



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 756

Date Filmed 12/20/78 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

19 Laws of the Philip C
Kolander Civic Association

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

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

Signed Margie Cummings
date November 30, 1971

13040331560



FEDERAL ELECTION COMMISSION

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

November 29, 1978

Mr. Philip C. Rotondo
Manager
Philip C. Rotondo Civic
Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

Re: MUR 756(78)

Dear Mr. Rotondo:

This is in reference to your letter of November 9, 1978 regarding the above captioned matter.

The Commission has considered the circumstances of this matter and has determined that no further action will be taken at this time against the Philip C. Rotondo Civic Association.

In taking this action, the Commission reminds you that your contribution was nevertheless in violation of 2 U.S.C. §441b and that civil penalties may be assessed in such matters. In August, 1978, the Commission determined that even if such contributions are refunded, civil penalties would be assessed against violators after that date.

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at (202) 52304175.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

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Mr. Philip C. Rotondo
Manager
Philip C. Rotondo Civic
Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

11/29/78

Re: MUR 756(78)

Dear Mr. Rotondo:

This is in reference to your letter of November 9, 1978 regarding the above captioned matter.

The Commission has considered the circumstances of this matter and has determined that no further action will be taken at this time against the Philip C. Rotondo Civic Association.

In taking this action, the Commission reminds you that your contribution was nevertheless in violation of 2 U.S.C. §441b and that civil penalties may be assessed in such matters. In August, 1978, the Commission determined that even if such contributions are refunded, civil penalties would be assessed against violators after that date.

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at (202) 52304175.

Sincerely yours,

15/

William C. Oldaker
General Counsel

M.C.
11/27/78

78040081571

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Citizens for Minish Committee) MUR 756 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 24, 1978, the Commission determined by a vote of 5-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated November 20, 1978, regarding the above-captioned matter:

1. Take no further action against the Philip C. Rotondo Civic Association in connection with a contribution to the Citizens for Minish Committee.
2. Close the file and send the letter attached to the above-named report.

Voting for this determination were Commissioners Aikens, Tiernan, McGarry, Thomson, and Harris.

Attest:

11-24-78

Date

Margaret E. Chaney
for Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 11-21-78, 10:23
Circulated on 48 hour vote basis: 11-21-78, 3:30

73010031572

November 21, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 756

Please have the attached General Counsel's Report on MUR 756 distributed to the Commission on a 48 hour tally basis.

Thank you.

78040081573

RECEIVED
OFFICE OF THE

BEFORE THE FEDERAL ELECTION COMMISSION
November 20, 1978

78 NOV 21 AIO: 23

In the Matter of)
)
Citizens for Minish)
Committee)

MUR 756 (78)

GENERAL COUNSEL'S REPORT

BACKGROUND

On October 27, 1978, the Commission found reason to believe that the Philip C. Rotondo Civic Association (the "Association") violated 2 U.S.C. §441b in connection with a \$200 contribution it made on February 10, 1978 to the Citizens for Minish Committee (the "Committee"). On this same date, the Commission voted to take no further action against the Committee, which had refunded the contribution promptly after notification by the Reports Analysis Division. The letter of notification was sent to the Association on November 2, 1978 and the Association responded on November 13, 1978. (Attachment I)

DISCUSSION

According to Mr. Philip C. Rotondo, the Manager of the Association ... "the association is not a business or an entity devoted to making profits and therefore would have no monetary interest in the election of a Federal Official." Mr. Rotondo further states that the contribution to the Committee was an "honest mistake."

In view of the small amount of money involved, the apparent inadvertent nature of the violation, and the Commission's policy with

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regard to other pre-August 1978 corporate contributors, we recommend that the Commission take no further action against the Association for its violation of 2 U.S.C. §441b.

RECOMMENDATION

1. Take no further action against the Philip C. Rotondo Civic Association in connection with a contribution to the Citizens for Minish Committee.
2. Close the file and send the attached letter.

11/20/78
Date


William C. Oldaker
General Counsel

ATTACHMENTS:

1. Letter from the Association
2. Proposed letter to the Association

79940781575

RECEIVED
FEDERAL ELECTIONS

a

NOV 19 1956 2:46

CERTIFICATE OF INCORPORATION
OF
PHILIP C. ROTONDO CIVIC ASSOCIATION

PREPARED BY:

ALFONSO C. VISCIONE, ESQ.
285 Main Street
Orange, New Jersey 07050
(201) 673-3848

79740081577

CERTIFICATE OF INCORPORATION
OF

FEB 22 1973

PHILIP C. ROTONDO CIVIC ASSOCIATION

RECORDED & INDEXED
COUNTY CLERK

F
a
COUNTY CLERK

THIS IS TO CERTIFY that the undersigned do hereby associate themselves into a corporation under and by virtue of the provisions of an act of the Legislature of the State of New Jersey, entitled Title 15 of the Revised Statutes, and the several supplements thereto and acts amendatory thereof.

First:- The name of this corporation is Philip C. Rotondo Civic Association.

Second:- The purposes for which this corporation is formed are as follows:

1. To cultivate and encourage greater interest in civic improvement and community welfare.
2. To promote the political and personal image of the standard bearer, Philip C. Rotondo.

Third:- The location of the principal office of this corporation is at No. 279 Roseville Avenue, in the City of Newark, County of Essex, State of New Jersey.

Fourth:- The name and post office address of the Registered Agent of said corporation upon whom process against said corporation may be served is Alfonso C. Viscione, Esq., 235 Main Street, Orange, New Jersey 07050.

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Fifth:- The number of trustees of this corporation is three.

Sixth:- The names of the trustees selected for the first year of existence of this corporation are as follows: -

<u>NAMES</u>	<u>P. O. ADDRESSES</u>
John P. Rotondo	380 Mt. Prospect Avenue Newark, New Jersey 07104
Josephina Rotondo	279 Roseville Avenue Newark, New Jersey 07107
Marie A. Rotondo	279 Roseville Avenue Newark, New Jersey 07107

Seventh:- The trustees shall be elected annually by the Board of Trustees.

Eighth:- The Board of Trustees shall conduct the affairs of the club.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this day of January, 1973.

Ann Alvarez L.S.
ANN ALVAREZ

Gerald Del Mauro L.S.
GERALD DEL MAURO

Frank Alvarez L.S.
FRANK ALVAREZ

Jerry La Conte L.S.
JERRY LA CONTE

Mary La Conte L.S.
MARY LA CONTE

23740031577

STATE OF NEW JERSEY)
COUNTY OF ESSEX) SS:

BE IT REMEMBERED that on this 27 day of February 1973, before me personally appeared, Ann Alvarez, Gerald DelMauro, Frank Alvarez, Jerry La Conte and Mary La Conte, who I am satisfied are the persons named in and who executed the foregoing certificate, and I having first made known to them the contents thereof, they did each acknowledge that they signed, sealed and delivered to same as their voluntary acts and deeds.

Charles J. [Signature]

NOTARY PUBLIC
COUNTY OF ESSEX, NEW JERSEY
My Comm. Expires 12/31/74

73010081597

Charles J. Rotondo & Sons

Funeral Directors

278 ROSEVILLE AVENUE
NEWARK, NEW JERSEY 07107

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

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FEDERAL ELECTION COMMISSION

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

November 2, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
Philip C. Rotundo Civic Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

Re: MUR 756

Dear Sir or Madame:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that the Philip C. Rotundo Civic Association may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act").

Specifically, it appears that your organization, which is incorporated, violated 2 U.S.C. 441b by contributing \$200 in March, 1978 to the Citizens for Minish Committee. This section of the Act prohibits corporations from contributing to Federal political committees. Although we note that the Committee returned this contribution to you on June 14, 1978, the Act was violated when the contribution was originally made. We have numbered this matter MUR 756.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

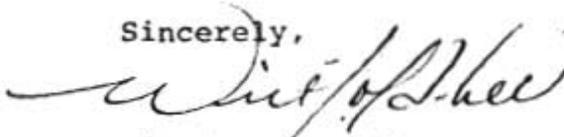
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If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

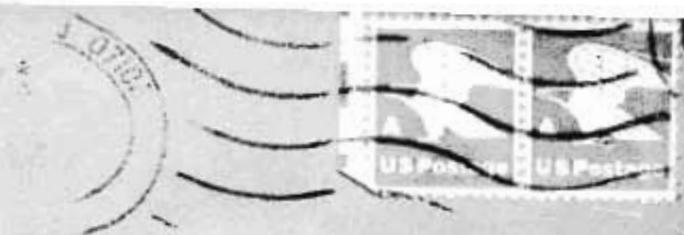


William C. Oldaker
General Counsel

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J. Rotundo & Sons
Directors
Seville Avenue
k, New Jersey 07107

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WILLIAM C. OLDAKER, ESQ.
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
1325 STREET N.W.
WASHINGTON, D. C. 20463

78 NOV 13 PM 2:46

RECEIVED
FEDERAL ELECTION



FEDERAL ELECTION COMMISSION

1155 K STREET, N.W.
WASHINGTON, D.C. 20463

November 2, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
Philip C. Rotundo Civic Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

Re: MUR 756

Dear Sir or Madam:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found that the Philip C. Rotundo Civic Association violated certain provisions of the Federal Election Act of 1971, as amended ("the Act").

Specifically, it appears that your organization, which is incorporated, violated 2 U.S.C. 441b by contributing \$200 in March, 1978 to the Citizens for Spanish Committee. This section of the Act prohibits corporations from contributing to federal political committees. Although we note that the Committee returned this contribution to you on June 14, 1978, the Act was violated when the contribution was originally made. We have numbered this matter MUR 756.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any request or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, such materials should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

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If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

MUR. 756 Cummings

Form 3811 Apr 1977 RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

SENDER Complete items 1, 2 and 3
Add your address in the RETURN TO space on reverse

1. The following service is requested (check one)
 Show to whom and date delivered C
 Show to whom, date, and address of delivery C
 RESTRICTED DELIVERY Show to whom and date delivered C
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ _____ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
 President
 555 Mt. Prospect Ave.
 Newark, N.J. 07104

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943910

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 4. *Theresa B. LeGrande*

DATE OF DELIVERY 11-1-78 POSTMARK

5. ADDRESS: Complete only if requested:

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS
S.T.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

11/2/78

President
Philip C. Rotundo Civic Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

Re: MUR 756

Dear Sir or Madam:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that the Philip C. Rotundo Civic Association may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act")

Specifically, it appears that your organization, which is incorporated, violated 2 U.S.C. 441b by contributing \$200 in March, 1978 to the Citizens for Minish Committee. This section of the Act prohibits corporations from contributing to Federal political committees. Although we note that the Committee returned this contribution to you on June 14, 1978, the Act was violated when the contribution was originally made. We have numbered this matter MUR 756.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

M.C.
11/1/78

78040081588

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

b/

William C. Oldaker
General Counsel

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FEDERAL ELECTION COMMISSION

1125 K STREET, N.W.
WASHINGTON, D.C. 20461

November 2, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank R. Ruth, Treasurer
Citizens for Minish
27 Henry Street
Bloomfield, New Jersey 07003

Re: MUR 756

Dear Mr. Ruth:

On October 25, 1978, the Commission determined to take no further action against your committee in connection with your acceptance of a contribution from a corporate organization, the Philip C. Rotundo Civic Association, which may have violated 2 U.S.C. 441b. The time being made this determination based on the fact that you refunded the illegal contribution on Aug. 9, 1978; however, the Commission notified all candidates and committees in August, 1978 that in the future, the Commission would not only require that all corporate and labor contributions be refunded, but that civil penalties will be assessed against the contributor and recipient of such contributions.

Should you have any questions regarding this matter, please call Marcie Cummings, the staff member assigned to this matter, at 202-523-4171.

Sincerely,

William C. Oldaker
William C. Oldaker
General Counsel

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RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

1 Have I received the article described above?
SIGNATURE: *Marcie Cummings* Address: _____ Authorized Agent

2 ARTICLE ADDRESSED TO:
*FRANK R. RUTH
27 HENRY STREET
BLOOMFIELD, N.J. 07003*

3 ARTICLE DESCRIPTION:
REGISTERED NO: _____ CERTIFIED NO: *943909* INSURED NO: _____

4 The following service is requested (check one)
 Show to whom and date delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
 Show to whom and date delivered
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$ _____ (CONSULT POSTMASTER FOR FEES)

5 ADDRESS (Complete only if requested)
Marcie Cummings

6 UNABLE TO DELIVER BECAUSE: _____

POSTMARK: _____
CLERK'S INITIALS: _____

Cummings
MUR-1

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

11/2/78

Frank E. Ruth, Treasurer
Citizens for Minish
27 Henry Street
Bloomfield, New Jersey 07003

Re: MUR 750

Dear Mr. Ruth:

On , 1978, the Commission determined to take no further action against your committee in connection with your acceptance of a contribution from a corporate organization, the Philip C. Rotundo Civic Association, which may have violated 2 U.S.C. 441b. The Commission made this determination based on the fact that your committee refunded the illegal contribution on June 9, 1978; however, the Commission notified all candidates and committees in August, 1978 that in the future, the Commission would not only require that all corporate and labor contributions be refunded, but that civil penalties would be assessed against the contributor and recipient of such contributions.

Should you have any questions regarding this matter, please call Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

Sincerely,

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William C. Oldaker
General Counsel

M.C.
11/1/78

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FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwe*
DATE: OCTOBER 23, 1978
SUBJECT: MUR 756 - First Genral Counsel's Report
dated 10-19-78; Received in
OCS 10-19-78, 12:09

The above-named document was circulated on a
48 hour vote basis at 3:30, October 19, 1978.

Commissioner Harris submitted an objection at
11:40, this date, thereby placing MUR 756 on the
Executive Session Agenda for October 25, 1978.

cc: Commissioner Harris

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October 19, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 756

Please have the attached First General Counsel's Report on MUR 756 distributed to the Commission on a 48 hour tally basis.

Thank you.

78040081593

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Citizens for Minish)

MUR 756

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 25, 1978, at an Executive Session at which a quorum was present, the Commission took the following actions in MUR 756:

1. Failed to pass the following motion:

MOVED that the August 28, 1978 date that the Notice to all candidates and committees concerning acceptance of 441b contributions was mailed by the Commission be applied in assessing civil penalties pursuant to violation of 2 U.S.C. §441b.

The vote was as follows:

YEA (3) Commissioners Aikens, Springer, and Thomson
NAY (2) Commissioners Harris and Tiernan

2. Failed to pass the following motion:

MOVED that the Commission apply the date of January 1, 1978 to determine violations by candidates and committees concerning acceptance of 2 U.S.C. §441b contributions.

The vote was as follows:

YEA (2) Commissioners Harris and Tiernan
NAY (3) Commissioners Aikens, Springer, and Thomson

Continued on page 2

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3. Passed the following motion: (5-0)

MOVED that the Commission adopt the recommendation of the General Counsel to take the following actions in MUR 756:

- a. Take no further action against the Citizens for Minish Committee and send the letter attached to the General Counsel's Report dated October 19, 1978.
- b. Find reason to believe that the Philip C. Rotundo Civic Association violated 2 U.S.C. §441b in connection with a contribution to the Citizens for Minish, and send the letter attached to the General Counsel's Report dated October 19, 1978.

Commissioners Aikens, Harris, Springer, Thomson, and Tiernan voted affirmatively for this action.

Attest:

10/27/78

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

7304078157

FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO COMMISSION OCT 19 1978

MUR NO. 750CT11 P12: 09
STAFF MEMBER(S) Cummings

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Citizens for Minish

RELEVANT STATUTE: 2 U.S.C. 441b

INTERNAL REPORTS CHECKED: April 10 Quarterly Report

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

A review of the April 10, 1978, quarterly report filed by the Citizens for Minish (the "Committee") revealed a \$200 contribution from an incorporated group, the Philip C. Rotundo Civic Association (the Association) in violation of 2 U.S.C. 441b. The Committee was notified of the surface violation on June 9, 1978, and the Committee submitted a response on June 14, 1978 which stated that the subject contribution was refunded on that day. The Association has not yet been notified by the Commission of the violation. (Attachment I)

The matter was referred to the Office of the General Counsel from the Reports Analysis Division on October 4, 1978 (Attachment II).

PRELIMINARY LEGAL ANALYSIS

The Commission, on July 26, 1978, discussed the subject of civil penalties in connection with violations of 2 U.S.C. 441b which prohibits corporate and labor contributions. Based on the Commission's decision, all candidates and committees were notified in August, 1978, that in the future, the Commission would not only require that corporate and labor union contributions be refunded, but that civil penalties would be assessed against the contributor and recipient of such contributions. Due to the fact that this matter deals with a March, 1978, corporate contribution which has been refunded, it appears that no further action should be taken against the Committee; however the Commission should find reason to believe that the Association violated 2 U.S.C. 441b.

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RECOMMENDATION

1. Take no further action against the Citizens for Minish Committee. Send attached letter.
2. Find reason to believe that the Philip C. Rotundo Civic Association violated 2 U.S.C. 441b in connection with a contribution to the Citizens for Minish. Send attached letter.

ATTACHMENTS

1. Referral from Reports Analysis Division
2. Letter from the Citizens for Minish
3. Proposed letter to the Citizens for Minish
4. Proposed letter to the Philip C. Rotundo Civic Association

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REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE 10-4-78 ANALYST James Eastwood
TO: Office of General Counsel TEAM CHIEF Peter Kell, Jr. GK
THROUGH: STAFF DIRECTOR JH COMPLIANCE REVIEW C. Bowen
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JH Attachment 2

CANDIDATE/COMMITTEE: Citizens for Minish (NJ-11)

TREASURER: Frank R. Ruth

ADDRESS: 27 Henry Street
Bloomfield, NJ 07003

AFFILIATE(S): None

ALLEGATION(S): Acceptance of corporate contribution. CITE: 441b ATTACHMENT(S) #1

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE: 5-16-78
ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment #5

PERIOD COVERED FROM 1/1/78 TO 3/31/78

TOTAL RECEIPTS \$ 37,908.91 TOTAL EXPENDITURES \$ 16,634.07

CASH ON HAND \$ 109,180.31 DEBTS \$ -----

HISTORY:

RESULTS OF REVIEW: ATTACHMENTS #2,3
Surface violation transmittal prepared 5/16/78, letter sent 6/9/78. Adequate response received 6/20/78. Committee returned full amount of contribution to contributor, as reflected on 30 Day Report.

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT #4
Telephone contact initiated by candidate, 6/19/78.

REASON(S) FOR REFERRAL: ATTACHMENT
Acceptance of one or more 441b contributions aggregating \$100 or more.

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
None.

OTHER RELEVANT INFORMATION:
None

Previous Referrals: None

all reply please refer to 401/78-28



FEDERAL ELECTION COMMISSION

1125 K STREET, N.W.
WASHINGTON, D.C. 20563

MS-F

June 9, 1978

Frank R. Ruth, Treasurer
Citizens for Minish
27 Henry Street
Bloomfield, New Jersey 07003

COO04200

Dear Mr. Ruth:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the April 10 Quarterly Report of Receipts and Expenditures, we noticed an entry indicating that you may have accepted a contribution from a corporation. Corporate contributions are prohibited by the Act, unless the contribution is made by a separate segregated fund established by the corporation. A copy of that portion of your report is attached for your review and clarification.

The Commission recommends that if you have accepted a prohibited contribution that you return the full amount to the donor. The return of the contribution should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If the identification of the source of this contribution is incomplete or incorrect on the original report, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on this matter. If you have any questions concerning this matter, please do not hesitate to contact James Eastwood (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is 523-4043.

Sincerely,

Orlando B. Potter
Staff Director

Enclosure
Certified Mail:
Return Receipt Requested

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JS 7/10
BO 7/11

FORM 700-A
REVISED
January 1978
Federal Election Commission
2350 L Street, N.W.
Washington, D.C. 20541

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Page 8 of 8 for
Line Number 14A

(Use Separate Schedules for
each contribution type)

Name of Contributor or Committee in Full		Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
CITIZENS FOR MINISH Full Name, Mailing Address and ZIP Code Charles Lorello 89 Tennyson Drive Short Hills, New Jersey 07078		Conditioning Company Newark, New Jersey Occupation Executive <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year To Date \$ 200.00	3/27/78	200.00
Receipt for <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code John Mc Donald 47 Gerdes Avenue Verona, New Jersey 07044		Public Service E & Gas Co. 80 Park Pl., Newark Occupation Executive <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year To Date \$ 200.00	3/27/78	200.00
Receipt for <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code Philip C. Rotundo Civic Assn. 555 Mt. Prospect Avenue Newark, NJ 07104		Newark, New Jersey Occupation Civic Association <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year To Date \$ 200.00	2/10/78	200.00
Receipt for <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code Vincent Colucci Social & Civic Assn. 90 Pulaski Street Newark, New Jersey 07105		Newark, New Jersey Occupation Civic Association <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year To Date \$ 200.00	3/20/78	200.00
Receipt for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code		<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year To Date \$	Date (month, day, year)	Amount of each Receipt this Period
Receipt for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code		<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year To Date \$	Date (month, day, year)	Amount of each Receipt this Period
Receipt for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code		<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year To Date \$	Date (month, day, year)	Amount of each Receipt this Period
SUBTOTAL of receipts this page (optional)				\$
TOTAL this period last page this line number only				\$15,500.00

SCHEDULE B
REVISED
January, 1978
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ITEMIZED EXPENDITURES
(Operating, Transfers Out, Contributions In Kind,
Loans, Loan Repayments and Refunds Made)
Supporting Lines 20a, 21a, and 22a, 22b, and 22c
of FEC FORM 3

Page 1 of 1 for
Line Number 21A

Use Separate Schedules for
each numbered line.

22A

Name of Candidate or Committee in Full			
CITIZENS FOR MINISH			
Full Name, Mailing Address and ZIP Code Philip C. Rotunda Civic Assn. 555 Mt. Prospect Ave., Newark, NJ 07104	Particulars of expenditure Refund of dinner ticket money... Association is incorporated	Date (month, day, year) 6/13/78	Amount of each expendi- ture this period \$200.00
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expendi- ture this period
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expendi- ture this period
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expendi- ture this period
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expendi- ture this period
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expendi- ture this period
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expendi- ture this period
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expendi- ture this period
Expenditure for <input type="checkbox"/> Officers <input type="checkbox"/> Clerical <input type="checkbox"/> Other			
SUBTOTAL (operating expenses only)			\$
TOTAL (operating expenses only)			\$ 200.00

7 3 7 4 0 0 8 1 6 2 2

Attachment IV

003753

Citizens for *Minish*

27 Henry Street, Bloomfield
New Jersey, 07003

REGULAR MAIL
JUN 14 1978

U.S. POSTAGE
PAID
JUN 12 12:33

1978 JUN 20 PM 11:29

June 14, 1978

007293

Orlando R. Potter, Staff Director
Federal Election Commission
1325 K Street NW
Washington, D.C. 20463

Reference: 45V1/78-28JE

Dear Mr. Potter:

The check I received from the Philip C. Rotundo Civic Association did not indicate that the association was incorporated.

I have checked with the Rotundo Association and they state they are incorporated as you indicated in your letter of June 9, 1978.

I have returned the full amount of \$200.00 to the donor and copy of letter is attached. The return of the contribution will be reflected as a refund on the next Citizens for Minish report.

Thank you for bringing this to our attention.

Sincerely yours,

Frank R. Ruth

Frank R. Ruth, Treasurer

7 3 7 4 0 0 8 1 6 2 2

7 7 7 7 7 8 1 6 0 3

June 14, 1978

Mr. Philip C. Rotundo
c/o Rotundo Civic Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

Dear Mr. Rotundo:

The Federal Election Commission has asked us to refund your association in the amount of \$200 for the two tickets purchased for Congressman Minich in March.

Under Federal Election laws, we are not allowed to accept funds from an organization if they are not incorporated. At the time, there was no indication on the check that it was incorporated. According to the FEC records, your association was incorporated 8/11/73.

Sincerely yours,

Frank Ruth, Treasurer

10011301771



FEDERAL ELECTION COMMISSION

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

Attachment III

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank R. Ruth, Treasurer
Citizens for Minish
27 Henry Street
Bloomfield, New Jersey 07003

Re: MUR 756

Dear Mr. Ruth:

On _____, 1978, the Commission determined to take no further action against your committee in connection with your acceptance of a contribution from _____, the Phillip C. Rotundo Civic _____, which may have violated 2 U.S.C. 441b. The Commission's determination based on the fact that _____ refunded the illegal contribution on _____, 1978. However, the Commission notified all candidates and committees in August, 1978 that in the future, the Commission would not only require that all corporate and labor contributions be refunded, but that civil penalties would be assessed against the contributor and recipient of such contributions.

Should you have any questions regarding this matter, please call Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

Sincerely,

William C. Oldaker
General Counsel

79740081601



FEDERAL ELECTION COMMISSION

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

Attachment III

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
Philip C. Rotundo Civic Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

Re: MUR 756

Dear Sir or Madame:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that the Philip C. Rotundo Civic Association may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act").

Specifically, it appears that your organization, which is incorporated, violated 2 U.S.C. 441b by contributing \$200 in March, 1978 to the Citizens for Minish Committee. This section of the Act prohibits corporations from contributing to Federal political committees. Although we note that the Committee returned this contribution to you on June 14, 1978, the Act was violated when the contribution was originally made. We have numbered this matter MUR 756.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

73040081603

If you have any questions, please contact Marcie Cummings, the staff member assigned to this matter, at 202-523-4175.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

23040731605

REPORTS ANALYSIS REFERRAL SHEET

DATE 10-4-78

ANALYST James Eastwood

TO: Office of General Counsel

TEAM CHIEF Peter Kell, Jr. PKJ

THROUGH: STAFF DIRECTOR JEH

COMPLIANCE REVIEW C. Bowen

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JH

CANDIDATE/COMMITTEE: Citizens for Minish (NJ-11)

TREASURER: Frank R. Ruth

ADDRESS: 27 Henry Street
 Bloomfield, NJ 07003

AFFILIATE(S): None

ALLEGATION(S): Acceptance of corporate contribution. CITE: 441b ATTACHMENT(S) #1

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review. AND DATE: 5-16-78
 ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment #5

PERIOD COVERED FROM 1/1/78 TO 3/31/78

TOTAL RECEIPTS \$ 37,908.91 TOTAL EXPENDITURES \$ 16,634.07

CASH ON HAND \$ 109,180.81 DEBTS \$ -----

HISTORY:

RESULTS OF REVIEW: ATTACHMENTS #2,3
 Surface violation transmittal prepared 5/16/78, letter sent 6/9/78. Adequate response received 6/20/78. Committee returned full amount of contribution to contributor, as reflected on 30 Day Report.

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT #4
 Telephone contact initiated by candidate, 6/19/78.

REASON(S) FOR REFERRAL: ATTACHMENT
 Acceptance of one or more 441b contributions aggregating \$100 or more.

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
 None.

OTHER RELEVANT INFORMATION:
None

Previous Referrals: None



FEDERAL ELECTION COMMISSION

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

MS-F

June 9, 1978

Frank R. Ruth, Treasurer
Citizens for Minish
27 Henry Street
Bloomfield, New Jersey 07003

COO04200

Dear Mr. Ruth:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the April 10 Quarterly Report of Receipts and Expenditures, we noticed an entry indicating that you may have accepted a contribution from a corporation. Corporate contributions are prohibited by the Act, unless the contribution is made by a separate segregated fund established by the corporation. A copy of that portion of your report is attached for your review and clarification.

The Commission recommends that if you have accepted a prohibited contribution that you return the full amount to the donor. The return of the contribution should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If the identification of the source of this contribution is incomplete or incorrect on the original report, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on this matter. If you have any questions concerning this matter, please do not hesitate to contact James Eastwood (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is 523-4048.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Enclosure
Certified Mail:
Return Receipt Requested

JG 7/10
BW 7/11

73040381600
73030761803

803758

Citizens for Minish

27 Henry Street, Bloomfield
New Jersey, 07003

REGULAR MAIL
JUN 14 1978

JUN 12 12:30 PM '78
NEW JERSEY

JUN 20 11:24 AM '78
NEW JERSEY

June 14, 1978

007293

Orlando R. Potter, Staff Director
Federal Election Commission
1325 K Street NW
Washington, D.C. 20463

Reference: 45W178-28JE

Dear Mr. Potter:

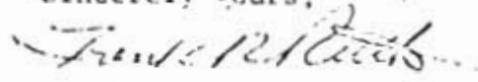
The check I received from the Philip C. Rotundo Civic Association did not indicate that the association was incorporated.

I have checked with the Rotundo Association and they state they are incorporated as you indicated in your letter of June 9, 1978.

I have returned the full amount of \$200.00 to the donor and copy of letter is attached. The return of the contribution will be reflected as a refund on the next Citizens for Minish report.

Thank you for bringing this to our attention.

Sincerely yours,



Frank R. Ruth, Treasurer

01918601002

June 14, 1978

Mr. Philip C. Rotundo
c/o Rotundo Civic Association
555 Mt. Prospect Avenue
Newark, New Jersey 07104

Dear Mr. Rotundo:

The Federal Election Commission has asked us to refund your association in the amount of \$200 for the two tickets purchased for Congressman Minich's dinner in March.

Under Federal Election laws, we are not allowed to accept funds from an organization if they are incorporated. At the time, there was no indication on the check that it was incorporated. According to the FEC records, your association was incorporated 8/10/73.

Sincerely yours,

Frank Ruth, Treasurer

79010031611
7901003177

MEMORANDUM FOR FILES

RE: TELECON

FROM: Jim Eastwood

DATE: 6/19/78

NAME OF CANDIDATE/COMMITTEE: CITIZENS FOR MINISH COMMITTEE (NJ-11)

REP. MINISH : 225-5035

Congressman Joseph Minish called this morning regarding a surface violation letter his PCC had received indicating a corporate contribution from the Philip C. Rotundo Civic Association. He said that his campaign treasurer had already returned the contribution, but he asked why this was necessary. His impression was that this organization is political in nature. I explained that we had contacted the Secretary of State in New Jersey, who told us that the organization was incorporated on April 18, 1973. I explained that the Act and Regulations make no distinction among corporations (except for political committees incorporated for liability purposes only). He said that he understood this and that his treasurer would send a letter stating the contribution had been returned. I suggested that, in the future, his treasurer check with the appropriate Secretary of State if any question arose with respect to an organization's possible incorporation.

1618161

CANDIDATE/COMMITTEE/ORGANIZATION

RECEIPTS

EXPENDITURES

OF
PAGES - 106/110

CANDIDATE/COMMITTEE/ORGANIZATION	OFFICIAL DOCUMENT	PARTY	PRIMARY	GENERAL	PRIMARY	GENERAL	COVERAGE DATE	PAGES
MINICH, JOSEPH G.		DEMOCRATIC PARTY					1978 ELECTION	106
1. STATEMENT OF CANDIDATE								
1977 STATEMENT OF CANDIDATE								
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES								
1977	APRIL 10 QUARTERLY	3A - POSTCARD					208677	1 7704/10/09979
	APRIL 10 QUARTERLY	3A - POSTCARD						1 7704/10/09979
	JULY 10 QUARTERLY	3A - POSTCARD					181077 - 308077	1 7704/10/09979
	OCTOBER 10 QUARTERLY	3A - POSTCARD					180177 - 305177	1 7704/10/09979
	YEAR END REPORT		0		0			1 7704/10/09979
	REQUEST FOR ADDITIONAL INFORMATION							2 7704/10/09979
	YEAR END REPORT - AMENDMENT						180177 - 310077	1 7704/10/09979
1978	APRIL 10 QUARTERLY	3A - POSTCARD					180178 - 310078	1 7704/10/09979
	10 DAY PRE PRIMARY		0		0		180178 - 308578	1 7704/10/09979
	30 DAY POST PRIMARY		0		0		208678 - 308078	1 7704/10/09979
	JULY 10 QUARTERLY			0			0 270078 - 308078	1 7704/10/09979
	TOTAL		0	0	0		0	12 TOTAL PAGES
3. PRINCIPAL CAMPAIGN COMMITTEE								
CITIZENS FOR MINICH								
1978 48 HOUR CONTRIBUTION NOTICE								
							181 000004200	
							50070	1 7704/10/09979
							50070	1 7704/10/09979
							50070	1 7704/10/09979
							50070	1 7704/10/09979
1977	APRIL 10 QUARTERLY	3A - POSTCARD						1 7704/10/09979
	APRIL 10 QUARTERLY	3A - POSTCARD						1 7704/10/09979
	JULY 10 QUARTERLY	3A - POSTCARD					181077 - 308077	1 7704/10/09979
	OCTOBER 10 QUARTERLY	3A - POSTCARD					180177 - 305177	1 7704/10/09979
	YEAR END REPORT		6,892		6,799			10 7704/10/09979
1978	APRIL 10 QUARTERLY		37,908		14,631		180178 - 310078	17 7704/10/09979
	REQUEST FOR ADDITIONAL INFORMATION						180178 - 310078	2 7704/10/09979
	APRIL 10 QUARTERLY - AMENDMENT							2 7704/10/09979
	APRIL 10 QUARTERLY - AMENDMENT							2 7704/10/09979
	10 DAY PRE PRIMARY		27,311		5,694		180178 - 308578	14 7704/10/09979
	30 DAY POST PRIMARY		2,615		2,966		208678 - 308078	3 7704/10/09979
	JULY 10 QUARTERLY			0			0 270078 - 308078	2 7704/10/09979
	TOTAL		74,726	0	46,093		43	72 TOTAL PAGES
4. AUTHORIZED COMMITTEES								
5. OTHER SUBMITTED DOCUMENTS								
FOR LETTERS GOING TO COMMITTEE								
CONNECTED ORGANIZATION: GREAT ATLANTIC & PACIFIC TELEPHONE CO.								
1978	APRIL 10 QUARTERLY		100				208678	1 7704/10/09979
	10 DAY PRE PRIMARY		100				208678	1 7704/10/09979
	JULY 10 QUARTERLY		100				208678	1 7704/10/09979
ASSOCIATED CLOTHING AND TEXTILE WORKERS UNION, LOCAL 1000 COMMITTEE (COUNCIL 100)								
CONNECTED ORGANIZATION: CLOTHING & TEXTILE WORKERS UNION								
1978	APRIL 10 QUARTERLY		100				208678	1 7704/10/09979
AMERICAN FURNITURE & BEDDING SOCIETY FOR RESPONSIBLE GOVERNMENT								
CONNECTED ORGANIZATION: AMERICAN FURNITURE SOCIETY								
1978	APRIL 10 QUARTERLY		100				180178 - 310078	5 7704/10/09979
AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES								
CONNECTED ORGANIZATION: AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES								

All Reports have Received INITIAL REVIEW

11918001002



FEDERAL ELECTION COMMISSION

1155 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 756

Date Filmed 12/20 Camera No. --- 2

Cameraman BPC

16181077