

FEDERAL ELECTION COMMISSION

1325 & STRILL N.W. WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1655

Date Filmed <u>1/27/8</u>4Camera No. --- 24

Cameraman <u>JRL</u>

FEDERAL ELECTION COMMISSION

COVING		ts on 12 Day Repor		
		above-described material		
file p	ursu	ant to the following ext Information Act; 5 U.S	emption pro	ovided in the
Teenc				
	(1)	Classified Information	(6)	Personal privacy
	(2)	Internal rules and		Investigatory
		practices		files
	(3)	Exempted by other statute	(8)	Banking Information
		Trade secrets and commercial or	(9)	Well Information (geographic or
	(4)		71 17 17 18	geophysical)
	(4)	financial information		
<u> </u>				
_		financial information		

FEC 9-21-77

~

4

0

4

0

V

0

BEFORE THE FEDERAL ELECTION COMMISSION

CERTIFICATION

- I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 10, 1984, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1655:
 - a) Find no reason to believe that the Political Education Fund of the Building and Construction Trades Department and Joseph F. Maloney, as treasurer, and Industrial Union Department AFL-CIO Voluntary Fund and Elmer Chatak, as treasurer, violated 2 U.S.C. § 441a(a) (2)(A) by making an excessive contribution to the Moynihan Committee, Inc.
 - b) Find no reason to believe that AFL-CIO Committee on Political Education and Political Contributions Committee and Thomas R. Donahue, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
 - c) Find no reason to believe that the Moynihan Committee, Inc. and John Westergaard, as treasurer, violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from the Political Education Fund of the Building and Construction Trades Department and the Industrial Union Department AFL-CIO Voluntary Fund.

(Continued)

as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of contributions from the International Ladies Garment Workers

Union Campaign Committee, but take no further

(Continued)

action.

- 3. a) Find no reason to believe that the Service Employees International Union Committee on Political Education Political Campaign Committee and Richard W. Cordtz, as treasurer, violated 2 U.S.C. § 441a(a) (2) (A) by making an excessive contribution to the Moynihan Committee, Inc.
 - b) Find no reason to believe that the Moynihan Committee, Inc. and John Westergaard, as treasurer, violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from the Service Employees International Union Committee on Political Education Political Campaign Committee.
- 4. a) Find no reason to believe that the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government and Donald J. Moll, as treasurer; and the Special Committee on Political Action and Mary Ann Benincasa, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
 - b) Find no reason to believe that the Moynihan Committee, Inc. and John Westergaard, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government and the Special Committee on Political Action.
 - c) Find reason to believe that the Moynihan Committee, Inc. and John Westergaard, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of contributions from the International Union United Auto, Aerospace, Agricultural Implement Workers of America; Committee for Good Government and the Special Committee on Political Action, but take no further action.

(Continued)

- 5. Send the letters attached to the FEC General Counsel's report dated June 29, 1984.
- 6. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald,

McGarry, and Reiche voted affirmatively for the decision.

Attest:

7-11-84

Date

Marjarie W Emmone

Marjorie W. Emmons
Secretary of the Commission

404047073

00

C



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

July 16, 1984

Jean Grument, Esquire
Assistant General Counsel
International Ladies Garment
Workers Union
1710 Broadway
New York, New York 10019

RE: MUR 1655
International Ladies Garment
Workers Union Campaign
Committee and Lawrence Dock,
Treasurer

Dear Mr. Grument:

The-Federal Election Commission notified your clients on April 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your clients' explanation of this matter which was dated April 27, 1984.

Upon review of the allegations contained in the complaint and information supplied by your clients, the Commission, on July 10, 1984, determined that there is no reason to believe that International Ladies Garment Workers Union Campaign Committee and Lawrence Dock, as treasurer, violated 2 U.S.C. \$ 441a(a)(2)(A), a provision of the Act.

Also, the Commission, on July 10, 1984, determined that there is reason to believe that International Ladies Garment Workers Union Campaign Committee and Lawrence Dock, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of contributions. However, after considering the circumstances in this matter, the Commission has determined to take no further action and close its file.

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

Jean Grument, Esquire Page 2 If you have any questions, please direct them to George Demougeot, the staff member assigned to this matter, at (202) 523-4000. Sincerely, Lee Ann Elliott Chairman T 3 Enclosure ~ General Counsel's Report 0 0 C 4 00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 16, 1984

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

RE: MUR 1655

Dear Mr. Avakian and Ms. Poindexter:

The Federal Election Commission has reviewed the allegations of the complaint filed by your client, James Edward Antosh, dated March 30, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there is reason to believe that the Moynihan Committee, Inc., Industrial Union Department AFL-CIO Voluntary Fund, and International Ladies Garment Workers Union Campaign Committee violated 11 C.F.R. \$ 104.14(d). However, after considering the circumstances of this matter, the Commission has determined to take no further action. In addition, the Commission determined that there is no reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee, Political Education Fund of the Building and Construction Trades Department, Service Employees International Union Committee on Political Education Political Campaign Committee, International Union United Auto, Aerospace and Agricultural Implement Workers; Committee for Good Government and Special Committee on Political Action violated any statute within its jurisdiction. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

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

Michael Brnest Avakian, Esquire Martha M. Poindexter, Esquire Page 2 Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. \$ 437g(a)(1) and 11 C.F.R. \$ 111.4. Sincerely, Charles N. Steele Genetal Counsel Associate General Counsel Enclosure 9 General Counsel's Report 7 0 V 0



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

July 16, 1984

Michael Harren, Esquire Chamberlain, D'Amanda, Oppenheimer & Greenfield 1100 Crossroads Office Building Rochester, New York 14614

> RE: MUR 1655 Special Committee on Political Action and Mary Ann Benincasa, Treasurer

Dear Mr. Harren:

0

0

0

On April 5, 1984, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on July 10, 1984, determined that on the basis of the information in the complaint, and information provided by the respondents there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the Special Committee on Political Action and Mary Ann Benincasa, as treasurer. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele General Counse

Associate General Counsel

Enclosure
General Counsel's Report

00

8



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

July 16, 1984

Margaret E. McCormick, Esquire AFL-CIO Legal Department 815 Sixteenth Street, W.W. Washington, D.C. 20006

RE: MUR 1655
AFL-CIO Committee on Political
Education and Political
Contributions Committee and
Thomas R. Donahue, Treasurer
Political Education Fund of
the Building and Construction
Trades Department and Joseph
F. Maloney, Treasurer
Industrial Union Department
AFL-CIO Voluntary Fund and
Elmer Chatak, Treasurer

Dear Ms. McCormick:

The Federal Blection Commission notified your clients on April 5, 1984, of a complaint alleging violations of certain sections of the Federal Blection Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your clients' explanation of this matter which was dated May 11, 1984.

Upon review of the allegations contained in the complaint and information supplied by your clients, the Commission, on July 10 , 1984, determined that there is no reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, and the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, and the Industrial Union Department AFL-CIO Voluntary Fund and its treasurer, Elmer Chatak, violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act.

Also, the Commission, on July 10, 1984, determined that there is reason to believe that the Industrial Union Department AFL-CIO Voluntary Fund and Elmer Chatak, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of contributions. However, after considering the circumstances in this matter, the

Margaret B. McCormick, Esquire Page 2 Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter. If you have any questions, please direct them to George Demougeot, the staff member assigned to this matter, at (202) 523-4000. Sincerely, Lee Ann Elliott Chairman Enclosure 4 General Counsel's Report 00



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

July 16, 1984

Alan G. Straus, Esquire Skadden, Arps, Slate, Meagher & Flom 919 Third Avenue New York, New York 10022-9931

RE: MUR 1655
Moynihan Committee, Inc. and
John Westergaard, Treasurer

Dear Mr. Straus:

The Federal Election Commission notified your clients on April 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").- A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your client's explanation of this matter which was dated May 14, 1984.

Upon further review of the allegations contained in the complaint and information supplied by your clients, the Commission, on July 10, 1984, determined that there is no reason to believe that the Moynihan Committee, Inc., and John Westergaard, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Act, by accepting excessive contributions from the Political Education Fund of the Building and Construction Trades Department, the Industrial Union Department of AFL-CIO Voluntary Fund, the AFL-CIO Committee on Political Education and Political Contributions Committee, the International Ladies Garment Workers Union Campaign Committee, the Service Employees International Union Committee on Political Education Political Campaign Committee, the International Union United Auto. Aerospace and Agricultural Implement Workers of America; Committee for Good Government, and the Special Committee on Political Action.

Also, the Commission, on July 10, 1984, determined that there is reason to believe that the Moynihan Committee, Inc., and John Westergaard, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting contributions from the Industrial Union Department AFL-CIO Voluntary Fund, the International Ladies Garment Workers Union Campaign Committee, the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee on Good Government, and the Special Committee

Alan G. Straus, Esquire Page 2 on Political Action. However, after considering the circumstances in this matter, the Commission has determined to take no further action and close its file. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter. If you have any questions, please direct them to George Demougeot, the staff member assigned to this matter, at (202) 523-4000. Sincerely, a Ellerth Lee Ann Elliott Chairman 0 Enclosure A General Counsel's Report V ന



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

July 16, 1984

Alan V. Reuther, Esquire Assistant General Counsel UAW 1757 N Street, N.W. Washington, D.C. 20036

RE: MUR 1655
International Union United
Auto, Aerospace and
Agricultural Implement Workers
of America; Committee for Good
Government and Donald J. Moll,
Treasurer

Dear Mr. Reuther:

On April 5, 1984, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on July 10, 1984, determined that on the basis of the information in the complaint, and information provided by the respondents there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government and Donald J. Moll, as treasurer. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele

By Kenneth A. Gross Associate General Counse

Enclosure
General Counsel's Report



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 16, 1984

Margaret B. McCormick, Esquire AFL-CIO Legal Department 815 Sixteenth Street, N.W. Washington, D.C. 20006

RE: MUR 1655
Service Employees
International Union of
Political Education Political
Campaign Committee, and
Richard W. Cordtz, Treasurer

Dear Ms. McCormick:

On April 5, 1984, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on July 10, 1984, determined that on the basis of the information in the complaint, and information provided by the respondents there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the Service Employees International Union of Political Education Political Campaign Committee and Richard W. Cordtz, as treasurer. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele

By Kenneth A. Gross

Associate General Counsel

Enclosure
General Counsel's Report

M

40404707



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO:	CHARLES STEELE, GENERAL COUNSEL
FROM:	MARJORIE W. EMMONS/SUSAN N. TEIR
DATE:	JULY 3, 1984

SUBJECT: MUR 1655 - FIRST GENERAL COUNSEL'S REPORT dated June 29, 1984

The above-named document was circulated to the Commission on Friday, June 29, 1984 at 2:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner	Aikens	Х
Commissioner	Elliott	
Commissioner	Harris	
Commissioner	McDonald	
Commissioner	McGarry	
Commissioner	Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, July 10, 1984.



MEMORANDUM

FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

Office of the Commission Secretary Office of General Counsel DATE: June 29, 1984 SUBJECT: MUR 1655 - First General Counsel's Report The attached is submitted as an Agenda document for the Commission Meeting of					
Tor the Commitsoron Nee	Open Se	Session		_	
CIRCULATIONS		DISTRIBUTION			
48 Hour Tally Vote Sensitive Non-Sensitive	[x] [x] []	Compliance Audit Matters		k]	
24 Hour No Objection Sensitive Non-Sensitive	[]	Litigation Closed MUR Letters]	
Information Sensitive Non-Sensitive	[]	Status Sheets Advisory Opinions		1	
Other	[]	Other (see distribution below)	ı	1	
	4 (1935) (1) (2) (287) (3)				

BEASITY

FEDERAL ELECTION COMMISSION OFFICE OF THE
1325 K Street, N.W. COMMISSION SECRETARY
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT 29 AN: 28

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 627/84 - 10:17

MUR NO. 1655
DATE COMPLAINT RECEIVED
BY OGC March 30, 1984
DATE OF NOTIFICATION TO
RESPONDENT April 5, 1984
STAFF MEMBER
George Demougeot

RECEIVED

COMPLAINANT'S NAME: James Edward Antosh

RESPONDENTS' NAME: Daniel P. Moynihan

Moynihan Committee, Inc. */ and its

treasurer, John Westergaard

AFL-CIO Committee on Political Education and Political Contributions Committee and

its treasurer, Thomas R. Donahue Political Education Fund of the

Building and Construction

Trades Department and its treasurer,

Joseph F. Maloney

Industrial Union Department AFL-CIO Voluntary Fund and its treasurer,

Elmer Chatak

International Ladies Garment Workers

Union Campaign Committee and its treasurer,

Lawrence Dock

Service Employees International Union Committee on Political Education Political Campaign Committee and its

treasurer, Richard W. Cordtz
International Union United Auto,
Aerospace and Agricultural

Implement Workers of America; Committee for Good Government and its treasurer,

Donald J. Moll

Special Committee on Political Action and

its treasurer, Mary Ann Benincasa

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(2)(A)

2 U.S.C. § 44la(f)

11 C.F.R. § 110.1(a) (2) 11 C.F.R. § 104.14(d)

INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

Formerly known as the Senator Moynihan Re-election Campaign, Inc., the Committee to Re-elect Senator Moynihan, Inc., and the Moynihan '82 Committee.

SUMMARY OF ALLEGATIONS

Complainant, James Edward Antosh, alleges that each of the following political action committees violated 2 U.S.C.

§ 44la(a)(2)(A) by making excessive contributions to the Moynihan Committee during the September 14, 1982, New York primary election and the 1982 general election:

a) American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC") and its affiliates the Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") and the Industrial Union Department AFL-CIO Voluntary Fund ("IUD Voluntary Fund").

Date Received	Amount	Contributor
10/26/81	\$5,000	P.E.FB.C.T.D.
4/12/82	\$ 500	IUD Voluntary Fund
Total =	\$5,500	

b) International Ladies Garment Workers Union Campaign Committee ("ILGWUCC").

Date Received	Amount	Contributor
4/6/82	\$6,700	ILGWUCC
Total =	\$6.700	

c) Service Employees International Union Committee on Political Education Political Campaign Committee ("SEIU-COPE-PCC").

9/1/81	\$2,000
11/1/82	\$5,000
Total =	\$9,000
d) Inter	rnational
Agricul	tural Impl
for Good	Governme
Conside	

Date

Received	Amount	Contributor
5/26/81	\$2,000	SEIU-COPE-PCC
9/1/81	\$2,000	SEIU-COPE-PCC
11/1/82	\$5,000	SEIU-COPE-PCC
Total =	\$9,000	

Agricultural Implement Workers of America; Committee
for Good Government ("UAW CFGG") and its affiliate the
Special Committee on Political Action ("SCOPA").

Date
Received Amount Contributor

Union United Auto, Aerospace and

11/24/81 \$5,000 UAW CFGG 10/2/81 \$500 SCOPA 8/9/82 \$1,500 SCOPA

Total = \$7,000

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

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(2)(A), no multicandidate political committee shall make any contribution to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceeds

040470748

4.

C
LO
~
0
~
V
C
2
0
Q
6

CONTRIBUTOR	AMC	UNT	DATE REPORTED GIVEN	ELECTION REPORTED BY CONTRIBUTOR	DATE REPORTED RECEIVED	ELECTION REPORTED BY RECIPIENT
P.E.FB.C.T.D.	. \$5	,000	10/19/81	primary	10/26/81	primary
Fund IUD Voluntary IUD Voluntary	\$	500	10/19/81	general	11/18/81	primary
Fund	\$	500	4/5/82	primary	4/12/82	primary
AFL-CIO COPE- PCC	\$4	,000	9/13/82	general	10/7/82	general

Respondent union political action committees state that the October 19, 1981, contribution of \$500 was properly designated in IUD Voluntary Fund's report for the general election. In addition, the Moynihan Committee states that it erroneously reported the October 19 contribution as a contribution for the primary election.

The Respondent union political action committees state that the April 5, 1982, contribution of \$500 was erroneously reported by IUD Voluntary Fund as a contribution for the primary election. To back this contention, respondents state that their internal contributions ledger, as well as their cover letter accompanying the April 5 contribution, indicate that the contribution was intended for the general election. The cover letter which is attached, states, "[e]nclosed is a contribution in the amount of \$500 for your general campaign from the Industrial Union Department of AFL-CIO." The Moynihan Committee states that it erroneously reported the April 5, 1982, contribution as being for the primary election.

Since the contributing committee in its report filed with the FEC designated the October 19, 1981, contribution as being

3

for the general election and since contemporaneous evidence was provided showing the April 5, 1982, contribution for the general election, the Office of General Counsel recommends that the Commission find no reason to believe that P.E.F.-B.C.T.D. and IUD Voluntary Fund violated 2 U.S.C. § 441a(a)(2)(A) and no reason to believe that the Moynihan Committee violated 2 U.S.C. § 441a(f). However, inasmuch as the contributions of October 19, 1981, and April 5, 1982, were incorrectly reported by the Moynihan Committee and since the April 5, 1982, contribution was incorrectly reported by the IUD Voluntary Fund, the Office of General Counsel recommends that the Commission find reason to believe that IUD Voluntary Fund and the Moynihan Committee violated 11 C.F.R. § 104.14(d), and take no further action.

Inasmuch as AFL-CIO COPE-PCC was named in the complaint but not alleged to have violated the Act, the Office of General Counsel recommends that the Commission find no reason to believe that AFL-CIO COPE-PCC violated 2 U.S.C. § 44la(a)(2)(A).

b) ILGWUCC

A review of the reports filed with the Federal Election

Commission reveals that the following contributions were made to
the Moynihan Committee:

		DATE REPORTED	ELECTION REPORTED	DATE REPORTED	ELECTION REPORTED
CONTRIBUTOR	AMOUNT	GIVEN	BY CONTRIBUTOR	RECEIVED	BY RECIPIENT
ILGWUCC	\$6,700	3/30/82	Primary	4/6/82	Primary

On March 30, 1982, ILGWUCC made a \$6,700 contribution to the Moynihan Committee. The contribution was reported by ILGWUCC and the Moynihan Committee as a contribution for the primary election.

ILGWUCC was notified by letter dated August 18, 1982, by the Reports Analysis Division ("RAD") that a review of its 1982 April Monthly report indicated that ILGWUCC made an apparent excessive contribution to the Moynihan Committee and that ILGWUCC should request a refund in the amount of the excess. By letter dated September 8, 1982, ILGWUCC submitted an amended report for the 1982 April Monthly reporting the \$6,700 contribution as a \$2,500 contribution to the primary election and a \$4,200 contribution to the general election.

The Moynihan Committee was notified by letter dated

September 21, 1982, that a RAD review of its 1982 July Quarterly
report indicated that the Moynihan Committee accepted an apparent
excessive contribution from ILGWUCC and that the Moynihan
Committee refund the amount in excess. By letter dated
September 27, 1982, the Moynihan Committee submitted an amended
report for the 1982 July Quarterly reporting the \$6,700
contribution as an \$1,800 contribution to the primary election
and a \$4,900 contribution to the general election, in apparent
conflict with ILGWUCC's amended 1982 April Monthly.

In reponse to the complaint, ILGWUCC submitted a copy of the check sent to the Moynihan Committee and a copy of the check stub. The check stub reflects that the \$6,700 check was intended

as a contribution to both the primary and general elections.

Further, the treasurer of ILGWUCC, Lawrence Dock, submitted a

sworn statement attesting to the fact that the check was intended
as a contribution to both the primary and general election.

Since contemporaneous evidence was provided showing that the \$6,700 check was intended as a \$2,500 contribution to the primary election and a \$4,200 contribution to the general election, the Office of General Counsel recommends that the Commission find no reason to believe that ILGWUCC violated 2 U.S.C. § 441a(a)(2)(A) and no reason to believe that the Moynihan Committe violated 2 U.S.C. § 441a(f). However, since AFGE PAC and the Moynihan Committee failed to accurately report the contributions, this Office recommends that the Commission find reason to believe that AFGE PAC and the Monyihan Committee violated 11 C.F.R. § 104.14(d), and take no further action.

c) SEIU-COPE-PCC

A review of the reports filed with the Federal Election

Commission reveals that the following contributions were made to
the Moynihan Committee:

CONTRIBUTOR	AMOUNT	DATE REPORTED GIVEN	ELECTION REPORTED BY CONTRIBUTOR	DATE REPORTED RECEIVED	ELECTION REPORTED BY RECIPIENT
SEIU-COPE-PCC	\$1,000	10/31/79	Primary	11/28/79	Primary
SEIU-COPE-PCC	\$2,000	5/15/81	Primary	5/26/81	Primary
SEIU-COPE-PCC	\$2,000	6/9/81	Primary	NOT RECEI	COMMITTEE
SEIU-COPE-PCC	\$2,000	8/26/81	Primary	9/1/81	Primary
SEIU-COPE-PCC	\$5,000	7/21/82	None		VED BY COMMITTEE
SEIU-COPE-PCC	\$5,000	10/28/82	General	11/1/82	General

3

Complainant alleges that SEIU-COPE-PCC failed to designate on its reports its July 21, 1982, contribution for \$5,000 to the Moynihan Committee for either the primary or the general election. Since the contribution was made almost two months prior to the primary election, Complainant contends that the contribution was for the primary election, and caused SEIU-COPE-PCC to make an excessive contribution to the Moynihan Committee.

SEIU-COPE-PCC responds that the letter which accompanied the July 21 contribution to the Moynihan Committee designated the contribution for the general election. However, the contribution was never received by the Moynihan Committee and consequently was voided by SEIU-COPE-PCC on October 21, 1982. SEIU-COPE-PCC then issued another check on October 28, 1982, to the Moynihan Committee for \$5,000 and designated this contribution in its reports for the general election. The Moynihan Committee reported this contribution as received on November 1, 1982, and as a contribution for the general election.

Since the July 21 contribution was never received and since the October 28 contribution is attributable to the general election, the Office of General Counsel recommends that the Commission find no reason to believe that SEIU-COPE-PCC violated 2 U.S.C. § 44la(a)(2)(A) and no reason to believe that the Moynihan Committee violated 2 U.S.C. § 44la(f).

d) UAW CFGG and SCOPA

A review of the reports filed with the Federal Election

Commission reveals that the following contributions were made to
the Moynihan Committee:

CONTRIBUTOR	AMOUNT	DATE REPORTED GIVEN	ELECTION REPORTED BY CONTRIBUTOR	DATE REPORTED RECEIVED	ELECTION REPORTED BY RECIPIENT
UAW CFGG	\$5,000	1/5/81	General	11/24/81	Primary
SCOPA	\$ 500	9/1/81	General	10/2/81	Primary
SCOPA	\$1,500	7/14/82	General	8/9/82	General

Complainant alleges that UAW CFGG and SCOPA are affiliated political committees for purposes of 2 U.S.C. § 441a(a)(5). Complainant further alleges that the affiliated committees contributed \$2,000 in excess of limitations pursuant to 2 U.S.C. § 441a(a)(2)(A) to the Moynihan Committee.

UAW CFGG and SCOPA responded to the complaint by stating that there is no affiliation between them and that SCOPA has no connection with the UAW. Both respondents point out that in MUR 1489, the Commission determined that the committees were not affiliated.

Based on the Commission's conclusion in MUR 1489, the Office of General Counsel recommends that the Commission find no reason to believe that UAW CFGG and SCOPA violated 2 U.S.C. \$ 441a(a)(2)(A) and that the Moynihan Committee violated 2 U.S.C. \$ 441a(f).

Inasmuch as the Moynihan Committee incorrectly reported the January 5, 1981, contribution from UAW CFGG and the September 1,

-11-1981, contribution from SCOPA, the Office of General Counsel recommends that the Commission find reason to believe that the Movnihan Committee violated 11 C.F.R. § 104.14(d), and take no further action. RECOMMENDATIONS a) Find no reason to believe that the Political 1. Education Fund of the Building and Construction Trades Department and Joseph F. Maloney, as treasurer, and Industrial Union Department AFL-CIO Voluntary Fund and Elmer Chatak, as treasurer, violated 2 U.S.C. 5 LO § 44la(a)(2)(A) by making an excessive contribution to the Moynihan Committee, Inc. 0 b) Find no reason to believe that AFL-CIO Committee on Political Education and Political Contributions Committee and Thomas R. Donahue, as treasurer, violated 2 U.S.C. \$ 441a(a)(2)(A). c) Find no reason to believe that the Moynihan Committee, Inc. and John Westergaard, as treasurer, violated 2 U.S.C. § 44la(f) by accepting an excessive contribution from the Political Education Fund of the Building and Construction Trades Department and the Industrial Union Department AFL-CIO Voluntary Fund. d) Find reason to believe that the Industrial Union Department AFL-CIO Voluntary Fund and Elmer Chatak, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of a contribution to the Moynihan Committee,

-12-

Inc., but take no further action.

- e) Find reason to believe that the Moynihan Committee,
 Inc. and John Westergaard, as treasurer, violated 11
 C.F.R. § 104.14(d) for improper reporting of a
 contribution from the Industrial Union Department
 AFL-CIO Voluntary Fund, but take no further action.
- 2. a) Find no reason to believe that the International Ladies Garment Workers Union Campaign Committee and Lawrence Dock, as treasurer, violated 2 U.S.C. § 44la(a)(2)(A) by making an excessive contribution to the Moynihan Committee, Inc.
 - b) Find no reason to believe that the Moynihan Committee, Inc. and John Westergaard, as treasurer, violated 2 U.S.C. \$ 441a(f) by accepting an excessive contribution from the International Ladies Garment Workers Union Campaign Committee.
 - c) Find reason to believe that the International
 Ladies Garment Workers Union Campaign Committee and
 Lawrence Dock, as treasurer, violated 11 C.F.R.

 § 104.14(d) for improper reporting of contributions, to
 the Moynihan Committee, Inc., but take no further
 action.
 - d) Find reason to believe that the Moynihan Committee,
 Inc. and John Westergaard, as treasurer, violated 11
 C.F.R. § 104.14(d) for improper reporting of
 contributions from the International Ladies Garment

Workers Union Campaign Committee, but take no further action.

- 3. a) Find no reason to believe that the Service

 Employees International Union Committee on Political

 Education Political Campaign Committee and Richard W.

 Cordtz, as treasurer, violated 2 U.S.C.

 § 441a(a)(2)(A) by making an excessive contribution to the Moynihan Committee, Inc.
 - b) Find no reason to believe that the Moynihan Committee, Inc. and John Westergaard, as treasurer, violated 2 U.S.C. § 44la(f) by accepting an excessive contribution from the Service Employees International Union Committee on Political Education Political Campaign Committee.
- Union United Auto, Aerospace and Agricultural Implement
 Workers of America; Committee for Good Government and
 Donald J. Moll, as treasurer, and the Special Committee
 on Political Action and Mary Ann Benincasa, as
 treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
 - b) Find no reason to believe that the Moynihan

 Committee, Inc. and John Westergaard, as treasurer,

 violated 2 U.S.C. § 44la(f) by accepting excessive

 contributions from the International Union United Auto,

 Aerospace and Agricultural Implement Workers of

 America: Committee

-14for Good Government and the Special Committee on Political Action. c) Find reason to believe that the Moynihan Committee, Inc. and John Westegaard, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of contributions from the International Union United Auto, Aerospace, Agricultural Implement Workers of America; Committee for Good Government and the Special Committee on Political Action, but take no further action. 5. Send the attached letters. 6. Close the file. 0 Charles N. Steele General Counsel 0 Kenneth A. Gross Associate General Counsel 4 Attachments 9 I. Proposed letters Responses from AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and IUD II. Voluntary Fund III. Response from ILGWUCC IV. Response from SEIU-COPE-PCC Response from UAW CFGG and SCOPA V. VI. Response from the Moynihan Committee



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire AFL-CIO Legal Department 815 Sixteenth Street, N.W. Washington, D.C. 20006

RE: MUR 1655
AFL-CIO Committee on Political
Education and Political
Contributions Committee and
Thomas R. Donahue, Treasurer
Political Education Fund of
the Building and Construction
Trades Department and Joseph
F. Maloney, Treasurer
Industrial Union Department
AFL-CIO Voluntary Fund and
Elmer Chatak, Treasurer

Dear Ms. McCormick:

The Federal Election Commission notified your clients on April 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your clients' explanation of this matter which was dated May 11, 1984.

Upon review of the allegations contained in the complaint and information supplied by your clients, the Commission, on , 1984, determined that there is no reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, and the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, and the Industrial Union Department AFL-CIO Voluntary Fund and its treasurer, Elmer Chatak, violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act.

Also, the Commission, on , 1984, determined that there is reason to believe that the Industrial Union Department AFL-CIO Voluntary Fund and Elmer Chatak, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of contributions. However, after considering the circumstances in this matter, the

Albahment I

Margaret E. McCormick, Esquire Page 2

Commission has determined to take no further action and close its file.

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

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

Sincerely,

Enclosure
General Counsel's Report

4

0

4

0

2



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

Jean Grument, Esquire
Assistant General Counsel
International Ladies Garment
Workers Union
1710 Broadway
New York, New York 10019

RE: MUR 1655
International Ladies Garment
Workers Union Campaign
Committee and Lawrence Dock,
Treasurer

Dear Mr. Grument:

The Federal Election Commission notified your clients on April 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your clients' explanation of this matter which was dated April 27, 1984.

Upon review of the allegations contained in the complaint and information supplied by your clients, the Commission, on , 1984, determined that there is no reason to believe that International Ladies Garment Workers Union Campaign Committee and Lawrence Dock, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act.

Also, the Commission, on , 1984, determined that there is reason to believe that International Ladies Garment Workers Union Campaign Committee and Lawrence Dock, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting of contributions. However, after considering the circumstances in this matter, the Commission has determined to take no further action and close its file.

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

34040470762

Attackment I

Jean Grument, Esquire Page 2

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

Sincerely,

Enclosure
General Counsel's Report

10

~

0

4

0

0





Margaret E. McCormick, Esquire AFL-CIO Legal Department 815 Sixteenth Street, N.W. Washington, D.C. 20006

RE: MUR 1655
Service Employees
International Union of
Political Education Political
Campaign Committee, and
Richard W. Cordtz, Treasurer

Dear Ms. McCormick:

0

A

00

On April 5, 1984, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1984, determined that on the basis of the information in the complaint, and information provided by the respondents there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the Service Employees International Union of Political Education Political Campaign Committee and Richard W. Cordtz, as treasurer. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report





Alan V. Reuther, Esquire Assistant General Counsel UAW 1757 N Street, N.W. Washington, D.C. 20036

RE: MUR 1655
International Union United
Auto, Aerospace and
Agricultural Implement Workers
of America; Committee for Good
Government and Donald J. Moll,
Treasurer

Dear Mr. Reuther:

LO

0

0

On April 5, 1984, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1984, determined that on the basis of the information in the complaint, and information provided by the respondents there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government and Donald J. Moll, as treasurer. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report



Michael Harren, Esquire Chamberlain, D'Amanda, Oppenheimer & Greenfield 1100 Crossroads Office Building Rochester, New York 14614

RE: MUR 1655
Special Committee on Political
Action and Mary Ann Benincasa,
Treasurer

Dear Mr. Harren:

0

4

0

4

A

On April 5, 1984, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1984, determined that on the basis of the information in the complaint, and information provided by the respondents there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the Special Committee on Political Action and Mary Ann Benincasa, as treasurer. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report



Alan G. Straus, Esquire Skadden, Arps, Slate, Meagher & Flom 919 Third Avenue New York, New York 10022-9931

RE: MUR 1655
Moynihan Committee, Inc. and
John Westergaard, Treasurer

Dear Mr. Straus:

The Federal Election Commission notified your clients on April 5, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time. We acknowledge receipt of your client's explanation of this matter which was dated May 14, 1984.

Upon further review of the allegations contained in the complaint and information supplied by your clients, the , 1984, determined that there is no Commission, on reason to believe that the Moynihan Committee, Inc., and John Westergaard, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Act, by accepting excessive contributions from the Political Education Fund of the Building and Construction Trades Department, the Industrial Union Department of AFL-CIO Voluntary Fund, the AFL-CIO Committee on Political Education and Political Contributions Committee, the International Ladies Garment Workers Union Campaign Committee, the Service Employees International Union Committee on Political Education Political Campaign Committee, the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government, and the Special Committee on Political Action.

Also, the Commission, on , 1984, determined that there is reason to believe that the Moynihan Committee, Inc., and John Westergaard, as treasurer, violated 11 C.F.R. § 104.14(d) for improper reporting contributions from the Industrial Union Department AFL-CIO Voluntary Fund, the International Ladies Garment Workers Union Campaign Committee, the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee on Good Government, and the Special Committee

Affacture of T

Sa

Ing the has determined to

record within 30 as to appear on the your receipt of to to this matter, at

Alan G. Straus, Esquire Page 2

on Political Action. However, after considering the circumstances in this matter, the Commission has determined to take no further action and close its file.

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

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

Sincerely,

Enclosure
General Counsel's Report

0

0

0

0

GRESSA

American Federation of Labor and Congress of lustrial Organizations

EXECUTIVE COUNCIL



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

LANE KIRKLAND PRESIDENT

THOMAS R. DONAHUE

May 11, 1984

Wenninger

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

Re: FEC MUR 1655

Dear Mr. Steele:

0

T

7

0

0

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Elmer Chatak, the Industrial Union Department, AFL-CIO Voluntary Fund ("IUD Voluntary Fund"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letters dated April 5, 1984 stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). The complaint, which the Commission has numbered MUR 1655, alleges that respondents violated 2 U.S.C. \$44la (a)(2)(A) by contributing in excess of \$5000 to the Committee to Re-Elect Senator Moynihan ("Moynihan Committee") for the 1982 primary election.

Contrary to the complainant's assertions, respondent political committees did not contribute more than \$5,000 to the Moynihan Committee for the 1982 primary election. Respondent committees' 1982 contribution records reflect the following contributions to the Moynihan Committee: the PEF-BCTD contributed \$5000 for the primary election on 10/19/81; the IUD Voluntary Fund contributed \$500 for the general election on 10/19/81; the IUD Voluntary Fund contributed \$500 for the general election on 4/5/82; and COPE-PCC contributed \$4,000 for the general election on 9/13/82.

The IUD Voluntary Fund erroneously reported its 4/5/82 contribution to the Moynihan Committee as a contribution for the primary election in its April 1982 FEC report. However, that contribution was contemporaneously recorded in the IUD Voluntary Fund's internal contribution ledger and in COPE-PCC's contribution log as a contribution for the 1982 general election and the Voluntary Fund's transmittal letter to the Moynihan Committee states that the contribution is for the 1982 general election. A copy of that letter is attached hereto. (See Attachment B.)

Since, as demonstrated above, the IUD Voluntary Fund's April 5, 1982, contribution to the Moynihan Committee was designated for the 1982 general election rather than, as the complainant alleges, for the primary election respondent political committees' contributions to the Moynihan Committee for the 1982 primary election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. \$44la(a)(2)(A).

For the foregoing reasons, respondents respectfully request that the Commission take no further action in this matter and that it close the file.

Respectfully submitted,

Margaret E. McCormiac

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO
COPE-PCC,
Elmer Chatak and IUD Voluntary Fund

Robert Kurnick

Counsel for respondents

Joseph F. Maloney and PEF-BCTD

Robert Downick

^{*/}An amendment to the IUD Voluntary Fund's April 1982 monthly FEC report correctly reporting the committee's 4/5/82 contribution to the Committee to Re-Elect Senator Moynihan as a contribution for the 1982 general election is attached hereto. (See Attachment A).

REPORT OF RECEIP OF ANY PROBLEM EVEN IN

kice! Committee Other Than an Authorized C

Attachment I

(Summary Page) ALIGN AREA 1. Name of Committee (In Full) 4. TYPE OF REPORT (Check appropriate boxes) INDUSTRIAL UNION DEPARTMENT AFL-CIO (a) April 15 Quarterly Report October 15 Quarterly Report VOLUNTARY FUND July 15 Quarterly Report January 31 Year End Report Address (Number and Street) July 31 Mid Year Report (Non-Election Year Only) Monthly Report for AMIL 1982 815 16# S- NW Room 301 Twelfth day report preceding City. State and ZIP Code WASHINGTON DC 20006 Thirtieth day report following the General Election Check here if address is different than previously reported. 2 FEC Identification Number in the State of _ C- 00117937 **Termination Report** 3. This committee qualified as a multicandidate committee during (b) Is this Report an Amendment? this Reporting Period on _ X YES NO SUMMARY COLUMN A COLUMN B APRIL 1, 1982 through APRIL 30, 1982 This Period Calendar Year-to-Date 6. (a) Cash on hand January 1, 19 82 3152.72 3602.72 5.000.00 (d) Subtotal (add Lines 6(b) and 6(c) for Column A and 8152.72 3602.72 Lines 6(a) and 6(c) for Column B) 7. Total Disbursements (from Line 28) . . . 2850.00 7400.00 8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) S 752.72 752.72 (Itemize all on Schedule C or Schedule D) 10. Depts and Obligations Owed BY the Committee . . (Itemize all on Schedule C or Schedule D) I certify that I have examined this Report and to the best of my knowledge and belief For further information contact: ELGIER CHATAK - SECRETARY TREASURER Federal Election Commission Tell Free 800-424-9530 Local 202-523-4068 MAY 8, 1984 TE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437a All previous versions of FEC FORM 3 and FEC FORM 3s are openies and should no longer be used. FEC FORM 3X (3/80)

Attackment II

DETAILED SUMMARY PAGE of Receipts and Disbursements (Page 2, FEC FORM 3X)

(12)

Name of Committee (in Full) Report Covering the Period: trial Union Department, AFL-CIO Voluntary Fund From: Apr. 1/82To: May 1, 1982 COLUMN A COLUMN B Calendar Year-to-Date Total This Period I. RECEIPTS 11. CONTRIBUTIONS (other than loans) FROM: (a) Individuals/Persons Other Than Political Committees (Memo Entry Unitemized S. (b) Political Party Committees. (c) Other Political Committees . (d) TOTAL CONTRIBUTIONS (other than loans) (add 11s, 11b and 11c) . . 5.000.00 12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES 14. LOAN REPAYMENTS RECEIVED 15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) . . . 16. REFUNDS UP CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES . . . 17. OTHER RECEIPTS (Dividends, Interest, etc.) 5,000.00 18, TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17). 0 II. DISBURSEMENTS 20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES. 2.850.00 7.400.00 21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES. 22. INDEPENDENT EXPENDITURES (Use Schedule E) 23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES 24. LOAN REPAYMENTS MADE . 25 LOANS MADE . . 26. REFUNDS OF CONTRIBUTIONS TO: (a) Individuals/Persons Other Than Political Committees . (b) Political Party Committees. . . (d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c) 27.OTHER DISEURSEMENTS....... 7,400.00 2,850.00 28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27). . III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES 29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d 30. TOTAL CONTRIBUTION REFUNDS from Line 26d . . . 31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29). . 32. TOTAL OPERATING EXPENDITURES from Line 19 33.05 FSETS TO OPERATING EXPENDITURES from Line 15. .

ITEMIZED DISBURSEMENTS (13)

Page 1 at 2 for LINE NUMBER 21 for each category of the Detailed Summary Page)

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

Name of Committee (in Full)

shington, D.C. 20002	Contribution	day, year)	Disbursement This Period
	Disbursement for: Sprimary General Other (specify):	4/5/82	250.00
Full Name, Mailing Address and ZIP Code ommittee to Re-Elect Congressman ord	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
019 Pennsylvania Ave., NW Suite 80 Ashington, D.C. 20006	Disbursement for: Primary General Other (specify):	4/5/82	250.00
Full Name, Mailing Address and ZIP Code -Elect Congressman Joe Moakley committee	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
D Box 8753 eston. MA 02114	Disbursement for: RPrimary General Other (specify):	4/5/82	100.00
Full Name, Mailing Address and ZIP Code ommittee to Re-Elect Senator loynihan	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
ex 2-1982 cand Central Station NY.NY 10163	Disbursement for: ©Primary XGeneral © Other (specify):	4/5/82	500.00
Full Name, Mailing Address and ZIP Code neta For Congress Committee o Mike Masaoka	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
0 17th St., NW Suite 520 shington, D.C. 20006	Disbursement for: RPrimary General Other (specify):	4/5/82	250.00
Full Name, Mailing Address and ZIP Code tizens For Dave Obey Committee Box 1322	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
usau, Wisc. 54401	Disbursement for: % Primary = General D Other (specify):	4/5/8?	200.00
Full Name, Mailing Address and ZIP Code ed Weiss For Congress Committee /o Hugh Pickett Treasurer	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
70 West End Ave ew York, NY 10024	Disbursement for: Sprimary General Other (specify):	4/5/82	250.00
Full Name, Mailing Address and ZIP Code aul Simon For Congress Committee O1 "G" St., SW #518	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
ashington, D.C. 20024	Disbursement for: Primary General O Other (specify):	4/5/82	250.00
cFull Name, Mailing Address and ZIP Code oyer For Congress Committee 108 Old Silver Hill Rd.	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
istrict Heights, MD 20747	Disbursement for: Seprimary General Disbursement for: Seprimary General	4/5/82	250.00



Attachment IL

Howard D. Samuel, President Elmer Chatak, Secretary-Treasurer.

815 16th Street N.W. Washington, D.C. 20006 202/842-7800

April 5, 1982

The Honorable Daniel Patrick Moynihan
The Committee to Re-Elect Senator Moynihan
Box 2-1982
Grand Central Station
New York, NY 10163

Dear Senator Moynihan:

Enclosed is a contribution in the amount of \$500.00 for your general campaign from the Industrial Union Department Voluntary Fund. The IUD Voluntary Fund was established and is maintained by the Industrial Union Department of the AFL-CIO.

Under the Federal Election Campaign Act, contributions of the AFL-ClO, the IUD and other subordinate bodies to a campaign must be combined for purposes of the \$5,000 contribution limit applicable to each election.

If you have received, or later receive, contributions to your campaign from a political fund or funds established and maintained by the AFL-CIO, any state or local central body of the AFL-CIO or any department of the AFL-CIO, and those contributions, together with the enclosed contribution, total more than \$5,000, we would appreciate it if you would return the amount over \$5,000 to the contributor(s).

Sincerely,

· Brian Turner

Director of Legislation and Economic Policy Enclosure

INTERNATIONAL LADIES' GARMENT WORKERS LINGUIS 1710 BROADWAY . NEW YORK, N.Y. 10019 AFL-CIO CABLE ADDRESS: ILGWU-NEW YORK . PHONE: 212-265-7000 LEGAL DEPARTMENT MAX ZIMNY General Counsel April 27, 1984 Charles N. Steele, General Counsel Federal Elections Commission Washington, D.C. 20463 Re: MUR 1655 Attention: Mr. George Demougeot Dear Sir: 10 Enclosed is the response of Lawrence Dock, Acting Treasurer of I.L.G.W.U. Campaign Committee, and of the I.L.G.W.U. Campaign Committee to the complaint in the captioned case. Also enclosed is a designation of the undersigned as counsel for Mr. Dock and the I.L.G.W.U. Campaign Committee. Sincerely yours, MAX ZIMNY General Counsel 0 Assistant General Counsel

STATEMENT OF DESIGNATION OF COUNSEL

16

MUR 1655

NAME OF COUNSEL:

Max Zimny, Esq.

ADDRESS:

ILGWU Legal Department

1710 Broadway

New York, New York 10019

(212) 265-7000

TELEPHONE:

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.

May 26 1984

Signature

RESPONDENT'S NAME:

Lawrence Dock

ADDRESS:

0

(w) 1710 Broadway, New York, New York 10019

(h) R.R. #1, Box 217, Canadensis. Pa. 18325

HOME PHONE:

(717) 595-3353

BUSINESS PHONE:

(212) 265-7000

STATE OF NEW YORK)

: ss.:
COUNTY OF NEW YORK)

LAWRENCE DOCK, being duly sworn, deposes and says:

- 1. I am Acting Treasurer of the International Ladies' Garment Workers' Union Campaign Committee ("I.L.G.W.U. Campaign Committee"). I am fully familiar with all of the relevant facts and circumstances surrounding the matters complained of with respect to the I.L.G.W.U. Campaign Committee in MUR 1655. The following constitutes my response and the response of I.L.G.W.U. Campaign Committee to the complaint.
- 2. On March 30, 1982, I.L.G.W.U. Campaign Committee made a \$6,700 contribution to the Moynihan '82 Committee. Although one check was sent, the \$6,700 contribution consisted of a \$2,500 contribution for the primary election and a \$4,200 contribution to the general election. A copy of the check sent to the Moynihan '82 Committee and the check stub, which reflects that the \$6,700 payment included contributions to both the primary and general elections, are attached as "Exhibit A."
- 3. When the Campaign Committee auditor prepared the April 1982 monthly report for the period March 1, 1982 to

March 31, 1982, the Campaign Committee reported the \$6,700 contribution in schedule B, but inadvertently failed to check both the "primary" and "general" boxes, and instead mistakenly reported the \$6,700 contribution as a disbursement for the primary. A copy of schedule B of the April 1982 monthly report is attached as "Exhibit B."

- 4. On August 18, 1982, Pamela Brown, an FEC Senior Reports Analyst notified me of the reporting error in the April 1982 monthly report. A copy of Ms. Brown's letter is attached as "Exhibit C."
- 5. On September 8, 1982, I wrote to Ms. Brown explaining the Campaign Committee's error in reporting the contribution to the Moynihan '82 Committee. My letter explained that the \$6,700 contribution included a \$2,500 contribution to the primary election and \$4,200 contribution to the general election. With my letter, I filed an amended monthly report for April 1982, which indicated that the \$6,700 contribution constituted contributions to both the primary and general elections. A copy of my September 8, 1982 letter to Ms. Brown is attached as "Exhibit D." A copy of the amended monthly report for April 1982 is attached as "Exhibit E."

00

- No further contributions were made to Senator Moynihan's primary or general election.
- It is clear that the I.L.G.W.U. Campaign Committee contribution of March 30, 1982 to the Moynihan '82 Committee was intended as a contribution to both the primary and general elections and that the Campaign Committee's FEC report for April 1982 was the result of a clerical error. It is equally clear that contributions made by the I.L.G.W.U. Campaign Committee in 1982 to the Moynihan '82 Committee did not exceed the separate \$5000 limit for either the primary or general election.

LAWRENCE DOCK

Sworn to before me this

27th day of April 1984

Notary

Notary P. DE. are of Hery York

Cemmittien Englies March 30, 1905

)1 B'100"	d modeword in the track processes of	Parage Lavancouvan Several Sev
OO'4810 '*O21000128': 028**028570**	CHEMICAL BANK	I.L.G.W.U. CAMPAIGN COMMITTEE 1710 BROADWAY NEW YORK, N.Y. 10019 PROTIET OF MANAGEMENT ASSESSMENT ASSESSME
''0000£ 70000.'	CAMPAIGN COMMITTEES IL	4810 Sparch 30 1982 1-12/210 months \$ 6700.02 Lular 100 - DOLLARS

PO Box 4687 aclante Ga BALANCE FORWARD TOTAL AMOUNT THIS CHECK 00 4809 **E** TOTAL AMOUNT THIS CHECK BALANCE TOTAL AMOUNT THIS CHECK 6700 de BALANCE FORWARD

Attachment III

SCHEDULE B

ITEMIZED DILLUILLALISTS

After some ().

(take some one to consume the days

(activated by the constant)

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

Name of Committee (in Full)

I.L.G.W.U. CAMPAIGN COMMITTEE

A. Full Name, Mailing Address and EP Code The Jimmy Carter Committee for A Greater America	Purpose of Disbursement Contribution	Cost trigath, day, year!	Amount of Earl Diguestion The Point
P.O. Box 4687 Atlanta, Ga.	Disbursement for D Primery D General R Other (specify)	3/30/82	1,000.%
B. Full Name, Melting Address and ZP Code Toby Moffat for Senate Committee 425A Franklin Street	Contribution .	Date Inconto, day, year)	Amount or Lart Distribution Trip Portic
Hartford, Conn.	Disbursement for RPrimery O'General D Other (specify):	3/30/82	1,000.00
C. Full Name, Mading Address and ZIP Code Moynihan "52 Committee Box 2-1982	Contribution	Dete Imonth, day, year?	Arrows of Late Dispursament This fereign
Grand Central Station New York, New York 10163	Disbursement for: Eframery DiGeneral Disbursement for: Eframery Digeneral	3/30/82	6,705.53
D. Full Name, Mailing Address and ZIP Code Wilson For Utah 530 East 4th, South	Purpose of Disbursement Contribution	Cese Imonth, day, year?	Amount of Lact Discussions The Price
Salt Lake City, Utah 84102 Allen Blodgett, Treasurer	Disbursement for: RPrimary O'General O Other Ispecify)	3/30/82	1,000.00
E. Full Name, Mailing Address and ZIP Code Offner Campaign Committee	Purpose of Disbursement Contribution-ticket	Date (month, day, year)	Department The Person
1803 King Street LaCross, Wisc. 54601	Disbursement for: Strimery D&fneral D Other (specify):	3/30/82	100.00
F. Full Name, Mailing Address and 21P Code Friends of Congressman Charles Dougherty	Purpose of Disbursement Contribution-ticket	Date Impath, day, year!	Amount of Each Discussment The Period
7034 Caston Avenue Philadelphia, Pa. 19149	Disbursement for: ©Primary D General D Other (specify)	3/31/82	300.00
G. Full Name, Mailing Address and ZIP Code The Babbitt for Arizona Committee 1019 N. Central Avenue	Purpose of Disbursement Contribution-tickets	Date Imports, day, year!	Amount of Each Discussions This Paris
Phoenix, Arizona 85004	Disbursement for: XXPrimary Constat District (specify):	3/31/82	250.00
H. Full Name, Mailing Address and ZIP Code Citizens Committee to Elect : Juan Ramos	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Department Ing Park
3862 N. 7th Street Philadelphia, Pa. 19140	Disbursement for: PPrimary O General D Other (specify)	3/31/82	100.00
1. Full Rame, Mailing Addison and ZIP Code	Purpose of Disbursament	Date (month, day, year)	Amount of Each Dispursement This Period
	Disbursement for Differency O'General Disbursement for Differency Difference (V)		

SCHEDULE E

ITEMIZED DISECTIONAL

Any information cooled from such Resorts and Statements may not by sold or used by any person for the purposes of sold into decision and address of any political committee to sold it sourcesses, other than taking the name and address of any political committee to sold it sourcesses, other than taking the name and address of any political committee to sold it sourcesses, other than taking the name and address of any political committee to sold its sourcesses.

Name of Committee (in Full)

I.L.G.W.U. CAPPAIGE COMMITTEE

A. Fell Name, McHang Address and 21º Code AFL-CIO COPE 815 - 15th Street, N.W.	Purpose of Disbursement Transfer	Cou tranth, day, year)	Americal Last Degramment This Parist
Washington, D.C. 20066	Disbursement for: DPrimary DGeneral . D Other (specify):	3/3/82	5,201.01
B. Full Name, Mailing Address and ZIP Code	Purpose of Discursament	Cou (month, day, year)	Amount or best Department The Period
	Disbursament for: O Primary O General O Other tipecify?		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Cott tranth, day, year)	Arrests of East Comparison The Person
	Disbursement for: DPrimary DGeneral D Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Discovery The free:
	Disbursement for: OPrimary O'General O Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursoment	Date Imports, day, year?	Amount of Earl Discussion This force
	Disbursement for: OPrimary Officeral O Other (specify)		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Imparts, day, year?	Arrown of East Disturbant The Peric
	Disbursament for: OPrimary OGeneral O Other (specify)		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Earth Discussions The Person
	Disbursement for: - DPrimary D General D Other fasecrist		
H. Full Name, Mailing Address and ZIP Code	Purpose of Dispursement	Dose Imensh, day, year)	Angura of Each Debusament The Person
all the second	Disbursement for: OPrimary OGeneral Disbursement for: OPrimary OGeneral	1	
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Impath,	Ancuel of Est A Disbursement The Period
	Disbursement for: Dhumany DiGeneral Digital Opening Control Digital Control Digital Control Digital Control Digital Control Digital Control Disbursement for: Dhumany DiGeneral		

SUBTOTAL of Disbursements This Page (optional)



8

C:

82032

(



18 August 1982

Lawrence Dock, Treasurer ILGWU Campaign Committee 1710 Broadway
New York, NY 10019

Identification Number: C00004861

Reference: April Monthly Report (3/1/82-3/31/82)

Dear Mr. Dock:

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 B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act precludes a multicandidate committee from making a contribution to a candidate for Federal office in excess of \$5,000 per election. (2 U.S.C. 44la(a)) In addition, the Act precludes a committee from making contributions to another political committee in excess of \$5,000 in a calendar year. If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$5,000. Please inform the Commission, in writing, of the refund and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on Line 16 of Schedule A on your next report.

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the excessive contribution(s), prompt action by you to obtain a refund will be taken into consideration by the Commission.

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.

Singerely,

Pamela Brown

Senior Reports Analyst Reports Analysis Division

SILC. CHAIKIN
Chairman

SHECLEY APPLETON
Frequery
WILBUR DANIELS
PREDERICK SIEMS

PROBLEMS

Attachmen

Attachmen

Attachmen

September 0 COMMITTEE

1710 BROADWAY · NEW YORK, N.Y. 10019

PHONE: COLUMBUS 5-7013

September 8, 1982

September 8, 1982

Vice Chairmen

GUS TYLER

Identification Number: - C0004861

Washington, D.C. 20463

EVELYN DUBROW

Dear Ms. Brown:

DAVID I. WELLS

Assistant Director

Esecutive Committee:

CONICHOLAS S. BONANNO
GLENWOOD CLAY
SOL GOLDBERG
MANUEL GONZALEZ
SOL GREENE
GERALD GROSSMAN
SOL HOFFMAN
MATTIE JACKSON
SAM JANIS

FRANK LONGO

JAY MAZUR

EDWARD MILANO

SAMUEL NEMAIZER

JULIO RAMIREZ

EDWARD SCHNEIDER

MATTHEW SCHOENWALD

IRWIN SOLOMON

CORNELIUS WALL

C

EDWARD KRAMER

In response to your letter of August 18, 1982, I am enclosing the attached amendments to the International Ladies' Garment Workers' Union (ILGWU) Campaign Committee's 1982 March, April, May, June and July Monthly FEC Reports. These amendments clarify that the ILGWU Campaign Committee's February 16, 1982 transfer of \$5,200.00, February 22, 1982 transfer of \$5,200.00, March 3, 1982 transfer of \$5,200.00, April 1, 1982 transfer of \$5,200.00, May 4, 1982 transfer of \$4,980.00, June 1, 1982 transfer of \$4,980.00 to the AFL-CIO COPE P.C.C., which are labelled simply as "transfers", in fact represented transfers by the ILGWU Campaign Committee to AFL-CIO COPE PCC of voluntary contributions from members of the ILGWU collected through a joint fundraising effort by the ILGWU and the AFL-CIO. Every contributor is provided with a receipt indicating that he or she has made a voluntary contribution to a joint fundraising effort by ILGWU and the AFL-CIO. For your information a copy of this receipt is attached hereto.

Because 2 U.S.C. Sec. 441a (a) (5) (A) expressly permits transfers between political committees of funds raised through joint fundraising efforts without regard to the contribution limits stated in 2 U.S.C. Sec. 441a (a), ILGWU Campaign Committee's March, April, May, June and July 1982 transfers to AFL-CIO COPE PCC in the amounts of \$5,200.00, \$5,200.00, \$5,200.00, \$4,980.00, \$4,980.00 respectively, were, we believe, in conformity with the Act's requirements.

In addition, the amendment for April Monthly FEC Report shows Moynihan '82 Committee contribution as \$2,500.00 Primary and \$4,200.00 General.

We thank you for affording us this opportunity to correct our reports. If there are any additional questions in connection with this matter, please feel free to contact me at (212) 265,7000.

Very truly yours,

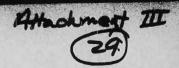
Lawrence Dock
Acting Treasurer

REPORT OF RECEIPTS AND DISBUISEMENTS Affactment TE

(Summary Page)

1. Name of Committee (in Full) INTERNATIONAL LADIES' GARMENT WORKERS'	4. TYPE	OF REPORT (check appro	opriate boxes)		
UNION CAMPAIGN COMMITTEE	(0)	April 15 Quarterly Report			
	July 15 Quarterly Report				
Address (Number and Street)		October 15 Quarterly Repo	ort		
1710 PRONING		January 31 Year End Repo	nt		
1710 BROADWAY	July 31 Mid Year Report (Non-election Year Only)				
City, State and ZIP Code	X	Monthly Report for Apr	ril, 1982		
NEW YORK, NEW YORK 10019		Twelfth day report precedi	(Type of Election)		
□ Check if address is different than previously reported.	1	Thirtieth day report follow			
2. FEC Identification Number C00004861		onin the	and the same of th		
3. This committee qualified as a multicandidate com-		Termination Report			
mittee during this Reporting Period on(date)	(b) is	this Report an Amendment B YES D NO	7		
SUMMARY		Column A This Period	Column B Calendar Year-to-Date		
5. Covering Period March 1 Through March 31	, 1982	Tills Period	Calendal real-to-Date		
6. (a) Cash on Hand January 1, 19_82			\$ 1,021,041.41		
(b) Cash on Hand at Beginning of Reporting Period		\$1,036,411.58			
(c) Total Receipts (from Line 18)			\$ 68,124.22		
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		1,055,374.58 s	s 1,089,165.63		
7. Total Disbursements (from Line 28)		\$ 80,664.39	\$ 114,455.44		
8. Cash on Hand at Close of Reporting Period (subtract line 7 fo	rom 6(d))	\$ 974,710.19	\$ 974,710.19		
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		. S None			
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		None S			
I certify that I have examined this Report and to the best of my knowled it is true, correct and complete. LAWRENCE DOCK, ACTING TREASURER JODE OF Print Name of Treasurer SIGNATURE OF TREASURER NOTE: Submission of false, erroneous, or incomplete information me. All previous versions of FEC FORM 3 and FEC	Date Date	Federal E Toll Free Local 202			
		-11	FEC FORM 3x (3/80)		
			7 CO TOTAL 3X (3/80)		

of Receipts and Disbursement (Page 2, FEC FORM 3X)



Home of Committee (in Full) International Ladies' Garment Workers' Union Campaign Committee	Report Covering the Perkers 3/1/82	Report Covering the Period: From: 3/1/82 Te: 3/31/82		
	COLUMN A Total This Period	COLUMN B Celender Year-to-Date		
I. RECEIPTS		199		
CONTRIBUTIONS (other than loans) FROM:	All as Y Committee and	acast		
(a) Individuals/Persons Other Than Political Committees	13.581.75	. 52,817.20		
(Memo Entry Unitermized \$ 13,581.75	-0-	-0-		
(b) Political Party Committees				
(c) Other Political Committees	THE RESIDENCE OF THE PARTY OF T	-0-		
(d) TOTAL CONTRIBUTIONS (other than loans) fedd 11s, 11b and 11c)	13,581.75	52,817.20		
TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES				
BALL LOANS RECEIVED		-0-		
LOAN REPAYMENTS RECEIVED		-0-		
5. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	-0-	-0-		
B. REFUNDS UP CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	-0-	-0-		
7.OTHER RECEIPTS (Dividends, Interest, etc.)	. 5,381.25	15,307.02		
B. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)	18,963.00	68,124.22		
II. DISBURSEMENTS				
OPERATING EXPENDITURES	38,269.39	43,355.41		
TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	-0-	-0-		
1. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	37,020.00	55,320,00		
2. INDEPENDENT EXPENDITURES (Use Schedule E)	-0-	-0-		
3. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)	-0-	-0-		
4. LOAN REPAYMENTS MADE	-0-	-0		
5. LOANS MADE	-0-	-0-		
6. REFUNDS OF CONTRIBUTIONS TO:				
(a) Individuals/Persons Other Than Political Committees	175.00	265.03		
(b) Political Party Committees	-0-	-0-		
(c) Other Political Committees	-0-	-0-		
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)	175.00	276.03		
7.OTHER DISBURSEMENTS.	5,200.00	15,515.00		
3. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27).	80,664.39	114,455.44		
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES				
). TOTAL CONTRIBUTIONS (other than loans) from Une 11d	13.581.75	52,817.20		
D. TOTAL CONTRIBUTION REFUNDS from Line 26d	175.00	265.03		
I.NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)	13 406 75	52,552.17		
	20 260 30	43,355.41		
2. TOTAL OPERATING EXPENDITURES from Line 19	-0-	-0-		
3.OFFSETS TO OPERATING EXPENDITURES from Line 15	38,269.39	43,355.41		

entegracy of the Detailest Summary Pages

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

Name of Committee (in Full)

A. Full Name, Mailing Address and ZIP Code The Jimmy Carter Committee for A Greater America	Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
P.O. Box 4687 Atlanta, Ga.	Distrusement for: 11Primary D General & Other (specify):	3/30/82	1,000.00
B. Full Name, Mailing Address and ZIP Code Toby Moffat for Senate Committee 425A Franklin Street	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Dishusement This Perior
Hartford, Conn.	Disbursement for: \$9 Primary D General. O Other (specify):	3/30/82 ,	1,000.00
C. Full Name, Mailing Address and ZIP Code Moynihan '82 Committee Box 2-1982 -Grand Central Station	Purpose of Disbursement Contribution- 2500-Primary 4200-General	Date (month, day, year)	Amount of Each Dispursement This Period
New York, New York 10163	Dishusgment for: R Primary R General Other (specify):	3/30/82	6,700.00
D. Full Name, Mailing Address and ZIP Code Wilson for Utah 530 East 4th, South	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Dishursement This Period
Salt Lake City, Utah 84102 Allen Blodgett, Treasurer	Disbursement for: R Primary D General D Other (specify):	3/30/82	1,000.00
E. Full Name, Mailing Address and ZIP Code Offner Campaign Committee 1803 King Street	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Perio
La Cross, Wisc. 54601	Dishursement for: MPrimary DGeneral D Other (specify):	3/30/82	100.00
F. Full Name, Mailing Address and ZIP Code Friends of Congressman Charles Dougherty	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Perio
7034 Caston Avenue Philadelphia, Pa. 19149	Dishusement for: M Primary D General Other (specify):	3/31/82	300.00
G. Full Name, Mailing Address and ZIP Code The Babbitt for Arizona Committee 1019 N. Central Avenue	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Perio
Pheonix, Arizona 95004	Disbursement for: QPrimary DGeneral U Other (specify):	3/31/82	250.00
H: Full Name, Mailing Address and ZIP Code Citizens Committee to Elect Juan Rame 3862 N. 7th Street	Purpose of Disbursement S Contribution	Date (month, rlay, year)	Amount of Each Disbursement This Perio
Philadelphia, Pa. 19140	Distrirsement for: RPrimary O'General D'Other Isnecity):	3/31/82	100.00
t, Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Districtionent This Perio
	Disbursoment for: 1) Primary U General O Other (specify):		
SUBTOTAL of Disbursements This Page (ontional)			10,450.00

7079

0 4

0

8

Page of 27 am
LINF NUMBER 27
(The separate actividates) for each
category of the Detailed
Summary Page)

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

Name of Committee (in Full)

SCHEDULE B

INTERNATIONAL LADIES' GARMENT WORKERS' UNION CAMPAIGN COMMITTEE

A. Full Name, Mailing Address and ZIP Code AFL-CIO COPE	Purpose of Dishursement Transfer of Joint Fundraising Proceeds	Date (month, day, year)	Amount of Each Disbursement This Period
815 16th Street, N.W. Washington, D.C. 20006	Dishursement for: 1) Primary D General Other (specify):	3/3/82	5,200.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Distrursement This Period
	Disbursement for DPrimary DGeneral Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: Thermary General Other (specify):		
D, Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Dishursement This Period
	Disbursement for: OPrimary OGeneral Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Dishursement This Period
	Dishursement for: "Primary "General" Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: OPrimary OGeneral Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: Primary O General U Other (specify):		
H: Full Name, Mailing Address and ZIP Code	Purtiose of Disbursement	Date (month, riay, year)	Amount of Each Distrussement This Period
	Districtment for: OPrimary OGeneral O Other (specify):		
t. Full Name, Mailing Address and ZIP Code	Principle of Dishursement	Date (month, ifay, year)	Amount of Each Distrussment This Period
	Disbursement to: (1Primary DiGeneral Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period flast page this line number only).			5,200.00

American Federations Labor and Congress of Liustrial Organizations



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

LANE KIRKLAND PRESIDENT

John M. Lyone S. Frank Rattery Glenn E. Wetts Angelo Fosco Lloyd McEride Wm. W. Winpisinger Wayne E. Glenn John J. Sweeney Barbara Huschirson Getald W. McEntee THOMAS R. DONAHUE SECRETARY-TREASURER

Thomas W. Gissech Murray M. Floley Sel C. Chaltin Charles M. Pillard Kanneth T. Bisylock William M. Wynn Robert F. Gess Frank Drozak Richard J. Kifroy William M. Bywater Kanneth J. Brown

Proderick O'Neal Afters Shanker Edward T. Henley J. C. Turner Alvin E. Neaps John DeConcins Joyce D. Miller James E. Hetfield Vincent R. Sombrotto Marvin J. Boade Owen Bisber

May 11, 1984

nux 165= =

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

Re: FEC MUR 1655

Dear Mr. Steele:

0

V

C

V

This letter constitutes the response of Richard W. Cordtz and the Service Employees International Union Committee on Political Education Political Campaign Committee ("SEIU-COPE-PCC") (hereinafter "respondents") to your letter dated April 5, 1984 stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered MUR 1655, alleges that respondents violated 2 U.S.C. \$44la (a)(2)(A) by contributing in excess of \$5000 to the Committee to Re-Elect Senator Moynihan ("Moynihan Committee") for the 1982 primary election. The complaint also alleges that respondents violated 11 C.F.R 104.14(d) by failing to indicate in SEIU-COPE-PCC's FEC report whether a contribution to the Moynihan Committee was designated for the 1982 primary or general election.

For the reasons described below, the Federal Election Commission should take no further action in this matter.

1. SEIU-COPE-PCC's 1982 contribution records reflect that the committee made the following contributions to the Moynihan Committee for the 1982 primary election: a contribution in the amount of \$1000 on 10/31/79; a contribution in the

A Hackmost TE

amount of \$2000 on 5/15/81; and a contribution in the amount of \$2000 on 6/9/81.

SEIU-COPE-PCC also contributed \$5000 to the Moynihan Committee for the 1982 general election. This contribution was initially made on July 21, 1982 and as the cover letter accompanying that contribution shows was designated in writing for the 1982 general election. (See Attachment A).

However, the 7/21/82 contribution was never received by the Moynihan Committee and consequently SEIU-COPE-PCC voided its check on 10/21/82. This void is reflected in SEIU-COPE-PCC's 1982 30 day post-general election FEC report, a copy of which is attached hereto. (See Attachment B).

After voiding the July 1982 contribution to the Moynihan Committee, SEIU-COPE-PCC issued another check in the same amount, \$5000, which was contributed to the Moynihan Committee on October 28, 1982. That contribution is reported as a contribution for the 1982 general election in SEIU-COPE-PCC's 1982 30 day post-general election report. (See Attachment B).

Since, as demonstrated above, SEIU-COPE-PCC's July 21, 1982, contribution to the Moynihan Committee was designated in writing for the 1982 general election and in any event was subsequently voided by SEIU-COPE-PCC, SEIU-COPE-PCC did not, as alleged by complainant, contribute a total of \$9000 for the 1982 primary election to the Moynihan Committee. Accordingly, respondents have not violated 2 U.S.C. 44la(a)(2)(A).

2. In addition to alleging that respondents violated 2 U.S.C. \$44la(a)(2)(A), complainant also alleges that they violated \$104.14 (d) of the Federal Election Commission's regulations by failing to indicate, by checking the election box on SEIU-COPE-PCC's July 1982 monthly FEC report, whether the committee's July 21, 1982 contribution to the Moynihan Committee was a contribution for the primary or the general election.

This allegation fails for two reasons. First, since SEIU-COPE-PCC's July 21, 1982 contribution was never received by the Moynihan Committee and was subsequently voided by SEIU-COPE-PCC, for purposes of the Act's contribution limits, that contribution was never made.

Second, neither Section 104.14(d) nor any other section of the Commission's regulations requires that political committees, including separate segregated funds such as SEIU-COPE-PCC, check the <u>primary</u> or <u>general</u> election boxes on Schedule B of FEC Form 3X to indicate whether a contribution is given for the primary or for the general election. The Commission's regulations in fact contemplate that political committees will not always designate in writing, either by checking the election boxes on their FEC reports or by some other written communication, for

This contribution was never received by the Moynihan Committee. Consequently, SEIU-COPE-PCC stopped payment on the original check and reissued a new check on 8/25/81. The reissued check was sent to the Moynihan Committee on 8/26/81.

Affect months

which election a contribution is intended and therefore establish specific rules for the treatment of undesignated contributions. See Il C.F.R. \$110.1 and \$110.2.

For the foregoing reasons, respondents respectfully request that the Commission take no further action in this matter and that the Commission close the file.

0

Sincerely,

Margaret E. M. Cornice

Margaret E. McCormick Counsel for respondents Richard W. Cordtz and SEIU-COPE-PCC

ATTACHMENT A.
AHlachment III
(35)

July · , 1982

Mr. Gus Bevona Local 32BB32J, SEIU One East 35 Street New York, NY 10016

Dear Sir and Brother:

Transmitted herewith is our check in the amount of \$5,000.00 made payable to Moynihan '82 Committee. This check is a contribution to his general election campaign and is being sent to you for transmittal.

Please make arrangements to present this check to the Senator. Please be sure to inform him that the money represents voluntary contributions from the members of SEIU and that we are filing the proper forms with the FEC and the Secretary of State of New York.

Praternally gours,

John J. Swemmey
International President

REM:kdv Enclosure

\$ 1613

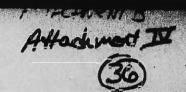
sto? Print 10-21-82

6

0

T

ORT OF RECEIFTS AND DISBURSEME



(Summery Page)

ALIGN AREA		ALIGN ARE
.Name of Committee (In Full)	4. TYPE OF REPORT (Check appro	
ervice Employees Int'l Union ommittee on Political Education	(a) April 15 Querterly Report	October 15 Quarterly Res
olitical Campaign Committee	July 15 Quarterly Report	January 31 Year End Re
Address (Number and Street)	July 31 Mid Year Report (No	
020 K Street, N.W., Suite 200	30 Day Post-Ger	neral Election Re
	Twelfth day report preceding	(Type of Electron)
City, State and ZiP Code (ashington, DC 20006	election on	in the State of
Check here if address is different than previously reported.	Thirtieth day report following	ng the General Election
2. FEC Identification Number	on in	the State of
	Termination Report	
2. This committee qualified as a multicandidate committee during	(b) Is this Report an Amendment?	
this Reporting Period on	YES	NO
SUMMARY	COLUMNA	
5. Covering Period 10/14/82 through 11/22/		Calendar Year-to-Date
5, (a) Cash on hand Jenuary 1, 19 <u>82</u>	THE COURT OF STREET	
		\$ 37,808.44
(b) Cash on Hand at Beginning of Reporting Period	\$ 4,428.42	
(c) Total Receipts (from Line 18)		\$ 89,376.68
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and	25,403.41	\$127,185.12
7.Total Disbursements (from Line 28)	*19,400.00	\$121,181.71
Cash on Hand at Close of Reporting Period (subtract Line 7 from Lin	• 6(d)) \$ 6,003.41	\$ 6,003.41
Debts and Obligations Owed TO The Committee	, s	
(Itamize all on Schedule C or Schedule D)		
D. Debtased Obligations Owed BY the Committee		
ertify that I have examined this Report and to the best of my knowledge and be- is true, correct and complete.	ief	
		ner information contact:
Richard W. Cordtz, Secretary-Treasu	rer	ederal Election Commission
Ald with		ocal 202-523-4068
TOTATURE OF TREASURER Y Det	•	
OTE: Submission of false, erroneous, or incomplementary may subject the		

SEIU, Political Campaign Committee	From: 10/14/82	_To: 11/22/82
	COLUMN A Total This Period	COLUMN 8 Calender Year-To-Date
I. RECEIPTS		
11.CONTRIBUTIONS (other then leans) FROM:		The second second
(a) Individuals/Persons Other Than Political Committees	20 974 99	89.376.68
(Memo Entry Uniternited \$ 20,974.99		المراس الما المالية ال
(b) Political Party Committees		
(d) TOTAL CONTRIBUTIONS (other than leans) (add 11(a), 11(b) and 11(c)) .		89,376.68
TEN TOTAL CONTRIBUTIONS (SENS SEEN ISSUE) (SESS 17(6), 17(8) and 17(6)) .		
2.TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		A Company of the Comp
	Per the same and t	Part of the second
IS.ALL LOANS RECEIVED		
14. LOAN REPAYMENTS RECEIVED		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
		And the second
6.REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES		
AND OTHER POLITICAL COMMITTEES	· · · · · · · · · · · · · · · · · · ·	生活体 经出
12, OTHER RECEIPTS (Dividends, Interest, etc.).		
R, TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	20,974.99	89,376.68

II. DISBURSEMENTS		
PERATING EXPENDITURES	The area considerable to the constant of	The Control of the Co
TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	and Committee to the time to	And it is the second of the se
0	19,400.00	121 101 71
CONTRIBUTIONS TO FEDERAL CANDIDATES AND	19,400.00	121,101./1
OTHER POLITICAL COMMITTEES 22.INDEPENDENT EXPENDITURES (use Schedule E)	Harm market and the state of th	
22.INDEFERDENT EXPENDITURES (UNE SCHOOLIN E)		ジェルドンへのからはアールファ
2. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES		をはかかっていないますがってからかい
(2 U.S.C. § 441 ald)) (Use Schedule F)	KIND THE TO	
MALOAN REPAYMENTS MADE		THE REAL PROPERTY OF THE PARTY
Michael Les La Mente a Muner	CONTRACTOR OF THE PARTY OF THE	and the second second
25. LOANS MADE		
		CONTRACTOR OF THE
25. 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))		
77.OTHER DISBURSEMENTS		
28.TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27).	: 19,400.00	121,181.71
		The second
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES	and the state of t	
TOTAL CONTRIBUTIONS (other then loans) from Line 11(d)		
00.TOTAL CONTRIBUTION REFUNDS from Line 26(d)		
31.NET CONTRIBUTIONS (other then loans) (Subtract Line 30 from Line 29)		
		W. T. W.
2.TOTAL OPERATING EXPENDITURES from Line 19		
33.OFFSETS TO OPERATING EXPENDITURES from Line 15		

ITEMIZED DISBURSEMENTS

LINE NUMBER (Use seperate schedule(s) for e category of the Detailed Summary Popel -Hack went

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

Name of Committee (in Full)

Service Employees Int'l Union, Committee on Political Education,

A. Full Name, Mailing Address and ZIF Code Barbara Boxer Campaign 286 North Almenar Greenbrae, CA 94304	Purpose of Disbursement Contribution Disbursement for: © Primary % General Other (specify):	Date (month, dev, year) 10/19/82	Amount of Each Disbursement This Period 200.00
8. Full Name, Meiling Address and ZP Code Friends of Robert C. Byrd P.O. Box 2190 Clarksburg, WV 26301	Purpose of Disbursement Contribution Disbursement for: © Primary **General © Other (specify):	Dete (month, day, year) 10/19/82	Amount of Each Disbursement This Period 800.00
C. Full Name, Mailing Address and ZIP Code Bosco for Congress P.O. Box 1494 Santa Rosa, CA -95402	Purpose of Disbursement Contribution Disbursement for: © Primery Sceneral Cother (specify):	Date (month, day, year) 10/19/82	Amount of Each Disbursement This Period 300.00
Full Name, Mailing Address and ZIP Code Friends of Matt McHugh P.O. Box 61 Tthaca, NY 14850	Purpose of Disbursement Contribution Dispursement for: © Primary % General © Other (specify):	Date (month, day, year) 10/19/82	Amount of Each Disbursement This Period 200.00
Full Name, Mailing Address and ZIP Code Lytel for Congress NB8 Columbus Avenue Syracuse, NY 13210	Purpose of Disbursement Contribution Disbursement for: © Primary % General Other (specify):	Date (month, day, year) 10/19/82	Amount of Each Disbursement This Period 200.00
Full Name, Mailing Address and ZIP Code Dick Fellman for Congress 5716 O Street Taha, NE 68127	Purpose of Dispursement Contribution Dispursement for: © Primary X General © Other (specify):	Date (month, day, year) 10/19/82	Amount of Each Disbursement This Period 200.00
© Full Name, Mailing Address and ZIP Code Baron Reed for Congress 224 Elefa Street Roseville, CA 95678	Purpose of Disbursement Contribution Disbursement for: © Primary & General Other (specify):	Date (month, day, year) 10/22/82	Amount of Each Disbursement This Period 250 - 00
H. Full Name, Mailing Address and ZIP Code Tackettr for Congress Committee P.O. Box 545 McFarland, CA 93250	Purpose of Disbursement Contribution Disbursement for: © Primary X General © Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period 300.00
1. Full Name, Mailing Address and ZIP Code Morrison for Congress P.O. Box 303 New Haven, CT 06502	Purpose of Disbursement Contribution Disbursement for: © Primary ¥ General Cother (specify):	Date (month, day, year) 10/22/82	Amount of Each Disbursement This Period 250.00
JBTOTAL of Disbursements This Page (optional)			2,700.00

ITEMIZED DISBURSEMENTS

LINE NUMBER
(Use separate schedule(s) for each category of the Detailed Summery Page).

Attackungs C

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

Name of Committee (in Full) Service Employees International Union, Committee on Political Education, Political Campaign Committee

A. Full Name, Molling Address and ZIP Code Bill Curry for Congress L16 Main Street	Contribution	Dete (month, day, year) 10/22/82	Amount of Each Disbursement This Period 250 - 00	
New Britain, CT 06051	Disbursement for: © Primary 2 General © Other (specify):			
8. Full Name, Mailing Address and ZP Code Friends of Sikorski 7500 University Avenue, NE	Contribution	Dete (month, day, year) 10/22/82	Amount of Each Disbursement This Period 250.00	
Fridley, MN 55432	Disbursement for: © Primary 30 General © Other (specify):			
C. Full Name, Mailing Address and ZIP Code Wheat for Congress	Purpose of Disbursement	Dete (month, day, year)	Amount of Each Disbursement This Period	
3123 Swope Parkway Kansas City, MO- 64130 · ·	Disbursement for: © Primary & General © Other (specify):	10/22/82	500.00	
CR. Full Name, Mailing Address and ZIP Code 3ill Benet Election Committee 3.0. Box 11384	Purpose of Disbursement Contribution	Dete (month, dev. year) 10/22/82	Amount of Each Disbursement This Period 300.00	
Rochester, NY 14611	Disbursement for: © Primary 2 General © Other (specify):			
Full Name, Mailing Address and ZIP Code dighan for Congress Public Square, Room 317	Purpose of Disbursement Contribution	day, year)	Amount of Each Disbursement This Period 200.00	
Cleveland, OH 44115	Disbursement for: ©Primary MGeneral: © Other (specify):			
F. Full Name, Mailing Address and ZIP Code People for Beth Bland for Cong: P0682 NE 8th Street Sellevue, WA 98004	Purpose of Disbursement CSS Contribution Disbursement for: CPrimary & General Other (specify):	Dete (month, day, year)	Amount of Each Disbursement This Period 250.00	
WE. Full Name, Mailing Address and ZIP Code Woods for Senate 6665 Delmar Street University City, MO 63130	Purpose of Disbursement Contribution Disbursement for: © Primary % General © Other (specify):	Date (month, day, year) 10/22/82	Amount of Each Disbursement This Period 1,000.00	
H. Full Name, Mailing Address and ZIP Code McGlenmon for Congress P.O. Box 1492 Williamsburg, VA 23187	Purpose of Disbursement Contribution Disbursement for: © Primary 20 General © Other (specify):	Date (month, day, year) 10/22/82	Amount of Each Disbursement This Period 250 - 00	
1. Full Name, Mailing Address and ZIP Code Ratchford for Congress Old Castle Hill Road	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Perio 150.00	
Newton, CT 06470	Disbursement for: © Primary M General © Other (specify):			
SUBTOTAL of Disbursements This Page (optional)			3,150.00	

ITEMIZED DISBURSEMENTS

Attachment II

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

A. Full Name, Mailing Address and ZIP Code Stokes for Congress P.O. Box 99358	Contribution	Dete (month, day, year) 10/22/82	Amount of Each Disbursement This Period 200.00	
Cleveland, OH 44199	Disbursement for: © Primery © General © Other (specify):			
E. Full Name, Mailing Address and ZP Code Noynihan '82 Committee L7 East 66 Street	Purpose of Disbursement Contribution	Dete (month, day, year)	Amount of Each Disbursement This Period	
New York, NY 10021	Disbursement for: Primary *General Other (specify):	10/21/82	5,000.00	
C. Full Name, Mailing Address and ZIP Code Kartinez for Congress	Purpose of Disbursement	Dete (month, day, year)	Amount of Each Disbursement This Period	
440 East Garvey Avenue Monterey Park, CA 91754.	Disburgement for: Distribution Distribution Other (specify):	10/22/82	300.00	
D. Full Name, Mailing Address and ZIP Code Priends of Matt McHugh 3.0. Box 61	Purpose of Disbursement Contribution	Date (month, day, year) 10/21/82	Amount of Each Disbursement This Period 1,000.00	
Ithaca, NY 14850	Disbursement for: © Primary 🌤 General © Other (specify):			
Full Name, Mailing Address and ZIP Code orthern Virginians for Herb Harris	Purpose of Disbursement Contribution	Date (month, day, year) 10/22/82	Amount of Each Disbursement This Period 350 - 00	
6.0. Box 1982 Mc. Vernon, VA 22121	Disbursement for: © Primary © General © Other (specify):			
F. Full Name, Mailing Address and ZIP Code Howard for Congress D.O. Box 24268 Vashington, DC 20024	Purpose of Disbursement Contribution Disbursement for: © Primary RGeneral	Dete (month, day, year) 10/22/82	Amount of Each Disbursement This Perio	
	D Other (specify):			
G. Full Name, Mailing Address and ZIP Code Citizens for Wecht for U.S. Senate, University Inn,	Purpose of Disbursement Contribution	Date (month, day, year) 10/22/82	Amount of Each Disbursement This Perio	
3454 Forbes Avenue Pittsburgh, PA 15213	Disbursement for: Primary XGeneral Other (specify):			
H. Full Name, Mailing Addres and ZIP Code Jim Moedy for Congress 2723 North Farwell	Purpose of Disbursement Contribution	Date (month, day, year) 10/22/82	Disbursement This Perio	
Milwaukee, WI 53211	Disbursement for: Primary & General Other (specify):			
1. Full Name, Mailing Addres and ZIP Code Michaelson for Senate 171 Pawtucket Avenue	Purpose of Disbursement Contribution	Date (month, day, year) 10/22/82	Amount of Each Disbursement This Perio	
Pawtucket, RI 02860	Disbursement for: © Primary © General © Other (specify):		300.00	

ITEMIZED DISBURSEMEN

LIME NUMBER
(Use settlered settlered Summer Page)

Attackment

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

Name of Committee (in Full) Service Employees International Union, Committee on Political Education, Political Campaign Committee

A. Full Name, Mailing Address and ZIP Code Committee for Tim Wirth, Inc. P.O. Box 576	Contribution	Dete (month, day, year) 10/26/82	Amount of Each Disbursement This Period 200.00	
Westminster, CA 90030	Disbursement for: © Primary 30 General © Other (specify):			
B. Full Name, Mailing Address and ZP Code Larryann Willis for Congress P.O. Box 1065 Redmond, OR 97756	Purpose of Disbursement	Dete (month, day, year) 10/26/82	Amount of Each Disbursement This Period 300.00	
C. Full Name, Mailing Address and ZIP Code Lechner for Congress 450 West Broad Street		Dete (month, day, year) 10/25/82	Amount of Esch Disbursement This Period 800.00	
Room 416 Falls Church, VA 22046	Disbursement for: © Primary 36 General © Other (specify):			
D. Full Name, Mailing Address and ZIF Code Edgar for Congress Committee 107 Woodlawn Avenue		Date (month, day, year) 10/25/82	Amount of Each Disbursement This Period 200.00	
Broomall, PA 19008	Disbursement for: © Primary XO General © Other (specify):			
E. Full Name, Mailing Address and ZIP Code Thomas Foglietta for Congress c/o Wm J Green Building 6th & Arch Streets, Rm 10402 Philadelphia, PA 19106	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period 200.00	
	Disbursement for: © Primary 30 General © Other (specify):			
-F. Full Name, Mailing Address and ZIP Code Davis for U.S. Senate 1000 North Thompson Street	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period 300.00	
Richmond, VA 23230	Disbursement for: © Primary & General © Other (specify):			
G. Full Name, Mailing Address and ZIP Code Friends of Robert C. Byrd P.O. Box 2190	Purpose of Disbursement Contribution	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Period 1,200.00	
Clarksburg, WV 26301	Disbursement for: SPrimery X General C Other (specify):			
H. FulfName, Mailing Address and ZIF Code People for Mrazek 3 Harbor Road	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period 200.00	
Cold Spring Harbor, NY 11724	Disbursement for: © Primary RGeneral © Other (specify):			
1. Full Name, Mailing Address and ZIP Code Terry Mann for Congress 731 Madison Avenue Covington EV 41011	Purpose of Disbursement Contribution Disbursement for: S Primary XGeneral	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Period 200.00	
Terry Mann for Congress	Contribution Disbursement for: Sprimary XGeneral Souther (specify):	day, year) 10/26/82	Disbursement This	

ITEMIZED DISBURSEMENT

Page of lor
LINE NUMBER (Use separate attentions) for each estagory of the Detailed
Summery Page)

Attachment

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

A. Full Name, Melling Address and ZIF Code Betty Lall for Congress 230 East 81st Street	Furpose of Disbursement Contribution	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Period 200.00
New York, NY 10028	Disbursement for: © Primery 29 General © Other (specify):		
8. Full Name, Mailing Address and ZP Code Russo for Congress Committee 1920 North Clark Street Apartment 3C Chicago, IL 60614	Purpose of Disbursement Contribution Disbursement for: "Primary & General" Other (specify):	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Period 100.00
C. Full Name, Mailing Address and ZIP Code Lipinski for Congress Committe	Contribution Disbursement for: Sprimery &General	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Period 200.00
D. Full Name, Mailing Address and ZHP Code Rostenkowski for Congress 1372 West Evergreen Avenue Chicago, IL 60622	Dother (specify): Purpose of Disbursement Contribution Disbursement for: © Primery Sceneral Other (specify):	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Period 300.00
E. Full Name, Mailing Address and ZIP Code Chapman for Congress 34 North Milwaukee Avenue Wneeling, IL 60090	Purpose of Disbursement Contribution Disbursement for: = Primary % General Other (specify):	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Perio
F. Full Name, Mailing Address and ZIP Code Friends of Lane Evans Committee P.O. Box 1222 Rock Island, IL 61201	Purpose of Disbursement	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Perio 250.00
G. Full Name, Mailing Address and ZIP Code Stephens for Congress Suite 1012, Lehmann Building Peoria, IL 61602	Purpose of Disbursement Contribution Disbursement for: Sprimary Sceneral Other (specify):	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Perio 100.00
H. FulldName, Mailing Address and ZIP Code Durbin for Congress 1414 South 5th, P.O. Box 1949 Springfield, IL 62705	Purpose of Disbursement Contribution Disbursement for: = Primary > General = Other (specify):	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Period 200.00
Melvin Price Campaign Committee 501 West Cleveland Belleville, IL 62221	Purpose of Disbursement	Date (month, day, year) 10/26/82	Amount of Each Disbursement This Perio

ITEMIZED DISBURSEMENTS

Page of for LINE NUMBER (Use secures schedule(s), for each category of the Detailed Summery Page)

A Hack weet III

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

Name of Committee (in Full) Service Employees International Union, Committee on Political Education, Political Campaign Committee

A. Full Name, Mailing Address and ZIP Code Paul Simon for Congress P.O. Box 3301 Carbondale, IL 62901	Purpose of Disbursement Contribution Disbursement for: © Primary **General	Dete (month, day, year) 10/26/82	Amount of Each Disbursement This Period 200.00	
E. Full Name, Mailing Address and ZIP Code	D Other (specify): Purpose of Disbursement	Date (month,	Amount of Each	
Raptur for Congress Committee P.O. Box 899	Contribution	day, year) 10/27/82	Disbursement This Period 200 - 00	
Toledo, OH 43691	Disbursement for: ©Primary RGeneral Other (specify):			
C. Full Name, Mailing Address and ZIP Code Committee to Elect Levinson P.O. Box 349	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period 2,500.00	
Middletown, DE 19709	Disbursement for: SPrimary X General Other (specify):		2,300.00	
D. Full Name, Mailing Address and ZIP Code Ed Stack for Congress 518 North Riverside Drive	Purpose of Disbursement Contribution	Date (month, day, year) 10/28/82	Amount of Each Disbursement This Period 300.00	
Pompano Beach, _FL 33062	Disbursement for: © Primary % General © Other (specify):			
E. Full Name, Mailing Address and ZIP Code Robert Clark for Congress P.O. Box 179	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period 200.00	
Lexington, MS 29095	Disbursement for: Primary Æ General Other (specify):			
F. Full Name, Mailing Address and ZIP Code Jim Moody for Congress	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period	
2723 North Farwell Milwaukee, WI 53211	Disbursement for: Sprimary & General Other (specify):	10/28/82	100.00	
G. Full Name, Mailing Address and ZIF Code Claude Pepper Campaign Committ 2121 North Bayshore Drive, #41		Date (month, day, year) 10/28/28	Amount of Each Disbursement This Period 250.00	
Miami, FL 33137	Disbursement for: SPrimary Seneral Souther (specify):			
H. Full Name, Mailing Address and ZIP Code Moynihan '82 Committee	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period	
17 East 66 Street New York, NY 10021	Contribution Disburgement for: © Primary Seneral	10/28/82	5,000.00	
1. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date Imonth,	Amount of Each	
Rostenkowski for Congress 1372 West Evergreen Avenue	Contribution	10/29/82	Disbursement This Perio	
Chicago, IL 60622	Disbursement for: Sprimary Seneral Cother (specify):			
SUBTOTAL of Disbursements This Page (optional)			8,950.00	

ITEMIZED DISBURSEMEN

LINE NUMBER ______ for LINE NUMBER ______ (Use separate schedule(s) for each casegory of the Detailed Summery Page)

A Ha alexagest ______

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

Nome of Committee (in Full) Service Employees International Union, Committee on Political Education, Political Campaign Committee

Committee to Elect Bodack 1922 Hatfield Street	Purpose of Disbursement Contribution	Date (month, dev. year) 11/15/82	Amount of Each Disbursement This Period 100.00	
Pittsburgh, PA 15201 .	Disbursement for: © Primary © General & Other (specify): Debt			
L Full Name, Mailing Address and ZP Code Tim Penny for Congress 1150 Hoffman Drive Owtonna, MN 55060	Purpose of Disbursement Contribution Disbursement for: © Primary © General R Other (specify): Debt	Dete (month, day, year) 11/22/82	Amount of Each Disbursement This Perior 200.00	
Cranston Presidential Advisory Committee . 400 C Street, N.E. Washington, DC 20002	Purpose of Disbursement Contribution Disbursement for Community General Sother (specify): Study	Dete (month, dey, year) 11/22/82	Amount of Each Disbursement This Perio	
Cancelled Moynihan '82 Committee, 17 East 66 Street, New York, NY 10021 E. Full Name, Mailing Address and ZIP Code	Contribution Disbursement for: Primary #General	Dete (month, day, year) 10/21/82 (for ck rawn 7/21	Amount of Each Disbursement This Perio -5,000.00 /82) Amount of Each	
CancelledMoynihan '82 Committee, 17 East 66 Street New York, NY 10021	Contribution Disbursement for: © Primary & General	Dete (month, dey, year) 10/28/82 (for ck rawn 10/2	Disbursement This Perio	
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: Primary General Other (specify):	Dete (month, day, year)	Amount of Each Disbursement This Perio	
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 Peri	
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Pen	
	Disbursement for: © Primary © General © Other (specify):			
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Peri	
	Disbursement for: Primary General Other (specify):			
SUBTOTAL of Dispursements This Page (optional)		····(less·	1,300.00	

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA—UAY

OWEN F. BIEBER, PRESIDENT

RAYMOND E. MAJERUS, SECRETARY-TREASURER

VICE PRESIDENTS

BILL CASSTEVENS

DONALD F. EPHLI

ODESSA KOMER

MARC STEPP

ROBERT WHIT

STEPHEN P. YOKICH

April 12, 1984

IN REPLY REFER TO 1767 N STREET, N.W. WASHINGTON, D.C. 20036 -TELEPHONE: (202) 828-8500

-- ;

Kenneth A. Gross Associate General Counsel Federal Election Commission Washington, D. C. 20463

Re: MUR 1655

Dear Mr. Gross:

.. س

This is to advise you that I will be acting as counsel for respondents UAW Committee for Good Government and its treasurer, Donald J. Moll in connection with the above referenced case. Please direct any further communications regarding this matter to my attention.

The complaint filed by James Antosh basically alleges that the UAW CFGG is affiliated with the Special Committee on Political Action (SCOPA), and that these two political committees therefore violated section 441a(a)(2)(A) by contributing more than \$5000 to Senator Moynihan in connection with his 1982 general election campaign. Specifically, UAW CFGG contributed \$5000 to Moynihan in connection with his general election campaign on November 5, 1981; SCOPA allegedly contributed \$500 and \$1500 to the Moynihan general election campaign on September 1, 1981 and July 14, 1982.

The simple answer to this complaint is that UAW CFGG and SCOPA have no connection whatsoever, and are not "affiliated" within the meaning of the FECA. Accordingly, neither UAW CFGG nor SCOPA exceeded the contribution limits in connection with Moynihan's 1982 general election campaign.

Significantly, the complaint does not contain even a scintilla of evidence to support the allegation that UAW CFGG and SCOPA are "affiliated". More importantly, the Commission has already found that UAW CFGG and SCOPA are <u>not</u> in fact affiliated. Back in 1982, Robert Dornan filed a complaint with the Commission which contained allegations virtually identical to those contained in the present case. In <u>MUR 1489</u> the Commission concluded that UAW CFGG and SCOPA were <u>not</u> "affiliated", and therefore found <u>no</u> reason to believe that these political committees had committed any violation of the FECA in connection with Moynihan's 1982 general election campaign. Copies of the statement submitted by UAW CFGG in connection with <u>MUR 1489</u>, and the decision rendered by the Commission in that case, are attached.

00

Attachment II
(46)

Since the complaint filed in the present case raises precisely the same allegations as the complaint which was filed in <u>MUR 1489</u>, under well settled principles of <u>resjudicata</u>, the Commission must find no reason to believe that UAW CFGG has violated the FECA in the present case. UAW CFGG therefore respectfully submits that the Commission should act promptly to dismiss the complaint in the present case.

Sincerely,

Alan V. Reuther

Assistant General Counsel

AVR:njk opeiu494

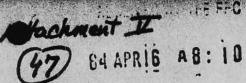
0

0

0

00

cc: George Demougeot





FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

January 11, 1983

Allen Reuther, Counsel Committee for Good Government 1757 N Street, N.W. Washington, D.C. 20036

RE: MUR 1489

Dear Mr. Reuther:

On January 4, 1983, the Commission found reason to believe that your client violated 2 U.S.C. § 44la(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with a contribution to the Senator Moynihan Re-election Campaign, Inc. during the 1982 primary election. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its In addition, the Commission found no reason to believe that your client violated 2 U.S.C. § 441a(a)(2)(A) for contributions made to the Moynihan Committee during the 1982 general election. The Commission also found no reason to believe that your client violated 2 U.S.C. § 439(a)(1). The file will be made part of the public record within thirty days. Should you wish to submit any materials to appear on the public record, please do so within ten days.

If you have any questions, please direct them to Frances B. Hagan at (202) 523-4529.

Sincerely,

Chairman

Enclosure

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

82 DEC 15 All: 20

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL, BY OGC TO THE COMMISSION 12/15/42

MUR NO. 1489 STAFF MEMBER Frances B. Hagan

COMPLAINANT'S NAME:

Robert J.K. Dornan

RESPONDENTS' NAMES:

Senator Daniel P. Moynihan The Senator Moynihan Re-election -Campaign, Inc. John Westergaard, Treasurer of the above-named Moynihan Committee Committee for Good Government (UAW) Donald J. Moll, Treasurer of the Committee for Good Government Special Committee on Political Action Mary Ann Benincasa, Treasurer of the Special Committee on Political Action

RELEVANT STATUTES:

....

2 U.S.C. § 44la(a)(2)(A) 2 U.S.C. \$ 44la(f) 2 U.S.C. § 439(a)(1) 11 C.F.R. § 103.3(a)

INTERNAL REPORTS CHECKED:

Disclosure Reports, MURs 1307, 1405,

1432

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

A complaint filed by Robert J.K. Dornan on October 21, 1982 makes the following allegations.

The UAW Committee for Good Government and its treasurer, Donald J. Moll, the Special Committee on Political Action and its treasurer; Mary Ann Benincasa, violated 2 U.S.C. § 44la(a)(2)(A) by making contributions in excess of limitations. Senator Daniel P. Moynihan, the Senator Moynihan Re-election Campaign, Inc. and its treasurer, John Westergaard, violated 2 U.S.C.

\$ 441a(f) through receipt of excessive contributions violative of 2 U.S.C. § 441a(a)(2)(A). In addition, Senator Daniel P.

Moynihan, the Senator Moynihan Re-election Campaign, Inc. and its treasurer violated 2 U.S.C. § 439(a)(1) for failure to file with the State of New York reports which indicate receipt of contributions from the Special Committee on Political Action and the Committee for Good Government. The Special Committee on Political Action and the Committee for Good Government violated 2 U.S.C. § 439(a)(1) for failure to file with the State of New York reports showing their contributions to the Senator Moynihan Re-election Campaign, Inc. Senator Daniel P. Moynihan, the Senator Moynihan Re-election Campaign, Inc. and its treasurer violated 11 C.F.R. § 103.3(a) which requires that all deposits shall be made within ten days of the treasurer's receipt. 1/

FACTUAL AND LEGAL ANALYSIS

The complaint alleges that the Senator Daniel Moynihan Reelection Campaign, Inc. ("the Moynihan Committee") violated

2 U.S.C. § 44la(f) by accepting contributions in excess of
limitations from two political committees affiliated with the
United Auto Workers Union. Complainant alleges that the Special
Committee on Political Action ("SCOPA") and the Committee for
Good Government ("CFGG") violated 2 U.S.C. § 44la(a)(2)(A) by

^{1/} The complainant includes as respondents to each of these charges the candidate, Senator Daniel P. Moynihan, as well as the treasurers of CFGG and SCOPA. However, this Office makes no recommendation regarding the individuals. Our recommendations concern the political committees with notice of such findings to be sent to the individuals or their designated counsel.

making contributions in excess of contribution limitations to the Moynihan Committee.

The complainant submitted copies of the respondents' FEC disclosure reports to support the allegation that excessive contributions were made and received in connection with both the 1982 primary and general elections. The respondents reported the transactions as follows:

Contributor	Date of Contribution	Amount of Contribution	Date Received by Moynihan Committee
SCOPA	11/1/79	\$ 500	12/19/79
	9/1/81	\$ 500	10/2/81
CFGG	2/5/80	\$1,000	2/12/80
	9/3/81	\$5,000	9/9/81
	11/5/81	\$5,000	11/24/81

The alleged excessive amounts total \$1,000.00 in the primary (\$1,000.00 and \$5,000.00 contributed by CFGG) and \$1,000.00 in the general election (\$1,000.00 from SCOPA and \$5,000.00 from its apparent affiliate CFGG). The complainant asserts that the excessive contributions to the general election campaign occurred through SCOPA's and CFGG's failure to observe the limitations placed on affiliated political committees pursuant to 2 U.S.C. \$ 441a(a)(5).

Committee for Good Government

On November 15, 1982, the United Auto Workers' ("UAW") CFGG responded to notification of the complaint filed against it.

According to its own records, CFGG exceeded the \$5,000.00 contribution limitation by \$1,000.00 through an inadvertent clerical error. CFGG states that its contribution of \$1,000.00

Affachnest I

on February 5, 1980, was incorrectly recorded for a "1980 primary" rather than the 1982 primary. CFGG documents support this assertion. Furthermore, CFGG states that between February 1980 and September 1981, when it made its second contribution to the Moynihan Committee, the contribution recordkeeping function was transferred to another office within the UAW. When CFGG made its \$5,000 contribution in September 1981, the persons processing the new contribution were unaware of the earlier donation.

CFGG offers certain factors to mitigate the violation. CFGG states that upon notification of the violation, it immediately requested a refund from the Moynihan Committee. 2/ CFGG argues that besides being a clerical error, this excessive contribution is an isolated case occurring through unique circumstances not likely to be repeated. CFGG notes that it has no history of making excessive contributions.

As to the 1982 general election, the CFGG response acknowledges the \$5,000 contribution of November 1981, but emphatically asserts that no affiliation exists between CFGG and SCOPA. Therefore, CFGG states that SCOPA's contributions do not affect the CFGG limitation and no violation of 2 U.S.C. \$ 441a(a)(2)(A) occurred in this case. CFGG points out that SCOPA's original statement of organization of August 1974 listed six connected organizations. One of these organizations was United Auto Workers of Rochester, New York. The UAW local in

^{2/} The Moynihan Committee states that it refunded \$1,000.00 to CFGG.

Rochester advised CFGG that several union members at one time participated in SCOPA "as individuals", but that the union local was never connected with SCOPA. SCOPA amended its statement of organization by letter in October 1976 to clarify that it is not affiliated with any organizations. CFGG asserts that the complainant's assumption that CFGG and SCOPA are affiliated is based on the FEC index of disclosure documents which erroneously lists SCOPA as connected with the UAW. CFGG states that the criteria set forth at 11 C.F.R. § 110.3(a)(1)(iii) which may establish affiliation do not apply to CFGG.

Special Committee on Political Action

On November 10, 1982, SCOPA sent its initial response to the complaint notification. In this letter and in subsequent telephone conversations, SCOPA concurred with CFGG that the two organizations are not affiliates. SCOPA refers to the 1976 amended statement of organization which affirms that SCOPA is comprised of individuals who belong to various organizations, but is not itself affiliated with another organization.

The Senator Moynihan Re-election Campaign, Inc.

On November 18, 1982, the Moynihan Committee submitted its response to the complaint that it received excessive contributions. The Committee states that it received \$1,000 from the CFGG in 1980, and through a bookkeeping error, it accepted an additional \$5,000 in 1981 for the 1982 primary election. The excessive amount of \$1,000 was refunded November 15, 1982,

following notice in the complaint on November 9, 1982, of the apparent violation.

The Moynihan Committee states that it computerized its records in early 1982 "to eliminate the risk of receipt of excessive contributions." The Committee notes that during the pre-election period in question, the Committee received more than \$2 million in contributions.

As to the general election, the Moynihan Committee refers to the submission by CFGG, stating that no violation of 2 U.S.C. § 44la(f) occurred in that the CFGG and SCOPA are not affiliated.

8

In addition to receipt of excessive contributions, complainant charges that the Moynihan Committee failed to timely deposit three contributions as required by 11 C.F.R. § 103.3(a). The Moynihan Committee states that the computer system implemented this year reduces delay in mailing deposits and the Committee's deposits are now made daily. The Committee adds that checks are often received several days after the date on the check.

The complainant also alleges that the Moynihan Committee, SCOPA and CFGG failed to file reports of these contributions with the New York Division of Elections in violation of 2 U.S.C. § 439(a)(1). The Moynihan Committee states that all necessary reports are on file with the New York State Board of Elections.

LEGAL ANALYSIS

2 U.S.C. § 44la(a)(2)(A) states that "no multicandidate committee shall make contributions to any candidate and his

authorized political committees with respect to any election for rederal office which, in the aggregate, exceed \$5,000."

2 U.S.C. § 441a(f) states that "no candidate or political committee shall knowingly accept any contribution... in violation of the provisions of this section."

1982 Primary Election - 2 U.S.C. \$ 44la(a)(2)(A) and (f)

On the basis of the evidence presented by the complainant, CFGG and the Moynihan Committee, it appears that CFGG made an excessive contribution of \$1,000 to the Moynihan Committee in violation of 2 U.S.C. § 44la(a)(2)(A) prior to the 1982 primary election. The Moynihan Committee violated 2 U.S.C. § 44la(f) through acceptance of the excessive contribution. However, the seriousness of such violations is mitigated by circumstances surrounding the transaction. The recordkeeping errors described herein apparently account for the initial failure to avoid the excessive contribution as both the CFGG and the Moynihan Committee maintain procedures to screen for contribution Therefore, the excessive contribution appears to be limitations. an isolated occurrence rather than a practice of either committee. Furthermore, on November 15, 1982, the Moynihan Committee refunded to CFGG the excessive amount of \$1,000. amount represents a fraction of the respondents' total receipts and expenditures.

The Office of General Counsel recommends that the Commission find reason to believe that violations of 2 U.S.C.

§ 44la(a)(2)(A) and 2 U.S.C. § 44la(f) occurred in this case, and that it take no further action and close the file as it relates to this matter in the 1982 primary election. Such action is consistent with the Commission's actions in MURs 1307, 1405 and 1432.

1982 General Election - 2 U.S.C. § 441a(a)(2)(A) and (f)

2 U.S.C. § 44la(a)(5) states in pertinent part that for purposes of the limitations in this section, all contributions made by political committees established or financed or maintained or controlled by any labor organization, including any local unit of such labor organization, shall be considered to have been made by a single political committee.

Complainant alleges that CFGG and SCOPA made an excessive contribution of \$1,000 during the general election campaign to the Moynihan Committee in violation of 2 U.S.C. § 441a(a)(2)(A). The complaint states that "contributions made by [SCOPA and CFGG] are treated as contributions made from a single committee in accordance with 2 U.S.C. § 44la(a)(5)...."

In August 1974, SCOPA registered with the Commission as a political committee. Its statement of organization indicated a "connection" with six organizations. The "United Auto Workers, 221 Dewey Avenue, Rochester, New York 14608" was among those listed.

On October 25, 1976, SCOPA amended its statement of organization by letter, apparently in response to a Reports Analysis Division (RAD) inquiry. The amendment states "Please be advised that we do not have affiliated organizations, but all participants of this committee are individuals who belong to various organizations. In other words, anyone is welcome to join this committee if they wish to reach the same goals. RAD confirms that this amendment adequately clarifies SCOPA's status — independent of connecting organizations — and should have been entered into the computer index system.

SCOPA and CFGG concur that there is no affiliation between them and that SCOPA has no connection with the UAW. Both political committees agree with CFGG's statement that

none of the factors set forth in ll C.F.R. \$ 110.3(a)(l)(iii) as being indicative of "establishing, financing, maintaining or controlling" — are present here.

Specifically, the UAW does not own any interest in SCOPA; the by-laws and/or constitution of SCOPA do not give the UAW any authority, power or ability to direct it; the UAW does not have the authority, power or ability to hire, appoint, discipline, discharge or otherwise influence the decision of the officers or members of SCOPA; the UAW and SCOPA have not engaged in similar patterns of contributions; and there has been no transfer of funds between SCOPA and any organizations affiliated with the UAW.

Based on the information and supporting documents presented by the respondents, the Office of General Counsel concludes that CFGG and SCOPA are not affiliated as set forth in 2 U.S.C. § 44la(a)(5). Therefore, we recommend no reason to believe that the CFGG and SCOPA violated 2 U.S.C. § 44la(a)(2)(A) through their separate contributions to the Moynihan Committee's 1982 general election campaign. We also recommend that the Commission

find no reason to believe that the Moynihan Committee violated 2 U.S.C. S 44la(f) through receipt of the general election contributions from CFGG and SCOPA.

11 C.F.R. § 103.3(a)

11 C.F.R. § 103.3(a), based on 2 U.S.C. § 432(h)(l), states in part that all deposits shall be made within ten days of the treasurer's receipt.

Complainant alleges that the Moynihan Committee failed to timely deposit one contribution in the 1982 primary election and two in the general election. There is no evidence to support such allegation beyond dates noted on reports which do not reflect possible delays in transmittal of the contributions. The Moynihan Committee states that its computer system now allows daily deposits of receipts. The alleged delay in deposits does not appear to be significant and the Committee has implemented procedures to avoid a similar recurrence. Therefore, we recommend that the Commission find reason to believe, but take no further action against the Moynihan Committee for a violation of 11 C.F.R. § 103.3(a).

2 U.S.C. \$ 439(a)(1)

2 U.S.C. § 439(a)(1) provides that a copy of reports and statements required under the Act shall be filed with the Secretary of State of the appropriate state.

Complainant alleges that the Moynihan Committee, SCOPA and CFGG failed to file reports reflecting the contributions from

dayslete

404%

C

SCOPA and CFGG to the Moynihan Committee. The Moynihan Committee replies that it filed the required reports with the New York Board of Elections.

The New York Elections Board confirmed in a telephone: The state of the s request that the Moynihan Committee consistently filed reports Control of the second second second second second during the periods in question, 1979 through the 1982 elections. The Board also confirmed that the CFGG has filed consistently during the period in question, from February 1980 to present. Finally, the Elections Board noted that SCOPA has filed the necessary reports for 1982. The Moynihan Committee and CFGG have filed the appropriate reports with the New York State Board of Elections and SCOPA is currently filing the required reports. Therefore, we recommend that the Commission find no reason to believe that the Moynihan Committee or CFGG violated 2 U.S.C. § 439(a)(1) in this case. We recommend that the Commission find reason to believe and take no further action against SCOPA for a violation of 2 U.S.C. § 439(a)(1).

RECOMMENDATIONS

1. Find reason to believe and take no further action against the Senator Moynihan Re-election Campaign, Inc. for a violation of 2 U.S.C. § 44la(f) during the 1982 primary election.

- 2. Find reason to believe and take no further action against the Committee for Good Government (UAW) for a violation of 2 U.S.C. § 441a(a)(2)(A) during the 1982 primary election.
- 3. Find no reason to believe that the Senator Moynihan Reelection Campaign, Inc. violated 2 U.S.C. § 44la(f) for contributions received from the Committee for Good Government and from the Special Committee on Political Action during the 1982 general election.

- 4. Find no reason to believe that the Committee for Good Government (UAW) violated 2 U.S.C. \$ 44la(a)(2)(A) for its contribution to the Senator Moynihan Re-election Campaign, Inc. during the 1982 general election.
- 5. Find no reason to believe that the Special Committee on Political Action violated 2 U.S.C. § 44la(a)(2)(A) for its contribution to the Senator Moynihan Re-election Campaign, Inc. during the 1982 general election.
- 6. Find reason to believe and take no further action against the Senator Moynihan Re-election Campaign, Inc. for a violation of 11 C.F.R. § 103.3(a).
- 7. Find no reason to believe that the Senator Moynihan Reelection Campaign, Inc. violated 2 U.S.C. § 439(a)(1).
- 8. Find no reason to believe that the Committee for Good Government (UAW) violated 2 U.S.C. § 439(a)(1).
- 9. Find reason to believe and take no further action against the Special Committee on Political Action for a violation of 2 U.S.C. § 439(a)(l).
- 10. Approve attached letters.

11. Close the file.

Charles N. Steele General Counsel

Mic

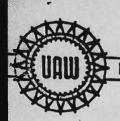
4

BY:

Kenneth A. Gross Associate General Counsel

Attachments

Response from CFGG
Response from SCOPA
Response from the Moynihan Committee
Proposed letters (4)



0

Attackment I

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL UMPLEMENT WORKERS OF AMERICA—UAN

DOUGLAS A. FRASER, PRESIDENT

RAY MAJERUS, SECRETARY-TREASURER

VICE-PRESIDENTS

WEN RIFRED . DON EPHLIN . MARTIN GERBER . ODESSA KOMER . MARC STEPP . ROBERT WHITE . STEPHEN YOKICH

IN REPLY REFER TO

1767 N STREET, N.W. WASHINGTON, D.C. 22036 TELEPHONE: (2021 829-8600

November 12, 1982

Ms. Fran Hagan Federal Election Commission Washington, D.C. 20463

Re: MUR 1489

Dear Ms. Hagan:

This is to advise you that I will be acting as counsel for the Committee for Good Government and its treasurer, Donald Moll, who are respondents in the above referenced case. Please direct any future communications regarding this matter to my attention.

The complaint which has been filed by Robert Dornan basically alleges that respondents violated the FECA in two respects: (1) the Committee for Good Government (CFGG) contributed in excess of \$5,000 to Senator Moynihan's 1982 primary election campaign; and (2) CFGG and the Special Committee on Political Action (SCOPA) together contributed in excess of \$5,000 to Senator Moynihan's 1982 general election campaign. Since different considerations are involved in these two allegations, I will respond separately to each of them.

1982 Primary Election

A review of our records indicates that the Committee for Good Government did inadvertantly exceed the contributions limitations for Senator Moynihan's 1982 primary election campaign. CFGG contributed \$1,000 on February 4, 1980, and subsequently contributed \$5,000 on September 4, 1981. Both of these contributions were designated for Senator Moynihan's 1982 primary election campaign.

The reason that CFGG exceeded the contribution limitations is that, due to a clerical error, the \$1,000 contribution on February 4, 1980 was incorrectly recorded on CFGG's records as being for a "1980 primary", rather than the "1982 primary". During the period of time

between February, 1980 and September, 1981 when CFGG made its second contribution to the Moynihan campaign, the responsibility for processing and keeping records on campaign contributions was transferred to a different office within the International Union, UAW - CFGG's connected organization. Thus, when CFGG decided to contribute \$5,000 to Senator Moynihan's primary campaign in September, 1981, the persons responsible for processing the new contribution were not aware that CFGG had actually already contributed \$1,000 for that same election, and that the \$5,000 contribution would therefore put CFGG over its contribution limitation.

The inadvertant nature of the excess contribution is demonstrated by two factors. First, attached you will find copies of the records maintained by CFGG on its contributions to candidates. As you will note, the \$1,000 contribution which CFGG made in February, 1980 is incorrectly listed as being for a "1980 primary".

Second, the two contributions by CFCG to Senator Moynihan were both made well in advance of the 1982 primary election. And Senator Moynihan only had token opposition in that election. Thus, it is apparent that the making of the excess contributions was not part of a last minute effort to rescue a campaign which was short of money or to "tip the balance" in a close contest.

Although CFGG did inadvertantly violate the contribution limitations contained in 2 U.S.C. 441a(a)(2)(A), there are a number of mitigating circumstances which suggest that the Commission should decide not to take any further action in this matter. To begin with, as soon as the excess contribution was brought to the attention of the UAW, it immediately wrote to Senator Moynihan's campaign requesting that the extra \$1,000 be returned to CFGG. A copy of the letter to the treasurer of the Committee to Reelect Senator Moynihan requesting that he return the excess contribution is attached. Thus, CFGG has already acted to remedy its inadvertant violation of the FECA.

Furthermore, the fact that the excess contribution was inadvertant, rather than intentional, also is a mitigating factor. Although CFCG regrets the clerical error which occurred in this instance, such mistakes will inevitably occur in any organization. Indeed, as will be shown in the second part of this letter, the FEC itself has been guilty of a "clerical" error in this matter, which resulted in the UAW being falsely accused of violating the contribution limitations for Senator Moynihan's 1982 general election campaign. Accordingly, there is no justification for imposing a penalty on CFCG here.

0

Finally, it is important to note that the excess contribution in the present case was simply an isolated occurrence. The UAW and CFGG have not displayed any history or pattern of making excess contributions. The procedures used by the UAW and CFGG to prevent the inadvertant donation of excess contributions to candidates have generally been adequate. The failure to catch the excess contribution in the present case was due to several unique circumstances, which are not likely to reoccur. Specifically, the fact that the initial contribution to Senator Moynihan was made so far in advance of his primary election — ie in February, 1980 — makes it understandable that the contribution was mistakenly recorded as being for a "1980 primary", rather than the 1982 primary. Also, because the responsibility for processing contributions was transferred to a different office during the period of time between February, 1980 and September, 1981, the persons who processed the second contribution were not in a position to associate it with the earlier contribution, and were not aware that there had not in fact been any primary election in 1980. For all of the foregoing reasons, therefore, the UAW submits the Commission should not take any further action on this matter.

1982 General Election

CI

V

0

4

0

8

It is undisputed that CFGG only contributed \$5,000 to Senator Moynihan's 1982 general election campaign. However, the complaint filed by Mr. Dornan alleges that several other contributions made by another political committee - the Special Committee on Political Action (SCOPA)should also be counted towards the UAW's overall contribution limitation, and that the UAW therefore made excess contributions in the general This allegation is based on the assumption that election campaign. SCOPA is somehow affiliated or connected with the UAW, and that pursuant to 2 U.S.C. 441a (a)(5) all contributions made by SCOPA and CFGG should be considered to have been made by a single political committee. Significantly, however, the complaint filed by Mr. Dornan does not present any evidence whatsoever which would indicate that SOOPA is affiliated or connected with the UAW. The facts are that SCOPA has absolutely no connection or relationship with the UAW. Accordingly, any contributions which may have been made by SOOPA to Senator Moynihan are not attributable to the UAW's contribution limitation, and the UAW, therefore, has not exceeded its contribution limitation for the 1982 general election campaign.

When it filed its original statement of organization back in August, 1974, SCOPA listed six affiliated or connected organizations. One of these organizations was listed as follows:

"United Auto Workers 221 Dewey Avenue Rochester, New York 14608"

A copy of SCOPA's original statement of organization is attached. It can be located at on FEC Microfilm Cart/Frame 0059/1355.

However, on October 21, 1976, the treasurer of SCOPA sent a letter to the FEC which amended its statement of organization to make clear that SCOPA did not in fact have any affiliated organizations. This letter, which can be found at FEC Microfilm Cart/Frame 2 76FEC/036/2096,

Attachment I

states in pertinent part:

00

"Please be advised that we do not have affiliated organizations but all participants of this committee are individuals who belong to various organizations. In other words anyone is welcome to join this committee if they wish to reach the same goals."

A copy of this letter is also attached.

The UAW does have a local union - UAW Local 1097 - which is located at 221 Dewey Avenue, in Rochester, New York. UAW Local 1097 has advised us that, when SCOPA was originally established back in 1974, several members of the local participated in the political committee as individuals. However, UAW Local 1097 was not itself affiliated or connected with SCOPA. Specifically, UAW Local 1097 did not contribute any money to SCOPA, did not provide any facilities or other assistance to SCOPA, and did not exercise any control over SCOPA.

Around 1976 or 1977, the UAW members who had been active in SCOPA apparently broke off relations with that organization, due to disagreements over policy. Since that time, no UAW members have been involved at all with SCOPA.

Several additional points are worth noting. First, the reports filed by SCOPA with the FEC corroborate the fact that neither UAW Local 1097 nor any other body affiliated with the UAW has ever contributed any monies to SCOPA.

Second, the principal officers of SCOPA, - ie Robert Flavin, James Colombo and Mary Ann Benincasa - are not members of and have no relation-ship to the UAW.

Third, SCOPA apparently maintains its headquarters at 40 West Ave., Rochester, N.Y. 14611 - not at the address of UAW Local 1097.

Fourth, none of the factors set forth in 11 C.F.R. 110.3 (a)(1)(iii) as being indicative of "establishing, financing, maintaining or controlling" – are present here. Specifically, the UAW does not own any interest in SCOPA; the by-laws and/or constitution of SCOPA do not give the UAW any authority, power or ability to direct it; the UAW does not have the authority, power or ability to hire, appoint, discipline, discharge or otherwise influence the decision of the officers or members of SCOPA; the UAW and SCOPA have not engaged in similar patterns of contributions; and there has been no transfer of funds between SCOPA and any organizations affiliated with the UAW.

From the foregoing evidence, it is apparent that SCOPA cannot be considered to be connected or affiliated with the UAW, and hence that any contributions which might have been made by SCOPA to Senator Moynihan cannot be attributed to the UAW's contribution limitation. Accordingly,

CFGG and its treasurer Don Moll did not make excess contributions to Senator Moynihan's 1982 general election campaign.

The tacit assumption in Mr. Dornan's complaint that SCOPA is affiliated with the UAW is apparently based entirely on the fact that the FEC's index of disclosure documents erroneously lists SCOPA as being "connected" with the UAW. This is simply due to a clerical mistake on the part of the FEC. As previously indicated, the treasurer of SCOPA amended its statement of organization by letter dated October 21, 1976, to properly reflect the fact that SCOPA is not affiliated with any organizations. Although the FEC Index of Disclosure Documents lists this letter as a "statement of organization – amendment" (see copy of FEC index, which is attached), apparently the FEC failed to change its computer records to reflect the fact that SCOPA is not affiliated with any other organizations.

The UAW has been prejudiced as a result of the FEC's clerical error. In particular, apparently relying on the erroneous entry on the FEC's index of disclosure documents, Mr. Dornan held a press conference to announce the filing of his complaint, in which he falsely accused the UAW of trying to circumvent the contribution limitations in the FECA by reporting local PAC contributions as separate from international PAC contributions. In order to prevent Mr. Dornan or other persons from being mislead in the future, the UAW requests that the FEC immediately take the necessary steps to correct its computer records-to reflect the fact that SCOPA is not affiliated with the UAW. Furthermore, in order to remedy the detrimental publicity which the UAW has already sustained, the UAW requests that the FEC advise Nr. Dornan in writing, and also issue a public statement, clarifying the fact that SCOPA is not affiliated with the UAW, and that any other impression previously conveyed by the FEC's computer records was simply due to a clerical error on the part of the FEC.

Conclusion

For the foregoing reasons, respondents CFCG and Don Moll submit that the FEC should not take any action against them in connection with MUR 1489, and that the complaint filed by Mr. Dornan should be dismissed forthwith.

Sincerely,

Alan Reuther Assistant General Counsel

Enclosures

AR: jeb Opeiu494

4040470824

	-6	NEW YORK		P:	80 7
				AHO	Semest I
Name ·	Date	Regional	Central	CFGG	Past/Curren
Downey	5/22/79		\$ 500		'78 gen defic
Garcia	10/5/79		\$3,000	amended	180 primary 178 special el
Ambro	11/2/79		\$ 100		'80 primary
LaFalce	11/2/79		\$ 300		'80 primary
Ferraro	11/12/79		. \$ 200		'80 primary
Moynihan, D	2/4/80			\$1,000	'80 primary
McHugh, M	2/22/80		\$2,000		'80 primary
Solarz	3/20/80		\$ 100		'80 primary
Downey	3/20/80		\$ 300		'80 primary
Javits	4/8/80		\$2,000		'80 prim.
Ottinger, R.	4/1/80		\$5,000		'80 primary
Rosenthal	4/16/80		\$ 250		'80. primary
Javits	4/24/80		\$3,000		'80 primary
Schumer	4/29/80		\$1,000		'80 primar
Addabbo.	6/10/80	\$ 500			'80 primary
Ambro	5/22/80		\$ 100		'80 primary
Green, M	6/19/80		\$ 125		'80 primar
Wolff	6/19/80		\$ 100		'80 primary
Nowak H	6/24/80	\$ 225	\$ 225		'80 primar
Garcia	6/19/80		\$5,000		'80 primar
Green	6/26/80		\$4,875		'80 primar
Ambro	7/14/80	7-3 v m	\$1.000		'80 primar

1	100	400	V
"			100
			(66)
	Pac	10	

Name	Date	Regional	Central	CFGG.	For
Downey	8/11/81	\$	\$ 250	\$.	'82 primary
Moynihan	9/4/81			5000	'82 primary
Rosenthal	9/4/81		200		'82 primary
Solarz	9/16/81		200		'82 primary
LaFalce	9/24/81		150		'82 primary
Hawkins	9/24/81		150		'82 primary
Downey	10/25/81		500		'82 primary
Downey	11/4/81		2000		'82 primary
Moynihan	11/6/81			5000	'82 general
Schumer	11/5/81		250		'82 primary
Nowak	11/23/81		200		'82 primary
Peyser	12/2/81		1000		'82 primary
Solarz	12/16/81		4800		'82 primary
Lundine	1/19/82		250		'82 primary
Downey	3/5/82		250		'82 primary
Ottinger	3/17/82		5000		'82 primary.
Nowak	3/25/82	500			'82 primary
Weiss	4/16/82		250		'82 primary
Downey	4/15/82		500		'82 primary
Ferraro	5/10/82		250		'82 primary
Weiss	5/18/82		800		'82 primary
Rangel	5/18/82		500		'82 primary
Biaggi	6/18/82		500		'82 general

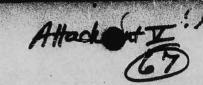
 ∞

0

4

0

0 4



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UNIX

DOUGLAS A. FRASER, PRISIDENT

RAYMOND E. MAJERUS, SECHETARY-THEASUNLIN

VICE PRESIDENTS

THIRD . MARRIED OF THE P. - CONT. A FORER . MANG STEPP . HORE BY WHILE . STEPPER P. PORTS OF

November 1, 1982

John Westergaard, Treasurer Committee to Reelect Senater Moyniaan 540 Madison Avenue New York, NY 10022

Dear Mr. Westergaard:

It has come to our attention that one of the UAW's separate segregated funds, the Committee For Good Government, has inadvertently made an excess contribution to Senator Moynihan's 1982 primary election campaign.

As you are aware, Section 441a(a)(A), of the Federal Election Campaign Act, prohibits multi-candidate political committees, such as the Committee For Good Government, from contributing more than \$5000 to any candidate with respect to any election. Our records indicate that CFGC has contributed \$6000 to Senator Moynihan's 1982 primary campaign: \$1000 in February, 1980, and \$5000 in September, 1981. Due to a clerical error, the February, 1980 contribution was incorrectly recorded on our books as being for an "1980" primary election, rather than "1982" primary election. Thus, when we subsequently decided in September, 1981, to contribute \$5000, to Senator Moynihan's 1982 primary campaign, we were not aware that CFGG had already contributed \$1000 for the same election, and that the \$5000 would therefore put us over the contribution limitation.

In order to bring ourselves into compliance with the law, we are requesting that the Committee to Reclect Senator Moynihan promptly return the excess contribution (\$1000) to CFGG. We appreciate your cooperation in this matter.

Sincerely,

Henry L. Lacayo National Director UAW CAP Department

HLL:ef opciu494 cc: Don Moll

bcc: Alan Routher

Republican

N.Y.S. Denocrat

		To the company	14511
due ne entre en la companya de la companya del companya del companya de la compan			···· ··· ··· ··· ··· ··· ··· ··· ··· ·
			•
			· · · · · · · · · · · · · · · · · · ·
(c) Will it grive after a part of (d) Will it property conditions of \$1,000 to the leaders of		The Property of the State of th	
4. (a) If the complicate is surported, our distribution of the complete of the			of Convesentatives, Pat
Full names of carellintes	Malling address or d 2	State Cungma D'au	nonal Party
Congressman Frank Mort	on Hours of Rapre	santativas-N.2	·s

Machington, D.C.

The Chies of Chies of the

(b) Listby normal columns of the column of t

Fell names of cardillates

2

8

0

ए

0 4 0

Attachme (69)

acting The section and the control of the section o 1. Also all for interesting to be the the typical committee with States and found for each one other time. roperts requirely and a later, one neares, addresses, and positions of the recipients of the reports: Report tile to be filed Name and position of recipient Malling address and ZIP code HONE the transfer and employable transfer of providing bluesed and attached to this unit expect of Organization Indicate in the time transfer is provided to not be a provided to the provided to t CATION BY CATH OR AFFIRMATION OF TREASURER County of ...

information in this

[SEAL]

Subscribed and a year, to I aligned) has great a Classific.

---- ED 2. CCC ED

1 15 3 1100 A 1 1000 1 1 1 5

treeted a Borney below only men on request (effects) and say that the

1 Maria Constant

No complete a capture of the CO ____ 1975_

.. 5.19 / 10

inchion Form and Statement of the maintained to amplate thee, and correct

Described to the Course Truncell School of the Santage of the Course of

A. Jaillut vatatus Teat. vit. 311 - Jaillut vatatus Teat. vit. 894991111 - A. Jito Liis

Poderation of Obelet (1995) 111 Patriall Poet Podhotter, new York 1480

4 0804004 4, 0, 4, 7 0, 8 3 0

Attachment II

SPRICAL CONTRICTES ON POLITICAL ACTION

SSOPA

FEDERAL ----

40 Lyest Ayenus • Rochester, New York 14513

"TS GCT 25 13 11: 13

October 21, 1976

'Federal Election Commission 1325 K. Street, N.W. Washington, D.C. 20463

Att: Mr. Steven Mims

Dear Mr. Mims:

Re: Mailgram received October 12, 1976
Identification 9044105-300PA

On October 13, 1975, I spoke with you regarding the mailgram and you indicated that you would send form FEC (1) to be completed. However, as of this date it has not been received.

Please he adviced that we do not have affiliated organizations but all participants of this committee are individuals who belong to various organizations. In other words anyone is belowed to join this committee if they wish to reach the same goals. This committee not only works in the Federal election areas but also in consumer areas which does not entail any federal reporting.

The Special Committee on Political Action was formed in 1974 and is a continuing one. The Chairman is Robert Flavin, 1451 Lake Avenue, Rochester, New York, 14615. The undersigned is Treasurer and can be reached at 40 West Avenue where all books and records are kept.

If further information is needed please advise.

Sincerely,

lan Benincasa

Treasurer

certified/return receipt

FEDERAL ELECTION COMMISSION COMMITTEE INVEX OF DISCLOSURE DOCUMENTS - (C) (76)

ATT N.º 176

NON-PARTY RELATED

COMMITTEE ODCHMENT		RECET			ITURES		# nF	alcoatifu
	na managara wasa kata kata kata kata kata kata kata k	PHIMARY	GENERAL	PRIMARY	RENERAL	COVERAGE DATES	PAGES	LOCATION
TO DAY PUST-HECTION		0		0		11HAY76 -14JUN76	.3	TAFFE / DARIO DAY
IN DAY POST-FILECTION			0		629	190CT76 -22NOV76	5	75+EC/001/1110
Ab dis Estit ste binist			1,984			SJNOV76 -JIUECI6	5	17FFC/845/6444
	TOTAL	4.796	5.44R	2.713	5.375		6.3	tutal marts
SPEAR. LEEDS & RELLOGS GOOD G COMMECTED OFFANIZATION: SPEAK		ITFE						Ine C0007+328
1976 STATEMENT OF OUGANIT	ATION					20DEC74		76FFC/004/3210
YI AR FYD HI PORT			10.700		0	10CT76 -31UEC76		17FEC/044/1234
	TOTAL.	0	10,700	0	0		. 15	TOTAL PAGES
PECIAL COMMITTEE ON POLITICAL	L ACTION							100 (00456456
1976 STATEMENT OF OMBANTA	ATTUN- AMENDMENT /		- 1			2100176	7	TAFEC/J IA/2000
MISCELL AMENING THANSA		31 6 9				2300776	2	74FEC/017/1952
1975 YEAR FAIR PERMIT	1.					100CT75 -31JAN76	6	1446C1014140S1
PROUEST FOR AUUTTION	AL INFORMATION					10UCT75 -31JAN76	1	7AFEC/619/0911_
ALVA END BEBUAL	- AMENIMENT	1,410		5		100CT75 -31JAN76	6	7AFFC/014/2035
1974 APRIL 10 OHAUTI PLY	.IA - POSTCARD					17APR76	2	7461 (1414/444)
JULY TO INTARTEDLY	JA - POSTCARD					6JUL76	2	76F1 C/U16/1747
OCTORFO IN QUANTITIES			0		0	JOJU176 -305EP76		1426/013/15-1
IN DAY POF-FIFCTION						100C176 -230CT/6	3	76FFC/016/2046
30 DAY POST-FIFCTION			5,305		3,955	914042- 914FT		7AFEC/040/0758 ~
YEAR END REPORT.			. 0 /		1.615	1JAN76 -31UFC76		77556/947/1425
•	TOTAL .	1+410	5.305	5	5.570		40	TOTAL PAGES
PECIAL POLITICAL ACTION RESE	APCH COUNTTIEL ISPAI	HC)		= 533				The Counsities
COMMECTED ORGANIZATIONS NORF								
1975 STATEMENT OF HUGANIZA						6110V75		14LC/013/0450
1974 STATEMENT OF MIGANIA						342.876		76FEC/013/4024
STATEMENT OF INGARITY						100176		7AFEC/031/0713
STATEMENT OF OUGANIZA	TTON- AMENDMENT					1200176		7AFEC/033/4411
1975 AFVE LMI HELDING			1000000	red Zu .				7AFEC/013/042A
1976 JULY TO OHARFFULY	IA - POSTCARD	13:				NJUL76		76FC/016/3513
october to anyotent A			0	1	0	1JUL76 -305EP76	-	1461.C\031\5463 ·
10 DAY PRE-ELECTION		:1	0		0	10CT76 -180CT76	_	74FEC/030/3430
TO DAY POST-FLECTION)	0			190C116 -22NOV76		7nffc/0+1/0n+3
AFVE EMI BEDIME			. 0		•	2.3NIIV76 -3111EC76	3	77FEC/045/174A
PECTAL POLITICAL FORCALTON C	nevil 11FF			2 4, 11	30 00			1114 CODOSSANA
CONNECTED INGAPITATIONS HANK		13 14 3 H				IACEDIE		74555 (812/545
1474 STATEMPHT OF HURANTA	TION	15 12				165FP75 225EP76		7456610137404
1974 MISCELLANDOUS THANSAC	TION FROM FOE .C.					HOCTTO		10112/029/2111 14112/029/2111
STATEMENT OF OURALTZA	TION- AMENIMENT	2 400		2,290		10JUL 75 -100CT75		1466 C/012/2004
1975 OCTONED TO DUALIFULY		1 3.600		1.215		10CT75 -31DEC75		7AFFL/012/501/
AF VIS LAW MENTING		3,400				JIDEC75 - JIMANTA		10EFEC/417/3000
1976 APRIL 10 WINHI HILY		3.240		4,561		JIME CID WALNAMIN		

84 APRIS PI2: 57.

Allachment II Chamberlain, D'Amanda, Oppenheimer & Greenfield Attorneys and Counselors at Law 1100 Crossroads Office Building Rochester, New York 14614 716-232-3730 April 13, 1984 Federal Election Commission 1325 K Street, N.W. Washington, D. C. 20463 Office of General Counsel Attention: MUR No. 1655, Special Committee on Political Action Dear Sir: 21 We are counsel to the Special Committee on Political Action (hereinafter "SCOPA") and its treasurer, Mary Ann Benincasa. A Statement of Designation of Counsel is enclosed herewith. 0 SCOPA and Benincasa are respondents in a complaint filed by the Center on National Labor Policy over the signature of Michael Ernest Avakian. The complaint alleges, with respect to SCOPA, that it is a separate segregated fund affiliated with 0 the Committee for Good Government. (See paratraphs 5, 7, 20, 21, 22, 23, 24, 35, 36 and 37). C Not only is the factual premise upon which the complaint was filed inaccurate, the complaint itself represents an abuse of the investigative role of the Federal Election Commission for the partisan political purposes by Mr. Avakian and the Center 8 on National Labor Policy. In support of the above statement, respondents SCOPA and Benincasa direct the attention of the Commission to a complaint filed by Mr. Avakian in a matter captioned Dornan vs. Moynihan, et al, MUR No. 1489. In that complaint, filed over Mr. Avakian's signature, it was alleged that SCOPA and the Committee for Good Government were both affiliated, separate segregated funds of the United Auto Workers. On that basis, Mr. Avakian alleged that SCOPA had violated 2 USC \$ 441a(a)(2)(A).

7

0

T

4

8

Federal Election Commission April 13, 1984 Page 2

On January 11, 1983, the Commission issued its decision in MUR 1489, holding in relevant part:

In addition, the Commission found no reason to believe that your client violated 2 USC \$ 441(a) (2)(A).

If Mr. Avakian or the Center on National Labor Policy were dissatisfied with the January 11, 1983 decision of the Commission, their remedy would have been to commence an action in District Court. 2 USC \$ 437g(a)(9). No such action was commenced and the time to do so has expired.

For your convenience, we will set forth the relevant portion of the General Counsel's report in MUR No. 1489 with respect to these allegations:

In August 1974, SCOPA registered with the Commission as a political committee. Its statement of organization indicated a "connection" with six organizations. The United Auto Workers, 221 Dewey Avenue, Rochester, New York 14608, was among those listed.

On October 25, 1976, SCOPA amended its statement of organization by letter, apparently in response to a Reports Analysis Division (RAD) inquiry. The amendment states, "Please be advised that we do not have affiliated organizations, but all participants of this Committee are individuals who belong to various organizations. In other words, anyone is welcome to join this Committee if they wish to reach the same goals". RAD concurs that this amendment adequately clarifies the SCOPA's status independent of connecting organizations - and should have been entered in the computer index system.

SCOPA and GFGG concur there is no affiliation between them and that SCOPA has no connection with Both political committees agree with CFGG's statement that

None of the factors set forth in 11CFR \$ 110.3(A)(1)(iii) as being indicative of "establishing, financing, maintaining or controlling" - are present here.

Federal Election Commission April 13, 1984 Page 3

Specifically, the UAW does not own any interest in SCOPA; the bylaws and/or constitution of SCOPA do not give the UAW any authority, power or directive; UAW does not have the authority, power or ability to hire, appoint, discipline, discharge or otherwise influence the decision of the officers or members of SCOPA: UAW and SCOPA have not engaged in similar patterns of contributions, and there have been no transfers of funds between SCOPA and organizations affiliated with the UAW.

SCOPA reaffirms that the facts as set out by the General Counsel in the above quote are correct.

On the basis of the foregoing, SCOPA respectfully requests that the Federal Election Commission dismiss the complaint in this matter. Further, SCOPA requests that the Commission assess sanctions against the Center on National Labor Policy and Mr. Avakian on the basis that the complaint was not filed in good faith, but rather that (a) Mr. Avakian knew that the Committee for Good Government and SCOPA were not affiliated committees, (b) Mr. Avakian knew that the issue had previously been decided by the Commission and no appeal had been taken therefrom, (c) the complaint was not filed for the purpose of assuring compliance with the provisions of the Federal Election Campaign Act, but was filed for the partisan political purposes of Mr. Avakian and the Center on National Labor Policy, and (d) the complaint was vexatious, frivolous and harrassing.

very truly yours,

Michael Harren

MTH:sb enclosure

LO

8

2

40

0

cc: Mary Ann Benincasa

Michael Ernest Avakian, Esq.

All Respondents

SKADDEN, ARPS, SLATE, MEAGHER & & cc# 919 THIRD AVENUE NEW YORK 10022-9931 CABLE ADDRESS (212) 371-6000 TWE 710 BB1-3814 TELEX 645000 TELECOPIER: (212) 752 1084 May 14, 1984 HAND DELIVERY George DeMougeot, Esq. Office of General Counsel 0 Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463 8

Re: MUR 1655

Dear Mr. DeMougeot:

Enclosed is a Memorandum in Opposition to Complaint relating to the matters raised in MUR 1655.

Please contact me if you have any questions.

Very truly yours,

Alan G. Straus

Enclosures (3)

∞ ⊿.

#Hackwest \$16/

UNITED STATES OF AMERICA FEDERAL ELECTION COMMISSION

James Edward Antosh, 13 Gilpin Shawnee, Oklahoma 74801,

Complainant,

: MUR 1655

Daniel P. Moynihan Moynihan '82 Committee, The Senator Moynihan Re-Election Campaign, Inc., The Committee to Re-Elect Senator Moynihan, Inc., et al.,

Respondents.

MEMORANDUM IN OPPOSITION TO COMPLAINT

This memorandum is submitted on behalf of Senator Daniel Patrick Moynihan ("Senator Moynihan"), the Moynihan '82 Committee (the "'82 Committee"), The Senator Moynihan Re-Election Campaign, Inc. (the "Campaign Committee"), The Committee to Re-Elect Senator Moynihan, Inc. (the "Committee to Re-Elect"), and John Westergaard, individually and in his capacity as treasurer of the aforementioned committees (collectively, "Respondents"), in response to the complaint filed by James Edward Antosh (the "Complaint").

Afachment III

Respondents note that the '82 Committee, the Campaign Committee, and the Committee to Re-elect are all names that have been or are used by Senator Moynihan's principal campaign committee. The names were changed pursuant to (i) the incorporation (for liability purposes only) of the '82 Committee as the Campaign Committee and (ii) the subsequent change of name of the Campaign Committee. For clarity of reference, all three entities are collectively referred to herein as the "Re-Election Committee."

The Complaint appears to allege that:

tion, Senator Moynihan and the Re-Election Committee received excessive contributions from (i) the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC") and its affiliated separate segregated funds, the Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") and the Industrial Union Department AFL-CIO Voluntary Fund ("I.U.D. Fund"); (ii) the International Ladies Garment Workers Union Campaign Committee ("ILGWUCC") and (iii) the Service Employees International

Attachment III

Union - Committee on Political Education - Political Campaign Committee ("SEIU-COPE-PCC"); and

tion, Senator Moynihan and the Re-Election Committee received excessive contributions from the International Union United Auto, Aerospace and Agricultural Implement Workers of America Committee for Good Government ("Committee for Good Government") and the Special Committee on Political Action (the "Special Committee"), which is alleged to be an affiliated committee of the Committee for Good Government.

A. The 1982 Primary Election.

With respect to the alleged excessive contributions in regard to the 1982 primary election, Respondents respond as follows:

Alleged Excessive Contributions by P.E.F.-B.C.T.D. and I.U.D. Fund

Respondents have been advised that the P.E.F.-B.C.T.D. and the I.U.D. Fund are affiliated separate segregated funds connected with AFL-CIO COPE-PCC. At issue, therefore, is the proper treatment of contributions aggregating \$6,000 received from the P.E.F.-B.C.T.D. and the I.U.D. Fund. Respondents believe that no excessive contributions were received, as will be demonstrated below.

Attachment II

The reports ("FEC Reports") of the Re-Election Committee filed with the Federal Election Commission ("Commission") show that on October 26, 1981 the Re-Election Committee received a contribution of \$5,000 from the P.E.F.-B.C.T.D. designated for the primary election (reported in the Re-Election Committee's FEC Report covering the period October 1, through December 31, 1981). A contribution of \$500 received from the I.U.D. Fund on November 13, 1981 was reported on the Re-Election Committee's FEC Report covering the period October 1 through December 31, 1981 as allocated to the primary election. That allocation was incorrect. Respondents have been advised by counsel to the I.U.D. Fund that whereas the cover letter accompanying such contribution did not designate it as being for either the general or the primary election, the I.U.D. Fund's ledger states that such contribution was intended for the general election. Accordingly, such contribution was merely improperly reported by the Re-Election Committee.*

^{*} Reference is made to MUR 1489 (January 11, 1983) and, in particular, the Affidavit of John Wester-guard dated November 17, 1982, wherein it is stated that the Re-Election Committee installed a computer-ized bookkeeping system in early 1982 to eliminate the risk of receipt of excessive contributions. It is noted that the contribution in question was re-(Footnote continued)

Attachment III.

An additional contribution of \$500 was received from the I.U.D. Fund on April 12, 1982. The Re-Election Committee's FEC Report covering the period April 1 through June 30, 1982 indicates that such contribution, in accordance with the I.U.D. Fund's designation, was reported as being allocated to the primary election. Respondents have been advised by counsel to the I.U.D. Fund that such contribution was erroneously designated as being for the primary election, and that the I.U.D. Fund's ledger correctly recorded it as being allocated to the general election. The Re-Election Committee merely recorded the designation as indicated by the contributor, thus inadvertantly suggesting that an excessive contribution was accepted.

On the basis of the foregoing, it is clear that while reporting errors were made, no excessive contributions were received. In accordance with the above discussion, the Re-Election Committee will shortly file

⁽Footnote * continued from previous page)
ceived by the Re-Election Committee prior to the
installation of the computer system, which certainly
accounts for the Re-Election Committee's failure to
notice that a misdesignated contribution had been
received. The small magnitude of the misdesignated
contribution becomes readily apparent when compared
to the nearly \$780,000 in contributions received by
the Re-Election Committee in 1981.

amendments to its appropriate FEC Reports to reflect the corrected designations:

2. Alleged Excessive Contributions by ILGWUCC

As set forth in the Re-Election Committee's FEC Report covering the period April 1 to June 30, 1982, on April 6, 1982, the Re-Election Committee received a check from the ILGWUCC in the aggregate amount of \$6,700. The check was intended to be allocated \$1,800 to the primary election and \$4,900 to the general election, and the Re-Election Committee's reports properly reflected that designation. As set forth in the submission by the ILG-WUCC, dated April 27, 1984, responding to the Complaint, the ILGWUCC inadvertently failed to designate the proper allocation on its report to the FEC. The Re-Election Committee inadvertantly originally reported the contribution as being entirely allocated to the primary election and, upon inquiry from the Commission's Reports Analysis Division, amended its report to reflect the proper allocation. Accordingly, not only is the Complaint's allegation to the effect that the Re-Election Committee "knowingly misreported the ILGWUCC contribution" wholly without merit, the Commission has already reviewed the matter of this contribution and has acquiesced in its resolution.

Attachment VI

3. Alleged Excessive Contributions by SEIU-COPE-PCC

As set forth in the Re-Election Committee's FEC Report covering the periods April 1 to June 30, 1981, July 1 to September 30, 1981, and October 14 to November 22, 1982, the Re-Election Committee received contributions from SEIU-COPE-PCC of \$2,000 on each of May 26, 1981 and September 1, 1981, each of which was designated for the primary election, and another contribution of \$5,000 on November 1, 1982, designated for the general election. These contributions were not excessive as alleged in the Complaint and, moreover, the contributions were appropriately reported. Accordingly, it cannot be said that the Re-Election Committee received excessive contributions from SEIU-COPE-PCC.*

4. Alleged Excessive Contributions by the Committee for Good Government and the Special Committee on Political Action

As set forth in the submission of the Special Committee on Political Action dated April 13, 1984, the

^{*} The Commission's attention is respectfully directed to the FEC Report of SEIU-COPE-PCC appearing on the Commission's microfilm records at 82FEC/258/2060, which reports the cancellation of two checks, each in the amount of \$5,000. It is the understanding of the Re-Election Committee that such checks had been mailed to the Re-Election Committee, but they were never received and, accordingly, payment was stopped by the maker of the checks.

Special Committee is not connected or affiliated with the Committee for Good Government. Moreover, the issue of such affiliation was previously reviewed by the Commission, and found not to be present, in MUR 1489 (January 11, 1983.) The Re-Election Committee's FEC Reports correctly reflect the receipt on September 9, 1981 of a contribution, from the Committee for Good Government, of \$5,000 designated for the general election (reported in the FEC report covering the period July 1 through September 30, 1981), and also the receipt from such Committee, on November 24, 1981, of a contribution in the amount of \$5,000 designated for the primary election (reported in the FEC Report covering the period October 1 through December 31, 1981). Contributions were received from the Special Committee of \$500 on September 21, 1981 and \$1500 on August 9, 1982 (both reported in the FEC Report covering the period July 1 through September 30, 1982).* The \$500 contribution was designated for the primary, and the \$1500 contribution for the general elections. Clearly, the contributions from both the Committee for Good Gov-

^{*} The delay in reporting the September 1981 contribution was apparently due to an inadvertent clerical error that occurred before the Re-Election Committee's records were computerized. Since the contribution was disclosed, clearly no harm resulted.

00

Attackment VI 85

ernment and the Special Committee were not excessive in and of themselves. Since the two committees are not affiliated, the contention that the Re-Election Committee received excessive contributions from the Committee for Good Government and the Special Committee is wholly without merit.

CONCLUSION

For the above reasons, it is respectfully submitted that the Commission should take no further action in MUR 1655 against any of the Respondents making this submission.

Respectfully submitted,

Thomas J Schwarz

Alan G. Straus

Counsel for Respondents, Senator Daniel Patrick Moynihan,

Moynihan '82 Committee, The Senator Moynihan Re-election Campaign, Inc., The Committee to Re-elect Senator Moynihan,

Inc., and John Westergaard

919 Third Avenue

New York, New York 10022 (212) 371-6000

May 14, 1984



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 29, 1984

MEMORANDUM

TO:

CHARLES N. STEELE

GENERAL COUNSEL

ATTN:

GEORGE DEMOUGEOT

FROM:

SHAWN WOODHEAD N COMPLIANCE BRANCH, RAD

SUBJECT: MUR 1655 - SERVICE EMPLOYEES INTERNATIONAL UNION

COMMITTEE ON POLITICAL EDUCATION POLITICAL CAMPAIGN

COMMITTEE (SEIU-COPE-PCC)

Please review the attached Request for Additional Information (RFAI) which is to be sent to SEIU-COPE-PCC for the 1984 April Monthly Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by the close of business on Thursday, May 31st. Thank you.

COMMENTS:

OK 6D/31/84



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RO-2

Richard Cordtz, Treasurer
Service Employees International
Union Committee on Political
Education Political Campaign
Committee
2020 K Street, NW, Suite 200
Washington, DC 20006

Identification Number: C00004036

Reference: April Monthly Report (3/1/84-3/31/84)

Dear Mr. Cordtz:

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:

-Line lla of the Detailed Summary Page discloses a figure for the total amount of contributions from individuals/persons other than political committees. In addition, the memo entry portion of the Detailed Summary Page is blank, and no supporting schedules have been provided. Please amend your report by itemizing all contributions from individuals/persons, which aggregate greater than \$200 in the calendar year, and/or provide a figure for the total amount of unitemized contributions from individuals/persons, which have been received during the reporting period. (11 CFR 104.3(a)(2))

-Schedule B for Line 20 of your report lists a "stop payment" in the amount of \$300 and a cancelled check in the amount of \$1,000. Please identify the intended recipients of the contributions. In addition, please note that contributions to Federal candidates and committees should be listed on Line 21 of the Detailed Summary Page.

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) 523-4048. Sincerely, Lisa Stolaruk Senior Reports Analyst Reports Analysis Division 8 T 0 0 0 4 00

SKADDEN, ARPS, SLATE, MEAGHER & FLOM 919 THIRD AVENUE

NEW YORK 10022-9931

CABLE ADDRESS "SKARSLAW NEW YORK" TWX: 710 581-3814 TELEC 646899 TELECOPIER:

0

7

0

T 0

V 8 (212) 371-6000

NEWS VERSION OF THE FER

OHE BEACON STREET BOSTON, MASSACHUSETTS ORIOS (6)7) 923-0002

SIS EIGHTEENTH STREET, N. W. WASHINGTON, D. C. 20008 808 463-6700

CHE RODINEY SQUARE HISTOR, DELAMARE 19601 (308) 469-9600

SIS SOUTH FIGUEROA STREET OB ANGELES, CALIFORNIA 90071

14.

traus ml.

T

May 14, 1984

HAND DELIVERY

George DeMougeot, Esq. Office of General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463

> Re: MUR 1655

Dear Mr. DeMougeot:

Enclosed is a Memorandum in Opposition to Complaint relating to the matters raised in MUR 1655.

Please contact me if you have any questions.

Very truly yours,

Alan G. Straus

Enclosures (3)

3404047085

0

UNITED STATES OF AMERICA FEDERAL ELECTION COMMISSION

- - - - - - - - - - x

James Edward Antosh, 13 Gilpin Shawnee, Oklahoma 74801,

Complainant,

v. : <u>MUR 1655</u>

U

S

Daniel P. Moynihan Moynihan '82 Committee, The Senator Moynihan Re-Election Campaign, Inc., The Committee to Re-Elect Senator Moynihan, Inc., et al.,

Respondents.

MEMORANDUM IN OPPOSITION TO COMPLAINT

This memorandum is submitted on behalf of Senator Daniel Patrick Moynihan ("Senator Moynihan"), the Moynihan '82 Committee (the "'82 Committee"), The Senator Moynihan Re-Election Campaign, Inc. (the "Campaign Committee"), The Committee to Re-Elect Senator Moynihan, Inc. (the "Committee to Re-Elect"), and John Westergaard, individually and in his capacity as treasurer of the aforementioned committees (collectively, "Respondents"), in response to the complaint filed by James Edward Antosh (the "Complaint").

Respondents note that the '82 Committee, the Campaign Committee, and the Committee to Re-elect are all names that have been or are used by Senator Moynihan's principal campaign committee. The names were changed pursuant to (i) the incorporation (for liability purposes only) of the '82 Committee as the Campaign Committee and (ii) the subsequent change of name of the Campaign Committee. For clarity of reference, all three entities are collectively referred to herein as the "Re-Election Committee."

The Complaint appears to allege that:

tion, Senator Moynihan and the Re-Election Committee received excessive contributions from (i) the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC") and its affiliated separate segregated funds, the Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") and the Industrial Union Department AFL-CIO Voluntary Fund ("I.U.D. Fund"); (ii) the International Ladies Garment Workers Union Campaign Committee ("ILGWUCC") and (iii) the Service Employees International

Union - Committee on Political Education - Political Campaign Committee ("SEIU-COPE-PCC"); and

(b) In respect of the 1982 general election, Senator Moynihan and the Re-Election Committee received excessive contributions from the International Union United Auto, Aerospace and Agricultural Implement Workers of America Committee for Good Government ("Committee for Good Government") and the Special Committee on Political Action (the "Special Committee"), which is alleged to be an affiliated committee of the Committee for Good Government.

A. The 1982 Primary Election.

With respect to the alleged excessive contributions in regard to the 1982 primary election, Respondents respond as follows:

1. Alleged Excessive Contributions by P.E.F.-B.C.T.D. and I.U.D. Fund

Respondents have been advised that the P.E.F.-B.C.T.D. and the I.U.D. Fund are affiliated separate segregated funds connected with AFL-CIO COPE-PCC. At issue, therefore, is the proper treatment of contributions aggregating \$6,000 received from the P.E.F.-B.C.T.D. and the I.U.D. Fund. Respondents believe that no excessive contributions were received, as will be demonstrated below.

The reports ("FEC Reports") of the Re-Election Committee filed with the Federal Election Commission ("Commission") show that on October 26, 1981 the Re-Election Committee received a contribution of \$5,000 from the P.E.F.-B.C.T.D. designated for the primary election (reported in the Re-Election Committee's FEC Report covering the period October 1, through December 31, 1981). A contribution of \$500 received from the I.U.D. Fund on November 13, 1981 was reported on the Re-Election Committee's FEC Report covering the period October 1 through December 31, 1981 as allocated to the primary election. That allocation was incorrect. Respondents have been advised by counsel to the I.U.D. Fund that whereas the cover letter accompanying such contribution did not designate it as being for either the general or the primary election, the I.U.D. Fund's ledger states that such contribution was intended for the general election. Accordingly, such contribution was merely improperly reported by the Re-Election Committee.*

^{*} Reference is made to MUR 1489 (January 11, 1983) and, in particular, the Affidavit of John Westerguard dated November 17, 1982, wherein it is stated that the Re-Election Committee installed a computerized bookkeeping system in early 1982 to eliminate the risk of receipt of excessive contributions. It is noted that the contribution in question was re-(Footnote continued)

An additional contribution of \$500 was received from the I.U.D. Fund on April 12, 1982. The Re-Election Committee's FEC Report covering the period April 1 through June 30, 1982 indicates that such contribution, in accordance with the I.U.D. Fund's designation, was reported as being allocated to the primary election. Respondents have been advised by counsel to the I.U.D. Fund that such contribution was erroneously designated as being for the primary election, and that the I.U.D. Fund's ledger correctly recorded it as being allocated to the general election. The Re-Election Committee merely recorded the designation as indicated by the contributor, thus inadvertantly suggesting that an excessive contribution was accepted.

On the basis of the foregoing, it is clear that while reporting errors were made, no excessive contributions were received. In accordance with the above discussion, the Re-Election Committee will shortly file

⁽Footnote * continued from previous page)
ceived by the Re-Election Committee prior to the
installation of the computer system, which certainly
accounts for the Re-Election Committee's failure to
notice that a misdesignated contribution had been
received. The small magnitude of the misdesignated
contribution becomes readily apparent when compared
to the nearly \$780,000 in contributions received by
the Re-Election Committee in 1981.

amendments to its appropriate FEC Reports to reflect the corrected designations.

2. Alleged Excessive Contributions by ILCWUCC

As set forth in the Re-Election Committee's FEC Report covering the period April 1 to June 30, 1982, on April 6, 1982, the Re-Election Committee received a check from the ILGWUCC in the aggregate amount of \$6,700. check was intended to be allocated \$1,800 to the primary election and \$4,900 to the general election, and the Re-Election Committee's reports properly reflected that designation. As set forth in the submission by the ILG-WUCC, dated April 27, 1984, responding to the Complaint, the ILGWUCC inadvertently failed to designate the proper allocation on its report to the FEC. The Re-Election Committee inadvertantly originally reported the contribution as being entirely allocated to the primary election and, upon inquiry from the Commission's Reports Analysis Division, amended its report to reflect the proper allocation. Accordingly, not only is the Complaint's allegation to the effect that the Re-Election Committee "knowingly misreported the ILGWUCC contribution" wholly without merit, the Commission has already reviewed the matter of this contribution and has acquiesced in its resolution.

3. Alleged Excessive Contributions by SEIU-COPE-PCC

As set forth in the Re-Election Committee's FEC Report covering the periods April 1 to June 30, 1981, July 1 to September 30, 1981, and October 14 to November 22, 1982, the Re-Election Committee received contributions from SEIU-COPE-PCC of \$2,000 on each of May 26, 1981 and September 1, 1981, each of which was designated for the primary election, and another contribution of \$5,000 on November 1, 1982, designated for the general election. These contributions were not excessive as alleged in the Complaint and, moreover, the contributions were appropriately reported. Accordingly, it cannot be said that the Re-Election Committee received excessive contributions from SEIU-COPE-PCC.*

4. Alleged Excessive Contributions by the Committee for Good Government and the Special Committee on Political Action

As set forth in the submission of the Special Committee on Political Action dated April 13, 1984, the

^{*} The Commission's attention is respectfully directed to the FEC Report of SEIU-COPE-PCC appearing on the Commission's microfilm records at 82FEC/258/2060, which reports the cancellation of two checks, each in the amount of \$5,000. It is the understanding of the Re-Election Committee that such checks had been mailed to the Re-Election Committee, but they were never received and, accordingly, payment was stopped by the maker of the checks.

Special Committee is not connected or affiliated with the Committee for Good Government. Moreover, the issue of such affiliation was previously reviewed by the Commission, and found not to be present, in MUR 1489 (January 11, 1983.) The Re-Election Committee's FEC Reports correctly reflect the receipt on September 9, 1981 of a contribution, from the Committee for Good Government, of \$5,000 designated for the general election (reported in the FEC report covering the period July 1 through September 30, 1981), and also the receipt from such Committee, on November 24, 1981, of a contribution in the amount of \$5,000 designated for the primary election (reported in the FEC Report covering the period October 1 through December 31, 1981). Contributions were received from the Special Committee of \$500 on September 21, 1981 and \$1500 on August 9, 1982 (both reported in the FEC Report covering the period July 1 through September 30, 1982).* The \$500 contribution was designated for the primary, and the \$1500 contribution for the general elections. Clearly, the contributions from both the Committee for Good Gov-

^{*} The delay in reporting the September 1981 contribution was apparently due to an inadvertent clerical error that occurred before the Re-Election Committee's records were computerized. Since the contribution was disclosed, clearly no harm resulted.

84040470858

ernment and the Special Committee were not excessive in and of themselves. Since the two committees are not affiliated, the contention that the Re-Election Committee received excessive contributions from the Committee for Good Government and the Special Committee is wholly without merit.

CONCLUSION

For the above reasons, it is respectfully submitted that the Commission should take no further action in MUR 1655 against any of the Respondents making this submission.

Respectfully submitted,

Thomas J Schwarz

Alan G. Straus

Counsel for Respondents,
Senator Daniel Patrick Moynihan,
Moynihan '82 Committee, The
Senator Moynihan Re-election
Campaign, Inc., The Committee
to Re-elect Senator Moynihan,
Inc., and John Westergaard

919 Third Avenue New York, New York 10022 (212) 371-6000

May 14, 1984

UNITED STATES OF AMERICA FEDERAL ELECTION COMMISSION

James Edward Antosh, 13 Gilpin Shawnee, Oklahoma 74801,

v.

MUR 1655

Complainant,

Daniel P. Moynihan Moynihan '82 Committee, The

Senator Moynihan Re-Election Campaign, Inc., The Committee to Re-Elect Senator Moynihan,

Inc., et al.,

Respondents.

MEMORANDUM IN OPPOSITION TO COMPLAINT

This memorandum is submitted on behalf of Senator Daniel Patrick Moynihan ("Senator Moynihan"), the Moynihan '82 Committee (the "'82 Committee"), The Senator Moynihan Re-Election Campaign, Inc. (the "Campaign Committee"), The Committee to Re-Elect Senator Moynihan, Inc. (the "Committee to Re-Elect"), and John Westergaard, individually and in his capacity as treasurer of the aforementioned committees (collectively, "Respondents"), in response to the complaint filed by James Edward Antosh (the "Complaint").

Respondents note that the '82 Committee, the Campaign Committee, and the Committee to Re-elect are all names that have been or are used by Senator Moynihan's principal campaign committee. The names were changed pursuant to (i) the incorporation (for liability purposes only) of the '82 Committee as the Campaign Committee and (ii) the subsequent change of name of the Campaign Committee. For clarity of reference, all three entities are collectively referred to herein as the "Re-Election Committee."

The Complaint appears to allege that:

tion, Senator Moynihan and the Re-Election Committee received excessive contributions from (i) the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC") and its affiliated separate segregated funds, the Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") and the Industrial Union Department AFL-CIO Voluntary Fund ("I.U.D. Fund"); (ii) the International Ladies Garment Workers Union Campaign Committee ("ILGWUCC") and (iii) the Service Employees International

Union - Committee on Political Education - Political Campaign Committee ("SEIU-COPE-PCC"); and

(b) In respect of the 1982 general election, Senator Moynihan and the Re-Election Committee received excessive contributions from the International Union United Auto, Aerospace and Agricultural Implement Workers of America Committee for Good Government ("Committee for Good Government") and the Special Committee on Political Action (the "Special Committee"), which is alleged to be an affiliated committee of the Committee for Good Government.

A. The 1982 Primary Election.

With respect to the alleged excessive contributions in regard to the 1982 primary election, Respondents respond as follows:

1. Alleged Excessive Contributions by P.E.F.-B.C.T.D. and I.U.D. Fund

Respondents have been advised that the P.E.F.-B.C.T.D. and the I.U.D. Fund are affiliated separate segregated funds connected with AFL-CIO COPE-PCC. At issue, therefore, is the proper treatment of contributions aggregating \$6,000 received from the P.E.F.-B.C.T.D. and the I.U.D. Fund. Respondents believe that no excessive contributions were received, as will be demonstrated below.

The reports ("FEC Reports") of the Re-Election Committee filed with the Federal Election Commission ("Commission") show that on October 26, 1981 the Re-Election Committee received a contribution of \$5,000 from the P.E.F.-B.C.T.D. designated for the primary election (reported in the Re-Election Committee's FEC Report covering the period October 1, through December 31, 1981). A contribution of \$500 received from the I.U.D. Fund on November 13, 1981 was reported on the Re-Election Committee's FEC Report covering the period October 1 through December 31, 1981 as allocated to the primary election. That allocation was incorrect. Respondents have been advised by counsel to the I.U.D. Fund that whereas the cover letter accompanying such contribution did not designate it as being for either the general or the primary election, the I.U.D. Fund's ledger states that such contribution was intended for the general election. Accordingly, such contribution was merely improperly reported by the Re-Election Committee.*

^{*} Reference is made to MUR 1489 (January 11, 1983) and, in particular, the Affidavit of John Wester-guard dated November 17, 1982, wherein it is stated that the Re-Election Committee installed a computerized bookkeeping system in early 1982 to eliminate the risk of receipt of excessive contributions. It is noted that the contribution in question was re-(Footnote continued)

An additional contribution of \$500 was received from the I.U.D. Fund on April 12, 1982. The Re-Election Committee's FEC Report covering the period April 1 through June 30, 1982 indicates that such contribution, in accordance with the I.U.D. Fund's designation, was reported as being allocated to the primary election. Respondents have been advised by counsel to the I.U.D. Fund that such contribution was erroneously designated as being for the primary election, and that the I.U.D. Fund's ledger correctly recorded it as being allocated to the general election. The Re-Election Committee merely recorded the designation as indicated by the contributor, thus inadvertantly suggesting that an excessive contribution was accepted.

On the basis of the foregoing, it is clear that while reporting errors were made, no excessive contributions were received. In accordance with the above discussion, the Re-Election Committee will shortly file

⁽Footnote * continued from previous page)
ceived by the Re-Election Committee prior to the
installation of the computer system, which certainly
accounts for the Re-Election Committee's failure to
notice that a misdesignated contribution had been
received. The small magnitude of the misdesignated
contribution becomes readily apparent when compared
to the nearly \$780,000 in contributions received by
the Re-Election Committee in 1981.

amendments to its appropriate FEC Reports to reflect the corrected designations.

2. Alleged Excessive Contributions by ILGWUCC

As set forth in the Re-Election Committee's FEC Report covering the period April 1 to June 30, 1982, on April 6, 1982, the Re-Election Committee received a check from the ILGWUCC in the aggregate amount of \$6,700. The check was intended to be allocated \$1,800 to the primary election and \$4,900 to the general election, and the Re-Election Committee's reports properly reflected that designation. As set forth in the submission by the ILG-WUCC, dated April 27, 1984, responding to the Complaint, the ILGWUCC inadvertently failed to designate the proper allocation on its report to the FEC. The Re-Election Committee inadvertantly originally reported the contribution as being entirely allocated to the primary election and, upon inquiry from the Commission's Reports Analysis Division, amended its report to reflect the proper allocation. Accordingly, not only is the Complaint's allegation to the effect that the Re-Election Committee "knowingly misreported the ILGWUCC contribution" wholly without merit, the Commission has already reviewed the matter of this contribution and has acquiesced in its resolution.

3. Alleged Excessive Contributions by SEIU-COPE-PCC

As set forth in the Re-Election Committee's FEC Report covering the periods April 1 to June 30, 1981, July 1 to September 30, 1981, and October 14 to November 22, 1982, the Re-Election Committee received contributions from SEIU-COPE-PCC of \$2,000 on each of May 26, 1981 and September 1, 1981, each of which was designated for the primary election, and another contribution of \$5,000 on November 1, 1982, designated for the general election. These contributions were not excessive as alleged in the Complaint and, moreover, the contributions were appropriately reported. Accordingly, it cannot be said that the Re-Election Committee received excessive contributions from SEIU-COPE-PCC.*

4. Alleged Excessive Contributions by the Committee for Good Government and the Special Committee on Political Action

As set forth in the submission of the Special Committee on Political Action dated April 13, 1984, the

^{*} The Commission's attention is respectfully directed to the FEC Report of SEIU-COPE-PCC appearing on the Commission's microfilm records at 82FEC/258/2060, which reports the cancellation of two checks, each in the amount of \$5,000. It is the understanding of the Re-Election Committee that such checks had been mailed to the Re-Election Committee, but they were never received and, accordingly, payment was stopped by the maker of the checks.

Special Committee is not connected or affiliated with the Committee for Good Government. Moreover, the issue of such affiliation was previously reviewed by the Commission, and found not to be present, in MUR 1489 (January 11, 1983.) The Re-Election Committee's FEC Reports correctly reflect the receipt on September 9, 1981 of a contribution, from the Committee for Good Government, of \$5,000 designated for the general election (reported in the FEC report covering the period July 1 through September 30, 1981), and also the receipt from such Committee, on November 24, 1981, of a contribution in the amount of \$5,000 designated for the primary election (reported in the FEC Report covering the period October 1 through December 31, 1981). Contributions were received from the Special Committee of \$500 on September 21, 1981 and \$1500 on August 9, 1982 (both reported in the FEC Report covering the period July 1 through September 30, 1982).* The \$500 contribution was designated for the primary, and the \$1500 contribution for the general elections. Clearly, the contributions from both the Committee for Good Gov-

^{*} The delay in reporting the September 1981 contribution was apparently due to an inadvertent clerical error that occurred before the Re-Election Committee's records were computerized. Since the contribution was disclosed, clearly no harm resulted.

ernment and the Special Committee were not excessive in and of themselves. Since the two committees are not affiliated, the contention that the Re-Election Committee received excessive contributions from the Committee for Good Government and the Special Committee is wholly without merit.

CONCLUSION

For the above reasons, it is respectfully submitted that the Commission should take no further action in MUR 1655 against any of the Respondents making this submission.

Respectfully submitted,

Thomas J Schwarz

1100

Counsel for Respondents,

Senator Daniel Patrick Moynihan, Moynihan '82 Committee, The Senator Moynihan Re-election Campaign, Inc., The Committee to Re-elect Senator Moynihan, Inc., and John Westergaard

919 Third Avenue

New York, New York 10022

(212) 371-6000

May 14, 1984



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 29, 1984

MEMORANDUM

TO:

CHARLES N. STEELE

GENERAL COUNSEL

ATTN:

GEORGE DEMOUGEOT

FROM:

SHAWN WOODHEAD COMPLIANCE BRANCH, RAD

SUBJECT:

MUR 1655 - SERVICE EMPLOYEES INTERNATIONAL UNION

COMMITTEE ON POLITICAL EDUCATION POLITICAL CAMPAIGN

COMMITTEE (SEIU-COPE-PCC)

Please review the attached Request for Additional Information (RFAI) which is to be sent to SEIU-COPE-PCC for the 1984 April Monthly Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by the close of business on Thursday, May 31st. Thank you.

COMMENTS:



FEDERAL ELECTION COMMISSION

WASHINGTON.D.C. 20463

RQ-2

Richard Cordtz, Treasurer
Service Employees International
Union Committee on Political
Education Political Campaign
Committee
2020 K Street, NW, Suite 200
Washington, DC 20006

Identification Number: C00004036

Reference: April Monthly Report (3/1/84-3/31/84)

Dear Mr. Cordtz:

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:

-Line lla of the Detailed Summary Page discloses a figure for the total amount of contributions from individuals/persons other than political committees. In addition, the memo entry portion of the Detailed Summary Page is blank, and no supporting schedules have been provided. Please amend your report by itemizing all contributions from individuals/persons, which aggregate greater than \$200 in the calendar year, and/or provide a figure for the total amount of unitemized contributions from individuals/persons, which have been received during the reporting period. (ll CFR 104.3(a)(2))

-Schedule B for Line 20 of your report lists a "stop payment" in the amount of \$300 and a cancelled check in the amount of \$1,000. Please identify the intended recipients of the contributions. In addition, please note that contributions to Federal candidates and committees should be listed on Line 21 of the Detailed Summary Page.

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) 523-4048. Sincerely, Lisa Stolaruk Senior Reports Analyst Reports Analysis Division 0 00 0 4 C 4. 00

GCC#3136

American Federation of Labor and Congress of Industrial Organizations



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

LAME KINITLAND PRESIDENT

John H. Lyone 8. Frank Rathery Glenn E. Wetts Angelo Fasso Lloyd McBride Wm. W. Winpisinger Wayne E. Glenn John J. Sweeney Barbara Hutchinoon Gerald W. McEntee THOMAS R. DOMANUE SECRETARY-TREASURER

Thomae W. Gleecon Marray H. Finley Sel G. Chalkin Charles H. Pillard Kenneth Y. Bleylock William H. Wyrn Robert F. Gose Frank Drozak Richard J. Kilroy William H. Bywater

EXECUTIVE DOUNCEL

Prederick O'Neal Albert Shenker Edward T. Hanley J. C. Turner Alvin E. Heape John DeConcini Joyce D. Miller James E. Hatfield Vincient R. Sombrotto Marvin J. Boade Owen Blaber

May 11, 1984

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

Re: FEC MUR 1655

Dear Mr. Steele:

0

C

77

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Elmer Chatak, the Industrial Union Department, AFL-CIO Voluntary Fund ("IUD Voluntary Fund"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letters dated April 5, 1984 stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). The complaint, which the Commission has numbered MUR 1655, alleges that respondents violated 2 U.S.C. \$441a (a)(2)(A) by contributing in excess of \$5000 to the Committee to Re-Elect Senator Moynihan ("Moynihan Committee") for the 1982 primary election.

Contrary to the complainant's assertions, respondent political committees did not contribute more than \$5,000 to the Moynihan Committee for the 1982 primary election. Respondent committees' 1982 contribution records reflect the following contributions to the Moynihan Committee: the PEF-BCTD contributed \$5000 for the primary election on 10/19/81; the IUD Voluntary Fund contributed \$500 for the general election on 10/19/81; the IUD Voluntary Fund contributed \$500 for the general election on 4/5/82; and COPE-PCC contributed \$4,000 for the general election on 9/13/82.

The IUD Voluntary Fund erroneously reported its 4/5/82 contribution to the Moynihan Committee as a contribution for the <u>primary</u> election in its April 1982 FEC report. However, that contribution was contemporaneously recorded in the IUD Voluntary Fund's internal contribution ledger and in COPE-PCC's contribution log as a contribution for the 1982 general election and the Voluntary Fund's transmittal letter to the Moynihan Committee states that the contribution is for the 1982 general election. A copy of that letter is attached hereto. (See Attachment B.)

Since, as demonstrated above, the IUD Voluntary Fund's April 5, 1982, contribution to the Moynihan Committee was designated for the 1982 general election rather than, as the complainant alleges, for the <u>primary election</u> respondent political committees' contributions to the Moynihan Committee for the 1982 primary election did not exceed \$5000. Accordingly, respondents have not violated 2 U.S.C. \$441a(a)(2)(A).

For the foregoing reasons, respondents respectfully request that the Commission take no further action in this matter and that it close the file.

82

Respectfully submitted,

Margaet E. McCormical

Margaret E. McCormick
Counsel for respondents
Thomas R. Donahue, AFL-CIO
COPE-PCC,
Elmer Chatak and IUD Voluntary Fund

Robert Kurnick

Counsel for respondents

Joseph F. Maloney and PEF-BCTD

^{*/}An amendment to the IUD Voluntary Fund's April 1982 monthly FEC report correctly reporting the committee's 4/5/82 contribution to the Committee to Re-Elect Senator Moynihan as a contribution for the 1982 general election is attached hereto. (See Attachment A).

T

A

| rterly Repor |
|------------------|
| r End Repor |
| |
| |
| ion) |
| |
| |
| |
| |
| |
| |
| N B
r-to-Dete |
| 72 |
| the state of |
| 10 |
| 72 |
| 10 |
| 72 |
| |
| - |
| Sec. Marie |
| |
| n |
| |
| |
| |
| |
| |
| |



DETAILED SUMMARY PAGE of Receipts and Disbursements (Page 2, FEC FORM 3X)

E S

Name of Committee (in Full) Report Covering the Period: Industrial Union Department, AFL-CIO Voluntary Fund From: Apr. 1/82To: May 1, 1982 COLUMN A Total This Peris COLUMN S I. RECEIPTS 11. CONTRIBUTIONS (other than loans) FROM: (a) Individuals/Persons Other Than Political Committees . . (Memo Entry Unitemized \$... (b) Political Party Committees. . . . (c) Other Political Committees . . (d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c) 5,000.00 12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES 13. ALL LOANS RECEIVED 14. LOAN REPAYMENTS RECEIVED 15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) 16. REFUNDS UP CONTRIBUTIONS MADE TO FEDERAL CANDIDATES 17. OTHER RECEIPTS (Dividends, Interest, etc.) 5.000.00 တ 18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17). . II. DISBURSEMENTS 19. OPERATING EXPENDITURES 2,850.00 7,400.00 21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES. 22. INDEPENDENT EXPENDITURES (Use Schedule E) V 23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES 6 26. REFUNDS OF CONTRIBUTIONS TO: (a) Individuals/Persons Other Than Political Committees (b) Political Party Committees. (d) TOTAL CONTRIBUTION REFUNDS (add 26e, 26b and 26c). . 2.850.00 7,400.00 28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27). . III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES 29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d . . . 31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29). . . . 32. TOTAL OPERATING EXPENDITURES from Line 19 33. OFFSETS TO OPERATING EXPENDITURES from Line 15. . 34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)

ITEMIZED DISBURSEMENT

Page of for LINE NUMBER 21 for each category of the Detailed Summery Page)

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

Name of Committee (in Full)

Industrial Union Department, AFL-CIO Voluntary Fund

| A. Full Name, Mailing Address and ZIP Code Ottinger For Congress '82 505 "C" St., NE | Purpose of Disbursement Contribution | Date (month,
day, year) | Amount of Each Disbursement This Period |
|--|--|----------------------------|---|
| Washington, D.C. 20002 | Disbursement for: 'GPrimary 'General' D' Other (specify): | 4/5/82 | 250.00 |
| B. Full Name, Mailing Address and ZIP Code
Committee to Re-Elect Congressman
Ford | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| 1919 Pennsylvania Ave., NW Suite 800
Washington, D.C. 20006 | Disbursement for: ©Primery □ General □ Other (specify): | 4/5/82 | 250.00 |
| C. Full Name, Mailing Address and ZIP Code Re-Elect Congressman Joe Moakley Committee | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| PO Box 8753
Boston, MA 02114 | Disbursement for: RPrimary General Other (specify): | 4/5/82 | 100.00 |
| D. Full Name, Mailing Address and ZIP Code Committee to Re-Elect Senator Moynihan | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| Box 2-1982
Grand Central Station NY,NY 10163 | Disbursement for: ©Primary #General Other (specify): | 4/5/82 | 500.00 |
| E. Full Name, Mailing Address and ZIP Code Mineta For Congress Committee c/o Mike Masaoka | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| 900 17th St., NW Suite 520
Washington, D.C. 20006 | Disbursement for: RPrimary General Other (specify): | 4/5/82 | 250.00 |
| F. Full Name, Mailing Address and ZIP Code Citizens For Dave Obey Committee PO Box 1322 | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| Wausau, Wisc. 54401 | Disbursement for: RPrimary General Other (specify): | 4/5/8? | 200.00 |
| G. Full Name, Mailing Address and ZIP Code Ted Weiss For Congress Committee c/o Hugh Pickett Treasurer | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| 470 West End Ave
New York, NY 10024 | Disbursement for: 8 Primary General Other (specify): | 4/5/82 | 250.00 |
| H. Full Name, Mailing Address and ZIP Code Paul Simon For Congress Committee 301 "G" St., SW #518 | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| Washington, D.C. 20024 | Disbursement for: 8 Primary General Other (specify): | 4/5/82 | 250.00 |
| 1. Full Name, Mailing Address and ZIP Code Hoyer For Congress Committee 6108 Old Silver Hill Rd. | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| District Heights, MD 20747 | Disbursement for: Se Primary General Other (specify): | 4/5/82 | 250.00 |
| SUBTOTAL of Disbursements This Page (optional) | | | 2,300.00 |

Howard D. Samuel, President Elmer Chatak, Secretary-Treasurer

815 16th Street N.W. Washington, D.C. 20006 202/842-7800

April 5, 1982

00

The Honorable Daniel Patrick Moynihan The Committee to Re-Elect Senator Moynihan Box 2-1982 Grand Central Station New York, NY 10163

Dear Senator Moynihan:

Enclosed is a contribution in the amount of \$500.00 for your general campaign from the Industrial Union Department Voluntary Fund. The IUD Voluntary Fund was established and is maintained by the Industrial Union Department of the AFL-CIO.

Under the Federal Election Campaign Act, contributions of the AFL-CIO, the IUD and other subordinate bodies to a campaign must be combined for purposes of the \$5,000 contribution limit applicable to each election.

If you have received, or later receive, contributions to your campaign from a political fund or funds established and maintained by the AFL-CIO, any state or local central body of the AFL-CIO or any department of the AFL-CIO, and those contributions, together with the enclosed contribution, total more than \$5,000, we would appreciate it if you would return the amount over \$5,000 to the contributor(s).

Sincerely,

· Brian Turner

Director of Legislation and Economic Policy Enclosure

しいいか.

American Federation of Labor and Congress of Industrial Organizations



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

LAME KINKLAND PRESIDENT

John H. Lyens 8. Frank Rathery Glenn E. Watts Angelo Fosco Lloyd McBride Wm. W. Winpielnger Wayne E. Glenn John J. Bweeney Barbara Hutchinoon THOMAS R. DOMANUE SECRETARY-TREASURE

Thomse W. Glesson Murray H. Finley Sol C. Chelkin Charles H. Pillerd Kenneth T. Blaylook William H. Wynn Robert F. Gess Frank Drozak Richard I. Kilroy William H. Bywater Keenath J. Brown

Frederick C'Heat Albert Chenter Edward T, remiey J. C. Turner Alvin E, Neeps John DeConcini Jopeo D, Miller James E, Hatfield Vincent R, Sombrotto Marvin J, Boede Owen Blaker

May 8, 1984

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

RE: FEC MUR 1655

Dear Mr. Steele:

Pursuant to 11 C.F.R. S111.23, the AFL-CIO Committee on Political Education Political Contributions Committee and I hereby designate Margaret E. McCormick as our counsel in the above-referenced matter.

Ms. McCormick is authorized to receive any notifications and other communications from the Commission in connection with this matter and to act on our behalf before the Federal Election Commission.

Ms. McCormick's address is: AFL-CIO Legal Department, 815 16th Street, N.W., Washington, D.C. 20006. Her telephone numbers are: (office) 202/637-5397; (home) 301/656-9612.

Sincerely,

Thomas R. Donahue Secretary-Treasurer
> Charles N. Steele General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463

> > Re: FEC MUR 1655

Dear Mr. Steele:

CO

This letter constitutes the response of Richard W. Cordtz and the Service Employees International Union Committee on Political Education Political Campaign Committee ("SEIU-COPE-PCC") (hereinafter "respondents") to your letter dated April 5, 1984 stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered MUR 1655, alleges that respondents violated 2 U.S.C. \$44la (a)(2)(A) by contributing in excess of \$5000 to the Committee to Re-Elect Senator Moynihan ("Moynihan Committee") for the 1982 primary election. The complaint also alleges that respondents violated 11 C.F.R 104.14(d) by failing to indicate in SEIU-COPE-PCC's FEC report whether a contribution to the Moynihan Committee was designated for the 1982 primary or general election.

For the reasons described below, the Federal Election Commission should take no further action in this matter.

1. SEIU-COPE-PCC's 1982 contribution records reflect that the committee made the following contributions to the Moynihan Committee for the 1982 primary election: a contribution in the amount of \$1000 on 10/31/79; a contribution in the

amount of \$2000 on 5/15/81; and a contribution in the amount of \$2000 on 6/9/81. SEIU-COPE-PCC also contributed \$5000 to the Movnihan Committee for the 1982 general election. This contribution was initially made on July 21, 1982 and as the cover letter accompanying that contribution shows was designated in writing for the 1982 general election. (See Attachment A). However, the 7/21/82 contribution was never received by the Moynihan Committee and consequently SEIU-COPE-PCC voided its check on 10/21/82. This void is reflected in SEIU-COPE-PCC's 1982 30 day post-general election FEC report, a copy of which is attached hereto. (See Attachment B). After voiding the July 1982 contribution to the Moynihan Committee, SEIU-COPE-PCC issued another check in the same amount, \$5000, which was contributed to the Moynihan Committee on October 28, 1982. That contribution is reported as a contribution for the 1982 general election in SEIU-COPE-PCC's 1982 30 day post-general election report. (See Attachment B). Since, as demonstrated above, SEIU-COPE-PCC's July 21, 1982, contribution to the Moynihan Committee was designated in writing for the 1982 general election and in any event was subsequently voided by SEIU-COPE-PCC, SEIU-COPE-PCC did not, as alleged by complainant, contribute a total of \$9000 for the 1982 primary election to the Moynihan Committee. Accordingly, respondents have not violated 2 U.S.C. 44la(a)(2)(A). 2. In addition to alleging that respondents violated 2 U.S.C. \$44la(a)(2)(A). complainant also alleges that they violated \$104.14 (d) of the Federal Election Commission's regulations by failing to indicate, by checking the election box on SEIU-COPE-PCC's July 1982 monthly FEC report, whether the committee's July 21, 1982 contribution to the Movnihan Committee was a contribution for the primary or the general election. This allegation fails for two reasons. First, since SEIU-COPE-PCC's July 21, 1982 contribution was never received by the Movnihan Committee and was subsequently voided by SEIU-COPE-PCC, for purposes of the Act's contribution limits, that contribution was never made. Second, neither Section 104.14(d) nor any other section of the Commission's regulations requires that political committees, including separate segregated funds such as SEIU-COPE-PCC, check the primary or general election boxes on Schedule B of FEC Form 3X to indicate whether a contribution is given for the primary or for the general election. The Commission's regulations in fact contemplate that political committees will not always designate in writing, either by checking the election boxes on their FEC reports or by some other written communication, for This contribution was never received by the Movnihan Committee. Consequently, SEIU-COPE-PCC stopped payment on the original check and reissued a new check on 8/25/81. The reissued check was sent to the Moynihan Committee on 8/26/81.

which election a contribution is intended and therefore establish specific rules for the treatment of undesignated contributions. See Il C.F.R. \$110.1 and \$110.2. For the foregoing reasons, respondents respectfully request that the Commission take no further action in this matter and that the Commission close the file. Sincerely, Margaret E. M. Cornice Margaret E. McCormick Counsel for respondents Richard W. Cordtz and SEIU-COPE-PCC O 8 8 00

July , 1982

Mr. Gus Bevona Local 32BB32J, SEIU One East 35 Street New York, NY 10016

Dear Sir and Brother:

Transmitted herewith is our check in the amount of \$5,000.00 made payable to Moynihan '82 Committee. This check is a contribution to his general election campaign and is being sent to you for transmittal.

Please make arrangements to present this check to the Senator. Please be sure to inform him that the money represents voluntary contributions from the members of SEIU and that we are filing the proper forms with the FEC and the Secretary of State of New York.

Fraternally gours,

John J. Swenney
International President

REM: kdv Enclosure

8

6101 ×

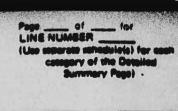
40? Print 10-21-82

REPORT OF RECEIPTS AND DISCURSOMERTS For a Political Committee Other Than an Authorized Committee

| ALIGN AREA | | ALIGN ARE |
|---|---|--------------------------|
| 1.Name of Committee (In Pull) | 4. TYPE OF REPORT (Cheek approp | |
| Service Employees Int'l Union
Committee on Political Education | (a) April 15 Quarterly Report | October 16 Quarterly F |
| Political Campaign Committee | July 16 Guarterly Report | January 31 Year End F |
| Address (Humber and Street) | July 31 MMd Year Report (Non | -Election Year Only) |
| 2020 K Street, M.W., Suite 200 | 30 Day Post-Gene | ral Election |
| | Twelfth day report preceding . | |
| City, State and ZIP Code | | (Type of Blasslan) |
| Washington, DC 20006 | | in the State of |
| Check here if eddress is different than previously reported. | Thirtieth day report following | |
| 2. FEC Identification Number | on in th | . State of |
| | Termination Report | |
| 3. This committee qualified as a multicendidate committee during | | |
| this Reporting Period on | | |
| | ☐ YES ☐ | NO |
| SUMMARY | COLUMN A | - COLUMN 8 |
| 5. Covering Period 10/14/82 through 11/22/ | 82 This Period | Calendar Year-te-Da |
| 6.(a) Cash on hand Jenuery 1, 19 82 | | \$ 37,808.44 |
| (b) Cash on Hand at Beginning of Reporting Period | 4,428.42 | · |
| (c) Total Receipts (from Line 18) | 820,974.99 | \$ 89,376.68 |
| (d) Subtotal (add Lines 6(b) and 6(c) for Column A and | | \$127,185.12 |
| Lines 6(a) and 6(c) for Column B) | | 201/2001 |
| 7. Total Disbursements (from Line 28) | *19,400.00 | \$121,181.71 |
| 8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Lie | ne 6(d)) \$ 6,003.41 | \$ 6,003.41 |
| 9. Debts and Obligations Owed TO The Committee | s | |
| 10. Debtaand Obligations Owed BY the Committee | s | |
| I certify that I have examined this Report and to the best of my knowledge and be | Net | |
| it is true, correct and complete. | For further | information contact: |
| Richard W. Cordtz. Secretary-Treasu | rar Fed | eral Election Commission |
| Type or Frint Name of Trafferer | | Free 800-424-9630 |
| 111110000 | Loca | M 202-523-4088 |
| DOMESTICAL OF TREASURER OF | te . | |
| | TT - 2 | |
| NOTE: Submission of false, erronagus, or incomplete/Mormation racy subsect the | person signing this report to the penalties of 2 \cup 5 | i.C. § 437g. |
| | | |
| | M 3 and PSC PORM 2s are esseless and should no les | gar be used. |

CONTAILED CLEMANY PAGE

| ARIU, Political Campaign Committee | From: 10/14/82 | To: 11/22/82 | |
|--|-------------------------------|--|-----|
| | COLUMN A
Total This Period | COLUMN 8
Calandar Year-To-Outo | 1 |
| L. RECEIPTS | | 1. | į. |
| 11.CONTRIBUTIONS (other than loans) PROM: | ~ | | ı |
| (a) Individuals/Persons Other Than Political Commitmes | 20.974.99 | 89.376.68 | 1 |
| (b) Pathles Party Connections | | | ١. |
| | | | +! |
| (e) Other Pelitical Committees. | 20,974.99 | 89,376.68 | 1 |
| (d) TOTAL CONTRIBUTIONS (other than leans) (odd 11(a), 11(b) and 11(a)) | | 03/3/0100 | ï |
| 12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES | | | 1 |
| 13.ALL LOANS RECEIVED | | | 1 |
| 14. LOAN REPAYMENTS RECEIVED | | and the same of th | , |
| 15. OF PRETS TO OPERATING EXPENDITURES (Relands, Relates, etc.) | | | , |
| | | | ľ |
| 16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES | | | 1 |
| AND OTHER POLITICAL COMMITTEES | | | - |
| 17.OTHER RECEIPTS (Dividends, Interest, etc.) | 11.1.1.1.1 | | ı |
| | 20 974 99 | 89,376.68 | 1 |
| 18.TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 16, 16 and 17) | 20,974.99 | 89,370.00 | ľ |
| " II. DISSUMBEMENTS | | | |
| PERATING EXPENDITURES | | |] 1 |
| | And the second | | |
| 20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES | | | 1 |
| 21.CONTRIBUTIONS TO FEDERAL CANDIDATES AND | 19,400,00 | 121,181.71 | |
| OTHER POLITICAL COMMITTEES | | | r |
| 22. INDEPENDENT EXPENDITURES (uso Schodulo E) | | | 2 |
| 21. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES | | | ١. |
| | | | 1 |
| (2 U.S.C. § 441 aid)) (Use Schedule F) | | | ١. |
| 24. LOAN REPAYMENTS MADE | | | ľ |
| | | | ١. |
| 25. LOANS MADE | | | ľ |
| 26. REFUNDS OF CONTRIBUTIONS TO | 1 | | |
| (a) Individuals/Persons Other Than Political Committees | | | 1 |
| (b) Political Perty Committees | | | |
| (c) Other Political Committees | | | 1 |
| (d) TOTAL CONTRIBUTION REFUNDS (Add 28(a), 28(b) and 28(c)) | | | |
| 27.OTHER DISSURSEMENTS | | | |
| 28.TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27 | 19.400.00 | 121,181.71 | ı |
| | | , | |
| III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES | -End | | |
| TOTAL CONTRIBUTIONS (other then loans) from Line 11(d) | | | 1: |
| 30. TOTAL CONTRIBUTION REFUNDS from Line 28(d) | | | 1 : |
| 31.NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29) | | | ŀ |
| 32.TOTAL OPERATING EXPENDITURES from Line 19 | | | |
| 33. OFFSETS TO OPERATING EXPENDITURES from Line 15 | | |] : |
| 34.NET OPERATING EXPENDITURES (Subgrest Line 33 from Line 32) | | | 1 |



| information copied from such Reports and Basen
summercial purposes, other than using the name and a | | | |
|--|-------------------------|----------------|----------------|
| Name of Committee (in Full) Service Employees Int'l Political Committee Commit | | olitical Educa | tion, |
| A. Full Name, Mailing Address and 21P Code | Purpose of Disbursement | Date (month, | Amount of Eash |

| A. Full Name, Malling Address and ZP Code Barbara Boxer Campaign 286 North Almenar Greenbrae, CA 94304 | Purpose of Disbursement Contribution Disbursement far: © Primary Manager © Other (specify): | Dese (manth, day, year) 10/19/82 | Amount of Each Disbursement This Period 200.00 |
|--|--|----------------------------------|--|
| 8. Full Name, Mailing Address and ZP Code Friends of Robert C. Byrd P.O. Box 2190 Clarksburg, WV 26301 | Purpose of Disbursement Contribution Disbursement for: Primary General Other (specify): | Dese (manth, day, year) 10/19/82 | Amount of Each Disbursement This Period 800.00 |
| C. Full Name, Mailing Address and ZIP Code Bosco for Congress P.O. Box 1494 Santa Rosa, CA -95402 | Purpose of Disbursement Contribution Disbursement for: Primery 28 General Other (specify): | Dete (month, day, year) 10/19/82 | Amount of Each Disbursement This Period 300.00 |
| D. Full Name, Mailing Address and ZIP Code
Friends of Matt McHugh
P.O. Box 61
Ithaca, NY 14850 | Purpose of Disbursement Contribution Disbursement for: Primary # General Other (specify): | Dete (month, day, year) 10/19/82 | Amount of Each Disbursement This Period 200.00 |
| sytel for Congress
438 Columbus Avenue
Syracuse, NY 13210 | Purpose of Disbursement Contribution Disbursement for: Primary 38 General Other (specify): | Date (month, day, year) 10/19/82 | Amount of Each Disbursement This Period 200.00 |
| F. Full Name, Mailing Address and ZIP Code
Dick Fellman for Congress
8716 O Street
Omaha, NE 68127 | Purpose of Disbursement Contribution Disbursement for: Primary M General Other (specify): | Date (month, day, year) 10/19/82 | Amount of Each Disbursament This Period 200.00 |
| G. Full Name, Mailing Address and ZIP Code
Baron Reed for Congress
224 Elefa Street
Roseville, CA 95678 | Purpose of Disbursement Contribution Disbursement for: © Primary M General © Other (specify): | Date (month, day, year) 10/22/82 | Amount of Each Disbursement This Period 250 - 00 |
| H. Full Name, Mailing Address and ZIP Code Tackettr for Congress Committee P.O. Box 545 McFarland, CA 93250 | Purpose of Disbursement Contribution Disbursement for: Primary # General Other (specify): | Date (month, day, year) 10/22/82 | Amount of Each Disbursement This Period 300.00 |
| I. Full Name, Mailing Address and ZIP Code
Morrison for Congress
P.O. Box 303
New Haven, CT 06502 | Purpose of Disbursement Contribution Disbursement for: Primary *** General Other (specify): | Date (month, day, year) 10/22/82 | Amount of Each Disbursement This Period 250.00 |
| STOTAL of Disbursements This Page (optional) | | | 2,700.00 |

(Use experses selvedulo(s) to essegary of the Dosei Summary Page).

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

Name of Committee (in Full) Service Employees International Union, Committee on Political Education, Political Committee Committee

| A Full Name, Mailing Address and ZP Code Bill Curry for Congress ll6 Main Street New Britain, CT 06051 | Contribution Disturbance for: © Primary & General | Date (menth, day, year) 10/22/82 | Amount of Eash
Disbursoment This Period
250.00 |
|--|--|--|--|
| | Other (spealfy): | | |
| 6. Full Name, Multing Address and ZP Code
Friends of Sikorski
7500 University Avenue, NE | Contribution | Dese (manth,
dev, year)
10/22/82 | Amount of Each Disbursament This Paris 250.00 |
| Fridley, MN 55432 | Disbursement for: © Primary 3© General © Other (specify): | | |
| C. Full Name, Mailing Address and ZIP Gods
Wheat for Congress | Purpose of Disbursement | Dese (month, day, year) | Amount of Each Disbursement This Period |
| 3123 Swope Parkway
Kansas City, MO- 64130 · · | Contribution Disbursement for: Primary General Other (specify): | 10/22/82 | 500.00 |
| D. Full Name, Mailing Address and ZIP Code Bill Benet Election Committee | Purpose of Disbursement Contribution | Dese (month, dev, year) 10/22/82 | Amount of Each Disbursement This Period 300.00 |
| P.O. Box 11384
Rochester, NY 14611 | Disbursement for: Primary 3 General Other (specify): | 10/22/62 | 300.00 |
| Full Name, Mailing Address and ZIP Code
Feighan for Congress
33 Public Square, Room 317 | Contribution | day, year) | Amount of Each Disbursament This Period 200.00 |
| Cleveland, OH 44115 | Disbursement for: Primary MGeneral Other (specify): | | |
| F. Full Name, Mailing Address and ZIP Code
People for Beth Bland for Congr | Purpose of Disbursement | Date (month, day, year) | Amount of Each Disbursement This Period |
| 10682 NE 8th Street
Bellevue, WA 98004 | Contribution Disbursement for: Primary General Other (specify): | 10/22/82 | 250.00 |
| G. Full Name, Mailing Address and ZIP Code
Noods for Senate
5665 Delmar Street | Purpose of Disbursement Contribution | Dete (month, day, year) | r) Disbursement This Period |
| University City, MO 63130 | Disbursament for: Primary Seneral Other (specify): | 10, 12, 01 | 1,000100 |
| H. Full Name, Mailing Address and ZIP Code
McGlenston for Congress | Purpose of Disbursement | Dete (month, day, year) | Amount of Each Disbursement This Period |
| P.O. Box 1492
Williamsburg, VA 23187 | Contribution Disbursement for: O Primary 20 General O Other (specify): | 10/22/82 | 250.00 |
| I. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, | Amount of Each Disbursement This Period 150.00 |
| Ratchford for Congress
Old Castle Hill Road | Contribution | day, year)
10/22/82 | |
| Newton, CT 06470 | Disbursement for: © Primary M General © Other (specify): | | |
| SUSTOTAL of Disbursements This Page (optional) | | | 2 150 00 |

Page Of For
LINE NUMBER
(Use esserted advantation) for one
esserted of the Detailed
Summery Page)

| A. Full Name, Malling Address and ZIP Code | Purpose of Oldpursoment | Dese (month, | Amount of Eash |
|---|---|--|---|
| Stokes for Congress
P.O. Box 99358 | Contribution | 10/22/82 | Disbursement This Period 200.00 |
| Cleveland, OH 44199 | Olebureament for: © Primery © General © Other (specify): | | |
| 8. Full Name, Malling Address and 29 Code
Moynihan '82 Committee | Contribution | Dese (month, day, year) | Amount of Each
Disbursament This Period |
| 17 East 66 Street
New York, NY 10021 | Disbursement for: O Primery MGeneral Other (specify): | 10/21/82 | 5,000.00 |
| C. Full Name, Mailing Address and ZIP Code
Martinez for Congress
440 East Garvey Avenue | Purpose of Disbursement Contribution | Date (month,
day, year)
10/22/82 | Amount of Each Disbursement This Period 300,00 |
| Monterey Park, CA 91754. | Disbursement for: O Primery & General Other (specify): | 10/22/62 | 300.00 |
| D. Full Name, Mailing Address and ZIP Code
Friends of Matt McHugh
P.O. Box 61
Ithaca, NY 14850 | Purpose of Disbursament Contribution Disbursament for: Other (specify): | Dese (manth, day, year) 10/21/82 | Amount of Each Disbursement This Period 1,000.00 |
| Full Name, Mailing Address and ZIP Code
orthern Virginians for
Herb Harris
P.O. Box 1982 | Purpose of Disbursement Contribution Disbursement for: © Primary 20 General | Date (month, day, year) 10/22/82 | Amount of Each: Disbursement This Period 350 • 00 |
| Mt. Vernon, VA 22121 | Other (specify): | | |
| F. Full Name, Mailing Address and ZP Code Howard for Congress P.O. Box 24268 | Purpose of Disbursement Contribution | Dete (month, day, year) 10/22/82 | Amount of Each Disbursement This Period 300.00 |
| Washington, DC 20024 | Disbursement for: Primary RGeneral Other (specify): | | |
| G. Full Name, Mailing Address and ZP Code Citizens for Wecht for U.S. Senate, University Inn, | Purpose of Disbursement Contribution | Dete (month, day, year) 10/22/82 | Amount of Each Disbursement This Period 500.00 |
| 3454 Forbes Avenue
Pittsburgh, PA 15213 | Disbursement for: © Primary ÆGeneral © Other (specify): | | |
| H. Full Name, Mailing Address and ZP Code Jim Moedy for Congress | Purpose of Disbursement Contribution | Date (month, day, year) 10/22/82 | Amount of Each
Disbursement This Perio |
| 2723 North Farwell
Milwaukee, WI 53211 | Disburgement for: Primary Misseneral Other (specify): | | 150.00 |
| 1. Full Name, Mailing Address and ZP Code
Michaelson for Senate
171 Pawtucket Avenue | Purpose of Disbursement Contribution | Date (month, dev, year) 10/22/82 | Amount of Each Disbursement This Period 300.00 |
| Pawtucket, RI 02860 | Disbursement for: © Primary 30 General © Other (specify): | | |

CO 00

0 5

0 13. 0

ITEMIZED DISBURSEMENTS

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

Name of Committee (in Full) Service Employees International Union, Committee on Political Education, Political Campaign Committee

| Committee for Tim Wirth, Inc.
2.0. Box 576 | Purpose of Distursement Contribution | Dete (month, day, year)
10/26/82 | Amount of Eash
Dispursement This Phried
200.00 |
|---|--|--|--|
| Westminster, CA 90030 | Disbursament for: © Primary 30 General © Other (specify): | | |
| B. Pull Name, Malling Address and ZP Code
Larryann Willis for Congress
P.O. Box 1065
Redmond, OR 97756 | Purpose of Disbursament Contribution Disbursament for: Primary Consers Other (specify): | Dese (manth, day, year) 10/26/82 | Amount of Each Disbursement This Period 300.00 |
| C. Full Name, Mulling Address and ZIP Code
Lechner for Congress
450 West Broad Street | | Dete (month,
day, year)
10/25/82 | Amount of Each Disbursement This Period 800.00 |
| Room 416
Falls Church, VA 22046 | Disbursement for: © Primary 26 General © Other (specify): | | |
| 0. Full Name, Mailing Address and ZIP Code
Edgar for Congress Committee
107 Woodlawn Avenue | Purpose of Disbursement Contribution | Dete (month, day, year) 10/25/82 | Amount of Each Disbursement This Period 200.00 |
| Broomall, PA 19008 | Disbursement for: Primary 30 General Other (specify): | | |
| E. Full Name, Mailing Address and ZIP Code Thomas Foglietta for Congress C/O Wm J Green Building 6th & Arch Streets, Rm 10402 | Purpose of Disbursement Contribution Disbursement for: © Primery 20 General | Dete (month, dev. year) 10/25/82 | Amount of Each Disbursament This Period 200.00 |
| Philadelphia, PA 19106 | Other (specify): | | |
| F. Full Name, Mailing Address and ZIP Code Davis for U.S. Senate 1000 North Thompson Street | Purpose of Disbursement Contribution | Dete (month, day, year) 10/25/82 | Amount of Each Disbursement This Period 300.00 |
| Richmond, VA 23230 | Disbursement for: Primary RGeneral Other (specify): | | |
| G. Full Name, Mailing Address and ZIP Code
Friends of Robert C. Byrd
P.O. Box 2190 | Purpose of Disbursement Contribution | Dete (month, day, year) 10/26/82 | Amount of Each Disbursement This Period 1,200.00 |
| Clarksburg, WV 26301 | Disbursement for: Primary 30 General Other (specify): | | |
| H. FulfName, Mailing Address and ZIP Code People for Mrazek 3 Harbor Road | Purpose of Disbursement Contribution | Date (month, day, year)
10/26/82 | Amount of Each Disbursement This Period 200.00 |
| Cold Spring Harbor, NY 11724 | Disbursement for: Primary RGeneral Other (specify): | | |
| 1. Full Name, Mailing Address and ZP Code Terry Mann for Congress 731 Madison Avenue Covington, KY 41011 | Purpose of Disbursement Contribution Disbursement for: Primary &General Other (specify): | Dese (month, day, year) | Amount of Each Disbursement This Perio 200.00 |
| SUSTOTAL of Disbursaments This Page (optional) | | | 3,600.00 |

C.

C

.....

A.

0

ITEMIZED DISBURSEMENTS

Page Of for LINE NUMBER (Line substances attraction) for contraction to contract the Deputer

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

| A. Full Name, Malling Address and ZIP Code Setty Lall for Congress 230 East 81st Street New York, NY 10028 | Purpose of Disbursement Contribution Disbursement for: Primary Moneral | 10/26/82 | Amount of Each
Disburgament This Perio |
|---|--|----------------------------------|--|
| | Other (specify): | | |
| 8. Full Name, Mailing Address and ZP Code
Russo for Congress Committee
1920 North Clark Street
Apartment 3C
Chicago, IL 60614 | Purpose of Disbursement Contribution Disbursement for: Primary & General Other (specify): | Dese (month, day, year) 10/26/82 | Amount of Each Disbursement This Period 100.00 |
| C. Full Name, Mailing Address and ZIP Code
Lipinski for Congress Committe
5838 Archer Avenue | Purpose of Disbursement e Contribution | Dese (month, day, year) 10/26/82 | Amount of Each Disbursement This Period 200 - 00 |
| Chicago, IL 60638 | Disbursement for: Primary Sciences Other (specify): | | |
| D. Full Name, Mailing Address and ZF Code Rostenkowski for Congress 1372 West Evergreen Avenue Chicago, IL 60622 | Purpose of Disbursement Contribution Disbursement for: Primery MGeneral | Dete (month, day, year) 10/26/82 | Amount of Each Disbursement This Perio |
| E. Full Name, Mailing Address and ZIF Code | Other (specify): | Date (month. | Amount of Each |
| Chapman for Congress 34 North Milwaukee Avenue | Contribution | day, year)
10/26/82 | Disbursement This Perio |
| Wheeling, IL 60090 | Disbursament for: Primary RGeneral Other (specify): | | |
| F. Full Name, Mailing Address and ZIP Code Friends of Lane Evans Committee P.O. Box 1222 Rock Island, IL 61201 | Purpose of Disbursement Contribution Disbursement for: Primery Sceneral Other (specify): | Dete (manth, day, year) 10/26/82 | Amount of Each Disbursement This Perio |
| G. Full Name, Mailing Address and ZIP Code Stephens for Congress Suite 1012, Lehmann Building | Purpose of Disbursement Contribution | Dete (month, day, year) 10/26/82 | Amount of Each Disbursement This Perio 100.00 |
| Peoria, IL 61602 | Disbursement for: Primery Signeral Other (specify): | | |
| H. Full-Normo, Mailing Address and ZIF Code Durbin for Congress 1414 South 5th, P.O. Box 1949 | Purpose of Disbursement | Date (month, day, year) 10/26/82 | Amount of Each Disbursement This Period 200.00 |
| Springfield, IL 62705 | Disbursement for: Primary Signeral Other (specify): | | |
| I. Full Name, Mailing Address and ZIF Code Melvin Price Campaign Committee 501 West Cleveland | Purpose of Disbursement e Contribution | Date (month, day, year) 10/26/82 | Amount of Esch Disbursement This Perio |
| Belleville, IL 62221 | Disbursement for: Primary Officeneral Other (specify): | | |

00

0

C

2 (2)

ITEMIZED DISBURSEMENTS

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

Name of Committee (in Full) Service Employees International Union, Committee on

Political Education, Political Campaign Committee

| A. Full Name, Mailing Address and ZIP Code Paul Simon for Congress P.O. Box 3301 | Contribution | Date (month, day, year) | Amount of Each
Disbursement This Period |
|---|--|----------------------------------|--|
| Carbondale, IL 62901 | Distursement for: O Primary E General O Other (specify): | 10/26/82 | 200.00 |
| 8. Full Name, Mailing Address and EP Code Raptur for Congress Committee P.O. Box 899 Toledo, OH 43691 | Purpose of Disbursament Contribution Disbursament for: Primary Reneral Other (specify): | Dete (month, day, year) 10/27/82 | Amount of Each Disbursement This Period 200.00 |
| C. Full Name, Mailing Address and ZIF Code
Committee to Elect Levinson
P.O. Box 349 | Purpose of Disbursement Contribution | Dese (month, day, year) 10/27/82 | Amount of Each Disbursement This Period 2,500.00 |
| Middletown, DE 19709 | Disbursement for: © Primary Il General © Other (specify): | | |
| D. Full Name, Mailing Address and ZIF Code Ed Stack for Congress 518 North Riverside Drive | Purpose of Disbursement Contribution | Dete (month, dev, yeer) 10/28/82 | Amount of Each Disbursement This Period 300.00 |
| Pompano Beach, FL 33062 | Disbursement for: Primary RGeneral Other (specify): | | |
| E. Full Name, Mailing Address and ZP Code
Robert Clark for Congress
P.O. Box 179
Lexington, MS 29095 | Purpose of Disbursement Contribution Disbursement for: Primary #General Other (specify): | Dete (month, day, year) 10/28/82 | Amount of Each Disbursement This Period 200.00 |
| F. Full Name, Mulling Address and ZIF Code Jim Moody for Congress 2723 North Farwell Milwaukee, WI 53211 | Purpose of Disbursement Contribution Disbursement for: Primary A General Other (specify): | Dete (month, day, year) 10/28/82 | Amount of Each Disbursement This Period 100.00 |
| G. Full Name, Mailing Address and ZIP Code
Claude Pepper Campaign Committ
2121 North Bayshore Drive, #41
Miami, FL 33137 | Purpose of Disbursement | Dete (month, day, year) 10/28/28 | Amount of Each Disbursement This Period 250.00 |
| H. Full Come. Mailing Address and ZF Code Moynihan '82 Committee 17 East 66 Street New York, NY 10021 | Purpose of Disbursement Contribution Disbursement for: Primary ** General Other (specify): | Date (month, day, year) 10/28/82 | Amount of Each Disbursement This Period 5,000.00 |
| Rostenkowski for Congress
1372 West Evergreen Avenue
Chicago, IL 60622 | Purpose of Disbursement Contribution Disbursement for: Primary 20 General Other (specify): | Date (month, day, yeer) 10/29/82 | Amount of Each Disbursement This Period 200.00 |
| | | | |

ITEMIZED DISBURSEMENTS

Any information capted from such Reserve and Susaments 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)

Service Employees International Trains

| A. Full Name, Malling Address and EFF Code
Committee to Elect Bodack
4922 Hatfield Street | Purpose of Disbursement Contribution | Date (month, day, year) 11/15/82 | Amount of Each Disbursement This Period 100.00 |
|---|--|---|---|
| Pittsburgh, PA 15201 . | Disburgement for: @Primary @General R Other (specify): Debt | | |
| Full Name, Mailing Address and 27 Code Fim Penny for Congress 1150 Hoffman Drive | Purpose of Disbursement Contribution | Dese (month, dev, year) 11/22/82 | Amount of Each Disbursement This Period 200.00 |
| Owtonna, MN 55060 | R Other (specify): Debt | | 0.00 |
| Cranston Presidential Advisory Committee | Purpose of Disbursement Contribution | Date (month,
day, year)
11/22/82 | Amount of Each Disbursement This Period 1,000.00 |
| 400 C Street, N.E.
Washington, DC 20002 | Disbursement for Approprie & General & Other (apecify): study | | 2,000.00 |
| 7. Fell Name, Mailing Address and ZIP Code | Purpose of Disburgamens | Dese imanth, | Amount of Each |
| CancelledMoynihan '82
Committee, 17 East 66 Street, | Contribution | 10/21/82 | Disbursement This Period |
| New York, NY 10021 | | (for ck | |
| Cancelled Moynihan '82 Committee, 17 East 66 Street New York, NY 10021 | Purpose of Disbursement Contribution Disbursement for: Primery **General | Dete (month,
dev, year)
10/28/82
(for ck | Amount of Each Disbursement This Period -5,000.00 |
| | Cher (specify): | rawn 10/2 | 1/82) |
| F. Full Hailio, Mailing Address and ZIP Code | Purpose of Disbursement | Dete (manth, day, year) | Amount of Each Disbursement This Period |
| | Disbursement for: Primary General Other (specify): | | |
| 3. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Dete (month, day, year) | Amount of Each
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 Each
Disbursement This Perio |
| | Disbursement for: © Primery © General © Other (specify): | | |
| . Full Name, Mailing Address and ZIF Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each
Disbursement This Period |
| | Disbursement for: © Primery © General © Other (specify): | | |
| SUSTOTAL of Disbursements This Page (optional) | The second secon | (less. | 1,300.00 |



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 26, 1984

Alan G. Straus, Esq. Skadden, Arps, Slate, Meagher & Flom 919 Third Avenue New York, New York 10022-9931

Re: MUR 1655

Senator Daniel Patrick

Moynihan;

Moynihan Committee, Inc.;

John Westergaard

Dear Mr. Straus:

T

0

4

0

8

Your letter of April 17, 1984, has been received. In this letter you have requested an extension of time of two weeks in which to respond to the complaint filed in the above-cited matter.

Due to the circumstances cited in your letter, you have been granted the extension making your response due on or before May 14, 1984.

Sincerely,

Charles N. Steele General Counsel

21 211

By: Kenneth A. Gross

Associate General Counsel

SKADDEN, ARPS, SLATE, MEAGHER & FLOM 84 APR 919 THIRD AVENUE NEW YORK 10022-9931 CABLE ADDRESS (212) 371-6000 WX: 710 581-3814 TELEX GASSOS Mux 1655 Demograt TELECOPIER: (212) 752 1064 April 17, 1984 Office of the General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463 Attention: George Demougeot, Esq. Ci Re: MUR 1655 8 Dear Mr. Demougeot: On behalf of Senator Daniel Patrick Moynihan, Moynihan '82 Committee, The Senator Moynihan Re-election Campaign, Inc., The Committee to Re-elect Senator Moynihan, Inc., and John Westergaard, individually and in his capacity as treasurer of the foregoing committees, named respondents in MUR 1655, it is hereby respectfully requested that the deadline for demonstrating that no action should be taken 77 against them in response to the complaint in MUR 1655 be 0 extended to May 4, 1984. The extension is necessary in order to prepare an informed and adequate response, as a majority of the above-named respondents did not receive notification of the initiation of the complaint until April 16, 8 1984. Should you require any additional information in connection with this request, please telephone the undersigned or Thomas J. Schwarz of this office, collect, at (211) 371-6000. Very truly yours,



57

8

V

7

8

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 25, 1984

Margaret E. McCormick, Esquire Industrial Union Department AFL-CIO Voluntary Fund 815 Sixteenth Street, N.W. Washington, D.C. 20006

Re: MUR 1655

Dear Ms. McCormick:

Your letter of April 16, 1984, has been received. In this letter you have requested an extension of time of three weeks in which to respond to the complaint filed in the above-cited matter.

Due to the circumstances cited in your letter, you have been granted the extension, making your response due on or before May 11, 1984.

Sincerely,

Charles N. Steele General Counsel

y: Aenneth A. Gro

Associate General Counsel

C104 2160

American Federation of Labor and Congress of Industrial Organizations



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

LAME KINKLAND PRESIDEN

John Jr. Svens E. Frenk Pickery Glenn E. Weste ringelt Popers Lloyd Nedhride tem. W. Wilnighten Verye E. Blenn John J. Swensey Section J. Swensey Section J. Committee Section J.

Inemae M. Bleasen Merray V. Finley bet C. Chelkin Charles E. Pillaris Kenneth T. Büylesk Millem V. Wynn Nobell F. Gose Prant Dresat Richard I. Kilnoy William M. Bywater Kenneth J. Brown Company Compan

April 16, 1984 Mure 1655 Demougest

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

Re: FEC MUR 1655

Dear Mr. Steele:

8

Yes.

0

V

8

The purpose of this letter is to request an extension of time from April 21, 1984 until May 11, 1984, for respondents Elmer Chatak and the Industrial Union Department AFL-CIO Voluntary Fund to respond to the complaint in the above-referenced matter.

The reason for this request is that due to a longstanding commitment I must be out of the city on business for most of the next two weeks and will therefore be unable to do the necessary preparation to respond to the complaint in this matter and that in FEC MUR 1657, which is due on the same date, without the requested extension.

Accordingly, I respectfully request an extension of time in which to file the reply of respondents Elmer Chatak and the IUD AFL-CIO Voluntary Fund from April 21, 1984 until May 11, 1984.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for respondents Elmer Chatak
IUD AFL-CIO Voluntary Fund

file



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 25, 1984

Margaret E. McCormick, Esquire Service Employees International Union on Political Education Political Campaign Committee 815 Sixteenth Street, N.W. Washington, D.C. 20006

Re: MUR 1655

Dear Ms. McCormick:

12

T

0

T

C

V

œ

Your letter of April 17, 1984, has been received. In this letter you have requested an extension of time of three weeks in which to respond to the complaint filed in the above-cited matter.

Due to the circumstances cited in your letter, you have been granted the extension, making your response due on or before May 11, 1984.

Sincerely,

Charles N. Steele General Counsel

By: Kenneth A. Gross

Associate General Counsel

American Federation of Labor and Congress of Incustrial Organizations CC



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

LAME KINKLAMD PRESIDENT

John H. Lymn B. Frank Rathery Stenn E. Watts Angele Feats Light Intellige Will. W. Wimpleinge Wayne E. Stenn John J. Bercanny Barbana Hutchinson Gerald W. McErine Bestell W. McErine THOMAS R. DONAHUE SECRETARY-TREASURER

State of the state

A CONTRACTOR OF THE PARTY OF TH

April 17, 1984

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

Re: FEC MUR 1655

Dear Mr. Steele:

4

00

The purpose of this letter is to request an extension of time from April 21, 1984 until May 11, 1984, for respondents Richard W. Cordtz and the Service Employees International Union Committee on Political Education Political Campaign Committee to respond to the complaint in the above-referenced matter.

The reason for this request is that due to a longstanding commitment I must be out of the city on business for most of the next two weeks and will therefore be unable to do the necessary preparation to respond to the complaint in this matter and that in FEC MUR 1657, for which the response is due on the same date, without the requested extension.

Accordingly, I respectfully request an extension of time in which to file the reply of respondents Richard Cordtz and the SEIU-COPE-Political Campaign Committee from April 21, 1984 until May 11, 1984.

Sincerely,

Marquet E. McCormick

Margaret E. McCormick Counsel for Respondents Richard Cordtz and SEIU-COPE Political Campaign Committee

GCC#2210 INTERNATIONAL LADIES' GARMENT WORKERS' UNION 1710 BROADWAY . NEW YORK, N.Y. 10019 AFL-CIO CABLE ADDRESS: NGWU-NEW YORK . PHONE: 212-265-7000 LEGAL DEPARTMENT MAX ZIMNY **General Counsel** April 24, 1984 1:01 Mr. George Demougeot, Staff Member Office of the General Counsel Federal Elections Commission Washington, D.C. 20463 Re: Complaint MVR 1655 Dear Mr. Demougeot: Pursuant to our conversation this morning, I am requesting a five-day extension of the fifteen-day period to answer the above captioned complaint. This extension is requested because I have been involved in extensive document Eno review and trial preparation in an NLRB case, NCC Industries, Inc., Case Nos. 24-CA-4735 and 24-CA-4747, 0 which is set for trial before an Administrative Law Judge in 137 Puerto Rico on May 3, 1984. I have been out of my office for nearly two weeks and have not had time to prepare the C answer to the FEC complaint. Thank you very much for your cooperation in this 00 matter. Very truly yours, MAX ZIMNY General Counsel Assistant General Counsel JG:dp

JDG LEGAL DEPARTMENT

INTERNATIONAL LABRES GAMMENT WOWLESS UNION, 1740 BROADWAY, NEW YORK, R.V. SEM

Mr. George Demougeot, Staff Number Office of the General Counsel Federal Elections Commission Washington, D.C. 20463



0

TeleMentallellellellel

84 APR 28 A 9: 39 LAW OFFICES SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P. C. 1125 FIFTEENTH STREET, N. W. SUITE BOI LOUIS SHERMAN (RET.) THOMAS X. DUNN (RET.) WASHINGTON, D. C. 20005 LAURENCE J. COHEN ELIHU I. LEIFER AREARADDE 202 JOHN P. COUNTS TERRY R. YELLIG RICHARD M. RESNICK ROBERT D. KURNICK April 20, 1984 VICTORIA L. BOR D. WILLIAM HEINE, JR. . MARY E. VOGEL .MEMBER OF CALIFORNIA BAR Mr. Charles N. Steele, General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20465

Re: FEC MUR 1655 FEC MUR 1657

Dear Mr. Steele:

8

-

0

T

4

8

This office represents Joseph F. Maloney and the Political Education Fund of the Building and Construction Trades Department, which are respondents in the above-captioned Matters Under Review. I am writing to request an extension of time to May 11, 1984, to respond to the complaints in these cases.

Because of several prior commitments I will be unable to prepare a response before May 11. Specifically, during this period I must prepare and file a brief with the NLRB and shortly thereafter prepare and file a brief in the United States Court of Appeals for the Third Circuit. In addition, early next week I must travel out of town to attend previously scheduled depositions which cannot be postponed. Consequently, it wil be impossible to prepare an adequate response before May 11.

Accordingly, I am requesting an extension of time until that date, in which to file a response in these cases.

Sincerely,

SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P.C.

Robert D. Rurnick

RDK: 111

LAW OFFICES

SHERMAN, DUNN, COMEN, LEIFER & COUNTS, P.C.

1125 FIFTEENTH STREET, N.W.

SUITE SOI

WASHINGTON, D.C. 20005

0

0

A

8

LEIFER & COLUMN
LEIFER & COLUMN
1120 1001 STREET, N.M., SLITE SO1
1004-1019-101, D.C. 20000

Paderal Election Commission 1325 R Street, W.W. Mashington, D.C. 20465

Presidentelentellendelende

MCGGG APPA SKADDEN, ARPS, SLATE, MEAGHER & FLOM 84 APR 20 919 THIRD AVENUE NEW YORK 10022-9931 CABLE ADDRESS (212) 371-6000 "SKARSLAW NEW YORK" TWX: 710 581-3814 Mux 1655 Demougest TELEX 645899 NGTON, D. C. 20006 1021 463-8700 TELECOPIER: (212) 752 1084 (902) 429-9200 S SOUTH FIGUEROA STREET S ANGELES, CALIFORNIA 90071 (813) 486-4600 April 17, 1984 Office of the General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463 Attention: George Demougeot, Esq. MUR 1655 Re: Dear Mr. Demougeot: On behalf of Senator Daniel Patrick Moynihan, Moynihan '82 Committee, The Senator Moynihan Re-election Campaign, Inc., The Committee to Re-elect Senator Moynihan, Inc., and John Westergaard, individually and in his capacity as treasurer of the foregoing committees, named respondents in MUR 1655, it is hereby respectfully requested that the deadline for demonstrating that no action should be taken against them in response to the complaint in MUR 1655 be extended to May 4, 1984. The extension is necessary in order to prepare an informed and adequate response, as a majority of the above-named respondents did not receive notification of the initiation of the complaint until April 16, 1984. Should you require any additional information in connection with this request, please telephone the undersigned or Thomas J. Schwarz of this office, collect, at (211) 371-6000. ery truly yours,

SKADDEN, ARPS, SLATE, MEAGHER & FLON 919 THIRD AVENUE NEW YORK 10022-9931



Office of the General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463

Attention: George Demougeot, Esq.

American Federation of Labor and Congress of Industrial Organizations

EXECUTIVE DOWNOR



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

LAME KIRKLAND PRESIDENT

S. Frank Ratiory Glenn E. Watts Angele Fosco Lloyd McBride Wm. W. Winneldinger Wayne E. Glenn John J. Sweeney Barbara Hutchingon Gerald W. McEntee THOMAS R. DONAHUE SECRETARY-TREASURER

Thomas W. Gleacon Murray H. Finley Sci C. Challen Charles H. Fillerd Kenneth T. Blaylock William H. Wynn Robert F. Gode Frank Drozak Richard I. Kilroy William H. Bywater Kenneth J. Brown Prederiati O'Meat Albert Mentes Edward V. Hantoy B.Z. Turner Balan B. Heese John DeCensial Joyce D. Millar James E. Hashald Vincent R. Sombrotto Marvin J. Boode Owen Bleber

April 17, 1984

Demougest

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

Re: FEC MUR 1655

Dear Mr. Steele:

8

The purpose of this letter is to request an extension of time from April 21, 1984 until May 11, 1984, for respondents Richard W. Cordtz and the Service Employees International Union Committee on Political Education Political Campaign Committee to respond to the complaint in the above-referenced matter.

The reason for this request is that due to a longstanding commitment I must be out of the city on business for most of the next two weeks and will therefore be unable to do the necessary preparation to respond to the complaint in this matter and that in FEC MUR 1657, for which the response is due on the same date, without the requested extension.

Accordingly, I respectfully request an extension of time in which to file the reply of respondents Richard Cordtz and the SEIU-COPE-Political Campaign Committee from April 21, 1984 until May 11, 1984.

Sincerely,

Marquet E. M. Cormick

Margaret E. McCormick
Counsel for Respondents Richard Cordtz
and SEIU-COPE Political Campaign Committee

CCC# 2160

American Federation of Labor and Congress of Mustrial Organizations



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

LANE KIRKLAND PRESIDENT

John H. Lyone S. Frenk Railery Glenn E. Wetts Angelo Posco Lloyd McBride Wm. W. Wispiolnger Wayne E. Glenn John J. Sweeney Barbara Hutchineon Gereid W. McEntee Resident Commission THOMAS R. DONANUE SECRETARY-TREASURER

Chomae W. Gleacon durray H. Pinley 301 G. Chelkin Charles H. Pilitard Cenneth T. Blaylock Villiam H. Wynn Robert F. Goes Frank Drozak Richard I. Kilroy Villiam H. Bywater Cenneth J. Brown

Frederiot O'Neal Albert Shenter Edward T. Henley J. C. Turner Alvin E. Heape John DeConcini Joyce D. Miller James E. Hatfield Vincent R. Sombrotto Marvin J. Boede

April 16, 1984

Muk 1655 Demougeot

R17 P2:

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

Re: FEC MUR 1655

Dear Mr. Steele:

0

The purpose of this letter is to request an extension of time from April 21, 1984 until May 11, 1984, for respondents Elmer Chatak and the Industrial Union Department AFL-CIO Voluntary Fund to respond to the complaint in the above-referenced matter.

The reason for this request is that due to a longstanding commitment I must be out of the city on business for most of the next two weeks and will therefore be unable to do the necessary preparation to respond to the complaint in this matter and that in FEC MUR 1657, which is due on the same date, without the requested extension.

Accordingly, I respectfully request an extension of time in which to file the reply of respondents Elmer Chatak and the IUD AFL-CIO Voluntary Fund from April 21, 1984 until May 11, 1984.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick Counsel for respondents Elmer Chatak IUD AFL-CIO Voluntary Fund American Federation of Labor and Congress of Industrial Organizations

E/7 815 Sixteenth Street, N.W. Weehington, D.G. 20008



_

4

T

0.

PC + SI œWillEduke

17 P2: 49

MUL 1655

Scorpe Demouport

0

7

C

| MUR 165 | 55 | |
|---------------------|----------|--------------------------|
| NAME OF | COUNSEL: | Max Zimny, Esq. |
| ADDRESS: TELEPHONE: | | ILGWU Legal Department |
| | | 1710 Broadway |
| | | New York, New York 10019 |
| | | (212) 265-7000 |

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.

RESPONDENT'S NAME:

Lawrence Dock

ADDRESS:

- (w) 1710 Broadway, New York, New York 10019
- (h) R.R. #1, Box 217, Canadensis. Pa. 18325

HOME PHONE:

(717) 595-3353

BUSINESS PHONE:

(212) 265-7000

necessive of 84 APR 23 LAW OFFICES SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P. C. 1128 FIFTEENTH STREET, N. W. SUITE BOI LOUIS SHERMAN (RET.) WASHINGTON, D. C. 20005 THOMAS X. DUNN (RET.) LAURENCE J. COHEN AREA CODE 202 ELIHU I. LEIFER JOHN P. COUNTS 785-9300 TERRY R. YELLIG April 20, 1984 RICHARD M. RESNICK ROBERT D. KURNICK Memougest mux 1655 mux 1657 VICTORIA L. BOR D. WILLIAM HEINE, JR. . MARY E. VOGEL *MEMBER OF CALIFORNIA BAR Mr. George Demougeot Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20465 Re: FEC MUR 1655 FEC MUR 1657 Dear Mr. Demougeot: I am enclosing statements of Designation of Counsel on behalf of Joseph F. Maloney and the Political Education Fund of the Building and Construction Trades Department. Thank you for your assistance in this matter. Sincerely, 0 SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P.C. T O Robert D. Kurnick T RDK:1jl 00 **Enclosures**

STATEMENT OF DESIGNATION OF COUNSEL

| MUR 1655 | |
|-------------------|--|
| NAME OF COUNSEL: | Robert D. Kurnick, Esquire |
| ADDRESS: | Sherman, Dunn, Cohen, Leifer & Counts |
| | 1125 - 15th Street, N.W. Suite 801 |
| | Washington, D.C. 20005 |
| TELEPHONE: | (202) 785-9300 |
| | |
| The above-na | med individual is hereby designated as my |
| counsel and is au | thorized to receive any notifications and other |
| communications fr | om the Commission and to act on my behalf before |
| the Commission. | |
| | 1 10 |
| April 6, 1984 | rest & Malones |
| Date | gigniture |
| | |
| RESPONDENT'S NAME | Joseph F. Maloney, SecTreas. |
| ADDRESS: | Building and Construction Trades |
| | 815-16th Street, N.W. Suite 6°3 |
| | Washington, D.C. 20006 |
| HOME PHONE: | |
| RUSTNESS PHONE | (202) 347-1461 |

00

0 6

4040470

ထ



T

0

a.

00

SERVICE EMPLOYEES INTERNATIONAL UNION AFL-CIO, CLC

2020 K Street, N. W.

Washington, D. C. 20006-1846

John J. Sweeney
International President

Richard W. Cordtz
International Secretary-Treasurer

April 17, 1984

mul 1655 Demongent

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

Re: FEC MUR 1655

4: (

Dear Mr. Steele:

Pursuant to 11 CFR # 111.23, the Service Employees International Union Committee on Political Education Political Campaign Committee and I hereby designate Margaret E. McCormick as our counsel with respect to the above referenced matter.

Ms. McCormick is authorized to receive any notifications and other communications from the Commission in connection with this matter and to act on our behalf before the Federal Election Commission.

Ms. McCormick's address is: AFI-CIO Legal Department, 815 16th Street, N.W., Washington, D.C. 20006. Her telephone numbers are: Office (202) 637-5397, Home (301) 656-9612.

Sincerety

Richard W. Cordtz Secretary-Treasurer

RWC:sas

cc: Margaret E. McCormick

THE E STREET, N.W. . WASHINGTON, D.C. 2000-1046

Mr. Charles N. Steele General Counsel Pederal Election Countsidon 1325 K Street, N.W. Washington, D.C. 20463

Howard D. Samuel, President Elmer Chatak, Secretary-Treasurer

815 16th Street N.W. Washington, D.C. 20006 202/842-7800

April 16, 1984

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

RE: FEC MUR 1655

Dear Mr. Steele:

Pursuant to 11 C.F.R. 111.23, the Industrial Union Department, AFL-CIO Voluntary Fund and I hereby designate Margaret E. McCormick as our counsel in the above referenced matter.

Ms. McCormick is authorized to receive any notifications and other communications from the Commission in connection with this matter and to act on our behalf before the Federal Election Commission.

Ms. McCormick's address is: AFL-CIO Legal Department, 815 16th Street. N.W., Washington, D.C. 20006. Her telephone numbers are: 202/637-5397 (office); and 301/656-9612 (home).

Sincere

C

T

0

Elmer Chatak

Secretary-Treasurer

STATEMENT OF DESIGNATION OF CONSEL

| MUR 1655 | | |
|------------------|-------------------------------|--------|
| NAME OF COUNSEL: | THOMAS J. SCHWARZ | |
| ADDRESS: | SKADDEN, ARPS, SLATE, MEAGHER | & FLON |
| | 919 Third Avenue | |
| | New York, New York 10022 | |
| TELEPHONE: | (212) 371-6000 | |
| | | |

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.

4/12/84 Date

Signature

Date

JOHN WESTERGARD, individually and in his capacity as treasurer of Moynihan '82 Committee,

The Senator Moynihan Re-election Campaign Inc. RESPONDENT'S NAME: The Committee to Re-elect Senator Moynihan, Inc.

ADDRESS: Equity Research Associates

540 Madison Avenue - Room 804

New York, New York 10022

HOME PHONE: (212) 535 - 0193

BUSINESS PHONE: (212) 940-0216

STA TENT OF DESIGNATION OF CONSEL

| MUR 1655 | | |
|------------------|-------------------------------|--------|
| NAME OF COUNSEL: | THOMAS J. SCHWARZ | |
| ADDRESS: | SKADDEN, ARPS, SLATE, MEAGHER | & FLOM |
| | 919 Third Avenue | |
| | New York, New York 10022 | |
| TELEPHONE: | (212) 371-6000 | |
| | | |

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.

<u>April 13, 1984</u> Date

0

0

9

Signature

| RESPONDENT'S | NAME: | | | |
|--------------|-------|--|--|--|
| | | A CONTRACTOR OF THE PARTY OF TH | | |

ADDRESS: 464 Russell Office Building

Washington,, D.C. 20510

HOME PHONE:

BUSINESS PHONE: (202) 224-4451

STATEMENT OF DESIGNATION OF COUNSEL

MUR No. 1655

040470914

0

BUSINESS PHONE:

RECEIVED AT THE FEB GCC# 2153 84 APRIS P12: 54 MUR 1685 Demougest

| NAME OF COUNSEL: | Chamberlain, D'Amanda, Oppenheimer | Ue. |
|------------------|--|-------------|
| ADDRESS: | & Greenfield
1100 Crossroads Building | |
| | | 53 |
| | Rochester, New York 14614 | 17 |
| | | D |
| TELEPHONE: | (716) 232-3730 | |
| IBIDI HOND. | | - |
| | | |
| The above-n | amed individual is hereby designated as m | V |
| | | Tarabana ba |
| counsel and is a | uthorized to receive any notifications and | d other |
| communications f | rom the Commission and to act on my behal | f befor |
| the Commission. | | |
| the conduitsion. | | |
| | an a | |
| April 13, 1984 | Mary ann Bexiscas | a |
| Date | Sighature | |
| | | |
| | | |
| RESPONDENT'S NAM | E: SCOPA | |
| RESPONDENT 5 NAM | | |
| ADDRESS: | 40 West Avenue | |
| | Rochester, New York 14611 | |
| | | |
| | | |
| HOME PHONE: | | |

RECEIVED AT THE FEC INTERNATIONAL LADIES' GARMENT WORKERS&LING 1710 BROADWAY . NEW YORK, N.Y. 10019 AFL-CIO CABLE ADDRESS: HGWU-NEW YORK . PHONE: 214-265-7000 LEGAL DEPARTMENT MAX ZIMNY **General Counsel** April 27, 1984 mur 1655 Demougest Charles N. Steele, General Counsel Federal Elections Commission Washington, D.C. 20463 Re: MUR 1655 Attention: Mr. George Demougeot Dear Sir: 10 Enclosed is the response of Lawrence Dock, Acting Treasurer of I.L.G.W.U. Campaign Committee, and of the I.L.G.W.U. Campaign Committee to the complaint in the captioned case. Also enclosed is a designation of the undersigned as counsel for Mr. Dock and the I.L.G.W.U. Campaign Committee. T Sincerely yours, MAX ZIMNY General Counsel Assum JEAN GRUMET Assistant General Counsel

STATE OF NEW YORK) : SS.: COUNTY OF NEW YORK)

LAWRENCE DOCK, being duly sworn, deposes and says:

- 1. I am Acting Treasurer of the International Ladies' Garment Workers' Union Campaign Committee ("I.L.G.W.U. Campaign Committee"). I am fully familiar with all of the relevant facts and circumstances surrounding the matters complained of with respect to the I.L.G.W.U. Campaign Committee in MUR 1655. The following constitutes my response and the response of I.L.G.W.U. Campaign Committee to the complaint.
- 2. On March 30, 1982, I.L.G.W.U. Campaign Committee made a \$6,700 contribution to the Moynihan '82 Committee. Although one check was sent, the \$6,700 contribution consisted of a \$2,500 contribution for the primary election and a \$4,200 contribution to the general election. A copy of the check sent to the Moynihan '82 Committee and the check stub, which reflects that the \$6,700 payment included contributions to both the primary and general elections, are attached as "Exhibit A."
- 3. When the Campaign Committee auditor prepared the April 1982 monthly report for the period March 1, 1982 to

0 T C T 0 March 31, 1982, the Campaign Committee reported the \$6,700 contribution in schedule B, but inadvertently failed to check both the "primary" and "general" boxes, and instead mistakenly reported the \$6,700 contribution as a disbursement for the primary. A copy of schedule B of the April 1982 monthly report is attached as "Exhibit B."

- 4. On August 18, 1982, Pamela Brown, an FEC Senior Reports Analyst notified me of the reporting error in the April 1982 monthly report. A copy of Ms. Brown's letter is attached as "Exhibit C."
- 5. On September 8, 1982, I wrote to Ms. Brown explaining the Campaign Committee's error in reporting the contribution to the Moynihan '82 Committee. My letter explained that the \$6,700 contribution included a \$2,500 contribution to the primary election and \$4,200 contribution to the general election. With my letter, I filed an amended monthly report for April 1982, which indicated that the \$6,700 contribution constituted contributions to both the primary and general elections. A copy of my September 8, 1982 letter to Ms. Brown is attached as "Exhibit D." A copy of the amended monthly report for April 1982 is attached as "Exhibit E."

6. No further contributions were made to Senator Moynihan's primary or general election. It is clear that the I.L.G.W.U. Campaign Committee contribution of March 30, 1982 to the Moynihan '82 Committee was intended as a contribution to both the primary and general elections and that the Campaign Committee's FEC report for April 1982 was the result of a clerical error. It is equally clear that contributions made by the I.L.G.W.U. Campaign Committee in 1982 to the Moynihan '82 Committee did not exceed the separate \$5000 limit for either the primary or general election. WRENCE DOCK Sworn to before me this 00 27th day of April 1984 Notary MAN ZIMNY Notary Public, facts of May York Na. 30-41-2222 Quelified in Kastu County Certificate filed in New York County Commission Explices March 30, 1905

3 -

| M FWL | PUAL PAYMENT OF THE PO | THE PERSON AND PERSON | |
|-------|---------------------------|---|--|
| | | | 7 |
| | | | |
| | | | |
| | | | |
| - | | - | 1000 |
| | | | |
| | The second second | A 100 | - |
| 180 | | | 1 |
| | | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | |
| | Section Laws | | |
| | | | |
| | | | |
| | SCORNECT PLEASE ACTURAL A | AL NO RECEIPT MECHA | ABY |
| | | 1,000 | 48 10" 1:02 1000 1281: 0 28*0 28 5 70" |
| | | | |

| | PO Box 4687
Aclanto Ga 4808 | BALANCE FORWAR |
|----|--|--|
| (| march 30 19 82 Tro The Jemmy Carter Committee In a Sheater Committee | |
| | Contribution | |
| (| TOTAL | |
| | AMOUNT THIS CHECK | 1,000 00 |
| -(| 425 A Franklin St. | |
| (| 4809 | |
| | march 30 19 82 | |
| (| To John huffet for Senete Com. | |
| C | Contribution | |
| 1 | E CONTINUES OF THE PROPERTY OF | |
| | Fremary TOTAL | |
| - | AMOUNT THIS CHECK | 1,000 |
| | BALANCE | |
| | BN 2-1982 | |
| X | grand Cechel | |
| | 4810 | |
| | march 30 19 82 | |
| | 100 | |
| (| To the principle & to Colect | The state of the s |
| | to Truncitie & Ko Collet | |
| | TO THE Trugittee Kraftet | |
| | to Truncitie & Ko Collet | |
| | to Truncitie & Ko Collet | |
| | Mayche Er Countles Contributer - 10 kets TOTAL | 610-06 |

٠. 5

4

N

Main more on a recovers: for deal case of the property of one to be as all

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

Name of Committee (in Full)

I.L.G.W.U. CAMPAIGN COMMITTEE

| A. Full Name, Meiling Address and ZIP Code The Jimmy Carter Committee for A Greater America | Purpose of Disbursement
Contribution | Core treach,
day, year! | Amount of Eart
Districtions The Period |
|---|---|----------------------------|--|
| P.O. Box 4687
Atlanta, Ga. | Disbursement for DPrimery DGeneral R Other (specify): | 3/30/82 | 1,000.% |
| B. Full Name, Melting Address and ZP Code Toby Moffat for Senate Committee 425A Franklin Street | Purpose of Disbursement Contribution | Dese (month, day, year) | Amount of Each
Deputement The Period |
| Hartford, Conn. | Disbursement for St Primery O'General O Other (specify): | 3/30/82 | 1,000.00 |
| C. Full Name, Mading Address and ZIP Code Moynihan "82 Committee Box 2-1982 | Purpose of Disbursement Contribution | Date (month,
day, year) | Amount of Each
Disbursement This Period |
| Grand Central Station New York, New York 10163 | Disbursement for: EPrimary O'General O'Cher (specify): | 3/30/82 | 6,705.05 |
| O. Full Name, Mailing Address and ZIP Code Wilson For Utah 530 East 4th, South | Purpose of Disbursement
Contribution | Date (month, day, year) | Amount of Each
Dispursement This Period |
| Salt Lake City, Utah 84102
Allen Blodgett, Treasurer | Disbursement for: RPrimary DGeneral D Other (specify): | 3/30/82 | 1,000.00 |
| E. Full Name, Meiling Address and ZIP Code Offner Campaign Committee 1803 King Street | Purpose of Disbursement Contribution-ticket | Date (month, day, year) | Amount of Each
Disconstruct The Period |
| LaCross, Wisc. 54601 | Disbursement for: @Primary D&Ineral D Other (specify): | 3/30/82 | 100.00 |
| F. Full Name, Mailing Address and ZIF Code
Friends of Congressman Charles
Dougherty | Purpose of Disbursement Contribution-ticket | Dete impath,
day, year! | Amount of Each
Disbursement The Perio |
| 7034 Caston Avenue
Philadelphia, Pa. 19149 | Disbursement for: SPrimary D General D Other (specify): | 3/31/82 | 300.00 |
| G. Full Name, Mailing Address and 21P Code The Babbitt for Arizona Committee 1019 N. Central Avenue | Purpose of Disbursement
Contribution-tickets | Date (month, day, year) | Amount of Each
Disbursement This Re- or |
| Phoenix, Arizona 85004 | Disburtement for: XXPrimary Clearers | 3/31/82 | 250.00 |
| H. Full Name, Mailing Address and ZIF Code
Citizens Committee to Elect
: Juan Ramos | Purpose of Disbursement
Contribution | Date (month, day, year) | Amount of Each
Disbursement The Perio |
| 3862 N. 7th Street
Philadelphia, Pa. 19140 | Disbursement for: Primary DiGeneral Disbursement for: Primary DiGeneral | 3/31/82 | 100.00 |
| I. Full Name, Mailing Address and ZIP Code | Purpose of Disbursament | Date Imonth,
dev, year) | Amount of Earli
Disbursament This Peris |
| | Disbursement for: Officery O'General O Other (specify): | | |

Sale the sale of makers to be seen

Any information copied from such Ruporse and Statements may not for sold or used by any person for the purpose of solections controlled from such commercial purposes, other than taking the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full)

I.L.G.W.U. CAMPAIGN COMMITTEE

| A. Full Name, Meling Address and ZIP Code AFL-CIO COPE 815 - 15th Street, N.W. | Purpose of Disbursoment Transfer | Cose (manch,
day, year) | Amount of East
Degument The Ports |
|--|--|----------------------------|--|
| Washington, D.C. 20006 | Disbursement for: DPrimary D General D Other (specify): | 3/3/82 | 5,200.00 |
| S. Pull Name, Mailing Address and ZP Code | Purpose of Dispursement | Dese (month, day, year) | Amount of East
Deputement The Period |
| | Disbursement for: O Primary O General O Other (specify): | | |
| C. Full Name, Malling Address and ZIP Code | Purpose of Disbursement | Date tmonth,
day, year) | Amount or Each
Debursoment The Period |
| | Disbursement for: OPrimary OGeneral Other (specify): | | |
| D. Full Name, Mailing Address and ZIP Code | Purpose of Disbuissment | Date (month, day, year) | Amount of Eart
Disturbment The Force: |
| | Disbursement for: O Primary O General O Other (specify): | | |
| E. Full Name, Melling Address and ZIP Code | Purpose of Disbursement | Date (month,
day, year) | Amount of Each
Disbursament This Police |
| | Disbursement for: OPrimary Offineral O Other (specify) | | |
| F. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Dete (month, day, year) | Amount of East
Debursmant The Peris |
| | Disbursement for: OPrimary OGeneral O Other (specify): | | |
| G. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each
Disbursement This Period |
| | Disbursement for: - OPrimary DiGeneral Diother (specify): | | |
| H. Full Name, Mailing Address and ZIP Code | Purpose of Disburgement | Date (month, day, year) | Amount of Each
Disbursement The Person |
| | Disbursement for: OPrimary OGeneral O Other (specify): | | |
| 1. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each
Disbursament The Period |
| Electrical State of the State o | Disbursement for: OPrimary OGeneral O Other (specify) | | |



8

6:

8203229

Ci

0



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

18 August 1982

Lawrence Dock, Treasurer ILGWU Campaign Committee 1710 Broadway New York, NY 10019

Identification Number: C00004861

Reference: April Monthly Report (3/1/82-3/31/82)

Dear Mr. Dock:

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 B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act precludes a multicandidate committee from making a contribution to a candidate for Federal office in excess of \$5,000 per election. (2 U.S.C. 441a(a)) In addition, the Act precludes a committee from making contributions to another political committee in excess of \$5,000 in a calendar year. If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$5,000. Please inform the Commission, in writing, of the refund and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on Line 16 of Schedule A on your next report.

If you find the contribution(s) in question was disclosed incompletely or incorrectly, please amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the excessive contribution(s), prompt action by you to obtain a refund will be taken into consideration by the Commission.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission

84040470924

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.

Singerely,

Pamela Brown

Senior Reports Analyst Reports Analysis Division

ILGWU CAMPAIGN COMMITTEE NATIONAL COMMITTEE OFFICE . 1710 BROADWAY . NEW YORK, N.Y. 10019 PHONE: COLUMBUS 5-7012 September 8, 1982 SOL C. CHAIKIN Chairmon Ms. Pamela Brown SHELLEY APPLETON Senior Reports Analyst Reports Analysis Division WILBUR DANIELS Federal Election Commission PREDERICK SIFMS Vice Chairman Washington, D.C. 20463 GUS TYLER Identification Number: - C0004861 Director EVELYN DUBROW Dear Ms. Brown: Executive Secretary DAVID I WELLS In response to your letter of August 18, 1982, I am enclosing the Assistant Director attached amendments to the International Ladies' Garment Workers' Union (ILGWU) Campaign Committee's 1982 March, April, May, June and July Monthly FEC Reports. These amendments clarify that the ILGWU Campaign Committee's เก Executive Committee: February 16, 1982 transfer of \$5,200.00, February 22, 1982 transfer of \$5,200.00, March 3, 1982 transfer of \$5,200.00, April 1, 1982 transfer of NICHOLAS S. BONANNO \$5,200.00, May 4, 1982 transfer of \$4,980.00, June 1, 1982 transfer of GLENWOOD CLAY \$4,980.00, and July 1, 1982 transfer of \$4,980.00 to the AFL-CIO COPE P.C.C., SOL GOLDBERG which are labelled simply as "transfers", in fact represented transfers by MANUEL GONZALEZ the ILGWU Campaign Committee to AFL-CIO COPE PCC of voluntary contributions SOL GREENE from members of the ILGWU collected through a joint fundraising effort by GERALD GROSSMAN the ILGWU and the AFL-CIO. Every contributor is provided with a receipt SOL HOFFMAN indicating that he or she has made a voluntary contribution to a joint MATTIE JACKSON fundraising effort by ILGWU and the AFL-CIO. For your information a copy SAM JANIS of this receipt is attached hereto. EDWARD KRAMER DOUGLAS LEVIN Because 2 U.S.C. Sec. 441a (a) (5) (A) expressly permits transfers between FRANK LONGO political committees of funds raised through joint fundraising efforts without JAY MAZUR regard to the contribution limits stated in 2 U.S.C. Sec. 441a (a), ILGWU EDWARD MILANO Campaign Committee's March, April, May, June and July 1982 transfers to AFL-SAMUEL NEMAIZER CIO COPE PCC in the amounts of \$5,200.00, \$5,200.00, \$5,200.00, JULIO RAMIREZ 8 \$4,980.00, \$4,980.00, \$4,980.00 respectively, were, we believe, in conformity EDWARD SCHNEIDER with the Act's requirements. MATTHEW SCHOENWALD IRWIN SOLOMON In addition, the amendment for April Monthly FEC Report shows Moynihan '82 CORNELIUS WALL Committee contribution as \$2,500.00 Primary and \$4,200.00 General. We thank you for affording us this opportunity to correct our reports. If there are any additional questions in connection with this matter, please feel free to contact me at (212) 265,7000. Very truly yours, Lawrence Dock Acting Treasurer att. 428

| Date |) | | | |
|------|-------------|----------------|--------------|-----------|
| Po | ceived from | | A 27 | 501 |
| | | | | |
| | A. V | | | ollara |
| | ILGWU | | COMMITTEE | |
| | | d or Local No. | | |
| | | | CONTRIBUTION | S |
| \$ | | | • | |
| | | 400 | | Treasurer |

O

REPORT OF RECEIPTS AND DISBURNENTS. For a Political Committee Other Than an Authorized Committee

(Summary Page)

| October 15 Quarterly Rep January 31 Year End Rep July 31 Mid Year Report (Monthly Report forAp Twelfth day report preced election on i Thirtieth day report follow on in the | (Non-election Year Only) oril, 1982 ling(Type of Election) in the State of |
|---|--|
| Twelfth day report preced election on i Thirtieth day report follow onin the | (Type of Election) in the State of |
| onin the | wing the General Election |
| Termination Report | e State of |
| Is this Report an Amendment See YES ONO | 17 |
| Column A
This Period | Column B Calendar Year-to-Date |
| \$ 80,664.39
\$ 974,710.19 | \$ 1,021,041.41
\$ 68,124.22
\$ 1,089,165.63
\$ 114,455.44
\$ 974,710.19 |
| None None | |
| Federal E Toll Free Local 202 | |
| | \$ 80,664.39 \$ 974,710.19 \$ None None For further i Federal E Toll Free |

DETAILED SUMMARY PAGE of Receipts and Disbursements (Page 2, FEC FORM 3X)

| Name of Committee (in Full) International Ladies' Garment
Workers' Union Campaign Committee | Report Covering the Period From 3/1/82 | Report Covering the Period: From: 3/1/82 To: 3/31/82 | | |
|--|--|--|--|--|
| | COLUMN A
Total This Period | COLUMN B | | |
| I. RECEIPTS | | | | |
| 11.CONTRIBUTIONS (other than loans) FROM: | | | | |
| (a) Individuals/Persons Other Than Political Committees | 13.581.75 | 52,817,20 | | |
| (Memo Entry Unitermized \$ 13,581.75 | -0- | -0- | | |
| (b) Political Party Committees | | | | |
| (c) Other Political Committees | | -0- | | |
| (d) TOTAL CONTRIBUTIONS (other than loans) field 11s, 11b and 11c) | . 13,581.75 | 52,817.20 | | |
| 2. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES | | | | |
| 3.ALL LOANS RECEIVED | | -0- | | |
| 4. LOAN REPAYMENTS RECEIVED | | -0- | | |
| 5. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebetes, etc.) | -0- | -0- | | |
| 16.REFUNDS UP CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES | -0- | -0- | | |
| 17.OTHER RECEIPTS (Dividends, Interest, etc.) | . 5,381.25 | 15,307.02 | | |
| 18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17) | 18,963.00 | 68,124.22 | | |
| II. DISBURSEMENTS | *** | Market Control | | |
| 9.OPERATING EXPENDITURES | | 43,355.41 | | |
| O.TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES | -0- | -0- | | |
| 11. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES | 37,020.00 | 55,320,00 | | |
| 22. INDEPENDENT EXPENDITURES (Use Schedule E) | -0- | -0- | | |
| 23.COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F) | -0- | -0- | | |
| 24.LOAN REPAYMENTS MADE | -0- | -0- | | |
| 25. LOANS MADE | -0- | -0- | | |
| 26, REFUNDS OF CONTRIBUTIONS TO: | | | | |
| (a) Individuals/Persons Other Than Political Committees | 175.00 | 265.03 | | |
| (b) Political Party Committees | -0- | -0- | | |
| (c) Other Political Committees | | -0- | | |
| (d) TOTAL CONTRIBUTION REFUNDS (add 26e, 26b and 26c) | 175.00 | 276.03 | | |
| 77.OTHER DISBURSEMENTS | 5.200.00 | 15,515.00 | | |
| 28.TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27). | 80,664.39 | 114,455.44 | | |
| III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES | | | | |
| 9. TOTAL CONTRIBUTIONS (other than loans) from Line 11d | 13.581.75 | 52,817.20 | | |
| IO. TOTAL CONTRIBUTION REFUNDS from Line 26d | 175.00 | 265.03 | | |
| 11.NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29) | 13 406 75 | 52,552.17 | | |
| 2.TOTAL OPERATING EXPENDITURES from Line 19 | 20 252 20 | 43,355.41 | | |
| 33.OFFSETS TO OPERATING EXPENDITURES from Line 15. | -0- | -0- | | |
| 34.NET OPERATING EXPENDITURES (subtract Line 33 from Line 32) | 38,269,39 | 43,355.41 | | |

Page 6 of 7 for LINE NEMBER 21 (the separate schedule(s) for each entegrity of the Datallet Surrenary Page)

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

Name of Committee (in Full)

INTERNATIONAL LADIES' GARMENT WORKERS' UNION CAMPAIGN COMMITTEE

| A Full Name, Mailing Address and ZIP Code The Jimmy Carter Committee for A Greater America | Purpose of Dishursement Contribution | Date (month, day, year) | Amount of Each Disbursament This Perior |
|---|---|-------------------------|--|
| P.O. Box 4687
Atlanta, Ga. | Distrussment for: 11 Primary D General & Other (specify): | 3/30/82 | 1,000.00 |
| B. Full Name, Mailing Address and 21P Code Toby Moffat for Senate Committee 425A Franklin Street | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Dishursement This Perio |
| Hartford, Conn. | Disbursement for: 39 Primary General Other (specify): | 3/30/82 , | 1,000.00 |
| C. Full Name, Mailing Address and ZIP Code Moynihan '82 Committee Box 2-1982 -Grand Central Station | Purpose of Disbursement Contribution- 2500-Primary 4200-General | Date (month, day, year) | Amount of Each Disbursement This Perio |
| New York, New York 10163 | Disbursement for: | 3/30/82 | 6,700.00 |
| D. Full Name, Mailing Address and ZIP Code Wilson for Utah 530 East 4th, South | Purpose of Disbursement Contribution | Date (month, day, ýear) | Amount of Each
Dishursement This Period |
| Salt Lake City, Utah 84102 Allen Blodgett, Treasurer | Disbursement for: RPrimary General O Other (specify): | 3/30/82 | 1,000.00 |
| E. Full Name, Mailing Address and ZIP Code Offner Campaign Committee 1803 King Street | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Perio |
| La Cross, Wisc. 54601 | Dishursement for: #Primary General Other (specify): | 3/30/82 | . 100.00 |
| F. Full Name, Mailing Address and ZIP Code Friends of Congressman Charles Dougherty | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Perio |
| 7034 Caston Avenue
Philadelphia, Pa. 19149 | Dishursement for: RPrimary O General O Other (specify): | 3/31/82 | 300.00 |
| G. Full Name, Mailing Address and ZIP Code The Babbitt for Arizona Committee 1019 N. Central Avenue | Purpose of Disbursement Contribution | Date (month, day, year) | Amount of Each Disbursement This Period |
| Pheonix, Arizona 95004 | Disbursement for: QPrimary General Cl Other (specify): | 3/31/82 | 250.00 |
| H: Full Name, Mailing Address and ZIP Code Citizens Committee to Elect Juan Rai 3862 N. 7th Street | Purpose of Disbursement mos Contribution | Date (month, day, year) | Amount of Each Dishursement This Perio |
| Philadelphia, Pa. 19140 | Distrirsement for: RPrimary UGeneral U Other (specify): | 3/31/82 | 100.00 |
| I, Full Name, Mailing Address and ZIP Code | Partinse of Disbursement | Date (month, day, year) | Amount of Each Dishursement This Perio |
| | Disbursement for: (1 Primary U General Other (specify): | | |
| SUBTOTAL of Disbursements This Page (optional) | | | 10,450.00 |

Page 4. 41, 127 for LINE NUMBER 127 (Use separate schedulets) for each category of the Octaling Summary Page)

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

Name of Committee (in Full)

| A. Full Name, Mailing Address and ZIP Code AFL-CIO COPE | Purpose of Disbursement Transfer of Joint Fundraising Proceeds | Date (month, day, year) | Amount of Each Disbursement This Period |
|--|--|-------------------------|--|
| 815 16th Street, N.W. Washington, D.C. 20006 | Dishursement for: 17 Primary D General O Other (specify): | 3/3/82 | 5,200.00 |
| B. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each 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 Each Disbursement This Period |
| | Disbursement for: Primary D General Other (specify): | | |
| D. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each Dishursement This Period |
| | Disbursement for: OPrimary OGeneral Other (specify): | | |
| E. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each Disbursement This Period |
| | Dishursement for: © Primary © General © Other (specify): | | |
| F. Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each 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 Each Disbursement This Period |
| | Disbursement for: Definition of the Desiration | | |
| H: Full Name, Mailing Address and ZIP Code | Purpose of Disbursement | Date (month, day, year) | Amount of Each Dishursement This Period |
| | Districtment for: OPrimary OGeneral O Other (specify): | | • |
| . Full Name, Mailing Address end ZIP Code | Principle of Disbursement | Date (month, day, year) | Amount of Each Distrussement This Period |
| | Disbursement for: OPrimary OGeneral Other (specify): | | |
| SUBTOTAL of Disbursements This Page (optional) | | | |
| TOTAL This Period (last page this line number only) | | | 5,200.00 |

| | | the ground of deposed a large | de significa | follows A to be tro | | de from each comp
de control :
de control | (b) (solution) |
|----------------|-----------|--|--|---|---|---|---|
| Pandi
STATE | OP NEW | TORK, COUNTY OF the foregoing deponent's own knowledge, a to those matters deponent be the foregoing is true to deponent's own knowledge, and on to those mathematical and on to those mathematical and on the county of the coun | dian
nacepit as
lieves it to
of
corpo
outledge, c
on depos | to the matters therein to be true. Patient, satisful as to the matter to be been to be true. | heing do and imove in eased to be in and i | the water and the within actions the within actions the contents there alleged on information within actions the within action the within action the alleged critication and deposits and deposits and deposits and deposits and deposits and deposits are as follows: | depotent his real the
thereof; and the same
area, information and |
| | * 14 | YORK, COUNTY OF of age and resides at On upon attorney(s) for by depositing a true copy of depository under the exclusiv On deponent served the within person so served to be the pers | 19
herein, l | deponent served the in this action, at the a custody of the United by delivering a true of | ne within address designate properly address ited States Post upon copy thereof to | od by said attorned wrapper, in-
al Service within | oy(a)) for that purpose a post office — official the State of New York. the ally. Deponent knew the therein. |
| Sworm | to before | me on | 19 | | ****** | | |

| | | ALL DIE | | ¥ | | |
|--|----------------|---------------------------------------|---------------------|-----------|--|-------|
| | 0.4 | | | \$ | | |
| de la se | | 46.75.1 | | | | |
| | 476 (AU) (-1 | Olice of E | | | | |
| | e take noti | on that the | width I | a a (ce | sitied) | 多。其 |
| | | ce that the | | | | * 150 |
| rue copy | of E | | | | | |
| luly ente | red in the | office of | he clerk | of the | Within . | 7 |
| streed co | urt on | , | | | 19 | |
| 1. | | | 1 - 1 - 32 | Q P | 4.4 | |
| | | | | | | |
| Dated, | YA L | | | | 3.3.3.3.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1 | |
| * | 130.2 | Yours, etc | | | | |
| 1.7 | M | XZI | | | | |
| | 102 E 12 T | | | | | |
| Storpey | for | | 1. W. S. | | a plotted | 13- |
| | Ottice a | nd Post Of | ice Adde | Ú4 | | |
| | . 400 | | | | | KA No |
| | | 0 Broad | | | | |
| V | NEW ' | YORK, N. | 10019 | 100 | | 10 m |
| 73 | 0.3600 | | | 14. | | |
| -65 | | | | *** | | |
| To . | | | | | | |
| | | | | Kon . | | 367 |
| | | | | | | |
| American | (a) yes | 200 | | | 4.7 | |
| . July | | | | | 47.00 | |
| 1 | 9,5 (8), 5 (6) | ICE OF SETT | | 100 | | |
| | | | P. M. LOSS SERVICES | | | |
| Sir-Ple | one take no | tice that an | order | | | - 2 |
| | | | | | | |
| • | | | | 2-16-1 | 7. 4. | |
| of which | the within | is a true | copy wil | he pe | esented | |
| | ment to the | | | 21 | | 4 651 |
| | | | 400 | | * | |
| M(| | | 1 | | | |
| one of | the judges | of the w | KOID DAY | | HELD BE | |
| | | | | | | X. 1 |
| 90 | | | | 1 | 9 | |
| 124190 | | | | | | |
| | | 自動於可 | | STITE. | | |
| ,td, | Marin Section | 4.5 | 100 | | | |
| | | Yours, | | | 37.58 | |
| | | AX ZII | | | 79.1 | |
| | | CATAL BANKS | | | | |
| Astorney | for | | A. 42 | | | |
| | N. Santan | | | | | i jo |
| | | nd Post O | | | | |
| 125 | 17 | 10 Bros | | 1 ×7 × | | |
| | | YORK N | T tant | 建 | | p war |
| | West of the | Section 1 | | | 75 | |
| | | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | * | \$15.70 B | | |
| DESCRIPTION OF THE PARTY OF THE | | | | the State | Lange of | |
| To . | | 1 1 1 m | | 4 200 | | |
| | | | | | | |
| E L | Margari 1 | | 7.1.4 | 1.3 | The Market | |
| - | vial fac | The second second | 4 7 12 5 | VA. | 1785 | 1-12 |

| 8.4 0 | 4 0 4 | 7 0 | T. C. Talend |
|------------------------|---|--|--------------|
| Index No.
MUR. 165 | 5 | | • 10
13 |
| JAMES E | DWARD AN | PTOSH . | |
| | v. | omplainar | |
| DANIEL | | HAN, et
espondent | |
| | | | |
| RESPONS | E OF ILE | SWU CAMPA | NIGN |
| | 4 | | |
| | MASS | DONY: | |
| Assoraty (a)
Office | MAX Z
11 GNU (
and Pail Office
1/10 line | DANY
Campaign
mittee
Azoni, Polo
Way | |
| Assertacy for Office. | MAX 72
EFGNU (
COMM
and Part Office
1710 Bre | DANY
Campaign
mittee
Azoni, Polo
Way | |
| Office | MAX 72 ELGNU : Command Post Office 1710 Books (Cont.) Cont. (Cont.) | DANY
Campaign
mittee
Azoni, Polo
Way | |

eg(s) fo

AON PRE MAKING RODIES

IESS MAIL SERVICE B 54835469 TO ADDRESSEE POST OFFICE Notice Left By I to Whom & Date Del Postage / & rees S Weight General Counsel Federal Elections Commission Att: Mr. George Demougeot New York, New York 10019 Washington, D.C. 20463 JEAN GRUNET, ESQ. ILGNU Legal Dept. Charles N. Steele . U.E.G.P.O. 1983-400-104 Label 11-B, Apr. 1983 1710 Broadway Customer Number, if any: FROM:



84 APR NTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORK

OWEN F. BIEBER, PRESIDENT

RAYMOND E. MAJERUS, SECRETARY-TREASUR

VICE PRESIDENTS

BILL CASSTEVENS . DONALD F. EPHLIN

ODESSA KOMER

MARC STEP

ROBERT WHITE

STEPHEN P. YOKICH

April 12, 1984

IN REPLY REFER TO 1767 N STREET, N.W. WASHINGTON, D.C. 20036 TELEPHONE: (200) 826-6500

Kenneth A. Gross Associate General Counsel Federal Election Commission Washington, D. C. 20463

Re: MUR 1655

Dear Mr. Gross:

w

9

U

This is to advise you that i will be acting as counsel for respondents UAW Committee for Good Government and its treasurer, Donald J. Moll in connection with the above referenced case. Please direct any further communications regarding this matter to my attention.

The complaint filed by James Antosh basically alleges that the UAW CFGG is affiliated with the Special Committee on Political Action (SCOPA), and that these two political committees therefore violated section 441a(a)(2)(A) by contributing more than \$5000 to Senator Moynihan in connection with his 1982 general election campaign. Specifically, UAW CFGG contributed \$5000 to Moynihan in connection with his general election campaign on November 5, 1981; SCOPA allegedly contributed \$500 and \$1500 to the Moynihan general election campaign on September 1, 1981 and July 14, 1982.

The simple answer to this complaint is that UAW CFGG and SCOPA have no connection whatsoever, and are not "affiliated" within the meaning of the FECA. Accordingly, neither UAW CFGG nor SCOPA exceeded the contribution limits in connection with Moynihan's 1982 general election campaign.

Significantly, the complaint does not contain even a scintilla of evidence to support the allegation that UAW CFGG and SCOPA are "affiliated". More importantly, the Commission has already found that UAW CFGG and SCOPA are <u>not</u> in fact affiliated. Back in 1982, Robert Dornan filed a complaint with the Commission which contained allegations virtually identical to those contained in the present case. In <u>MUR 1489</u> the Commission concluded that UAW CFGG and SCOPA were <u>not</u> "affiliated", and therefore found <u>no</u> reason to believe that these political committees had committed any violation of the FECA in connection with Moynihan's 1982 general election campaign. Copies of the statement submitted by UAW CFGG in connection with <u>MUR 1489</u>, and the decision rendered by the Commission in that case, are attached.

84040470934

Since the complaint filed in the present case raises precisely the same allegations as the complaint which was filed in MUR 1489, under well settled principles of residulcata, the Commission must find no reason to believe that UAW CFGG has violated the FECA in the present case. UAW CFGG therefore respectfully submits that the Commission should act promptly to dismiss the complaint in the present case. Sincerely, alan kuth Alan V. Reuther **Assistant General Counsel** AVR:njk opeiu494 cc: George Demougeot 3 T 00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 11, 1983

Allen Reuther, Counsel Committee for Good Government 1757 N Street, N.W. Washington, D.C. 20036

RE: MUR 1489

Dear Mr. Reuther:

On January 4, 1983, the Commission found reason to believe that your client violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with a contribution to the Senator Moynihan Re-election Campaign, Inc. during the 1982 primary election. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. In addition, the Commission found no reason to believe that your client violated 2 U.S.C. § 441a(a)(2)(A) for contributions made to the Moynihan Committee during the 1982 general election. The Commission also found no reason to believe that your client violated 2 U.S.C. § 439(a)(1). The file will be made part of the public record within thirty days. Should you wish to submit any materials to appear on the public record, please do so within ten days.

If you have any questions, please direct them to Frances B. Hagan at (202) 523-4529.

Sincerely,

DANNY I. McDONALI

Chairman

Enclosure

8 4

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

82 DEC 15 All: 20

RECEIVED

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL, BY OGC TO THE COMMISSION /4//5 /82

1489 MUR NO. STAFF MEMBER Frances B. Hagan

COMPLAINANT'S NAME:

Robert J.K. Dornan

Senator Daniel P. Moynihan The Senator Moynihan Re-election Campaign, Inc. John Westergaard, Treasurer of the above-named Moynihan Committee Committee for Good Government (UAW) Donald J. Moll, Treasurer of the Committee for Good Government Special Committee on Political Action Mary Ann Benincasa, Treasurer of the Special Committee on Political Action

RELEVANT STATUTES:

....

2 U.S.C. § 44la(a)(2)(A) 2 U.S.C. § 44la(f) 2 U.S.C. § 439(a)(1) 11 C.F.R. \$ 103.3(a)

INTERNAL REPORTS CHECKED: Disclosure Reports, MURS 1307, 1405,

1432

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

A complaint filed by Robert J.K. Dornan on October 21, 1982, makes the following allegations.

The UAW Committee for Good Government and its treasurer, Donald J. Moll, the Special Committee on Political Action and its treasurer, Mary Ann Benincasa, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations. Senator Daniel P. Moynihan, the Senator Moynihan Re-election Campaign, Inc. and its treasurer, John Westergaard, violated 2 U.S.C.

\$ 441a(f) through receipt of excessive contributions violative of 2 U.S.C. \$ 441a(a)(2)(A). In addition, Senator Daniel P.

Moynihan, the Senator Moynihan Re-election Campaign, Inc. and its treasurer violated 2 U.S.C. \$ 439(a)(1) for failure to file with the State of New York reports which indicate receipt of contributions from the Special Committee on Political Action and the Committee for Good Government. The Special Committee on Political Action and the Committee for Good Government violated 2 U.S.C. \$ 439(a)(1) for failure to file with the State of New York reports showing their contributions to the Senator Moynihan Re-election Campaign, Inc. Senator Daniel P. Moynihan, the Senator Moynihan Re-election Campaign, Inc. and its treasurer violated 11 C.F.R. \$ 103.3(a) which requires that all deposits shall be made within ten days of the treasurer's receipt. 1/

FACTUAL AND LEGAL ANALYSIS

The complaint alleges that the Senator Daniel Moynihan Reelection Campaign, Inc. ("the Moynihan Committee") violated

2 U.S.C. § 441a(f) by accepting contributions in excess of
limitations from two political committees affiliated with the
United Auto Workers Union. Complainant alleges that the Special
Committee on Political Action ("SCOPA") and the Committee for
Good Government ("CFGG") violated 2 U.S.C. § 441a(a)(2)(A) by

I/ The complainant includes as respondents to each of these charges the candidate, Senator Daniel P. Moynihan, as well as the treasurers of CFGG and SCOPA. However, this Office makes no recommendation regarding the individuals. Our recommendations concern the political committees with notice of such findings to be sent to the individuals or their designated counsel.

making contributions in excess of contribution limitations to the 0861" soll believe and believe and the Moynihan Committee.

The complainant submitted copies of the respondents' FEC
disclosure reports to support the allegation that excessive
contributions were made and received in connection with both the
1982 primary and general elections. The respondents reported the
transactions as follows:

| Contributor | Date of Contribution | Amount of Contribution | Date Received by Moynihan Committee |
|-------------|-----------------------------|-------------------------------|-------------------------------------|
| SCOPA | 11/1/79
9/1/81 | \$ 500
\$ 500 | 12/19/79 10/2/81 |
| CFGG | 2/5/80
9/3/81
11/5/81 | \$1,000
\$5,000
\$5,000 | 2/12/80
9/9/81
11/24/81 |

The alleged excessive amounts total \$1,000.00 in the primary (\$1,000.00 and \$5,000.00 contributed by CFGG) and \$1,000.00 in the general election (\$1,000.00 from SCOPA and \$5,000.00 from its apparent affiliate CFGG). The complainant asserts that the excessive contributions to the general election campaign occurred through SCOPA's and CFGG's failure to observe the limitations placed on affiliated political committees pursuant to 2 U.S.C. \$ 441a(a)(5).

Committee for Good Government

On November 15, 1982, the United Auto Workers' ("UAW") CFGG responded to notification of the complaint filed against it.

According to its own records, CFGG exceeded the \$5,000.00 contribution limitation by \$1,000.00 through an inadvertent clerical error. CFGG states that its contribution of \$1,000.00

on February 5, 1980, was incorrectly recorded for a "1980 entitlement of the same of the s

cFGG offers certain factors to mitigate the violation. CFGG states that upon notification of the violation, it immediately requested a refund from the Moynihan Committee. 2/ CFGG argues that besides being a clerical error, this excessive contribution is an isolated case occurring through unique circumstances not likely to be repeated. CFGG notes that it has no history of making excessive contributions.

As to the 1982 general election, the CFGG response acknowledges the \$5,000 contribution of November 1981, but emphatically asserts that no affiliation exists between CFGG and SCOPA. Therefore, CFGG states that SCOPA's contributions do not affect the CFGG limitation and no violation of 2 U.S.C.

\$ 441a(a)(2)(A) occurred in this case. CFGG points out that SCOPA's original statement of organization of August 1974 listed six connected organizations. One of these organizations was United Auto Workers of Rochester, New York. The UAW local in

^{2/} The Moynihan Committee states that it refunded \$1,000.00 to CFGG.

4040470941

Rochester advised CFGG that several union members at one time participated in SCOPA was individuals, but that the union local was never connected with SCOPA. SCOPA amended its statement of organization by letter in October 1976 to clarify that it is not affiliated with any organizations. CFGG asserts that the complainant's assumption that CFGG and SCOPA are affiliated is based on the FEC index of disclosure documents which erroneously lists SCOPA as connected with the UAW. CFGG states that the criteria set forth at 11 C.F.R. § 110.3(a)(1)(iii) which may establish affiliation do not apply to CFGG.

Special Committee on Political Action

On November 10, 1982, SCOPA sent its initial response to the complaint notification. In this letter and in subsequent telephone conversations, SCOPA concurred with CFGG that the two organizations are not affiliates. SCOPA refers to the 1976 amended statement of organization which affirms that SCOPA is comprised of individuals who belong to various organizations, but is not itself affiliated with another organization.

The Senator Moynihan Re-election Campaign, Inc.

On November 18, 1982, the Moynihan Committee submitted its response to the complaint that it received excessive contributions. The Committee states that it received \$1,000 from the CFGG in 1980, and through a bookkeeping error, it accepted an additional \$5,000 in 1981 for the 1982 primary election. The excessive amount of \$1,000 was refunded November 15, 1982,

Rochester advised CFGG that several union members at one parent to 2801, Present of the parent of the score of the parent connected with SCOPA amende noiseless the scope amende of the scope amende of the scope of

The Moyniban Committee states that it computerized its records in early 1982 "to eliminate the risk of receipt of excessive contributions." The Committee notes that during the pre-election period in question, the Committee received more than \$2 million in contributions.

As to the general election, the Moyniban Committee refers to the submission by CFGG, stating that no violation of 2 U.S.C. § 44la(f) occurred in that the CFGG and SCOPA are not affiliated.

In addition to receipt of excessive contributions, complainant charges that the Moynihan Committee failed to timely deposit three contributions as required by 11 C.F.R. § 103.3(a). The Moynihan Committee states that the computer system implemented this year reduces delay in mailing deposits and the Committee's deposits are now made daily. The Committee adds that checks are often received several days after the date on the check.

The complainant also alleges that the Moynihan Committee, SCOPA and CFGG failed to file reports of these contributions with the New York Division of Elections in violation of 2 U.S.C. § 439(a)(l). The Moynihan Committee states that all necessary reports are on file with the New York State Board of Elections.

LEGAL ANALYSIS

2 U.S.C. § 441a(a)(2)(A) states that "no multicandidate committee shall make contributions to any candidate and his

authorized political committees with respect to any election for a rederal office which, in the aggregate, exceed \$5,000.755 at said

2:U.S.C. S.44la(f) states that "no candidate or political of committee shall knowingly accept any contribution....in the section."

1982 Primary Election - 2 U.S.C. S 44la(a)(2)(A) and (f)

On the basis of the evidence presented by the complainant, CFGG and the Moynihan Committee, it appears that CFGG made and the excessive contribution of \$1,000 to the Moynihan Committee in violation of 2 U.S.C. § 44la(a)(2)(A) prior to the 1982 primary election. The Moynihan Committee violated 2 U.S.C. § 44la(f) through acceptance of the excessive contribution. However, the seriousness of such violations is mitigated by circumstances surrounding the transaction. The recordkeeping errors described herein apparently account for the initial failure to avoid the excessive contribution as both the CFGG and the Moynihan Committee maintain procedures to screen for contribution Therefore, the excessive contribution appears to be an isolated occurrence rather than a practice of either committee. Furthermore, on November 15, 1982, the Moyniban Committee refunded to CFGG the excessive amount of \$1,000. This amount represents a fraction of the respondents' total receipts and expenditures.

The Office of General Counsel recommends that the Commission find reason to believe that violations of 2 U.S.C.

that it take no further action and close the file as it relates to this matter in the 1982 primary election. Such action is consistent with the Commission's actions in MURS 1307, 1405 and 1432.

1982 General Election - 2 U.S.C. 5 441a(a)(2)(A) and (f)

2 U.S.C. § 44la(a)(5) states in pertinent part that for purposes of the limitations in this section, all contributions made by political committees established or financed or maintained or controlled by any labor organization, including any local unit of such labor organization, shall be considered to have been made by a single political committee.

Complainant alleges that CFGG and SCOPA made an excessive contribution of \$1,000 during the general election campaign to the Moynihan Committee in violation of 2 U.S.C. § 44la(a)(2)(A). The complaint states that "contributions made by [SCOPA and CFGG] are treated as contributions made from a single committee in accordance with 2 U.S.C. § 44la(a)(5)...."

In August 1974, SCOPA registered with the Commission as a political committee. Its statement of organization indicated a "connection" with six organizations. The "United Auto Workers, 221 Dewey Avenue, Rochester, New York 14608" was among those listed.

On October 25, 1976, SCOPA amended its statement of organization by letter, apparently in response to a Reports

Analysis Division (RAD) inquiry. The amendment states "Please be

advised that we do not have affiliated organizations, but all possessions of this committee are individuals who belong to use various organizations. In other words, anyone is welcome to join this committee if they wish to reach the same goals, RAD ROTTE confirms that this amendment adequately clarifies SCOPA's, status — independent of connecting organizations — and should have been entered into the computer index system.

SCOPA and CFGG concur that there is no affiliation between them and that SCOPA has no connection with the UAW. Both political committees agree with CFGG's statement that

none of the factors set forth in 11 C.F.R.

§ 110.3(a) (1) (iii) as being indicative of
"establishing, financing, maintaining or
controlling" — are present here.

Specifically, the UAW does not own any
interest in SCOPA; the by-laws and/or
constitution of SCOPA do not give the UAW any
authority, power or ability to direct it; the
UAW does not have the authority, power or
ability to hire, appoint, discipline,
discharge or otherwise influence the decision
of the officers or members of SCOPA; the UAW
and SCOPA have not engaged in similar
patterns of contributions; and there has been
no transfer of funds between SCOPA and any
organizations affiliated with the UAW.

by the respondents, the Office of General Counsel concludes that CFGG and SCOPA are not affiliated as set forth in 2 U.S.C. § 441a(a)(5). Therefore, we recommend no reason to believe that the CFGG and SCOPA violated 2 U.S.C. § 441a(a)(2)(A) through their separate contributions to the Moynihan Committee's 1982 general election campaign. We also recommend that the Commission

find no reason to believe that the Moynihan Committee believe that the Moynihan Committee believe that the Moynihan Committee believe that the Moynihan Conditions of this committee are individually through receipt of the general election various organizations. In other words, anyone is welcome to contributions from CFGG and SCOPA.

11 C.P.R. S 103.3(a)

11 C.F.R. \$ 103.3(a), based on 2 U.S.C. \$ 432(h)(1), states in part that all deposits shall be made within ten days of the treasurer's receipt.

Complainant alleges that the Moynihan Committee failed to timely deposit one contribution in the 1982 primary election and two in the general election. There is no evidence to support such allegation beyond dates noted on reports which do not reflect possible delays in transmittal of the contributions. The Moynihan Committee states that its computer system now allows daily deposits of receipts. The alleged delay in deposits does not appear to be significant and the Committee has implemented procedures to avoid a similar recurrence. Therefore, we recommend that the Commission find reason to believe, but take no further action against the Moynihan Committee for a violation of 11 C.F.R. § 103.3(a).

2 U.S.C. § 439(a)(1)

2 U.S.C. § 439(a)(1) provides that a copy of reports and statements required under the Act shall be filed with the Secretary of State of the appropriate state.

Complainant alleges that the Moynihan Committee, SCOPA and CFGG failed to file reports reflecting the contributions from

Longslate

20.4

T

0

8

scope and cree to the Moynihan Committee The Moynihan Committee replies that it filed the required reports with the New York Board of Elections.

request that the Moynihan Committee consistently filed reports during the periods in question, 1979 through the 1982 elections. The Board also confirmed that the CFGG has filed consistently during the period in question, from Pebruary 1980 to present. Finally, the Elections Board noted that SCOPA has filed the necessary reports for 1982. The Moynihan Committee and CFGG have filed the appropriate reports with the New York State Board of Elections and SCOPA is currently filing the required reports. Therefore, we recommend that the Commission find no reason to believe that the Moynihan Committee or CFGG violated 2 U.S.C. \$ 439(a)(1) in this case. We recommend that the Commission find reason to believe and take no further action against SCOPA for a violation of 2 U.S.C. \$ 439(a)(1).

RECOMMENDATIONS

- 1. Find reason to believe and take no further action against the Senator Moynihan Re-election Campaign, Inc. for a violation of 2 U.S.C. § 441a(f) during the 1982 primary election.
- Find reason to believe and take no further action against the Committee for Good Government (UAW) for a violation of 2 U.S.C. § 441a(a)(2)(A) during the 1982 primary election.
- 3. Find no reason to believe that the Senator Moynihan Reelection Campaign, Inc. violated 2 U.S.C. § 44la(f) for contributions received from the Committee for Good Government and from the Special Committee on Political Action during the 1982 general election.

404047094

- Find no reason to believe that the Committee for Good Agooz Government (UAW) violated 2 U.S.C. \$ 441a(a)(2)(A) for its contribution to the Senator Moynihan Re-election Campaign Inc. during the 1982 general election.
- Find no reason to believe that the Special Committee on 5. Political Action violated 2 U.S.C. \$ 441a(a)(2)(A) for its contribution to the Senator Moynihan Re-election Campaign, Inc. during the 1982 general election. The desired desired
- Find reason to believe and take no further action against 6. the Senator Moynihan Re-election Campaign, Inc. for a violation of 11 C.F.R. § 103.3(a).
- Find no reason to believe that the Senator Moynihan Reelection Campaign, Inc. violated 2 U.S.C. \$ 439(a)(1).
- Find no reason to believe that the Committee for Good Government (UAW) violated 2 U.S.C. \$ 439(a)(1).
- Find reason to believe and take no further action against the Special Committee on Political Action for a violation of 2 U.S.C. § 439(a)(1).

(439 (a) (1) is this case. We recommend that the Coraleston lind

10. Approve attached letters.

11. Close the file.

General Counsel

elliber 14, 1982

BY:

Kenneth A. Gross Associate General Counsel

Attachments

Response from CFGG Response from SCOPA Response from the Moynihan Committee Proposed letters (4)



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA UNION

DOUGLAS A. FRASER, PRESIDENT

RAY MAJERUS, SECRETARY-TREASURER

VICE-PRESIDENTS

OWEN BIEBER . DON EPHLIN . MARTIN GERBER . ODESSA KOMER . MARC STEPP . ROBERT WHITE . STEPHEN YOKICH

IN REPLY REFER TO

1757 N STREET, N.W. WASHINGTON, D.C. 20036 TELEPHONE: (202) 928-8580

November 12, 1982

Ms. Fran Hagan Federal Election Commission Washington, D.C. 20463

Re: MUR 1489

Dear Ms. Hagan:

This is to advise you that I will be acting as counsel for the Committee for Good Government and its treasurer, Donald Moll, who are respondents in the above referenced case. Please direct any future communications regarding this matter to my attention.

The complaint which has been filed by Robert Dornan basically alleges that respondents violated the FECA in two respects: (1) the Committee for Good Government (CFGG) contributed in excess of \$5,000 to Senator Moynihan's 1982 primary election campaign; and (2) CFGG and the Special Committee on Political Action (SCOPA) together contributed in excess of \$5,000 to Senator Moynihan's 1982 general election campaign. Since different considerations are involved in these two allegations, I will respond separately to each of them.

1982 Primary Election

A review of our records indicates that the Committee for Good Government did inadvertantly exceed the contributions limitations for Senator Moynihan's 1982 primary election campaign. CFCG contributed \$1,000 on February 4, 1980, and subsequently contributed \$5,000 on September 4, 1981. Both of these contributions were designated for Senator Moynihan's 1982 primary election campaign.

The reason that CFGG exceeded the contribution limitations is that, due to a clerical error, the \$1,000 contribution on February 4, 1980 was incorrectly recorded on CFGG's records as being for a "1980 primary", rather than the "1982 primary". During the period of time

between February, 1980 and September, 1981 when CFGG made its second contribution to the Moynihan campaign, the responsibility for processing and keeping records on campaign contributions was transferred to a different office within the International Union, UAW - CFGG's connected organization. Thus, when CFGG decided to contribute \$5,000 to Senator Moynihan's primary campaign in September, 1981, the persons responsible for processing the new contribution were not aware that CFGG had actually already contributed \$1,000 for that same election, and that the \$5,000 contribution would therefore put CFGG over its contribution limitation.

The <u>inadvertant</u> nature of the excess contribution is demonstrated by two factors. <u>First</u>, attached you will find copies of the records maintained by CFCG on its contributions to candidates. As you will note, the \$1,000 contribution which CFCG made in February, 1980 is incorrectly listed as being for a "1980 primary".

Second, the two contributions by CFCG to Senator Moynihan were both made well in advance of the 1982 primary election. And Senator Moynihan only had token opposition in that election. Thus, it is apparent that the making of the excess contributions was not part of a last minute effort to rescue a campaign which was short of money or to "tip the balance" in a close contest.

Although CFCG did inadvertantly violate the contribution limitations contained in 2 U.S.C. 441a(a)(2)(A), there are a number of mitigating circumstances which suggest that the Commission should decide not to take any further action in this matter. To begin with, as soon as the excess contribution was brought to the attention of the UAW, it immediately wrote to Senator Moynihan's campaign requesting that the extra \$1,000 be returned to CFCG. A copy of the letter to the treasurer of the Committee to Reelect Senator Moynihan requesting that he return the excess contribution is attached. Thus, CFCG has already acted to remedy its inadvertant violation of the FECA.

Furthermore, the fact that the excess contribution was inadvertant, rather than intentional, also is a mitigating factor. Although CFGG regrets the clerical error which occurred in this instance, such mistakes will inevitably occur in any organization. Indeed, as will be shown in the second part of this letter, the FEC itself has been guilty of a "clerical" error in this matter, which resulted in the UAW being falsely accused of violating the contribution limitations for Senator Moynihan's 1982 general election campaign. Accordingly, there is no justification for imposing a penalty on CFGG here.

0

Finally, it is important to note that the excess contribution in the present case was simply an isolated occurrence. The UAW and CFGG have not displayed any history or pattern of making excess contributions. The procedures used by the UAW and CFGG to prevent the inadvertant donation

can be located at on FEC Microfilm Cart/Frame 0059/1355.

However, on October 21, 1976, the treasurer of SOOPA sent a letter to the FEC which amended its statement of organization to make clear that SOOPA did not in fact have any affiliated organizations. letter, which can be found at FEC Microfilm Cart/Frame 2 76FEC/036/2096, states in pertinent part: 'Please be advised that we do not have affiliated organizations but all participants of this committee are individuals who belong to various organizations. In other words anyone is welcome to join this committee if they wish to reach the same goals." A copy of this letter is also attached. The UAW does have a local union - UAW Local 1097 - which is located at 221 Dewey Avenue, in Rochester, New York. UAW Local 1097 has advised us that, when SOOPA was originally established back in 1974, several members of the local participated in the political committee as individuals. However, UAW Local 1097 was not itself affiliated or connected with Specifically, UAW Local 1097 did not contribute any money to SCOPA, did not provide any facilities or other assistance to SCOPA, and did not exercise any control over SCOPA. Around 1976 or 1977, the UAW members who had been active in SCOPA apparently broke off relations with that organization, due to disagreements over policy. Since that time, no UAW members have been involved at all with SOOPA. Several additional points are worth noting. First, the reports filed by SCOPA with the FEC corroborate the fact that neither UAW Local 1097 nor any other body affiliated with the UAW has ever contributed any monies to SCOPA. Second, the principal officers of SCOPA, - ie Robert Flavin, James Colombo and Mary Arm Benincasa - are not members of and have no relationship to the UAW. Third, SCOPA apparently maintains its headquarters at 40 West Ave., Rochester, N.Y. 14611 - not at the address of UAW Local 1097. Fourth, none of the factors set forth in 11 C.F.R. 110.3 (a)(1)(iii) as being indicative of "establishing, financing, maintaining or controlling" - are present here. Specifically, the UAW does not own any interest in SCOPA; the by-laws and/or constitution of SCOPA do not give the UAW any authority, power or ability to direct it; the UAW does not have the authority, power or ability to hire, appoint, discipline, discharge or otherwise influence the decision of the officers or members of SCOPA; the UAW and SCOPA have not engaged in similar patterns of contributions; and there has been no transfer of funds between SCOPA and any organizations affiliated with the UAW. From the foregoing evidence, it is apparent that SCOPA cannot be considered to be connected or affiliated with the UAW, and hence that any contributions which might have been made by SCOPA to Senator Moynihan cannot be attributed to the UAW's contribution limitation. Accordingly,

CFGG and its treasurer Don Moll did not make excess contributions to Senator Moynihan's 1982 general election campaign. The tacit assumption in Mr. Dornan's complaint that SCOPA is affiliated with the UAW is apparently based entirely on the fact that the FEC's index of disclosure documents erroneously lists SCOPA as being "connected" with the UAW. This is simply due to a clerical mistake on the part of the FEC. As previously indicated, the treasurer of SCOPA amended its statement of organization by letter dated October 21, 1976, to properly reflect the fact that SCOPA is not affiliated with any Although the FEC Index of Disclosure Documents lists organizations. this letter as a "statement of organization - amendment" (see copy of FEC index, which is attached), apparently the FEC failed to change its computer records to reflect the fact that SCOPA is not affiliated with any other organizations. The UAW has been prejudiced as a result of the FEC's clerical error. In particular, apparently relying on the erroneous entry on the FEC's index of disclosure documents, Mr. Dornan held a press conference to announce the filing of his complaint, in which he falsely accused the UAW of trying to circumvent the contribution limitations in the FECA by reporting local PAC contributions as separate from international PAC contributions. In order to prevent Mr. Dornan or other persons from being mislead in the future, the UAW requests that the FEC immediately take the necessary steps to correct its computer records to reflect the fact that SCOPA is not affiliated with the UAW. Furthermore, in order to remedy the detrimental publicity which the UAW has already sustained, the UAW requests that the FEC advise Mr. Dornan in writing, and also issue a public statement, clarifying the fact that SCOPA is 0 not affiliated with the UAW, and that any other impression previously conveyed by the FEC's computer records was simply due to a clerical error on the part of the FEC. 0 Conclusion 0 For the foregoing reasons, respondents CFGG and Don Moll submit that the FEC should not take any action against them in connection with MUR 1489, and that the complaint filed by Mr. Dornan should be dismissed forthwith. Sincerely, Alan Reuther Assistant General Counsel Enclosures AR: jeb Opeiu494

| Name · | Date | Regional | Central | CFGG | Past/Curren |
|--------------|-----------|----------|----------|---------|---------------|
| Downey | 5/22/79 | | \$ 500 | | '78 gen defic |
| Garcia | 10/5/79 | | \$3,000 | amended | 180 primary. |
| Ambro | 11/2/79 | | \$ 100 | | '80 primary |
| LaFalce | 11/2/79 | | \$ 300 . | | '80 primary |
| Ferraro | 11/12/79 | | \$ 200 | | '80 primary |
| Moynihan, D | 2/4/80 | | | \$1,000 | '80 primary |
| McHugh, M | 2/22/80 . | | \$2,000 | | '80 primary |
| Solarz | 3/20/80 | | \$ 100 | | '80 primary |
| Downey | 3/20/80 | | \$ 300 | | '80 primary |
| Javits | 4/8/80 | | \$2,000 | | '80 prim. |
| Ottinger, R. | 4/1/80 | | \$5,000 | | '80 primary |
| Rosenthal | 4/16/80 | | \$ 250 | | '80. primary |
| Javits | 4/24/80 | | \$3,000 | | '80 primary |
| Schumer | 4/29/80 | | \$1,000 | | '80 primar |
| Addabbo. | 6/10/80 | \$ 500 | | | '80 primary |
| Ambro | 5/22/80 | | \$ 100 | | '80 primary |
| Green, M | 6/19/80 | | \$ 125 | | '80 primary |
| Wolff | 6/19/80 | | \$ 100 | | '80 primary |
| Nowak H | 6/24/80 | \$ 225 | \$ 225 | | '80 primary |
| Garcia | 6/19/80 | | \$5,000 | | '80 primar |
| Green | 6/26/80 | | \$4,875 | | '80 primar |
| Ambro | 7/14/80 | | \$1,000 | Who do | '80 primar |

| LO |
|-----|
| 1.0 |
| 6 |
| 0 |
| ~ |
| 7 |
| 0 |
| 4 |
| 0 |
| 4 |
| 00 |
| |

| Name | Date | Regional | Central | CFGG | For |
|-----------|----------|----------|---------|------|-------------|
| Downey | 8/11/81 | \$ | \$ 250 | \$ | '82 primary |
| Moynihan | 9/4/81 | | | 5000 | '82 primary |
| Rosenthal | 9/4/81 | | 200 | | '82 primary |
| Solarz | 9/16/81 | | 200 | | 182 primary |
| LaFalce | 9/24/81 | | 150 | | '82 primary |
| Hawkins | 9/24/81 | | 150 | | '82 primary |
| Downey | 10/25/81 | | 500 | | '82 primary |
| Downey | 11/4/81 | | 2000 | | '82 primary |
| Moynihan | 11/6/81 | | | 5000 | '82 general |
| Schumer | 11/5/81 | | 250 | | '82 primary |
| Nowak | 11/23/81 | | 200 | | '82 primary |
| Peyser | 12/2/81 | | 1000 | | '82 primary |
| Solarz | 12/16/81 | | 4800 | | '82 primary |
| Lundine | 1/19/82 | | 250 | | '82 primary |
| Downey | 3/5/82 | | 250 | | '82 primary |
| Ottinger | 3/17/82 | | 5000 | | '82 primary |
| Nowak | 3/25/82 | 500 | | | '82 primary |
| Weiss | 4/16/82 | | 250 | | '82 primary |
| Downey | 4/15/82 | | 500 | | '82 primary |
| Ferraro | 5/10/82 | | 250 | | '82 primary |
| Weiss | 5/18/82 | | 800 | | '82 primary |
| Rangel | 5/18/82 | | 500 | | '82 primary |
| Biaggi | 6/18/82 | | 500 | | '82 general |

BUTHOUT MICHIPAN 40214 PHONE 23131 724 5660



INTERNATIONAL UNION, UNITED AUT MOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

DOUGLAS A. FRASER, PRESIDENT

RAYMOND E. MAJERUS, SECHETARY INCASUMEN

VICE PRESIDENTS

November 1, 1982

John Westergaard, Treasurer Committee to Reelect Senator Moyninan 540 Madison Avenue New York, NY 10022

Dear Mr. Westergaard:

It has come to our attention that one of the UAW's separate segregated funds, the Committee For Good Government, has inadvertently made an excess contribution to Senator Moynihan's 1982 primary election campaign.

As you are aware, Section 441a(a)(A), of the Federal Election Campaign Act, prohibits multi-candidate political committees, such as the Committee For Good Government, from contributing more than \$5000 to any candidate with respect to any election. Our records indicate that CFGG has contributed \$6000 to Senator Moynihan's 1932 primary campaign: \$1000 in February, 1980, and \$5000 in September, 1981. Due to a clerical error, the February, 1980 contribution was incorrectly recorded on our books as being for an "1980" primary election, rather than "1982" primary election. Thus, when we subsequently decided in September, 1981, to contribute \$5000, to Senator Moynihan's 1982 primary campaign, we were not aware that CFGG had already contributed \$1000 for the same election, and that the \$5000 would therefore put us over the contribution limitation.

In order to bring ourselves into compliance with the law, we are requesting that the Committee to Reelect Senator Moynihan promptly return the excess contribution (\$1000) to CFGG. We appreciate your cooperation in this matter.

Sincerely,

Henry L. Lacayo National Director UAW CAP Department

HLL:ef
opeiu494
cc: Don Moll

bcc: /lan Routher

8404047095

| Committee and the committee of the commi | | 3.1 - 201-11.0
74011 |
|--|--|--|
| alem marakasaka n kersasakan ang kalal da
Oli C. T. Masadi san merensilan panjan banga | 2000 - 100 - | n. Sun em en m <u>aner de de</u> nantida. |
| No. writing station
corn about the secution | | A sit water |
| | | |
| | | • |
| U. Attachment just a stone fitte. 1.0 William of the supermodule to the control of the control | - | The state of the s |

(c) Will it princetly purport castillar was sing Converted a fire?. 69.

each candid the by name, address, o the sought, and party affiliation:

| Full names of carelldates | Malling address and ZIP code | State and
Continuousl
District | Party |
|--|--|--------------------------------------|------------|
| Congressman Frank Hort | on House of Representati
Washington, D.C. | ivas-N.Y.S
34th | Republican |
| Margaret Coscenna
Homas of Papter Scation | 112 12 27 2111117 | | Democrat |
| | general and the state of the state of | | |

(d) Will it support a candidate for the U.S. Figure of Laprescents thes in an argresule amount in excess of \$1,000 devices the calendary such a 1789.

4. (a) If the committee is supporting in Italical care likes for the U.S. House of Engreeentatives, list

| in Madernalders and MP and any | Office and the | 17779 |
|--|----------------|--|
| | | |
| The same of the sa | | Crice and the Control of Crice and the Crice and the Control of Crice and the Control of Crice and the Control of Crice and the Crice and th |

L. II this committee is supporting the entire has been purey, give a most garny in the comment. es in solution to a story Second Singuistry , se

BUT OF TOTOS PORSE I

int, Mil-CID dan se d Vicinity Later TOTAL STATE OF THE PROPERTY OF THE PROPERTY OF THE PARTY 11.... Mast India - Lage il. Mod all remotes state and to be the flag this committee with States and local particulate as, other than reports required unit at a la Act, been union, addresses, and positions of the recipients of the reports: to be filed Report title Name and position of recipient Malling address and ZIP code MONE I have before a more than the problems to the state of the problems of the control of the control of Commission Indicate in the problems of the control of t VENDERT TO HOTELMAN OF HEAD PROPERTY OF TREASURER County of ... I. Billy Ann WINCA & B. , being only met me lapase (effects) and say that the motoris Police Consessed Subscribed and sween to (salamed) haderer. This . / i. .

Thy committed in empires - " 14. 30 ____, 1975_

[SEAL]

.... 17 5 CCC 173 Killer to the tree and all the first

COLNTY. In the

And the first of the second of

Demonstration Demonstrations of the State of

A. Priller rotte, a laste e.
312 reter estas
Roomerass e communication

Pederation of Observable to war 111 heariall Apen Bookstoer, New York 14511

v

Continued to the state of the second second section and the

SPECIAL CONVETTES ON POLITICAL ACTION

SCOPA

FEDERAL TON

40 Wast Avanua - Rochester, Naw York 14511
75 CCT 25 AM 11: 19

October 21, 1976

Federal Election Commission 1325 K. Street, N.W. Washington, D.C. 20463

Att: Mr. Staven Mims

Dear Mr. Mims:

9-4-0-4-0-9-6

Re: Mailgram received October 12, 1976
Identification 0044105-3COPA

On October 13, 1975, I spoke with you regarding the mailgram and you indicated that you would send form FEC (1) to be completed. However, as of this date it has not been received.

Please be advised that we do not have affiliated organizations but all participants of this committee are individuals who belong to various organizations. In other words anyone is veloces to join this committee if they wish to reach the same goals. This committee not only works in the Federal election areas but also in consumer areas which does not entail any federal reporting.

The Special Committee on Political Action was formed in 1974 and is a continuing one. The Chairman is Robert Flavin, 1451 Lake Avenue, Rochester, New York, 14515. The undersigned is Treasurer and can be reached at 40 West Avenue where all books and records are kept.

If further information is needed please advise.

Sincerely,

Many Ann Benincasa

Treasurer

certified/return receipt

FEDERAL ELECTION COMMISSION COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (76)

416 mills

NON-PARTY RELATED

| COMMITTEE DOCUMENT | | RECEIPTS | | EXPENDITURES | | | e of | micon if a |
|---|--------------------------|-------------|---------------------|--------------|---------|------------------|-------|------------------|
| | | PRIMARY | GENERAL | PRIMARY | GENERAL | COVERAGE DATES | PAGES | LOCATION |
| TO DAY POST-FLECTION | | 0 | | 0 | | 11MAY76 -14JUN76 | 3 | PAFFC/BRA/6347 |
| IN DAY POST-FLECTION | | | 0 | | 629 | 190CT76 -22NOV76 | | 75FEC/04]/1110 |
| THAN END REPORT | | | 1.984 | | | 23NOV76 -31DEC76 | | 17FFC/015/044 |
| | TOTAL | 4,796 | 5.44R | 2+713 | 5.375 | | | TOTAL PAGES |
| SPEAR+ LEFTS & KELLOUG HOOD GO
CONNECTED OPGANIZATIONS SPEAK | SALFEDS & KELLOGGS | ITFE | | | | | | Ine C0007-329 |
| 1976 STATEMENT OF OUGANIZA | TION | | | | | 20DEC76 | | 76FFC/004/3710 |
| YEAR END REPORT | | | 10.700 | | 0 | 10CT76 -31DEC76 | 7 | 77FEC/044/1234 |
| | TOTAL | 0 | 10.700 | 0 | 0 | | . 15 | TOTAL PAGES |
| SPECIAL COMMITTEE OF POLITICAL CONFECTED OPERATIONS AND | J, | | | | | | | The Constant |
| 1976 STATEMENT OF OHGANIZA | TION- AMENDMENT | | | | | 2100776 | 1 | 76FEC/4 16/2096 |
| MISCELLANGOUS THANSAC | | 1 | | | | 2300776 | 2 | 76FEC/017/1952 |
| 1975 YEAR FAID DEPORT | 1. | | | | | 100CT75 -31JAN76 | 6 | 15FEC/019/4921 |
| PEQUEST FOR AUDITIONA | L INFORMATION | | | | | 10UCT75 -31JAN76 | 1 | 7AFEC/019/0913_ |
| YEAR FULL BEHING! | - AMENIMENT | 1.410 | | . 5 | | 100CT75 -31JAN76 | 6 | 7AFFC/018/0935 |
| 1974 APRIL 10 QUANTIBLY | AA - POSTCARD | | | | | 12APR76 | | 74FEC/418/4441 |
| JULY 10 DUANTEDLY | 34 - POSTCARD | | | | | 6JUL76 | | 76FEC/016/1767 |
| OCTOBER TO GRANTLINEA | | | 0 | | 0 | 30JU176 -305EP76 | | TAFEL/033/1247 |
| 10 DAY POF-FLECTION | | | | | | 100CT76 -230CT76 | | 70FFC/030/20VA |
| 30 DAY POST-FIFCTION | | | 9.305 | | 3.955 | ATVONSS- ATMALL | | 7AFEC/040/0758 " |
| YEAR END REPORT. | | | 0 | | 1.615 | 1JAN76 -31UFC76 | | 77555/947/1425 |
| • | TOTAL . | 1.410 | 5.305 | 5 | 5.570 | | | TOTAL PAGES |
| SPECIAL POLITICAL ACTION RESEA CONNECTED ORGANIZATIONS NOW | | (C) | | | | | | Iba Cuuussiue |
| 1975 STATEMENT OF OUGANIZA | | | | | | 6110V75 | | 76FEC/013/0420 |
| 1976 STATEMENT OF OUGANIZA | | | | | | 3MAR76 | | 76FEC/013/4424 |
| STATEMENT OF OUGANIZA | | | | | | 100176 | | 7AFEC/U31/0713 |
| STATEMENT OF OUGANIZA | TION- AMENDMENT | | | | | 1200176 | | 7AFEC/033/4411 |
| 1975 YEAR THE REPORT | and the desired state of | | | | | | | 74FEC/013/0+24 |
| 1976 JULY to GUARTEDLY | JA - POSTCARD | | | | | MJUL76 | | 76466/016/3413 |
| OCTOBER TO BUNDENTA | | | 0 | • | | 1JUL 76 -305EP76 | | 74FEC/031/2493 |
| 10 DAY PRE-ILECTION | | :2 | 0 | | | 10CT76 -180CT76 | | 74656743073430 |
| 30 DAY POST-FLECTION | | 1 | 0 | | | 190CT76 -27NOV76 | | 7nFFC/0-1/0n-3 |
| YEAR FAIL PEPINET | | | . 0 | | 0 | 23NOV76 -31DEC76 | 3 | 77FEC/045/17AA |
| SPECIAL POLITICAL EDUCATION COL | WITTEF | 1 1 2 1 3 1 | | | | | | 1114 C04052444 |
| CONNECTED DEGASTRATIONS HANK I | F HAMAIT | | | | | | | |
| 1974 STATEMENT OF DUGANIZA | TION | | | | | 165FP75 | | 74566/415/2020 |
| 1974 MISCELL AMEDIIS THANSAC | TION FIRIM F.E.C. | | Bh. A. | | | 2258476 | | 10166/050/5111 |
| STATEMENT OF OHIGHTA | TEON- AMENDMENT | | | | | BOCT76 | | 7425615013377 |
| 1975 OCTOBER TO BUNGIFRLY | | 1 3.600 | | 5.590 | | 10JUL75 -10UCT75 | | 1466641577884 |
| YEAR FAD HEPCHIT | | 3.400 | J . T # 1 (100) | 1.215 | 100 | 10CT75 -31UEC75 | | 14666101514415 |
| 1976 APRIL 10 9-16411 4LY | | 3.240 | 3 11 11 11 11 11 11 | 4,661 | | 31DEC75 -31MANTO | 11 | 74FEC/U1//5080 |

84 APRIL

From UAW

1757 N Street, N.W. - Washington, D. C. 20036

Kenneth A. Gross
AssociateGeneral Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

FIRST CLASS MAIL

14:19 81801

MECRIVED AT THE FEC Chamberlain, D'Amanda, Oppenheimer & Greenfield 84 APRIS P12: 57, 1100 Crossroads Office Building Rochester, New York 14614 716-232-3730 April 13, 1984 P 0 Federal Election Commission 1325 K Street, N.W. Washington, D. C. 20463 Attention: Office of General Counsel MUR No. 1655, Special Committee on Political Action 5 Dear Sir: We are counsel to the Special Committee on Political Action (hereinafter "SCOPA") and its treasurer, Mary Ann Benincasa. A Statement of Designation of Counsel is enclosed herewith. 0 SCOPA and Benincasa are respondents in a complaint filed by the Center on National Labor Policy over the signature of Michael Ernest Avakian. The complaint alleges, with respect to SCOPA, that it is a separate segregated fund affiliated with 0 the Committee for Good Government. (See paratraphs 5, 7, 20, 4 21, 22, 23, 24, 35, 36 and 37). 0 Not only is the factual premise upon which the complaint was filed inaccurate, the complaint itself represents an abuse 4 of the investigative role of the Federal Election Commission for the partisan political purposes by Mr. Avakian and the Center 0 on National Labor Policy. In support of the above statement, respondents SCOPA and Benincasa direct the attention of the Commission to a complaint filed by Mr. Avakian in a matter captioned Dornan vs. Moynihan, et al, MUR No. 1489. In that complaint, filed over Mr. Avakian's signature, it was alleged that SCOPA and the Committee for Good Government were both affiliated, separate segregated funds of the United Auto Workers. On that basis, Mr. Avakian alleged that SCOPA had violated 2 USC \$ 441a(a)(2)(A).

Federal Election Commission April 13, 1984 Page 2

On January 11, 1983, the Commission issued its decision in MUR 1489, holding in relevant part:

In addition, the Commission found no reason to believe that your client violated 2 USC \$ 441(a) (2)(A).

If Mr. Avakian or the Center of National Labor Policy were dissatisfied with the January 11, 1983 decision of the Commission, their remedy would have been to commence an action in District Court. 2 USC § 437g(a)(9). No such action was commenced and the time to do so has expired.

For your convenience, we will set forth the relevant portion of the General Counsel's report in MUR No. 1489 with respect to these allegations:

In August 1974, SCOPA registered with the Commission as a political committee. Its statement of organization indicated a "connection" with six organizations. The United Auto Workers, 221 Dewey Avenue, Rochester, New York 14608, was among those listed.

On October 25, 1976, SCOPA amended its statement of organization by letter, apparently in response to a Reports Analysis Division (RAD) inquiry. The amendment states, "Please be advised that we do not have affiliated organizations, but all participants of this Committee are individuals who belong to various organizations. In other words, anyone is welcome to join this Committee if they wish to reach the same goals". RAD concurs that this amendment adequately clarifies the SCOPA's status—independent of connecting organizations—and should have been entered in the computer index system.

SCOPA and GFGG concur there is no affiliation between them and that SCOPA has no connection with UAW. Both political committees agree with CFGG's statement that

None of the factors set forth in llCFR \$ 110.3(A)(1)(iii) as being indicative of "establishing, financing, maintaining or controlling" - are present here.

mberiain, D'Amanda, Oppenheimer & Greenfield Federal Election Commission April 13, 1984 Page 3 Specifically, the UAW does not own any interest in SCOPA; the bylaws and/or constitution of SCOPA do not give the UAW any authority, power or directive; UAW does not have the authority, power or ability to hire, appoint, discipline, discharge or otherwise influence the decision of the officers or members of UAW and SCOPA have not engaged in SCOPA: similar patterns of contributions, and there have been no transfers of funds between SCOPA and organizations affiliated with the UAW. SCOPA reaffirms that the facts as set out by the General Counsel in the above quote are correct. On the basis of the foregoing, SCOPA respectfully requests that the Federal Election Commission dismiss the complaint in this matter. Further, SCOPA requests that the Commission assess sanctions against the Center on National Labor Policy and Mr. Avakian on the basis that the complaint was not filed in good 0 faith, but rather that (a) Mr. Avakian knew that the Committee for Good Government and SCOPA were not affiliated committees, (b) Mr. Avakian knew that the issue had previously been decided T by the Commission and no appeal had been taken therefrom, (c) the complaint was not filed for the purposes of assuring compliance 0 with the provisions of the Federal Election Campaign Act, but was filed for the partisan political purposes of Mr. Avakian and the Center On: National Labor Policy, and (d) the complaint was vexatious, frivolous and harrassing. 0 truly yours, 8 MTH:sb enclosure Mary Ann Benincasa Michael Ernest Avakian, Esq. All Respondents

0

0

Chamberlain, Dilymands, Capenhalman & Greenfield

ing committee and the



Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463

Attn: Office of General Counsel

Intelligental Hearthald

0

4

0

0

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 3, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Thomas R. Donahue, Treasurer AFL-CIO Committee on Political Education and Political Contributions Committee 815 Sixteenth Street, N.W. Washington, D.C. 20006

Re: MUR 1655

Dear Mr. Donahue:

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to administrative inadvertence. Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints. Sincerely, Charles N. Steele General Counsel By Kenneth A. Gros Associate General Counsel 8 4 0 4 0 4 / 0 9 6 8 Enclosures 1. Complaint 2. Procedures 3. Designation of Counsel Statement

| | ROUTING SLIP YOUR MESS |
|-----|---|
| | Improper Complaint ltr. |
| - | No Jurisdiction 1tr. |
| | Respondent Notification ltr. |
| 1 | Complainant Notification 1tr. |
| | Other: |
| | |
| - * | from 60 on 3/30/14 for signatur ocket from 60, on 4/2 for mailing |

April 2, 1984

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

Dear Mr. Avakian & Ms. Poindexter:

This letter is to acknowledge receipt of the complaint of your client, James E. Antosh, which we received on March 30, 1984, against Daniel P. Moynihan, Moynihan '82 Committee, the Senator Moynihan Re-election Campaign, Inc, the Committee to Re-elect Senator Moynihan, Inc, AFL-CIO COPE PCC, Political Education Fund of the Building and Construction Trades Department and Industrial Union Department AFL-CIO Voluntary Fund, International Ladies Garment Workers Union Campaign Committee, Service Employees International Union Committee on Political Education Political Campaign Committee and others which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your client's complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Cheryl Thomas at (202) 523-4143.

Sincerely,

Charles N. Steele General Counsel

By Kenneth A. Gross

Associate General Counsel

0

| • SEH | ER: Compto | Signa 1, 2
oddron b | DENOMA
S. METURN | 10" | |
|----------|-------------------------------------|------------------------------------|---------------------|----------------|--|
| | (COHSU | | IER FRA FEE | A A | |
| 1. The s | service galwolld
marker of world | neig dept gagear
10 js Ladvagag | (Cases em). | - | |
| | show to whom,
RESTRICTED O | | es of delicity | 1 - 10-10 | |
| | The residence of
the return race | they be to old | | | |
| 2 400 | CLE ACCOUNT | 10 10: M | Haci E A | clan | (A. Person) |
| Mar | the Mat | Labor | Policy | 155 miles | inches in the second se |
| | inighteid | Va | 30151 | CALL SAME SAME | Dec Side |
| 1.00 | REDISTRIED | | 9/1 | 2229 | |
| | CERTIFIED
EUTESS MAI | L | 14. | 3237 | |
| 1100 | (Absorpt obli-
received the s | da pignature
prints describe | short. | | |
| 2100 | ATURE C | The same of | 161 | | |
| 5) | ATE OF DELIV | 5/3 | - | NAME OF STREET | |
| | 4/5 | 189 | = 19 | C 20 5 | |
| 8. A | ORESSEE'S A | DORESS (Only I | | | |
| 7. U | | (i) | No | | |
| 7. U | NABLE TO DEL | LIVER BECAUSE | | - This | |

0

V

00

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ms. Mary Ann Beninicasa, Treasurer Special Committee on Political Action 40 West Avenue Rochester, New York 14611

Re: MUR 1655

Dear Ms. Beninicasa:

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

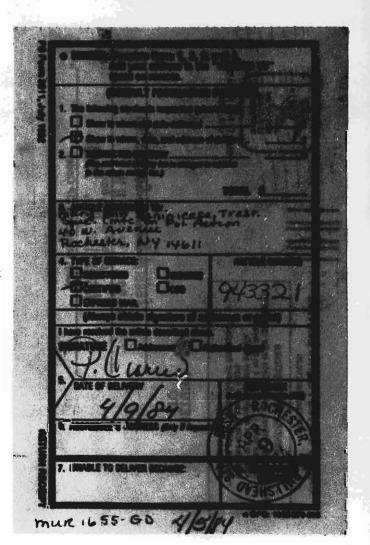
If you have any questions, please contact George Demougeot, the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele General Counsel

By Kenneth A. Gross Associate General Counsel

- Enclosures
 1. Complaint
- Procedures
 Designation of Counsel Statement





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Donald J. Moll, Treasurer
International Union United Auto,
Aerospace & Agricultural
Implement Workers of America;
Committee for Good Government
8000 East Jefferson
Detroit, Michigan 48214

Re: MUR 1655

Dear Mr. Moll:

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a) (4) (B) and § 437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

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

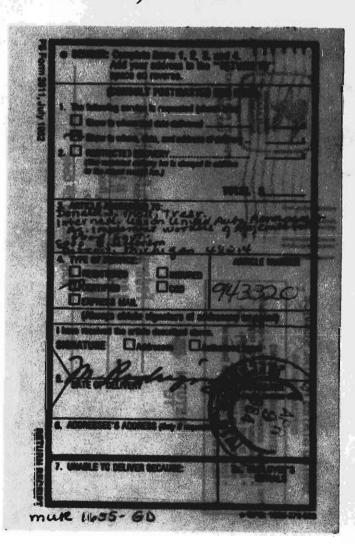
Charles N. Steele General Counsel

By

Kenneth A. Gross Associate General Counsel

Enclosures
1. Complaint

Procedures
 Designation of Counsel Statement





FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

April 5, 1984

RECEIPT REQUESTED

Mr. Richard W. Cordtz, Treasurer Service Employees International Union Committee on Political Education Political Campaign Committee 2020 K Street, N.W. Washington, D.C. 20006

Re: MUR 1655

Dear Mr. Cordtz:

0

T

0

00

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Pederal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact George Demougeot, the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints. Sincerely, Charles N. Steele General Counsel Kenneth A. Gross Associate General Counsel T 0 Enclosures
1. Complaint 4 2. Procedures 0 3. Designation of Counsel Statement 4 0



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Elmer Chatak, Treasurer Industrial Union Department AFL-CIO Voluntary Fund 815 16th Street N.W. Room 301 Washington, D.C. 20006

Re: MUR 1655

Dear Mr. Chatak:

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a) (4) (B) and § 437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact George Demougeot, the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints. Sincerely, Charles N. Steele General Counsel By Kenneth A. Gross Associate General Counsel Enclosures 1. Complaint
2. Procedures 3. Designation of Counsel Statement mur 1655 60



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Joseph F. Maloney, Treasurer
Political Education Fund of the
Building & Construction Trades
Department
815 16th Street, N.W.
Washington, D.C. 20006-4189

Re: MUR 1655

Dear Mr. Maloney:

C

0

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a) (4) (B) and § 437g(a) (12) (A) unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact George Demougeot, the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

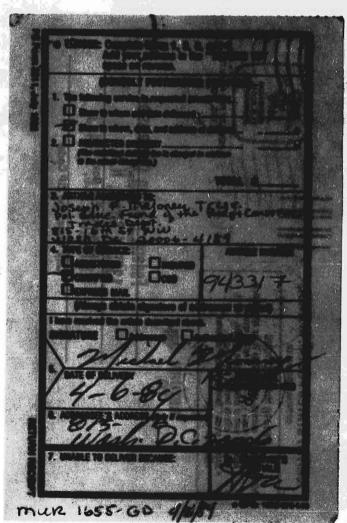
Charles N. Steele General Counsel

By Kenneth A. Gross

Associate General Counsel

Enclosures

- 1. Complaint
- 2. Procedures
- 3. Designation of Counsel Statement





Oi

00

T

0

0

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

The Honorable Daniel P. Moynihan 464 Russell Senate Office Building. Washington, D.C. 20510

Re: MUR 1655

Dear Senator Moynihan:

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

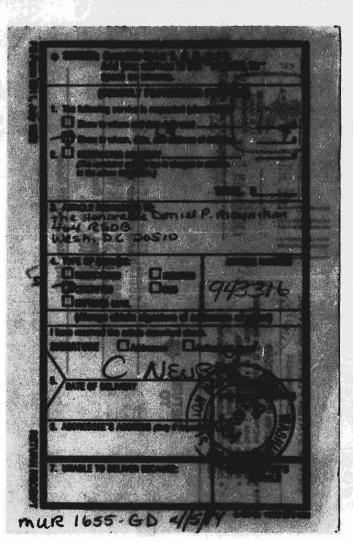
If you have any questions, please contact George Demougeot, the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele General Counsel

Associate General Counsel

- Enclosures
 1. Complaint
- 2. Procedures
 3. Designation of Counsel Statement



00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. John Westergaard, Treasurer Moynihan Committee, Inc 488 Madison Avenue, 12th Floor New York, New York 10022

Re: MUR 1655

Dear Mr. Westergaard:

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact George Demougeot, the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints. Sincerely, Charles N. Steele General Counsel By Kenneth A. Gross Associate General Counsel 12 **Enclosures** 1. Complaint 0 2. Procedures 3. Designation of Counsel Statement 00

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 5, 1984

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Lawrence Dock, Treasurer International Ladies Garment Workers Union Campaign Committee 171Q Broadway New York, New York 10019

Re: MUR 1655

Dear Mr. Dock:

0

T

0

This letter is to notify you that on March 30, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1655. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact George Demougeot, the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints. Sincerely, Charles N. Steele General Counsel By Kenneth A. Gross Associate General Counsel Enclosures
1. Complaint
2. Procedures 3. Designation of Counsel Statement T 00

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

M128 30

James Edward Antosh 13 Gilpin Shawnee, Oklahoma 74801, A 9: 27

Complainant,

Complaint /655

v.

CO

0

T

0

00

Daniel P. Moynihan, Moynihan '82 Committee, The Senator Moynihan Re-election Campaign, Inc., The Committee to Re-elect Senator Moynihan, Inc.; the affiliated separate segregated funds of the American Federation of Labor - Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, Political Education Fund of the Building and Construction Trades Department and Industrial Union Department AFL-CIO Voluntary Fund; International Ladies Garment Workers Union Campaign Committee; Service Employees International Union Committee on Political Education Political Campaign Committee; the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee For Good Government and its affiliated separate segregated fund, the Special Committee on Political Action, and all the committees' treasurers,

Respondents.)

INTRODUCTION

1. Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against former candidate for federal public office. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan. Inc., 1 the affiliated separate segregated funds ("SSFs") of the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC"), Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D") and Industrial Union Department AFL-CIO Voluntary Fund; International Ladies Garment Workers Union Campaign Committee ("ILGWUCC"); Service Employees International Union Committee on Political Education Political Campaign Committee ("SEIU-COPE-PCC"); International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government ("Committee for Good Government")2 and its affiliated SSF, the Special Committee on Political Action, and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. §441a(f) and 2 U.S.C. §441a(a)(2)(A) during either the general or the

¹Formerly The Senator Moynihan Re-election Campaign, Inc. and Moynihan '82 Committee

²The United Auto Workers Voluntary Community Action Program ("UAW V CAP") was also reported on the F.E.C. Form 3X filed by the Committee for Good Government. The F.E.C. identification number of the Committee for Good Government was used. UAW V CAP and the Committee for Good Government are affiliated SSFs.

primary election cycles.

II. PARTIES

2. Complainant is James Edward Antosh who resides at 13 Gilpin, Shawnee, Oklahoma 74801. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

Respondents are:

a. Daniel P. Moynihan,

17 East 76th Street New York, New York 10021;

353 Lexington Avenue New York, New York 10016;

130 East 40th Street, New York, New York 10016.

John Westergaard, individually and in his capacity as treasurer of Moynihan '82 Committee,
 17 East 76th Street
 New York, New York 10021.

The Senator Moynihan Re-election Campaign Inc., 353 Lexington Avenue
New York, New York 10016.

The Committee to Re-elect Senator Moynihan, Inc., 130 East 40th Street
New York, New York 10016.

- c. Moynihan '82 Committee, 17 East 76th Street New York, New York 10021.
- d. The Senator Moynihan Re-election Campaign, Inc., 353 Lexington Avenue New York, New York 10016.

- f. Joseph F. Maloney, individually and in his capacity as treasurer of Political Education Fund of the Building and Construction Trades Department, 815 16th Street
 N. W., Washington, D. C. 20006-4189.
- g. Political Education Fund of the Building and Construction Trades Department, 815 16th Street, N. W. Washington, D. C. 20006-4189.
- h. Elmer Chatak, individually and in his capacity as treasurer of Industrial Union Department AFL-CIO Voluntary Fund, 815 16th Street, N. W., Room 301 Washington, D. C. 20006.
- Industrial Union Department AFL-CIO Voluntary Fund, 815 16th Street, N. W., Room 301 Washington, D. C. 20006.

T.

0

T

00

- j. Lawrence Dock, individually and in his capacity as treasurer of International Ladies Garment Workers Union Campaign Committee, 1710 Broadway New York, New York 10019.
- k. International Ladies Garment Workers Union Campaign Committee, 1710 Broadway New York, New York 10019.
- 1. Richard W. Cordtz, individually and in his capacity as treasurer of Service Employees International Union Committee on Political Education Political Campaign Committee, 2020 K Street, N. W. Washington, D. C. 20006.

Ci

- m. Service Employees International Union Committee on Political Education Political Campaign Committee, 2020 K Street, N. W. Washington, D. C. 20006.
- n. Donald J. Moll, individually and in his capacity as treasurer of International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government, 8000 East Jefferson Detroit, Michigan 48214.
- o. International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government, 8000 East Jefferson Detroit, Michigan 48214.
- p. Mary Ann Beninicasa, individually and in her capacity as treasurer of the Special Committee on Political Action, 40 West Avenue Rochester, New York 14611.
- q. Special Committee on Political Action, 40 West Avenue Rochester, New York 14611.

III. LIABILITY

3. Liability may be imposed upon the candidate, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc., the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund; ILGWUCC; SEIU-COPE-PCC; and the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, pursuant to 2 U.S.C. §441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum

contribution ceiling and 2 U.S.C. §441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

- 4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. §104.14(d).
- 5. For purposes of this complaint, contributions made by the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, are treated as contributions made from a single committee in accordance with 2 U.S.C. 441a(a)(5) as implemented through 11 C.F.R. §100.5(g)(i)(B). For purposes of this complaint, contributions made by the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, are treated as contributions made from a single committee in accordance with 2 U.S.C. §441(a)(a)(5)

IV. OVERVIEW

as implemented through 11 C.F.R. §100.5(g)(i)(B).

6. Based on Complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1982 federal <u>primary</u> election or an excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1982 federal <u>general</u> election in which Daniel P. Moynihan was a candidate for public office. Complainant bases his belief on review of

the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer; the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund; ILGWUCC; and SEIU-COPE-PCC filed for the 1982 federal primary election; and which Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer: and the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action filed for the 1982 federal general election.

- 7. For the 1982 federal <u>primary</u> election, excessive funds were contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by P.E.F.-B.C.T.D. and its treasurer; Industrial Union Department AFL-CIO Voluntary Fund and its treasurer; ILGWUCC and its treasurer; and SEIU-COPE-PCC and its treasurer. For the 1982 federal <u>general</u> election excessive funds were contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by the Committee for Good Government and its treasurer; and the Special Committee on Political Action and its treasurer.
- 8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. §44la(a)(2)(A), which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate

and his authorized political committee with respect to any election for federal office and §441a(f) which prohibits a candidate from receiving illegal contributions.

V. VIOLATIONS OF THE F.E.C.A. BY THE COMMITTEE TO RE-ELECT SENATOR MOYNIHAM, INC. IN THE 1982 FEDERAL PRIMARY AND GENERAL ELECTIONS

- 9. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. §44la(f), knowingly accepted contributions for the 1982 federal primary election from the affiliated SSFs of AFI-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFI-CIO Voluntary Fund, in the amount of \$5,500.00 (FIVE THOUSAND FIVE HUNDRED).
- 10. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal primary election, accepted contributions from the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union

Department AFL-CIO Voluntary Fund, in the following amounts:

| Date
Received | Amount | Contributor | F.E.C. Microfilm Location |
|------------------|------------|--|---------------------------|
| 10/26/81 | \$5,000.00 | P.E.FB.C.T.D. | #82020022551 |
| 4/12/82 | \$ 500.00 | Industrial Union
Department AFI-CIO
Voluntary Fund | #82020090183 |
| Total = | \$5,500.00 | | |

- 11. A running total of contributions from the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, would have put on notice Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) by October 26, 1981. On that date, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer could no longer lawfully accept any contributions from the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund. In violation of 2 U.S.C. §441(f), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer accepted a contribution from Industrial Union Department AFL-CIO Voluntary Fund in the amount of \$500.00 (FIVE HUNDRED DOLLARS). This amount exceeded the statutory monetary ceiling by \$500.00 (FIVE HUNDRED DOLLARS).
- 12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable

amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. §44la(f), knowingly accepted contributions for the 1982 federal primary election from ILGWUCC in the amount of \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS).

13. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal primary election, accepted contributions from ILGWUCC in the following amounts:

| Date
Received | Amount | F.E.C. Microfilm
Location |
|------------------|--------------|------------------------------|
| 4/6/82 | \$6,700.00 | #82020090183 |
| Total | = \$6,700.00 | |

- 14. In violation of 2 U.S.C. §441a(f), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer accepted a contribution from ILGWUCC in the amount of \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS). This amount exceeded the statutory monetary ceiling by \$1,700.00 (ONE THOUSAND SEVEN HUNDRED DOLLARS).
- 15. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported the \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS) contribution of March 30, 1982, as a

contribution for the primary election. (See F.E.C. Microfilm #82020090183.) In a letter dated September 21, 1982, the Federal Election Commission advised The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they could not receive contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) per election from a multicandidate committee. (See F.E.C. Microfilm #82032441767). The \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS) single contribution was designated by ILGWUCC as a contribution for the primary election and was made more than five months before the New York Congressional primary election which was held on September 14, 1982. (See F. E. C. Microfilm #82032294254). Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer failed to accurately report the contribution in their amended F.E.C. Form 3, Schedule "A" which was filed on September 27, 1982. In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer split the \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS) single contribution in two parts. They reported \$1,800.00 (ONE THOUSAND EIGHT HUNDRED DOLLARS) for the primary election and \$4,900.00 (FOUR THOUSAND NINE HUNDRED DOLLARS) for the general election. (See F.E.C. Microfilm #82020122539). F.E.C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein." The proper course of action would have been to refund the amount in excess of

\$5,000.00 (FIVE THOUSAND DOLLARS) as was recommended by the Federal Election Commission in the letter of September 21, 1982. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by the activities described above, knowingly misreported the ILGWUCC contribution in order to accept a contribution from ILGWUCC in excess of the statutory limit.

- 16. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. §44la(f), knowingly accepted contributions for the 1982 federal primary election from SEIU-COPE-PCC in the amount of \$9,000.00 (NINE THOUSAND DOLLARS).
- 17. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal primary election, accepted contributions from SEIU-COPE-PCC in the following amounts:

| Date
Received | Amount | F.E.C. Microfilm
Location | |
|------------------|------------|------------------------------|--|
| 5/26/81 | \$2,000.00 | #81020052147 | |
| 9/1/81 | \$2,000.00 | #82020011160 | |
| 11/1/82 | \$5,000.00 | #82020173554 | |
| Total = | \$9,000.00 | | |

18. A running total of the amount of contributions received from SEIU-COPE-PCC would have put on notice Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they had received \$4,000.00 (FOUR THOUSAND DOLLARS) on September 1, 1981. On that date, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer were only permitted to accept an additional contribution of \$1,000.00 (ONE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

19. SEIU-COPE-PCC and its treasurer failed to designate whether the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution made on July 21, 1982 was intended for the primary or the general election. 3 (See F.E.C. Microfilm #82032403593). However, the contribution was made almost two months before the New York Congressional primary election which was held on September 14, 1982. This indicates that the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of July 21, 1982 was intended by SEIU-COPE-PCC for the primary election. In violation of 11 C.F.R. \$104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported having received the contribution more than three months

³Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported having received the contribution on November 1, 1982.

after it was made and reported it as a contribution for the general election. (See F.E.C. Microfilm #82020173554.) F.E.C. regulation, ll C.F.R. \$104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer knowingly misreported the contribution in order to accept contributions from SEIU-COPE-PCC in excess of the statutory limit.

- 20. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. \$441a(f), knowingly accepted contributions for the 1982 federal general election from the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, in the amount of \$7,000.00 (SEVEN THOUSAND DOLLARS).
- 21. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal general election, accepted contributions from the Committee for Good Government and the Special Committee on Political Action

in the following amounts:

| Date
Received | Amount | Contributor | F.E.C. Microfilm Location |
|------------------|------------|--|---------------------------|
| 11/24/81 | \$5,000.00 | the Committee
for Good
Government | #82020022553 |
| 10/2/81 | \$500.00 | the Special
Committee on
Political
Action | #82020022552 |
| unreported | \$1,500.00 | the Special
Committee on
Political
Action | |
| Total = | \$7,000.00 | | |

- 22. A running total of the amount of contributions received from the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, would have put on notice Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they had received \$500.00 (FIVE HUNDRED DOLLARS) on October 2, 1981. On that date, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer were only permitted to accept an additional contribution of \$4,500.00 (FOUR THOUSAND FIVE HUNDRED DOLLARS). In violation of 2 U.S.C. §441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.
- 23. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan,

Inc. and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of November 5, 1981 which was designated by the Committee for Good Government as a contribution for the general election. (See F.E.C. Microfilm #81032112475.) In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #82020022553.) F.E.C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

24. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer failed to accurately report the \$500.00 (FIVE HUNDRED DOLLARS) contribution of September 1, 1981 which was designated by the Special Committee on Political Action as a contribution for the general election. (See F.E.C. Microfilm #82032122122.) In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #82020022552.) F.E.C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

25. In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer failed to report the \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS) contribution made by the Special Committee on Political Action on July 14, 1982. F. E. C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein."

VI. VIOLATIONS OF THE F.E.C.A. BY P.E.F.-B.C.T.D. AND INDUSTRIAL UNION DEPARTMENT AFL-CIO VOLUNTARY FUND IN THE 1982 FEDERAL PRIMARY ELECTION

- 26. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, for the 1982 federal primary election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer a total of \$5,500.00 (FIVE THOUSAND FIVE HUNDRED DOLLARS).
- 27. P.E.F.-B.C.T.D. and Industrial Union Department AFI-CIO Voluntary Fund contributed the following amounts:
 - a. On October 19, 1981, P.E.F.-B.C.T.D. contributed \$5,000.00

(FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #81032094142.)

- b. On April 5, 1982, Industrial Union Department AFL-CIO Voluntary Fund contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032301982.)
- 28. A running total of the amount contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.- B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, would have put them on notice that as of October 19, 1981, they had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), Industrial Union Department AFL-CIO Voluntary Fund made a \$500.00 (FIVE HUNDRED DOLLARS) contribution on April 5, 1982 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$500.00 (FIVE HUNDRED DOLLARS).

VII. VIOLATIONS OF THE F.E.C.A. BY ILGWUCC IN THE 1982 FEDERAL PRIMARY ELECTION

29. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that ILGWUCC, for the 1982 federal primary election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer

a total of \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS) in a single contribution made on March 30, 1982. (See F.E.C. Microfilm #82020090183.)

30. In violation of 2 U.S.C. §441a(a)(2)(A), ILGWUCC made a contribution to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and treasurer in the amount of \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS), which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$1,700.00 (ONE THOUSAND SEVEN HUNDRED DOLLARS).

VIII. VIOLATIONS OF THE F.E.C.A. BY SEIU-COPE-PCC IN THE 1982 FEDERAL PRIMARY ELECTION

- 31. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that SEIU-COPE-PCC, for the 1982 federal primary election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer a total of \$9,000.00 (NINE THOUSAND DOLLARS).
- 32. SEIU-COPE-PCC contributed the following amounts:
 - a. On May 15, 1981, SEIU-COPE-PCC contributed \$2,000.00 (TWO THOUSAND DOLLARS). (See F.E.C. Microfilm #81031973641.)

- b. On June 9, 1981, SEIU-COPE-PCC contributed \$2,000.00 TWO THOUSAND DOLLARS). (See F.E.C. Microfilm #81032012046.)
- 33. A running total of the amount contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer would have put on notice SEIU-COPE-PCC that as of June 9, 1981, it had contributed \$4,000.00 (FOUR THOUSAND DOLLARS) and that it could only contribute an additional \$1,000.00 (ONE THOUSAND DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. §441a(a)(2)(A), a \$5,000.00 (FIVE THOUSAND DOLLARS) contribution was made to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer. The amount exceeded the statutory monetary ceiling by \$4,000.00 (FOUR THOUSAND DOLLARS).
- 34. SEIU-COPE-PCC and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution made to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer on July 21, 1982. In violation of 11 C.F.R. §104.14(d), SEIU-COPE-PCC and its treasurer failed to designate whether the contribution was intended for the primary or the general election. (See F. E. C. microfilm 82032403593.)

8

IX. VIOLATIONS OF THE F.E.C.A. BY THE COMMITTEE FOR GOOD GOVERNMENT AND THE SPECIAL COMMITTEE ON POLITICAL ACTION IN THE 1982 FEDERAL GENERAL ELECTION

- 35. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, for the 1982 federal general election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer a total of \$7,000.00 (SEVEN THOUSAND DOLLARS).
- 36. The Committee for Good Government and the Special Committee on Political Action contributed the following amounts:
 - a. On November 5, 1981, the Committee for Good Government contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #81032112475.)
 - b. On September 1, 1981, the Special Committee on Political Action contributed \$500.00 (FIVE HUNDRED DOLLARS).
 (See F.E.C. Microfilm #82032122122.)
 - c. On July 14, 1982, the Special Committee on Political Action contributed \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032520290.)

37. A running total of the amount contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer would have put on notice The Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, that as of September 1, 1981, they had contributed \$500.00 (FIVE HUNDRED DOLLARS) and that they could only contribute an additional \$4,500.00 (FOUR THOUSAND FIVE HUNDRED DOLLARS) if they wished to meet the mandates of the law. In violation f 2 U.S.C. \$441a(a)(2)(A), contributions of \$5,000.00 (FIVE THOUSAND DOLLARS) and \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS) were made to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer. This amount exceeded the statutory monetary ceiling by \$2,000.00 (TWO THOUSAND DOLLARS).

X. CONCLUSION

- 38. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.
- 39. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions and that civil sanctions be imposed on the Respondents.

Michael Ernest Avakian Center on National Labor Policy

Martha M. Poindexter

Martha M. Poindexter

Center on National Labor Policy
5211 Port Royal Road, Suite 400

North Springfield, VA 22151

(703) 321-9180

Attorneys for Complainant

March 30, 1984

VERIFICATION OF CITIZEN COMPLAINANT

Shawnee State of Oklahoma

88.

当

Pursuant to 2 U.S.C. §437g(a)(1), I, James Edward Antosh, being first duly sworn, say that I have read the foregoing complaint and know the contents thereof, and that the same is true on information and belief. This complaint was not filed at the request or suggestion of any candidate. I am a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

Jim artish

Subscribed and sworn to before me this _______ day of March 1984.

Merise K. almon Notary Public

My Commission expires:

Sept. 17, 1986

8404047101

DESIGNATION OF COUNSEL

I, James Edward Antosh, a complainant to the attached complaint designate the attorney(s) identified below as complainant's attorney(s) of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

March 7, 19884

Janes E. artish

DESIGNATED COUNSEL

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

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

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74801,

Complainant,

v.

Daniel P. Moynihan, Moynihan '82 Committee, The Senator Moynihan Re-election Campaign, Inc., The Committee to Re-elect Senator Moynihan, Inc.; the affiliated separate segregated funds of the American Federation of Labor - Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, Political Education Fund of the Building and Construction Trades Department and Industrial Union Department AFL-CIO Voluntary Fund; International Ladies Garment Workers Union Campaign Committee;) Service Employees International Union Committee on Political Education Political Campaign Committee; the International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee For Good Government and its affiliated separate segregated fund, the Special Committee on Political Action, and all the committees' treasurers,

Respondents.

Complaint 1655

INTRODUCTION

Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against former candidate for federal public office, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc., 1 the affiliated separate segregated funds ("SSFs") of the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC"), Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D") and Industrial Union Department AFL-CIO Voluntary Fund; International Ladies Garment Workers Union Campaign Committee ("ILGWUCC"); Service Employees International Union Committee on Political Education Political Campaign Committee ("SEIU-COPE-PCC"); International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government ("Committee for Good Government")2 and its affiliated SSF, the Special Committee on Political Action, and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. §441a(f) and 2 U.S.C. §441a(a)(2)(A) during either the general or the

¹Formerly The Senator Moynihan Re-election Campaign, Inc. and Moynihan '82 Committee

²The United Auto Workers Voluntary Community Action Program ("UAW V CAP") was also reported on the F.E.C. Form 3X filed by the Committee for Good Government. The F.E.C. identification number of the Committee for Good Government was used. UAW V CAP and the Committee for Good Government are affiliated SSFs.

primary election cycles. PARTIES II. Complainant is James Edward Antosh who resides at 13 Gilpin, Shawnee, Oklahoma 74801. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma. Respondents are: Daniel P. Moynihan, 17 East 76th Street New York, New York 10021; 353 Lexington Avenue New York, New York 10016; 130 East 40th Street, New York, New York 10016. b. John Westergaard, individually and in his capacity as treasurer of Moynihan '82 Committee, T 17 East 76th Street New York, New York 10021. The Senator Moynihan Re-election Campaign Inc., 353 Lexington Avenue New York, New York 10016. V The Committee to Re-elect Senator Moynihan, Inc., 8 130 East 40th Street New York, New York 10016. Moynihan '82 Committee, C. 17 East 76th Street New York, New York 10021. The Senator Moynihan Re-election Campaign, Inc., 353 Lexington Avenue New York, New York 10016. 3

0

00

- The Committee to Re-elect Senator Moynihan, Inc., e. 130 East 40th Street New York, New York 10016.
- Joseph F. Maloney, individually and in his capacity as treasurer of Political Education Fund of the Building and Construction Trades Department, 20006-4189.
- Political Education Fund of the Building and Construction Washington, D. C. 20006-4189.
- Elmer Chatak, individually and in his capacity as treasurer of Industrial Union Department AFL-CIO Voluntary Fund, 815 16th Street, N. W., Room 301 Washington, D. C. 20006.
- Industrial Union Department AFL-CIO Voluntary Fund, 815 16th Street, N. W., Room 301 Washington, D. C. 20006.
- j. Lawrence Dock, individually and in his capacity as treasurer of International Ladies Garment Workers Union Campaign Committee, 1710 Broadway New York, New York 10019.
- k. International Ladies Garment Workers Union Campaign Committee, 1710 Broadway New York, New York 10019.
- Richard W. Cordtz, individually and in his capacity as treasurer of Service Employees International Union Committee on Political Education Political Campaign Committee. 2020 K Street, N. W. Washington, D. C. 20006.

- m. Service Employees International Union Committee on Political Education Political Campaign Committee, 2020 K Street, N. W. Washington, D. C. 20006.
- n. Donald J. Moll, individually and in his capacity as treasurer of International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government, 8000 East Jefferson Detroit, Michigan 48214.
- o. International Union United Auto, Aerospace and Agricultural Implement Workers of America; Committee for Good Government, 8000 East Jefferson Detroit, Michigan 48214.
- p. Mary Ann Beninicasa, individually and in her capacity as treasurer of the Special Committee on Political Action,
 40 West Avenue
 Rochester, New York 14611.
- q. Special Committee on Political Action, 40 West Avenue Rochester, New York 14611.

III. LIABILITY

3. Liability may be imposed upon the candidate, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc., the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund; ILGWUCC; SEIU-COPE-PCC; and the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, pursuant to 2 U.S.C. §441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum

contribution ceiling and 2 U.S.C. §441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

- 4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. §104.14(d).
- 5. For purposes of this complaint, contributions made by the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, are treated as contributions made from a single committee in accordance with 2 U.S.C. 44la(a)(5) as implemented through 11 C.F.R. §100.5(g)(i)(B). For purposes of this complaint, contributions made by the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, are treated as contributions made from a single committee in accordance with 2 U.S.C. §44l(a)(a)(5) as implemented through 11 C.F.R. §100.5(g)(i)(B).

IV. OVERVIEW

6. Based on Complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1982 federal primary election or an excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1982 federal general election in which Daniel P. Moynihan was a candidate for public office. Complainant bases his belief on review of

the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer; the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund; ILGWUCC; and SEIU-COPE-PCC filed for the 1982 federal primary election; and which Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer: and the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action filed for the 1982 federal general election.

- 7. For the 1982 federal <u>primary</u> election, excessive funds were contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by P.E.F.-B.C.T.D. and its treasurer; Industrial Union Department AFL-CIO Voluntary Fund and its treasurer; ILGWUCC and its treasurer; and SEIU-COPE-PCC and its treasurer. For the 1982 federal <u>general</u> election excessive funds were contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by the Committee for Good Government and its treasurer; and the Special Committee on Political Action and its treasurer.
- 8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. §441a(a)(2)(A), which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate

and his authorized political committee with respect to any election for federal office and \$441a(f) which prohibits a candidate from receiving illegal contributions.

V. VIOLATIONS OF THE F.E.C.A. BY THE COMMITTEE TO RE-ELECT SENATOR MOYNIHAN, INC. IN THE 1982 FEDERAL PRIMARY AND GENERAL ELECTIONS

- 9. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. §44la(f), knowingly accepted contributions for the 1982 federal primary election from the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, in the amount of \$5,500.00 (FIVE THOUSAND FIVE HUNDRED).
- 10. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal primary election, accepted contributions from the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union

Department AFL-CIO Voluntary Fund, in the following amounts:

| Date
Received | Amount | Contributor | F.E.C. Microfilm
Location |
|------------------|------------|--|------------------------------|
| 10/26/81 | \$5,000.00 | P.E.FB.C.T.D. | #82020022551 |
| 4/12/82 | \$ 500.00 | Industrial Union
Department AFL-CIO
Voluntary Fund | #82020090183 |
| Total = | \$5,500.00 | | |

- 11. A running total of contributions from the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, would have put on notice Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) by October 26, 1981. On that date, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer could no longer lawfully accept any contributions from the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund. In violation of 2 U.S.C. §441(f), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer accepted a contribution from Industrial Union Department AFL-CIO Voluntary Fund in the amount of \$500.00 (FIVE HUNDRED DOLLARS). This amount exceeded the statutory monetary ceiling by \$500.00 (FIVE HUNDRED DOLLARS).
- 12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable

amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal primary election from ILGWUCC in the amount of \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS).

13. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal primary election, accepted contributions from ILGWUCC in the following amounts:

| Date
Received | Amount | F.E.C. Microfilm
Location |
|------------------|--------------|------------------------------|
| 4/6/82 | \$6,700.00 | #82020090183 |
| Total | = \$6,700.00 | |

- 14. In violation of 2 U.S.C. §441a(f), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer accepted a contribution from ILGWUCC in the amount of \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS). This amount exceeded the statutory monetary ceiling by \$1,700.00 (ONE THOUSAND SEVEN HUNDRED DOLLARS).
- 15. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported the \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS) contribution of March 30, 1982, as a

contribution for the primary election. (See F.E.C. Microfilm #82020090183.) In a letter dated September 21, 1982, the Federal Election Commission advised The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they could not receive contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) per election from a multicandidate committee. (See F.E.C. Microfilm #82032441767). The \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS) single contribution was designated by ILGWUCC as a contribution for the primary election and was made more than five months before the New York Congressional primary election which was held on September 14, 1982. (See F. E. C. Microfilm #82032294254). Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer failed to accurately report the contribution in their amended F.E.C. Form 3, Schedule "A" which was filed on September 27, 1982. In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer split the \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS) single contribution in two parts. They reported \$1,800.00 (ONE THOUSAND EIGHT HUNDRED DOLLARS) for the primary election and \$4,900.00 (FOUR THOUSAND NINE HUNDRED DOLLARS) for the general election. (See F.E.C. Microfilm #82020122539). F.E.C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein." The proper course of action would have been to refund the amount in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) as was recommended by the Federal Election Commission in the letter of September 21, 1982. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by the activities described above, knowingly misreported the ILGWUCC contribution in order to accept a contribution from ILGWUCC in excess of the statutory limit.

- 16. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal primary election from SEIU-COPE-PCC in the amount of \$9,000.00 (NINE THOUSAND DOLLARS).
- 17. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal primary election, accepted contributions from SEIU-COPE-PCC in the following amounts:

| Date
Received | Amount | F.E.C. Microfilm
Location |
|------------------|------------|------------------------------|
| 5/26/81 | \$2,000.00 | #81020052147 |
| 9/1/81 | \$2,000.00 | #82020011160 |
| 11/1/82 | \$5,000.00 | #82020173554 |
| Total = | \$9,000.00 | |

18. A running total of the amount of contributions received from SEIU-COPE-PCC would have put on notice Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they had received \$4,000.00 (FOUR THOUSAND DOLLARS) on September 1, 1981. On that date, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer were only permitted to accept an additional contribution of \$1,000.00 (ONE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

19. SEIU-COPE-PCC and its treasurer failed to designate whether the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution made on July 21, 1982 was intended for the primary or the general election. 3 (See F.E.C. Microfilm #82032403593). However, the contribution was made almost two months before the New York Congressional primary election which was held on September 14, 1982. This indicates that the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of July 21, 1982 was intended by SEIU-COPE-PCC for the primary election. In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported having received the contribution more than three months

³Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported having received the contribution on November 1, 1982.

after it was made and reported it as a contribution for the general election. (See F.E.C. Microfilm #82020173554.) F.E.C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer knowingly misreported the contribution in order to accept contributions from SEIU-COPE-PCC in excess of the statutory limit.

- 20. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, in violation of 2 U.S.C. §44la(f), knowingly accepted contributions for the 1982 federal general election from the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, in the amount of \$7,000.00 (SEVEN THOUSAND DOLLARS).
- 21. Candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer, for the 1982 federal general election, accepted contributions from the Committee for Good Government and the Special Committee on Political Action

in the following amounts:

| Date
Received | Amount | Contributor | F.E.C. Microfilm Location |
|------------------|------------|--|---------------------------|
| 11/24/81 | \$5,000.00 | the Committee
for Good
Government | #82020022553 |
| 10/2/81 | \$500.00 | the Special
Committee on
Political
Action | #82020022552 |
| unreported | \$1,500.00 | the Special
Committee on
Political
Action | |
| Total = | \$7,000.00 | | |

- 22. A running total of the amount of contributions received from the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, would have put on notice Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer that they had received \$500.00 (FIVE HUNDRED DOLLARS) on October 2, 1981. On that date, Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer were only permitted to accept an additional contribution of \$4,500.00 (FOUR THOUSAND FIVE HUNDRED DOLLARS). In violation of 2 U.S.C. §441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.
- 23. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan,

Inc. and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of November 5, 1981 which was designated by the Committee for Good Government as a contribution for the general election. (See F.E.C. Microfilm #81032112475.) In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #82020022553.) F.E.C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

24. Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer failed to accurately report the \$500.00 (FIVE HUNDRED DOLLARS) contribution of September 1, 1981 which was designated by the Special Committee on Political Action as a contribution for the general election. (See F.E.C. Microfilm #82032122122.) In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #82020022552.) F.E.C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

25. In violation of 11 C.F.R. §104.14(d), Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer failed to report the \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS) contribution made by the Special Committee on Political Action on July 14, 1982. F. E. C. regulation, 11 C.F.R. §104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein."

VI. VIOLATIONS OF THE F.E.C.A. BY P.E.F.-B.C.T.D. AND INDUSTRIAL UNION DEPARTMENT AFL-CIO VOLUNTARY FUND IN THE 1982 FEDERAL PRIMARY ELECTION

- 26. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.-B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, for the 1982 federal primary election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer a total of \$5,500.00 (FIVE THOUSAND FIVE HUNDRED DOLLARS).
- 27. P.E.F.-B.C.T.D. and Industrial Union Department AFI-CIO Voluntary Fund contributed the following amounts:
 - a. On October 19, 1981, P.E.F.-B.C.T.D. contributed \$5,000.00

(FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #81032094142.)

- b. On April 5, 1982, Industrial Union Department AFL-CIO Voluntary Fund contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032301982.)
- 28. A running total of the amount contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer by the affiliated SSFs of AFL-CIO COPE-PCC, P.E.F.- B.C.T.D. and Industrial Union Department AFL-CIO Voluntary Fund, would have put them on notice that as of October 19, 1981, they had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), Industrial Union Department AFL-CIO Voluntary Fund made a \$500.00 (FIVE HUNDRED DOLLARS) contribution on April 5, 1982 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$500.00 (FIVE HUNDRED DOLLARS).

VII. VIOLATIONS OF THE F.E.C.A. BY ILGWUCC IN THE 1982 FEDERAL PRIMARY ELECTION

29. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that ILGWUCC, for the 1982 federal primary election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer

30. In violation of 2 U.S.C. §441a(a)(2)(A), ILGWUCC made a contribution to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and treasurer in the amount of \$6,700.00 (SIX THOUSAND SEVEN HUNDRED DOLLARS), which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$1,700.00 (ONE THOUSAND SEVEN HUNDRED DOLLARS).

VIII. VIOLATIONS OF THE F.E.C.A. BY SEIU-COPE-PCC IN THE 1982 FEDERAL PRIMARY ELECTION

31. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that SEIU-COPE-PCC, for the 1982 federal primary election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer a total of \$9,000.00 (NINE THOUSAND DOLLARS).

32. SEIU-COPE-PCC contributed the following amounts:

T

0

4

8

a. On May 15, 1981, SEIU-COPE-PCC contributed \$2,000.00
(TWO THOUSAND DOLLARS). (See F.E.C. Microfilm #81031973641.)

- b. On June 9, 1981, SEIU-COPE-PCC contributed \$2,000.00

 TWO THOUSAND DOLLARS). (See F.E.C. Microfilm

 #81032012046.)
- c. On July 21, 1982, SEIU-COPE-PCC contributed \$5,000.00
 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm
 #82032403593.)
- 33. A running total of the amount contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer would have put on notice SEIU-COPE-PCC that as of June 9, 1981, it had contributed \$4,000.00 (FOUR THOUSAND DOLLARS) and that it could only contribute an additional \$1,000.00 (ONE THOUSAND DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. §441a(a)(2)(A), a \$5,000.00 (FIVE THOUSAND DOLLARS) contribution was made to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer. The amount exceeded the statutory monetary ceiling by \$4,000.00 (FOUR THOUSAND DOLLARS).
- 34. SEIU-COPE-PCC and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution made to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer on July 21, 1982. In violation of 11 C.F.R. §104.14(d), SEIU-COPE-PCC and its treasurer failed to designate whether the contribution was intended for the primary or the general election. (See F. E. C. microfilm 82032403593.)

IX. VIOLATIONS OF THE F.E.C.A. BY THE COMMITTEE FOR GOOD GOVERNMENT AND THE SPECIAL COMMITTEE ON POLITICAL ACTION IN THE 1982 FEDERAL GENERAL ELECTION

- 35. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that the Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, for the 1982 federal general election contributed to candidate Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer a total of \$7,000.00 (SEVEN THOUSAND DOLLARS).
- 36. The Committee for Good Government and the Special Committee on Political Action contributed the following amounts:
 - a. On November 5, 1981, the Committee for Good Government contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #81032112475.)
 - b. On September 1, 1981, the Special Committee on Political Action contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032122122.)
 - C. On July 14, 1982, the Special Committee on Political Action contributed \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032520290.)

37. A running total of the amount contributed to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer would have put on notice The Committee for Good Government and its affiliated SSF, the Special Committee on Political Action, that as of September 1, 1981, they had contributed \$500.00 (FIVE HUNDRED DOLLARS) and that they could only contribute an additional \$4,500.00 (FOUR THOUSAND FIVE HUNDRED DOLLARS) if they wished to meet the mandates of the law. In violation f 2 U.S.C. §441a(a)(2)(A), contributions of \$5,000.00 (FIVE THOUSAND DOLLARS) and \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS) were made to Daniel P. Moynihan, The Committee to Re-elect Senator Moynihan, Inc. and its treasurer. This amount exceeded the statutory monetary ceiling by \$2,000.00 (TWO THOUSAND DOLLARS).

X. CONCLUSION 38. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

39. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions and that civil sanctions be imposed on the Respondents.

In

M

-

0

4

7

Muha A Chakean
Michael Ernest Avakian
Center on National Labor Policy

Martha M. Poindexter

Martha M. Poindexter

Center on National Labor Policy
5211 Port Royal Road, Suite 400

North Springfield, VA 22151

(703) 321-9180

Attorneys for Complainant

March 30, 1984

VERIFICATION OF CITIZEN COMPLAINANT

Shawnee

38.

State of Oklahoma

Pursuant to 2 U.S.C. §437g(a)(1), I, James Edward Antosh, being first duly sworn, say that I have read the foregoing complaint and know the contents thereof, and that the same is true on information and belief. This complaint was not filed at the request or suggestion of any candidate. I am a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

Sim Clitch

Subscribed and sworn to before me this ______ day of March 1984.

Motary Public

My Commission expires:

Sept. 17, 1986

DESIGNATION OF COUNSEL

I, James Edward Antosh, a complainant to the attached complaint designate the attorney(s) identified below as complainant's attorney(s) of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

March 7 19834

Complainant Catch

DESIGNATED COUNSEL

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



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1655

Date Filmed 7/27/84 Camera No. --- 4

Cameraman JRL