



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1625

Date Filmed 12/21/84 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

1625

15 DAY REPORTS

ROUTING SLIPS

COMMISSIONER COMMENT SHEET

Information derived in litigation

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):

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☒ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☐ (3) Exempted by other statute (FECA) | ☐ (8) Banking information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed James H. Fink
date December 6, 1984

FEC 9-21-77

84040432217

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Passaic County Democratic Committee
William J. Pascrell, Jr.,
as Chairman

)
) MUR 1625
)
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 30, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1625:

1. Accept the conciliation agreement submitted with the General Counsel's Report signed November 28, 1984.
2. Close the file.
3. Send the letter attached to the General Counsel's Report signed November 28, 1984.

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

Attest:

11-30-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040492220



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 5, 1984

Steven I. Adler, Esquire
Cole, Geaney, Yamner & Byrne
100 Hamilton Plaza
P.O. Box D
Paterson, New Jersey 07509-0104

RE: MUR 1625

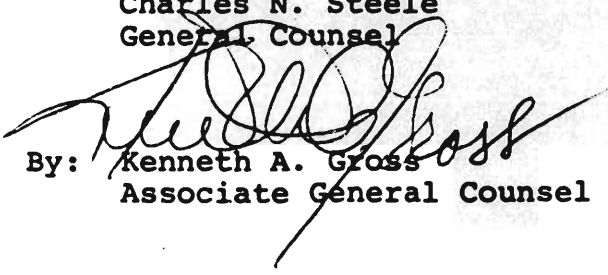
Dear Mr. Adler:

On November 30, 1984, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of violations of 2 U.S.C. § 441b(a) and 11 CFR § 102.5(a), provisions of the Federal Election Campaign Act of 1971, as amended and the corresponding Regulations. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become a part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

84040492221

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Passaic County Democratic)
Committee) MUR 1625
William J. Pascrell, Jr.)
Chairman)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Passaic County Democratic Committee and William Pascrell, Jr., as Chairman, ("Respondent") violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

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

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

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

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent is the Passaic County Democratic Committee.

2. William J. Pascrell, Jr is chairman of Respondent committee.

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3. Respondent finances political activity in connection with both federal and non-federal elections.

4. Pursuant to 11 C.F.R. § 102.5(a), Respondent established and maintains two accounts, one for federal activity and one for non-federal activity.

5. Respondent's federal account, the Passaic County Democratic Federal Election Account, is registered with and reports its financial activity to the Commission. Only funds permissible under the FECA are deposited into the account.

6. In November of 1982, Respondent made 2 U.S.C. § 441a(d) expenditures on behalf of four federal candidates, Lautenberg, Roe, Minish, and Cammerzell, totalling \$9,267.57.

7. These 441a(d) expenditures were made with funds from the non-federal account.

8. Pursuant to the New Jersey State law, corporate and union monies may be used in state elections. Such funds were deposited into the Respondent's non-federal account.

9. Respondent's federal account reported the \$9,267.57 spent by the non-federal account as a transfer-in and a loan from the non-federal account to the federal account.

10. 2 U.S.C. § 441b(a) prohibits a political committee from accepting any union or corporate contributions.

11. 11 C.F.R. § 102.5(a) states that no transfer may be made to a federal account from any other account maintained by an organization for the purpose of financing

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activity in connection with non-federal elections.

12. The federal account has reimbursed the non-federal account for the \$9,267.57 loan.

V. Respondent violated 2 U.S.C. § 441b(a) by using funds prohibited by the Act in connection with federal elections.

VI. Respondent violated 11 C.F.R. § 102.5(a) by transferring funds from its non-federal account to its federal account.

VII. Respondent contends that the above mentioned violations were not knowingly and willfully committed.

VIII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one thousand dollars (\$1,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

IX. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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

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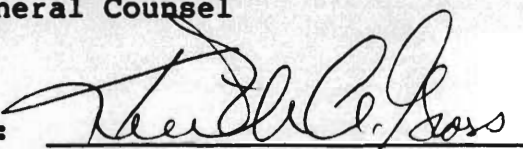
XII. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

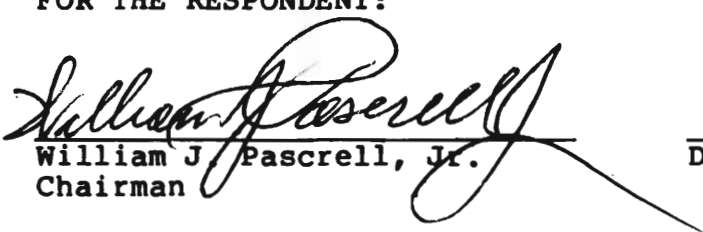
BY:


Kenneth A. Gross
Associate General Counsel

Date

December 4, 1984

FOR THE RESPONDENT:


William J. Pascrell, Jr.
Chairman

Date

11/13/84

3404049225



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Steven I. Adler, Esquire
Cole, Geaney, Yamner & Byrne
100 Hamilton Plaza
P.O. Box D
Paterson, New Jersey 07509-0104

RE: MUR 1625

Dear Mr. Adler:

On December , 1984, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of violations of 2 U.S.C. § 441b(a) and 11 CFR § 102.5(a), provisions of the Federal Election Campaign Act of 1971, as amended and the corresponding Regulations. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become a part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

7

MURRAY L. COLE
JOHN F. GEANEY, JR.
MORRIS YAMNER
JOHN J. BYRNE, III
GEORGE W. PARSONS, JR.
VINCENT A. SIANO
PETER R. BRAY
GARY S. REDISH
STEPHEN P. SCHER
JOHN J. MIESOWITZ
MICHAEL J. SWEENEY
STEVEN I. ADLER
RANDAL C. CHIOCCA
N.J. & N.Y. BARS

LAW OFFICES
COLE, GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA
P. O. BOX D
PATERSON, N. J. 07509-0104
(201) 278-0500

RECEIVED AT 3894

84 JUN 20 12:25

1 UNIVERSITY PLAZA
SUITE 307
HACKENSACK, N.J. 07601
(201) 842-8686
RESPOND TO PATERSON

WILLIAM F. HINCHLIFFE
IRVING I. RUBIN
OF COUNSEL

June 25, 1984

- Federal Election Commission
Washington, D.C. 20463

Re: In the Matter of
Passaic County Democratic Committee
William J. Pascrell, Jr., Chairman
MUR No. 1625
Our File No. 648820

Gentlemen:

On or about June 10, 1984, my client, the Passaic County Democratic Commission, received the letter of Charles N. Steele, Esq. dated June 5, 1984 as well as the General Counsel's Brief in the above-captioned matter.

Due to the fact that I have been involved in a major class action lawsuit in the Federal District Court, I will be unable to file a responsive brief within the allotted 15-day period. Therefore, please accept this letter as a written request for a 20-day extension of time to file same.

Thank you for your anticipated cooperation.

Very truly yours,

Steven I. Adler
STEVEN I. ADLER

SIA:sf

cc: Charles N. Steele, Esq.
cc: Judy Thedford

84040492227

LAW OFFICES
SEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA
P. O. BOX D
PATERSON, N. J. 07509-0104

84 JUN 20 212:25

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LAW OFFICES
COLE, GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA

P. O. BOX D

PATERSON, N. J. 07509-0104

(201) 278-0500

34 JUN 29 12:30

SUITE 207
HACKENSACK, N.J. 07601
(201) 342-8886

RESPOND TO PATERSON

WILLIAM F. HINCHLIFFE
IRVING I. RUBIN
OF COUNSEL

MURRAY L. COLE
JOHN F. GEANEY, JR.
MORRIS YAMNER
JOHN J. BYRNE, III
GEORGE W. PARSONS, JR.
VINCENT A. SIANO
PETER R. BRAY
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MICHAEL J. SWEENEY
STEVEN I. ADLER
SUE C. NUSSBAUM
RANDAL C. CHIOCCA
*N.J. & N.Y. BARS

June 25, 1984

Federal Election Commission
Washington, D.C. 20463

Re: In the Matter of
Passaic County Democratic Committee
William J. Pascrell, Jr., Chairman
MUR No. 1625
Our File No. 648820

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Very truly yours,

Steven I. Adler
STEVEN I. ADLER

SIA:sf

cc: Charles N. Steele, Esq.
cc: Judy Thedford

COPY

LAW OFFICES
SEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA

P. O. BOX D

PATERSON, N. J. 07509-0104

JUN 28 12:00

Federal Election Commission
Washington, D.C. 20463

Att: Judy Thedford, Esq.

340404922

600-3869

RECEIVED AT THE FEC

LAW OFFICES
COLE, GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA
P. O. BOX D
PATERSON, N. J. 07509-0104
(201) 278-0500

MURRAY L. COLE
JOHN F. GEANEY, JR.
MORRIS YAMNER
JOHN J. BYRNE, III
GEORGE W. PARSONS, JR.
VINCENT A. SIANO
PETER R. BRAY
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MICHAEL J. SWEENEY
STEVEN I. ADLER
SUE C. NUSSBAUM
RANDAL C. CHIOCCA
*N.J. & N.Y. BARS

84 JUN 28 12:33
UNIVERSITY PLAZA
SUITE 307
HACKENSACK, N.J. 07601
(201) 342-8886
RESPOND TO PATERSON

WILLIAM F. HINCHLIFFE
IRVING I. RUBIN
OF COUNSEL

June 25, 1984

- Federal Election Commission
Washington, D.C. 20463

Re: In the Matter of
Passaic County Democratic Committee
William J. Pascrell, Jr., Chairman
MUR No. 1625
Our File No. 648820

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Very truly yours,

Steven I. Adler
STEVEN I. ADLER

SIA:sf

cc: Charles N. Steele, Esq.
cc: Judy Thedford

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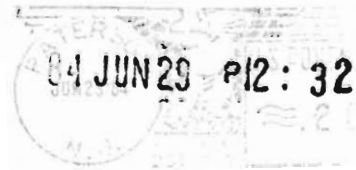
LAW OFFICES
GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA

P. O. BOX D

PATERSON, N. J. 07509-0104



Federal Election Commission
Washington, D.C. 20463

Att: Charles N. Steele, Esq.

40404922

LAW OFFICES
COLE, GEANEY, YAMNER & BYRNE
 A PROFESSIONAL CORPORATION
 100 HAMILTON PLAZA
 P. O. BOX D
 PATERSON, N. J. 07509-0104
 (201) 278-0500

RECEIVED AT THE FEC 600 43705

84 JUN 21 48:57

Federal Election Commission
 Washington, D.C. 20463
 Att: Judy Thedford, Staff Member

DATE: June 18, 1984
 RE: Federal Election Commission vs.
Passaic County Democratic Com.
 DOCKET NO: MUR No. 1625
 OUR FILE NO: 000/648820

Dear Sir:

Enclosed please find the following:

1 original(s)

1 copy(ies)

Summons
 Complaint/Petition
 Third Party Complaint
 Extension of Time
 Answer to _____
 Counter/Crossclaim
 Interrogatories to _____
 Answers to Interrog. of _____
 Demand for Admissions
 Notice of Motion
 Affidavit/Certification _____
 Order
 Pretrial Memorandum
 Proof of Service
 Brief/Memo of Law
 Notice of Depositions for _____
 Substitution of Attorney

Warrant for Satisfaction
 Stipulation of Dismissal
 Judgment
 Writ of Execution
 Statement for Docketing Judgment
 Demand for Production of Documents
 Petition/Order for Discovery
 Request to Enter Default
 Our check to cover your costs: _____
 in the amount of _____

\$

_____ in blank; please indicate
 the amount of check on
 the enclosed postcard.

XXX

Return envelope for your
 convenience

XXX

Other: **Statement of Designation
 of Counsel**

Will you kindly:

XXX File and return "filed copy" in the enclosed envelope
 _____ Serve and advise when service was effected
 _____ Sign and return in envelope provided
 _____ Please approve this case for trial

Very truly yours,

Steven I. Adler
 STEVEN I. ADLER

SIA:sf
 Encls.

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1625

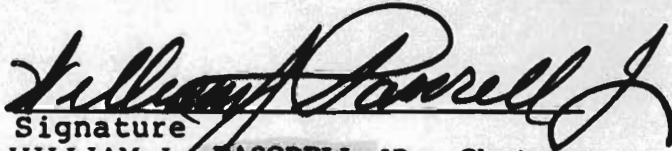
NAME OF COUNSEL: Steven I. Adler, Esq.

ADDRESS: Cole, Geaney, Yamner & Byrne
100 Hamilton Plaza, P.O. Box D
Paterson, New Jersey 07509-0104

TELEPHONE: 201-278-0500

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.

JUNE 15, 1984
Date


Signature
WILLIAM J. PASCRELL, JR., Chairman
Passaic County Democratic Committee

RESPONDENT'S NAME: Passaic County Democratic Committee

ADDRESS: 840 Van Houten Avenue
Clifton, New Jersey 07013

HOME PHONE:

523-6972

BUSINESS PHONE:

778-1600

84040492234

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1625

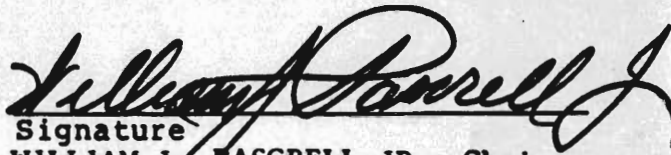
NAME OF COUNSEL: Steven I. Adler, Esc.

ADDRESS: Cole, Geaney, Yamner & Byrne
100 Hamilton Plaza, P.O. Box D
Paterson, New Jersey 07509-0104

TELEPHONE: 201-278-0500

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.

JUNE 15, 1984
Date


Signature
WILLIAM J. PASCRELL, JR., Chairman
Passaic County Democratic Committee

RESPONDENT'S NAME: Passaic County Democratic Committee

ADDRESS: 840 Van Houten Avenue
Clifton, New Jersey 07013

HOME PHONE: 523-6972

BUSINESS PHONE: 778-1600

84040492235

LAW OFFICES

LE. GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA

P. O. BOX D

PATERSON, N. J. 07509-0104

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1984

Steven I. Adler
Cole, Geaney, Yamner & Byrne
100 Hamilton Plaza
P.O. Box D
Paterson, NJ 07509-0104

Re: MUR 1625

Dear Mr. Adler:

On May 2, 1984, we received the response you filed on behalf of the Passaic County Democratic Committee in connection with the above-captioned matter.

If you intend to represent the Committee in this matter and wish to receive all notifications and other communications from the Commission on your client's behalf, we request that you have the Passaic County Democratic Committee complete the attached Designation of Counsel Statement and forward the completed form to the Commission.

If you have any questions, please contact Judy Thedford at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

[Signature]
By: Kenneth A. Gross
Associate General Counsel

Enclosure:
Designation of Counsel Statement

8404049237

MURRAY L. COLE
JOHN F. GEANEY, JR.
MORRIS YAMNER
JOHN J. BYRNE, III
GEORGE W. PARBONS, JR.
VINCENT A. SIANO
PETER R. GRAY
GARY S. REDISH
STEPHEN P. SCHER
JOHN J. MIESOWITZ
MICHAEL J. SWEENEY
STEVEN I. ADLER
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N.J. & N.Y. BARS

LAW OFFICES
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A PROFESSIONAL CORPORATION
100 HAMILTON PLAZA
P. O. BOX D
PATERSON, N. J. 07509-0104
(201) 278-0500

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84 JUN 1 11:34

1 UNIVERSITY PLAZA
SUITE 307
HACKENSACK, N.J. 07601
(201) 342-9696
RESPOND TO PATERSON

WILLIAM F. WINCHLIFFE
IRVING I. RUBIN
OF COUNSEL

May 31, 1984

- Federal Election Commission
Washington, D.C. 20463
Att: Judy Thedford, Staff Member

Re: Federal Election Commission
v. Passaic County Democratic Committee
MUR No. 1625
Our File No. 648820

Dear Ms. Thedford:

As promised in my letter dated May 18, 1984, enclosed herein please find the Affidavit of Alan Mikola, the Treasurer of the Passaic County Democratic Committee ("P.C.D.C.") Federal Account, which is submitted in support of the P.C.D.C.'s request that the above-captioned matter be closed. Please note that the within Affidavit is submitted without prejudice.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

Steven I. Adler
STEVEN I. ADLER

SIA:sf
Enclosure

10017
P12:37

34040492233

COLE, GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

COUNSELORS AT LAW

100 HAMILTON PLAZA

P.O. BOX D

PATERSON, N.J. 07509-0104

(201) 278-0500

ATTORNEYS FOR DEFENDANT

FEDERAL ELECTION COMMISSION

FEDERAL ELECTION COMMISSION,

Plaintiff

vs.

PASSAIC COUNTY DEMOCRATIC COMMITTEE,

Defendant

MUR 1625

Docket No.

CIVIL ACTION

AFFIDAVIT

STATE OF NEW JERSEY :
:SS
COUNTY OF PASSAIC :

ALLAN MIKOLA, of full age, being duly sworn according to law upon his oath, deposes and says:

1. I am the Treasurer of the Passaic County Democratic Committee (hereinafter referred to as "P.C.D.C.") Federal Account and am fully

OUR FILE NO.

648820

SIA:sf

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84740492240

familiar with the facts set forth herein.

2. I make this Affidavit in support of the P.C.D.C.'s request that the Federal Election Commission (hereinafter referred to as "F.E.C.") dismiss its charges concerning possible violations by the P.C.D.C. of 2 U.S.C., Section 441b(a) and 11 C.F.R., Section 102.5(a).

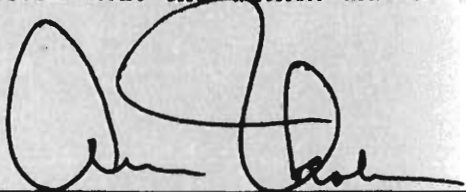
3. In or about April, 1983, I received a telephone call from the Reports Analysis Division of the F.E.C. During said telephone conversation, I advised the Reports Analysis Division that the P.C.D.C. had initially paid from its State Account for billboards advocating the election of certain federal and state candidates because the Federal Account did not have sufficient funds at that time to pay its share of these expenses. In response, I was informed by the Reports Analysis Division that this expenditure by a non-federal account for a federal election was impermissible under the F.E.C.'s regulations.

4. During said conversations I stated that any violation by the P.C.D.C. was unintentional and that it would cooperate fully to rectify any error.

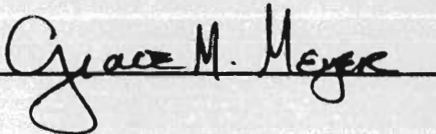
5. Thereafter, in an effort to cooperate with the F.E.C., the P.C.D.C. followed the suggestions made to it by the F.E.C. and filed a number of amendments to its Reports to remedy any alleged improprieties. In fact, any improprieties were remedied immediately, as set forth in the 1983 October Quarterly Report for the P.C.D.C. Federal Account which states that the money advanced from the State Account has been fully repaid.

6. In sum, if in fact there were any improprieties by the P.C.D.C., such violations were unknown at the time there were commit-

ted and were clearly unintentional. Moreover, any wrong doing has since been remedied and the P.C.D.C. has fully cooperated with the F.E.C. Therefore, it is respectfully requested that the within matter be closed by the F.E.C.


ALLAN MIKOLA

Sworn and Subscribed to me
on this 5th day of
June, 1984.



GRACE M. MEYER
Notary Public of New Jersey
My Commission Expires Dec. 31, 1988

84040492241

LAW OFFICES
LE. GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA
P. O. BOX D
PATERSON, N. J. 07509-0104



4013492242



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CW*
DATE: June 5, 1984
SUBJECT: MUR 1625 - Memorandum and General Counsel's Brief

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

Open Session _____

Closed Session _____

CIRCULATIONS

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

Other []

DISTRIBUTION

Compliance	[X]
Audit Matters	[]
Litigation	[]
Closed MUR Letters	[]
Status Sheets	[]
Advisory Opinions	[]

Other (see distribution below) []

34040492243



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 JUN 5 All: 37

June 5, 1984

SENSITIVE

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel *CN Steele*

SUBJECT: MUR 1625

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on June 5, 1984. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

84040492244

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Passaic County Democratic) MUR 1625
Committee)
William J. Pascrell, Jr.)
Chairman)

GENERAL COUNSEL'S BRIEF

I. Statement of the Case:

8 4 7 4 0 4 9 2 2 4 5
The Roe Congressional Campaign Fund ("Roe Campaign") disclosed in its 1982 October Quarterly Report and 30 Day Post-General Report that it had received in-kind contributions totaling \$4,278.32 from the Passaic County Democratic Committee. The Lautenberg for U.S. Senate Committee ("Lautenberg Committee") disclosed in its 1982 30 Day Post-General Report that it had received in-kind contributions totaling \$4,409.25 from the Passaic County Democratic Committee. The Passaic County Democratic Committee Federal Account was not a qualified multicandidate committee at this time and limited to contributing \$1,000 per election to the committees. The Reports Analysis Division ("RAD") sent notices pertaining to possible violations of § 441a(a) to the Roe Campaign and the Lautenberg Committee.

On February 1, 1983, Ms. Lillian Lentino, a committee staff member of the Passaic County Democratic Committee Federal Account, called RAD in response to an RFAI sent to the Lautenberg Committee. In this conversation, RAD explained that since the Federal Account had not qualified as a multicandidate committee, it could contribute only \$1,000 per election to a candidate. In

addition, as the Federal Account had failed to disclose the in-kind contributions to Roe and Lautenberg, Ms. Lentino was instructed to amend the Federal Account's reports to the Commission.

During an April 26, 1983, follow up phone conversation initiated by RAD, Mr. Allan Mikola, the treasurer of the Federal Account, stated that the committee had paid for billboards advocating the election of Roe and Lautenberg and that these billboards initially were paid for by the Passaic County Democratic Committee State Account because the Federal Account did not have sufficient funds at the time. RAD explained to him that this expenditure by a non-federal account was impermissible under the Commission's regulations. Mr. Mikola stated that he would research the matter to determine whether the expenditures were in fact in-kind contributions or coordinated expenditures. RAD suggested that he contact the Roe and Lautenberg committees, since they had described the expenditures in their reports as in-kind contributions.

On April 29, 1983, RAD telephoned the Roe Campaign and Lautenberg Committee staffs and informed them that RAD was in the process of clarifying matters with the treasurer of the Federal Account.

In a May 13, 1983, phone call responding to RAD's earlier query concerning the expenditures, the treasurer of the Federal Account stated that the expenditures were coordinated and that that fact would be clarified in a written statement. RAD advised

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him that the Commission may take further action with respect to the expenditures in question.

On June 6, 1983, the Federal Account filed an amended 30 Day Post-Election Report that listed \$9,267.57 in coordinated expenditures made on behalf of four Federal candidates. As listed on the report, the amount of the expenditure made on behalf of each of the candidates is as follows: Robert A. Roe - \$3,829.24, Frank R. Lautenberg - \$4,308.25, Joseph G. Minish - \$504.54 and Fritz Cammerzell - \$524.54. The cover letter accompanying the report noted that "the expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates." Additionally, the Federal Account filed: 1) a Schedule D showing a debt of \$9,267.57 owed to the State Account with an outstanding balance of \$4,267.57; 2) a Schedule A showing transfers-in from the State Account of \$9,267.57;^{1/} and 3) a Detailed Summary Page listing a \$5,000 loan repayment without a supporting disbursement schedule.

With respect to RAD's request for clarification of the so described in-kind contributions, the Roe Campaign and the Lautenberg Committee responded on July 5, 1983 and July 1, 1983, respectively, that the expenditures by the Passaic County

^{1/} These "transfers in" appear to be loans, since the coordinated expenditures were originally paid for by the State Account and later reimbursed by the Federal Account.

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Democratic Committee, originally described as in-kind contributions, were coordinated expenditures and, therefore, need not have been reported by the candidates. A review of the reports of candidates Minish and Cammerzell reveals that they never reported in-kind contributions from the Passaic County Democratic Committee.

On August 17, 1983, an RFAI was sent to the Federal Account requesting clarification of certain information contained in its amended report and informing it of the prohibition against transfers in from a non-federal account. On September 2, 1983, the Federal Account filed another amendment to its 30 Day Post-General Election Report deleting the \$9,267.57 transfers-in from the State Account and providing a disbursement schedule and describing the \$5,000 loan repayment to the State Account as being a reimbursement for coordinated expenditures. The 1983 October Quarterly Report of the Federal Account shows that it has repaid the debt (\$9,267.57) owed to the State Account.

On March 29, 1984, the Commission found reason to believe that the Passaic County Democratic Committee and William J. Pascrell, Jr., as Chairman, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a). Counsel for the Passaic County Democratic Committee and Mr. Pascrell responded on May 21, 1984. The crux of his response was that, "if in fact there were any improprieties, such violations were unknown at the time they were committed and were unintentional on the part of the P.C.D.C. [Passaic County Democratic Committee]."

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II. Legal Analysis

2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with federal elections. The State of New Jersey allows corporate and labor contributions to be made to state candidates. The expenditures made on behalf of candidates Roe, Lautenberg, Minish and Cammerzell came from the Passaic County Democratic Committee State Account. A check of the reports on file with the New Jersey Election Law Enforcement Commission indicates that the Passaic County Democratic Committee State Account accepted contributions from corporations and labor organizations.

In order to ensure that political committees do not commingle prohibited monies with funds for use in federal elections, the Commission's regulations at 11 C.F.R. § 102.5 set forth specific requirements for establishing and maintaining accounts. This provision requires that all political committees that finance both federal and non-federal elections shall either: 1) establish a separate federal account (which shall be treated as a separate federal committee) from which all disbursements, contributions, expenditures and transfers made by the committee in connection with federal elections shall be made or 2) establish a political committee which shall receive only contributions subject to the prohibitions and limitations of the Act, regardless of whether such contributions are for use in connection with federal or non-federal elections. Here, the Passaic County Democratic Committee established State and Federal

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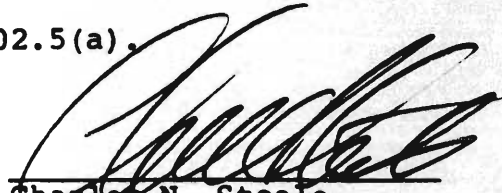
Accounts, but then made expenditures for federal candidates from the State Account. The Federal Account reported those expenditures as a loan to it from the State Account.

In conclusion, since the Passaic County Democratic Committee State Account contained union and corporate contributions, the Passaic County Democratic Committee^{2/} has violated 2 U.S.C. § 441b by accepting and using corporate and labor contributions to make expenditures in connection with federal elections. Further, the Passaic County Democratic Committee violated 11 C.F.R. § 102.5 by using monies from its State Account for federal election purposes.

II. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find probable cause to believe the Passaic County Democratic Committee and William J. Pascrell, Jr., as Chairman, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

31 May 1984
Date


Charles N. Steele
General Counsel

^{2/} William J. Pascrell, Jr. is Chairman of the Passaic County Democratic Committee. Allan Mikola is Treasurer of the Federal Account and responsible for filing reports with the Federal Election Commission.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 5, 1984

William J. Pascrell, Jr., Chairman
Passaic County Democratic Committee
840 Van Houten Avenue
Clifton, New Jersey 07013

RE: MUR 1625

Dear Mr. Pascrell:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 29, 1984, found reason to believe that the Passaic County Democratic Committee and you, as chairman, had violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

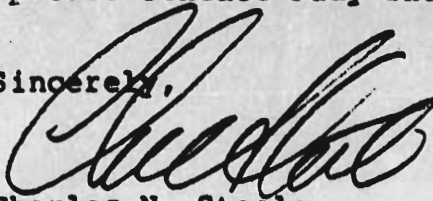
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William J. Pascrell, Jr., Chairman
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Judy Thedford, at (202)523-4000.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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84 MAY 18 10:10

MURRAY L. COLE
JOHN F. GEANEY, JR.
MORRIS YAMNER
JOHN J. BYRNE, III
GEORGE W. PARSONS, JR.
VINCENT A. SIANO
PETER R. GRAY
GARY S. REDISH
STEPHEN P. SCHER
JOHN J. MIESOWITZ
MICHAEL J. SWEENEY
STEVEN I. ADLER
SUE C. NUSSBAUM
RANDAL C. CHIOCCA
N.J. & N.Y. BARS

LAW OFFICES
COLE, GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA
P. O. BOX D
PATERSON, N. J. 07509-0104
(201) 278-0500

1 UNIVERSITY PLAZA
SUITE 907
HACKENSACK, N.J. 07601
(201) 342-8896
RESPOND TO PATERSON

WILLIAM F. HINCHLIFFE
IRVING I. RUBIN
OF COUNSEL

May 18, 1984

*MUR 1625
Thedford*

Federal Election Commission
Washington, DC 20463
Att: Judy Thedford, Staff Member

RE: Federal Election Commission vs. Passaic County Democratic Committee
MUR 1625
Our File #648820

Dear Ms. Thedford:

The Federal Election Commission ("F.E.C.") has notified this firm's client, the Passaic County Democratic Committee ("P.C.D.C.") that the F.E.C. had reason to believe that the Chairman of the P.C.D.C., William J. Pascrell, Jr., had violated 2 U.S.C. Sec. 441b(a) and 11 C.F.R. Sec. 102.5(a). This letter is submitted to demonstrate to the F.E.C. that no further action should be taken against Mr. Pascrell or the Committee.

First, it is clear that in order to be held accountable for any failure to comply with the above statutory provisions a "knowing" violation must be shown. Federal Election Campaign Act of 1971, as amended, ("F.E.C.A."), 2 U.S.C. Secs. 437g(d) and 441b(a); United States v. Finance Committee to Re-Elect the President, 507 F.2d 1194, 1198 (C.A.D.C. 1974). In this regard, if in fact there were any improprieties, such violations were unknown at the time they were committed and were unintentional on the part of the P.C.D.C. See the Affidavit of Allan Mikola, Treasurer of the P.C.D.C. Federal Account, which shall be submitted under separate cover.*

Second, after having been advised by the F.E.C. concerning possible violations of the Federal Election Campaign Laws, the P.C.D.C. has fully cooperated with the F.E.C. in an effort to comply with the letter as well as the spirit of the pertinent statutory provisions. Additionally, although the P.C.D.C. respectfully submits that it did not knowingly violate any provisions of the F.E.C.A., should the Commission, however, find reason to believe that a violation may have occurred, the P.C.D.C. shall cooperate to the fullest extent possible with any investigation conducted by the Commission.

COLE, GEANEY, YAMNER & BYRNE

Federal Election Commission

May 18, 1984

Page 2

Based upon the foregoing, it is respectfully requested that this matter be closed. If you would like to discuss this matter further or need any additional information, please do not hesitate to contact me.

Very truly yours,



Steven I. Adler

SIA/j

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- * At the present time, Mr. Mikola is out of the State and is expected to return by the end of this month. Upon his return, the P.C.D.C. shall submit an affidavit, signed by him, attesting to his lack of knowledge at the time of the acts complained of concerning any wrongdoing by the P.C.D.C.

LAW OFFICES
E. GEANEY, YAMNER & BYRNE

A PROFESSIONAL CORPORATION

100 HAMILTON PLAZA

P. O. BOX D

PATERSON, N. J. 07509-0104

Federal Election Commission
Washington, DC 20463
Att: Judy Thedford, Staff Member

RECORDED AT THE

84 MAY 21 A 9:10



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO:

CHARLES N. STEELE
GENERAL COUNSEL

FROM:

MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE:

MAY 21, 1984

SUBJECT:

MUR 1625 - Comprehensive Investigative
Report #1 signed May 17, 1984

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 2:00, Friday, May 18, 1984.

There were no objections to the Comprehensive Investigative Report at the time of the deadline.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: May 18, 1984
SUBJECT: MUR 1625 - Comprehensive Investigative Report #1

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

Open Session _____

Closed Session _____

CIRCULATIONS

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

DISTRIBUTION

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

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SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

84 MAY 18 AM: 10

In The Matter Of)
)
Passaic County Democratic) MUR 1625
Committee)

COMPREHENSIVE INVESTIGATIVE REPORT # 1

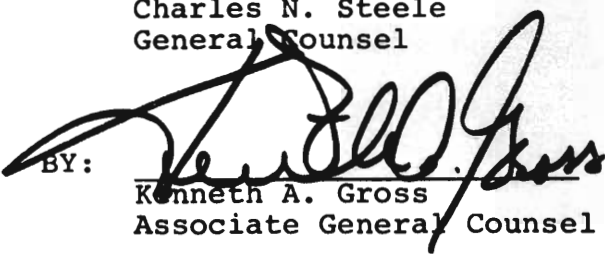
On March 29, 1984, the Commission found reason to believe that the Passaic County Democratic Committee and its chairman violated 2 U.S.C. § 441b(a) and 11 CFR § 102.5(a). A notification letter and the General Counsel's Legal and Factual Analysis were forwarded to the respondent. A response to the notification letter was not forthcoming; therefore, on May 10, 1984, a letter was forwarded to the respondent requesting a response within ten days. On May 17, 1984, Steve Adler, counsel for the Passaic County Democratic Committee, phoned the Commission and stated that a response to the reason to believe letter would be filed by May 20, 1984.

The Office of the General Counsel intends to allow the respondent 10 days in which to respond to the May 10 letter. Should the response not be filed promptly, the Office of the General Counsel intends to proceed expeditiously to the briefing stage.

Charles N. Steele
General Counsel

May 17, 1984
Date

BY:


Kenneth A. Gross
Associate General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 10, 1984

William J. Pascrell, Jr.
Passaic County Democratic Committee
840 Van Houten Avenue
Clifton, New Jersey 07013

Re: MUR 1625

Dear Mr. Pascrell:

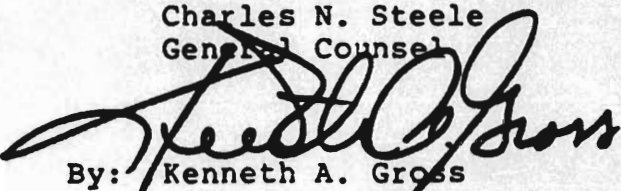
On April 4, 1984, you were notified that the Commission found reason to believe that the Passaic County Democratic Committee and you, as chairman, had violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a). At that time, you were given an opportunity to demonstrate that no further action should be taken against you and the Committee.

As of this date, we have not received a response from you. The Commission intends to conclude its investigation shortly. In the absence of any materials from you, the Commission will have to decide whether to take further action solely on the basis of any information available from other sources. If you wish to supply any information, please do so within ten days of your receipt of this notification.

If you have any questions, please direct them to Judy Thedford at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 4, 1984

William J. Pascrell, Jr., Chairman
Passaic County Democratic Committee
840 Van Houten Avenue
Clifton, New Jersey 07013

RE: MUR 1625

Dear Mr. Pascrell:

On March 30, 1984, a letter was sent to you which notified you that the Commission had found reason to believe that the Passaic County Democratic Committee and you, as chairman, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a). A General Counsel's Legal and Factual Analysis was also attached for your information.

It has come to our attention that the Legal and Factual Analysis sent to you was not complete, specifically pages 2 and 4 were missing.

Enclosed for your review is a complete copy of the General Counsel's Factual and Legal Analysis previously sent to you.

If you have any questions, please contact Judy Thedford at (202) 523-4529.

Sincerely,

Charles N. Steele
General Counsel

A handwritten signature in dark ink, appearing to read "Kenneth A. Gross", is written over the typed name.

By: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1625
STAFF MEMBER(S) & TEL. NO.
Judy Thedford (523-4529)

RESPONDENT: Passaic County Democratic Committee
William J. Pascrell, Jr., Chairman

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

SUMMARY OF ALLEGATIONS

3 4 0 4 0 4 9 2 2 6 1
* The Roe Congressional Campaign Fund ("Roe Campaign") disclosed in its 1982 October Quarterly Report and 30 Day Post-General Report that it had received in-kind contributions totaling \$4,278.32 from the Passaic County Democratic Committee. The Lautenberg for U.S. Senate Committee ("Lautenberg Committee") disclosed in its 1982 30 Day Post-General Report that it had received in-kind contributions totaling \$4,409.25 from the Passaic County Democratic Committee. The Passaic County Democratic Committee Federal Account was not a qualified multicandidate committee at this time and limited to contributing \$1,000 per election to the committees. The Reports Analysis Division ("RAD") sent notices pertaining to possible violations of § 441a(a) to the Roe Campaign and the Lautenberg Committee.

On February 1, 1983, Ms. Lillian Lentino, a committee staff member of the Passaic County Democratic Committee Federal Account, called RAD in response to an RFAI sent to the Lautenberg Committee. In this conversation, RAD explained that since the Federal Account had not qualified as a multicandidate committee, it could contribute only \$1,000 per election to a candidate. In

addition, as the Federal Account had failed to disclose the in-kind contributions to Roe and Lautenberg, Ms. Lentino was instructed to amend the Federal Account's reports to the Commission.

During an April 26, 1983, follow up phone conversation initiated by RAD, Mr. Allan Mikola, the treasurer of the Federal Account, stated that the committee had paid for billboards advocating the election of Roe and Lautenberg and that these billboards initially were paid for by the Passaic County Democratic Committee State Account because the Federal Account did not have sufficient funds at the time. RAD explained to him that this expenditure by a non-federal account was impermissible under the Commission's regulations. Mr. Mikola stated that he would research the matter to determine whether the expenditures were in fact in-kind contributions or coordinated expenditures. RAD suggested that he contact the Roe and Lautenberg committees, since they had described the expenditures in their reports as in-kind contributions.

On April 29, 1983, RAD telephoned the Roe Campaign and Lautenberg Committee staffs and informed them that RAD was in the process of clarifying matters with the treasurer of the Federal Account.

In a May 13, 1983, phone call responding to RAD's earlier query concerning the expenditures, the treasurer of the Federal Account stated that they were coordinated expenditures and that that fact would be clarified in a written statement. RAD advised

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him that the Commission may take further action with respect to the expenditures in question.

On June 6, 1983, the Federal Account filed an amended 30 Day Post-Election Report that listed \$9,267.57 in coordinated expenditures made on behalf of four Federal candidates. As listed on the report, the amount of the expenditure made on behalf of each of the candidates is as follows: Robert A. Roe - \$3,829.24, Frank R. Lautenberg - \$4,308.25, Joseph G. Minish - \$504.54 and Fritz Cammerzell - \$524.54. The cover letter accompanying the report noted that "the expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates." Additionally, the Federal Account filed: 1) a Schedule D showing a debt of \$9,267.57 owed to the State Account with an outstanding balance of \$4,267.57; 2) a Schedule A showing transfers-in from the State Account of \$9,267.57;^{1/} and 3) a Detailed Summary Page listing a \$5,000 loan repayment without a supporting disbursement schedule.

With respect to RAD's request for clarification of the so described in-kind contributions, the Roe Campaign and the Lautenberg Committee responded on July 5, 1983 and July 1, 1983, respectively, that the expenditures by the Passaic County

^{1/} These "transfers in" appear to be loans, since the coordinated expenditures were originally paid for by the State Account and later reimbursed by the Federal Account.

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Democratic Committee, originally described as in-kind contributions, were coordinated expenditures and, therefore, need not have been reported by the candidates. A review of the reports of candidates Minish and Cammerzell reveals that they never reported in-kind contributions from the Passaic County Democratic Committee.

On August 17, 1983, an RFAI was sent to the Federal Account requesting clarification of certain information contained in its amended report and informing it of the prohibition against transfers in from a non-federal account. On September 2, 1983, the Federal Account filed another amendment to its 30 Day Post-General Election Report deleting the \$9,267.57 transfers-in from the State Account and providing a disbursement schedule and describing the \$5,000 loan repayment to the State Account as being a reimbursement for coordinated expenditures. The 1983 October Quarterly Report of the Federal Account shows that it has repaid the debt (\$9,267.57) owed to the State Account.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with federal elections. The State of New Jersey allows corporate and labor contributions to be made to state candidates. The expenditures made on behalf of candidates Roe, Lautenberg, Minish and Cammerzell by the State Account may have contained corporate and labor funds prohibited by 2 U.S.C. § 441b.

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In order to ensure that political committees do not commingle prohibited monies with funds for use in federal elections, the Commission's regulations at 11 C.F.R. §.102.5 set forth specific requirements for establishing and maintaining accounts. This provision requires that all political committees that finance both federal and non-federal elections shall either: 1) establish a separate federal account (which shall be treated as a separate federal committee) from which all disbursements, contributions, expenditures and transfers made by the committee in connection with federal elections shall be made or 2) establish a political committee which shall receive only contributions subject to the prohibitions and limitations of the Act, regardless of whether such contributions are for use in connection with federal or non-federal elections. Here, the Passaic County Democratic Committee established State and Federal Accounts, but then made expenditures for federal candidates from the State Account. The Federal Account reported those expenditures as a loan to it from the State Account.

Since the Passaic County Democratic Committee State Account may contain union and corporate contributions, it appears that the Passaic County Democratic Committee^{2/} has violated 2 U.S.C.

^{2/} William J. Pascrell, Jr. is Chairman of the Passaic County Democratic Committee. Allan Mikola is Treasurer of the Federal Account and responsible for filing reports with the Federal Election Commission.

§ 441b by accepting and using corporate and labor contributions to make expenditures in connection with federal elections. Further, it appears that the Passaic County Democratic Committee violated 11 C.F.R. § 102.5 by using monies from its State Account for federal election purposes.

RECOMMENDATION

The Office of General Counsel recommends that the Commission:

1. find reason to believe the Passaic County Democratic Committee and William J. Pascrell, Jr., Chairman violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1625
Passaic County Democratic)
Committee)
William J. Pascrell, Jr.,)
Chairman)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal
Election Commission, do hereby certify that on March 29,
1984, the Commission decided by a vote of 4-0 to take
the following actions in MUR 1625:

1. Find reason to believe the
Passaic County Democratic
Committee and William J.
Pascrell, Jr., as Chairman,
violated 2 U.S.C. § 441b(a) and
11 C.F.R. § 102.5(a).
2. Approve and authorize the sending
of the letter and Factual and
Legal Analysis to the respondent
as submitted with the First
General Counsel's Report signed
March 26, 1984.

Commissioners Aikens, Elliott, Harris and McGarry voted
affirmatively in this matter; Commissioners McDonald and
Reiche did not cast a vote.

Attest:

3-30-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

3-27-84, 10:18
3-27-84, 4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 30, 1984

William J. Pascrell, Jr., Chairman
Passaic County Democratic Committee
840 Van Houten Avenue
Clifton, New Jersey 07013

RE: MUR 1625

Dear Mr. Pascrell:

On March 29, 1984, the Federal Election Commission determined that there is reason to believe that the Passaic County Democratic Committee and you, as treasurer, violated 2 U.S.C. § 441b(a) a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and the committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. See 11 C.F.R. § 111.18(d).

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

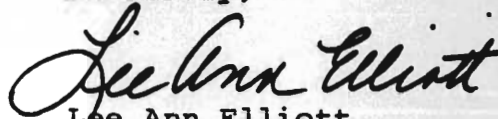
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William J. Pascrell, Jr.
Page 2

The investigation now being conducted will be 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 Judy Thedford, at (202)523-4529.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

34740492269

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1625
STAFF MEMBER(S) & TEL. NO.
Judy Thedford (523-4529)

RESPONDENT: Passaic County Democratic Committee
William J. Pascrell, Jr., Chairman

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

SUMMARY OF ALLEGATIONS

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The Roe Congressional Campaign Fund ("Roe Campaign") disclosed in its 1982 October Quarterly Report and 30 Day Post-General Report that it had received in-kind contributions totaling \$4,278.32 from the Passaic County Democratic Committee. The Lautenberg for U.S. Senate Committee ("Lautenberg Committee") disclosed in its 1982 30 Day Post-General Report that it had received in-kind contributions totaling \$4,409.25 from the Passaic County Democratic Committee. The Passaic County Democratic Committee Federal Account was not a qualified multicandidate committee at this time and limited to contributing \$1,000 per election to the committees. The Reports Analysis Division ("RAD") sent notices pertaining to possible violations of § 441a(a) to the Roe Campaign and the Lautenberg Committee.

On February 1, 1983, Ms. Lillian Lentino, a committee staff member of the Passaic County Democratic Committee Federal Account, called RAD in response to an RFAI sent to the Lautenberg Committee. In this conversation, RAD explained that since the Federal Account had not qualified as a multicandidate committee, it could contribute only \$1,000 per election to a candidate. In

him that the Commission may take further action with respect to the expenditures in question.

On June 6, 1983, the Federal Account filed an amended 30 Day Post-Election Report that listed \$9,267.57 in coordinated expenditures made on behalf of four Federal candidates. As listed on the report, the amount of the expenditure made on behalf of each of the candidates is as follows: Robert A. Roe - \$3,829.24, Frank R. Lautenberg - \$4,308.25, Joseph G. Minish - \$504.54 and Fritz Cammerzell - \$524.54. The cover letter accompanying the report noted that "the expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates." Additionally, the Federal Account filed: 1) a Schedule D showing a debt of \$9,267.57 owed to the State Account with an outstanding balance of \$4,267.57; 2) a Schedule A showing transfers-in from the State Account of \$9,267.57;^{1/} and 3) a Detailed Summary Page listing a \$5,000 loan repayment without a supporting disbursement schedule.

With respect to RAD's request for clarification of the so described in-kind contributions, the Roe Campaign and the Lautenberg Committee responded on July 5, 1983 and July 1, 1983, respectively, that the expenditures by the Passaic County

^{1/} These "transfers in" appear to be loans, since the coordinated expenditures were originally paid for by the State Account and later reimbursed by the Federal Account.

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In order to ensure that political committees do not commingle prohibited monies with funds for use in federal elections, the Commission's regulations at 11 C.F.R. § 102.5 set forth specific requirements for establishing and maintaining accounts. This provision requires that all political committees that finance both federal and non-federal elections shall either: 1) establish a separate federal account (which shall be treated as a separate federal committee) from which all disbursements, contributions, expenditures and transfers made by the committee in connection with federal elections shall be made or 2) establish a political committee which shall receive only contributions subject to the prohibitions and limitations of the Act, regardless of whether such contributions are for use in connection with federal or non-federal elections. Here, the Passaic County Democratic Committee established State and Federal Accounts, but then made expenditures for federal candidates from the State Account. The Federal Account reported those expenditures as a loan to it from the State Account.

Since the Passaic County Democratic Committee State Account may contain union and corporate contributions, it appears that the Passaic County Democratic Committee^{2/} has violated 2 U.S.C.

^{2/} William J. Pascrell, Jr. is Chairman of the Passaic County Democratic Committee. Allan Mikola is Treasurer of the Federal Account and responsible for filing reports with the Federal Election Commission.

§ 441b by accepting and using corporate and labor contributions to make expenditures in connection with federal elections. Further, it appears that the Passaic County Democratic Committee violated 11 C.F.R. § 102.5 by using monies from its State Account for federal election purposes.

RECOMMENDATION

The Office of General Counsel recommends that the Commission:

1. find reason to believe the Passaic County Democratic Committee and William J. Pascrell, Jr., Chairman violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William J. Pascrell, Jr., Chairman
Passaic County Democratic Committee
840 Van Houten Avenue
Clifton, New Jersey 07013

RE: MUR 1625

Dear Mr. Pascrell:

On , 1984, the Federal Election Commission determined that there is reason to believe that the Passaic County Democratic Committee and you, as treasurer, violated 2 U.S.C. § 441b(a) a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and the committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. See 11 C.F.R. § 111.18(d).

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

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William J. Pascrell, Jr.
Page 2

The investigation now being conducted will be 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 Judy Thedford, at (202)523-4529.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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J
3-30-84



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *W*
DATE: March 27, 1984
SUBJECT: MUR 1625 - First General Counsel's Report

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

Open Session _____

Closed Session _____

CIRCULATIONS

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

DISTRIBUTION

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

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 84 MAR 27 A10: 18

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 3/27/84
10:20

MUR 1625
STAFF MEMBER
Thedford

SENSITIVE

COMPLAINANT'S NAME: INTERNALLY GENERATED

RESPONDENT'S NAME: Passaic County Democratic Committee
William J. Pascrell, Jr., Chairman

RELEVANT STATUTE: 2 U.S.C. § 441b(a)

INTERNAL REPORTS CHECKED: Passaic County Democratic Federal
Election Account
Lautenberg for U.S. Senate Committee
Roe Congressional Campaign Fund
Fritz Cammerzell's Congressional
Campaign Committee
Citizens for Minish

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

This matter pertaining to the Passaic County Democratic Committee was referred to the Office of General Counsel by the Reports Analysis Division on November 15, 1983. On January 31, 1984, the Commission voted to open a MUR.

SUMMARY OF ALLEGATIONS

The Roe Congressional Campaign Fund ("Roe Campaign") disclosed in its 1982 October Quarterly Report and 30 Day Post-General Report that it had received in-kind contributions totaling \$4,278.32 from the Passaic County Democratic Committee. The Lautenberg for U.S. Senate Committee ("Lautenberg Committee") disclosed in its 1982 30 Day Post-General Report that it had received in-kind contributions totaling \$4,409.25 from the

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Passaic County Democratic Committee. The Passaic County Democratic Committee Federal Account was not a qualified multicandidate committee at this time and limited to contributing \$1,000 per election to the committees. The Reports Analysis Division ("RAD") sent notices pertaining to possible violations of § 441a(a) to the Roe Campaign and the Lautenberg Committee.

On February 1, 1983, Ms. Lillian Lentino, a committee staff member of the Passaic County Democratic Committee Federal Account, called RAD in response to an RFAI sent to the Lautenberg Committee. In this conversation, RAD explained that since the Federal Account had not qualified as a multicandidate committee, it could contribute only \$1,000 per election to a candidate. In addition, as the Federal Account had failed to disclose the in-kind contributions to Roe and Lautenberg, Ms. Lentino was instructed to amend the Federal Account's reports to the Commission.

During an April 26, 1983, follow up phone conversation initiated by RAD, Mr. Allan Mikola, the treasurer of the Federal Account, stated that the committee had paid for billboards advocating the election of Roe and Lautenberg and that these billboards initially were paid for by the Passaic County Democratic Committee State Account because the Federal Account did not have sufficient funds at the time. RAD explained to him that this expenditure by a non-federal account was impermissible under the Commission's regulations. Mr. Mikola stated that he would research the matter to determine whether the expenditures

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were in fact in-kind contributions or coordinated expenditures. RAD suggested that he contact the Roe and Lautenberg committees, since they had described the expenditures in their reports as in-kind contributions.

On April 29, 1983, RAD telephoned the Roe Campaign and Lautenberg Committee staffs and informed them that RAD was in the process of clarifying matters with the treasurer of the Federal Account.

In a May 13, 1983, phone call responding to RAD's earlier query concerning the expenditures, the treasurer of the Federal Account stated that they were coordinated expenditures and that that fact would be clarified in a written statement. RAD advised him that the Commission may take further action with respect to the expenditures in question.

On June 6, 1983, the Federal Account filed an amended 30 Day Post-Election Report that listed \$9,267.57 in coordinated expenditures made on behalf of four Federal candidates. As listed on the report, the amount of the expenditure made on behalf of each of the candidates is as follows: Robert A. Roe - \$3,829.24, Frank R. Lautenberg - \$4,308.25, Joseph G. Minish - \$504.54 and Fritz Cammerzell - \$524.54. The cover letter accompanying the report noted that "the expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates." Additionally, the Federal Account filed: 1) a Schedule D showing a debt of \$9,267.57 owed to the State

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Account with an outstanding balance of \$4,267.57; 2) a Schedule A showing transfers-in from the State Account of \$9,267.57,^{1/} and 3) a Detailed Summary Page listing a \$5,000 loan repayment without a supporting disbursement schedule.

With respect to RAD's request for clarification of the so described in-kind contributions, the Roe Campaign and the Lautenberg Committee responded on July 5, 1983 and July 1, 1983, respectively, that the expenditures by the Passaic County Democratic Committee, originally described as in-kind contributions, were coordinated expenditures and, therefore, need not have been reported by the candidates. A review of the reports of candidates Minish and Cammerzell reveals that they never reported in-kind contributions from the Passaic County Democratic Committee.

On August 17, 1983, an RFAI was sent to the Federal Account requesting clarification of certain information contained in its amended report and informing it of the prohibition against transfers in from a non-federal account. On September 2, 1983, the Federal Account filed another amendment to its 30 Day Post-General Election Report deleting the \$9,267.57 transfers-in from the State Account and providing a disbursement schedule and describing the \$5,000 loan repayment to the State Account as being a reimbursement for coordinated expenditures. The 1983 October Quarterly Report of the Federal Account shows that it has repaid the debt (\$9,267.57) owed to the State Account.

^{1/} These "transfers in" appear to be loans, since the coordinated expenditures were originally paid for by the State Account and later reimbursed by the Federal Account.

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FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with federal elections. The State of New Jersey allows corporate and labor contributions to be made to state candidates. The expenditures made on behalf of candidates Roe, Lautenberg, Minish and Cammerzell by the State Account may have contained corporate and labor funds prohibited by 2 U.S.C. § 441b.

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In order to ensure that political committees do not commingle prohibited monies with funds for use in federal elections, the Commission's regulations at 11 C.F.R. § 102.5 set forth specific requirements for establishing and maintaining accounts. This provision requires that all political committees that finance both federal and non-federal elections shall either: 1) establish a separate federal account (which shall be treated as a separate federal committee) from which all disbursements, contributions, expenditures and transfers made by the committee in connection with federal elections shall be made or 2) establish a political committee which shall receive only contributions subject to the prohibitions and limitations of the Act, regardless of whether such contributions are for use in connection with federal or non-federal elections. Here, the

Passaic County Democratic Committee^{2/} established State and Federal Accounts, but then made expenditures for federal candidates from the State Account. The Federal Account reported those expenditures as a loan to it from the State Account.

Since the Passaic County Democratic Committee State Account may contain union and corporate contributions, it appears that the Passaic County Democratic Committee has violated 2 U.S.C. § 441b by using corporate and labor contributions to make expenditures in connection with federal elections. Further, it appears that the Passaic County Democratic Committee violated 11 C.F.R. § 102.5 by using monies from its State Account for federal election purposes.

RECOMMENDATION

The Office of General Counsel recommends that the Commission:

1. find reason to believe the Passaic County Democratic Committee and William J. Pascrell, Jr., as Chairman, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a); and

^{2/} William J. Pascrell, Jr. is Chairman of the Passaic County Democratic Committee. Allan Mikola is Treasurer of the Federal Account and responsible for filing reports with the Federal Election Commission.

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2. approve and authorize the sending of the attached letter and Factual and Legal Analysis to the respondent.

Charles N. Steele
General Counsel

3/26/84
Date

By: Kenneth A. Gross (signature)
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Referral
- II. Proposed Letter
- III. Proposed Factual and Legal Analysis

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 15 November 1983ANALYST: Alva Smith

I. COMMITTEE:

Passaic County Democratic Federal
Election Account
C00153593

Allan Mikola, Treasurer
840 Van Houten Avenue
Clifton, New Jersey 07013
and

Passaic County Democratic Committee
-State Election Account

II. RELEVANT STATUTE: 2 U.S.C. 441b(a)

III. BACKGROUND:

Reports filed by the Passaic County Democratic Federal Election Account ("Federal Account") disclosed payments to the Passaic County Democratic Committee - State Election Account ("State Account") as reimbursements for \$9,267.57 in coordinated expenditures made by the State Account. Since the State law permits contributions by corporations and labor organizations, it appears that 2 U.S.C. 441b(a) may have been violated based upon the expenditure of funds by the State Account on behalf of Federal candidates.

The 1982 October Quarterly Report filed by the Roe Congressional Campaign Fund ("Roe Campaign") disclosed two (2) in-kind contributions totalling \$673.62 received from the Passaic County Democratic Committee on September 7, 1982 (Attachment 2). In addition, the 30 Day Post-General Report filed by the Roe Campaign disclosed an in-kind contribution of \$3,604.70 (Attachment 3). The total amount of in-kind contributions from the Passaic County Democratic Committee, as disclosed by the Roe Campaign, equaled \$4,278.32.

The 30 Day Post-General Report filed by the Lautenberg for U.S. Senate Committee ("Lautenberg Committee") disclosed receiving two (2) in-kind contributions of \$4,184.71 and \$224.54 from the Passaic County Democratic Committee on November 17 and 19, 1982 (Attachment 4). The total amount of in-kind contributions from the Passaic County Democratic Committee equaled \$4,409.25.

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PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

(2)

The in-kind contributions appeared to be in excess of the limitation set forth under 2 U.S.C. 441a, since the Federal Account was not a qualified multicandidate committee.^{1/} Notices were sent to the Roe Campaign and the Lautenberg Committee regarding the apparent violation. A Request for Additional Information ("RFAI") was not sent to the Federal Account, because its reports did not disclose the aforementioned in-kind contributions.

On February 1, 1983, Ms. Lillian Lentino, a committee staff member of the Federal Account, called the Reports Analysis Division ("RAD") analyst in response to an RFAI which had been sent to the Lautenberg Committee. Ms. Lentino asked if the Federal Account were qualified. The analyst explained that the Federal Account was not qualified and therefore, it could only contribute \$1,000 per election. Additionally, the analyst noted that the in-kind contributions had not been disclosed on the Federal Account's reports. Ms. Lentino was instructed to amend the reports of the Federal Account to disclose this activity (Attachment 5).

The Chief of RAD's Party/Non-Party Branch placed a follow-up call to the Federal Account on April 26, 1983. When asked about the in-kind contributions disclosed by the Roe Campaign and the Lautenberg Committee, the treasurer of the Federal Account, Mr. Allan Mikola, stated that the party had paid for billboards in support of Federal and non-Federal candidates.

The State Account paid for the billboards initially, because the Federal Account did not have sufficient funds at the time. Mr. Mikola was informed that the Commission's regulations did not permit this type of activity by a non-Federal account. He responded that he would research the matter in order to determine whether the expenditures were in-kind contributions or coordinated expenditures. It was suggested that Mr. Mikola contact the campaigns of Roe and Lautenberg, since it appeared as though they had received excessive in-kind contributions (Attachment 6).

On April 29, 1983, the Chief of the Party/Non-Party Branch telephoned representatives of the Roe Campaign and the Lautenberg Committee to advise them that attempts were being made to clarify matters with the treasurer of the Federal Account (Attachments 7 and 8).

^{1/} Although the New Jersey Democratic State Committee is "qualified," an amended Statement of Organization filed by the Federal Account listed "none" under affiliated committees.

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The Federal Account's treasurer called on May 13, 1983 and stated that the expenditures on behalf of Roe and Lautenberg were coordinated expenditures. This would be clarified in a written response. In answer to a question, Mr. Mikola stated that he had talked with a representative of the Roe Campaign, but needed some information to contact the Lautenberg Committee. After providing the address and phone number of David Ifshin, Counsel for the Lautenberg Committee, Mr. Mikola was informed that further action may be taken by the Commission, because the State Account had originally paid for the coordinated expenditures (Attachment 9).

An amended 30 Day Post-General Report was received from the Federal Account on June 6, 1983, which included Schedule F's itemizing \$9,267.57 in coordinated expenditures made on behalf of four (4) Federal candidates (Attachment 10a).^{2/} The cover letter accompanying the report noted that "the expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates." (Attachment 10b) In addition, the amendment provided the following: a Schedule D showing an original debt of \$9,267.57 owed to the State Account with an outstanding balance of \$4,267.57; a Schedule A showing transfers-in from the State Account of \$9,267.57;^{3/} and a Detailed Summary Page listing a \$5,000 loan repayment without a supporting disbursement schedule (Attachments 10c, d and e).

Responses were received from the Lautenberg Committee on or about July 1, 1983 and the Roe Campaign on July 5, 1983, which stated that the apparent in-kind contributions from the Passaic County Democratic Committee were actually coordinated expenditures and therefore should not have been reported by the candidates (Attachments 11 and 12).

On August 17, 1983, an RFAI was mailed to the Federal Account requesting clarification of certain transactions disclosed on its amended report. The notice also advised that transfers-in from a non-Federal account were prohibited by 11 CFR 102.5 and the full amount should be returned to the State Account (Attachment 13).

^{2/} A total of \$3,828.94 in coordinated expenditures was made on behalf of Congressman Robert A. Roe; \$4,409.25 on behalf of Senator-Elect Frank R. Lautenberg; \$509.54 on behalf of Congressman Joseph G. Minish; and \$524.54 on behalf of Fritz Cammerzell.

^{3/} The "transfers-in" were probably loans, since the coordinated expenditures were originally paid for by the State Account and later reimbursed by the Federal Account.

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PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT
REPORTS ANALYSIS OGC REFERRAL
PAGE 4

4

In a response received September 2, 1983, the Federal Account amended its 30 Day Post-General Report by deleting the \$9,267.57 transfer-in from the State Account. In addition, a disbursement schedule was provided which clarified that the \$5,000 loan repayment to the State Account was actually a reimbursement for coordinated expenditures (Attachment 14).

The most recent report filed by the Federal Account, a 1983 October Quarterly Report, shows that the debt owed to the State Account has been repaid in full (Attachment 15).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

There are no outstanding Requests for Additional Information or matters requiring referral at this time.

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COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT				PARTY NON-QUALIFIED	ID #C00153593	
1982 REQUEST FOR ADDITIONAL INFORMATION						1 02FEC/232/0416
STATEMENT OF ORGANIZATION				7APR82		2 02FEC/226/5428
STATEMENT OF ORGANIZATION - AMENDMENT				7JUN82		3 02FEC/232/2724
STATEMENT OF ORGANIZATION - AMENDMENT				15JUL82		2 02FEC/237/5154
APRIL QUARTERLY	2,150	-		1JAN82 -31MAR82		5 02FEC/228/3428
APRIL QUARTERLY - AMENDMENT	2,150	-		1JAN82 -31MAR82		6 03FEC/282/3350
REQUEST FOR ADDITIONAL INFORMATION				1JAN82 -31MAR82		1 03FEC/281/3483
JULY QUARTERLY	200	23		1APR82 -30JUN82		3 02FEC/237/5156
JULY QUARTERLY - AMENDMENT	200	23		1APR82 -30JUN82		4 03FEC/282/3346
REQUEST FOR ADDITIONAL INFORMATION				1APR82 -30JUN82		1 03FEC/281/3485
OCTOBER QUARTERLY	0	449		1JUL82 -30SEP82		4 02FEC/247/0444
OCTOBER QUARTERLY - AMENDMENT	0	449		1JUL82 -30SEP82		5 03FEC/282/3341
REQUEST FOR ADDITIONAL INFORMATION				1JUL82 -30SEP82		1 03FEC/281/3481
PRE-GENERAL				19OCT82 -13NOV82		3 03FEC/235/5355
POST-GENERAL	6,188	7,260				
POST-GENERAL - AMENDMENT	15,367	16,527		14OCT82 -22NOV82		11 03FEC/273/0059
POST-GENERAL - AMENDMENT	6,100	7,260		14OCT82 -22NOV82		11 03FEC/282/3336
REQUEST FOR ADDITIONAL INFORMATION				14OCT82 -22NOV82		2 03FEC/281/3476
YEAR-END	100	0		22NOV82 -31DEC82		4 03FEC/265/1220
YEAR-END - AMENDMENT	100	0		22NOV82 -31DEC82		5 03FEC/282/3367
YEAR-END - AMENDMENT	100	0		22NOV82 -31DEC82		6 03FEC/283/3803
REQUEST FOR ADDITIONAL INFORMATION				22NOV82 -31DEC82		1 03FEC/281/3479
REQUEST FOR ADDITIONAL INFORMATION 2ND				22NOV82 -31DEC82		1 03FEC/282/4002
TOTAL	8,950	0	7,732	0	89	TOTAL PAGES

All reports listed have received basic review.
 Ending cash-on-hand as of 12/31/82: \$1,217.00
 Outstanding debts and obligations as of 12/31/82: \$4,267.57

DOCUMENT 1

8 4 0 4 0 4 9 2 2 8 9
 PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILM COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT				PARTY NON-QUALIFIED	ID IC00153593	
1983	APRIL QUARTERLY	2,350	0	1JAN83 -31MAR83	4	83FEC/272/0411
	APRIL QUARTERLY	2,350	0	1JAN83 -31MAR83	4	83FEC/276/0273
	JULY QUARTERLY	0	2,709	1APR83 -30JUN83	4	83FEC/276/0277
	OCTOBER QUARTERLY	1,450	2,005	1JUL83 -30SEP83	7	83FEC/203/3383
	TOTAL	3,800	0	4,794	0	19 TOTAL PAGES

The reports listed have not been reviewed.
 Ending cash-on-hand as of 9/30/83: \$221.83
 Outstanding debts and obligations owed to the committee as of: \$500.00

9

October Quarterly (7/1/82-9/30/82)

ITEMIZED RECEIPTS ATTACHMENT

Receipts of the General Campaign Fund

7

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

of Committee (in Full)

Rec. General Campaign Fund

A. Full Name, Mailing Address and ZIP Code Passed Co. Democratic Comm (In-kind Cont) 840 Van Houten Avenue Clifton, N.J. 07013	Name of Employer N/A Occupation N/A	Date (month, day, year) 9/7/82	Amount of Each Receipt This Period 224.58
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 224.58		
B. Full Name, Mailing Address and ZIP Code Passed Co. Democratic Comm (In-kind Cont) 840 Van Houten Avenue Clifton, N.J. 07013	Name of Employer N/A Occupation N/A	Date (month, day, year) 9/7/82	Amount of Each Receipt This Period 449.08
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Aggregate Year-to-Date-\$ 672.62		
C. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date-\$		
SUBTOTAL of Receipts This Page (optional)			673.62
TOTAL This Period (last page this line number only)			673.62

DULE A

30 Day Post-Gen Report ATTACHMENT 3
(10/14/82-11/1/82)
ITEMIZED RECEIPTS

LINE NUMBER 115
(Use separate sheets for each category of the Detailed Summary Page)

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

Name of Committee (in Full)

Rep Congressional Campaign Fund

A. Full Name, Mailing Address and ZIP Code Passer Co Democratic Comm(1st-Kind Cont) 540 Van Houten Avenue Clifton, N.J. 07013	Name of Employer NIA	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation NIA	Aggregate Year-to-Date-\$ 4,278.82	3,604.70
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
TOTAL of Receipts This Page (optional)			3,604.70
TOTAL This Period (Just page this line number only)			

SCHEDULE A

ITEMIZED RECEIPTS

30 Day Post-General Report (10/14/82-11/22/82)

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

Name of Committee (in Full)

LAUTENBERG FOR U. S. SENATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Bergen County Democratic Mayors Assn. 66 Union Boulevard Wallington, New Jersey 07057	Name of Employer N/A	Date (month, day, year) 11/1/82	Amount of Each Receipt This Period 50.00
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 50.00	
B. Full Name, Mailing Address and ZIP Code Democrats For The 80's Post Office Box 3797 Washington, DC 20007	Name of Employer N/A	Date (month, day, year) 10/14/82	Amount of Each Receipt This Period 2,000.00
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 2,000.00	
C. Full Name, Mailing Address and ZIP Code Passaic County Democratic Committee 840 Van Houten Avenue Clifton, New Jersey 07013	Name of Employer N/A	Date (month, day, year) 11/19/82 11/17/82	Amount of Each Receipt This Period .. 224.54 4,184.71 IN-KIND
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 4,409.25	
D. Full Name, Mailing Address and ZIP Code Re-Elect Shapiro Committee 425 Bloomfield Avenue Montclair, New Jersey 07042	Name of Employer N/A	Date (month, day, year) 11/12/82	Amount of Each Receipt This Period 31.50 IN-KIND
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 31.50	
E. Full Name, Mailing Address and ZIP Code The Women's Democratic Club of Monmouth County 2611 Woolley Road Wall, New Jersey, 07719	Name of Employer N/A	Date (month, day, year) 10/23/82 10/29/82	Amount of Each Receipt This Period 265.82 IN-KIND 100.00
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 365.82	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
SUBTOTAL of Receipts This Page (enclosed)			
TOTAL This Period (last page this line number only)			6,855.57

ANALYST SmithInitiated Call? No

TELECON WITH: Lillian Lentino

COMMITTEE: PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT

DATE: February 1, 1983

SUBJECT: Excessive In-Kind to Candidate

Ms. Lentino called in response to an RFAI sent to Frank Lautenberg. The RFAI stated that the candidate apparently received an excessive contribution of \$4,081 (approximate) from Passaic County. She asked if the committee were qualified. I stated no, and as a result, the committee may only contribute \$1,000 per election. I explained the differences between direct contributions, in-kinds, and 441a(d). I stated that direct and in-kind contributions combined may only amount to \$1,000 per election. Regardless of the type of contribution, the committee should amend their report(s) to disclose the activity.

84040492293

ATTACHMENT 11

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER

COMMITTEE : PASSAIC COUNTY DEMOCRATIC COMMITTEE

DATE : APRIL 26, 1983

8404049294

After speaking with Ms. Lillian Lentino, I was provided with the phone number of the committee's treasurer, Mr. Allan Mikola. I informed Mr. Mikola that there were some questions regarding activity that the committee's Federal account had undertaken on behalf of Federal candidates. Mr. Mikola stated that the party had paid for billboards advocating the election of 2 Federal candidates (Roe and Lautenberg) and 3 non-Federal candidates. The State account paid for the billboards, because the Federal account did not have sufficient funds at the time. I informed Mr. Mikola that the Commission's regulations did not permit this type of activity by a non-Federal account. He said that he would do some checking to determine whether the disbursements were in-kind contributions or coordinated expenditures. I mentioned that he should contact the campaigns of Roe and Lautenberg, since it appeared as though they had received excessive contributions in-kind.

PHONE: 201-684-8597 or 684-1112

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : ROE CONGRESSIONAL CAMPAIGN FUND
DATE : APRIL 29, 1983

I spoke with Angela Milazzo in Congressman Roe's district office, regarding the apparent excessive in-kind contributions from the Passaic County Democratic Committee. Ms. Milazzo said that she thought that they were permissible party expenditures. I mentioned that I was attempting to clarify matters with the treasurer of the Passaic County Democratic Committee, Allan Mikola. She said that she knew Mr. Mikola and would attempt to resolve the issue with him.

84040492295

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : LAUTENBERG FOR SENATE
DAVID IFSHIN, COUNSEL FOR THE COMMITTEE
DATE : APRIL 29, 1983

I spoke with David Ifshin, counsel for the Lautenberg for Senate Committee, regarding activities of the Passaic County Democratic Party. Attempts were being made to clarify whether the disbursements on behalf of Lautenberg were coordinated expenditures or in-kind contributions. Mr. Ifshin said that he didn't have any information on the matter, but hoped that the Commission could clear it up.

PHONE: 223-9100

84040492296

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : PASSAIC COUNTY DEMOCRATIC COMMITTEE .
DATE : MAY 13, 1983

Mr. Mikola called and stated that the disbursements on behalf of Roe and Lautenberg were coordinated expenditures. He will write a letter next week to clarify the public record. When I inquired whether he had talked with any of the candidates' representatives, he responded that he had spoken with Ms. Milazzo (Roe Campaign). I then asked about Lautenberg, to which he responded that he had not. I provided Mr. Mikola with Mr. Ifshin's address and phone number, so that he could contact him as counsel of the Lautenberg for Senate Committee. Prior to concluding the conversation, I told Mr. Mikola that further action may be taken by the Commission, since the State account had originally paid for the billboards--activity prohibited by Section 102.5 of the Commission's regulations.

8404049227

Amended 30 Day Post-General Report (10/14/82-11/22/82)

SCHEDULE F

ITEMIZED COORDINATED EXPENDITURE MADE BY
POLITICAL PARTY COMMITTEES OR DESIGNATED AGENTS(S)
ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE
(2 U.S.C. §441a(d))

Page 1 of 1 for
LINE NUMBER 1

(To be used only by Political Committees in the General Election)

Name of Political Committee (in Full): Passaic County Democratic Committee				
Has your Committee been designated to make coordinated expenditures by a political party central committee? YES AND				
Full Name, Mailing Address and ZIP Code of Subordinate Committee				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
William J. LaFollette 1104 Clinton Ave Clinton, NJ 07011	Robert L. Roe 2nd Cong Dist NJ House of Rep	Newspaper Subscription	11/1/82	\$460.00
Aggregate General Election Expenditure for this Candidate =				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Passaic County Demo Comm - State Elec Account 840 Van Kester Ave Clifton, NJ 07013	Robert L. Roe 2nd Cong Dist NJ House of Rep	Reimbursement of media and election day expense	11/1/82	224.54
Aggregate General Election Expenditure for this Candidate =				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Passaic County Demo Comm - State Elec Account 840 Van Kester Ave Clifton, NJ 07013	Frank R. Lautner 1st U.S. Senate	Reimbursement of media and election day expense	11/1/82	224.54
Aggregate General Election Expenditure for this Candidate =				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Passaic County Demo Comm - State Elec Account 840 Van Kester Ave Clifton, NJ 07013	Joseph G. Minich 11th Cong Dist NJ House of Rep	Reimbursement of media and election day expense	11/1/82	224.54
Aggregate General Election Expenditure for this Candidate =				
SUBTOTAL of Expenditures This Page (optional)				9,203.62
TOTAL This Period (last page this line number only)				

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84240402233

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SCHEDULE F

ITEMIZED COORDINATED EXPENDITURE
POLITICAL PARTY COMMITTEES OR DESIGNATED
ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE
(2 U.S.C. §461a(d))

REPORT BY
AGENT(S)
OFFICE

Page 2 of 2
LINE NUMBER 12

(To be used only by Political Committees in the General Election)

Name of Political Committee (in Full)				
PASSAIC COUNTY DEMOCRATIC COMMITTEE				
Has your Committee been designated to make coordinated expense items by a political party committee? YES NO				
If YES, name the designating committee:				
Full Name, Mailing Address and ZIP Code of Subordinate Committee				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
PASSAIC COUNTY DEMOCRATIC COMMITTEE - STATE ELECTION ACCOUNT 240 VAN HOUTEN AVE LUTHER, NJ 07012	FRANK L. CAMPBELL 5TH CONGRESS DISTRICT HOUSE OF REPRESENTATIVES	REIMBURSEMENT OF TRAVEL AND ELECTION CAMPAIGN EXPENSE	11/2/77	224.50
Aggregate General Election Expenditure for this Candidate-S		BILL CLARK PAUL W. CLARK		200.00
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Aggregate General Election Expenditure for this Candidate-S				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Aggregate General Election Expenditure for this Candidate-S				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Aggregate General Election Expenditure for this Candidate-S				
SUBTOTAL of Expenditures This Page (optional)				524.50
TOTAL This Period (last page this line number only)				9,727.57

84243273005

MIKOLA, FIERSTEIN, MALKIN, GARRABBA, TESTIN AND FENIGSTEIN
CERTIFIED PUBLIC ACCOUNTANTS

AI MK FLC
JUN 8 AM: 58

ALLAN MIKOLA, C.P.A.
RICHARD S. FIERSTEIN, C.P.A.
BARRY E. MALKIN, C.P.A.
FRANK T. GARRABBA, C.P.A. (N.J.) (N.Y.)
BARBARA A. TESTIN, C.P.A.
JOEL A. FENIGSTEIN, C.P.A. (N.Y.)

300 HAMILTON PLAZA
SUITE 200
PATTERSON, NEW JERSEY 07650
201-254-1112

June 1, 1983

Federal Election Committee
13-25 K Street N.W.
Washington, DC 20463

Attn: Michael Siller

Re: Passaic County Democratic Committee

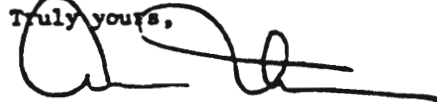
Gentlemen:

Enclosed I am forwarding to you an amended form for the period ending November 22, 1982.

This form reflects certain coordinated expenditures for election day poll watchers and advertising that was not included in the original report. The expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates.

If there are any further questions please contact me.

Truly yours,



Allan Mikola, C.P.A.

AM/pp
Enclosure

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(18)

Amended 30 Day Post-General Report (10/14/82-11/22/82)

SCHEDULE C
(Revised 3/77)DEBTS AND OBLIGATIONS
Excluding LoansPage 1 of 1 for
LINE NUMBER 111
Use separate schedules
for each numbered line:

Name of Contributor in Full PASSAIC COUNTY DEMOCRATIC COMMITTEE	Outstanding Balance Beginning This Period	Amount Received This Period	Payment This Period	Outstanding Balance at Close of This Period
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor PASSAIC COUNTY DEMOCRATIC COMMITTEE STATE ELECTION ACCOUNT 500 VAN NUTTEN AVENUE CLIFTON NJ 07013	- 0 -	4,267.57	5,000.00	4,267.57
Nature of Debt (Purpose):				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				4,267.57
2) TOTAL This Period (last page this line only)				4,267.57
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				4,267.57

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8303273005

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Amended 30 Day Post-General Report (10/14/82-11/22/82)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1
LINE NUMBER 22
(Use separate schedule for each category of the Unrelated Summary Page)

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

Name of Committee (in Full) PASSAIC COUNTY DEMOCRATIC COMMITTEE

A. Full Name, Mailing Address and ZIP Code <u>PASSAIC COUNTY DEMOCRATIC COMMITTEE</u> <u>STATE ELECTION ACCOUNT</u> <u>140 VAN HOUTEN AVE</u> <u>CLIFFTON, NJ 07013</u>	Name of Employer <u>PASSAIC COUNTY DEMOCRATIC COMMITTEE</u>	Date (month, day, year) <u>9/10/82</u> <u>11/22/82</u>	Amount of Each Receipt This Period <u>898.16</u> <u>2,367.57</u>
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation <u>POLITICAL COMM</u>	Aggregate Year-to-Date-\$ <u>2,367.57</u>	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date-\$	
SUBTOTAL of Receipts This Page (optional)			<u>9,267.57</u>
TOTAL This Period (last page this line number only)			<u>9,267.57</u>

30 Day Post-General Report (10/14/82-11/22/82)

ATTACHMENT 100

From: 10/1/82 To: 11/22/82

COLUMN A
Total This Period

COLUMN B
Calendar Year-To-Date

30 Day Post-General Report (10/14/82-11/22/82)

I. RECEIPTS

CONTRIBUTIONS (other than loans) FROM:

- (a) Individuals/Persons Other Than Political Committees
 (Memo Entry Unitemized \$ 5,150.00)
 (b) Political Party Committees
 (c) Other Political Committees
 (d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))

5,150.00	7,850.00	11(a)
950.00	1,050.00	11(b)
		11(c)
6,100.00	8,850.00	11(d)

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

		12
--	--	----

13. ALL LOANS RECEIVED

		13
--	--	----

14. LOAN REPAYMENTS RECEIVED

		14
--	--	----

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

		15
--	--	----

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES

		16
--	--	----

AND OTHER POLITICAL COMMITTEES

17. OTHER RECEIPTS (Dividends, Interest, etc.)

		17
--	--	----

18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)

6,100.00	8,850.00	18
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II. DISBURSEMENTS

19. OPERATING EXPENDITURES

1,960.00	2,433.00	19
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20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

		20
--	--	----

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES

300.00	300.00	21
--------	--------	----

22. DEPENDENT EXPENDITURES (use Schedule E)

		22
--	--	----

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES

		23
--	--	----

(2 U.S.C. § 441 a(d)) (Use Schedule F)

24. LOAN REPAYMENTS MADE

5,000.00	5,000.00	24
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25. LOANS MADE

		25
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26. REFUNDS OF CONTRIBUTIONS TO

- (a) Individuals/Persons Other Than Political Committees
 (b) Political Party Committees
 (c) Other Political Committees
 (d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))

		26(a)
		26(b)
		26(c)
		26(d)

27. OTHER DISBURSEMENTS

		27
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28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)

7,260.00	7,733.00	28
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III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)

6,100.00	8,850.00	29
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30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)

		30
--	--	----

31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)

6,100.00	8,850.00	31
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32. TOTAL OPERATING EXPENDITURES from Line 19

1,960.00	2,433.00	32
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33. OFFSETS TO OPERATING EXPENDITURES from Line 15

		33
--	--	----

34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)

1,960.00	2,433.00	34
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Lautenberg for U.S. Senate Committee

354 Eisenhower Parkway
Livingston, New Jersey, 07039

June 28, 1983

Secretary of the Senate
119 D Street, N.E.
Room 623
Washington, D.C. 20510

Re: Lautenberg for U.S. Senate Committee
FEC Identification No. C00150938

AMENDMENT TO FEC FORM 3 REPORT FOR THE
PERIOD COVERING OCTOBER 14
THROUGH NOVEMBER 22, 1982

- AND -

AMENDMENT TO JANUARY 31 YEAR END FEC
REPORT FORM 3 FOR THE PERIOD
COVERING NOVEMBER 23 THROUGH
DECEMBER 31, 1982

Dear Sir:

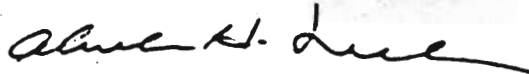
Enclosed are the two above-referenced amended reports. The original reports filed included Passaic County Democratic Committee's in-kind contributions totaling \$4,409.25. We have been informed that this amount should not have been reported since it was a coordinated expenditure under section 441a and, therefore, not reportable.

The amended reports reflect the deletion of Passaic County Democratic Committee's in-kind contributions totaling \$4,409.25.

Please acknowledge receipt of the enclosed by stamping the accompanying copy of this letter and returning it to us in the envelope provided.

Very truly yours,

LAUTENBERG FOR U. S. SENATE COMMITTEE



Abraham H. Nechemie
Treasurer

och
enclosures

cc: Passaic County Democratic
Committee (w/o enclosures)

ROE CONGRESSIONAL CAMPAIGN COMMITTEE

P.O. Box 407
Wayne, New Jersey 07470

REGULAR MAIL

JUN 28 1983

June 28, 1983

Federal Election Commission
Washington, D. C. 20463

Att: Libby Cooperman
Reports Analyst

Subject: 30 Day Post General
Report (10/14/82-11/22/82)

096024

Dear Mrs. Cooperman:

Confirming our telephone conversation of Friday, June 24, 1983, in regard to the above campaign committee of Congressman Bob Roe, I understand that the question raised on the reported in-kind contribution from the Passaic County Democratic Organization has been corrected and amended forms have been forwarded to the Commission by the Passaic County Democratic Organization.

The contributions should not have been reported by our committee as in-kind contributions but rather as Itemized Coordinated Expenditures made by Political Party as per copy of Schedule F, attached hereto.

We would appreciate your amending our above return to reflect the above correction and thank you for bringing this matter to our attention.

Very truly yours,

Angela Milazzo
Angela Milazzo

RECEIVED
OFFICE OF RECORDS & COMMUNICATION
1983 JUN -5 PM 12:42
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

330124622303



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-2

17 August 1983

Allan Mikola, Treasurer
Passaic County Democratic Federal
Election Account
840 Van Houten Avenue
Clifton, NJ 07013

Identification Number: C00153593

Reference: 30 Day Post-General Amendment Report (10/14/82-
11/22/82)

Dear Mr. Mikola:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses a receipt of \$9,267.57 from the "Passaic County Democratic Committee State Election Account" noted as transfer. Please clarify whether this transfer is from an account maintained by your committee for non-Federal activity. If so, be advised that such transfer is prohibited by 11 CFR 102.5(a)(1)(i) and the full amount of the transfer should be returned to the non-Federal account.

However, if this transaction represents an "internal transfer" of funds from one Federal account to another, and the source(s) of such funds has been identified in previous reports of receipts and disbursements, please note that such transfers should not be itemized as doing so inflates total receipts and cash on hand. If this is the case, please amend your report accordingly.

Although the Commission may take further legal or audit steps regarding the acceptance of funds from a non-Federal account, your prompt refund of the amount in question, or your clarification of the transaction, will be taken into consideration by the Commission.

-On Schedule D of your report you have failed to include certain information. Commission Regulations require the full name and mailing address of each creditor, the outstanding balance at the beginning and ending of the reporting period, the amount incurred during the period, the payment made during the period,

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AC 23

(24)

and the nature or purpose of each debt. Additionally, all debts must be reported continuously until extinguished or settled. Please amend your report to include the purpose of each debt. (11 CFR 104.11)

-Your committee has shown a payment on Schedule D to Passaic County Democratic State Election Account, which has not been recorded on Schedule B. Debt retirements must be reflected on Schedule B as well as on Schedule D. (2 U.S.C. 434(b)(5)(D))

-Please provide a Schedule B to support the entry of \$5,000 reported on Line 24 of the Detailed Summary Page. All loans repaid by your committee must be itemized on Schedule B, regardless of the amount. Loan receipts and repayments must be reflected on Schedule A as well as on Schedule C. (2 U.S.C. 434(b)(6)(B)(ii))

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,

Alva E. Smith

Alva Smith
Reports Analyst
Reports Analysis Division

84040492307

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1
LINE NUMBER 1
(Use only the schedule for each category of the Disbursements Summary Page)

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

Name of Committee (see Part I)
PASSAIC COUNTY DEMOCRATIC COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
PASSAIC COUNTY DEMOCRATIC COMMITTEE STATE ELECTION ACCOUNT 830 VAN HORN AVENUE CLIFTON N.J. 07013	Reimbursement of BOOKS-WATER EXCHANGE	11/12/82	\$ 5,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
SUBTOTAL of Disbursements This Page (attach sheet)			
TOTAL This Period (see page one line number only)			

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(26)

SCHEDULE D
(Revised 2/82)

DEBTS AND OBLIGATIONS
Excluding Loans

Page 1 of 1 for
LINE NUMBER 10
(Also indicate schedule
for each numbered line)

Name of Commission (or Full Name of Debtor or Creditor)	Outstanding Balance Beginning This Period	Amount Received This Period	Payment This Period	Outstanding Balance at Close of This Period
PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor PASSAIC COUNTY DEMOCRATIC STATE ELECTION ACCOUNT 840 VAN HOUTEN AVENUE CLIFTON, NJ 07013	1,478.16	- 0 -	1,478.16	- 0 -
Nature of Debt (Purpose): REPAYMENT OF LOAN FOR MEDIA ELECTION DAY EXPENSES				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				- 0 -
2) TOTAL This Period (last page this line only)				- 0 -
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				- 0 -

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

27

William J. Pascrell, Jr., Chairman
Passaic County Democratic Committee
840 Van Houten Avenue
Clifton, New Jersey 07013

RE: MUR 1625

Dear Mr. Pascrell:

On , 1984, the Federal Election Commission determined that there is reason to believe that the Passaic County Democratic Committee and you, as treasurer, violated 2 U.S.C. § 441b(a) a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and the committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire. See 11 C.F.R. § 111.18(d).

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

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William J. Pascrell, Jr.
Page 2

28

The investigation now being conducted will be 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 Judy Thedford, at (202)523-4529.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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(29)

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1625
STAFF MEMBER(S) & TEL. NO.
Judy Thedford (523-4529)

RESPONDENT: Passaic County Democratic Committee
William J. Pascrell, Jr., Chairman

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

SUMMARY OF ALLEGATIONS

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The Roe Congressional Campaign Fund ("Roe Campaign") disclosed in its 1982 October Quarterly Report and 30 Day Post-General Report that it had received in-kind contributions totaling \$4,278.32 from the Passaic County Democratic Committee. The Lautenberg for U.S. Senate Committee ("Lautenberg Committee") disclosed in its 1982 30 Day Post-General Report that it had received in-kind contributions totaling \$4,409.25 from the Passaic County Democratic Committee. The Passaic County Democratic Committee Federal Account was not a qualified multicandidate committee at this time and limited to contributing \$1,000 per election to the committees. The Reports Analysis Division ("RAD") sent notices pertaining to possible violations of § 441a(a) to the Roe Campaign and the Lautenberg Committee.

On February 1, 1983, Ms. Lillian Lentino, a committee staff member of the Passaic County Democratic Committee Federal Account, called RAD in response to an RFAI sent to the Lautenberg Committee. In this conversation, RAD explained that since the Federal Account had not qualified as a multicandidate committee, it could contribute only \$1,000 per election to a candidate. In

addition, as the Federal Account had failed to disclose the in-kind contributions to Roe and Lautenberg, Ms. Lentino was instructed to amend the Federal Account's reports to the Commission.

During an April 26, 1983, follow up phone conversation initiated by RAD, Mr. Allan Mikola, the treasurer of the Federal Account, stated that the committee had paid for billboards advocating the election of Roe and Lautenberg and that these billboards initially were paid for by the Passaic County Democratic Committee State Account because the Federal Account did not have sufficient funds at the time. RAD explained to him that this expenditure by a non-federal account was impermissible under the Commission's regulations. Mr. Mikola stated that he would research the matter to determine whether the expenditures were in fact in-kind contributions or coordinated expenditures. RAD suggested that he contact the Roe and Lautenberg committees, since they had described the expenditures in their reports as in-kind contributions.

On April 29, 1983, RAD telephoned the Roe Campaign and Lautenberg Committee staffs and informed them that RAD was in the process of clarifying matters with the treasurer of the Federal Account.

In a May 13, 1983, phone call responding to RAD's earlier query concerning the expenditures, the treasurer of the Federal Account stated that they were coordinated expenditures and that that fact would be clarified in a written statement. RAD advised

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him that the Commission may take further action with respect to the expenditures in question.

On June 6, 1983, the Federal Account filed an amended 30 Day Post-Election Report that listed \$9,267.57 in coordinated expenditures made on behalf of four Federal candidates. As listed on the report, the amount of the expenditure made on behalf of each of the candidates is as follows: Robert A. Roe - \$3,829.24, Frank R. Lautenberg - \$4,308.25, Joseph G. Minish - \$504.54 and Fritz Cammerzell - \$524.54. The cover letter accompanying the report noted that "the expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates." Additionally, the Federal Account filed: 1) a Schedule D showing a debt of \$9,267.57 owed to the State Account with an outstanding balance of \$4,267.57; 2) a Schedule A showing transfers-in from the State Account of \$9,267.57;^{1/} and 3) a Detailed Summary Page listing a \$5,000 loan repayment without a supporting disbursement schedule.

With respect to RAD's request for clarification of the so described in-kind contributions, the Roe Campaign and the Lautenberg Committee responded on July 5, 1983 and July 1, 1983, respectively, that the expenditures by the Passaic County

^{1/} These "transfers in" appear to be loans, since the coordinated expenditures were originally paid for by the State Account and later reimbursed by the Federal Account.

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Democratic Committee, originally described as in-kind contributions, were coordinated expenditures and, therefore, need not have been reported by the candidates. A review of the reports of candidates Minish and Cammerzell reveals that they never reported in-kind contributions from the Passaic County Democratic Committee.

On August 17, 1983, an RFAI was sent to the Federal Account requesting clarification of certain information contained in its amended report and informing it of the prohibition against transfers in from a non-federal account. On September 2, 1983, the Federal Account filed another amendment to its 30 Day Post-General Election Report deleting the \$9,267.57 transfers-in from the State Account and providing a disbursement schedule and describing the \$5,000 loan repayment to the State Account as being a reimbursement for coordinated expenditures. The 1983 October Quarterly Report of the Federal Account shows that it has repaid the debt (\$9,267.57) owed to the State Account.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with federal elections. The State of New Jersey allows corporate and labor contributions to be made to state candidates. The expenditures made on behalf of candidates Roe, Lautenberg, Minish and Cammerzell by the State Account may have contained corporate and labor funds prohibited by 2 U.S.C. § 441b.

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In order to ensure that political committees do not commingle prohibited monies with funds for use in federal elections, the Commission's regulations at 11 C.F.R. § 102.5 set forth specific requirements for establishing and maintaining accounts. This provision requires that all political committees that finance both federal and non-federal elections shall either: 1) establish a separate federal account (which shall be treated as a separate federal committee) from which all disbursements, contributions, expenditures and transfers made by the committee in connection with federal elections shall be made or 2) establish a political committee which shall receive only contributions subject to the prohibitions and limitations of the Act, regardless of whether such contributions are for use in connection with federal or non-federal elections. Here, the Passaic County Democratic Committee established State and Federal Accounts, but then made expenditures for federal candidates from the State Account. The Federal Account reported those expenditures as a loan to it from the State Account.

Since the Passaic County Democratic Committee State Account may contain union and corporate contributions, it appears that the Passaic County Democratic Committee^{2/} has violated 2 U.S.C.

^{2/} William J. Pascrell, Jr. is Chairman of the Passaic County Democratic Committee. Allan Mikola is Treasurer of the Federal Account and responsible for filing reports with the Federal Election Commission.

§ 441b by accepting and using corporate and labor contributions to make expenditures in connection with federal elections.

Further, it appears that the Passaic County Democratic Committee violated 11 C.F.R. § 102.5 by using monies from its State Account for federal election purposes.

RECOMMENDATION

The Office of General Counsel recommends that the Commission:

1. find reason to believe the Passaic County Democratic Committee and William J. Pascrell, Jr., Chairman violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: January 26, 1984
SUBJECT: RAD Referral 83L-38: Memorandum to The Commission

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

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒]
Sensitive ☒]
Non-Sensitive ☐]

24 Hour No Objection ☐]
Sensitive ☐]
Non-Sensitive ☐]

Information ☐]
Sensitive ☐]
Non-Sensitive ☐]

Other ☐]

DISTRIBUTION

Compliance ☒]

Audit Matters ☐]

Litigation ☐]

Closed MUR Letters ☐]

Status Sheets ☐]

Advisory Opinions ☐]

Other (see distribution
below) ☐]

3 1 3 2 2 9 4 0 4 0 4

BEFORE THE FEDERAL ELECTION COMMISSION

1625

In the Matter of)
Passaic County Democratic Federal) RAD Referral 83L-38
Election Account)
Passaic County Democratic Committee)
State Election Account)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 31, 1984, the Commission decided by a vote of 4-0 to open a Matter Under Review in the above-captioned matter.

Commissioners Aikens, Elliott, Harris and McGarry voted affirmatively in this matter; Commissioner Reiche recused and Commissioner McDonald did not cast a vote.

Attest:

1-31-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

1-26-84, 4:42
1-27-84, 2:00

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SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

84 JAN 26 P 4: 42

January 26, 1984

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

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

SUBJECT: RAD Referral 83L-38
Passaic County Democratic Federal Election
Account and the Passaic County Democratic
Committee State Election Account

The Office of General Counsel has prepared for Commission review three (3) critiques of referrals from the Reports Analysis Division.

Attached to this referral is a critique prepared by this Office, a copy of the referral from the Reports Analysis Division, and a 48-hour tally vote sheet. The OGC critique summarizes the facts, presents an analysis of the legal issues involved, and makes a recommendation as to the disposition of the referrals. The copy of the RAD referral is attached for informational purposes, and the separate vote sheet provides for a vote on this referral.

Attachments
Critique and Referral

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 15 November 1983ANALYST: Alva Smith

I. COMMITTEE: Passaic County Democratic Federal
Election Account
C00153593
Allan Mikola, Treasurer
840 Van Houten Avenue
Clifton, New Jersey 07013
and
Passaic County Democratic Committee
-State Election Account

II. RELEVANT STATUTE: 2 U.S.C. 441b(a)

III. BACKGROUND:

Reports filed by the Passaic County Democratic Federal Election Account ("Federal Account") disclosed payments to the Passaic County Democratic Committee - State Election Account ("State Account") as reimbursements for \$9,267.57 in coordinated expenditures made by the State Account. Since the State law permits contributions by corporations and labor organizations, it appears that 2 U.S.C. 441b(a) may have been violated based upon the expenditure of funds by the State Account on behalf of Federal candidates.

The 1982 October Quarterly Report filed by the Roe Congressional Campaign Fund ("Roe Campaign") disclosed two (2) in-kind contributions totalling \$673.62 received from the Passaic County Democratic Committee on September 7, 1982 (Attachment 2). In addition, the 30 Day Post-General Report filed by the Roe Campaign disclosed an in-kind contribution of \$3,604.70 (Attachment 3). The total amount of in-kind contributions from the Passaic County Democratic Committee, as disclosed by the Roe Campaign, equaled \$4,278.32.

The 30 Day Post-General Report filed by the Lautenberg for U.S. Senate Committee ("Lautenberg Committee") disclosed receiving two (2) in-kind contributions of \$4,184.71 and \$224.54 from the Passaic County Democratic Committee on November 17 and 19, 1982 (Attachment 4). The total amount of in-kind contributions from the Passaic County Democratic Committee equaled \$4,409.25.

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PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

The in-kind contributions appeared to be in excess of the limitation set forth under 2 U.S.C. 441a, since the Federal Account was not a qualified multicandidate committee.^{1/} Notices were sent to the Roe Campaign and the Lautenberg Committee regarding the apparent violation. A Request for Additional Information ("RFAI") was not sent to the Federal Account, because its reports did not disclose the aforementioned in-kind contributions.

On February 1, 1983, Ms. Lillian Lentino, a committee staff member of the Federal Account, called the Reports Analysis Division ("RAD") analyst in response to an RFAI which had been sent to the Lautenberg Committee. Ms. Lentino asked if the Federal Account were qualified. The analyst explained that the Federal Account was not qualified and therefore, it could only contribute \$1,000 per election. Additionally, the analyst noted that the in-kind contributions had not been disclosed on the Federal Account's reports. Ms. Lentino was instructed to amend the reports of the Federal Account to disclose this activity (Attachment 5).

The Chief of RAD's Party/Non-Party Branch placed a follow-up call to the Federal Account on April 26, 1983. When asked about the in-kind contributions disclosed by the Roe Campaign and the Lautenberg Committee, the treasurer of the Federal Account, Mr. Allan Mikola, stated that the party had paid for billboards in support of Federal and non-Federal candidates.

The State Account paid for the billboards initially, because the Federal Account did not have sufficient funds at the time. Mr. Mikola was informed that the Commission's regulations did not permit this type of activity by a non-Federal account. He responded that he would research the matter in order to determine whether the expenditures were in-kind contributions or coordinated expenditures. It was suggested that Mr. Mikola contact the campaigns of Roe and Lautenberg, since it appeared as though they had received excessive in-kind contributions (Attachment 6).

On April 29, 1983, the Chief of the Party/Non-Party Branch telephoned representatives of the Roe Campaign and the Lautenberg Committee to advise them that attempts were being made to clarify matters with the treasurer of the Federal Account (Attachments 7 and 8).

^{1/} Although the New Jersey Democratic State Committee is "qualified," an amended Statement of Organization filed by the Federal Account listed "none" under affiliated committees.

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PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

The Federal Account's treasurer called on May 13, 1983 and stated that the expenditures on behalf of Roe and Lautenberg were coordinated expenditures. This would be clarified in a written response. In answer to a question, Mr. Mikola stated that he had talked with a representative of the Roe Campaign, but needed some information to contact the Lautenberg Committee. After providing the address and phone number of David Ifshin, Counsel for the Lautenberg Committee, Mr. Mikola was informed that further action may be taken by the Commission, because the State Account had originally paid for the coordinated expenditures (Attachment 9).

An amended 30 Day Post-General Report was received from the Federal Account on June 6, 1983, which included Schedule F's itemizing \$9,267.57 in coordinated expenditures made on behalf of four (4) Federal candidates (Attachment 10a).^{2/} The cover letter accompanying the report noted that "the expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates." (Attachment 10b) In addition, the amendment provided the following: a Schedule D showing an original debt of \$9,267.57 owed to the State Account with an outstanding balance of \$4,267.57; a Schedule A showing transfers-in from the State Account of \$9,267.57;^{3/} and a Detailed Summary Page listing a \$5,000 loan repayment without a supporting disbursement schedule (Attachments 10c, d and e).

Responses were received from the Lautenberg Committee on or about July 1, 1983 and the Roe Campaign on July 5, 1983, which stated that the apparent in-kind contributions from the Passaic County Democratic Committee were actually coordinated expenditures and therefore should not have been reported by the candidates (Attachments 11 and 12).

On August 17, 1983, an RFAI was mailed to the Federal Account requesting clarification of certain transactions disclosed on its amended report. The notice also advised that transfers-in from a non-Federal account were prohibited by 11 CFR 102.5 and the full amount should be returned to the State Account (Attachment 13).

^{2/} A total of \$3,828.94 in coordinated expenditures was made on behalf of Congressman Robert A. Roe; \$4,409.25 on behalf of Senator-Elect Frank R. Lautenberg; \$509.54 on behalf of Congressman Joseph G. Minish; and \$524.54 on behalf of Fritz Cammerzell.

^{3/} The "transfers-in" were probably loans, since the coordinated expenditures were originally paid for by the State Account and later reimbursed by the Federal Account.

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PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT
REPORTS ANALYSIS OGC REFERRAL
PAGE 4

In a response received September 2, 1983, the Federal Account amended its 30 Day Post-General Report by deleting the \$9,267.57 transfer-in from the State Account. In addition, a disbursement schedule was provided which clarified that the \$5,000 loan repayment to the State Account was actually a reimbursement for coordinated expenditures (Attachment 14).

The most recent report filed by the Federal Account, a 1983 October Quarterly Report, shows that the debt owed to the State Account has been repaid in full (Attachment 15).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

There are no outstanding Requests for Additional Information or matters requiring referral at this time.

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PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT				PARTY NON-QUALIFIED	ID #C00153593	
1982	REQUEST FOR ADDITIONAL INFORMATION					1 82FEC/232/0416
	STATEMENT OF ORGANIZATION			7APR82		2 82FEC/226/5428
	STATEMENT OF ORGANIZATION - AMENDMENT			7JUN82		3 82FEC/232/2724
	STATEMENT OF ORGANIZATION - AMENDMENT			15JUL82		2 82FEC/237/5154
	APRIL QUARTERLY	2,150	-	1JAN82 -31MAR82		5 82FEC/228/3428
	APRIL QUARTERLY - AMENDMENT	2,150	-	1JAN82 -31MAR82		6 83FEC/282/3350
	REQUEST FOR ADDITIONAL INFORMATION			1JAN82 -31MAR82		1 83FEC/281/3483
	JULY QUARTERLY	200	23	1APR82 -30JUN82		3 82FEC/237/5156
	JULY QUARTERLY - AMENDMENT	200	23	1APR82 -30JUN82		4 83FEC/282/3346
	REQUEST FOR ADDITIONAL INFORMATION			1APR82 -30JUN82		1 83FEC/281/3485
	OCTOBER QUARTERLY	0	449	1JUL82 -30SEP82		4 82FEC/247/0444
	OCTOBER QUARTERLY - AMENDMENT	0	449	1JUL82 -30SEP82		5 83FEC/282/3341
	REQUEST FOR ADDITIONAL INFORMATION			1JUL82 -30SEP82		1 83FEC/281/3481
	PRE-GENERAL	400	0	19OCT82 -23NOV82		3 82FEC/256/4345
	POST-GENERAL	6,100	7,260	14OCT82 -22NOV82		11 83FEC/273/0059
	POST-GENERAL - AMENDMENT	15,367	16,527	14OCT82 -22NOV82		11 83FEC/282/3356
	POST-GENERAL - AMENDMENT	6,100	7,260	14OCT82 -22NOV82		2 83FEC/281/3476
	REQUEST FOR ADDITIONAL INFORMATION			22NOV82 -31DEC82		4 83FEC/265/1320
	YEAR-END	100	0	22NOV82 -31DEC82		5 83FEC/282/3367
	YEAR-END - AMENDMENT	100	0	22NOV82 -31DEC82		6 83FEC/283/3803
	YEAR-END - AMENDMENT	100	0	22NOV82 -31DEC82		1 83FEC/281/3479
	REQUEST FOR ADDITIONAL INFORMATION			22NOV82 -31DEC82		1 83FEC/282/4003
	REQUEST FOR ADDITIONAL INFORMATION 2ND					
	TOTAL	8,950	0	7,732	0	89 TOTAL PAGES

All reports listed have received basic review.
 Ending cash-on-hand as of 12/31/82: \$1,217.00
 Outstanding debts and obligations as of 12/31/82: \$4,267.57

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT				PARTY NON-QUALIFIED	ID #C00153593	
1983	APRIL QUARTERLY	2,350	0	1JAN83 -31MAR83	4	83FEC/272/0411
	APRIL QUARTERLY - AMENDMENT	2,350	0	1JAN83 -31MAR83	4	83FEC/276/0273
	JULY QUARTERLY	0	2,789	1APR83 -30JUN83	4	83FEC/276/0277
	OCTOBER QUARTERLY	1,450	2,005	1JUL83 -30SEP83	7	83FEC/285/3383
	TOTAL	3,800	0	4,794	0	19 TOTAL PAGES

The reports listed have not been reviewed.

Ending cash-on-hand as of 9/30/83: \$221.83

Outstanding debts and obligations owed to the committee as of: \$500.00

ITEMIZED RECEIPTS ATTACHMENT 2

October Quarterly (7/1/82-9/30/82)

Use this sheet if you are not using
Schedule of the District
Summary Page

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

Name of Committee (in Full)

Rec. Congressional Campaign Fund

A. Full Name, Mailing Address and ZIP Code Passaic Co. Democratic Comm (In-kind cont) 840 Van Houten Avenue Clifton, N.J. 07013		Name of Employer N/A	Date (month, day, year) 9/7/82	Amount of Each Receipt This Period 224.54
Receipt For: ☐ Primary ☒ General ☐ Other (specify):		Occupation N/A	Aggregate Year-to-Date--\$ 224.54	
B. Full Name, Mailing Address and ZIP Code Passaic Co. Democratic Comm (In-kind cont) 840 Van Houten Avenue Clifton, N.J. 07013		Name of Employer N/A	Date (month, day, year) 9/7/82	Amount of Each Receipt This Period 449.08
Receipt For: ☐ Primary ☒ General ☐ Other (specify):		Occupation N/A	Aggregate Year-to-Date--\$ 673.62	
C. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Aggregate Year-to-Date--\$	
D. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Aggregate Year-to-Date--\$	
E. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Aggregate Year-to-Date--\$	
F. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Aggregate Year-to-Date--\$	
G. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Aggregate Year-to-Date--\$	
SUBTOTAL of Receipts This Page (optional)				673.62
TOTAL This Period (last page this line number only)				673.62

3402012207327

DULE A

30 Day Post-General Report, ATTACHMENT 3
(10/14/82-11/12/82) ITEMIZED RECEIPTS

See separate instructions for each category of the attached Summary Page

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

Name of Committee (in Full)

Roe Congressional Campaign Fund

A. Full Name, Mailing Address and ZIP Code

Person Co Democratic Comm (In-Kind Cont)
840 Van Houten Avenue
Chilton, N.J. 07013

Name of Employer

N/A

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

N/A

Aggregate Year-to-Date-\$ 4,278.32

3,604.70

x2

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

B. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt This Period

Occupation

Aggregate Year-to-Date-\$

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

TOTAL of Receipts This Page (optional)

3,604.70

TOTAL This Period (last page this line number only)

034923042373523808

4

SCHEDULE A

ITEMIZED RECEIPTS

ATTACHMENT 4

Page 1 of 1
 List included in the
 Public Accession Schedule for each
 category of the Detailed
 Summary Page

30 Day Post-General Report (10/14/82-11/22/82)

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

Name of Committee (in Full)			
LAUTENBERG FOR U. S. SENATE COMMITTEE			
A. Full Name, Mailing Address and ZIP Code Bergen County Democratic Mayors Assn. 66 Union Boulevard Wallington, New Jersey 07057	Name of Employer N/A	Date (month, day, year) 11/1/82	Amount of Each Receipt This Period 50.00
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 50.00	
B. Full Name, Mailing Address and ZIP Code Democrats For The 80's Post Office Box 3797 Washington, DC 20007	Name of Employer N/A	Date (month, day, year) 10/14/82	Amount of Each Receipt This Period 2,000.00
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 2,000.00	
C. Full Name, Mailing Address and ZIP Code Passaic County Democratic Committee 840 Van Houten Avenue Clifton, New Jersey 07013	Name of Employer N/A	Date (month, day, year) 11/19/82 11/17/82	Amount of Each Receipt This Period 224.54 4,184.71 IN-KIND
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 4,409.25	
D. Full Name, Mailing Address and ZIP Code Re-Elect Shapiro Committee 425 Bloomfield Avenue Montclair, New Jersey 07042	Name of Employer N/A	Date (month, day, year) 11/12/82	Amount of Each Receipt This Period 31.50 IN-KIND
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 31.50	
E. Full Name, Mailing Address and ZIP Code The Women's Democratic Club of Monmouth County 2611 Woolley Road Wall, New Jersey, 07719	Name of Employer N/A	Date (month, day, year) 10/23/82 10/29/82	Amount of Each Receipt This Period 265.82 IN-KIND 100.00
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 365.82	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—\$	
SUBTOTAL of Receipts This Page (Section A)			
TOTAL This Period (test page this line number only)			6,855.57

8404036792

ANALYST Smith

Initiated Call? No

TELECON WITH: Lillian Lentino

COMMITTEE: PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT

DATE: February 1, 1983

SUBJECT: Excessive In-Kind to Candidate

Ms. Lentino called in response to an RFAI sent to Frank Lautenberg. The RFAI stated that the candidate apparently received an excessive contribution of \$4,081 (approximate) from Passaic County. She asked if the committee were qualified. I stated no, and as a result, the committee may only contribute \$1,000 per election. I explained the differences between direct contributions, in-kinds, and 441a(d). I stated that direct and in-kind contributions combined may only amount to \$1,000 per election. Regardless of the type of contribution, the committee should amend their report(s) to disclose the activity.

8404049230

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : PASSAIC COUNTY DEMOCRATIC COMMITTEE
DATE : APRIL 26, 1983

After speaking with Ms. Lillian Lentino, I was provided with the phone number of the committee's treasurer, Mr. Allan Mikola. I informed Mr. Mikola that there were some questions regarding activity that the committee's Federal account had undertaken on behalf of Federal candidates. Mr. Mikola stated that the party had paid for billboards advocating the election of 2 Federal candidates (Roe and Lautenberg) and 3 non-Federal candidates. The State account paid for the billboards, because the Federal account did not have sufficient funds at the time. I informed Mr. Mikola that the Commission's regulations did not permit this type of activity by a non-Federal account. He said that he would do some checking to determine whether the disbursements were in-kind contributions or coordinated expenditures. I mentioned that he should contact the campaigns of Roe and Lautenberg, since it appeared as though they had received excessive contributions in-kind.

PHONE: 201-684-8597 or 684-1112

3404049231

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : ROE CONGRESSIONAL CAMPAIGN FUND
DATE : APRIL 29, 1983

I spoke with Angela Milazzo in Congressman Roe's district office, regarding the apparent excessive in-kind contributions from the Passaic County Democratic Committee. Ms. Milazzo said that she thought that they were permissible party expenditures. I mentioned that I was attempting to clarify matters with the treasurer of the Passaic County Democratic Committee, Allan Mikola. She said that she knew Mr. Mikola and would attempt to resolve the issue with him.

84040492332

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : LAUTENBERG FOR SENATE
DAVID IFSHIN, COUNSEL FOR THE COMMITTEE
DATE : APRIL 29, 1983

I spoke with David Ifshin, counsel for the Lautenberg for Senate Committee, regarding activities of the Passaic County Democratic Party. Attempts were being made to clarify whether the disbursements on behalf of Lautenberg were coordinated expenditures or in-kind contributions. Mr. Ifshin said that he didn't have any information on the matter, but hoped that the Commission could clear it up.

PHONE: 223-9100

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MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : PASSAIC COUNTY DEMOCRATIC COMMITTEE
DATE : MAY 13, 1983

Mr. Mikola called and stated that the disbursements on behalf of Roe and Lautenberg were coordinated expenditures. He will write a letter next week to clarify the public record. When I inquired whether he had talked with any of the candidates' representatives, he responded that he had spoken with Ms. Milazzo (Roe Campaign). I then asked about Lautenberg, to which he responded that he had not. I provided Mr. Mikola with Mr. Ifshin's address and phone number, so that he could contact him as counsel of the Lautenberg for Senate Committee. Prior to concluding the conversation, I told Mr. Mikola that further action may be taken by the Commission, since the State account had originally paid for the billboards--activity prohibited by Section 102.5 of the Commission's regulations.

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Amended 30 Day Post-General Report (10/14/82-11/22/82)

SCHEDULE F

ITEMIZED COORDINATED EXPENDITURES MADE BY
POLITICAL PARTY COMMITTEES OR DESIGNATED AGENT(S)
ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE
(2 U.S.C. §441a(d))Page 1 of 1 for
LINE NUMBER 22

(To be used only by Political Committees in the General Election)

Name of Political Committee (in Full): <u>PASSAIC COUNTY DEMOCRATIC COMMITTEE</u>				
Has your Committee been designated to make coordinated expenditures by a political party committee? <u>YES</u> <u>NO</u>				
If YES, name the designating committee:				
Full Name, Mailing Address and ZIP Code of Subordinate Committee:				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
William H. Hofferth, 104 Clinton Ave Clinton, NJ 07011	ROBERT A. ROE 2 nd Cong Dist NJ House of Rep	GENERAL ELECTION CAMPAIGN	11/15/82	460.00
Aggregate General Election Expenditure for this Candidate—\$				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
PASSAIC COUNTY DEMO Comm - STATE ELEC ACCOUNT 840 VAN KURTEN AVE CLIFTON, NJ 07013	ROBERT A. ROE 2 nd Cong Dist NJ House of Rep	REIMBURSEMENT OF MEDIA AND ELECTION DAY EXPENSE BILLBOARD POLL WATCHER	11/12/82	224.54 3,604.40
Aggregate General Election Expenditure for this Candidate—\$				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
PASSAIC COUNTY DEMO Comm - STATE ELEC ACCOUNT 840 VAN KURTEN AVE CLIFTON, NJ 07013	FRANK R. LAURENCE NJ U.S. SENATE	REIMBURSEMENT OF MEDIA AND ELECTION DAY EXPENSE BILLBOARD POLL WATCHER	11/12/82	224.54 4,184.91
Aggregate General Election Expenditure for this Candidate—\$				
Full Name, Mailing Address and ZIP Code of Each Payer	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
PASSAIC COUNTY DEMO Comm - STATE ELEC ACCOUNT 840 VAN KURTEN AVE CLIFTON, NJ 07013	JOSEPH G. MINICH 11 th Cong Dist NJ House of Rep	REIMBURSEMENT OF MEDIA AND ELECTION DAY EXPENSE BILLBOARD POLL WATCHER	11/18/82	224.54 280.00
Aggregate General Election Expenditure for this Candidate—\$				
SUBTOTAL of Expenditures This Page (optional)				9,203.42
TOTAL This Period (last page this line number only)				

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SCHEDULE F

**ITEMIZED COORDINATED EXPENDITURES MADE BY
POLITICAL PARTY COMMITTEES OR DESIGNATED AGENT(S)
ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE
(2 U.S.C. §441a(d))**

Page 2 of 2 for
LINE NUMBER 1122

(To be used only by Political Committees in the General Election)

Name of Political Committee (in Full) PASSAIC COUNTY DEMOCRATIC COMMITTEE				
Has your Committee been designated to make coordinated expenditures by a political party committee? YES NO				
If YES, name the designating committee:				
Full Name, Mailing Address and ZIP Code of Subordinate Committee				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
PASSAIC COUNTY DEMO COMM - STATE ELEC ACCOUNT 240 VAN HOUTEN AVE LIVINGSTON, NJ 07012	FRANK CAMMERMELL 5TH CONG DIST NJ HOUSE OF REP	REIMBURSEMENT OF TRAVEL AND ELECTIONS AND EXPENSE BROOKLAND Poll Worker	11/2/51	224.50 300.00
Aggregate General Election Expenditure for this Candidate - \$				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Aggregate General Election Expenditure for this Candidate - \$				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Aggregate General Election Expenditure for this Candidate - \$				
Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Aggregate General Election Expenditure for this Candidate - \$				
SUBTOTAL of Expenditures This Page (optional)				524.50
TOTAL This Period (last page this line number only)				9,727.50

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MIKOLA, FIERSTEIN, MALKIN, CARRASSA, TESTIN AND FENGSTEIN
CERTIFIED PUBLIC ACCOUNTANTS

AM: 58

ALLAN MIKOLA, C.P.A.
RICHARD S. FIERSTEIN, C.P.A.
BARRY S. MALKIN, C.P.A.
FRANK T. CARRASSA, C.P.A. (N.J.) (N.Y.)
BARBARA A. TESTIN, C.P.A.
JOEL A. FENGSTEIN, C.P.A. (N.Y.)

100 HAMILTON PLAZA
SUITE 800
PATERSON, NEW JERSEY 07650
201-264-1112

June 1, 1983

Federal Election Committee
13-25 K Street N.W.
Washington, DC 20463

Attn: Michael Siller

Re: Passaic County Democratic Committee

Gentlemen:

Enclosed I am forwarding to you an amended form for the period ending November 22, 1982.

This form reflects certain coordinated expenditures for election day poll watchers and advertising that was not included in the original report. The expenditures were made by the state account and the federal account has reimbursed the state account for the amounts that were expended on behalf of federal candidates.

If there are any further questions please contact me.

Truly yours,



Allan Mikola, C.P.A.

AM/pp
Enclosure

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Amended 30 Day Post-General Report (10/14/82-11/22/82)

100

SCHEDULE D
(Revised 3/82)

DEBTS AND OBLIGATIONS Excluding Loans

Page 1 of 1 for
LINE NUMBER 111
(Use separate schedule
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
PASSAIC COUNTY DEMOCRATIC COMMITTEE				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor PASSAIC COUNTY DEMOCRATIC COMMITTEE STATE ELECTION ACCOUNT 500 VAN HOUTEN AVENUE CLIFTON NJ 07013	- 0 -	9,267.57	5,000.00	4,267.57
Nature of Debt (Purpose):				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				4,267.57
2) TOTAL This Period (last page this line only)				4,267.57
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				4,267.57

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Amended 30 Day Post-General Election Report (SAR) 11/27/02

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 for
LINE NUMBER 122
(Use separate schedule for each
category of the Detailed
Summary Page)

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

Name of Committee (in Full) PASSAIC COUNTY DEMOCRATIC COMMITTEE

A. Full Name, Mailing Address and ZIP Code <u>PASSAIC COUNTY DEMOCRATIC COMM</u> <u>STATE ELECTION ACCOUNT</u> <u>140 VAN HOUTEN AVE</u> <u>CLIFFTON, NJ 07013</u>	Name of Employer <u>POLITICAL COMM</u>	Date (month, day, year) <u>9/10/02</u> <u>11/23 change</u> <u>11/9/02</u>	Amount of Each Receipt This Period <u>898.16</u> <u>8,369.41</u>
Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Aggregate Year-to-Date-\$ <u>9,267.57</u>		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date-\$		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date-\$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date-\$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date-\$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date-\$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date-\$		
SUBTOTAL of Receipts This Page (optional)			<u>9,267.57</u>
TOTAL This Period (last page this line number only)			<u>9,267.57</u>

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Lautenberg for U.S. Senate Committee

354 Eisenhower Parkway
Livingston, New Jersey, 07039

June 28, 1983

Secretary of the Senate
119 D Street, N.E.
Room 623
Washington, D.C. 20510

Re: Lautenberg for U.S. Senate Committee
FEC Identification No. C00150938

AMENDMENT TO FEC FORM 3 REPORT FOR THE
PERIOD COVERING OCTOBER 14
THROUGH NOVEMBER 22, 1982

- AND -

AMENDMENT TO JANUARY 31 YEAR END FEC
REPORT FORM 3 FOR THE PERIOD
COVERING NOVEMBER 23 THROUGH
DECEMBER 31, 1982

Dear Sir:

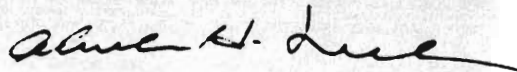
Enclosed are the two above-referenced amended reports. The original reports filed included Passaic County Democratic Committee's in-kind contributions totaling \$4,409.25. We have been informed that this amount should not have been reported since it was a coordinated expenditure under section 441a and, therefore, not reportable.

The amended reports reflect the deletion of Passaic County Democratic Committee's in-kind contributions totaling \$4,409.25.

Please acknowledge receipt of the enclosed by stamping the accompanying copy of this letter and returning it to us in the envelope provided.

Very truly yours,

LAUTENBERG FOR U. S. SENATE COMMITTEE



Abraham H. Nechemie
Treasurer

och
enclosures

cc: Passaic County Democratic
Committee (w/o enclosures)

34040492341

ROE CONGRESSIONAL CAMPAIGN COMMITTEE

P.O. Box 407
Wayne, New Jersey 07470

REGULAR MAIL
JUN 28 1983

June 28, 1983

RECEIVED
OFFICE OF RECORDS & REGISTRATION
JUN 28 - 5 PM 12 42
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

Federal Election Commission
Washington, D. C. 20463

Att: Libby Cooperman
Reports Analyst

Subject: 30 Day Post General
Report (10/14/82-11/22/82)

096024

Dear Mrs. Cooperman:

Confirming our telephone conversation of Friday, June 24, 1983, in regard to the above campaign committee of Congressman Bob Roe, I understand that the question raised on the reported in-kind contribution from the Passaic County Democratic Organization has been corrected and amended forms have been forwarded to the Commission by the Passaic County Democratic Organization.

The contributions should not have been reported by our committee as in-kind contributions but rather as Itemized Coordinated Expenditures made by Political Party as per copy of Schedule F, attached hereto.

We would appreciate your amending our above return to reflect the above correction and thank you for bringing this matter to our attention.

Very truly yours,

Angela Milazzo
Angela Milazzo

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83012462621



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

ACHMEN

RQ-2

17 August 1983

Allan Mikola, Treasurer
Passaic County Democratic Federal
Election Account
840 Van Houten Avenue
Clifton, NJ 07013

Identification Number: C00153593

Reference: 30 Day Post-General Amendment Report (10/14/82-
11/22/82)

Dear Mr. Mikola:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses a receipt of \$9,267.57 from the "Passaic County Democratic Committee State Election Account" noted as transfer. Please clarify whether this transfer is from an account maintained by your committee for non-Federal activity. If so, be advised that such transfer is prohibited by 11 CFR 102.5(a)(1)(i) and the full amount of the transfer should be returned to the non-Federal account.

However, if this transaction represents an "internal transfer" of funds from one Federal account to another, and the source(s) of such funds has been identified in previous reports of receipts and disbursements, please note that such transfers should not be itemized as doing so inflates total receipts and cash on hand. If this is the case, please amend your report accordingly.

Although the Commission may take further legal or audit steps regarding the acceptance of funds from a non-Federal account, your prompt refund of the amount in question, or your clarification of the transaction, will be taken into consideration by the Commission.

-On Schedule D of your report you have failed to include certain information. Commission Regulations require the full name and mailing address of each creditor, the outstanding balance at the beginning and ending of the reporting period, the amount incurred during the period, the payment made during the period,

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and the nature or purpose of each debt. Additionally, all debts must be reported continuously until extinguished or settled. Please amend your report to include the purpose of each debt. (11 CFR 104.11)

-Your committee has shown a payment on Schedule D to Passaic County Democratic State Election Account, which has not been recorded on Schedule B. Debt retirements must be reflected on Schedule B as well as on Schedule D. (2 U.S.C. 434(b)(5)(D))

-Please provide a Schedule B to support the entry of \$5,000 reported on Line 24 of the Detailed Summary Page. All loans repaid by your committee must be itemized on Schedule B, regardless of the amount. Loan receipts and repayments must be reflected on Schedule A as well as on Schedule C. (2 U.S.C. 434(b)(6)(B)(ii))

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,

Alva E. Smith

Alva Smith
Reports Analyst
Reports Analysis Division

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 by
 LINE NUMBER 1
 (Use only one schedule for each category of the Detailed Summary Page)

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

Name of Committee (in full)
PASSAIC COUNTY DEMOCRATIC COMMITTEE

A. Full Name, Mailing Address and ZIP Code PASSAIC COUNTY DEMOCRATIC COMMITTEE STATE ELECTION ACCOUNT 840 VAN NORTON AVENUE CLIFTON, N.J. 07013	Purpose of Disbursement REIMBURSEMENT OF COORDINATOR'S EXPENSES Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	Date (month, day, year) 11/12/82	Amount of Each Disbursement This Period \$ 5,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
TOTAL of Disbursements This Page (attach)			
TOTAL This Period Last Page (the line number only)			

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SCHEDULE D
(Revised 3/82)

DEBTS AND OBLIGATIONS
Excluding Loans

Page 1 of 1 for
LINE NUMBER 12
Also address or notices
for each numbered line

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
PASSAIC COUNTY DEMOCRATIC FEDERAL ELECTION ACCOUNT				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor PASSAIC COUNTY DEMOCRATIC STATE ELECTION ACCOUNT 840 VAN HOUTEN AVENUE CLIFTON, NJ 07013	1,478.16	- 0 -	1,478.16	- 0 -
Nature of Debt (Purpose): REPAYMENT OF LOAN FOR MEDIA ELECTION DAY EXPENSES				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				- 0 -
2) TOTAL This Period (last page this line only)				- 0 -
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				- 0 -

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FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1625

Date Filmed 12/21/84 Camera No. --- 2

Cameraman JRL

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