaneously the benefiting candidate. Indeed, Edith Peters, the treasurer of the Joe Checota for Senate Campaign, is also the controller of the company. Therefore, the Joe Checota for Senate Campaign and Mr. Checota as the candidate, may have accepted something of value from the corporation, in violation of section 441b. Therefore, this Office recommends the Commission find reason to believe that the Joe Checota for Senate Campaign and Edith Peters, as treasurer, and Joe Checota violated 2 U.S.C. § 441b(a).

IV. INVESTIGATION

With respect to the firm involved in the fundraising events, this Office will seek all letters, memos, and records of oral and written communications related to the events from:

Universal Medical Buildings

Because of this Office's desire to proceed expeditiously in this matter, this Office recommends that the Commission issue subpoenas, and we have attached a sample subpoena for documents (Attachment V, page 1). Additionally, this Office recommends that the Commission approve deposition subpoenas to all of the above-listed firms to present persons knowledgeable of the circumstances under which contributions were raised (sample at Attachment U, page 1). Also, this Office recommends deposition

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subpoenas for the following individuals identified by the news reports as persons involved with the raising of contributions:

Joe

Checota; and Edith Peters.

To fully explore whether corporate facilitated contributions were made, this Office will also seek information from the recipient committees. This Office has prepared more limited document subpoenas to the committee to discover communications (both oral and written) relating to fundraising activities between the firm listed above and the following committee :

Joe Checota for Senate Campaign (sample at Attachment V, page 5). Also, this Office has attached a sample deposition subpoena to the Committee to present all persons who had contacts with the above-listed firms and their representatives (Attachment U, page 2).

V. RECOMMENDATIONS

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Find reason to believe that Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer, violated 2 U.S.C. § 441b(a).

Approve deposition and document subpoenas to:

Universal Medical Buildings

Joe Checota

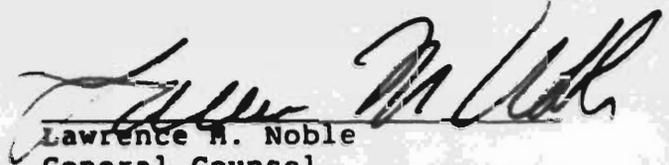
for Senate Campaign

Joe Checota,
Edith Peters

Approve the attached Factual and Legal Analyses.

Approve the appropriate letters.

Date 9/29/92


Lawrence M. Noble
General Counsel

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UNIV. MEDICAL	HAIDER, SALMAN	24-MAR-1992	CHECOTA	\$100.00
UNIV. MEDICAL	HAINES, WALLACE	27-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	HAINES, WALLACE	27-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	BULIC, PETAR	31-MAR-1992	CHECOTA	\$300.00
UNIV. MEDICAL	CHADDERTON, TERRI	31-MAR-1992	CHECOTA	\$750.00
UNIV. MEDICAL	DUNLAP, KIRK	31-MAR-1992	CHECOTA	\$250.00
UNIV. MEDICAL	HAIDER, SALMAN	31-MAR-1992	CHECOTA	\$850.00
UNIV. MEDICAL	KUCHARCZYK, STEPHEN	31-MAR-1992	CHECOTA	\$750.00
UNIV. MEDICAL	MANCUSO, GARY	31-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	O'BRIEN, F. MICHAEL	31-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	ROBB, JOHN	31-MAR-1992	CHECOTA	\$500.00
UNIV. MEDICAL	SCHROEDER, JON & CAROL	31-MAR-1992	CHECOTA	\$750.00
UNIV. MEDICAL	SEEMAN, KENNETH	31-MAR-1992	CHECOTA	\$500.00
UNIV. MEDICAL	SENECHAL, RICHARD	31-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	SPENCER, J.W.	31-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	STRACHAN, DAVID	31-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	STRACHAN, DAVID	31-MAR-1992	CHECOTA	\$1,000.00
UNIV. MEDICAL	THEDER, MARK	31-MAR-1992	CHECOTA	\$250.00
			TOTAL CONTRIBUTIONS:	\$13,000.00

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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Joe Checota;
Joe Checota for Senate Campaign, and
Edith Peters, as treasurer;
Universal Medical Buildings

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session on October 20,
1992, do hereby certify that the Commission took the
following actions

(continued)

Decided by a vote of 6-0 to open a MUR.

Commissioners Aikens, Elliott, McDonald,
McGarry, Potter, and Thomas voted
affirmatively for the decision.

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(continued)

Federal Election Commission
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(continued)

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Page 4

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(continued)

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r
Decided by a vote of 6-0 to find reason
to believe that Universal Medical
Buildings, Joe Checota, and the Joe Checota
for Senate Campaign, and Edith Peters as
treasurer, violated 2 U.S.C. § 441b(a).

Commissioners Aikens, Elliott, McDonald,
McGarvy, Potter, and Thomas voted
affirmatively for the decision.

(continued)

Decided by a vote of 6-0 to approve
document subpoenas to

Universal Medical Buildings.

Commissioners Aikens, Elliott, McDonald,
McGarry, Potter, and Thomas voted
affirmatively for the decision.

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(continued)

Decided by a vote of 6-0 to approve
document subpoenas to
Joe Checota for Senate Campaign.

Commissioners Aikens, Elliott, McDonald,
McGarry, Potter, and Thomas voted
affirmatively for the decision.

Decided by a vote of 6-0 to approve
document subpoenas to
Joe Checota,

Edith

Peters

Commissioners Aikens, Elliott, McDonald,
McGarry, Potter, and Thomas voted
affirmatively for the decision.

(continued)

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Federal Election Commission
Certification
October 20, 1992

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21. Decided by a vote of 6-0 to approve the Factual and legal Analyses and the appropriate letters pursuant to the actions noted above and the Commission discussion.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Attest:

10-22-92
Date

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

November 4, 1992

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Joseph W. Checota
3324 E. Hampshire
Milwaukee, WI 53211

Joe Checota, Joe Checota
for Senate Campaign Inc.
and Edith L. Peters, as
treasurer, and Universal
Medical Buildings

Dear Mr. Checota:

On October 20, 1992, the Federal Election Commission found that there is reason to believe Universal Medical Buildings ("Corporation"), the Joe Checota for Senate Campaign Committee ("Committee") and Edith Peters, as treasurer, and you violated 2 U.S.C. § 441b(a), 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 Corporation, the Committee, or you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Subpoenas to Produce Documents must be submitted within 30 days of your receipt of these subpoenas. Any additional materials or statements you wish to submit should accompany the response to the subpoenas.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena. If you intend to be represented by counsel, 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 or other communications from the Commission.

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

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Joseph W. Checota
Page 2

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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.

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 Richard M. Zanfardino at (202) 219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures
Subpoenas
Factual and Legal Analysis
Procedures
Designation of Counsel Form

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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SUBPOENA FOR PRODUCTION OF DOCUMENTS

TO: Joe Checota for Senate Campaign Inc.
Edith L. Peters, treasurer
P.O. Box 93428
Milwaukee, WI 53203

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 30 days of receipt of this subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C., on this *4th* day of *November*, 1992.

Joan D. Aikens
Joan D. Aikens, Chairman
Federal Election Commission

ATTEST:

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

95043635000

INSTRUCTIONS

In answering this request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from September 1, 1991 to the present.

The following request for production of documents is continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043635081

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043635002

DOCUMENT REQUESTS

Produce all documents in your possession that refer, relate, or in any way pertain to

- a. fundraising activities in any way involving Universal Medical Buildings; and/or this entity's subsidiaries or affiliates
- b. solicitation activity involving directors, officers, employees, or agents of any of the above-listed entities,

including but not limited to letters, envelopes, memos, internal correspondence, notes of telephone conversations, and records of oral and/or written communications.

95043635003

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)

SUBPOENA FOR PRODUCTION OF DOCUMENTS

TO: Universal Medical Buildings
Joe Checota, CEO
731 N. Jackson St.
Milwaukee, WI 53202

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 30 days of your receipt of this subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C., on this *4th* day of *November*, 1992.

Joan D. Aikens
Joan D. Aikens, Chairman
Federal Election Commission

ATTEST:

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

95043635034

INSTRUCTIONS

In answering this request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from September 1, 1991 to the present.

The following request for production of documents is continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

95043635085

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

95043635006

DOCUMENT REQUESTS

Produce all letters, envelopes, memos, internal correspondence, notes of telephone conversations, records of oral and/or written communications, and all other documents relating to:

1. the solicitation of employees for contributions to the Joe Checota for Senate Campaign Inc.;
2. any meetings held at Universal Medical Buildings to discuss the raising or making of contributions to the Joe Checota for Senate Campaign Inc.;
3. the receipt of contributions by Universal Medical Buildings and the forwarding or transmittal of contributions by Universal Medical Buildings to the Joe Checota for Senate Campaign Inc.;
4. any communications between officers, employees, or agents of Universal Medical Buildings and the Joe Checota for Senate Campaign Inc. regarding solicitations and/or contributions.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Joe Checota
Joe Checota for Senate Campaign
and Edith Peters, as treasurer
Universal Medical Buildings

A. Generation of Matter

In the ordinary course of carrying out its supervisory responsibilities, the Federal Election Commission has discovered that Joe Checota, Joe Checota for Senate Campaign and Edith Peters, as treasurer, and Universal Medical Buildings may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

B. Legal Principles

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation to make a contribution or expenditure in connection with a Federal election, or for a candidate or political committee knowingly to accept such a contribution. It is also unlawful for any corporate officer or director to consent to any such contribution. This broad prohibition extends to "anything of value" given to a federal candidate or campaign. 2 U.S.C. § 441b(b)(2).

Although corporations are prohibited from making any such contribution, the Act exempts a corporation's internal communications with its executive and administrative

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personnel. 2 U.S.C. § 441b(b)(2)(A).^{1/} The Commission's regulations thus permit a corporation to make partisan communications to its restricted class, including endorsing candidates and urging their support. 11 C.F.R. § 114.3(a)(1),(c)(1); Advisory Opinions 1987-29, 1982-2. The Commission has repeatedly made clear, however, that corporations may not step beyond the line of "communication" to actually collecting contribution checks or otherwise facilitating the making of contributions to a Federal candidate. See Advisory Opinions 1987-29, 1986-4, 1982-2, and 1977 Explanation and Justification (describing permissible corporate communication).

Other Commission regulations provide that employees of a corporation may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). Employees must reimburse the corporation only for any increased overhead or operating costs. Id. In MUR 1690, however, the Office of General Counsel advised the Commission that "the plain intent of [11 C.F.R. § 114.9(a)]... excludes from the scope of 'individual volunteer activity' collective enterprises where the top executives of firms direct their subordinates in fundraising projects..., use resources of the corporation such as lists

^{1/} Elaboration of the class of corporate employees that fall within this exception is found at 2 U.S.C. § 441b(b)(7) and 11 C.F.R. § 114.1(c) of the Commission's regulations.

of vendors and customers..., solicit whole classes of corporate executives and employees..., or attempt to ensure that the corporation is the beneficiary of the candidate's appreciation...." General Counsel's Report dated October 2, 1986.

In summary, where fundraising activities involve the use of corporate resources and facilities and such activities are beyond the safe harbor of the Act and regulation's exceptions, the corporation has contributed something "of value" to the beneficiary candidate, in violation of section 441b.

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Additionally, the manner in which company fundraising from employees or vendors takes place may have consequences under other generally applicable provisions of the Act. Where contributions are "earmarked or otherwise directed through an intermediary or conduit to such candidate," the Act requires the "intermediary or conduit" to report such transmissions. 2 U.S.C. § 441a(a)(8). The Commission's regulations in this area, newly revised in 1989, define "conduit or intermediary" to include "any person who receives and forwards an earmarked contribution to a candidate," 11 C.F.R. § 110.6(b)(2), and explains that campaign employees, full-time volunteers, or individuals who have significant positions within the campaign who are expressly authorized to fundraise are not conduits for purpose of the regulations, 11 C.F.R. § 110.6(b)(2)(i)(A),(E).

Under these regulations, if a person collects

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contributions as a conduit, and exercises "direction or control" over the making of the contribution, the contribution is chargeable to the conduit's limit for the recipient candidate in addition to the limit of the actual donor.^{2/} 11 C.F.R. § 110.6(d)(2). This regulation was based on the 1974 Conference Committee Report on the earmarking provision at section 441a(a)(8), stating that "if a person exercises any direct or indirect control over the making of a contribution, then such contribution shall count toward the limitation imposed with respect to such person" under the Act. H.R. Conf. Rep. No. 93-1438, 93rd Cong., 2d Sess. 51 (1974), reprinted in Legislative History of the Federal Election Campaign Act Amendments of 1974, at 995, 996 (1977). Corporations are explicitly forbidden from acting as conduits for contributions, 11 C.F.R. § 110.6(b)(2)(ii). Nonetheless, following Congress' broadly expressed intent, corporations that exercise any control over contributions should be responsible for these contributions, i.e. the contributions themselves are chargeable to the corporation.

The Commission articulated this position in Advisory Opinion 1986-4. There, the Commission concluded that where a

^{2/} Furthermore, in AO 1980-46 the Commission stated that expenditures made by the conduit or intermediary for the purpose of solicitation are considered in-kind contributions to the candidate and are reportable as such. 2 U.S.C. § 434. Once the conduit collects and forwards the checks to the candidate, the candidate's acceptance of the checks constitutes acceptance of the costs incurred by the conduit in connection with the solicitation. See AO 1980-46.

company collects contributions to candidates from its executives, actively persuading its executives to participate, and deciding what candidate would be supported and in what amount, the corporation would "exercise direction and control over the making of such earmarked contributions as well as act as the conduit and intermediary for them."^{3/} It follows that if a company through its officers employs coercive tactics in order to collect contributions, it plainly exercises control over the contributions. "[Where] a job or livelihood may be jeopardized by a refusal to comply, and the contact between solicitor and solicitee may be direct and personal . . . the potential clearly exists for earmarked contributions to have been 'directed or controlled' by means of coercion, harassment, or undue pressure." Statement of Reasons, Commissioner Josefiak, MUR 2282, p. 14. Thus, in addition to contributing something "of value" by facilitating the making of contributions, under the settled principles discussed above, the resulting contributions would be chargeable to the company itself. Indeed, this conclusion should follow in any circumstances similar to that envisioned in AO 1986-4 where a company orchestrates a fundraising activity for the benefit of a specific candidate and asks a class of its employees to participate.

^{3/} Section 441b's broad prohibition of "direct or indirect" gifts of anything of value, see 2 U.S.C. § 441b(b)(2), provides further support for this conclusion.

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C. Analysis

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Joe Checota is a U.S. Senate candidate. Joe Checota for Senate Campaign is his authorized campaign committee, of which Edith Peters is treasurer. Mr. Checota is the Chairman and Chief Executive Officer of a Milwaukee corporation, Universal Medical Buildings. Many of Checota's more than 100 employees at University Medical Buildings were reportedly asked to contribute a portion of their salaries to his U.S. Senate Campaign. "Checota Firm Workers Urged to Aid Race," Milwaukee Journal, April 15, 1992. According to three employees (none of whom would be publicly identified), they and their co-workers were called into meetings with their supervisors on March 31, 1992, the date of a Checota fundraiser, and allegedly asked to give 1% of their yearly salary to the campaign.^{4/} Company executives reportedly solicited other employees over the phone and asked them to give whatever amount they wished. Although the article states that employees were not ordered to donate, some were asked a second time after initially declining.^{5/}

4/ The Commission's records show that 18 contributions totaling \$13,000 were made by Universal Medical Buildings employees, 15 of which totaling \$10,900 were made on March 31, 1992, the reported date of the Checota fundraiser.

5/ According to the Journal article, one employee who was upset over the solicitation revealed: "Nobody says no to Joe Checota. That's the atmosphere there. If you say no, you really don't know what to expect. He's the guy that signs our paychecks." Milwaukee Journal, April 15, 1992.

Three of the four Checota employees the Milwaukee Journal interviewed reportedly regarded the solicitations as highly inappropriate. The Journal reported that one employee said that there was a "revolving door" of employees called in to see their supervisors on March 31, 1992. The same employee was reportedly told by a supervisor: "We're asking all of our employees to donate one point of our annual income to the campaign." Milwaukee Journal, April 15, 1992.

Checota's campaign reportedly denied his involvement with the requests. According to the Journal article, Bill Christofferson, Checota's political consultant, stated:

I can tell you flat-out that Checota did not direct that to be done. Checota himself has not solicited anyone in the company. Checota himself has made it quite clear to the company's employees that they were not required to give.

The article states that Christofferson pointed out the invitation sent to employees for the March 31 fundraiser read: "no contribution is required; your presence is the important thing."

As previously set forth, 2 U.S.C. § 441b prohibits corporations from contributing anything of value to federal candidates. A corporate effort to collect contributions from most of a company's employees would fall outside the exception for individual volunteer activity, 11 C.F.R. § 114.9(a)(1), as well as the exception for internal communications, 11 C.F.R. § 114.3(a)(1). Such corporate fundraising for federal candidates would result in a donation

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of something of value to the recipient campaign in violation of section 441b(a). Further, in light of this corporation's alleged direct appeal to subordinates, the alleged frequency of appeals, as well as the candidate to whom the contributions were to be made, Universal Medical Buildings may have exercised direction or control over the resulting contributions. See AO 1986-4. Therefore, there is reason to believe that Universal Medical Buildings violated 2 U.S.C. § 441b(a).

As Chairman of the company, Joe Checota reportedly knew of the organized solicitation done on his behalf -- his protests in the press dealt mainly with the idea that the employees were not coerced. Thus, Joe Checota may have consented to the corporate contributions and there is reason to believe that he violated 2 U.S.C. § 441b(a). If in fact Mr. Checota consented to the contributions, he was simultaneously the benefiting candidate. Indeed, Edith Peters, the treasurer of the Joe Checota for Senate Campaign, is also the controller of the company. Therefore, the Joe Checota for Senate Campaign and Mr. Checota as the candidate, may have accepted something of value from the corporation, in violation of 2 U.S.C. § 441b. In light of the circumstances, there is reason to believe that the Joe Checota for Senate Campaign and Edith Peters, as treasurer, and Joe Checota violated 2 U.S.C. § 441b(a).

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RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4497
414/277-5000
FAX 414/277-5591

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona

OGL 7806

Dec 7 10 43 AM '92

Quarles / Brady

VIA FAX

December 4, 1992

02:41:11 / -05:165

Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Attn: Richard M. Zanfardino

Re: - Joe Checota, Joe Checota for Senate
Campaign, Inc., and Edith L. Peters, as
Treasurer, and Universal Medical Buildings

Dear Mr. Zanfardino:

Enclosed you will find the Statement of Designation
of Counsel with respect to the campaign, Edith Peters and
Universal Medical Buildings.

Yours truly,

QUARLES & BRADY



Samuel J. Recht

212:jlm

Enclosures

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RECEIVED
FEDERAL ELECTION
COMMISSION
MAIN COPY ROOM

411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4487
414/277-5000
FAX 414/277-5591

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona

DEC 7 10 43 AM '92

Quarles / Brady

December 3, 1992

VIA TELECOPY

Federal Election Commission
999 E. Street, N.W.
Washington D.C. 20463

Attn: Richard M. Zanfardino

Re: - Joe Checota, Joe Checota for Senate Campaign Inc. and
Edith L. Peters, as treasurer, and Universal Medical Buildings

Dear Mr. Zanfardino:

Enclosed you will find the Statement of Designation of Counsel with respect to the above referred to matter.

In addition, confirming our telephone conversation yesterday, on behalf of our clients, we hereby request an extension of twenty (20) days to respond to the subpoenas and submit a response to the Factual and Legal Analysis to and including December 30, 1992. As we discussed, we have begun to review the subpoenas and the Factual and Legal Analysis and the additional time requested is necessary to assemble and review the requested documents and analyze the facts and circumstances involved. The intervention of the year end holidays makes this task impossible within the original 30 day period. We would much appreciate the granting of the extension.

Very truly yours,

QUARLES & BRADY



Samuel J. Recht

063:11s

AFEC1800

P.S. Edith Peters was out of the office ill today. The Designation of Counsel for her, the Campaign and Universal Medical Building will be faxed tomorrow.

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YEARS

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STATEMENT OF DESIGNATION OF COUNSEL

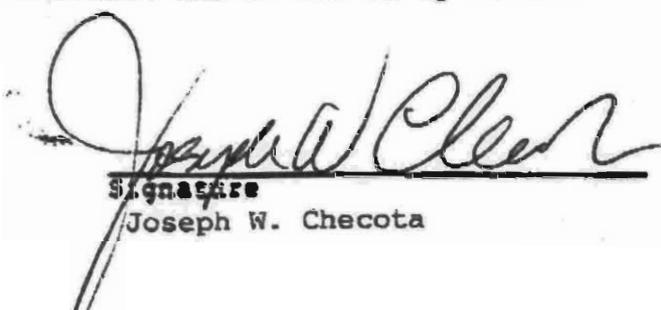
NAME OF COUNSEL: Matthew J. Flynn/Samuel J. Recht

ADDRESS: Quarles & Brady
411 E. Wisconsin Avenue
Milwaukee, WI 53202

TELEPHONE: (414) 277-5000

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.

12/3/98
Date


Signature
Joseph W. Checota

RESPONDENT'S NAME: Joseph W. Checota

ADDRESS: 3224 E. Hampshire
Milwaukee, WI 53211

TELEPHONE: NONE

BUSINESS(414) 278-0100

95043635101



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 8, 1992

Samuel J. Recht
Quarles & Brady
411 East Wisconsin Ave.
Milwaukee, WI 53202-4497

Joe Checota, Joe Checota for
Senate Campaign Inc. and
Edith L. Peters, as
treasurer, Universal Medical
Buildings

Dear Mr. Recht:

This is in response to your facsimiles dated
December 3 and 4, 1992, requesting an extension until
December 30, 1992 to respond to the Commission's Subpoenas.
After considering the circumstances presented in your letter,
the Office of the General Counsel has granted the requested
extension. Accordingly, your response is due by the close of
business on December 30, 1992.

If you have any questions, please contact me at (202)
219-3690.

Sincerely,

Richard M. Zanfardino
Staff Member

95043635102

411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4407
414/277-5000
FAX 414/277-5581

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona

Quarles / Brady

**CONFIDENTIAL PURSUANT TO
2 U.S.C. Sections 437g(a)(4)(B)
and 437g(a)(12)(A)**

December 29, 1992

DELIVERY BY FEDERAL EXPRESS

Mr. Richard M. Zarfardino
Federal Election Commission
999 E Street, N.W.
Washington DC 20463

Dear Mr. Zarfardino:

Enclosed are the documents Bates stamped 1 and 70 in response to your recent subpoenas served upon Joe Checota, Joe Checota for Senate Campaign Inc., Edith L. Peters, as treasurer of the Committee, and Universal Medical Buildings L.P.

Please note that we have attempted to produce the best available copies of these documents. As you will note, some are handwritten and do not photocopy well. If you have questions about specific documents, please let us know and we will attempt to produce another copy.

On behalf of our clients, we request that these documents be returned to us, at the above address, upon the completion of these investigation.

Further, these documents are being submitted under an express claim of confidentiality. It is our position that these documents are exempt from disclosure under Exemption Four of the Freedom of Information Act 5 U.S.C. §552(b)(4) and also are confidential pursuant to 2 U.S.C. §§437g(a)(4)(B) and 437g(a)(12)(A). The documents we are producing are kept confidential by our client, and the information contained therein is not available to the public. Disclosure would have an adverse impact on our client's privacy rights and possibly impact our client's ability to raise funds and do business. For these reasons, we request confidential treatment.

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YEARS

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DEC 31 2 11 PM '92

Mr. Richard M. Zanfardino
December 29, 1992
Page 2

If any person, other than a Commission employee working directly on the matter in connection with which these documents are submitted, requests an inspection or a copy of the documents, or any portion of them, please give us sufficient advance notice of at least 10 days prior to any such disclosure to allow us to pursue appropriate remedies to preserve the confidentiality of the information.

We would be pleased to furnish you with further particulars, upon request, to enable the Commission to reach a determination concerning the appropriateness of confidential treatment for the subject documents. All of our above requests apply to any form of disclosure of the information contained in the documents, including notes, meetings, and telephone conversations.

Finally, consistent with our December 29 telephone conversation, we plan on responding to the legal and factual analysis prepared by the Commission by mid-January.

If you have any questions, please do not hesitate to call us at (414) 277-5000.

Sincerely yours,



QUARLES & BRADY
411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Samuel J. Recht
Matthew J. Flynn

415:cw
Enclosures

cc: FOIA Officer (w/o enclosures)

wjstns\FOIA1227

9 5 0 4 3 6 3 5 1 0 4

CONFIDENTIAL

1199

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 93428
MILWAUKEE, WI 53203

April 27 19 92

12-01
790

PAY TO THE ORDER OF Donna Bartuski \$ 5.00

Five and No/100 DOLLARS

PARK BANK

MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michelle Camerin

⑆001199⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1200

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 93428
MILWAUKEE, WI 53203

April 27 19 92

12-01
790

PAY TO THE ORDER OF Nadezda Bulic \$ 300.00

Three Hundred and no/100 DOLLARS

PARK BANK

MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michelle Camerin

⑆001200⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1201

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 93428
MILWAUKEE, WI 53203

April 27 19 92

12-01
790

PAY TO THE ORDER OF Robert Pfeifer \$ 750.00

Seven Hundred Fifty and no/100 DOLLARS

PARK BANK

MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michelle Camerin

⑆001201⑆ ⑆075000666⑆ ⑆61-001 8485⑆

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95043635106

1202

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89438
MILWAUKEE, WI 53203

April 27 19 92

12-06
790

PAY TO THE ORDER OF Dennis Disch \$ 100.00

One Hundred and no/100*** DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Camner

⑆00⑆20⑆⑆ ⑆075000666⑆⑆ ⑆6⑆-00⑆ 8485⑆

1203

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89438
MILWAUKEE, WI 53203

April 27 19 92

12-06
790

PAY TO THE ORDER OF Jean Doddridge \$ 2.00

Two and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Camner

⑆00⑆20⑆⑆ ⑆075000666⑆⑆ ⑆6⑆-00⑆ 8485⑆

1204

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89438
MILWAUKEE, WI 53203

April 27 19 92

12-06
790

PAY TO THE ORDER OF Kirk Dunlap \$ 250.00

Two Hundred Fifty and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Camner

⑆00⑆20⑆⑆ ⑆075000666⑆⑆ ⑆6⑆-00⑆ 8485⑆

CONFIDENTIAL

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1205

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92 12-02
730

PAY TO THE ORDER OF Andrew Essien \$ 50.00

Fifty and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53001

FOR Contribution Refund

Michele Curcio

⑆001205⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1206

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92 12-02
730

PAY TO THE ORDER OF Jill Ford \$ 20.00

Twenty and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53001

FOR Contribution Refund

Michele Curcio

⑆001206⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1207

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92 12-02
730

PAY TO THE ORDER OF Laurie Goshlen \$ 20.00

Twenty and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53001

FOR Contribution Refund

Michele Curcio

⑆001207⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000003

95043635108

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 89428
MILWAUKEE, WI 53203

1208

April 27 19 92 12-02
750

PAY TO THE ORDER OF F Wallace Haines \$ 2,000.00

Two Thousand and no/100 DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53104

FOR Contribution Refund

Michelle Camier

⑆001208⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 89428
MILWAUKEE, WI 53203

1209

April 27 19 92 12-02
750

PAY TO THE ORDER OF F Wallace Haines \$ 2,000.00

Two Thousand and no/100 DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53104

FOR Contribution Refund

Michelle Camier

⑆001209⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 89428
MILWAUKEE, WI 53203

1210

April 27 19 92 12-02
750

PAY TO THE ORDER OF Salman A Haider \$ 900.00

Nine Hundred and no/100 DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53104

FOR Contribution Refund

Michelle Camier

⑆001210⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000004

95043035109

1211

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 88488
MILWAUKEE, WI 53208

April 27 19 92 12-88,
730

PAY TO THE ORDER OF Rhonda Helton \$ 10.00

Ten and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53102

FOR Contribution Refund

Michelle Carnier

⑆001211⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1212

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 88488
MILWAUKEE, WI 53208

April 27 19 92 12-88,
730

PAY TO THE ORDER OF Gloria Herron \$ 25.00

Twenty Five and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53102

FOR Contribution Refund

Michelle Carnier

⑆001212⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1213

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 88488
MILWAUKEE, WI 53208

April 27 19 92 12-88,
730

PAY TO THE ORDER OF Stephen R. Kucharczyk \$ 750.00

Seven Hundred Fifty and no/100 DOLLAR.

PARK BANK
MILWAUKEE, WISCONSIN 53102

FOR Contribution Refund

Michelle Carnier

⑆001213⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000000

95043635110

1214

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92

12-02
780

PAY TO THE ORDER OF Gary Mancuso \$ 1,000.00

One Thousand and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Canui

⑆001214⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1215

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92

12-02
780

PAY TO THE ORDER OF Jennifer Mickey \$ 20.00

Twenty and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Canui

⑆001215⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1216

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92

12-02
780

PAY TO THE ORDER OF Paul Mueller \$ 125.00

One Hundred Twenty Five and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Canui

⑆001216⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000006

9504363511

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 88428
MILWAUKEE, WI 53208

1217

April 27 1992

12-00
700

PAY TO THE ORDER OF P Michael O'Brien \$ 1,000.00

One Thousand and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53208

FOR Contribution Refund

Michele Casner

⑆001217⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 88428
MILWAUKEE, WI 53208

1218

April 27 1992

12-00
700

PAY TO THE ORDER OF James L Owens \$ 100.00

One Hundred and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53208

FOR Contribution Refund

Michele Casner

⑆001218⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 88428
MILWAUKEE, WI 53208

1219

April 27 1992

12-00
700

PAY TO THE ORDER OF Edith L Peters \$ 1,000.00

One Thousand and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53208

FOR Contribution Refund

Michele Casner

⑆001219⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000007

95043635112

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 88428
MILWAUKEE, WI 53208

1220

April 27 1992

12-92
780

PAY
TO THE
ORDER OF

Beverly Pump

\$ 10.00

Ten and no/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53201

FOR Contribution Refund

Michele Canina

⑆001220⑆ ⑆0750006666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 88428
MILWAUKEE, WI 53208

1221

April 27 19 92

12-92
780

PAY
TO THE
ORDER OF

John Robb

\$ 500.00

Five Hundred and no/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53201

FOR Contribution Refund

Michele Canina

⑆001221⑆ ⑆0750006666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 88428
MILWAUKEE, WI 53208

1222

April 27 19 92

12-92
780

PAY
TO THE
ORDER OF

Scott Roberts

\$ 100.00

One Hundred and no/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53201

FOR Contribution Refund

Michele Canina

⑆001222⑆ ⑆0750006666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000000

95043635113

1223

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 98428
MILWAUKEE, WI 53203

April 27 19 92 12-01
790

PAY TO THE ORDER OF Cathy Rottmann \$ 10.00

Ten and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michelle Camus

⑆001223⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1224

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 98428
MILWAUKEE, WI 53203

April 27 19 92 12-01
790

PAY TO THE ORDER OF Gary Scanlon \$ 20.00

Twenty and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michelle Camus

⑆001224⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1225

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 98428
MILWAUKEE, WI 53203

April 27 19 92 12-01
790

PAY TO THE ORDER OF Michael R Scholl \$ 100.00

One Hundred and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michelle Camus

⑆001225⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000001

95043035114

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 88488
MILWAUKEE, WI 53288

1221

April 27 19 92

12-08-92
780

PAY TO THE ORDER OF

Jon R Schroeder

\$ 750.00

Seven Hundred Fifty and no/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53201

FOR

Contribution Refund

Michelle Casari

⑆001228⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 88488
MILWAUKEE, WI 53288

1227

April 27 19 92

12-08-92
780

PAY TO THE ORDER OF

Kenneth L Seeman

\$ 500.00

Five Hundred and no/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53201

FOR

Contribution Refund

Michelle Casari

⑆001228⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 88488
MILWAUKEE, WI 53288

1228

April 27 19 92

12-08-92
780

PAY TO THE ORDER OF

***Sheila Semrou

\$ 50.00

Fifty and no/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53201

FOR

Contribution Refund

Michelle Casari

⑆001228⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000010

9 5 0 4 3 6 3 5 1 1 5

1229

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 28428
MILWAUKEE, WI 53203

April 27 19 92

13-02
78

PAY TO THE ORDER OF Richard Senechal \$ 1,000.00

One Thousand and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Camin

⑆001229⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1230

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 28428
MILWAUKEE, WI 53203

April 27 19 92

13-02
78

PAY TO THE ORDER OF J W Spencer \$ 1,000.00

One Thousand and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Camin

⑆001230⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1231

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 28428
MILWAUKEE, WI 53203

April 27 19 92

13-02
78

PAY TO THE ORDER OF David M Strachan \$ 2,000.00

Two Thousand and no/100 DOLLAR

PARK BANK
MILWAUKEE, WISCONSIN 53203

FOR Contribution Refund

Michele Camin

⑆001231⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000011

9 5 0 4 3 6 3 5 1 1 6

1232

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92 12-01
750

PAY TO THE ORDER OF Mark Theder \$ 250.00

Two Hundred Fifty and no/100 DOLLARS

PARK BANK
MILWAUKEE, WISCONSIN 53204

FOR Contribution Refund

Michelle Camuri

⑆001232⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1233

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92 12-01
750

PAY TO THE ORDER OF David P Titter \$ 100.00

One Hundred and no/100 DOLLARS

PARK BANK
MILWAUKEE, WISCONSIN 53204

FOR Contribution Refund

Michelle Camuri

⑆001233⑆ ⑆075000666⑆ ⑆61-001 8485⑆

1234

JOE CHECOTA FOR SENATE, INC.
P. O. BOX 89428
MILWAUKEE, WI 53203

April 27 19 92 12-01
750

PAY TO THE ORDER OF Mari Volk \$ 50.00

Fifty and no/100 DOLLARS

PARK BANK
MILWAUKEE, WISCONSIN 53204

FOR Contribution Refund

Michelle Camuri

⑆001234⑆ ⑆075000666⑆ ⑆61-001 8485⑆

CONFIDENTIAL

000012

95043635117

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 93428
MILWAUKEE, WI 53203

1235

April 27 19 92

12-01
700

PAY TO THE ORDER OF

James L. Young

\$ 100.00

One Hundred and no/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53203

FOR

Contribution Refund

⑆001235⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 93428
MILWAUKEE, WI 53203

1236

April 27 19 92

12-01
700

PAY TO THE ORDER OF

Waukesha Flying Services

\$ 1,578.51

One Thousand Five Hundred Seventy Eight and 51/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53203

FOR

Travel to Eau Claire

⑆001236⑆ ⑆075000666⑆ ⑆61-001 8485⑆

JOE CHECOTA FOR SENATE, INC.

P. O. BOX 93428
MILWAUKEE, WI 53203

1237

April 27 19 92

12-01
700

PAY TO THE ORDER OF

Kim Haines

\$ 81.18

Eighty One and 18/100

DOLLAR

PARK BANK

MILWAUKEE, WISCONSIN 53203

FOR

Answering Machine

⑆001237⑆ ⑆075000666⑆ ⑆61-001 8485⑆

Michelle Canan

CONFIDENTIAL

000013

Joe Checota for Senate
Box 93428
Milwaukee, WI 53203

Check Request

PAYEE SEE ATTACHED COPIES
ADDRESS _____
DATE TO BE PAID April 27, 1992 ZIP CODE _____
AMOUNT _____
PURPOSE contribution refunds

FEC

P		C	O	N	T	R	I	B	U	T	I	O	N		
		R	E	F	U	N	D								

<u>Vendor No.</u>	<u>Account Number(s)</u>	<u>Amount(s)</u>
_____	<u>9002</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
	TOTAL	_____

REQUESTED BY:
m Camley
April 27, 1992
DATE

AUTHORIZED BY:
Michelle E. Camien
April 27, 1992
DATE

Check No. SEE ALL ATTACHED
Date April 27, 1992

CONFIDENTIAL

000014

95043635118

Batch 43

JAMES BARTUSKI
DONNA M. BARTUSKI

PSJC

6657

12/26 1991

PAY TO THE ORDER OF Checota For Senate \$ 5.00

Five and 00/100 DOLLARS

M&I Wauwatosa State Bank
Wauwatosa, Wisconsin 53213-1775

MEMO contribution Donna Bartuski

Batch 43

95043635119

YES, I WANT TO HELP ELECT JOE CHECOTA TO THE U.S. SENATE

- You may use my name publicly as a Checota supporter.
- Enclosed is my check to "Joe Checota for Senate" for
 - \$1000
 - \$500
 - \$250
 - Other \$ 5.00

Donna Bartuski

Payroll/Accounting Clerk
OCCUPATION

Universal Medical Buildings
NAME OF EMPLOYER

PSJC

CONFIDENTIAL

000015

PETAR OR NADEZDA BULIC

474

March 31, 92

12-1128/2700

PAY TO THE ORDER OF

Joseph W. Chacota for Senate \$ 300.00

three-hundred and 00/100 DOLLARS



Security Savings

GSC Gold-Plus

Nadezda Bulic

MEMO

95043635100

BATCH #79

CONFIDENTIAL

000016

ROBERT P. PFEIFER
TERRI L. CHADDERTON

PSC

1768

31 MAR. 1992

13-1
750

PAID TO THE
ORDER OF

JOHN CHADWORTH FOR S.WATER 15 750.00

Three hundred fifty and 00/100 ————— INRIANS

BANK ONE
BANK ONE CORPORATION, INC.
MINNEAPOLIS, MINNESOTA 55402

MEMO: Campaign

TERRI L. CHADDERTON

[Redacted]

95043635121

BATCH #79

CONFIDENTIAL

DENNIS F. DISCH

PSC

2245

APR 31 1992

10-10/70

PAY TO THE ORDER OF

La Crosse Fire Service

\$ 100⁰⁰

One Hundred & 00/100

DOLLARS

First Bank Milwaukee

Member First Bank System
First Bank (N.A.)
201 West Wisconsin Ave.
Milwaukee, WI 53202-5000

Dennis F. Disch

Account # [Redacted]

95043035122

BATCH #79

CONFIDENTIAL

Batch 39



YES, I WANT

95043635123

You may use my name publicly as a Checota supporter.

Enclosed is ^{CASH} ~~my check~~ to "Joe Checota for Senate" for

\$1000 \$500 \$250 Other \$ 2.00

NAME JEAN DODDRIDGE

HOME PHONE _____

ADDRESS _____

OCCUPATION Secretary

CITY/STATE _____ ZIP _____

NAME OF EMPLOYER Universal Medical Building

Paid for by Joe Checota for Senate, Box 83428, Milwaukee WI 53203

PSJC

Batch 39

CONFIDENTIAL

ANDREW S. OR MARJORIE P. ESSIE

PSC

780

March 31st 1992

12-7135/2788

PAY TO THE ORDER OF

CHICAGO FOR SENATE

\$ 50.00

Fifty 00/100

DOLLARS

REPUBLIC CAPITAL BANK



MEMBER FDIC

MEMBER Campaign Center

[Handwritten signature]

95043635125

BATW #79

CONFIDENTIAL

95043635126

Batch #78

JILL M. FORD
CHRISTOPHER M. FORD 7552

1072

3-31-92

12-1
750

One Checotah for Senate

Twenty and 20/100

\$ 20.00

BANK ONE

Contribution

Jill M. Ford

CONFIDENTIAL

000022



Batch
#78

95043635127

CONFIDENTIAL

000023

95043635108

BATCH
85

CONFIDENTIAL

3. W. of Donna Haines PSJC

5228

11/22/51 42 12-10/750

RECEIVED
FBI
MILWAUKEE
NOV 23 1951

[REDACTED]

See Charles for details 7005

Bank Milwaukee

[REDACTED]

25043635129

MEM PSSC

1790

12-18/78

Nov 27, 1972

FOR THE SERVICE OF \$ 2000.00

thousand DOLLARS

[Signature]

BATA #79

CONFIDENTIAL

95043635130

Batch #78

SALMAN A HAIDER
SAMINA HAIDER

PSSC

855

[Redacted]

MARCH 31 1992

52-64
311

PAY TO THE ORDER OF JOE CANTO FOR SENATE

\$ 850.00 / 100

EIGHT HUNDRED FIFTY ⁰⁰/₁₀₀

DOLLARS

[Redacted] GREENWICH TRUST COMPANY
NEW CASTLE, DELAWARE

[Signature]

MEMO

[Redacted]

CONFIDENTIAL

000026

95043635171

Batch #18

CONFIDENTIAL

RHONDA K. HELTON <i>P55C</i>		455
[REDACTED]		3/31 1992 12-7133/2750
PAY TO THE ORDER OF	Joe Cherola for Senate	\$ 10.00
Ten		⁰⁰ / ₁₀₀ DOLLARS
 MUTUAL SAVINGS BANK MILWAUKEE, WI 53202		<i>Rhonda K. Helton</i> [REDACTED]
MEMO		

95043635132

Post #78

615
12-1286/750

PST *March 31, 92*

GLORIA HERRON
[REDACTED]

PAY TO THE ORDER OF *Dpe Checotah for Senate, chc* \$ *25.00*

Twenty-five + 00/100 DOLLARS

Gloria Herron

American National Bank
and Trust Company of Wisconsin • Milwaukee, Wisconsin 53241

[REDACTED]

CONFIDENTIAL

000020

STEPHEN R. KUCHARCZYK
CHRISTY M. KUCHARCZYK

2483

PSC

[REDACTED]

3/31 92

EX 13 15

Joe Acosta for Donato
Seven Hundred & Fifty Dollars & 00/100

\$ 750.00
DOLLARS

WELLS FARGO BANK
WELLS FARGO BANK, WI 53302

[Signature]

[REDACTED]

9 5 0 4 3 6 3 5 1 3 3

BATCH #79

CONFIDENTIAL

000029



GARY R. MANCUSO
PEGGY J. MANCUSO

296

March 31 1977

118

PAY TO THE ORDER OF

Joe Ch...

\$1,000.⁰⁰

One Thousand and 00/100

DOLLARS

Comerica

Bank
Foreign

U.S. Senate Campaign - Gary R. Mancuso

95043635134

Batch #81

CONFIDENTIAL

000030

9 5 0 4 3 6 3 5 1 7 5

Batch #78

JENNIFER MARIE MICKEY *PSC* 488

March 82 12-1288/750

Open Check for \$200

Clarity de la... **DOMINA**

American National Bank
and Trust Company of Wisconsin • Milwaukee, Wisconsin 53202

Jennifer Mickey

CONFIDENTIAL

000031

PAUL C. MUELLER

2736

PSC March 31 (paid)
April 1, 1972

Pay to the order of Doc Aracota for Senate \$ 125.00
One hundred twenty five DOLLARS

Paul C. Mueller

95043635176

BATCH #79

CONFIDENTIAL

000032

95043635137

Batch #48

	F. MICHAEL O'BRIEN 10-00	<i>FSJC</i>	1700
	JOYCE A. O'BRIEN		
	<i>[Redacted]</i>	31 March	92 <small>12-1/2 750</small>
<i>100 CHOCOTA FOR SUMMER 15 1000.00</i>			
<i>ONE THOUSAND & 00/100</i>			
	FIRST WISCONSIN		
<small>FIRST WISCONSIN NATIONAL BANK OF WISCONSIN MILWAUKEE, WISCONSIN 53201</small>			
<i>[Redacted]</i>		<i>FMOB</i>	

CONFIDENTIAL

JAMES L. OWENS 1527
PIC
[Redacted]
March 21, 1972
PAY TO THE ORDER OF CHICOTA FUEL SERVICE \$ 100.00
One Hundred & 00/100 DOLLARS
M&T Marshall & Fisher Bank
[Redacted]
200

95043635178

Batch #81

CONFIDENTIAL

000034

9 5 0 4 3 6 3 5 1 7 9

EDITH L. PETERS

849

PSell

Dec 19 1991

10-101/730

PAY TO THE ORDER OF

Pay to the order of Edith L. Peters \$ 1000 00

DOLLARS

FIRST WISCONSIN - MEQUON
MEMBER WISCONSIN BANK OF AMERICA

MEMO *Barbara*

Edith L. Peters

CONFIDENTIAL

000035

Bev Pump
\$10

95043635140

CONFIDENTIAL

000036

95043635141



Batch #78

JOHN RALPH ROBB
 JANET CAROL ROBB

PSSC 559

30 March 1972 12-1288/750

PAY TO THE ORDER OF: *Joe Chacota for Senate Campaign* \$ 500.00

Five Hundred and 00/100 DOLLARS


 American National Bank
 and Trust Company of Wisconsin - Milwaukee, Wisconsin 53202

John Robert Re...

MEMO: [REDACTED]

CONFIDENTIAL

000037

SCOTT OR KIMBERLY K. ROBERTS *WJC*

1921

MARCH 31 1972

*5-274
700*

*PAID WITH
CHECK NO.*

JOE CASCOIA FOR SENATE

\$ 75.00

SEVENTY FIVE 9/100

DOLLARS



FIRST WISCONSIN
FIRST WISCONSIN SAVINGS BANK FOR SAVINGS
AND INVESTMENT SERVICES

[Signature]

MEMO

*Batch
#80*

95043635142

CONFIDENTIAL

000030

CONFIDENTIAL

Batch 39



YES, I WANT

You may use it.

Enclosed is my check to "Joe Checota for Senate" for

\$1000

\$500

\$250

Other \$ 3.00

NAME Catherine Rottman

OCCUPATION Accounting

NAME OF EMPLOYER UMB

PSJC

\$1000

\$500

\$250

Other

NAME Dennis Rottman

OCCUPATION Student

NAME OF EMPLOYER

PSJC

\$1000

\$500

\$250

Other \$ 2.00

NAME James Rottman

OCCUPATION Student

NAME OF EMPLOYER

PSJC

\$1000

\$500

\$250

Other \$ 3.00

NAME Timothy Rottman

OCCUPATION Graphic Artist

NAME OF EMPLOYER W. H. Brady

000039

95043635113

9 5 0 4 3 6 3 5 1 1 4



GARY F. OR LINDA H. SCANTON
 [Redacted] ^{155c}
 PAY TO THE ORDER OF Joe Ockem For Senate Dec 21 1991 #1214
Twenty and no/100 \$ 20.00
 DOLLARS

2553

Gary F. Scant

CONFIDENTIAL

000040

MICHAEL R. SCHOLL 1-82
DONNA N. SCHOLL

3701

DSC

9 31 1992 12-1-92

PAY ORDER

Pay Order for U.S. Savings 100.00 -
One Hundred and no/100

M&I Marshall & Haley Bank
Milwaukee, Wisconsin 53202

Michael Scholl

95043635175

BATCH #79

CONFIDENTIAL

000041

John R. Schroeder
Carol C. Schroeder

890

[Redacted]

March 30, 1992

12/11

PAY TO THE ORDER OF

Carol C. Schroeder For Senate \$ 750.00
Seven hundred fifty and 00/100 DOLLARS

FIRST WISCONSIN
FIRST WISCONSIN NATIONAL BANK OF MILWAUKEE
MILWAUKEE WISCONSIN 53201

Carol C. Schroeder

MEMO
[Redacted]

95043635116

BATU/ #79

CONFIDENTIAL

000042

KENNETH L. OR COLENE R. SEEMAN

PSJC

634

MARCH 31 1992

12-2
70

PAY TO THE ORDER OF JOE CHECOTA FOR SENATE \$ 500.00

FIVE HUNDRED AND 00/100 DOLLARS

PREFERRED CUSTOMER

FIRST WISCONSIN
FIRST WISCONSIN FEDERAL BANK OF MEMPHIS
MILWAUKEE, WISCONSIN 53201

MEMORIAL DONATION

[Handwritten Signature]

Batch #78

95043635117

CONFIDENTIAL

000043

SHEILA G. SEMROU - 540 TSC 1759
[REDACTED]
MAY 31 1992
Pay to the order of Joe [REDACTED] \$ 500
Fifty Dollars & 00/100 DOLLARS
SAN FRANCISCO BANK
CANTON, MA
[Signature]

95043635118

BATCH #79

CONFIDENTIAL

95043635119

Batch #78

RICHARD SENECHAL <i>PSSC</i>		403
MARY WOOD SENECHAL		
<i>March 31, 92</i>		<i>12/78</i>
PAY TO THE ORDER OF <i>Joe Checota for Senate</i>	\$ <i>1,000.00</i>	
<i>One thousand and no/100</i>		DOLLARS
 FIRST WISCONSIN <small>FIRST WISCONSIN NATIONAL BANK OF JEWELLET MILWAUKEE, WISCONSIN 53201</small>		<i>Renechal</i>
MEMO <i>[Redacted]</i>		

CONFIDENTIAL

000045

95043635150

Batch # 78

J. W. SPENCER		2550	2385
ARLENE A. SPENCER			
[REDACTED]		3 3/4	1972
PAY TO THE ORDER OF <i>cash on for U.S. Senate</i>		\$ 1,000.00	
<i>One thousand and no/100</i>		DOLLARS	
PARK BANK		<i>[Signature]</i>	
[REDACTED]			

CONFIDENTIAL

000046

DAVID M. STRACHAN

1255

PTC

MAR 31 1972

#10

PAY TO THE ORDER OF

CHECOTA FOR SENATE

TWO THOUSAND ¹⁰/₁₀₀ DOLLARS

FIRST WISCONSIN
FIRST WISCONSIN NATIONAL BANK OF MILWAUKEE
MEMBER FEDERAL RESERVE BANK

David Strach

MEANS
[Redacted]

BATCH #79

95043635151

CONFIDENTIAL

000047

MARK A. THEDER

[Redacted]

50

475

3/24 1992

12-5-10
78

Pay to the order of Joe Checota for Senate

\$ 250.00

Two hundred Fifty & 00/100

Dollars

M&I Marshall & Isley Bank
Milwaukee, Wisconsin 53202

Mark A. Theder

For [Redacted]

95043635152

BATCH #79

CONFIDENTIAL

000048

DAVID P. OR CONNIE C. TITTEL

PSIC

0949

31 MAR '92

12-5060
750

PAY TO THE ORDER OF JOE CHECOTA FOR SENATE

100.00

ONE HUNDRED AND 00/100

DOLLARS

M&I MARSHALL & WILEY BANK

David P. Tittel

Fatch #81

95043635153

CONFIDENTIAL

000049

MARI VOLK ^{PES} 3072
[REDACTED] 31 MARCH 1972 75-100/1710
DE. CHEROTA FOR PENALTY \$50.00
FIFTY DOLLARS [REDACTED] 2000000
Great Midwest Bank -
[REDACTED] Mari Volk
[REDACTED]

95043635154

BATU #79

CONFIDENTIAL

000050

95043635155

Batch #128

JAMES L. YOUNG LAURA YOUNG 	<i>PSTC</i>	1161
<i>Joe Chacota for Senate</i>	<i>3/21 92</i>	<small>12-10017750</small>
<i>One hundred & no / 100</i>	<i>\$100.00</i>	DOLLARS
 American National Bank <small>and Trust Company of Washington • 1400 K Street, N.W. • Washington, D.C. 20004</small>	<i>Company Contrib</i>	<i>James Young</i>
		

CONFIDENTIAL

000051

MEMORANDUM

DATE: April 24, 1992
FROM: Joe Checota
TO: All UMB Employees
RE: Campaign contributions

First, I want to thank those who have offered support and encouragement in my campaign for the United States Senate. I am grateful for your friendship and your help.

However, as you know, there is some controversy over my acceptance of contributions from employees of UMB.

Regrettably, it appears that some employees feel they were inappropriately solicited by their supervisors for contributions.

That should not have happened. It happened despite my best efforts to make it clear to everyone at UMB that no one should feel any pressure or obligation to work in or contribute to my campaign. If there is any doubt, let me say it again: No one's job or advancement at UMB is connected in any way to whether they support me or help in my campaign.

Many people at UMB want to be involved in my Senate campaign, and I'm pleased to have their support. But I have decided to return all campaign contributions from UMB employees or their families.

I don't want there to be even the slightest question or appearance of impropriety.

My campaign is all about changing the way government works, about ending the influence of special interests, and taking on the nonsense in Washington. Those who are threatened by that agenda will seize on any opportunity to try to discredit my efforts. What's at stake is too important to let that happen.

You will undoubtedly be invited to campaign events, including fundraisers, from time to time because your name is on various mailing lists. You're welcome to attend if you're interested. But please don't make any contributions.

Now, I hope we can put this unfortunate distraction aside and get back to business.

Thanks for your understanding in this matter.

CONFIDENTIAL

000052

25043635156

M E M O R A N D U M

TO: All UMB Employees
FROM: Joseph W. Checota
DATE: January 22, 1992
RE: Campaign Activity

As you may have observed, the pace of activity in my campaign for the U.S. Senate is increasing daily. In the weeks and months ahead, my candidacy will take an increasingly greater share of my time.

However, I continue to spend considerable time at UMB to fulfill my obligations to the company and its investors.

A number of employees, I know, have expressed interest in helping with my campaign in some way. I certainly would welcome any help you can give.

But I want to add a note of caution.

Federal elections law clearly prohibits the use of company space, telephones, equipment, or employees' time for campaign purposes. The exception is accounting work done to make certain that the campaign complies with federal campaign reporting requirements, which Edie Peters is doing in her role as campaign treasurer.

I have been extremely careful in my own case to keep close track and reimburse the company for any use of company property -- and to have the campaign pay for the time of any UMB employees who devote any time to campaign work during their normal business day.

Please be certain that you do not mix company business and campaign business. In instances where it is unavoidable, please keep a careful accounting and make certain that Edie Peters is aware of any time or materials which should be billed to the campaign.

Thanks for your help.

CONFIDENTIAL

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95043635157

ALL THE TIME WERE
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 page 5

THE WIND HAD BEEN A LITTLE CHILLY, BUT City Mayor of New Berlin isn't letting that interfere with the call of the lake as he prepares his sailboat

to summer. Nester boards the hull of his 28-foot Pearson, "Windwalk-er," at the Milwaukee Community Sailing Center. Journal photo by Jim Gatz

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Checota gives contributions back to employes

By CRAIG GILBERT
 Journal political reporter

US Senate candidate Joe Checota says he's returning all political contributions he has received from his employes after some employes complained that they felt pressured by their supervisors to give to his campaign.

In a memo sent Tuesday to every employe at his firm, Universal Medical Buildings, Checota noted the controversy "over my accep-

tance of contributions from employes of UMB. Regrettably, it appears that some employes feel they were inappropriately solicited by their supervisors for contributions. That should not have happened."

The memo was provided to The Journal by the Checota campaign.

On Monday, checks totaling \$16,967 were sent back to 42 employes or family members of employes who had contributed, a campaign official said.

Two weeks ago, The Journal

reported that many of the employes had been asked by their supervisors to give 1% of their salary to Checota's campaign. In many cases, they were called into meetings with higher-ups at the company and urged to give. Some who didn't give at first were asked again later.

Some employes expressed indignation over the solicitations and said they felt they were, in essence, being placed under job pressures to make a political contribution.

Checota, who is financing much of his campaign with his own money, has made no comment on the matter until now.

In an interview Tuesday, he said he was pleased that "that some of my business friends and associates were raising money in general, but I was not aware that anyone was being solicited in such a way as to make them feel pressured or obligated to give."

Please see Checota page 6

ist says parochial schools will soon get public money

Monday night at a meeting of the Near South Side Catholic Schools Association to "do whatever you can to keep the schools open." The group met in the basement of Holy Spirit Catholic Church Hall, 2259 S. 31st St.

Norquist offered to call potential donors and suggested that those at the meeting should solicit large foundations, prosperous former members and Protestants.

"Milwaukee would be a much poorer place if the Catholic schools were not here," he said. "Not only are the Catholic schools good for Catholics, but they are good for any neighborhood they are in."

Norquist, who is not a Catholic, said he personally had contributed to two South Side Catholic schools.

Norquist said he approached the Bradley Foundation last year and got its officers to agree to give

\$1,000 to each of 25 students enrolled in Catholic and Lutheran schools on the North Side. He said he would be willing to make a similar request for the South Side schools.

The mayor also said he had approached Donald J. Schuenke, chairman of the board and chief executive officer of Northwestern Mutual Life Insurance Co., for \$5,000 for Catholic schools.

"He [Schuenke] got married at St. Matthew's 40 years ago, and he makes a lot of money," Norquist said. "He can afford it."

Schuenke also is a member of the Greater Milwaukee Committee, an organization of the city's most influential business leaders.

In a reference to the school choice program, Norquist said that

Please see Norquist page 6

Milwaukee took Anderson i funeral home a private visitatio him to the jail later, police said.

Police Depart prisoners in Ar stances such o they are not g guilty.

The family sta "We are sad i we feel compelle ment to satisfy press. But we v many people w their love and sup

Please see And

CONFIDENTIAL

losing streak.
 Money-losing quarters, General reported a first-quarter profit
 ings were attrib-
 in North
 7 billion in 1991. **C6**

The road to recovery
 Six-year-old Michael Canoboy of Chetek is recovering from surgery to reattach his left arm and right hand, lost in a farm accident Saturday. Doctors are optimistic that he will at least regain use of the arms. **A7**

Sports
 Worth
 a gamble?

Brigham Young's Ty Detmer was a college football superstar. But, in the language of NFL scouts, he has an ugly-looking body that lacks strength and has been broken on occasion. Can



Green Shoot
 Weird but true

Dentures found inside a newspaper scoop. A teacher accused of causing a : These and other oddities are true. An they're chronicled in "News of the W: a new column starting today.

WEATHER

For those yearning for the outdoors,

INDEX

08 Metro/B1
 A10 Movies/D3
 10/11/92 Sports/A4

Xtra
 PC purchase perils

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Morton said. The reported attack had dominated conversation among customers, he said.
When police announced Sunday that Jesse Anderson had been arrested, people again were shocked. Their fear was replaced with disbelief, "disbelief that a member of the community could possibly have committed such a heinous crime," Morton said.
"Everything has changed. It makes it so complicated," said Vic-

another parish council member who knew the Andersons, said.
"There's a real sense of frustration and helplessness over how something like this could happen in the world, much less our community. And a sense of confusion. What can we do [to] help out the Anderson family?"
Quaker Bank, which has set up a fund to help the family, said some who wanted to give were confused. All of the money will go

FAMILY MEMBERS gather at the Anderson home in the T
Journal ph

to the children, said Karen Schubert, a bank representative. None will be used for Jesse Anderson's legal fees.
"We are definitely making it known that it is for the children," Schubert said.

Anyone who the Anderson of donation to O2 Box 3, Cedarbur
Journal reports contributed to this

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cited Berlin, Jerusalem and Beirut.
Sarajevo is a mountain-ringed city where Slavic Muslims, Orthodox Serbs and Catholic Croats have lived in close proximity and with remarkably little ethnic strife for more than five centuries.
Many Muslims, Serbians and Croats who live there say the division of the capital is something they do not want. They lay the blame for the siege and last week's shelling of the city on "outsiders" imported from Serbia. Western governments have blamed the hard-line regime of Serbian President Slobodan Milosevic as the chief instigator of civil war in Bosnia.
Since Muslims and Croats voted overwhelmingly for independence in a Feb. 29, Serbians have seized large chunks of territory in hopes of proclaiming their own republic inside Bosnia. They represent about a third of Bosnia's 4.4 million people.
Slovenia, Croatia and Bosnia-Herzegovina have been broadly recognized as independent states. Macedonia has also declared independence.
On Monday, deputies from Serbia and its ally Montenegro voted to create a new, smaller Yugoslavia. But at the same time, the 51-member Conference on Security and Cooperation in Europe threatened to expel Yugoslavia if violence in Bosnia is not halted by Wednesday.

Checota/Employee's gifts to be returned

From page 1

Checota said he did not direct his executives to solicit employees, and had he been aware that employees were being made to feel pressure to give, "I would have ordered it stopped."
In his memo to employees, he said the solicitations occurred "despite my best efforts to make it clear to everyone at UMB that no one should feel any pressure or obligation to work in or contribute to my campaign."
He also said he wanted no contributions in the future from employees.
"I don't want there to be even the slightest question or appearance of impropriety," he said in the memo.
"My campaign is all about changing the way government works, about ending the influence of special interests, and taking on the nonsense in Washington. Those who are threatened by that agenda will seize on any opportunity to try to discredit our efforts."
There is no evidence that anything illegal was done by company executives. State election law prohibits firms from explicitly using such threats as firing or withholding raises or promotions in order to influence the political actions of employees.
But employees who complained about the solicitations said they were not explicitly threatened or ordered to give. They said they felt

an implicit pressure to give because of how they were asked and because of who asked them.
Checota is chairman and chief executive officer of Universal Medical Buildings, a Milwaukee company that develops medical facilities around the country. It has more than 130 employees.
Checota, a multimillionaire, has never held elected office and plans to campaign for the Senate as a political outsider. Checota has worked on many Democratic campaigns over the past 30 years and served terms as chairman and treasurer of the Wisconsin Democratic Party.
His principal opponents in the Sept. 8 Democratic Primary are US Rep. Jim Moody of Shorewood and State Sen. Russ Feingold of Middleton. The winner of that primary is expected to face the incumbent, Republican Bob Kasten.

UPI near collapse

New York, N.Y. — AP — United Press International, once among the world's largest news services, says it can't afford to go on much longer and wants to auction off its assets. In a letter to US Bankruptcy Judge Francis Conrad, the news service asked permission to hold the auction before May 15 — when UPI "will have to cease operations due to an inability to meet its payroll."

CONFIDENTIAL

Election '92

Checota firm urged staff to aid campaign

Employees say their supervisors sought funds for Senate race

By CRAIG GILBERT
©1992, The Milwaukee Journal

Many of businessman Joe Checota's more than 100 employees were asked recently to contribute a portion of their salaries to Checota's US Senate campaign, according to four people who work for his Milwaukee company, Universal Medical Buildings.

Workers in at least two departments at the firm were called in personally by their bosses on the last day of March and urged to make campaign contributions, said employees who spoke to The Journal.

Three employees said they and their co-workers were summoned into meetings with supervisors that day and asked to give 1% of their yearly salary to the campaign.

Others were solicited over the phone by company executives and asked to give whatever amount they wished, the employees said.

Employees were not ordered to donate, they said, but some were asked a second time after initially declining. Some decided to contribute, some didn't.

Of four employees who spoke to The Journal, three said they regarded the solicitations from supervisors, department heads and high-

ranking executives as being highly inappropriate. A fourth wasn't disturbed by the request for a contribution, and said it was made in a non-threatening way.

Each spoke to The Journal on the condition that their names not be used. Those who complained about the solicitations said they feared losing their jobs if their identities were known.



Checota

"I would call it extortion," one professional employed at Checota's firm said of the requests for campaign donations.

In response, a Checota campaign spokesman said Tuesday that if any employees were put on the spot or pressured to contribute, it was not at Checota's direction.

"If it happened that way, it doesn't sound appropriate," said Checota's political consultant, Bill Christofferson. But, he said, "I have no way of knowing" if the allegations are true.

"I can tell you flat-out that Checota did not direct that to be done," Christofferson said. "Checota himself has not solicited anyone in the company. Checota himself has made it quite clear to the company's employees that they were not required to give."

Please see Checota page 7

95043635160

CONFIDENTIAL

Checota/Employee urged to donate

From page 1

According to a spokesman for the Federal Elections Commission, federal law does not directly address situations in which employees of candidates are asked to give to a candidate's campaign.

Asked if he would make Checota available to discuss the matter with a reporter, Christofferson said no. A message was left at Checota's home Tuesday night, but he did not return the call.

"He doesn't have anything to say about it. He would say what I have just said, except that I probably know more about it than he does," Christofferson said.

Checota, 52, is chairman and chief executive officer of Universal Medical Buildings, a company that develops medical buildings around the country. A self-made multimillionaire who has never held elected office, he is one of three Democrats sitting the job now filled by Republican Sen. Bob Kasten. He has said he plans to spend \$5 million on the race, half of it his own money and half of it raised from campaign contributors.

Checota's latest campaign finance report indicates 15 mostly high-ranking company employees had given to the campaign as of March 31, the day contributions from employees were requested.

Others Nervous If Don't Contribute

Two Universal vice presidents contacted by The Journal refused to comment on the solicitations or on their own contributions to the campaign. Company controller Edith Peters, who is also treasurer of the Checota campaign, said:

"I know of nothing inappropriate that has gone on. People overreact. There are some people around here who are very gung-ho about Joe, and I suppose there are some that don't like Joe."

As for department heads pressuring employees for contributions, "I would certainly hope that it didn't happen," she said. "I can't say it didn't happen. I certainly hope it didn't."

"Joe made it perfectly clear a long time ago he didn't want anyone to feel that their jobs would be in jeopardy over this campaign."

Employees who spoke to The Journal said they believed most of their co-workers at the company were asked for campaign contributions on or about March 31, the date of an evening fund-raiser for Checota to which many employees had been invited.

A 'Revolving Door' of Employees

Two of the employees who spoke to The Journal said they and their co-workers were called in individually to see a supervisor that day.

"The way it was explained to me was we were being asked to cheerfully donate 1% of our salary to Joe Checota," said one employee. "They said it would be very nice if we gave today."

The employee described being stunned by the request.

"Basically, my direct supervisor was asking," the employee said. "This is something that is unacceptable behavior. Most people were kind of flabbergasted."

Another employee told a similar story, saying there was a "revolving door" of employees called in to see their supervisors March 31.

"The person asking for contributions was 'the same [person] who takes out raises, bonuses, hires and fires,'" this employee said.

The employee said he was told by that supervisor: "We're asking all of our employees to donate one percent of our annual income to the campaign."

The supervisor suggested an exact dollar amount as a gift to the Checota campaign, the employee said, and was told to regard it as a "personal contribution, not a political one."

The employee said the supervisor "did say it was optional but also called back two people [the next day] and asked them where their checks were."

The employee called the situation an "absolute outrage."

"Because the company is really run with an iron fist, the unspoken part of it was if you value your position in the company you will consider making a contribution," the employee said.

A third employee who described being solicited by a company executive was also indignant about the incident.

"Nobody says no to Joe Checota. That's the atmosphere there. If you say no, you really don't know what to expect," said the employee. "He's the guy that signs our paychecks."

NOT ALL EMPLOYEES OBJECTED

A fourth employee described being solicited by two higher-ups at the company in a meeting March 31.

"It was strongly suggested we give," said the employee, who was also asked to contribute 1% of salary, and — like the others — was asked to make a contribution that

But this employee was not offended by the request or the way in which it was made. The employees who spoke to The Journal work in three different areas of the company. Several employees in other departments at the firm refused comment Tuesday night.

As evidence that Checota had made it clear to employees they were not obligated to give to his campaign, Christofferson cited the invitation Checota sent employees to his fund-raiser on March 31. It noted, "no contribution is required; your presence is the important thing."

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CONFIDENTIAL

Checota firm workers may take legal action

4-16-92

By **KENNETH R. LANKE**
Sentinel staff writer

A Universal Medical Buildings employee said Wednesday that he and four fellow employees have consulted an attorney and will take legal action if they suffer job discrimination for refusing to contribute to the U.S. Senate campaign of UMB Chairman Jo-

seph W. Checota.

A spokesman for Checota said that, as a practical matter, the employees probably should not have been asked for contributions by their department heads.

However, Bill Christofferson, Checota's campaign consultant, said there was nothing unethical or illegal about the practice.

Christofferson said Checota had nothing to do with the solicitation and "there are no consequences either way" for employees who contribute or don't contribute to Checota.

Asked why Checota himself would not respond to the charges that employees felt pressured to contribute, Christofferson said, "Because his role is to talk about issues, not about scurrilous charges."

The UMB employee, who declined to give his name, said he and four fellow employees had been asked by their superiors to contribute to Checota's campaign.

In his case, he said, a \$500 contribution was sought, less than 1% of his annual salary.

Three employees earlier had come forward and said they and others were asked to contribute to the campaign by their supervisors.

The employee who is considering legal action cited an "atmosphere of fear" at UMB after the solicitation.

"I don't think he'd be a very good senator and that's why I didn't contribute," the employee said.

The employee cited Chapter 12.07(4) of the Wisconsin election statute, which prohibits employers from using discharge, demotion or disciplinary action or the threat of them in seeking political contributions or services from employees.

Christofferson said, "No one has threatened anyone. No one has broken any law. Checota has not been personally involved in any solicitation (of employees) and he's made it clear in writing that his employees are not expected to contribute."

"If someone had asked Checota or the campaign, would we have authorized it? No."

Christofferson said he did not know how many of the firm's 100 or so employees were solicited — "certainly not everybody" — or how many department heads did the soliciting.

Checota is seeking the Democratic nomination for the U.S. Senate. U.S. Rep. Jim Moody (D-Wis.) and State Sen. Russell D. Feingold (D-Middleton) also are running. The primary is Sept. 8.

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CONFIDENTIAL

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Thursday April 16, 1992

Campaign shakedown demands explanation

NOW HERE'S a novel form of tisking: You give 1% of your annual salary to help elect your boss to Congress. It's not mandatory, of course, but you do want to keep your job, don't you?

That's the way some employees of Universal Medical Buildings interpreted a request to contribute to chairman Joe Checota's campaign for the US Senate. "Extortion," one worker called it. Disgusting and abusive would also describe it.

As The Journal's Craig Gilbert reported Wednesday, workers in at least two departments at Checota's firm were called in by their bosses recently and urged to donate 1% of their salaries to his campaign to unseat Sen. Bob Kasten; others were solicited by company executives over the phone. Some who declined were pressured a second time. One of the solicitors was "the same

[person] who doles out raises, bonuses, hires and fires," an employe told Gilbert.

Did Checota authorize the shakedown? A campaign spokesman says no. The candidate himself was unavailable for further explanation.

He'd do better to open up. Among the questions that need answering: How could such an outrageous practice take place without the iron-fisted Checota's imprimatur? If he didn't know about it, shouldn't he have, (and stopped it)? Why would his executives do something that would make their boss look so bad?

WHATEVER the real story here, Checota has just handed his opponents a dandy campaign issue. The man who plans to spend \$5 million on this race (half of it his own money) has also given the public yet another reason to be turned off by politics and politicians.

CONFIDENTIAL

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CONFIDENTIAL

Candidates' fund-raising styles as diverse as political styles



By KENNETH R. LAMM
Sentinel staff writer

The nicest part of politics, both to practice and to analyze, is raising money.

Probably the one thing to keep in mind about it is that money does buy influence.

Major contributors get a hearing from the officeholders to whom they've contributed. They may not always get a favorable decision, but they at least get to state their case.

By contrast, average folks may or may not even be heard.

But beyond that point, fund-raising defines our government. Styles are diverse.

His views aside, Jerry Brown made a contribution to the political system this spring by showing that you can run a credible campaign for president while limiting individual contributions to \$100, and rejecting special interest money.

Brown won't win the Democratic presidential nomination this year, but not because he lacked money to get out his message.

At the other extreme of fund-raising style, Texas millionaire H. Ross Perot now plans an independent bid for president backed by at least \$100 million of his own money.

This means Perot as president will only have to listen to one special interest — himself.

In that regard, Perot is the

Don't expect the system to carry you, Rep. David Obey (D-Wis.) is saying to the citizenry. For starters, vote, and then send the pol of your choice a little check.

Sen. Herbert H. Kohl (D-Wis.) on a grander scale.

Kohl paid for his Senate seat in 1980 with \$6 million of his own money and doesn't have to listen to anybody. Which is only fair because, in Washington, D.C., it's reciprocal.

The current Wisconsin campaign for the US Senate also is replete with a variety of campaign finance styles.

Millionaire businessman Joseph W. Chocoma has loaned his campaign \$5 million, and has a campaign balance of \$1.9 mil-

lion. Rep. Jim Moody (D-Wis.) and incumbent Sen. Robert W. Kasten Jr. (R-Wis.), insiders both, are doing a good job of using their seats of influence to cover the country for special interest money.

Moody has about \$1.3 million in the bank, Kasten about \$1.8 million.

The little guy in the Wisconsin Senate campaign is State Sen. Russell D. Feingold (D-Middleton). He hasn't placed any limits on contributions; he

just doesn't have the clout to raise big money.

So Feingold is raising a lot of little money (relatively), and has about \$200,000 in the bank.

The "Feingold Wind" occurs to guess like this: Chocoma and Moody, both Milwaukeeans, split the Milwaukee vote, while Feingold captures the bulk of his own large Dane County Democratic base.

In addition, Chocoma and Moody spend their millions on the noisiest primary campaign in Wisconsin history. Democratic primary voters get disgusted and opt for Feingold.

Makes a good story, anyway.

Rep. David Obey (D-Wis.) embodies the mainstream of the campaign finance issue within his own singular, righteous persona.

A reformer, Obey is constantly pushing Congress to change the laws to reduce the influence of special interest money.

At the same time, Obey is among the better, if not among the first-rank, voters of special interest money himself, principally from traditional Democratic sources such as labor.

Obey has a sensible answer to the problem of campaign finance — an answer, but, given human nature, probably not a solution.

Obey says that as long as average people refuse to contribute a little cash to campaigns, the vacuum — about campaigns financed with tax dollars — will be filled by people interested enough to give, i.e., the special interests.

Obey's humility in the campaign finance equivalent of conservatives' call for writers recipients to get off their butts and go to work.

Don't expect the system to carry you, Obey is saying to the citizenry. For starters, vote, and then send the pol of your choice a little check.

9 5 0 4 3 6 3 5 1 6 4

JOSEPH W. CHECOTA

781 NORTH JACKSON STREET, MILWAUKEE, WISCONSIN 53208 414 278-0100

January 31, 1992

Mr. Charles T. Wood
122 Metcalf Road
P.O. Box 3537
Waquott, MA 02536

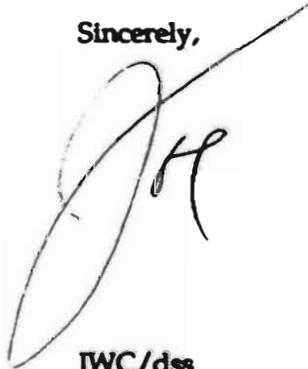
Dear Charlie:

Thanks for agreeing to contribute to my campaign for the U.S. Senate.

Although I am very reluctant to suggest the level of your possible financial support, I would be deeply grateful for a \$1,000 contribution.

Again, Charlie, many thanks for considering my request.

Sincerely,



JWC/dss
enclosures

P.S. Enclosed please find some reprints of articles that appeared in Milwaukee newspapers, as well as a memorandum that describes the race. Thought you might be interested.

95043635165

CONFIDENTIAL

000061

JOSEPH W. CHECOTA

721 NORTH JACKSON STREET, MILWAUKEE, WISCONSIN 53202 414 878-0100

February 13, 1992

Mr. Charles T. Wood
122 Metcalf Road
P.O. Box 3537
Wauquitt, MA 02536

Dear Charlie:

Thank you for your generous \$1,000 contribution to my campaign for the U.S. Senate.

Ellen and I sincerely appreciate this very special act of friendship. I'll do my best to respond to your generosity with a winning effort.

I know Shirley participated in the decision to provide financial support. Please thank her for me.

Sincerely,



JWC/des

cc: Ellen Checota

CONFIDENTIAL

000062

95043635166

JOSEPH W. CHECOTA

781 NORTH JACKSON STREET, MILWAUKEE, WISCONSIN 53202 (414) 878-0100

January 16, 1992

Mr. Wade Mountz
9 Muirfield Place
Louisville, KY 40222

Dear Wade:

I just realized that I have failed to write to thank you for contributing or raising \$10,000 to help me become a U.S. Senator.

Once again, you have delivered 100 percent in response to what a mere mortal would have considered an unreasonable request.

I will do my best to respond to your support with a winning effort.

Sincerely,



JWC/dss

P.S. I have not forgotten about the contribution I received from Betty Mountz. Many, many thanks, Betty.

CONFIDENTIAL

000063

95043635167

JOSEPH W. CHECOTA

701 NORTH JACKSON STREET, MILWAUKEE, WISCONSIN 53208 (414) 870-0100

October 18, 1991

Mr. Wade Mountz
9 Mainfield Place
Louisville, Kentucky 40222

Dear Wade:

I sincerely appreciate the willingness of you and Betty to contribute \$2,000 each to my campaign for the U.S. Senate. Ellen and I are deeply grateful for this very special act of friendship.

As I indicated this afternoon, a report I am required to file next January will disclose all contributions I receive during the second half of 1991. Because this report will permit other potential Democratic candidates for the Senate to measure the strength of my candidacy, I will particularly benefit from funds you are able to raise before the end of the year.

Again, Wade, many, many thanks.

Sincerely,


JWC/dss
enclosure

P.S. Please make checks payable to Joe Checota for Senate.

P.P.S. An attendance report for the October seminars is enclosed.

cc: Carrier/Christofferson

CONFIDENTIAL

000064

95043635168

JOSEPH W. CHECOTA

751 NORTH JACKSON STREET, MILWAUKEE, WISCONSIN 53202 414 578-0100

VIA TELECOPIER

October 22, 1991

**James D. Harvey, President
Hillcrest Medical Center Foundation
1120 South Utica
Tulsa, Oklahoma 74104**

Dear Jim:

**I appreciate the opportunity to talk to you about my campaign for the
U.S. Senate. Thanks for giving me so much time on Sunday.**

**Ellen and I sincerely appreciate the willingness of you and Inadoll to
contribute to my campaign.**

Best personal regards.

Sincerely,


JWC/das

P.S. Please make checks payable to Joe Checota for Senate.

CONFIDENTIAL

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JOSEPH W. CHECOTA

981 NORTH JACKSON STREET, MILWAUKEE, WISCONSIN 53202 414 276-0100

November 6, 1991

**Mr. and Mrs. James D. Harvey
2207 Terwilliger
Tulsa, OK 74114**

Dear Jim and Inadoll:

I am deeply grateful for your generous contribution of \$1,500 to my campaign for the U.S. Senate.

I will do my very best to respond to your support with a winning effort.

Sincerely,


JWC/dss

CONFIDENTIAL

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9.5043635170

JOSEPH W. CHBCOTA

781 NORTH JACKSON STREET, MILWAUKEE, WISCONSIN 53208 414 876-0100

January 8, 1992

Mr. and Mrs. A. J. Felfarek
6 S. Meadow Lane
Madison, WI 53705

Dear Duff and Mary:

I sincerely appreciate your very generous contribution of \$4,000 to my campaign for the U.S. Senate.

I will do my best to respond to your support with a winning effort.

Sincerely,


JWC/das

Thanks, Duff,
for your very
special effort

CONFIDENTIAL

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9504135171

Joe Checota
U.S. S E N A T E

April 24, 1992

CONFIDENTIAL

First, I want to thank you for your support and encouragement in my campaign for the United States Senate. I am grateful for your friendship and your generosity.

However, as you know, there is some controversy over my acceptance of contributions from employees of UMS.

Regrettably, it appears that some employees feel they were inappropriately solicited by their supervisors for contributions.

That should not have happened. It happened despite my best efforts to make it clear to everyone at UMS that no one should feel any pressure or obligation to work in or contribute to my campaign.

Many people at UMS want to be involved in my Senate campaign, and I'm pleased to number you among them. I welcome your help and support, but I have decided to return your contribution and that of all UMS employees or their families.

I don't want there to be even the slightest question or appearance of impropriety.

My campaign is all about changing the way government works, about ending the influence of special interests, and taking on the nonsense in Washington. Those who are threatened by that agenda will seize on any opportunity to try to discredit our efforts. What's at stake is too important to let that happen.

You will undoubtedly be invited to campaign events, including fundraisers, from time to time because your name is on various mailing lists. I'd like to have you attend if you're interested, but please don't make any contributions.

Thanks again for your friendship and support.

Sincerely,

Joe Checota
U.S. S E N A T E

CONFIDENTIAL

March 23, 1992

14-14- 1- 2-
3-
4-
5-, 6- 7-

Dear 13-,

Many UMS employees have asked about my campaign for the Senate and how they can get involved. I'd like to take this opportunity to extend a complimentary invitation to you to attend my campaign reception on Tuesday March 31, from 5:30 to 7:30 at the Posner Gallery, 207 North Milwaukee Street.

Ellen and I will be gathering with some of our friends from the arts community in our first campaign event and I wanted to be sure to include you. No contribution is required; your presence is the important thing.

Please let us know if you can make it by returning the enclosed RSVP card. I'm looking forward to seeing you on the 31st.

Sincerely,

JOE CHECOTA

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CONFIDENTIAL

SPEAKERS

- | | |
|----------------------------|----------------------------|
| Judith Peters | Patrick M. Ryan |
| Lois and Bruce Jurek | General U. Stankiewicz |
| Alvin Rasmussen | Robert Pannas |
| John and Joan Hobart | Harold L. Mackay |
| David Keller | Robert and Jill Brzezinski |
| Bill and Nicole Trosky | Tom and Peggy Jurek |
| Ernie Jensen | Carl Mowbray |
| Mont Pysan | Dr. Nancy Paine-John |
| Harold Peterson | Judith Ann Minsky |
| John Cich | Charles F. Strassman |
| Michael Lenz | Jack Hale |
| Linda Madsen | William A. Jurek |
| Janet Stuber | Paul Mowbray |
| Maureen Kavan | John Lauer |
| Patrick Parnell | Marion Larkman |
| Charles F. White | Jack and Joanne Trosky |
| Kate Bergman | Lois Trosky |
| Charles Kasper | Charles White-Trosky |
| Barbara Kell-Phillips | John and Elaine Minsky |
| Charles and Joanne Mowbray | |

You are cordially invited
to an
arts community reception
for

Joe Checota
Candidate for U.S. Senate

Tuesday, March 31
5:30 to 7:30 p.m.

Plumer Gallery
207 North Milwaukee Street
Milwaukee

All contributions gratefully accepted

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411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4487
414/277-5000
FAX 414/277-1650

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona



UNRECORDED COPY

DELIVERY BY TELECOPY

Mr. Richard M. Sanfardino
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20403

Dear Mr. Sanfardino:

As we explained on Thursday, January 14, 1993, we are waiting for the Federal Election Commission's Public Records Department to produce certain advisory opinions referenced in the Commission's Factual and Legal Analysis. As we noted, we do not expect to receive the documents for up to 10 working days (or January 29, 1993) from the Public Records Department. In order to adequately respond to these assertions, we request that our deadline for answering the FEC's Factual and Legal Analysis be postponed until February 3, 1993.

If you have any questions, please do not hesitate to call.

Very truly yours,

QUARLES & BRADY


Matthew J. Flynn

415/11z

cc: Samuel J. Recht, Esq.

95043635175

411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4487
414/277-5000
FAX 414/277-5591

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona



February 10, 1993

DELIVERY BY TELECOPY

Richard M. Zanfardino, Esq.
Federal Election Commission
Washington DC 20463

Dear Mr. Zanfardino:

This letter is to confirm that we have now received from the Public Reference Room the Advisory opinions cited in the Commission's Factual and Legal Analysis and can now respond to that analysis. We anticipate forwarding a response on Monday, February 15, 1993.

If you have any questions, please do not hesitate to call me at 414-277-5133.

Very truly yours,

QUARLES & BRADY

Walter J. Skipper

415/lz

95043635176

411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4487
414/277-5000
FAX 414/277-5661

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona



February 15, 1993

DELIVERY BY TELECOPY

Mr. Richard M. Zanfardino
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20403

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
93 FEB 16 AM 10:50
93 FEB 16 AM 10:50

Dear Mr. Zanfardino:

This letter is to request an extension for the filing of our response to the Commission's Factual and Legal Analysis Memorandum. We, hereby, request a one week extension. This extension is necessary to file a complete and an accurate response to all of the issues raised in the Memorandum. As we reviewed the advisory opinions and other documents recently received, we developed additional questions which we are attempting to resolve. Please let me know (at 414-277-5133) if the proposed timetable is acceptable.

Very truly yours,

QUARLES & BRADY

Walter J. Skipper

415/llz

cc: Samuel J. Recht, Esq.
Matthew J. Flynn, Esq.

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CGC 8469

FEDERAL ELECTION COMMISSION

411 East Wisconsin Avenue,
Milwaukee, Wisconsin 53202-4497
414/277-5000
FAX 414/277-5591

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona

FEB 23 2 57 PM '93

Quarles / Brady

February 22, 1993

RECEIVED
FEDERAL ELECTION COMMISSION
93 FEB 23 PM 3:31

DELIVERY BY TELECOPY and UPS OVERNIGHT

Richard M. Zanfardino, Esq.
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20403

Dear Mr. Zanfardino:

We enclose our response to the Federal Election Commission's Factual and Legal Analysis. We are also forwarding by UPS Overnight delivery, 20 copies of this response which can be used for distribution to the Commission.

If you have any questions, please do not hesitate to call.

Very truly yours,

QUARLES & BRADY



Samuel J. Recht
Matthew J. Flynn

415/llz

Enclosures

cc: Walter J. Skipper

20-106-705-3

9 5 0 4 3 6 3 5 1 7 8

411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4497
414/277-5000
FAX 414/277-5591

Attorneys at Law in
Milwaukee and Madison, Wisconsin
West Palm Beach, Naples and
Fort Lauderdale, Florida
Phoenix, Arizona

Quarles & Brady

**CONFIDENTIAL PURSUANT TO
4 U.S.C. Sections 437g(a)(4)(B) and
437g(a)(12)(A)**

February 22, 1993

The Honorable Joan D. Aikens
Chairman
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

RECEIVED
FEDERAL ELECTION COMMISSION
93 FEB 23 PM 3:39

Dear Chairman Aikens:

The Federal Election Commission ("FEC" or "Commission") states that it has found reason to believe Universal Medical Buildings L.P., a limited partnership ("UMB"), Joseph W. Checota ("Checota"), the Joe Checota for Senate Campaign Committee, Inc. ("Committee") and Edith Peters, as treasurer for the Committee ("Peters"), (collectively, "our clients") may have violated 2 U.S.C. Section 441b(a). As discussed below, the Commission's "reason to believe," apparently based on unsubstantiated newspaper articles that fail even to identify a source, is an unjustified and ill-advised reason to proceed against our clients. We hereby submit the following analysis that will demonstrate why there is no reason to proceed with an enforcement action.

In summary, first, as clearly shown by the December 29, 1992, document production there was no violation of any campaign statute. Second, even assuming the Commission disagrees with our analysis (set forth at Part II), UMB, as a partnership, is clearly not subject to the requirements of 2 U.S.C. Section 441b(a) and, accordingly, there was no violation. Finally, any use of the facilities was "occasional, isolated, and incidental" and would not be an appropriate basis for an enforcement action.

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I.

Mr. Checota, Chairman of UMB, decided to run for the U.S. Senate in 1991. After he announced his decision to run for the Senate and formed the Committee, various employees of the UMB partnership voluntarily asked Mr. Checota what they could do to assist his election campaign. With these offers in mind, on January 22, 1992, Mr. Checota circulated a memorandum (dated January 22, 1992) to all employees of the UMB partnership referring to those many offers of support by stating, "A number of employees, I know, have expressed interest in helping with my campaign in some way . . ." ¹ Significantly and in that very same memorandum, Mr. Checota cautiously added, "But I want to add a note of caution" and then went on to emphasize the importance of complying with the federal election laws should any UMB employee assist his campaign. ²

On March 23, 1992, Mr. Checota, again responding to employees' continued offers to assist in the upcoming Senate election, invited employees of the UMB partnership to attend a March 31, 1992, campaign reception. Again, Mr. Checota made it clear that no strings were attached, stated in writing, "No contribution is required; your presence is the important thing" (emphasis added). ³

After the March 23 invitation was disseminated, certain UMB supervisors had occasion to meet with their department staff and stated the obvious that any voluntary support for Mr. Checota in his bid for the Senate seat would be helpful and potentially allow the Senate to have an experienced businessman to solve the many problems facing our country. ⁴ Mr. Checota did not take part in these short meetings, nor prepare a script, nor suggest employees donate 1% of their salary, or even suggest UMB supervisors talk to their department employees. Mr. Checota's message was clear: All UMB employees should comply with the federal election laws and no contribution from any employee was required.

On April 24, 1992, after the publication of the newspaper stories that seem to be the basis for this proceeding, Mr. Checota quickly responded to the possible

1 Document Bates Stamped 53.

2 Document Bates Stamped 53.

3 Document Bates Stamped 69.

4 Clearly these meetings with executive and administrative personnel fall within 11 C.F.R. §114.3(a)(1).

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appearance that employees may have been required to contribute to the campaign, by refunding all of the UMB partnership employee contributions. In his cover letter with the return on the contributions, Mr. Checota noted, "Regretfully, it appears some employees feel they were inappropriately solicited by their supervisors for contributions. That should not have happened. It happened despite my best efforts to make clear to everyone at UMB that no one should feel any pressure or obligation to work in or contribute to my campaign."⁵ If there was any doubt, Mr. Checota once again stated, "No one's job or advancement at UMB is connected in any way to whether they support me or help in my campaign" (emphasis added).⁶

As these facts, documented in the document production, highlight, our clients have made comprehensive attempts to comply with all the election laws. And these efforts have been successful. Indeed, there were no improper corporation contributions to the Committee.

II.

No corporation made a contribution or expenditure of "anything of value" to a candidate for the Senate race. Indeed, no corporate resources or facilities were involved or used to result in an improper "contribution" to Mr. Checota. Significantly, the employees merely received an invitation to a reception by Mr. Checota which clearly stated that "No contribution is necessary." That, certain UMB employees, individually, wanted to assist Mr. Checota's campaign, is consistent with their constitutional rights. They believed, in response to the many voluntary offers and requests by UMB employees to assist the Committee, that meeting all employees of a particular department in one place would minimize time demands. Indeed, there was never any threat, implicit or explicit, by any one that one must contribute in order to keep one's job. Such a gathering is not an unlawful "contribution."

As made clear in the General Counsel's Report for MUR 1690, there is no "per se rule that executives may never engage in individual volunteer activity using corporate facilities."⁷ Accordingly, the calling together of a department's

⁵ Documents Bates Stamped 68 (memorandum sent with return checks) and 52 (memorandum sent to all UMB employees).

⁶ Documents Bates Stamped 52 and 68.

⁷ General Counsel's report MUR 1690 ("MUR Report 1690"), p. 9.

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The Honorable Joan D. Aikens

February 22, 1993

Page 4

employees by a supervisor is not a violation of the letter or the spirit of Section 441b. In fact, 11 C.F.R. Section 114.3(a)(1) clearly states that "a corporation may make communications . . . to its executive or administrative personnel." These meetings, with employees of the UMB partnership, were consistent with that rule. These meetings did not step outside the safeharbor set forth in the rule.

This analysis is consistent with case law as well. Specifically, one court recently noted, "[N]owhere does FECA [Federal Election Campaign Act] forbid corporate supervisors from asking their subordinates for contributions as long as they comply with the provisions of Section 441b(b)(3)."⁸ Therefore, consistent with the law, the calling together of UMB employees in one place (and even the request) is not improper action. Clearly, all contributions, later returned, complied with Section 441b(b)(3).

The Commission's Factual and Legal Analysis Memorandum suggest that these actions went beyond the safeharbor and amount to an actual contribution of some value by UMB to Checota. This position is contrary to the written majority opinion (and, indeed, similar to the minority opinion) in *Pipefitters v. U.S.*⁹ In fact, the majority opinion in that case held that corporations and unions could solicit voluntary funds from members, employees or stockholders to contribute to election campaigns. Indeed, in the *Pipefitters* decision, the majority notes that the legislative history of Section 441b¹⁰ reflects that "officers of these institutions [corporations and unions] have a duty to share their informed insights on all issues affecting their institution with their constituents."¹¹ Consistent with the reflections contained in the legislative history and this decision, UMB supervisors contacted their department employees to discuss their view of Mr. Checota, and in one place addressed certain employees' requests to assist the Committee. These actions, and

⁸ Selected Court Case Abstracts, Federal Election Commission, 165 (citing *IAM v. FEC*, (Civil Action No. 80-0354 D.D.C. 1980)).

⁹ 407 U.S. 385 (1972).

¹⁰ As well as other parts of the federal election laws.

¹¹ *Pipefitters* at 431, ft 42 (citing 117 Cong. Rec. 43380).

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the voluntary employee contributions,¹² did not violate Section 441b because there was no corporate contribution, as the statute has been judicially interpreted.

Naturally, any voluntary UMB employee contributions received went from the employees to the treasurer of the Checota campaign--not through any specially created UMB facility to funnel contributions. Accordingly, at all points there was no improper "contribution."

In short, UMB did not provide "something of value" to Mr. Checota. The mere holding of short meetings which note, consistent with public announcements, that the chairman of UMB is running for office does not constitute "contributions." Nor does the suggestion that contributions be forwarded to the campaign treasurer constitute a violation of Section 441b. In fact, at all points, UMB strove to comply with the law. These actions do not justify an enforcement action.

III.

As noted earlier, while we believe there was no violation of 2 U.S.C. Section 441b, it is, however, important for the FEC to recognize that UMB is a limited partnership and not a corporation. The legal analysis set forth in the Factual and Legal Analysis Memorandum which assumes that UMB is a corporation is clearly inapplicable because Section 411b is not applicable to partnerships.¹³ For example, in *U.S. v. International Union United Auto*, the Supreme Court emphasized that this statute was designed to impact "corporate or union funds used to influence public at large."¹⁴ The FEC should not institute an enforcement action involving alleged actions of a limited partnership on the basis of Section 441b. To do so would be contrary to the clear mandates of statutory law.

¹² The Commission's Factual and Legal Analysis Memorandum suggests some employees might have felt coerced to contribute. As noted in the legislative history of the act and the *Pipefitters* decision, law cannot control the "mental reaction" of an employee or union member to a request to contribute. Accordingly, the focus should be on whether the contributions were voluntary. The record (including the documents submitted) clearly shows all contributions were voluntary.

¹³ By its very terms, Section 441b applies to "national banks, corporations, or labor organizations." UMB is not within this category of entities subject to Section 441b.

¹⁴ 352 U.S. 567.

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IV.

At most, the above analysis shows that UMB employees, even if one disregards the fact that UMB is a partnership, engaged in "occasional, isolated, or incidental" use of the facilities.¹⁵ The decision by certain department heads to call their staff together and discuss a manner for making voluntary contributions if an employee wanted to do so, explicitly falls within the allowed actions of 11 C.F.R. §114.9(a). Significantly, the amount of time for the meeting (possibly 15 minutes) did not prevent the employees from completing the normal amount of work which that employee carried out during such a work period and, in any event, was considerably less than four hours in any month. Accordingly, such activities, in response to many employees voluntary offers of how they could help the Committee, fell within the safeharbor set forth at 11 C.F.R. §114.9(a).

V.

We also note that the legal analysis section of the Factual and Legal Analysis Memorandum discusses 2 U.S.C. Section 441a(a)(8) in the context of an "intermediary or conduit." The Memorandum does not reach a "reason to believe" conclusion based on this theory and we assume the Commission is not proceeding on that basis.

In any event, the facts would not support allegations of violations of Section 441a. UMB employees simply gave directly (and voluntarily) to the campaign--and such activities do not constitute a Section 441a(a)(8) violation.

Furthermore, the definition of a "conduit or intermediary" set forth at 11 C.F.R. Section 110.6(b)(2) does not include the actions that took place at UMB. Specifically, employees of UMB forwarded any voluntary contributions to the campaign treasurer. At no point was there "direction and control" over the funds by UMB. At most and consistent with the Advisory Opinion 1982-2 and 1987-29 certain supervisors communicated to employees a suggestion that they could make contributions and noted to the individuals where they could forward the funds. Here, employees, who wanted to contribute, did so by forwarding amounts to the Committee. These actions do not fall within the 11 C.F.R. Section 110.6 definition of a "conduit or intermediary".

15 See 11 C.F.R. Section 114.9(a).

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The Honorable Joan D. Aikens

February 22, 1993

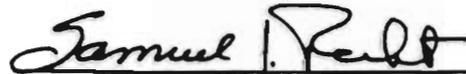
Page 7

This analysis is consistent with the conclusions in General Counsel's Report in MUR 1690. In that matter, an individual associated with a law firm went so far as to physically collect contributions from third parties and forward them to an election committee. The report concluded that "the Office of the General Counsel recommends the Commission take no further action regarding its reasons to believe finding that these respondents violated the conduit reporting provision"¹⁶ In light of the complete facts shown earlier and prior FEC administrative actions, we submit our clients were never an "intermediary or conduit" and never subject to the reporting requirements as a conduit or intermediary.

VI.

For the reasons stated above, the Commission should not initiate an enforcement action against our clients. Mr. Checota--upon learning of the uproar over the contributions--refunded all contributions to avoid even the appearance of impropriety. As shown by the December 29 document production, our clients clearly attempted to avoid violating any of the election laws or even the appearance of a violation. Accordingly any enforcement action, is inappropriate.

Sincerely yours,



QUARLES & BRADY
411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Samuel J. Recht
Matthew J. Flynn

415\llz

Enclosures

cc: All Commissioners

217\wjsltrs\222Aiken



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 2, 1993

Samuel J. Recht, Esq.
Quarles & Brady
411 E. Wisconsin Ave.
Milwaukee, WI 53202

RE:

Joe Checota; Joe Checota for
Senate Campaign Inc. and Edith
L. Peters, as treasurer;
Universal Medical Buildings

Dear Mr. Recht:

This letter is to acknowledge receipt of your subpoena response dated December 29, 1992 and to respond to your assertion that the documents are exempt from disclosure and your request that the Commission return the documents upon the completion of the investigation in this matter.

The Federal Election Campaign Act of 1971, as amended ("the Act"), prohibits the Commission or any person from making an investigation public. 2 U.S.C. § 437g(a)(12). This provision covers the disclosure of the documents in your subpoena response during the course of this investigation. At the completion of an investigation, the Commission places onto the public record relevant documents generated in the course of the matter except those specifically exempted under the Act, the Freedom of Information Act (FOIA), or other applicable statute. For example, the Act forbids the Commission or any other person from making public any information regarding conciliation attempts without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B)(i). Additionally, the FOIA permits, but does not require, exemption of documents going to confidential business information. See 5 U.S.C. § 552(b)(4). Determinations are made on a case by case basis as to which documents are relevant to the investigation and are placed on the public record, and which are irrelevant, or are exempt, and so are withheld from the record. At this early stage in the investigation it is not possible to determine which documents among those you submitted in response to the subpoena might be partially or fully exempted from the public record.

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Samuel J. Recht, Esq.
Page 2

Regarding your request that the Commission return the documents at the completion of the investigation in this matter, the Commission does not ordinarily return documents that relate to the Commission's reasoning in the disposition of a Matter Under Review. It is possible, however, for the Office of the General Counsel to return documents, or copies of documents, that played no part in the Commission's findings in a matter. Again, it is not possible to make such a relevance determination at this point.

The Commission will consider your request upon the completion of the investigation. If you have any questions about this issue, please contact me at (202) 219-3690. If you have any other questions, please contact Richard Zanfardino at the same number.

Sincerely,



Jonathan A. Bernstein
Assistant General Counsel

95043635187

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MAR 3 3 26 PM '95

SENSITIVE

Joe Checota for Senate Campaign,
and Edith Peters, as treasurer
Universal Medical Buildings
et al.

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On October 20, 1992, and October 27, 1992, the Commission
opened a MUR and found reason to believe that

respondents violated 2 U.S.C. § 441b(a).

The Commission also approved
certain subpoenas to produce documents. This
Office has attached the Certifications in this matter dated
October 20, 1992 and October 27, 1992 for the Commission's

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information. Attachment 1. This report contains recommendations to assure that this matter conforms to the appeals court opinion in FEC v. NRA Political Victory Fund, et al., 6 F.3d 821 (D.C. Cir. 1993), cert. dismissed for want of jurisdiction, 63 U.S.L.W. 4027 (U.S. Dec. 6, 1994)(No. 93-1151), ("NRA"), and to return this matter to its pre-NRA status. This report also contains recommendations to

take no further action

II. RECOMMENDED ACTIONS IN LIGHT OF FEC v. NRA

A. Revoting Reason to Believe Findings

This Office recommends that the Commission, consistent with its November 9, 1993 decisions concerning compliance with the NRA opinion, revoke the determination to open a MUR and find reason to believe that the following violations occurred based on the reasoning in the First General Counsel's Report dated September 29, 1992 ("September 1992 Report"):

95043635139

Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer, violated 2 U.S.C. § 441b(a).

This Office further recommends that the Commission revote to approve the factual and legal analyses that were attached to the September 1992 Report.

B. Reauthorizing of Subpoenas

As noted above, on October 20, 1992, the Commission authorized various subpoenas to produce documents

Respondents have complied with the document subpoenas.

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This Office will not reissue the document subpoenas with the NRA notification, but as the investigation progresses this Office will reissue subpoenas as needed.

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III. FURTHER RECOMMENDED ACTIONS

Pages 5-35 do not apply to these respondents and thus have been deleted from this file.

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Universal Medical Buildings

The reason to believe recommendations for the Universal Medical Buildings ("UMB"), Joe Checota, and the Joe Checota for Senate Campaign and Edith Peters, as treasurer, section 441b(a) violations were based on the apparent corporate effort organized by candidate and UMB Chairman and CEO Joe Checota to raise contributions for his campaign. See the September 1992 Report at pages 28-31.

The UMB and Joe Checota for Senate Campaign subpoena response indicates that Joe Checota sent a memo dated January 22, 1992 to all UMB employees, noting his Senate campaign and "welcom[ing] any help you can give." Attachment 3, page 679. On March 23, 1992, Mr. Checota sent a letter on his campaign stationery to UMB

employees inviting them to a March 31, 1992 "campaign reception."³⁰ Attachment 3, page 695. The letter states that "no contribution is required; your presence is the important thing." Finally, employees are instructed to return an enclosed RSVP card, which states "[a]ll contributions gratefully accepted," but suggests no amount. Attachment 3, page 696.

The response together with the public record show that 37 employees contributed a total of \$16,892.00 to the Checota campaign; 31 of these were dated March 31, 1992, with two more dated the previous day. Attachment 3, pages 642-77. Press accounts later reported that on March 31, the day of the reception, supervisors solicited employees in person and by telephone. Attachment 3, pages 680-86. Following this press attention, on April 24, 1992, Joe Checota sent a memo to UMB employees stating that in light of the "controversy" and the feeling of "some employees" that they were "inappropriately solicited by their supervisors for contributions," he would refund all employee contributions and refuse further employee contributions.³¹ Attachment 3, pages 678 and 694. The public record indicates no subsequent employee contributions. Finally, the campaign wrote refund checks dated April 27, 1992, covering all thirty-seven contributions noted above. Attachment 3,

30. The response includes an unsigned draft version of the letter.

31. The response included two similar versions of this letter, both dated April 24, 1992. One was titled "MEMORANDUM" and addressed to "All UMB Employees"; the other was printed on campaign stationery with no specific addressees.

95043635193

pages 628-41. Joe Checota lost the September 8, 1992 primary election with 13% of the vote.

Thus it appears that Mr. Checota and other UMB management solicited employees in the workplace for contributions to the campaign of the UMB Chairman and CEO, and after negative press accounts, the employee contributions were refunded. As set out in the September 1992 Report, pages 30-31, such activity appears to constitute a contribution by UMB accepted by Joe Checota on behalf of his campaign.

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UMB responds that it is a limited partnership rather than a corporation and asserts that therefore there is no section 441b(a) violation. Attachment 3, page 701. This Office has determined, however, that UMB's managing general partner is UMB Corporation. Under 11 C.F.R. § 110.1(e), a contribution by a partnership shall be attributed to both the partnership and to each partner in proportion to the partner's share of the profits. This regulation also provides that no portion of a partnership contribution may be made from the profits of a corporation that is a partner. Therefore, it appears that UMB's contribution to the Checota campaign constitutes an indirect corporate contribution.³²

In addition, UMB makes arguments distancing Joe Checota from the contribution solicitation, denying that employees were coerced, and asserting that company resources were not used, concluding that the company made no contribution. Significantly,

32. Even if UMB were analyzed as a partnership, there would be issues of excessive contributions and failure to report as a conduit. See 2 U.S.C. §§ 441a(a)(1)(A) and 441a(a)(8); September 1992 Report pages 23-25 (Goldman, Sachs & Co.).

UMB does not deny the solicitation as described. Instead, the company argues that the activity fits into the exemptions to the section 441b(a) prohibition on contributing anything of value to federal campaigns, i.e., limited individual volunteer activity and permitted internal communications. See 11 C.F.R. §§ 114.9(a)(1) and 114.3(a)(1). We disagree.³³ A corporate effort to collect contributions from most of a company's employees falls outside these exceptions and instead constitutes a donation of something of value to the recipient campaign in violation of section 441b(a).

This Office views this corporate contribution as a serious violation of the Act, but other factors justify not further pursuing these respondents. The Checota campaign refunded all the employee contributions more than four months before the primary election, which Joe Checota lost with 13% of the vote, coming in third place 57% behind the winner. Mr. Checota was not a candidate for federal office in 1994, and appears to be a one-time candidate. Thus, this Office considers this activity as unlikely to be repeated. In order to focus greater impact, this Office intends to sternly admonish respondents and copy the letter to the employees who contributed. This Office believes that this sanction is sufficient under the circumstances and that resources be directed at pursuing the other fact patterns in this matter.

33. For example, UMB asserts that department heads meeting with employees to solicit contributions is permissible activity under section 114.3(a)(1). This provision, however, covers only corporate communications to stockholders and executive and administrative personnel, and in any event does not permit a corporation to fundraise on behalf of a candidate.

95043635195

Therefore, this Office recommends that the Commission open a NUR comprising of the activity of Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer. In addition, this Office recommends that the Commission take no further action and close the new NUR file.

Pages 41-54 do not apply to these respondents and thus have been deleted from this file.

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IV. RECOMMENDATIONS

Open a MUR.

95043635197

Find reason to believe that Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer, violated 2 U.S.C. § 441b(a).

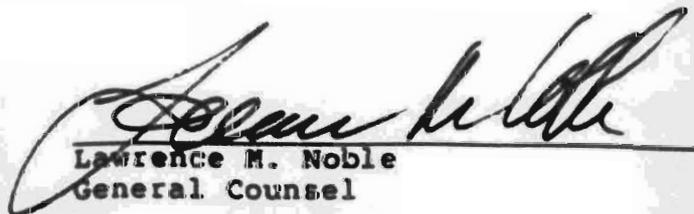
Approve the Factual and Legal Analyses that were attached to the General Counsel's Report dated September 29, 1992.

Open a MUR comprising of the activity of Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer.

Take no further action and close the new MUR file regarding the activity of Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer.

Approve the appropriate letters.

3/3/95
Date


Lawrence M. Noble
General Counsel

95043635198

Federal Election Commission
Certification
March 21, 1995

Page 2

9 5 0 4 3 6 3 5 2 0 0

(continued)

Federal Election Commission
Certification
March 21, 1995

Page 3

95043635201

(continued)

Federal Election Commission
Certification
March 21, 1995

Decided by a vote of 6-0 to

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(continued)

Find reason to believe that Universal
Medical Buildings, Joe Checota, and
the Joe Checota for Senate Campaign,
and Edith Peters, as treasurer,
violated 2 U.S.C. § 441b(a).

Commissioners Aikens, Elliott, McDonald, McGarry,
Potter, and Thomas voted affirmatively for the
decision.

(continued)

95043335203

9 5 0 4 3 6 3 5 2 0 4

Decided by a vote of 6-0 to open a NUR comprising of the activity of Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Take no further action and close the new NUR file regarding the activity of Universal Medical Buildings, Joe Checota, and the Joe Checota for Senate Campaign, and Edith Peters, as treasurer.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

(continued)

Federal Election Commission
Certification
March 21, 1995

95043635205

(continued)

Federal Election Commission
Certification
March 21, 1995

Page 8

95043635206

Attest:

3-24-95
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

April 11, 1995

Samuel J. Recht, Esq.
Quarles & Brady
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497

RE: MUR 4197
Joe Checota; Joe Checota for
Senate Campaign and Edith Peters,
as treasurer; Universal Medical
Buildings

Dear Mr. Recht:

On October 20, 1992, the Federal Election Commission found that there is reason to believe Joe Checota, the Joe Checota for Senate Campaign and Edith Peters, as treasurer, and Universal Medical Buildings ("UMB") each violated 2 U.S.C. § 441b(a).

As you may be aware, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), cert. dismissed for want of jurisdiction, 63 U.S.L.W. 4027 (U.S. Dec. 6, 1994) (No.93-1151). The Commission has taken several actions to comply with the Court of Appeals decision. The Commission, consistent with the opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

On March 21, 1995, the Commission revoted to find reason to believe that Joe Checota, the Joe Checota for Senate Campaign and Edith Peters, as treasurer, and UMB each violated 2 U.S.C. § 441b(a), and to approve the Factual and Legal Analysis previously mailed to you. Please refer to the latter document for the basis of the Commission's decision. If you need an additional copy, one will be provided upon request. In addition, the Commission has renumbered the matter comprising your clients' activity MUR 4197. After considering the circumstances of the activity, the Commission determined to take no further action against Joe Checota, the Joe Checota for Senate Campaign and Edith Peters, as treasurer, and UMB, and closed the file in MUR 4197. The Commission also decided to send a copy of this letter to the employee contributors you identified.

95043635207

Samuel J. Recht, Esq.
page 2

The Commission reminds you that it is a violation of 2 U.S.C. § 441b(a) to make a corporate contribution such as a corporate effort to collect contributions from its employees, and that this activity falls outside the volunteer activity and permitted internal communications exemptions to the prohibition. See 11 C.F.R. §§ 114.3(a)(1) and 114.9(a)(1). In addition, it is a violation of 2 U.S.C. § 441b(a) for a corporate officer to consent to such a contribution, and for a committee and candidate to knowingly accept such a contribution. Although UMB is a partnership and not itself a corporation, it appears that its managing general partner is Universal Medical Buildings Corporation. Because a partnership contribution is attributed to each partner pro rata, UMB's contribution to the Checota Campaign constitutes an indirect but still prohibited corporate contribution. See 11 C.F.R. § 110.1(e). Even if UMB were analyzed as a partnership, there would be issues of excessive contributions and failure to report as a conduit. See 2 U.S.C. §§ 441a(a)(1)(A) and 441a(a)(8). Your clients should take steps to ensure that this activity does not occur in the future.

At the completion of an investigation, the Commission places onto the public record relevant documents generated in the course of the matter except those specifically exempted under the Act, the FOIA, or other applicable statute. In your December 29, 1992 letter you raised concerns regarding the placement of documents on the public record, which the Office of General Counsel initially addressed in a letter dated March 2, 1993. In your letter, you asserted that the documents provided in response to the Commission's subpoena are exempt from disclosure and you requested that the Commission return the documents upon the completion of the investigation in this matter. Specifically, you claim that the documents are exempt from disclosure under 5 U.S.C. § 552(b)(4), the confidential business information exemption of the Freedom of Information Act (FOIA). The documents you provided consist of copies of contribution checks from employees of Universal Medical Buildings to the Joe Checota for Senate Campaign, refund checks from the Campaign, newspaper articles, memoranda from Joe Checota to employees regarding his Senate campaign, and thank you letters to contributors. The Commission cannot agree that any of these documents fall into the commercial information FOIA exemption. These documents are relevant to the investigation and so will be placed on the public record. The Commission does delete personal account numbers from checks.

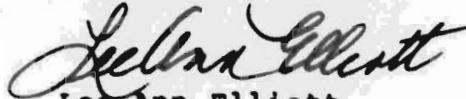
95043635208

Samuel J. Recht, Esq.
page 3

In light of the Commission's determination to close MUR 4197, the confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and MUR 4197 is now public. The complete file must be placed on 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 as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Mark Allen, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lee Ann Elliott
Vice Chairman

cc: employee contributors

95043635209



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Catherine Rottman
4816 W. Brentwood
Milwaukee, WI 53223-6026

Dear Ms. Rottman:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

In light of your contribution, the Commission writes to you to let you know that firms such as Universal Medical Buildings cannot solicit and collect contributions from employees for federal political campaigns. I have enclosed a copy of the Commission's letter to counsel for Universal Medical Buildings, the Checota for Senate Campaign, and Joe Checota at the close of the investigation. The first paragraph on page two admonishes them not to repeat such activity.

If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043635210



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Gary Mancuso
4719 Spring Creek Rd.
Arlington, TX 76017

Dear Mr. Mancuso:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

Celebrating the Commission's 20th Anniversary

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Robert Pfeifer
3467 N. Frederick Ave.
Milwaukee, WI 53211-2902

Dear Mr. Pfeifer:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen
Attorney

Enclosure

95043635212



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Stephen R. Kucharczyk
4301 N. Morris Blvd.
Shorewood, WI 53211

Dear Mr. Kucharczyk:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen
Attorney

Enclosure

95043635213



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

James L. Young
5725 N. Shoreland Avenue
Whitefish Bay, WI 53217-4731

Dear Mr. Young:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen
Attorney

Enclosure

95043635214



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mari Volk
216 N. Water Street
Milwaukee, WI 53202

April 11, 1995

Dear Ms. Volk:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

Celebrating the Commission's 20th Anniversary

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95043635215



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Mr. David P. Titter
4064 N. 94th Street
Milwaukee, WI 53222-1511

Dear Mr. Titter:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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Sincerely,

Mark Allen

Mark Allen
Attorney

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95043635216



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Mark Theder
5740 N. Kent Avenue
Milwaukee, WI 53217-4724

Dear Mr. Theder:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

A handwritten signature in cursive script that reads "Mark Allen".

Mark Allen
Attorney

Enclosure

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043635217



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

David M. Strachan
731 N. Jackson Street
Milwaukee, WI 53202

Dear Mr. Strachan:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen
Attorney

Enclosure

95043635218



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

J.W. Spencer
5864 Mary Lane
Oconomowoc, WI 53066

Dear Mr. Spencer:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

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DEDICATED TO KEEPING THE PUBLIC INFORMED

95043635219



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Richard Senechal
4687 N. Lake Drive
Whitefish Bay, WI 53211-1255

Dear Mr. Senechal:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

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95043635220



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Sheila Semrou
313 E. Warrimont Avenue
Milwaukee, WI 53207-5311

Dear Ms. Semrou:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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If you have any questions, please call me in the Office of General Counsel at (800) 424-9530 or (202) 219-3400.

Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

95043635201



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Kenneth L. Seeman
14160 W. Beachwood Trail
New Berlin, WI 53151-5268

Dear Mr. Seeman:

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Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

95043635202



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

F. Wallace Haines
W278N295 Rocky Point Road
Pewaukee, WI 53072

Dear Mr. Haines:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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Sincerely,

Mark Allen
Attorney

Enclosure

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043635223



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Jon R. Schroeder
W212N542 Kenmore Drive
Menomonee Falls, WI 53051

Dear Mr. Schroeder:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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Sincerely,

Mark Allen
Attorney

Enclosure

95043635224



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Michael R. Scholl
2519 E. Shorewood Blvd
Shorewood, WI 53211-2455

Dear Mr. Scholl:

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Mark Allen
Attorney

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95043635205



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Gary Scanlon
6054 N. Kent Avenue
Whitefish Bay, WI 53217-4644

Dear Mr. Scanlon:

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Attorney

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95043635226



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Scott Roberts
9119 N. White Oak Lane
Apt. 203
Bayside, WI 53217

Dear Mr. Roberts:

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Mark Allen

Mark Allen
Attorney

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95043635227



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

John Robb
4220 Woodburn
Shorewood, WI 53211-1503

Dear Mr. Robb:

The Federal Election Commission ("Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission recently completed an investigation into activity of Universal Medical Buildings relating to Joe Checota's 1992 campaign for the United States Senate. The investigation showed that Universal Medical Buildings managers apparently solicited employees and collected their contributions to the Checota for Senate Campaign. The investigation is now closed and the case file is public.

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Mark Allen
Attorney

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

James L. Owens
8725 S. Wood Creek
No. 7
Oak Creek, WI 53154-7502

Dear Mr. Owens:

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Attorney

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95043635229



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

F. Michael O'Brien
19280 Baythorn Way
Waukesha, WI 53186

Dear Mr. O'Brien:

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Mark Allen
Attorney

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95043635230



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Paul Mueller
3218 N. Marietta Avenue
Milwaukee, WI 53226-3334

Dear Mr. Mueller:

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Sincerely,

Mark Allen
Attorney

Enclosure

95043635271



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Jennifer Mickey
3143 N. Fratney Street
Milwaukee, WI 53212

Dear Mr. Mickey:

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Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

95043635232



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Gloria Herron
7919 W. Silver Spring Drive
Apt. 102
Milwaukee, WI 53218

Dear Ms. Herron:

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Mark Allen
Attorney

Enclosure

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YESTERDAY, TODAY AND TOMORROW
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95043635273



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Rhonda Helton
3775 E. Denton Avenue
No. 97
St. Francis, WI 53207

Dear Ms. Helton:

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Attorney

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Salman A. Haider
830 Lakeview Court
NBR 101
Brookfield, WI 53045

Dear Mr. Haider:

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Mark Allen
Attorney

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95043635235



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Jill M. Ford
2205 E. Belleview Place
Apt. 3B
Milwaukee, WI 53211

Dear Ms. Ford:

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95043635276



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Andrew S. Essien
5225 W. Goodrich Lane
Brown Deer, WI 53223-3643

Dear Mr. Essien:

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Sincerely,

Mark Allen
Attorney

Enclosure

95043635237



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Kirk Dunlap
1221 Wedgewood Drive
Waukesha, WI 53186-6754

Dear Mr. Dunlap:

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95043635238



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Dennis F. Disch
9128 W. Bluemond Rd.,
Milwaukee, WI 53226-4590

Dear Mr. Disch:

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Sincerely,

Mark Allen
Attorney

Enclosure

95043635239



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 11, 1995

Nadesda Bulic
1427 W. Clayton Crest Avenue
Milwaukee, WI 53221

Dear Mr. Bulic:

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 11, 1995

Donna M. Bartuski
2356 N. 64th Street
Wauwatosa, WI 53213

Dear Ms. Bartuski:

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Sincerely,

Mark Allen

Mark Allen
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4197
DATE FILMED 5-3-95 CAMERA NO. 4
CAMERAMAN S.E.G.

95043635212