



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, DC 20463

THIS IS THE END OF TUB # 1696

Date Filmed 3/5/86 Camera No. --- 2

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MUR 1696

FEDERAL ELECTION COMMISSION

- All routing cards
- All memorandums from the Reports Analysis Division regarding proposed requests for additional info
- All documents and pages of reports relating to conciliation
- Copies of letters bearing staff's initials
- Commissioner objection memos
- 12 Day Pre-Brief Report and comment sheets
- 12 Day Report and Comment sheets

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

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

Signed Maibeth Tarant
 date 2/28/86
ll

Hagan

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
American Federation of Government)	MUR 1696
Employees Political Action)	
Committee)	
James H. Lynch, as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of December 10, 1985, do hereby certify that the Commission decided by a vote of 5-0 to accept the conciliation agreement attached to the General Counsel's report dated November 26, 1985, and close the file in this matter.

Commissioners Aikens, Elliott, Harris, Josefiak, and McDonald voted affirmatively for the decision; Commissioner McGarry was not present.

Attest:

12-12-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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J. F. GRNEY BUILDING

Hogan

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT

JOHN N. STURDIVANT
EXECUTIVE VICE PRESIDENT

NICHOLAS J. NOLAN
NATIONAL SEC. TREAS.

1325 MASSACHUSETTS AVE., N.W. WASHINGTON, D. C. 20005

Telephone: (202) 737-8700



IN REPLY PLEASE REFER TO

7k/PAC

January 9, 1986

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

Re: MUR 1696
American Federation of Government Employees
Political Action Committee
James H. Lynch, Treasurer

Dear Mr. Gross:

Pursuant to the Conciliation Agreement which was signed by you on December 18, 1985 which we received during the Christmas holiday, enclosed is a check for \$100 payable to the Treasurer of the United States. This completes our obligation under paragraph VI of the Conciliation Agreement.

We are pleased that we could conclude this matter in an amicable fashion.

Very truly yours,

Sandra Sue Adams-Choate
Legislative Attorney

Enclosure

cc: Betsy Reid
NVP Lynch

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66 JAN 13 PM 2: 25

AFGE-PAC-B
 325 MASS. AVE. N.W.
 WASHINGTON, D.C. 20005
 January 9 1986
 15-52
 640
 PAY TO THE ORDER OF Treasurer of the U.S. \$ 100.00
 One Hundred and no/100 DOLLARS
 NS&T BANK
 WASHINGTON, D.C. 20005
 FOR Fine in Sarbanes-FEC Complaint
 Betty Reid
 James H. Lynch
 000195 0540005225019 107151

GCC# 94119

MEMORANDUM

TO: RETHA DIXON TO: JOAN HARRIS
 FROM: JOAN HARRIS FROM: RETHA DIXON
 CHECK NO. 195 (a copy of which is attached) RELATING
 TO MUR 11696 AND NAME American Federation of Government Employees PAC
 WAS RECEIVED ON January 13, 1986 PLEASE INDICATE THE ACCOUNT INTO
 WHICH IT SHOULD BE DEPOSITED:

RECEIVED
 GENERAL COUNSEL
 26 JAN 13 1986

- / / BUDGET CLEARING ACCOUNT (#95F3875.16)
- / * / CIVIL PENALTIES ACCOUNT (#95-1099.160)
- / / OTHER _____

SIGNATURE Robert M Bishop DATE 1-13-86

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO



1325 Massachusetts Avenue, N.W.
Washington, D. C. 20005

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



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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Michael Avakian
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, VA 22151

Re: MUR 1696

Dear Mr. Avakian:

3 5 0 4 0 ; 7 1 0 7 4
This is in reference to the complaint you filed with the Commission on May 11, 1984, concerning possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act") by the following persons: Citizens for Sarbanes and Charles M. Kerr, as treasurer; Responsible Citizens Political League-Brotherhood of Railway and Airline Clerks and D.A. Bobo, as treasurer; AFL-CIO Industrial Union Department Voluntary Fund and Elmer Chatak, as treasurer; AFL-CIO Committee on Political Education and Political Contributions Committee and Thomas R. Donohue, as treasurer; American Federation of Government Employees PAC and James H. Lynch, as treasurer; Engineers Political Education Committee/International Union of Operating Engineers and Frank Hanley, as treasurer; and International Ladies Garment Workers Union Campaign Committee and Lawrence Dock, as treasurer.

On September 5, 1984 the Commission found no reason to believe the AFL-CIO Committee on Political Education and its treasurer violated the Act. Additionally, on this date, the Commission found reason to believe the following persons violated 11 C.F.R. § 104.14(d): the AFL-CIO Industrial Union Department Voluntary Fund and its treasurer; the International Ladies Garment Workers Union Campaign Committee and its treasurer; and the Responsible Citizens Political League-Brotherhood of Railway and Airline Clerks and its treasurer. The Commission further determined to take no further action regarding these possible violations, and closed the file in this matter as to these four committees and their treasurers. Enclosed is a copy of the General Counsel's Report discussing these violations.

The Commission also determined that there was reason to believe that the Engineers Political Education Committee/International Union of Operating Engineers and its treasurer, violated 2 U.S.C. § 441a(a)(2)(A) and conducted an investigation. On April 10, 1985 a conciliation agreement signed by this committee was accepted by the Commission, thereby closing the file in this matter for these respondents. A copy of this agreement is enclosed for your information.

The Commission also found reason to believe the Sarbanes Committee and its treasurer violated 2 U.S.C. §§ 441a(f), 434(b)(2)(D) and 434(b)(3)(B), as well as 11 C.F.R. § 104.14(d). On October 17, 1985 the Commission voted to close the file as it pertained to these respondents. Enclosed is a copy of the certification of this vote and a copy of the brief of the General Counsel dated May 5, 1985.

After conducting an investigation in this matter the Commission determined there was probable cause to believe that the American Federation of Government Employees PAC and its treasurer violated 2 U.S.C. § 441a(a)(2)(A). On November 20, 1985 a conciliation signed by these respondents was accepted by the Commission, thereby closing the file as to all respondents. A copy of this conciliation agreement is enclosed.

The file number in this matter is MUR 1696. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure

1. General Counsel's Report Dated August 9, 1984
2. Conciliation Agreement Dated April 15, 1985
3. Certification of Commission's vote of
October 17, 1985
4. General Counsel's Brief Dated May 7, 1985
5. Conciliation Agreement Dated December 18, 1985

for
12-31-85

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC
TO THE COMMISSION 8/9/84 - 9:00

MUR NO. 1696
DATE COMPLAINT RECEIVED
BY OGC
DATE OF NOTIFICATION TO
RESPONDENT May 18, 1984
STAFF MEMBER
Frances B. Hagan

COMPLAINANT'S NAME: James Edward Antosh

RESPONDENTS' NAMES: Paul S. Sarbanes
Citizens for Sarbanes and as treasurer,
Charles M. Kerr
American Federation of Government Employees'
Political Action Committee and as
treasurer, James H. Lynch, Jr.
AFL-CIO COPE-PCC and as treasurer,
Thomas R. Donahue
IUD Voluntary Fund and as treasurer,
Elmer Chatak
ILGWU Campaign Committee and as treasurer,
Lawrence Dock
Engineers Political Education
Committee/International Union of Operating
Engineers and as treasurer, Frank Hanley
Responsible Citizens Political League -
A Project of the Brotherhood of Railway
and Airline Clerks and as treasurer,
D. A. Bobo

RELEVANT STATUTES
AND REGULATIONS: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
2 U.S.C. § 434(b)(2)(D)
2 U.S.C. § 434(b)(3)(B)
11 C.F.R. § 104.14(d)
11 C.F.R. § 102.9(e)
11 C.F.R. § 110.1(a)(2)

INTERNAL REPORTS
CHECKED: Respondents' Disclosure Reports

FEDERAL AGENCIES
CHECKED: None

SUMMARY OF ALLEGATIONS

1. Complainant alleges that Paul S. Sarbanes, Citizens for Sarbanes (or "the Sarbanes Committee") and its treasurer, Charles M. Kerr, violated 2 U.S.C. § 441a(f) by knowingly

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accepting contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) during the 1982 primary and general elections.

2. Complainant alleges that the American Federation of Government Employees' Political Action Committee ("AFGE PAC") and its treasurer, James H. Lynch, Jr., violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 primary election campaign.

3. Complainant alleges that the AFL-CIO Committee on Political Education and Political Contributions Committee ("COPE PCC") and its treasurer, Thomas R. Donahue, along with its affiliate AFL-CIO Industrial Union Department Voluntary Fund ("IUD Voluntary Fund") and its treasurer, Elmer Chatak, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 primary election campaign.

4. Complainant alleges that the International Ladies Garment Workers Union Campaign Committee ("ILGWUCC") and its treasurer, Lawrence Dock, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 primary election campaign.

5. Complainant alleges that the Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE") and its treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations

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to the Sarbanes Committee during the 1982 primary election campaign.

6. Complainant alleges that the Responsible Citizens Political League - A Project of the Brotherhood of Railway and Airline Clerks ("RCPL-PBRAC") and its treasurer, D.A. Bobo, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 general election campaign.

7. Complainant attaches liability to the treasurers of each committee both individually and in their capacity as treasurer. Complainant cites 11 C.F.R. § 104.14(d) which holds a treasurer "personally responsible" for timely and complete filing of reports and for accuracy of information therein.

8. Complainant alleges that the candidate, the respondents and their treasurers "knowingly" violated the Act because the respondents would have known, by keeping a running total of contributions, that the amounts designated for the primary and general elections were excessive for those elections.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committee with respect to any federal election which in the aggregate, exceed \$5,000.

2 U.S.C. § 441a(f) prohibits receipt of contributions violative of this section.

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11 C.F.R. § 110.1(a)(2)(i) makes it clear that contributions designated in writing by a contributor for a particular election are attributable to the limit set for that election. The regulation further states that a contribution made after a primary election and designated for the primary shall be made only to the extent of the net primary debt. In the case of a contribution not designated in writing for a particular election, the contribution will be attributable for the primary election if made on or before the primary date, and the contribution will be attributable to the general election if made after the primary election date.

11 C.F.R. § 102.9(e) states that if a candidate or authorized committee receives contributions prior to the primary election, which contributions are designated by the candidate or committee for use in the general election, such candidate or committee shall use an acceptable accounting method to distinguish between contributions received for the primary and general elections.

2 U.S.C. § 434(b)(2)(D) requires the reporting of contributions from political committees.

2 U.S.C. § 434(b)(3)(B) requires the identification on reports of a political committee which makes a contribution to the reporting committee during the reporting period, with the date and amount of such contribution.

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Analysis of AFGE-PAC Contributions to Sarbanes Committee

Our review of reports filed by the Sarbanes Committee and AFGE PAC reveals the following contributions as reported by these committees:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of AFGE-PAC Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
AFGE-PAC	\$1,000.00	6/25/82	NONE	7/2/82	Primary
	3,006.00	6/30/82	NONE	Not on Reports	-
	297.60	7/08/82	NONE	Not on Reports	-
	1,000.00	9/03/82	NONE	9/14/82	Primary

Maryland Primary held September 14, 1982.

In its response to the complaint, AFGE-PAC states that it made the four contributions noted above in connection with the Sarbanes campaign for the "1982 election cycle." AFGE-PAC states that "due to inadvertent error, none of the boxes on Schedule B indicating which election these contributions were for (primary or general) were checked off." Counsel for AFGE-PAC states that total contributions did not exceed the limits of \$5,000 per election and that the violation is "technical" and "de minimis".

The Sarbanes Committee states that it received two checks of \$1,000 each from AFGE PAC on or before the Maryland primary held September 14, 1982. In reference to the two in-kind contributions reported by AFGE-PAC, the Sarbanes treasurer states that he has no record of, and "no present reason to believe" such contributions were made to his committee. The Sarbanes Committee asserts that AFGE PAC's 1982 primary contributions totaled \$2,000 and were properly reported.

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The information from AFGE PAC and the Sarbanes Committee does not fully clarify the discrepancies observed in their reporting of contributions. AFGE PAC reported two in-kind contributions made on behalf of the Sarbanes Committee; the Sarbanes Committee states that it had no knowledge of such in-kind gifts. Further, AFGE PAC states that it intended to divide the four contributions between two elections, but has not designated which contributions pertain to the primary or general election. However, based on the available information on reports and in these responses to the complaint, the Office of General Counsel concludes that the four apparent contributions, made prior to the primary and without designations, are applicable to the primary election pursuant to 11 C.F.R. § 110.1(a)(2)(ii). Therefore, absent evidence to the contrary, the resulting contribution to the Sarbanes Committee for the primary totals \$5,303.60. Accordingly, this office recommends findings of 2 U.S.C. § 441a(a)(2)(A) and 2 U.S.C. § 441a(f) in this matter. In addition, we recommend findings of 2 U.S.C. § 434(b)(2)(D) and (3)(B) against the Sarbanes Committee for failure to report the contributions in-kind and to identify the contributing committee.

Based on the complainant's allegation that each respondent violated 11 C.F.R. § 104.14(d) regarding the treasurer's responsibility for accuracy in reporting, we recommend reason to believe against AFGE PAC and the Sarbanes Committee as to the breaches of this regulation.

Analysis of AFL-CIO COPE PCC and IUD Voluntary Fund Contributions to the Sarbanes Committee

Our review of reports filed by the Sarbanes Committee and the AFL-CIO COPE PCC and its affiliate, the IUD Voluntary Fund, reveals the following contributions as reported by these committees:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
COPE PCC	\$5,000	10/27/81	Primary	11/10/81	Primary
IUD Voluntary Fund	250	07/09/82	Primary	07/15/82	Primary

Maryland Primary held September 14, 1982.

In the response to the complaint, counsel for COPE PCC and IUD Voluntary Fund state that due to a clerical error, the IUD Voluntary Fund's contribution of \$250 to the Sarbanes general election was incorrectly listed on FEC reports as a primary election contribution. The Voluntary Fund has provided a copy of the transmittal letter dated July 8, 1982, which denotes the \$250 contribution as a general election contribution. Respondent PAC has amended the FEC report to accurately reflect the intended designation.

The Sarbanes Committee response to the complaint includes a copy of the IUD Voluntary Fund's transmittal letter showing the PAC's general election designation of \$250. The Sarbanes Committee states that it is preparing an amended report to correctly reflect this designation.

Based on the contemporaneous evidence of the contributor's intent provided by the respondents, this office concludes that no violations of 2 U.S.C. § 441a(a)(2)(A) and § 441a(f) occurred in this matter. We would, however, recommend a finding of reason to believe and take no further action against the IUD Voluntary Fund for a violation of 11 C.F.R. § 104.14(d) for inaccuracy in reporting the election designation.

Analysis of ILGWUCC Contributions to Sarbanes Committee

A review of reports filed by the Sarbanes Committee and ILGWUCC reveals the following contributions:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
ILGWUCC	\$4,000	10/22/81	Primary	11/25/81	Primary
	1,000	08/12/82	Primary	09/01/82	Primary
	2,500	08/27/82	Primary	09/14/82	General

Maryland Primary held September 14, 1982.

The ILGWUCC, responding to the complaint allegations, provided a sworn statement from its Executive Secretary, stating that her instruction regarding the August 27, 1982, contribution of \$2,500 was relayed by telephone from Washington, D.C. to a secretary in New York City. The Executive Secretary states that the secretary had "quite limited experience with the legal requirements surrounding campaign contributions" and incorrectly noted the contribution for the primary election. The statement notes that this error was transferred to the reports.

The ILGWUCC Executive Secretary provides a copy of her own contemporaneous notation which clearly shows that the \$2,500 contribution was intended for the general election. She states

that an amended report will be submitted to correct the designation.

In addition, the Sarbanes Committee states in its response to the complaint, that upon receipt of the contribution in question, a member of Senator Sarbanes' staff contacted the ILGWUCC Executive Secretary," and was advised. . . that the contribution was intended for the Senator's general election campaign." The response adds that the Sarbanes Committee designated the contribution for the general election and deposited it into the general election campaign fund.

Based on the contributor's contemporaneous evidence of intent, this office is recommending a finding of no reason to believe that violations of 2 U.S.C. § 441a(a)(2)(a) or § 441a(f) occurred in this matter. However, in response to complainant's allegation that violations of 11 C.F.R. § 104.14(d) occurred, we recommend reason to believe and take no further action against the ILGWUCC for the inaccuracy in reporting the election designation.

Analysis of EPEC/IUOE Contribution to the Sarbanes Committee

The review of reports filed by the Sarbanes Committee and EPEC/IUOE reveals the following contributions:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
EPEC/IUOE	\$5,000	08/03/81	Primary	09/09/81	Primary
	4,000	06/09/82	Primary	06/25/82	General

Maryland Primary held September 14, 1982.

In response to the complaint, EPEC/IUOE states that the contribution of \$4,000 made June 9, 1982, was intended for the general rather than the primary election. Counsel for EPEC/IUOE states that the reported designation was the result of "a clerical error." The response provides a copy of the contribution transmittal letter which makes no designation, but requests that the recipient advise if the contribution exceeds limitations.

The Sarbanes Committee response to the complaint states that upon receipt of the contribution in question, a member of Senator Sarbanes' staff contacted EPEC/IUOE's Director of Legislation and was advised that the contribution was intended for the general rather than the primary election. Supporting this contact is a copy of the Sarbanes staff member's contemporaneous memorandum of receipt for the particular contribution containing his handwritten notation "General Election."

It is the General Counsel's position that the recipient committee cannot, without written designation of the contributor, treat a contribution received before the primary as a general election contribution. (See 11 C.F.R. § 110.1(a)(2) and MUR 1488). Therefore, absent written contemporaneous evidence from the contributor that the pre-primary contribution of \$4,000 was intended for the general election, we recommend that violations of 2 U.S.C. § 441a(a)(2)(A) and § 441a(f) occurred in this matter. Additionally, this office recommends reason to believe against the Sarbanes Committee for a violation of 11 C.F.R. § 104.14(d) for inaccuracy in reporting the election designation.

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Analysis of RCPL-PBRAC Contributions to the Sarbanes Committee

Our review of reports filed by the Sarbanes Committee and RCPL-PBRAC reveals the following contributions:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
RCPL-PBRAC	\$2,000	07/14/81	General	08/19/81	Primary
	3,000	03/12/82	General	03/26/82	Primary
	1,000	08/30/82	General	09/10/82	General
	1,500	09/23/82	General	09/30/82	General
	1,500	10/08/82	General	10/20/82	General

Maryland Primary: September 14, 1982.

In responding to the complaint, RCPL-PBRAC states that its contributions of \$2,000 dated July 14, 1981, and \$3,000 dated March 12, 1982, were intended for the primary rather than the general election. The response states that the general election designations accompanying these reported donations were the result of clerical errors.

In a sworn statement, RCPL-PBRAC's treasurer attests to his PAC's intent to donate the contribution in question for the primary election. The treasurer also states that he has established new procedures to ensure against similar errors in the future. He states that a transmittal letter will be sent with contributions notifying the recipient of the intended designation. Furthermore, the treasurer provides copies of amended reports dated March 27, 1984, prior to the notification of this complaint, which change the designations in question from "general" to "primary."

The Sarbanes Committee's response to the complaint states that the contributions of \$2,000 and \$3,000 were the first

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contributions to a particular campaign without the contributor's written designation.

In this instance, however, the Sarbanes Committee, in the absence of contributor communication to the contrary, followed the presumption of 11 C.F.R. § 110.1(a)(2) that undesignated contributions received prior to the primary are to be designated to the primary election. Based on the Commission's determination of July 10, 1984, this Office recommends no reason to believe that the Sarbanes Committee violated 2 U.S.C. § 441a(f) or 11 C.F.R. § 104.14(d).

Furthermore, the RCPL-PBRAC has offered a sworn affidavit that its pre-primary contributions of \$2,000 and \$3,000 were intended for the election period in which they were given. Because the contributions adhere to the presumption of 11 C.F.R. § 110.1(a)(2) and a sworn statement from the principal officer attests to the intention to make such primary contributions, this Office would accept the statement as evidence of the intended contribution designation. Therefore, we recommend no reason to believe that a violation of 2 U.S.C. § 441a(a)(2)(A) occurred.

In addition, we recommend a finding of reason to believe but take no further action against RCPL-PBRAC for a violation of 11 C.F.R. § 104.14(d) for inaccuracy in reporting the election designation of the \$2,000 and \$3,000 contributions.

RECOMMENDATIONS

1. Find reason to believe that AFGE PAC and as treasurer, James H. Lynch, Jr., violated the following in connection with 1982 primary election contributions to Citizens For Sarbanes:

- a) 2 U.S.C. § 441a(a)(2)(A);
- b) 11 C.F.R. § 104.14(d).

2. Find no reason to believe that the AFL-CIO COPE PCC and as treasurer, Thomas R. Donahue, violated the following provisions in connection with contributions to the Citizens For Sarbanes Committee during the 1982 primary election.
 - a) 2 U.S.C. § 441a(a)(2)(A);
 - b) 11 C.F.R. § 104.14(d).
3. Find no reason to believe that IUD Voluntary Fund and as treasurer, Elmer Chatak, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committee during the 1982 primary campaign.
4. Find reason to believe and take no further action against the IUD Voluntary Fund and as treasurer, Elmer Chatak, for a violation of 11 C.F.R. § 104.14(d).
5. Find no reason to believe that the ILGWUCC and as treasurer, Lawrence Dock, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committees during the 1982 primary election.
6. Find reason to believe and take no further action against the ILGWUCC and as treasurer, Lawrence Dock, for a violation of 11 C.F.R. § 104.14(d).
7. Find reason to believe that EPEC/IUOE and as treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committee during the 1982 primary campaign.
8. Find no reason to believe that EPEC/IUOE, and as treasurer, Frank Hanley, violated 11 C.F.R. § 104.14(d).
9. Find no reason to believe that the RCPL-PBRAC, and as treasurer, D.A. Bobo, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committee during the 1982 general election campaign.
10. Find reason to believe and take no further action against RCPL-PBRAC and as treasurer, D.A. Bobo, for a violation of 11 C.F.R. § 104.14(d).
11. Find no reason to believe that the Citizens For Sarbanes Committee, and as treasurer, Charles M. Kerr, violated the following:

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Engineers Political Education)	MUR 1696
Committee of the International)	
Union of Operating Engineers)	
and as treasurer,)	
Frank Hanley)	

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James Edward Antosh. The Commission found reason to believe that the Engineers Political Education Committee of the International Union of Operating Engineers and as treasurer, Frank Hanley ("Respondent" or "EPEC/IUOE") violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Citizens for Sarbanes Committee ("The Sarbanes Committee") during 1982.

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

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

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

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

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

1. EPEC/IUOE is a multicandidate committee with Frank Hanley as treasurer.

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2. Respondent made the following contributions to the Sarbanes Committee for the 1982 primary election:

<u>AMOUNT OF CONTRIBUTION</u>	<u>DATE</u>	<u>DESIGNATION BY CONTRIBUTION</u>
\$5,000	8-03-81	Primary
\$4,000	6-09-82	Primary

3. The Maryland primary election was held September 14, 1982.

4. The contributions were made by Respondent and received by the Sarbanes Committee prior to the 1982 Maryland primary.

5. 2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committees with respect to any federal election which in the aggregate, exceed \$5,000.

6. 11 C.F.R. § 110.1(a) provides that a contribution designated in writing by the contributor for a particular election shall be attributed to that election. Except, that a contribution made after the primary election shall be allowed only if the recipient committee has outstanding primary debts on the date of the contribution which are equal to or greater than the contribution.

7. 11 C.F.R. § 110.1(a) further provides that contribution not designated in writing by a contributor for a particular election are attributable to the primary election if made on or before the date of the primary election and are attributable to the general election if made after the date of the primary election.

8. In accordance with 11 C.F.R. § 110.1(a)(2), Respondent's contributions to the Sarbanes Committee are considered contributions for the 1982 primary.

9. Respondent's contributions to the Sarbanes Committee totaled \$9,000.

V. EPEC/IUOE made an excessive contribution of \$4,000 to the Sarbanes Committee in violation of 2 U.S.C. § 441a(a)(2)(A).

VI. Subsequent to the 1982 election cycle, and prior to the Complaint in this matter, the administrative procedures of EPEC/IUOE were modified to preclude the likelihood of a recurrence of the violation identified herein.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of six hundred fifty dollars (\$650), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

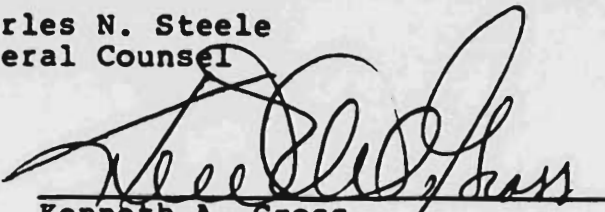
XI. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

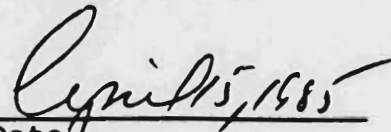
XII. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

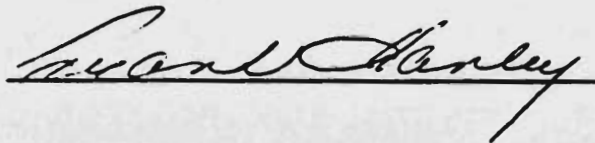
Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel


Date

FOR THE RESPONDENT:



_____ Date

35040:1004

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Citizens for Sarbanes and as) MUR 1696
 treasurer, Charles M. Kerr)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 5, 1984, the Commission found reason to believe that the Citizens for Sarbanes Committee ("the Sarbanes Committee") and Charles M. Kerr, as treasurer, violated 2 U.S.C. § 441a(f) by accepting contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) during the 1982 primary and general elections. The Commission also found reason to believe that the Sarbanes Committee and Charles M. Kerr, as treasurer, violated 11 C.F.R. § 104.14(d) for failure accurately to reflect on reports the contributors' election designations. In addition, the Commission found reason to believe that the Sarbanes Committee violated 2 U.S.C. § 434(b)(2)(D) and (3)(B) by failing to report the receipt of certain in-kind contributions.

The Sarbanes Committee received the following contributions:

<u>Contributor</u>	<u>Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation by Recipient</u>
AFGE-PAC	\$1,000.00	6-25-82	NONE	7-2-82	Primary
	3,006.00	6-30-82	NONE	Not Reported	
	297.60	7-08-82	NONE	Not Reported	
	1,000.00	9-03-82	NONE	9-14-82	Primary
EPEC-IUOE	\$5,000.00	8-03-81	Primary	9-09-81	Primary
	4,000.00	6-09-82	Primary	6-25-82	General

The Maryland primary was held September 14, 1982.

II. LEGAL ANALYSIS

a) Contributions from AFGE-PAC

2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committee with respect to any federal election which in the aggregate, exceed \$5,000.

2 U.S.C. § 441a(f) prohibits receipt of contributions violative of this section.

2 U.S.C. § 434(b)(2)(D) requires the reporting of contributions from political committees.

2 U.S.C. § 434(b)(3)(B) requires the identification on reports of a political committee which makes a contribution to the reporting committee during the reporting period, with the date and amount of such contribution.

The Sarbanes Committee stated that it received two checks of \$1,000 each from the American Federation of Government Employees Political Action Committee ("AFGE-PAC") on or before the Maryland primary held September 14, 1982. In reference to the two in-kind contributions reported by AFGE-PAC, the Sarbanes treasurer stated that he has no record of, and "no present reason to believe" such contributions were made to his committee. The Sarbanes Committee asserted that the 1982 primary contributions received from AFGE-PAC totaled \$2,000 and were properly reported.

In further response to the reason to believe finding, Senator Sarbanes' administrative assistant (and fundraiser)

stated that AFGE-PAC originally pledged to contribute "a combined total of \$5,000 for both . . . campaigns." The administrative assistant stated in an affidavit that the Sarbanes Committee received two checks of \$1,000 each. He also stated that AFGE-PAC representatives told him of a proposed mailing "to its members" in support of Sarbanes. The affiant stated that he later realized that such mailing could be reportable, and that he called AFGE-PAC and asked his contact there to advise him if the mailing constituted an in-kind contribution by AFGE-PAC to Sarbanes. The affiant stated that he was never told the actual cost of the mailing or whether the PAC believed it should be reported. He says he does not recall receiving any of the materials used in the mailing or information regarding the cost of, or funds used for, such a mailing.

At the request of the Office of General Counsel, AFGE-PAC provided documents to support the mailing to its members on behalf of the Sarbanes Committee. The documents include copies of the checks to Kelly Press, Inc. which verify the dates and amounts of the two in-kind gifts to the Sarbanes Committee which are reported by AFGE-PAC. There is also a Kelly Press Inc. invoice for the cost of the mailing and postage. A contemporaneous notation on the invoice states "In-kind Contribution to Sarbanes." In addition, AFGE-PAC provided a copy of the mailing which was sent to its members in Maryland. The mailing contained a cover letter which solely concerns the re-

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election of Senator Sarbanes. The accompanying brochure contained an article illustrating the Senator's support of Federal employees.

The Sarbanes Committee, as recipient of these in-kind contributions, was responsible for reporting them pursuant to 2 U.S.C. § 434(b)(2)(D) and (3)(B). However, 2 U.S.C. § 441a(f) requires that no candidate or political committee shall knowingly accept an excessive contribution. The Sarbanes Committee had knowledge of a potential in-kind contribution in the form of a supportive mailing, and took the responsibility to contact the potential contributor to request the information necessary to comply with the Act should reporting be required. The Sarbanes Committee apparently had no specific knowledge that the in-kind contribution was made. While the Sarbanes Committee could have more diligently pursued the contribution to determine the amount, it did display an awareness of the responsibility to report the in-kind and in fact, did contact the contributor in advance of the mailing to request notification of the contribution amount. The Sarbanes Committee also properly reported the direct contributions from AFGE-PAC.

Therefore, based on the Sarbanes Committee's actions and the relatively small amount of excessive contributions received from AFGE-PAC (\$303.60), the Office of General Counsel recommends that the Commission take no further action against the Sarbanes Committee and Charles M. Kerr, as treasurer, for the violations

of 2 U.S.C. § 441a(f) and 2 U.S.C. § 434(b)(2)(D) and (3)(B). In addition, because the Sarbanes Committee's reporting of primary election designations for the two direct AFGE-PAC contributions comports with 11 C.F.R. § 110.1, this Office recommends no further action against the Sarbanes Committee for a violation of 11 C.F.R. § 104.14(d) in this matter.

b) Contributions from EPEC/IUOE

The Sarbanes Committee also received two contributions from the Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE"). The contributions, totaling \$9,000, were both received prior to the 1982 Maryland primary election held September 14, 1982.

11 C.F.R. § 110.1(a)(2)(i) makes it clear that contributions designated in writing by a contributor for a particular election are attributable to the limit set for that election. The regulation further states that a contribution made after a primary election and designated for the primary shall be made only to the extent of the net primary debt. In the case of a contribution not designated in writing for a particular election, the contribution will be attributable for the primary election if made on or before the primary date, and the contribution will be attributable to the general election if made after the primary election date.

A contribution recipient can rely on the presumptions of § 110.1(a) unless a written designation altering the operation of

the presumptions is communicated to the recipient in writing. In such case, the intent of the contributor, as evidenced by the written designation, will control the designation.

The Sarbanes Committee response to the original complaint and to the reason to believe notice stated that upon receipt of the second pre-primary contribution, a contribution which would exceed the \$5,000 limit for the primary, a member of Senator Sarbanes' staff contacted EPEC/IUOE's Director of Legislation and was advised that the contribution was intended for the general rather than the primary election. Supporting this contact is a copy of the Sarbanes staff member's contemporaneous memorandum of receipt for the particular contribution containing his handwritten notation "General Election." The Sarbanes Committee states that the contribution was deposited into an account used only for general election activity. In addition, EPEC/IUOE provided its own internal memorandum between EPEC staff and officers which recommends the contribution to the Sarbanes Committee and contains the notation "General Election." However, EPEC/IUOE's apparent intention concerning the second pre-primary contribution (\$4,000 made 6-9-82) was not contemporaneously communicated in writing to the Sarbanes Committee. Therefore, pursuant to 11 C.F.R. § 110.1(a), the contribution made prior to the primary is attributable to the primary election. The Sarbanes Committee telephone communication with the contributor

and the use of the funds for the general election may be viewed as mitigating circumstances, but do not vitiate the violation.

Therefore, the Office of General Counsel is prepared to recommend probable cause to believe that the Sarbanes Committee violated 2 U.S.C. § 441a(f) by receipt of a contribution violative of 2 U.S.C. § 441a(a)(2)(A) from EPEC/IUOE. This Office will also recommend that the Sarbanes Committee violated 11 C.F.R. § 104.14(d) by incorrectly reporting the pre-primary contribution as a general election contribution.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find probable cause to believe that the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer, violated the following in connection with the 1982 election contribution from the Engineers Political Education Committee/International Union of Operating Engineers:
 - a) 2 U.S.C. § 441a(f)
 - b) 11 C.F.R. § 104.14(d).
2. Take no further action against the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer, regarding the following violations concerning the 1982 election contributions from the America Federation of Government Employees Political Action Committee:
 - a) 2 U.S.C. § 441a(f),
 - b) 2 U.S.C. § 434(b)(2)(D),
 - c) 2 U.S.C. § 434(b)(3)(B),
 - d) 11 C.F.R. § 104.14(d).

300401001
Date

7 May 1985


Charles N. Steele
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter Of)
)
American Federation of Government) MUR 1696
Employees Political Action)
Committee, James H. Lynch, Jr.,)
As Treasurer)
_____)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James Edward Antosh. An investigation was conducted and the Commission found probable cause to believe that the American Federation of Government Employees Political Action Committee and as treasurer, James H. Lynch, ("Respondent" or "AFGE-PAC") violated 2 U.S.C. §441a(a)(2)(A) by making excessive contributions to the Citizens for Sarbanes Committee ("The Sarbanes Committee") during 1982.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(4)(A) (i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding.

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

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

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

1. AFGE-PAC is a multicandidate committee with James H. Lynch, Jr., as treasurer.

2. Respondent made the following contributions to the Sarbanes Committee for the 1982 primary election:

<u>Contributor</u>	<u>Amount</u>	<u>Date of Contribution</u>	<u>Reported Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation Reported by Recipient</u>
AFGE-PAC	\$1,000.00	6-25-82	None	7-2-82	Primary
	3,006.00	6-30-82	None	Not Reported	
	297.60	7- 8-82	None	Not Reported	
	1,000.00	9- 3-82	None	9-14-82	Primary

The Maryland primary was held September 14, 1985.

3. The contributions were made by Respondent and received by the Sarbanes Committee on or before the 1982 Maryland primary.

4. 2 U.S.C. §441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committees with respect to any federal election which in the aggregate, exceed \$5,000.

5. 11 CFR §110.1(a) provides that a contribution designated in writing by the contributor for a particular election shall be attributed to that election. Except, that a contribution made after the primary election shall be allowed only if the recipient committee has outstanding primary debts on the date of the contribution which are equal to or greater than the contribution.

6. 11 CFR §110.1(a) further provides that contributions not designated in writing by a contributor for a particular election are attributable to the primary election if made on or before the date of the primary election and are attributable to the general election if made after the date of the primary election.

7. AFGE-PAC contends that some of the contributions it made to the Sarbanes committee between 6/82 and 9/82 were to be for the Sarbanes general election campaign, yet it failed to designate this in writing. AFGE-PAC further contends that had any of AFGE-PAC's contributions to the Sarbanes committee (other than the smallest one) been designated in writing as being for the general election no violation of the Federal Election Campaign Act would have occurred.

8. As AFGE-PAC did not designate the election for which its contributions to the Sarbanes committee were intended, pursuant to 11 CFR §110.1(a)(2) all of its contributions are considered to have been made for the 1982 primary election.

9. Respondent's contributions to the Sarbanes Committee totaled \$5,303.60.

V. By making contributions to the Sarbanes Committee which, pursuant to 11 CFR §110.1(a)(2) are all considered as being for the 1982 primary election and which, when aggregated totalled \$5,303.60, AFGE-PAC made excessive campaign contributions in violation of 2 U.S.C. §441a(a)(2)(A).

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. §437g(a)(5)(A).

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

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

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

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

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

FOR THE COMMISSION:

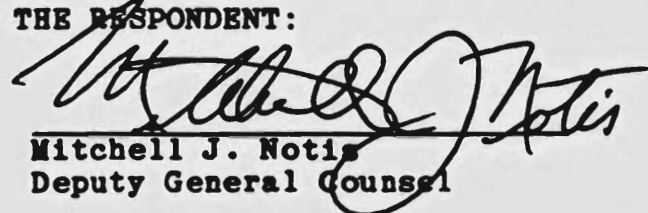
Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

December 18, 1985
Date

FOR THE RESPONDENT:


Mitchell J. Notis
Deputy General Counsel

10/31/85
Date



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1985

William J. Donlan, Esquire
3 Research Place
Rockville, Maryland 20850

RE: MUR 1696
Responsible Citizens Political
League-A Project of the
Brotherhood of Railway,
Airline and Steamship Clerks
D.A. Bobo, as treasurer

Dear Mr. Donlan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

A handwritten signature in dark ink, appearing to read "Charles N. Steele", written over the typed name and title.

BY: Kenneth A. Gross
Associate General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

Michael R. Fanning, Esquire
Engineers Political Education Committee
of the International Union of
Operating Engineers
1125 Seventeenth Street, N.W.
Washington, D.C. 20036

RE: MURs 1696 and 1637
EPEC/IUOE
Frank Hanley, as treasurer

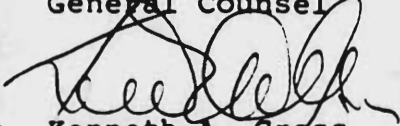
Dear Mr. Fanning:

This is to advise you that the entire files in these matters have now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with these matters, please do so within 10 days.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

George A. Nilson
Piper and Marbury
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

RE: MUR 1696
Citizens for Sarbanes
Charles M. Kerr, as treasurer

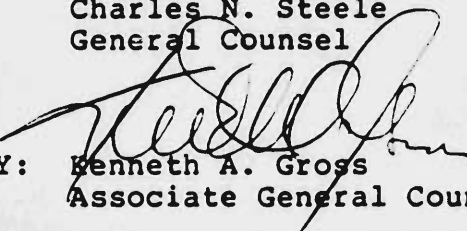
Dear Mr. Nilson:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel


BY: Bennett A. Gross
Associate General Counsel

350407173



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

December 19, 1985

Sandra Sue Adams-Choate, Esquire
American Federation of Government
Employees Political Action Committee
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005

RE: MUR 1696
American Federation of
Government Employees
Political Action Committee
James H. Lynch, as treasurer

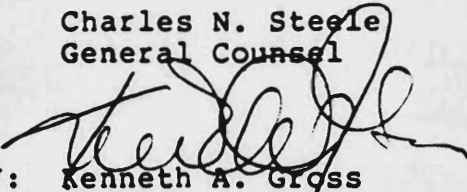
Dear Ms. Choate:

On December 10, 1985, the Commission accepted the conciliation agreement signed by Mitchell J. Notis, in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

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

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter Of)
)
American Federation of Government) MUR 1696
Employees Political Action)
Committee, James H. Lynch, Jr.,)
As Treasurer)
_____)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James Edward Antosh. An investigation was conducted and the Commission found probable cause to believe that the American Federation of Government Employees Political Action Committee and as treasurer, James H. Lynch, ("Respondent" or "AFGE-PAC") violated 2 U.S.C. §441a(a)(2)(A) by making excessive contributions to the Citizens for Sarbanes Committee ("The Sarbanes Committee") during 1982.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(4)(A) (1) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding.

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

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

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

1. AFGE-PAC is a multicandidate committee with James H. Lynch, Jr., as treasurer.

2. Respondent made the following contributions to the Sarbanes Committee for the 1982 primary election:

<u>Contributor</u>	<u>Amount</u>	<u>Date of Contribution</u>	<u>Reported Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation Reported by Recipient</u>
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The Maryland primary was held September 14, 1985.

3. The contributions were made by Respondent and received by the Sarbanes Committee on or before the 1982 Maryland primary.

4. 2 U.S.C. §441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committees with respect to any federal election which in the aggregate, exceed \$5,000.

5. 11 CFR §110.1(a) provides that a contribution designated in writing by the contributor for a particular election shall be attributed to that election. Except, that a contribution made after the primary election shall be allowed only if the recipient committee has outstanding primary debts on the date of the contribution which are equal to or greater than the contribution.

6. 11 CFR §110.1(a) further provides that contributions not designated in writing by a contributor for a particular election are attributable to the primary election if made on or before the date of the primary election and are attributable to the general election if made after the date of the primary election.

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8. As AFGE-PAC did not designate the election for which its contributions to the Sarbanes committee were intended, pursuant to 11 CFR §110.1(a)(2) all of its contributions are considered to have been made for the 1982 primary election.

9. Respondent's contributions to the Sarbanes Committee totaled \$5,303.60.

V. By making contributions to the Sarbanes Committee which, pursuant to 11 CFR §110.1(a)(2) are all considered as being for the 1982 primary election and which, when aggregated totalled \$5,303.60, AFGE-PAC made excessive campaign contributions in violation of 2 U.S.C. §441a(a)(2)(A).

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. §437g(a)(5)(A).

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

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

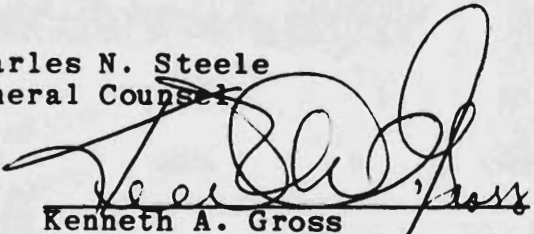
IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

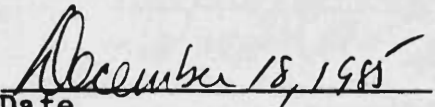
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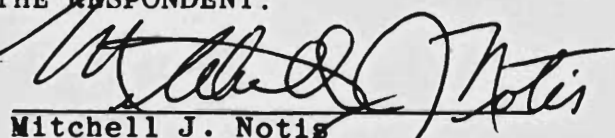
FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel


Date

FOR THE RESPONDENT:


Mitchell J. Notis
Deputy General Counsel

10/31/85
Date

0504031010



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

October 24, 1985

George A. Nilson, Esquire
Piper and Marbury
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

Re: MUR 1696
Citizens for Sarbanes
Committee
Charles M. Kerr, as treasurer

Dear Mr. Nilson:

This letter is to confirm the Commission's receipt of your [REDACTED] and, after further considering the circumstances of this matter, determined to take no further action regarding your client. On October 17, 1985, the Commission closed its file as it pertains to your client.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. 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.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

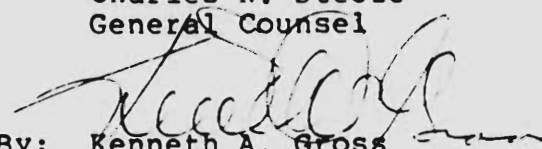
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Letter to George A. Nilson, Esquire
Page 2

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

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

36040571010

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Citizens for Sarbanes and as)
treasurer, Charles M. Kerr)
American Federation of) MUR 1696
Government Employees)
Political Action Committee)
and as treasurer,)
James H. Lynch)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of October 17, 1985, do hereby certify that the Commission took the following actions in MUR 1696:

1. Decided by a vote of 6-0 to reject the recommendations contained in the General Counsel's report dated October 10, 1985, and take no further action against the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer.
2. Decided by a vote of 6-0 to close the file as it pertains to the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for these decisions.

Attest:

10-18-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *ld*
DATE: October 11, 1985
SUBJECT: MUR 1696 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of October 17, 1985

Open Session _____
Closed Session XX

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[]	Compliance	<input checked="" type="checkbox"/>
Sensitive	[]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[]	Other (see distribution below)	[]
Sensitive	[]		
Non-Sensitive	[]		
Other	<input checked="" type="checkbox"/>		

SENSITIVE
CIRCULATE ON BLUE PAPER
On AGENDA 10-17-85

05040571017

SENSITIVE

OCT 17 1985

Submitted Late

EXECUTIVE SECTION

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Citizens for Sarbanes and as)	MUR 1696
treasurer, Charles M. Kerr)	
American Federation of)	
Government Employees)	
Political Action Committee)	
and as treasurer,)	
James H. Lynch)	

OCT 11 11:30

GENERAL COUNSEL REPORT

I. BACKGROUND

AFGE-PAC

On August 14, 1985, the Commission found probable cause to believe that the American Federation of Government Employees Political Action Committee ("AFGE-PAC") and James H. Lynch, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Sarbanes Committee during 1982. The Office

The Sarbanes Committee

On September 5, 1984, the Commission found reason to believe that the Citizens for Sarbanes Committee ("the Sarbanes Committee") and Charles M. Kerr, as treasurer, violated 2 U.S.C. § 441a(f) by accepting contributions in excess of limitations at 2 U.S.C. §441a(a)(2)(A) from AFGE-PAC and the Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE") during the 1982 primary election. The

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Commission also found reason to believe that the Sarbanes Committee and Charles M. Kerr, as treasurer, violated 11 C.F.R. § 104.14(d) for failure to accurately reflect on reports the contributor's election designations.

On July 23, 1985, the Commission determined to take no further action against the Sarbanes Committee with regard to contributions from the American Federation of Government Employees PAC

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Committee received the second contribution, contacted EPEC/IUOE by telephone to determine the election designation and was advised that it was a general election contribution. The Sarbanes Committee states that it recorded the contribution in its records as a general election contribution, deposited the funds into a general election account and sent a receipt to EPEC/IUOE. The Sarbanes brief argues that the only document not available is a contemporaneous, written communication from EPEC/IUOE to the Sarbanes Committee. According to Commission guidelines, such written communication by the contributor to the recipient is required if the contributor makes a contribution which alters the presumption of the regulations at 11 C.F.R. § 110.1(a).

The Sarbanes brief argues that the regulations at 11 C.F.R. § 102.9(e) allow the recipient committee to "designate" a contribution. The Commission consistently has stated that the regulation should not be construed to mean that the recipient may designate contributions. That regulation requires that a recipient committee establish separate accounting methods or accounts for monies designated by contributors for a particular election.

The Sarbanes Committee argues that "the excessive contribution provisions of § 441a(f) only punishes knowing violations by the recipient." As previously stated, the Commission's view has been that awareness of the contribution's receipt constitutes knowing acceptance.

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Summary

In that regard, the Sarbanes Committee's brief has been analyzed and is presented for Commission consideration. The brief focuses on the documentation available which indicates that a legal contribution was intended. [REDACTED]

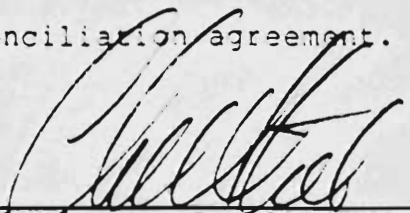
[REDACTED]

[REDACTED] The brief disagrees with the Commission's decision regarding the kind of documentation required to establish the contributor's intended designation and also relies on its erroneous reading of the regulations at 11 C.F.R. § 102.9(e). However, based on the regulation at 11 C.F.R. § 110.1(a) and on the Commission's interpretation of that regulation, a violation of 2 U.S.C. § 441a(a)(2)(A) and concomitantly, of 2 U.S.C. § 441a(f), resulted from EPEC/IUOE's contributions to the Sarbanes Committee. This Office is recommending probable cause in this matter.

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2. Find probable cause to believe that the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer, violated the following:
 - a. 2 U.S.C. § 441a(f),
 - b. 11 C.F.R. § 104.14(d).
3. Send the attached letter and conciliation agreement.

10 October 1985
Date



Charles N. Steele
General Counsel

Attachments

- Sarbanes Counterproposal and cover letter
- Proposed Conciliation Agreement
- Letter to Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
American Federation of Government)
Employees Political Action)
Committee, and as treasurer,)
James H. Lynch, Jr.)

MUR 1696

CERTIFICATION

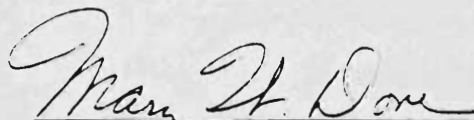
I, Mary W. Dove, recording secretary for the Federal Election Commission meeting on August 14, 1985, do hereby certify that the Commission passed in a vote of 4-2 to take the following actions in MUR 1696:

1. Find probable cause to believe that the American Federation of Government Employees Political Action Committee and James H. Lynch, Jr., as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
2. Take no further action against the American Federation of Government Employees Political Action Committee and James H. Lynch, Jr., as treasurer, for a violation of 11 C.F.R. § 104.14(d).
3. Approve the conciliation agreement and letter attached to the General Counsel's report dated July 22, 1985.

Commissioners Aikens, Elliott, Josefiak, and McGarry voted affirmatively. Commissioners Harris and McDonald dissented.

Attest:

8-15-85
Date


Mary W. Dove
Recording Secretary

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
American Federation of Government) MUR 1696
Employees Political Action)
Committee, and as treasurer,)
James H. Lynch, Jr.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 30, 1985, do hereby certify that the Commission failed in a vote of 3-2 to pass a motion to take the following actions in MUR 1696:

1. Find probable cause to believe that the American Federation of Government Employees Political Action Committee and James H. Lynch, Jr., as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
2. Take no further action against the American Federation of Government Employees Political Action Committee and James H. Lynch, Jr., as treasurer, for a violation of 11 C.F.R. § 104.14(d).
3. Approve the conciliation agreement and letter attached to the General Counsel's report dated July 22, 1985.

Commissioners Elliott, McGarry, and Reiche voted affirmatively; Commissioners Harris and McDonald dissented. Commissioner Aikens was not present at the time of the vote.

Attest:

7-30-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *rd*
DATE: July 22, 1985
SUBJECT: MUR 1696 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of July 30, 1985

Open Session _____

Closed Session XX

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	[]	Compliance	[X]
Sensitive	[]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[]	Other (see distribution below)	[]
Sensitive	[]		
Non-Sensitive	[]		
Other	[X]		

SENSITIVE

CIRCULATE ON BLUE PAPER

ON AGENDA 7-30-85

35040371005

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSIONARY

In the Matter of)
)
American Federation of Government)
Employees Political Action)
Committee, and as treasurer,)
James H. Lynch, Jr.)

MUR 1696

25 JUL 22 P 4: 11

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

JUL 30 1985

I. BACKGROUND

On September 5, 1984, the Commission found reason to believe that the American Federation of Government Employees Political Action Committee, ("AFGE-PAC") and James H. Lynch, Jr., as treasurer, violated 2 U.S.C. § 441a(a)(2)(A) by making a contribution in excess of limitations to the Citizens for Sarbanes Committee during the 1982 election. The Commission also found reason to believe that AFGE-PAC violated 11 C.F.R. § 104.14(d) for failure to report election designations of contributions.

**II LEGAL ANALYSIS OF RESPONDENT'S BRIEF
(SEE OGC BRIEF OF MAY 8, 1985.)**

In its response brief, AFGE-PAC argues that "due to inadvertent error, none of the boxes on the Schedule B. . . were checked off." AFGE-PAC further states that if the reports had reflected its intention to divide contributions between elections, that no violation would have been alleged. The response brief asserts that any violation is "technical, unintentional and de minimis." AFGE-PAC adds that it has taken steps to ensure that such an error will not recur. However, because there is no evidence of any contemporaneous written

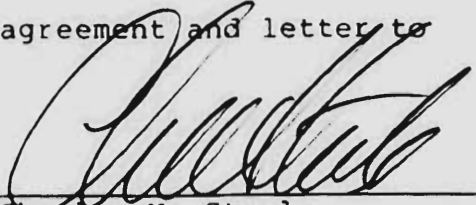
election designation at the time of transmittal, the AFGE-PAC contributions follow the presumption of the regulations at 11 C.F.R. § 110.1(a) and are attributable to the primary election. Therefore, the Office of General Counsel is recommending probable cause to believe that AFGE-PAC made excessive contributions totaling \$303.60 to the Sarbanes Committee in violation of 2 U.S.C. § 441a(a)(2)(A). This Office is recommending no further action against AFGE-PAC for a violation of 11 C.F.R. § 104.14(d) which occurred through omission of election designations on reports.

IV. RECOMMENDATIONS

1. Find probable cause to believe that the American Federation of Government Employees Political Action Committee and James H. Lynch, Jr., as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
2. Take no further action against the American Federation of Government Employees Political Action Committee and James H. Lynch, Jr., as treasurer, for a violation of 11 C.F.R. § 104.14(d).

3. Approve proposed conciliation agreement and letter to respondent.

22 July 1985
Date



Charles N. Steele
General Counsel

Attachments

Proposed Conciliation Agreement and Letter to AFGE-PAC

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Citizens for Sarbanes and as) MUR 1696
treasurer, Charles M. Kerr)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 23, 1985, do hereby certify that the Commission took the following actions in MUR 1696:

1. Failed in a vote of 2-2 to pass a motion to reject the recommendations in the General Counsel's report dated July 12, 1985.

Commissioners Harris and McDonald voted affirmatively for the motion; Commissioners Elliott and McGarry dissented. Commissioners Aikens and Reiche were not present at the time of the vote.

2. Decided by a vote of 4-2 to

- c) Take no further action against the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer, regarding

(continued)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *rd*
DATE: July 15, 1985
SUBJECT: MUR 1696 - General Counsel's Report

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

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY

In the Matter of)
)
Citizens for Sarbanes and as)
treasurer, Charles M. Kerr)
)

MUR 1695 15 12:00

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 5, 1984, the Commission found reason to believe that the Citizens for Sarbanes Committee ("the Sarbanes Committee") and Charles M. Kerr, as treasurer, violated 2 U.S.C. § 441a(f) by accepting contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) during the 1982 primary and general elections. The Commission also found reason to believe that the Sarbanes Committee and Charles M. Kerr, as treasurer, violated 11 C.F.R. § 104.14(d) for failure to accurately reflect on reports the contributors' election designations. In addition, the Commission found reason to believe that the Sarbanes Committee violated 2 U.S.C. § 434(b)(2)(D) and (3)(B) by failing to report the receipt of certain in-kind contributions.

The Sarbanes Committee received the following contributions:

<u>Contributor</u>	<u>Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation by Recipient</u>
AFGE-PAC	\$1,000.00	6-25-82	NONE	7-2-82	Primary
	3,006.00	6-30-82	NONE	Not Reported	
	297.60	7-08-82	NONE	Not Reported	
	1,000.00	9-03-82	NONE	9-14-82	Primary
EPEC-IUOE*	\$5,000.00	8-03-81	Primary	9-09-81	Primary
	4,000.00	6-09-82	Primary	6-25-82	General

The Maryland primary was held September 14, 1982.

*/ On April 10, 1985, the file was closed regarding EPEC/IUOE through conciliation prior to probable cause.

II. LEGAL ANALYSIS

For a full legal analysis, see the General Counsel's brief dated May 8, 1985.

AFGE-PAC Contributions

The General Counsel's Brief explains that the two in-kind contributions by AFGE-PAC, not reported by the Sarbanes Committee, represented the cost of a mailing to union members in support of candidate Sarbanes. The Sarbanes Committee was told of a proposed mailing, but was not advised when the mailing was accomplished, nor of the nature or reportable amount of the AFGE-PAC gift.

A Sarbanes Committee member contacted AFGE-PAC and asked to be advised of the amount of any in-kind gift which could result from a mailing by AFGE-PAC. The Sarbanes Committee did not receive further information.

As discussed in the General Counsel's Brief, based on the Sarbanes Committee's actions and the relatively small amount of excessive contributions received from AFGE-PAC (\$303.60), the Office of General Counsel recommends that the Commission take no further action against the Sarbanes Committee and Charles M. Kerr, as treasurer, for the violations of 2 U.S.C. § 441a(f) and

2 U.S.C. § 434(b)(2)(D) and (3)(B). In addition, because the Sarbanes Committee's reporting of primary election designations of the two direct AFGE-PAC contributions comports with 11 C.F.R. § 110.1, this Office recommends no further action against the Sarbanes Committee for a violation of 11 C.F.R. § 104.14 d, regarding the in kind contributions.

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IV. RECOMMENDATIONS

1. [REDACTED]
2. [REDACTED]
3. Take no further action against the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer, regarding the

following violations concerning the 1982 election contributions from the American Federation of Government Employees Political Action Committee:

- a) 2 U.S.C. § 441a(f),
- b) 2 U.S.C. § 434(b)(2)(D),
- c) 2 U.S.C. § 434(b)(3)(B),
- d) 11 C.F.R. § 104.14(d).

4. Send attached letter.

Charles N. Steele
General Counsel

0506057075
July 12, 1985
Date

BY: Kenneth A. Gross

Kenneth A. Gross
Associate General Counsel

Attachments

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Hagan

IN THE MATTER OF
CITIZENS FOR SARBANES AND
ITS TREASURER CHARLES M. KERR, *

* -
* - JUL 2 10 36 33
* - MUR 16 36 33

* * * * *

BRIEF OF CITIZENS FOR SARBANES COMMITTEE
AND CHARLES M. KERR, TREASURER

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I. INTRODUCTION - STATEMENT OF THE CASE.

The Commission has before it two alleged violations of campaign contribution and reporting requirements. One, involving a mailing by the America Federation of Government Employees Political Action Committee ("AFGE-PAC"), was not a knowing violation and, even if it were, involved so small an amount that the Commission should accept its General Counsel's recommendation and take no further action. The other involves a \$4,000 contribution that both the Citizens for Sarbanes Committee (the "Sarbanes Committee") and the Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE") designated in writing as a general election contribution. The General Counsel suggests that it nonetheless must be treated as a primary election contribution (and thus excessive) because, he says, the regulations require that that written designation be transmitted from contributor to recipient and not the other way. The Commission should reject this suggestion.

The first of the two claimed violations involved the alleged receipt of excessive contributions from "AFGE-PAC."

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While the Sarbanes Committee received and accurately reported two \$1,000 checks from AFGE-PAC, it allegedly benefitted from a mailing undertaken by AFGE-PAC at a cost of \$3,303.60. Based on the conduct of the Sarbanes Committee, the very small amount of the allegedly excessive contribution (\$303.60), and the fact that, despite its inquiries, the Sarbanes Committee was never informed either whether the mailing was ultimately made or what its cost was, the General Counsel has recommended that no further action be taken against either the Sarbanes Committee or its treasurer with respect to this alleged violation. In making that recommendation, the General Counsel pointed out that the excessive contribution statute, 2 U.S.C. §441 a (f), only punishes the knowing acceptance of an excessive contribution.

The other contribution at issue involves a \$4,000 check received by the Sarbanes Committee in June of 1982 (three months before the primary election) from EPEC/IUOE. There had been a \$5,000 primary election contribution made by EPEC/IUOE in 1981. Applying the regulatory provision that a contribution made prior to the primary election will be attributed to that election if it is not "designated in writing" for some other election, the General Counsel has concluded that the \$4,000 contribution should be treated as a primary election contribution and in excess of the \$5,000 limit. He has reached this conclusion notwithstanding the fact that:

1. the contribution in question was contemporaneously designated in the written records of the contributor as a general election contribution;

2. the contributor orally confirmed this designation in response to an inquiry from a representative of the Sarbanes Committee immediately following receipt of the contribution;

3. The Sarbanes Committee contemporaneously designated the contribution as a general election contribution in its own records and so designated it on the written contribution receipt that was promptly mailed by the Sarbanes Committee to the contributor; and

4. The funds were placed in a segregated and separately designated account earmarked for use only in the general election, should the Senator be renominated.

II. ARGUMENT

(a) In-Kind Contribution from AFGE-PAC

The facts relevant to this particular contribution are not in dispute. Two \$1,000 checks were received from AFGE/PAC during 1982 and properly reported as such. In between receipt of these two checks, AFGE-PAC apparently undertook a mailing to its members in support of Senator Sarbanes. If any such mailing actually took place, it was initially suggested by and carried out by AFGE-PAC, not by the Sarbanes Committee. While a representative of the Sarbanes Committee was told of the possibility of such a mailing, when he later attempted to determine from AFGE-PAC whether it was actually done and what its nature, extent and cost were, he was unable to get any of that information. Indeed, to this day, AFGE-PAC has never informed the Sarbanes Committee whether the

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mailing was undertaken and what its cost was -- and the Sarbanes Committee's only information in that regard is derived from information developed by the Office of General Counsel in the course of this proceeding.

As the General Counsel's Brief points out, the Sarbanes Committee "took the responsibility to contact the potential contributor to request the information necessary to comply with the Act should reporting be required." (Brief at page 4). While the General Counsel vaguely suggests that the Sarbanes Committee "could have more diligently pursued the contribution," he acknowledged that the Committee had no specific knowledge as to whether the in-kind contribution was ultimately made or what its amount might have been. He also points out that the Sarbanes Committee had properly reported its direct contributions from AFGE-PAC.

When a direct monetary contribution is made by a contributor to a campaign committee, it is both easy and appropriate to hold the receiving campaign committee strictly accountable for accurately reporting every penny that it receives. And when a well-meaning contributor undertakes a mailing for the benefit of a particular candidate and informs the candidate that it has done so and incurred certain expenses, then it is properly the responsibility of the candidate's committee to report the fact and the amount involved if the mailing constituted a reportable in-kind contribution.

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However, by their very nature, in-kind contributions involve the activities of others outside of the control of the campaign committee, and there will inevitably be situations where such activities are ultimately undertaken without the campaign committee being informed. That is exactly what happened here. The most that can be said is that someone from the Sarbanes Committee knew of the possibility that AFGE-PAC might make a mailing to its membership. Concerned about the possibility that the mailing might constitute a reportable in-kind contribution, a representative of the Sarbanes Committee attempted to find out whether the mailing was ever made, what its cost was, and certain other facts necessary to determine whether the mailing (if made) constituted a reportable contribution. AFGE-PAC never supplied the Sarbanes Committee with any of this information, and accordingly, neither the Sarbanes Committee nor its treasurer can be found to have violated either 2 U.S.C. §441a(f) or any other applicable provision of law. In the unlikely event that the Commission should determine that somehow the Sarbanes Committee knowingly accepted this in-kind contribution, then no action should be taken based upon the reasonableness of the conduct of the Committee's representatives and the de minimus amount of the allegedly excessive contribution (\$303.60).

(b) Designated Contribution From EPEC-IUOE

On June 9, 1982, Mr. John J. Brown, the Director

of Legislation for EPEC-IUOE, requested in a written memorandum that a contribution in the amount of \$4,000 be made by check to the Sarbanes Committee, and on that memorandum he noted that the contribution was to be for the general election. See Exhibit E to our letter to the Chairman of the Commission dated October 9, 1984 (hereinafter, the "Sarbanes Committee Statement of Facts"). On June 21, 1982, a \$4,000 check was sent by EPEC-IUOE to the Sarbanes Committee. Upon receipt of that check, the Sarbanes Committee reviewed its records and determined that EPEC-IUOE had already contributed \$5,000 in 1981. Accordingly, a representative of the Committee contacted EPEC-IUOE to determine whether the contribution was intended as a primary or general election contribution, and was told (consistently with the prior June 9, 1982 memorandum) that it was intended as a general election contribution. (See affidavit of Marvin F. Moss, Exhibit B to Sarbanes Committee Statement of Facts). The contribution was recorded and clearly designated in writing in the records of the Sarbanes Committee as a general election contribution. It was segregated in a special account for use only in the Sarbanes general election campaign. A campaign contribution receipt was prepared by the Sarbanes Committee, with the original being sent to EPEC-IUOE, and a copy being retained in the Sarbanes Committee file. The carbonized copy of that receipt retained in the Sarbanes Committee files plainly designates the contribution as a

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"General Election" contribution in unmistakable bold print. (See Exhibit I, attached hereto. This is a xerox copy of the actual carbon copy retained in the Committee files. The actual carbon copy is available for examination upon request). That designation also appeared on the original of the receipt (thus creating the carbonized notation on the copy) that was sent to the contributor, EPEC-IUOE. The primary issue thus presented to the Commission is whether under these facts the contribution was, within the meaning of 11 C.F.R. 110.1(a)(2), "designated in writing for a particular election . . ." In order to find a violation, the Commission must conclude that this contribution was not designated in writing for the general election. Any such conclusion would be contrary to the facts and to the law and, with all due respect to the General Counsel, arbitrary and capricious. The Commission should find that there was no violation of either 2 U.S.C. §441a(f) or 11 C.F.R. §104.14(d).

2 U.S.C. §441a(a) prohibits multi-candidate political committees (such as EPEC-IUOE) from making contributions "to any candidate ... with respect to any election for Federal office which, in the aggregate, exceed \$5,000." Section 441a(f) provides that neither a political committee nor its treasurer "shall knowingly accept" a contribution in violation of the limitations imposed by §441. The statutory scheme thus establishes an absolute liability on the contributor but adopts a standard requiring the finding of a knowing violation on the

part of a recipient. 11 C.F.R. §104.14(d) provides that campaign committee treasurers are responsible for the filing of timely, complete and accurate reports as required by law.

There is no question in this case but that the contribution at issue was intended for use, and was in fact used, in the 1982 general election. The memorandum requesting the issuance of the contribution check denominates the contribution as one for the general election, and the undisputed sworn affidavits establish that the contributing organization orally confirmed this promptly after the contribution was received. (See Affidavits of Marvin F. Moss and John J Brown, Exhibits B & D to Sarbanes Committee Statement of Facts). The Sarbanes Committee designated the contribution in its own books and records as pertaining to the general election, and confirmed that designation on the campaign contribution receipt, the original of which was sent to the contributor and a copy of which was retained in its records. The money itself was segregated and placed in a separate general election account and not used until the general election campaign later began. The one element that is missing from these undisputed facts is the element relied on by the Office of General Counsel in its brief -- the fact that there was no writing prepared by the contributor designating the money as a general election contribution and sent by the contributor to the recipient (or that the contributor didn't

initial and return the contribution receipt, thus "completing the circle"). The General Counsel would read the regulations, and in particular 11 C.F.R. §110.1(a)(2)(i), as requiring that the written designation both be made by the contributor and be physically given to the recipient. He overlooks entirely the possibility that the written designation be contemporaneously made by the contributor and orally communicated to the recipient, or that the written designation be made by the recipient and physically given to the contributor as confirmation of the contributor's originally indicated intent.

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The General Counsel's construction of the regulation requires that we read into it words that simply are not there. His recommendation that the Commission find a violation elevates form over substance. The regulation does not specify who must physically make the written designation, nor does it tell us how that designation is to be communicated by one party to the other. To find a violation of the statute and the regulation, the Commission would have to conclude that a lawful and proper designation can only be made in a writing authored by the contributor and physically sent to the recipient. Not only does such a construction find no support in 11 C.F.R. §110.1(a)(2)(i), but exactly the opposite conclusion seems strongly indicated by another provision of the applicable regulations.

Section 103.3(b) imposes certain duties on a campaign committee and its treasurer, and specifically requires that when an apparently illegal campaign contribution is received, the treasurer must "make his or her best efforts to determine the legality of the contribution." The regulations specifically address the responsibilities of the treasurer with regard to pre-primary contributions intended for general election use at 11 C.F.R. §102.9(e):

"If the candidate, or his or her authorized committee(s), receives contributions prior to the date of the primary election, which contributions are designated by the candidate or his or her authorized committee(s) for use in connection with the general election, such candidate or such committees shall use an acceptable accounting method to distinguish between contributions received for the primary election and contributions received for the general election. . . ." (emphasis supplied).

These regulations thus provide that when a campaign committee receives a contribution which, on its face, may be in excess of the primary election contribution limit, the treasurer is obligated to make inquiry. If, based upon that inquiry, it is determined that the contribution is intended as a general election contribution, then the campaign committee (or the candidate), not the contributor, is required both to "designate" the contribution for use in the general election and to utilize an accounting system which separates general election from primary election contributions. That is precisely what the Sarbanes Committee and its treasurer did in this instance. They fulfilled their responsibilities as set

forth in §§102.9(e) and 103.3(b). Upon completion of the inquiry called for by §103.3.(b), the receiving committee designated the contribution for use in the general election (consistently with the stated intent of the contributor). Having done so, and having communicated that designation in writing to the contributor by way of the written receipt, and having placed the funds in a special segregated account, neither the Sarbanes Committee nor its treasurer can be said to have violated the law.

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What the General Counsel has done is to take §110.1, which sets forth the various requirements applicable to contributors, and read its admittedly ambiguous language as somehow overriding the very explicit provision of §102.9(e) ("designated by the candidate or ..."). The Commission should do the opposite -- read the two regulations consistently with one another.

As argued earlier, it would be elevating form over substance to find a violation here -- especially where the confirmatory written designation that was made by the receiving committee was physically sent to the contributor. Under the facts in this case, both the spirit and the letter of the law have been satisfied. This is especially so given the fact that the excessive contribution provision of §441a(f) only punishes knowing violations by the recipient. How could it possibly be said that the Sarbanes Committee or its treasurer knowingly

violated the law given all of the contemporaneous communications as to the intended purpose and use of the \$4,000 in question, given the provisions of 11 C.F.R. §102.9(e) calling for designation by the candidate or his or her authorized committee, and given the absence of any clear indication in §110.1(a)(2)(i) that the written designation there referred to requires that the designation be made by the contributor and a copy forwarded to the recipient. Neither the statute nor 11 C.F.R. §104.14(d) are intended to serve as traps for the diligent but unwary. The election laws are designed to promote full and complete reporting of both contributions and expenditures and to establish certain limits on contributions. They are not designed to be games where one must guess at their meaning, and be punished if the Commission later concludes that the player guessed wrong. If the Commission wishes to require that written designations of contributions must be physically made and sent by the contributor, then it may do so - by amending the regulations or issuing an advisory opinion of prospective effect. It should not do so by relying on an ambiguous regulation to find a knowing violation of the law by people who took all reasonable steps to designate, report, and account for and use the contributed funds in the manner apparently required by law and for the purpose actually intended by the contributor.

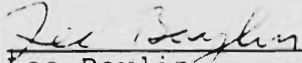
III. CONCLUSION

For all of the reasons set forth above, the Commission should find that no violation has been committed by either the Sarbanes Committee or its treasurer, and should take no further action against either of them.

Respectfully submitted,



George A. Nilson

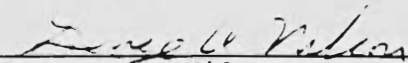


Lee Baylin

1100 Charles Center South
36 South Charles Street
Baltimore, MD 21201
(301)539-2530

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of June, 1985, 3 copies of the foregoing Brief of Citizens for Sarbanes Committee and Charles M. Kerr, Treasurer, was hand delivered to Charles N. Steele, General Counsel, Federal Election Commission, 1325 K Street, N.W., 7th Floor, Washington D.C. 20463.



George A. Nilson

CITIZENS FOR SARBANES,

P.O. Box 10644
Baltimore, Md. 21204

NO 6472 P ✓

Campaign Contribution Receipt

To: Engineers Political Education Committee June 25, 1982

1125 Sawdust Street, Northwest
Washington, D.C. 20030

Occupation _____ Business Name PAC

Business Address _____

Cash Check Contribution in kind Ticket PAC

\$ _____ Treasurer/Subtreasurer

GENERAL
ELECTION

EXHIBIT 4

36040371070

PIPER & MARBURY
1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

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JUN 3 12:52

HAND DELIVER

Charles N. Steele
General Counsel
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
7th Floor
Washington, D.C. 20463

ATTENTION: MS. FRANCES HAGAN
OFFICE OF THE GENERAL COUNSEL

6117662
THE FEC

RECEIVED
GENERAL COUNSEL

85 JUN 3 P 1: 17

JUN 3 P 3: 30

LAW OFFICES OF
PIPER & MARBURY
1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

GEORGE A. NILSON
DIRECT DIAL NUMBER
301 576-1769

666 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-8150

May 28, 1985

Federal Election Commission
1425 K Street, N.W.
7th Floor
Baltimore, MD 20463

Attention: Frances B. Hagen, Esquire
Office of General Counsel

Dear Ms Hagen:

This letter is to formally request an extension of time within which our brief in this matter must be filed by Monday June 3, 1985. As I understand it, your office is authorized to grant such limited extensions. The General Counsel's brief was received by us on May 14, 1985, and thus our initial due date was established as May 29, 1985. Our review of the General Counsel's position in this matter as reflected in the brief was only concluded last week, at which time the decision was made to proceed with the filing of a brief in opposition. Other commitments have made it difficult for me to prepare a brief in that short time frame and, accordingly, I am requesting that we be given until next Monday to file. This is an extension of only three business days.

In addition, I would like to hereby formally request that the Office of General Counsel engage in conciliation efforts with us prior to any finding of probable cause in the hope that we can possibly conclude this matter without further proceedings. I will, of course, proceed to file our brief next Monday and would hope to hear back from you shortly thereafter as to whether your office is willing to conciliate the matter at this time.

Very truly yours,
George A. Nilson
George A. Nilson

CAN/nah

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LAW OFFICES OF

PIPER & MARBURY

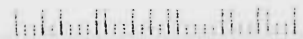
100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201



Federal Election Commission
1425 K Street, N.W.
7th Floor
Baltimore, MD 20463

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GC #7632

LAW OFFICES OF
PIPER & MARBURY

100 CHARLES CENTER SOUTH
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GEORGE A. NILSON
DIRECT DIAL NUMBER
301 576-1789

888 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-8150

May 28, 1985

Federal Election Commission
1425 K Street, N.W.
7th Floor
Baltimore, MD 20463

MAY 31 4:12
RECEIVED
FBI

Attention: Frances B. Hagen, Esquire
Office of General Counsel

Dear Ms Hagen:

This letter is to formally request an extension of time within which our brief in this matter must be filed to Monday June 3, 1985. As I understand it, your office is authorized to grant such limited extensions. The General Counsel's brief was received by us on May 14, 1985, and thus our initial due date was established as May 29, 1985. Our review of the General Counsel's position in this matter as reflected in the brief was only concluded last week, at which time the decision was made to proceed with the filing of a brief in opposition. Other commitments have made it difficult for me to prepare a brief in that short time frame and, accordingly, I am requesting that we be given until next Monday to file. This is an extension of only three business days.

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Very truly yours,
George A. Nilson
George A. Nilson

GAN/nah

RECEIVED
MAY 31 4:12

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 _____)
 In The Matter Of)
)
 American Federation of Government)
 Employees, Political Action)
 Committee,)
)
 James H. Lynch, Jr., Treasurer)
)
 _____)

MUR 1696

RESPONSE TO GENERAL COUNSEL'S BRIEF

This response is submitted on behalf of AFGE-PAC and James H. Lynch, Jr., Treasurer of AFGE-PAC, respondents in this action. Respondents do not disagree with either the factual analysis set forth in the General Counsel's brief, or his recommendation that no further action be taken against Respondents in relation to an alleged violation of 11 CFR §104.14(d). Respondents do take issue with the General Counsel's recommendation that this tribunal find probable cause to believe that Respondents violated 2 U.S.C. §441a(a)(2)(A).

AFGE-PAC made four contributions to the Citizens for Sarbanes Committee between 6/25/82 and 9/3/82. As respondents have stated previously, due to inadvertent error, none of the boxes on the Schedule B submitted to the FEC indicating whether the contribution was for a primary or general election, were checked-off. If the correct box on Schedule B had been checked, indicating Respondent's intention to divide its contributions between the primary and general elections, no violation would even be alleged. Any violation in this case was unintentional and de minimis.


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AFGE-PAC is entitled to contribute \$10,000 per election cycle to a political candidate or his committee (\$5,000 for a primary election and \$5,000 for a general election). The total amount of money contributed by AFGE-PAC to the Sarbanes Committee is only slightly more than the \$5,000 per election limit, and is substantially less than the \$10,000 per election cycle limit. If these limitations were violated at all in this case, the violation is technical, unintentional and de minimis.

Finally, AFGE-PAC has taken steps internally to assure that the type of inadvertent error which caused this matter to arise does not happen again.

For all of the foregoing reasons, the Commission should decline to find probable cause to believe that Respondents violated either 11 CFR §104.14(d) or 2 U.S.C. §441a(a)(2)(A).

Respectfully submitted,



Mitchell J. Notis
Deputy General Counsel

American Federation of Government
Employees, AFL-CIO
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005

Counsel for Respondents

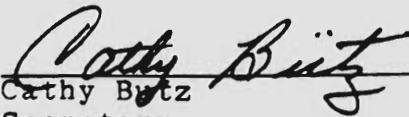
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144-1111

CERTIFICATE OF SERVICE

I, Cathy Butz, hereby certify that on this 24th day of May, 1985, I caused to be served by first class, postage prepaid mail, three copies of the foregoing Response to the following:

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

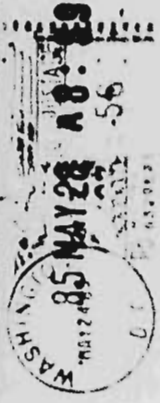


Cathy Butz
Secretary
American Federation of Government
Employees, AFL-CIO
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005
(202) 737-8700, extention 322.

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*Dedicated Americans
Keep our country strong*

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**AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES**

1325 Massachusetts Ave., N.W. • Washington, D. C. 20005



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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: May 8, 1985
SUBJECT: MUR 1696 - Memorandum and GC's Briefs

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

CIRCULATIONS

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

Other []

DISTRIBUTION

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

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SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steel *CNS*
General Counsel

SUBJECT: MUR: 1696

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. Copies of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of probable cause to believe were mailed on May 8, 1985. Following receipt of the Respondents' replies to these notices, this Office will make further report to the Commission.

Attachments

1. Briefs
2. Letters to Respondents

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
American Federation of) MUR 1696
Government Employees Political)
Action Committee)
James H. Lynch, Jr., Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 5, 1984, the Commission found reason to believe that the American Federation of Government Employees Political Action Committee ("AFGE-PAC") and James H. Lynch, Jr., as treasurer, violated 2 U.S.C. § 441a(a)(2)(A) by making a contribution in excess of limitations to the Citizens for Sarbanes Committee ("the Sarbanes Committee") during the 1982 election. The Commission also found reason to believe that AFGE-PAC violated 11 C.F.R. § 104.14(d) for failure to report election designations of contributions.

AFGE-PAC made contributions to the Sarbanes Committee as follows:

Table with 6 columns: Contributor, Amount, Date of Contribution, Designation by Contributor, Date of Sarbanes Receipt, Designation by Recipient. Rows include AFGE-PAC contributions of \$1,000.00, \$3,006.00, \$297.60, and \$1,000.00 with various dates and designations.

The Maryland primary was held September 14, 1982.

II. LEGAL ANALYSIS

2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committee with respect to any federal election which in the aggregate, exceed \$5,000.

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In its response to the complaint, AFGE-PAC stated that it made the four contributions noted above in connection with the Sarbanes campaign for the "1982 election cycle." AFGE-PAC stated that "due to inadvertent error, none of the boxes on Schedule B indicating which election these contributions were for (primary or general) were checked off." Counsel for AFGE-PAC stated that total contributions did not exceed the limits of \$5,000 per election and that the violation is "technical" and "de minimis". AFGE-PAC stated that it intended to divide the four contributions between two elections, but did not designate which contributions pertain to the primary or general election.

AFGE-PAC reiterated this position in its response to the reason to believe finding adding, "to prevent such errors from happening in the future, our Finance Department has been instructed in no uncertain terms that Schedule B must always be completed in its entirety, with particular regard to designating the election for which a contribution was made."

According to AFGE-PAC, two of its contributions were in-kind gifts in the form of a mailing to its Maryland members. These contributions, \$3,006.00 on June 30, 1982 and \$297.60 on July 8, 1982, totaled \$3,303.60.

At the request of the Office of General Counsel, AFGE-PAC provided documents to support the mailing to its members on behalf of the Sarbanes Committee. The documents include copies of the checks to Kelly Press, Inc. which verify the dates and

amounts of the two in-kind gifts to the Sarbanes Committee which are reported by AFGE-PAC. There is also a Kelly Press Inc. invoice for the cost of the mailing and postage. A contemporaneous notation on the invoice states "In-kind Contribution to Sarbanes." In addition, AFGE-PAC provided a copy of the mailing which was sent to its members in Maryland. The mailing contained a cover letter which solely concerns the re-election of Senator Sarbanes. The accompanying brochure contained an article illustrating the Senator's support of Federal employees. Clearly, AFGE-PAC's letter to the membership expressly advocates the election of Paul Sarbanes and the documentation supports this. Therefore, the costs of the mailing were not exempt from the reporting requirements and AFGE-PAC appropriately reported them as in-kind contributions to the Sarbanes Committee pursuant to 11 C.F.R. § 114.5(e)(2)(i).

Each of AFGE-PAC's contributions to the Sarbanes Committee was made prior to the Maryland primary election. AFGE-PAC did not report election designations for its contributions, nor, apparently, did it communicate the intended designation to the Sarbanes Committee. Senator Sarbanes' administrative assistant (and fundraiser) stated that AFGE-PAC originally pledged to contribute "a combined total of \$5,000 for both . . . campaigns." He also stated in an affidavit that AFGE-PAC representatives told him of a proposed mailing "to its members" in support of Sarbanes. The affiant stated that he later realized that such

mailing could be reportable, and that he called AFGE-PAC and asked his contact there to advise him if the mailing constituted an in-kind contribution by AFGE-PAC to Sarbanes. The affiant stated that he was never told the actual cost of the mailing or whether the PAC believed it should be reported. He says he does not recall receiving any of the materials used in the mailing or information regarding the cost of, or funds used for, such a mailing.

In regard to election designations, 11 C.F.R. § 110.1(a)(2)(i) makes it clear that contributions designated in writing by a contributor for a particular election are attributable to the limit set for that election. The regulation further states that a contribution made after a primary election and designated for the primary shall be made only to the extent of the next primary debt. In the case of a contribution not designated in writing for a particular election (as in this case), the contribution will be attributable for the primary election if made on or before the primary date, and the contribution will be attributable to the general election if made after the primary election date.

A contribution recipient can rely on the presumptions of § 110.1(a) unless a written designation altering the operation of the presumptions is communicated to the recipient in writing. In such case, the intent of the contributor, as evidenced by the written designation, will control the designation.

Because there is no evidence of any contemporaneous written election designation at the time of transmittal, the AFGE-PAC contributions follow the presumption of the regulations at 11 C.F.R. § 110.1(a) and are attributable to the primary election. Therefore, the Office of General Counsel is prepared to recommend probable cause to believe that AFGE-PAC made excessive contributions totaling \$303.60 to the Sarbanes Committee in violation of 2 U.S.C. § 441a(a)(2)(A). This Office will recommend no further action against AFGE-PAC for a violation of 11 C.F.R. § 104.14(d) which occurred through omission of election designations on reports.

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find probable cause to believe that the American Federation of Government Employees and James H. Lynch, Jr., as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
2. Take no further action against the American Federation of Government Employees and James H. Lynch, Jr., as treasurer, for a violation of 11 C.F.R. § 104.14(d).

Date

7 May 1985

Charles N. Steele
General Counsel



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Citizens for Sarbanes and as) MUR 1696
treasurer, Charles M. Kerr)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 5, 1984, the Commission found reason to believe that the Citizens for Sarbanes Committee ("the Sarbanes Committee") and Charles M. Kerr, as treasurer, violated 2 U.S.C. § 441a(f) by accepting contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) during the 1982 primary and general elections. The Commission also found reason to believe that the Sarbanes Committee and Charles M. Kerr, as treasurer, violated 11 C.F.R. § 104.14(d) for failure accurately to reflect on reports the contributors' election designations. In addition, the Commission found reason to believe that the Sarbanes Committee violated 2 U.S.C. § 434(b)(2)(D) and (3)(B) by failing to report the receipt of certain in-kind contributions.

The Sarbanes Committee received the following contributions:

<u>Contributor</u>	<u>Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation by Recipient</u>
AFGE-PAC	\$1,000.00	6-25-82	NONE	7-2-82	Primary
	3,006.00	6-30-82	NONE	Not Reported	
	297.60	7-08-82	NONE	Not Reported	
	1,000.00	9-03-82	NONE	9-14-82	Primary
EPEC-IUOE	\$5,000.00	8-03-81	Primary	9-09-81	Primary
	4,000.00	6-09-82	Primary	6-25-82	General

The Maryland primary was held September 14, 1982.

II. LEGAL ANALYSIS

a) Contributions from AFGE-PAC

2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committee with respect to any federal election which in the aggregate, exceed \$5,000.

2 U.S.C. § 441a(f) prohibits receipt of contributions violative of this section.

2 U.S.C. § 434(b)(2)(D) requires the reporting of contributions from political committees.

2 U.S.C. § 434(b)(3)(B) requires the identification on reports of a political committee which makes a contribution to the reporting committee during the reporting period, with the date and amount of such contribution.

The Sarbanes Committee stated that it received two checks of \$1,000 each from the American Federation of Government Employees Political Action Committee ("AFGE-PAC") on or before the Maryland primary held September 14, 1982. In reference to the two in-kind contributions reported by AFGE-PAC, the Sarbanes treasurer stated that he has no record of, and "no present reason to believe" such contributions were made to his committee. The Sarbanes Committee asserted that the 1982 primary contributions received from AFGE-PAC totaled \$2,000 and were properly reported.

In further response to the reason to believe finding, Senator Sarbanes' administrative assistant (and fundraiser)

stated that AFGE-PAC originally pledged to contribute "a combined total of \$5,000 for both . . . campaigns." The administrative assistant stated in an affidavit that the Sarbanes Committee received two checks of \$1,000 each. He also stated that AFGE-PAC representatives told him of a proposed mailing "to its members" in support of Sarbanes. The affiant stated that he later realized that such mailing could be reportable, and that he called AFGE-PAC and asked his contact there to advise him if the mailing constituted an in-kind contribution by AFGE-PAC to Sarbanes. The affiant stated that he was never told the actual cost of the mailing or whether the PAC believed it should be reported. He says he does not recall receiving any of the materials used in the mailing or information regarding the cost of, or funds used for, such a mailing.

At the request of the Office of General Counsel, AFGE-PAC provided documents to support the mailing to its members on behalf of the Sarbanes Committee. The documents include copies of the checks to Kelly Press, Inc. which verify the dates and amounts of the two in-kind gifts to the Sarbanes Committee which are reported by AFGE-PAC. There is also a Kelly Press Inc. invoice for the cost of the mailing and postage. A contemporaneous notation on the invoice states "In-kind Contribution to Sarbanes." In addition, AFGE-PAC provided a copy of the mailing which was sent to its members in Maryland. The mailing contained a cover letter which solely concerns the re-

election of Senator Sarbanes. The accompanying brochure contained an article illustrating the Senator's support of Federal employees.

The Sarbanes Committee, as recipient of these in-kind contributions, was responsible for reporting them pursuant to 2 U.S.C. § 434(b)(2)(D) and (3)(B). However, 2 U.S.C. § 441a(f) requires that no candidate or political committee shall knowingly accept an excessive contribution. The Sarbanes Committee had knowledge of a potential in-kind contribution in the form of a supportive mailing, and took the responsibility to contact the potential contributor to request the information necessary to comply with the Act should reporting be required. The Sarbanes Committee apparently had no specific knowledge that the in-kind contribution was made. While the Sarbanes Committee could have more diligently pursued the contribution to determine the amount, it did display an awareness of the responsibility to report the in-kind and in fact, did contact the contributor in advance of the mailing to request notification of the contribution amount. The Sarbanes Committee also properly reported the direct contributions from AFGE-PAC.

Therefore, based on the Sarbanes Committee's actions and the relatively small amount of excessive contributions received from AFGE-PAC (\$303.60), the Office of General Counsel recommends that the Commission take no further action against the Sarbanes Committee and Charles M. Kerr, as treasurer, for the violations

of 2 U.S.C. § 441a(f) and 2 U.S.C. § 434(b)(2)(D) and (3)(B). In addition, because the Sarbanes Committee's reporting of primary election designations for the two direct AFGE-PAC contributions comports with 11 C.F.R. § 110.1, this Office recommends no further action against the Sarbanes Committee for a violation of 11 C.F.R. § 104.14(d) in this matter.

b) Contributions from EPEC/IUOE

The Sarbanes Committee also received two contributions from the Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE"). The contributions, totaling \$9,000, were both received prior to the 1982 Maryland primary election held September 14, 1982.

11 C.F.R. § 110.1(a)(2)(i) makes it clear that contributions designated in writing by a contributor for a particular election are attributable to the limit set for that election. The regulation further states that a contribution made after a primary election and designated for the primary shall be made only to the extent of the net primary debt. In the case of a contribution not designated in writing for a particular election, the contribution will be attributable for the primary election if made on or before the primary date, and the contribution will be attributable to the general election if made after the primary election date.

A contribution recipient can rely on the presumptions of § 110.1(a) unless a written designation altering the operation of

the presumptions is communicated to the recipient in writing. In such case, the intent of the contributor, as evidenced by the written designation, will control the designation.

The Sarbanes Committee response to the original complaint and to the reason to believe notice stated that upon receipt of the second pre-primary contribution, a contribution which would exceed the \$5,000 limit for the primary, a member of Senator Sarbanes' staff contacted EPEC/IUOE's Director of Legislation and was advised that the contribution was intended for the general rather than the primary election. Supporting this contact is a copy of the Sarbanes staff member's contemporaneous memorandum of receipt for the particular contribution containing his handwritten notation "General Election." The Sarbanes Committee states that the contribution was deposited into an account used only for general election activity. In addition, EPEC/IUOE provided its own internal memorandum between EPEC staff and officers which recommends the contribution to the Sarbanes Committee and contains the notation "General Election." However, EPEC/IUOE's apparent intention concerning the second pre-primary contribution (\$4,000 made 6-9-82) was not contemporaneously communicated in writing to the Sarbanes Committee. Therefore, pursuant to 11 C.F.R. § 110.1(a), the contribution made prior to the primary is attributable to the primary election. The Sarbanes Committee telephone communication with the contributor

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and the use of the funds for the general election may be viewed as mitigating circumstances, but do not vitiate the violation.


Therefore, the Office of General Counsel is prepared to recommend probable cause to believe that the Sarbanes Committee violated 2 U.S.C. § 441a(f) by receipt of a contribution violative of 2 U.S.C. § 441a(a)(2)(A) from EPEC/IUOE. This Office will also recommend that the Sarbanes Committee violated 11 C.F.R. § 104.14(d) by incorrectly reporting the pre-primary contribution as a general election contribution.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find probable cause to believe that the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer, violated the following in connection with the 1982 election contribution from the Engineers Political Education Committee/International Union of Operating Engineers:
 - a) 2 U.S.C. § 441a(f)
 - b) 11 C.F.R. § 104.14(d).

2. Take no further action against the Citizens for Sarbanes Committee and Charles M. Kerr, as treasurer, regarding the following violations concerning the 1982 election contributions from the America Federation of Government Employees Political Action Committee:
 - a) 2 U.S.C. § 441a(f),
 - b) 2 U.S.C. § 434(b)(2)(D),
 - c) 2 U.S.C. § 434(b)(3)(B),
 - d) 11 C.F.R. § 104.14(d).

850903 / 07
Date 17 May 1985



Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1985

George A. Nilson, Esquire
1100 Charles Center
36 South Charles Street
Baltimore, Maryland 21202

RE: MUR 1696
Citizens for Sarbanes Committee
Chalres M. Kerr, Treasurer

Dear Mr. Nilson:

Based on a complaint filed with the Commission on May 11, 1984, and information supplied by you, the Commission determined on September 5, 1984, that there was reason to believe that your clients had violated the following provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations, and instituted an investigation of this matter.

- 350407:1073
- A. 2 U.S.C. § 441a(f) in connection with receipt of 1982 primary election contributions from the following:
 - 1. American Federation of Government Employees PAC;
 - 2. Engineers Political Education Committee/International Union of Operating Engineers;
 - B. 2 U.S.C. § 434(b)(2)(D) and § 434(b)(3)(B) in connection with receipt of contributions in 1982 from the American Federation of Government Employees PAC:
 - C. 11 C.F.R. § 104.14(d) in connection with contributions received from the following:
 - 1. AFGE-PAC,
 - 2. EPEC/IUOE.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find as follows:

- A. Probable cause to believe that violations of 2 U.S.C. § 441a(f) and 11 C.F.R. § 104.14(d) occurred in connection with contributions from EPEC/IUOE;
- B. Take no further action regarding the violations of 2 U.S.C. §§ 441a(f), 434(b)(2)(D) and (3)(B) and 11 C.F.R. § 104.14(d) in connection with contributions from AFGE-PAC.

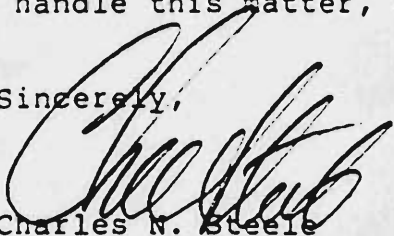
Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying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

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

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

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to handle this matter, at (202) 523-4000.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

35040:71071



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 8, 1985

Mitchell J. Notis, Esquire
Deputy General Counsel
American Federation of Government Employees
Political Action Committee
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005

RE: MUR 1696
American Federation of Government
Employees Political Action Committee
James H. Lynch, Jr., Treasurer

Dear Mr. Notis:

Based on a complaint filed with the Commission on May 11, 1984, and information supplied by you, the Commission determined on September 5, 1984, that there was reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation of 2 U.S.C. § 441a(a)(2)(A) has occurred and will recommend no further action for a violation of 11 C.F.R. § 104.14(d).

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

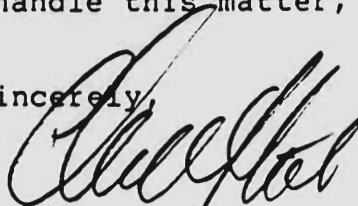
If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

Mitchell J. Notis, Esquire
Page 2

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

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to handle this matter, at (202) 523-4000.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

2604077075



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 17, 1985

Michael R. Fanning, Esquire
Engineers Political Education Committee of
the International Union of Operating Engineers
1125 Seventeenth Street, N.W.
Washington, D.C. 20036

RE: MUR 1696
EPEC/IUOE
Frank Hanley, Treasurer

Dear Mr. Fanning:

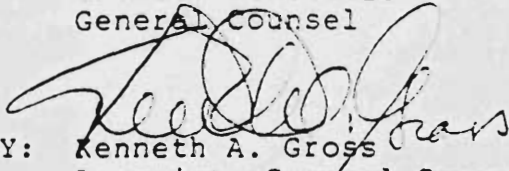
On April 10, 1985, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

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

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

15040:1077

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Engineers Political Education) MUR 1696
Committee of the International)
Union of Operating Engineers)
and as treasurer,)
Frank Hanley)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James Edward Antosh. The Commission found reason to believe that the Engineers Political Education Committee of the International Union of Operating Engineers and as treasurer, Frank Hanley ("Respondent" or "EPEC/IUOE") violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Citizens for Sarbanes Committee ("The Sarbanes Committee") during 1982.

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

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

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

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

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

1. EPEC/IUOE is a multicandidate committee with Frank Hanley as treasurer.

2. Respondent made the following contributions to the Sarbanes Committee for the 1982 primary election:

<u>AMOUNT OF CONTRIBUTION</u>	<u>DATE</u>	<u>DESIGNATION BY CONTRIBUTION</u>
\$5,000	8-03-81	Primary
\$4,000	6-09-82	Primary

3. The Maryland primary election was held September 14, 1982.

4. The contributions were made by Respondent and received by the Sarbanes Committee prior to the 1982 Maryland primary.

5. 2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committees with respect to any federal election which in the aggregate, exceed \$5,000.

6. 11 C.F.R. § 110.1(a) provides that a contribution designated in writing by the contributor for a particular election shall be attributed to that election. Except, that a contribution made after the primary election shall be allowed only if the recipient committee has outstanding primary debts on the date of the contribution which are equal to or greater than the contribution.

7. 11 C.F.R. § 110.1(a) further provides that contribution not designated in writing by a contributor for a particular election are attributable to the primary election if made on or before the date of the primary election and are attributable to the general election if made after the date of the primary election.

8. In accordance with 11 C.F.R. § 110.1(a)(2), Respondent's contributions to the Sarbanes Committee are considered contributions for the 1982 primary.

9. Respondent's contributions to the Sarbanes Committee totaled \$9,000.

V. EPEC/IUOE made an excessive contribution of \$4,000 to the Sarbanes Committee in violation of 2 U.S.C. § 441a(a)(2)(A).

VI. Subsequent to the 1982 election cycle, and prior to the Complaint in this matter, the administrative procedures of EPEC/IUOE were modified to preclude the likelihood of a recurrence of the violation identified herein.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of six hundred fifty dollars (\$650), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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


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

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel


Date

FOR THE RESPONDENT:


Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 1696
Engineers Political Education)	
Committee/International Union)	
of Operating Engineers)	
Frank Hanley, as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 10, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1696:

1. Accept the conciliation agreement submitted with the General Counsel's Report signed April 4, 1985.
2. Close the file as it relates to EPEC/IUOE.
3. Send the letter attached to the General Counsel's Report signed April 4, 1985.

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

Attest:

4-10-85
Date

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

Received in Office of Commission Secretary:	4-5-85, 12:09
Circulated on 48 hour tally basis:	4-8-85, 11:00

3504071030

MEMORANDUM

TO: CHERYL THOMAS TO: JOAN HARRIS
FROM: JOAN HARRIS FROM: CHERYL THOMAS

CHECK NO. 001549 (a copy of which is attached) RELATING
TO MUR 1696 AND NAME Engineers Political Education Unit of the
International Union of Electrical Engineers
WAS RECEIVED ON 3/25/85 General Purposes. PLEASE INDICATE THE ACCOUNT INTO
WHICH IT SHOULD BE DEPOSITED:

- 14 BUDGET CLEARING ACCOUNT (#95F3875.16)
- 1 / CIVIL PENALTIES ACCOUNT (#95-1099.160)
- OTHER _____

SIGNATURE Cheryl R. Thomas DATE 3/26/85



International Union of Operating Engineers

1125 SEVENTEENTH STREET NORTHWEST • WASHINGTON, D. C. 20036
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

MADISON NATIONAL BANK
WASHINGTON, D.C.

No. 001549

15-125
540

PAY TO THE ORDER OF

DATE CHECK NUMBER DISCOUNT
Mar 21 85 1549 .00

AMOUNT

\$650.00

\$650.00

United States Treasury

INTERNATIONAL UNION OF OPERATING ENGINEERS
GENERAL FUND & EXPENSE ACCOUNT

Frank Stanley

⑆001549⑆ ⑆054001259⑆ ⑆21200641⑆

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1696
Engineers Political Education)
Committee of the International)
Union of Operating Engineers)
Frank Hanley, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 9, 1985, the Commission decided by a vote of 4-0 to take the following actions in MUR 1696:

1. Enter into conciliation with Engineers Political Education Committee of the International Union of Operating Engineers and as treasurer, Frank Hanley, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement submitted with the General Counsel's Report signed January 4, 1985.
3. Approve and send the letter attached to the General Counsel's Report signed January 4, 1985.

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

Attest:

1-9-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 1-7-85, 8:44
Circulated on 48 hour tally basis: 1-7-85, 11:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: January 7, 1985
SUBJECT: MUR 1696 - General Counsel's Report

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

Open Session _____

Closed Session _____

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

95040:71035

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Engineers Political Education) MUR 1696
Committee of the International)
Union of Operating Engineers)
and as treasurer,)
Frank Hanley)

FILED
OFFICE OF THE FEC
COMMUNICATIONS SECTION
SEP 7 1984 10:44

SENSITIVE

GENERAL COUNSEL'S REPORT

On September 5, 1984, the Commission found reason to believe that the Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE") and as treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of contribution limitations to the Citizens for Sarbanes Committee ("the Committee") during the 1982 primary election campaign.

EPEC/IUOE made the following contributions to the Sarbanes Committee for the 1982 primary election:

<u>AMOUNT</u>	<u>DATE</u>	<u>CONTRIBUTOR DESIGNATION</u>
\$5,000	8-03-81	Primary
\$4,000	6-09-82	Primary

The Maryland primary was held September 14, 1982. EPEC/IUOE stated that the second primary election designation was an error and that \$4,000 was intended for the general election. EPEC/IUOE documented its assertion that \$4,000 represented a general election contribution. The documentation consisted of a contemporaneous memorandum recommending a contribution of \$4,000 to the Sarbanes Committee. A parenthetical notation on the memorandum states "General Election." However, the contributor designated the contributions on reports as primary election donations, and did not communicate the intended designations in writing.

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Based on the presumption of the Regulations at 11 C.F.R. § 110.1(a) and in accordance with the Commission's determinations of December 4, 1984, the respondent's contribution of \$4,000, made prior to the 1982 primary, must have been contemporaneously communicated in writing to the Sarbanes Committee as a general election contribution in order to be designated for the general election. Absent such written communication, EPEC/IUOE's donations are considered contributions to the Sarbanes Committee's primary campaign. Therefore, EPEC/IUOE made contributions totaling \$4,000 in excess of limits at 2 U.S.C. 441a(a)(2)(A).

After responding to the original complaint and to the reason to believe finding, EPEC/IUOE requested pre-probable cause conciliation. Our recommendation is to enter into conciliation with the respondent with the attached proposed conciliation agreement.

1501071033


RECOMMENDATION

1. Enter into conciliation with Engineers Political Education Committee of the International Union of Operating Engineers and as treasurer, Frank Hanley, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement.
3. Approve and send the attached letter.

Charles N. Steele
General Counsel

January 4, 1985
Date

BY:


Kenneth A. Gross
Associate General Counsel

Attachments

- Proposed conciliation agreement
- Letter to respondent

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International Union of Operating Engineers

1125 SEVENTEENTH STREET NORTHWEST * WASHINGTON, D. C. 20036
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

★ OFFICE OF GENERAL PRESIDENT • (202) 429-9100



Response to RTB

September 21, 1984

RECEIVED
GENERAL COUNSEL
SEP 21 3:11

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

Re: MUR 1696

Dear Ms. Hagan:

Reference is made to Chairman Elliott's letter of September 11, 1984, in the above captioned matter, requesting additional factual or legal materials relevant to the Commission's analysis.

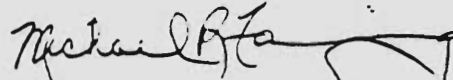
Attached is an affidavit of John J. Brown, Director of Legislation of the International Union of Operating Engineers, concerning a conversation Mr. Brown had with a representative of the Citizens for Sarbanes Committee at the time of EPEC/IUOE's \$4,000 contribution to the Committee on June 21, 1984. Mr. Brown also submits a copy of his internal memorandum recommending the contribution which clearly indicates it was intended for the general election.

Mr. Brown's affidavit, together with the information provided in our initial statement in this matter, as well as the response of the Citizens for Sarbanes Committee, establishes that it was the intent of EPEC/IUOE that the \$4,000 contribution be applied to the general election campaign of Senator Sarbanes, that that intention was communicated to the Sarbanes Committee by EPEC/IUOE, and that the Sarbanes Committee applied the contribution to the general election campaign and so reported it to the Federal Election Commission.

C O C 1 7 1 C F O S S

Based upon the facts, we can see no basis for further action by the Commission in this matter. If, however, the Commission determines to further proceed, we would request informal conciliation of the matter.

Sincerely,


Michael R. Fanning
Counsel

MRF/jlw

Attachments

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AFFIDAVIT OF JOHN J. BROWN

I, John J. Brown, being first duly sworn, depose and state that:

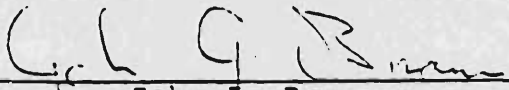
1. I am the Director of Legislation of the International Union of Operating Engineers and have held that position since 1976.

2. Among other duties, as Director of Legislation I initiate requests to the Engineers Political Education Committee of the International Union of Operating Engineers (EPEC/IUOE) for contributions to be made to candidates for federal office. I am also responsible for maintaining running tabulations of all contributions made by EPEC/IUOE to federal candidates.

3. By memorandum of June 19, 1982, a copy of which is attached, I recommended to Mr. J. C. Turner, General President of the International Union of Operating Engineers and President of EPEC/IUOE, that a contribution of \$4,000 be made to the Citizens for Sarbanes Committee with the notation at the bottom left of the memo that this was a general election contribution.

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4. Subsequent to June 21 I was contacted by Mr. Marvin Moss of Senator Sarbanes' staff who inquired whether the \$4,000 contribution was intended for the primary or general election. I advised Mr. Moss that the contribution was intended for the general election campaign of Senator Sarbanes.



John J. Brown

Subscribed and sworn to before me
this 21st day of September 1984.



Notary Public

My Commission Expires April 30, 1989

26040371003

62-7-6093
RECEIVED AT THE FEC



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT

JOHN N. STURDIVANT
EXECUTIVE VICE PRESIDENT

NICHOLAS J. NOLAN
NATIONAL SECRETARY

1325 MASSACHUSETTS AVE., N.W. - WASHINGTON, D. C. 20005
Telephone: (202) 737-8700



December 21, 1984

8n/PAC

Lee Ann Elliott, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1696

Dear Ms. Elliott:

AFGE's National Headquarters will be closed between December 21, 1984, and January 2, 1985.

- Accordingly, it would be appreciated if you would direct any materials in the above case, beginning with your receipt of this letter and continuing through January 2, 1985, to the residences of Plaintiffs' counsel:

Mitchell J. Notis
22 Webster Avenue
Brooklyn, New York 11230

Mark D. Roth
2632 North Pocomoke Street
Arlington, VA 22207

Any telephone calls on or before December 21, 1984, should be directed to this office: (202) 737-8700. Thereafter, they should be directed to the residences of counsel: (212) 854-9532 (Notis); (703) 241-2906 (Roth).

Sincerely,

Mitchell J. Notis
Deputy General Counsel

cc: Frances Hagan, Esquire

150401/1003

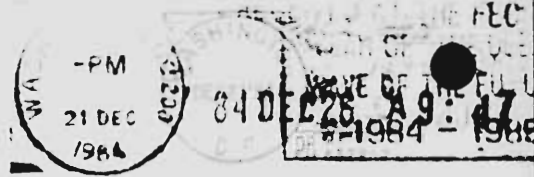
**AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES**

AFFILIATED WITH THE AFL-CIO



1325 Massachusetts Avenue, N.W.
Washington, D. C. 20005

3 6 0 4 0 1



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





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AFFILIATED WITH THE AFL-CIO

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT

JOHN N. STURDIVANT
EXECUTIVE VICE PRESIDENT

NICHOLAS J. NOLAN
NATIONAL SECRETARY

1325 MASSACHUSETTS AVE., N.W. · WASHINGTON, D. C. 20005
Telephone: (202) 737-8700



INTERNATIONAL UNION OF BROTHERHOODS OF AMERICAN WORKERS

December 21, 1984

8n/PAC

Lee Ann Elliott, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1696

Dear Ms. Elliott:

AFGE's National Headquarters will be closed between December 21, 1984, and January 2, 1985.

Accordingly, it would be appreciated if you would direct any materials in the above case, beginning with your receipt of this letter and continuing through January 2, 1985, to the residences of Plaintiffs' counsel:

Mitchell J. Notis
22 Webster Avenue
Brooklyn, New York 11230

Mark D. Roth
2632 North Pocomoke Street
Arlington, VA 22207

Any telephone calls on or before December 21, 1984, should be directed to this office: (202) 737-8700. Thereafter, they should be directed to the residences of counsel: (212) 854-9532 (Notis); (703) 241-2906 (Roth).

Sincerely,

Mitchell J. Notis
Deputy General Counsel

cc: Frances Hagan, Esquire

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AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO



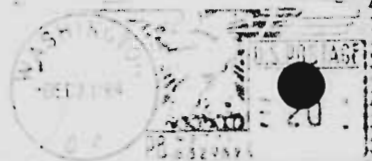
1325 Massachusetts Avenue, N.W.

Washington, D. C. 20005



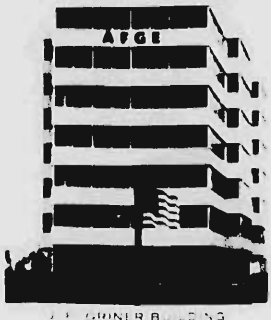
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Lee Ann Elliott, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



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CC#5994



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT

JOHN N. STURDIVANT
EXECUTIVE VICE PRESIDENT

NICHOLAS J. NOLAN
NATIONAL TREASURER

1325 MASSACHUSETTS AVE., N.W. - WASHINGTON, D. C. 20005
Telephone: 202/737-8700



8n/PAC

December 14, 1984

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

Re: MUR 1696

Dear Ms. Hagan:

Pursuant to our conversation of 12/13/84, I am enclosing the following documents in relation to AFGE-PAC's 1982 in-kind contributions to the Sarbanes campaign:

(A) Copies of checks #106 (\$3,006.00) and #107 (\$297.60), payable to Kelly Press, Inc.

(B) Invoice from Kelly Press, Inc. for the mailing (with postage) of a letter and brochure (the Federal Government Task Force Monitor sent to all AFGE members in Maryland.

(C) Copies of the letter and brochure mailed to AFGE members in Maryland.

Please do not hesitate to call me if you have any questions regarding these documents.

Very truly yours,

Mitchell J. Notis
Deputy General Counsel

Enclosures

cc: NVP Lynch
B. Reid
J. McMichael

36040371099

A.F.G.E./P.A.C. ADMINISTRATIVE FUND

1325 MASS. AVE., N.W., WASHINGTON, D.C. 20005
(A VOLUNTARY AFFILIATE OF A.F.G.E.)

106

15-52
540

June 30 19 82

PAY TO THE ORDER OF Kelly Press

\$ 3,006.00

Three thousand six dollars and no cents DOLLARS

NS&T BANK, N.A.

WASHINGTON, D. C. 20005
Invoice #A-09215-I

FOR Sarbanes In-Kind Contribution

Kitty Reid DIRECTOR

James P. McKeever CHAIRMAN

⑈000106⑈ ⑆054000522⑆ 024⑈5282355⑈ ⑆0000300600⑈

A.F.G.E./P.A.C. ADMINISTRATIVE FUND

1325 MASS. AVE., N.W., WASHINGTON, D.C. 20005
(A VOLUNTARY AFFILIATE OF A.F.G.E.)

107

15-52
540

July 8 19 82

PAY TO THE ORDER OF Kelly Press Inc.

\$ 297.60

Two hundred ninety-seven dollars and sixty cents DOLLARS

NS&T BANK, N.A.

WASHINGTON, D. C. 20005
In-Kind Contribution to

FOR Sarbanes Invoice A-09215-I balance

James P. McKeever DIRECTOR

James H. Lynch Jr CHAIRMAN

⑈000107⑈ ⑆054000522⑆ 024⑈5282355⑈ ⑆0000029760⑈

001 19332

PAY TO ORDER OF
OR TO THE ORDER OF
MADISON NATIONAL BANK
WASHINGTON DC

PROCESSED
JUL 09 82
MADISON NATIONAL BANK
WASHINGTON DC
15-125 15-125

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KELLY PRESS, INC.

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OR TO THE ORDER OF
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Kelly Press Inc.

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Washington, D.C. 20011
(202) 635-1300

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Washington, D.C. 20005

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TERMS: NET

Customer Order No.	Please Refer to Our Job No. A-09215-I	Date June 24, 1982
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AFGE- MONITOR Mailing: Affix labels, insert and mail 15,030 pieces

Postage

\$ 297.60

3,006.00

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Less Postage Advance

*ck 106 Administrative Act
AFGE-PAC 6/30/82
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- 3,006.00

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*In-kind Contributions to
Saxbans*

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July 1/82*

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American Federation
of Government Employees

**Political
Action
Committee**

AFGE-PAC

1325 Massachusetts
Avenue, N.W.
Washington, D.C.
20005

Telephone
202/737-8700

James H. Lynch, Jr.
Chairman
Jane Pierson McMichael
*Legislative and
Political Affairs Director*
Betsy Reid
AFGE-PAC Director

May 11, 1982

Dear AFGE Member:

Senator Paul S. Sarbanes has been a consistent ally and defender of federal employees during his term as a United States Senator from Maryland. This year he faces an especially difficult race as reactionaries seek to destroy his admirable voting record through slanted attacks in the media, excessive negative campaigning, and out of state campaign financing.

Enclosed is the Federal Government Task Force Monitor for your review. This has been published by a bipartisan task force made up of members of the House and Senate who are especially interested in federal employees and the services they provide. The articles describe Senator Sarbanes's response and action on many issues which have been of importance to AFGE members. We can depend on his leadership and continued service to constituents based on his record over the past 6 years in the House and 6 years in the Senate.

In 1982 we can stand together again with other labor unions, community organizations, and retirees to re-elect Senator Paul Sarbanes to Congress. Your vote will assure that federal employees in Maryland and nationwide will have a voice for their concerns in the United States Senate.

Sincerely and fraternally,

James H. Lynch, Jr.
COFEPE Chairman

Enclosure

A bi-partisan,
bi-cameral
legislative
support
organization

CHAIRMAN
Michael D. Barnes
VICE CHAIRMEN:
Vic Fazio
Stan Parris

FEDERAL GOVERNMENT'S SERVICE TASK FORCE MONITOR



APRIL 6, 1982

Vol. 2, No. 2

A Message from Senator Sarbanes ATTACKS ON FEDERAL EMPLOYEES MUST STOP!

Senator Paul S. Sarbanes' record of consistent and vigorous support for measures in Congress on behalf of federal employees and retirees reflects his high regard for careers in public service. He has strongly expressed his concern about recent attacks on federal employees' compensation and benefits and has taken specific actions to protect those working in the public sector and the programs they administer. Areas of specific concern in recent months have included seeking alternatives to reduction-in-force (RIFs), ensuring provisions for an "open season" during which federal workers may choose to change their health benefit coverage, voicing opposition to the closure of regional Occupational Safety and Health Administration (OSHA) offices directly affecting federal workers, acting to block the move of the National Institute for Occupational Safety and Health (NIOSH) from Rockville to Atlanta, and protecting federal retirees' cost-of-living adjustments.

Substantial cutbacks in the number of federal employees have been proposed by the Administration as a means of achieving the severe budget reductions that President Reagan has submitted to the Congress. The Administration gave assurances earlier this year that required personnel reductions could be implemented through attrition and other measures without massive layoffs. It has become apparent however that little effort is being made to avoid RIFs and that the RIF process itself is not being carried out carefully or compassionately. Sen. Sarbanes has been working closely with the Federal Government Service Task Force to ensure that agencies planning

RIFs fully protect the rights of displaced employees in finding other jobs. Legislation is also being prepared to make it more difficult to implement RIFs without first showing why other methods would not be more effective, less costly and less disruptive.

In spite of congressional objections to the sweeping and arbitrary changes in plans offered by organizations participating in the Federal Employee Health Benefit Program,

Dr. Donald Devine, Director of the Office of Personnel Management, proceeded with negotiations that resulted in substantial benefit reductions and premium increases for most plans as well as disproportionate reduction or outright elimination of certain specific benefits, including treatment for mental illness, alcoholism and drug abuse. Because of the confusion resulting from the handling of the negotiations, OPM did not publish and distribute details of this year's plans and announced that open season would be indefinitely delayed. In testimony submitted to an OPM hearing on the open season question, Sen. Sarbanes indicated his "strong objection to the outrageous and unfair manner in which OPM has administered the Federal Employees Health Benefit Program over the past year", and stated that "any further delay in holding the open season would be intolerable." Senator Sarbanes has also supported an initiative to hold comprehensive hearings on OPM's administration of the FEHBP and to develop legislation to restructure the program before next year's contract negotiations.

The Reagan Administration's plan to close 12 area OSHA offices and terminate 110 OSHA employees, including several compliance officers, means that ultimately the ability of OSHA to enforce health and safety stand-



(L-R) Senator Paul S. Sarbanes joined Rep. Michael D. Barnes and Rep. Steny H. Hoyer when the trio urged Congress to block the NIOSH transfer.

ards in the Baltimore - Washington region will be greatly impaired. Sen. Sarbanes urged that the D.C. office be kept open, noting that it could be expected to reduce the incidence of injury and disease by 10%, a savings to this area alone of \$43 million.

He also joined in the effort to block the use of funds in the Labor-Health and Human Services appropriation bill to move the National Institute for Occupational Safety and Health (NIOSH) from Rockville to Atlanta, and has opposed subsequent Administration steps to transfer both individuals and functions from NIOSH headquarters in the Washington area to Atlanta and Cincinnati.

There are indications that the wash-

Cont. p. 2

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in the metropolitan area, which has long been considered relatively immune to cyclical patterns of economic activity, may now face many of the problems of economic recession which confront communities across the nation. As public sector employment declines, a private sector in the midst of a severe recession can not offer alternative job opportunities to citizens in local communities. Sen. Sarbanes conducted a series of hearings by the Subcommittee on Investment, Jobs and Prices of the Joint Economic Committee to review and document the effects of the recession on Maryland communities and their citizens. At one such hearing, union spokesmen expressed their deep concern and testified that "with major cutbacks in the budget and reduction-in-force in many agencies, federal employees know all too well the insecurity that accompanies troubled economic times." Sen. Sarbanes noted at a Maryland delegation hearing that a combination of natural turnover in the workforce and early retirement could produce enough slack in the employment force to make many RIFs unnecessary, and responding to important testimony submitted by the American Federation of Government Employees, attacked the use of RIFs by the Health Care Financing Administration (HCFA), an agency shifting a considerable portion of its work to outside contractors.

The President has proposed limiting cost-of-living adjustments (COLA) for federal and military retirees to the lesser of either the annual increase in the Consumer Price Index or the annual pay increase for federal employees. If this proposal was already law, federal retirees in 1982 would be limited to a 4.8% annuity adjustment, rather than the 8.7% they will actually receive based on the CPI increase. Other portions of the proposal would restrict or eliminate cost-of-living adjustments for those retirees whose annuities are 100% or more than those of current retirees with the same grade/step and length of service. Senator Sarbanes has consistently opposed legislative proposals to reduce cost-of-living adjustment for federal and military retirees, and strongly supported the amendment successfully blocking delay of the 1982 COLA payment.

CENSUS BUREAU "RIF"

When Census Bureau Director Bruce Chapman appeared before the House State, Justice Appropriations Subcommittee, he justified RIF plans effective March 19, 1982 by citing the following:

- The decennial census is now in a wind-down phase.
- Projects normally undertaken upon conclusion of a decennial census, have been curtailed or discontinued because of budget cuts.
- Projects unrelated to the decennial census were similarly discontinued.

Based upon data supplied by a Bureau of Census employee representative, the Federal Government Task Force analyzed plans to abolish 372 positions at Census Bureau headquarters. The Task Force study comparing abolished positions to the mission of each Census Bureau division, was submitted to Chairman Neal Smith of the Subcommittee by Task Force members Reps. Barnes, Hoyer, Parris, Wolf and Sen. Sarbanes.

Major findings of the Task Force study include:

- Most of the reduction-in-force can not be attributed to post-decennial wind-down. 60% of the positions abolished at headquarters do not relate to the decennial census.
- Of the reductions only 8.3% relate to reimbursable programs; the RIFs were not forced by cutbacks of work commissioned by other agencies.
- Publication Services staff cuts exceed 25% and Data User Services staff 15% at a time when these parts of the Bureau encounter peak workloads in the decennial cycle. The Bureau is already one year behind schedule in publishing data essential to the business community and to organizations like the Center for Demographic Studies.

Nearly 20% of the positions abolished come from non-decennial programs in the economic and agricultural areas which are particularly important to investors in the present phase of the periodic cycle.

The Task Force analysis suggests that the Census Bureau RIF has been conducted in a "neutral" fashion; that is, faced with a 16% budget cut, the Bureau attempted to pare down staff in a manner that would least impact operations. However, Mr. Chapman apparently failed to address the policy question whether the Bureau could afford to make cuts without endangering its mission.

The Task Force is not alone in voicing these concerns. Government Operations Chairman Rep. Jack Brooks (D-Tx) has called upon the Congressional Research Service to study the problem. In its annual report, the Joint Economic Committee cited the lack of data from the 1980 census as having a serious impact on the economy. The House Subcommittee on Census & Population, chaired by Rep. Robert Garcia, held hearings on the Census Bureau RIF and the Wall Street Journal published an article entitled "Census Details Lag Far Behind Schedule, Angering Cities, Firms." It was pointed out that unavailability of data on specific areas and markets contributes to uncertainty which then hampers investment and retards progress towards a sustainable recovery.

GOOD FAITH TILL THE WELL RUNS DRY

Senator Jesse Helms (R-N.C.) has called upon Congress to heal festering budget deficits by going with him to the well one more time. Trapped at the bottom of the Senator's well, 2.1 million very vulnerable Federal employees, and another 1.6 million Federal retirees wait for Congress to lower the bucket into their basic pay and retirement benefits.

The Helms plan would take 5% of congressional pay and a similar reduction in the pay of all capped Federal executives. Pay for all other Federal workers would be frozen for FY 83. Cost-of-living adjustments for Federal retirees and social security recipients would be limited to one-third (1/3) of the consumer price index.

Task Force Chairman, Michael D. Barnes joined with Senior Executive Association President G. Jerry Shaw, Jr. in rebutting Helms' contention that his proposal would enable "government at the highest levels" to "demonstrate good faith" and enable Congress to successfully break the current budget stalemate.

"On its face," Barnes called the proposal "bad policy." "The impact of reversing recent pay increases for Federal executives and forcing all Federal employees to fall further behind the private sector in wages and benefits can only serve to further undermine staffing for critical Federal programs," Barnes noted.

Barnes also observed that many of his colleagues were unaware of how seriously basic pay in Federal service had been eroded in the past year. By standards urged by the Administration last year, Federal employees would have received more than the 5% pay increase recommended in the President's FY 83 budget. "Last year," Barnes declared, "Federal employee's health premiums increased by an average of 30%, virtually nullifying the 4.8% increase received by civilian employees. The Helms' proposal would mean, in effect, that Federal pay would be frozen for two years, rather than one."

Calling the Helms proposal another "river-boat gamble" at the expense of the fundamental purchasing power of millions of Americans, Barnes described how last year's cut in cost-of-living adjustments for Federal retirees meant an average loss of \$500 for the average annuitant who receives an \$11,000 pension.

In all, Congress went to the Federal employee well for a total of \$5 billion in FY 82, not including reduction-in-force and furloughs - instances in which Congress tapped agency salaries and expense accounts and generally found that the RIF process brought forth nothing better than dry holes.

Writing in The Washington Post's "Federal Diary", columnist Mike Causey observed that by

going to the well too often, the Administration might be forging a powerful voting bloc. Many members of Congress would then be forced to agree that all's not well with going one more time to the Federal well.

* * *

CONTRACTING OUT UPDATE

As reported (MONITOR 3/15), Rep. Vic Fazio, Task Force Vice-Chair, stressed the need to review contracting out practices during joint hearings before Armed Services subcommittees. The subcommittees recommended to the full Armed Services panel that: funding for contracting out studies in FY83 be deleted from the budget, and that 17,000 slots be restored to DOD's personnel ceiling. If enacted, the subcommittee's proposal (already contained in the FY83 Defense Authorization Bill-HR 6030) would freeze contracting out at DOD for one year. Action by the House on HR 6030 is expected in early May. Meanwhile, the Administration plans government wide regulations which would ease requirements under OMB Circular A-76. Stay tuned.

AVERAGE ANNUAL SALARIES OF 50 WHITE-COLLAR OCCUPATIONS IN THE FEDERAL GOVERNMENT

Occupation	Number Employed	Average Annual Salary	Average GS Rating ¹
Air Traffic Controller	27,609	\$32,248	12.06
Architect	1,648	31,434	11.66
Border Patrol Agent	2,245	20,163	8.62
Cartographer	4,358	25,440	10.36
Chaplain	515	31,107	12.08
Chemist	8,083	31,512	11.69
Clerk-typist	66,397	11,114	3.40
Computer Operator	10,717	17,690	7.06
Computer Specialist	28,840	29,056	11.29
Computer Program Analyst	473	30,880	11.69
Criminal Investigators ²	19,680	31,700	12.24
Dentist	977	44,790	14.34
Doctor	9,406	47,643	14.49
Economist	5,923	33,597	12.20
Engineer, General	17,113	38,318	12.88
Engineer, Aerospace	7,871	37,906	12.77
Engineer, Civil	15,760	32,458	11.77
Engineer, Electrical	4,499	31,693	11.59
Engineer, Mechanical	10,200	32,152	11.63
Engineer, Nuclear	2,422	36,736	12.62
Engineer, Petroleum	442	38,159	12.46
Engineer, Sanitary	1,910	30,988	11.65
Engineering Technician	26,210	21,670	8.49
Guard	8,714	14,049	4.84
Hospital Administrator	596	39,200	13.19
Inspector, Customs	4,436	21,893	9.21
Inspector, Food	7,045	19,585	7.93
Inspector, Quality Assurance	12,479	24,882	10.10
Internal Revenue Agent	13,479	28,678	11.35
Lawyer, General	17,268	37,140	13.19
Librarian	3,322	27,384	10.95
Librarian Technician	3,582	15,163	5.64
Mathematician	3,666	31,648	11.72
Medical Technologist	2,651	15,716	7.86
Messenger	654	10,182	2.21
Museum Curator	252	30,072	11.58
Nurse	36,010	21,227	9.37
Nurses' Assistant	35,630	13,185	4.47
Pharmacist	2,420	25,385	10.97
Photographer	2,674	20,216	8.16
Physicist	4,634	36,830	12.76
Psychologist	3,318	33,704	12.48
Secretary	79,420	15,285	5.59
Social Security Claims Examiner	10,105	20,533	8.71
Social Worker	3,562	26,762	11.18
Statistician	2,873	30,691	11.61
Telephone Operator	4,583	11,979	3.64
Veterinarian	2,164	33,843	12.34
Writer and Editor	2,272	25,336	10.19
Writer and Editor, Technical	1,722	25,891	10.51

(1) For those occupations covered by other pay system, such as nurses and doctors, the equivalent GS rating is provided. All data are for full time employees only. (2) Includes Treasury agents, drug enforcement, FBI, Ac. SOURCE: OPM, "Occupation of Federal White-Collar Workers, 1990 (1982). Data provided before publication.

GROUPS UNITE TO SCRUB "BUREAUCRAT" IMAGE

30 major Federal employee organizations met on April 7th, at the request of the Senior Executive Association (SEA) to develop a program to paint a new public picture of the Federal worker. Years of negative propaganda have "distorted the American Public's perception of the civil servant," charged SEA President G. Jerry Shaw, Jr. During periods of national prosperity, the "bureaucrat" label chafed at the dignity of Federal employees. Irritation, during recent budget crises now gives way, to the very real fear that yesterday's "scapegoats" may be turned into today's sacrificial lambs with impunity. In other words, Federal employees find it nearly impossible to defend their pay, their jobs, and their rights in an atmosphere in which the role of the civil servant continues to be ridiculed.

Groups attending the meeting also stressed that continuing to blame employees for the short-comings of national policy only served to delay the resolution of complex national problems. Reductions in force, strict limitations on employee pay, abandoning commitments to maintain retiree's cost of living adjustments--because they appear to offer ready savings and carry a relatively modest political price tag--add to policy problems by undermining the effectiveness of on-going Federal programs.

"We want the American people to know exactly what government employees do, and how well they do it," Shaw explained. "Everyone is for national defense, but our leaders feel curiously unconstrained in their attacks on people who provide that defense. Everyone wants a strong social security system, environmental control, and a host of other services, but no one protests when employees with years of valuable experience in these areas are forced to leave government or retire," he added.

The groups agreed to form a coalition organization which has yet to be named. Each coalition group would appoint its representative to a governing board. The board, in turn, would appoint a steering committee to plan and carry out the board's objectives. Once a board is constituted, the organizations first steps would include: a) Production and distribution of public service announcements for major media markets, b) preparation of classroom materials to inform high school and college students about the work of public servants, c) reporting of Federal employee awards e.g., Excalibur Awards, meritorious service awards, d) creation of a journalism award for best reporting on government workers and what they do, e) developing a series of T.V. spots on astronauts, law enforcement officers, and others whose performance has captured the public imagination--highlighting that they too are Federal employees.

While member groups will supply funding, the organization would also seek private and corporate backing as a non-partisan body. The SEA has already engaged a public relations firm to begin work.

Task Force Members, Rep. Frank Wolf and Rep. Steny Hoyer, who participated actively at the April 7th meeting, hailed the employees' program as "much needed to restore Federal workers pride in themselves." "All we have to do is tell the truth", said Wolf, "federal employees are hard working and dedicated."

* * *

FEDERAL GOVERNMENT SERVICE
TASK FORCE

CHAIRMAN:
Michael D. Barnes

VICE CHAIRMEN:
Vic Fazio
Stan Parris

MEMBERS:
Glenn M. Anderson
John Burton
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Harold Washington *
Ted Weiss
G. William Whitehurst
Tim Wirth
Frank Wolf
Antonio Borja Won Pat*
* Member, Executive Board



REP. TED WEISS
JOINS
TASK FORCE

The Task Force welcomes as its newest member Rep. Ted Weiss (D. NY). Rep. Weiss, a 3rd term Democrat who represents the West Side of Manhattan, has long been an outspoken advocate of equal employment opportunity and affirmative action for women and minority groups. He played a leading role in the formulation and passage of legislation to reduce age discrimination in employment, which included provisions covering federal employment. Currently, he is especially concerned about the methods being used to reduce the size of the federal workforce and the negative effects such reductions are having on affirmative action gains made by women and minorities.

Comparison of Annual Salaries in Private Industry
and Federal Government

Occupation	Average in Private Industry	SALARY RATES IN FEDERAL GOVERNMENT			
		GS level	Average ¹	Minimum	Maximum
Accounting Clerks					
I	8,806	2	8,303	8,128	10,327
II	10,377	3	9,558	8,952	11,634
III	12,328	4	11,152	10,049	13,064
IV	15,358	5	12,744	11,243	14,618
Computer Operators					
I	10,164	4	11,152	10,049	13,064
II	12,016	5	12,744	11,243	14,618
III	12,957	6	14,423	12,531	16,293
IV	16,050	7	15,729	13,925	18,101
V	18,454	8	17,893	15,423	20,049
VI	19,511	9	19,110	17,035	22,147
Drafters					
I	10,216	2	8,303	8,128	10,327
II	11,689	3	9,558	8,952	11,634
III	14,308	4	11,152	10,049	13,064
IV	17,215	5	12,744	11,243	14,618
V	21,690	7	15,729	13,925	18,101
File Clerks					
I	7,889	1	7,311	7,210	9,126
II	8,829	2	8,303	8,128	10,327
III	11,026	3	9,558	8,952	11,634
Key Entry Operators					
I	9,981	2	8,303	8,128	10,327
II	11,723	3	9,558	8,952	11,634
Messengers					
	8,561	1	7,311	7,210	9,126
Personnel Clerks					
I	9,591	3	9,558	8,952	11,634
II	11,529	4	11,152	10,049	13,064
III	12,896	5	12,744	11,243	14,618
IV	15,726	6	14,423	12,531	16,293
V	19,837	7	15,729	13,925	18,101
Secretaries					
I	11,296	4	11,152	10,049	13,064
II	12,611	5	12,744	11,243	14,618
III	14,018	6	14,423	12,531	16,293
IV	15,382	7	15,729	13,925	18,101
V	17,132	8	17,893	15,423	20,049
Stenographers					
General	11,899	3	9,558	8,952	11,634
Senior	13,876	4	11,152	10,049	13,064
Typists					
I	9,161	2	8,303	8,128	10,327
II	11,010	3	9,558	8,952	11,634

¹For all federal workers paid under General Schedule.

This table is based on an annual report published by the Bureau of Labor Statistics called the *National Survey of Professional, Administrative, Technical, and Clerical Pay (March 1980)*.

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TELEX 908054

GEORGE A. NILSON

DIRECT DIAL NUMBER

301 576 1769

888 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006

TELEPHONE 202-785-8150

October 9, 1984

Lee Ann Elliott
Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR No. 1696

Dear Ms. Elliott:

This letter is in response to your September 11, 1984 letter indicating that the Commission has found reason to believe the Citizens for Sarbanes Committee (the "Citizens Committee") and Mr. Charles M. Kerr, its Treasurer, may have violated Federal election statutes and regulations with respect to contributions received from the American Federation of Government Employees-PAC ("AFGE-PAC") and the International Union of Operating Engineers/Engineers' Political Education Committee ("IUOE/EPEC") for the 1982 senatorial campaign of Senator Paul S. Sarbanes.

Our response consists of this letter, the attached Affidavits of Charles M. Kerr, (Exhibit A), and Marvin F. Moss (Exhibit B) and the following other documents:

RECEIVED
OFFICE OF THE FEC
G.C.C.# 5069
9/27/84 5:37

44 OCT 10 11 15 AM '84

30040371103

LeeAnn Elliott
October 9, 1984
Page 2

Letter of September 21, 1984 from Michael R. Fanning to the Commission (Exhibit C).

September 21, 1984 Affidavit of John J. Brown, (Exhibit D)

Inter-office memorandum of June 9, 1982 from John J. Brown to J. C. Turner (Exhibit E).

I. CONTRIBUTIONS TO THE 1982 CAMPAIGN BY THE INTERNATIONAL UNION OF OPERATING ENGINEERS/ENGINEERS POLITICAL EDUCATION COMMITTEE (IUOE/PAC).

2
0
1
1
7
1
0
1
0
3
2

The June 4, 1984 response of Charles M. Kerr to the Commission's inquiry of May 18, 1984 is reaffirmed here. The designation of a \$4,000 contribution by the IUOE/EPEC as a primary election contribution on forms filed with the Commission by IUOE/EPEC was no more than a clerical error. The contribution was at all times intended as a General Election campaign contribution. At the time the contribution was received, representatives of the Citizens Committee, realizing that IUOE/EPEC had already contributed \$5,000, contacted IUOE/EPEC and asked whether the \$4,000 should be treated as a general election contribution. Consistent with their written check request memorandum of June 9, 1982, IUOE/EPEC advised that the check should be designated and considered as a general election contribution. The contribution was contemporaneously designated as a "general election" contribution in the records of the Citizens Committee and was so reported by the Citizens

LeeAnn Elliott
October 9, 1984
Page 3

Committee to the FEC. The report of the Citizens Committee was correct at the time it was filed and it is correct now.

In support of this response, the Commission's attention is drawn to the Affidavits, of Charles M. Kerr and Marvin M. Moss (Exhibits A and B), the September 21, 1984 letter of Michael R. Fanning to the Commission (Exhibit C), the Affidavit of John J. Brown (an executed copy of which has been filed with the Commission, Exhibit D), and the June 9, 1982 Inter-office memorandum of the International Union of Operating Engineers (Exhibit E).

The contribution in question was made by check of the Engineers' Political Education Committee dated June 17, 1982 in the amount of \$4,000. That check was received by the Citizens Committee on or about June 24, 1982 with a receipt issued on June 25, 1982, bearing the notation "GENERAL ELECTION." At the time the \$4,000 check was received, the Citizens Committee was aware of the fact that a \$5,000 contribution had been received from the same organization one year earlier. That earlier contribution was the maximum amount permitted by that organization as a contribution for the primary election campaign. The \$4,000 check was received without notation as to whether it was intended for the general or the primary election. Citizens Committee officials immediately noted both the lack of designation and the fact that an additional primary election contribution would exceed the campaign contribution

LeeAnn Elliott
October 9, 1984
Page 4

limits allowed by law and immediately inquired of the Engineers' Political Education Committee its intent for the designation of this contribution. See Exhibits A and B. The June 9, 1982 IUOE/EPEC memorandum to J. C. Turner from John J. Brown clearly indicates that the \$4,000 contribution was intended for the general election campaign of Senator Sarbanes. See Exhibit E. The Affidavit of John J. Brown, an executed copy of which is attached to the September 21, 1984 response of the IUOE/EPEC, indicates that Mr. Brown intended the contribution to be for the general election when he requested that it be made. When questioned by Mr. Moss, of Senator Sarbanes staff, after the contribution was forwarded to the Citizens Committee, Mr. Brown, on behalf of the IUOE/EPEC, reaffirmed the intent that the contribution was for the general election campaign of Senator Sarbanes. See Exhibit D, page 2. Mr. Moss confirms that the question was raised about the intent of the contribution upon its receipt and that he contacted Mr. Brown, and determined that the intent was for the general election campaign. See Exhibit B page 3. The handling of the \$4,000 contribution by the Citizens Committee is consistent with the intent and designation by IUOE/EPEC that the funds were intended as a general election campaign contribution. The money was deposited in a checking account which was used at the time for the deposit of all campaign contributions, and was then transferred in its entirety to a T. Rowe Price money

LeeAnn Elliott
October 9, 1984
Page 5

market account for the deposit of funds specifically and exclusively earmarked for the general election. See Exhibit A, page 3. This was consistent with informal FEC staff advice given to the Citizens Committee representatives at the time relative to the handling of such contributions.

In light of the above, the Citizens Committee believes that its records were properly maintained at the time the contribution from IUOE/EPEC was received in 1982 and that the receipt of that contribution was properly reported to the Federal Election Commission as a general election contribution. Both the reports and records of the Citizens Committee are in order and are consistent with the intent of the contribution. The contribution was, in fact, intended and designated and exclusively used as a general election contribution. It was recorded as such on the records of Citizens for Sarbanes and it was reported as such to the FEC. If any error was made, the error was a clerical one in the report filed by IUOE/EPEC and such error had been corrected by the response of IUOE/EPEC to the Federal Election Commission dated September 21, 1984. Based on the above, there appears to be absolutely no basis for further action by the Commission in this matter.

LeeAnn Elliott
October 9, 1984
Page 6

II. AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES - POLITICAL ACTION COMMITTEE
(AFGE-PAC).

With respect to contributions by AFGE-PAC, the Citizens Committee still has no accurate information as to the nature or value of the alleged contributions noted in the complaint or in the Commission's letter of September 11, 1984. The Committee still has no direct knowledge of in-kind contributions of \$3,006 allegedly made on June 30, 1982 or of \$297.60 allegedly made on July 8, 1982. Therefore, the Citizens Committee continues to maintain that its records and its reports to the FEC are accurate and complete.

In order to more fully advise the Commission of the facts of this matter, the Citizens Committed submits the following information..

Mr. Marvin F. Moss, an administrative assistant to Senator Sarbanes, had several contacts during the summer of 1982 with representatives of AFGE-PAC regarding contributions to the Sarbanes campaign. Mr. Moss was aware of a \$1,000 contribution by AFGE-PAC at the time he had at least one conversation concerning the possibility of a mailing by AFGE-PAC to its members on behalf of Senator Sarbanes. It is clear from the Moss affidavit, see Exhibit B, that the mailing was suggested by and carried out by AFGE-PAC. It was Mr. Moss who initiated the question of whether this mailing might be reportable by AFGE-PAC. Mr. Moss never received information

LeeAnn Elliott
October 9, 1984
Page 7

from AFGE-PAC in a form that made it necessary, or even possible, to report anything about the mailing to the Federal Election Commission. Mr. Moss, on behalf of the Citizens Committee, attempted to determine the nature, extent and cost of the mailing by AFGE-PAC and was unsuccessful in doing so. In fact, even to the date of filing of this response, the Citizens Committee has been unable to determine the extent, nature or cost of such a mailing, and attempts by the Committee and its counsel to obtain such information from AFGE-PAC have been unsuccessful. Citizens for Sarbanes has been unable to determine if AFGE-PAC has filed such information with the Federal Election Commission, since the Federal Election Commission has taken the position that such filings are confidential. Therefore, the position of Citizens for Sarbanes remains today as it was on June 4, 1984 when the initial response in this matter was filed by Charles M. Kerr. That position, simply stated, is that the Citizens Committee has received contributions totaling \$2,000 from AFGE-PAC and they were properly reported to the Federal Election commission.

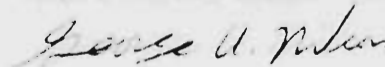
As indicated above, as of the filing of this response the Citizens Committee is unable to determine if a mailing was made, and if it was made, whether it qualifies as an in-kind contribution, as an independent campaign effort on behalf of either AFGE or AFGE-PAC, or as a membership communication by AFGE to its members. In order to make such a determination, we

LeeAnn Elliott
October 9, 1984
Page 8

would have to know the nature of the mailing, the source of the funds for the mailing, to whom the mailing was sent and whether AFGE or AFGE-PAC did the mailing in response to what it perceived as a request from Citizens for Sarbanes or on its own initiative. If, in fact, additional contributions were made by AFGE-PAC to Citizens for Sarbanes in the form of in-kind contributions then Citizens for Sarbanes stands ready to account for and report any such contributions as soon as it receives information that will enable it to do so.

For the reasons stated above, we respectfully submit that the Commission should find that there is no probable cause to conclude that a violation of applicable law has occurred.

Respectfully Submitted,



George A. Nilson

GAN/neh

Attachments

AFFIDAVIT OF MARVIN F. MOSS

My name is Marvin F. Moss. I am an administrative assistant to Senator Paul S. Sarbanes of Maryland. During the 1982 Senate campaign I engaged in limited fundraising activity on behalf of the re-election campaign of Senator Sarbanes. In that capacity I raised funds for the Citizens for Sarbanes Committee. I was designated by Senator Sarbanes to engage in such fund raising on the form for Designation of Staff for Limited Political Activity signed by Senator Sarbanes on August 10, 1977 and filed with the Secretary of the Senate. In my limited fundraising activity I had direct contact with representatives of the AFGE-PAC and EPEC/IUOE as set forth more fully below. I know of no other members of the Senator's staff who had contact with those two organizations. I know of no other members of the Citizens for Sarbanes Committee or employees thereof who had any contact with the above-named organizations.

American Federation of Government

Employees--Political Action Committee.

Sometime prior to the 1982 Senate primary election, I was in contact with two representatives of the AFGE-PAC, Terry Rogers and Betsy Reid. I do not recall the exact dates. During the course of those conversations I was told that AFGE-PAC would commit to a combined total of \$5,000 in contributions for

EXHIBIT B

150403115

both the Senator's Primary and General Election campaigns. On or about July 2, 1982 Citizens for Sarbanes received a \$1,000 contribution from the AFGE-PAC in the form of a check dated June 25, 1982.

Sometime after the receipt of that check, I was in contact with Terry Rogers of the AFGE-PAC. He advised me that AFGE-PAC was planning to do a mailing to its members in support of Senator Sarbanes re-election. Sometime after that conversation I realized that the cost of such a mailing might be reportable to the FEC. I contacted Mr. Rogers and suggested to him that it might be necessary to report such an activity. I asked him to advise me if the mailing constituted an in-kind contribution by AFGE-PAC to Citizens for Sarbanes. I was never told the actual cost of the mailing nor was I ever told whether the PAC believed it was required to report the cost of the mailing as a contribution. Indeed, I do not recall ever receiving any copy of the materials mailed, information on what funds might have been used to pay for such a mailing or the cost of the mailing. I kept records of contacts with PACS on three-by-five cards which I kept at my home where I conducted my fund raising activities. On the card on which I kept notes of AFGE contacts I made the notation "\$1,000 plus in-kind" indicating the \$1,000 contribution already received and the possibility that an in-kind contribution would be forthcoming. I was never told by an AFGE representative whether it reported

the mailing as a contribution nor was I ever told the exact cost thereof. Since AFGE-PAC did not report any of the above information to me, I had no reason to believe an in-kind contribution had, in fact, been made and no reason to make a report to the treasurer of Citizens for Sarbanes.

Engineers Political Education Committee

With respect to the contributions by the Engineers' Political Education Committee I was aware that a \$5,000 contribution was received from the Engineers' Political Education Committee by Citizens for Sarbanes on or about September 9, 1981, a year prior to the primary election. That contribution was in the form of a check for \$5,000 dated August, 1981. It came to my attention in the Summer of 1982 that another check was received from the Engineers' Political Education Committee in the amount of \$4,000 without a designation as to whether it was to be a contribution for the primary or the general election campaign. I contacted John Brown of the Committee and informed him of the receipt of the check and the fact that there had already been a \$5,000 contribution made by the Engineers' Political Education Committee. I asked Mr. Brown if this check were, in fact, intended to be a contribution for Citizens for Sarbanes for the general election. He replied that it was and I informed the

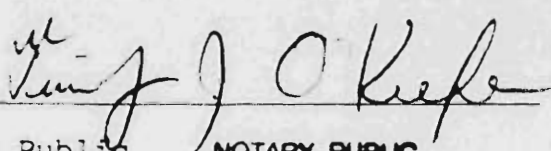
060407113

Treasurer of Citizens for Sarbanes that the \$4,000 was a contribution for the general election campaign.



Marvin F. Moss

SUBSCRIBED AND SWORN TO before me
this 9th day of October, 1984.



Notary Public NOTARY PUBLIC
 DISTRICT OF COLUMBIA

My Commission Expires:

MY COMMISSION EXPIRES JANUARY 31, 1989

0 6 0 4 0 3 7 1 1 2

AFFIDAVIT OF CHARLES M. KERR

My name is Charles M. Kerr. I am Treasurer of the Citizens for Sarbanes Committee. In that capacity I am familiar with the records of the Committee kept during the 1982 Senate election campaign for the purpose of making reports to the Federal Election Commission on campaign receipts and expenditures.

The records of the Committee reflect that two contributions were received from the American Federation of Government Employees - Political Action Committee (AFGE-PAC) during 1982. The first such contribution, a check in the amount of \$1,000 dated June 25, 1982, was received by the Committee on or about July 2, 1982 and was reported as a contribution for the primary election campaign. A second contribution, a check in the amount of \$1,000 dated September 3, 1982, was received by the Committee on or about September 14, 1982 and was also reported as a contribution for the primary election. At no time prior to the initiation of the Complaint was I made aware of any in-kind contribution from AFGE-PAC to Citizens for Sarbanes. I received neither written nor oral information about such a contribution.

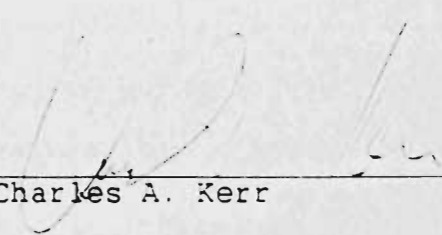
Apart from the allegations in the Complaint, I still have no information regarding in-kind contributions by AFGE-PAC which would permit me to conclude that such contributions were, in fact, made by AFGE-PAC to Citizens for Sarbanes. I have no

EXHIBIT A

knowledge that mailings were actually made by AFGE-PAC, nor do I have knowledge of the content of such mailings, the identities of the persons to whom the mailings were sent, the source of the funds used to pay for such mailings, nor the costs actually incurred for such mailings. Based on the information presently available to me, the reports filed by Citizens for Sarbanes regarding contributions to it by AFGE-PAC were, and are, at present, accurate.

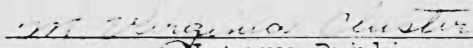
With respect to the Engineers' Political Education Committee, I am aware of two contributions made by that Committee. The first contribution, a check in the amount of \$5,000, was received by the Committee on or about September 9, 1981 and was deposited in an account maintained for receipt of contributions for the election campaign. On or about June 24, 1982 an additional check for \$4,000 was received by Citizens for Sarbanes from the Engineers' Political Education Committee. There was no designation as to whether the check was intended for the primary or general election campaign. That check was accompanied by a letter dated June 21, 1982, a copy of which is attached hereto as Exhibit A-1. Since our records reflected that the Engineers' Political Education Committee had already contributed the \$5,000 maximum permitted for the primary campaign, Mr. Marvin F. Moss, a member of the Senator's staff, was asked to inquire of the Engineers' Political Education Committee if the contribution was in fact

intended for the general election campaign. Mr. Moss made such an inquiry and informed me that the second contribution, in the amount of \$4,000, was in fact intended by EPEC as a general election contribution. Such a notation was then made on the Citizens for Sarbanes receipt, dated June 25, 1982, for this contribution, and it was duly reported to the FEC as a general election contribution. Pre-primary, earmarked contributions for the 1982 general election campaign were held by Citizens for Sarbanes in a separate T. Rowe Price money-market fund account. This particular contribution was deposited in a Citizens for Sarbanes checking account on June 24, 1982. On July 26, 1982, \$4,000, representing this contribution, was withdrawn from that checking account and was deposited in the Citizens for Sarbanes general election T. Rowe Price money-market fund account. The proceeds from this contribution were not utilized in any way for the primary election but were preserved for, and utilized in, Senator Sarbanes' general election campaign.



Charles A. Kerr

SUBSCRIBED AND SWORN TO before me
this 9th day of October, 1984.



Notary Public

My Commission Expires: 7-1-86

Engineers
Political
Education
Committee



June 21, 1982

Mr. Charles M. Kerr, Treasurer
CITIZENS FOR SARBANES
P. O. Box 10644
Baltimore, Maryland 21204

Dear Mr. Kerr:

Attached hereto is our check No. 000719 in the amount of \$4,000 as a contribution from the Engineers Political Education Committee of the International Union of Operating Engineers for the Senator's re-election campaign.

this check together with any other contributions from our Local Unions exceeds the amount provided by Federal Law, please advise.

Sincerely,

J. C. Turner
CHAIRMAN

Frank Hanley
TREASURER

JCI:FR/REG

Enc. (1)

EXHIBIT A-1



International Union of Operating Engineers

1125 SEVENTEENTH STREET NORTHWEST * WASHINGTON, D. C. 20036
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

OFFICE OF GENERAL PRESIDENT • (202) 429-9100

September 21, 1984

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

Re: MUR 1696

Dear Ms. Hagan:

Reference is made to Chairman Elliott's letter of September 11, 1984, in the above captioned matter, requesting additional factual or legal materials relevant to the Commission's analysis.

Attached is an affidavit of John J. Brown, Director of Legislation of the International Union of Operating Engineers, concerning a conversation Mr. Brown had with a representative of the Citizens for Sarbanes Committee at the time of EPEC/IUOE's \$4,000 contribution to the Committee on June 21, 1984. Mr. Brown also submits a copy of his internal memorandum recommending the contribution which clearly indicates it was intended for the general election.

Mr. Brown's affidavit, together with the information provided in our initial statement in this matter, as well as the response of the Citizens for Sarbanes Committee, establishes that it was the intent of EPEC/IUOE that the \$4,000 contribution be applied to the general election campaign of Senator Sarbanes, that that intention was communicated to the Sarbanes Committee by EPEC/IUOE, and that the Sarbanes Committee applied the contribution to the general election campaign and so reported it to the Federal Election Commission.

EXHIBIT C

100-117-10000

SEP 21 10 33 AM '84
GENERAL ELECTRIC

Based upon the facts, we can see no basis for further action by the Commission in this matter. If, however, the Commission determines to further proceed, we would request informal conciliation of the matter.

Sincerely,

Michael R. Fanning
Counsel

MRF/jlw

Attachments

350403/1125

AFFIDAVIT OF JOHN J. BROWN

I, John J. Brown, being first duly sworn, depose and state that:

1. I am the Director of Legislation of the International Union of Operating Engineers and have held that position since 1976.

2. Among other duties, as Director of Legislation I initiate requests to the Engineers Political Education Committee of the International Union of Operating Engineers (EPEC/IUOE) for contributions to be made to candidates for federal office. I am also responsible for maintaining running tabulations of all contributions made by EPEC/IUOE to federal candidates.

3. By memorandum of June 19, 1982, a copy of which is attached, I recommended to Mr. J. C. Turner, General President of the International Union of Operating Engineers and President of EPEC/IUOE, that a contribution of \$4,000 be made to the Citizens for Sarbanes Committee with the notation at the bottom left of the memo that this was a general election contribution.

EXHIBIT D

4. Subsequent to June 21 I was contacted by Mr. Marvin Moss of Senator Sarbanes' staff who inquired whether the \$4,000 contribution was intended for the primary or general election. I advised Mr. Moss that the contribution was intended for the general election campaign of Senator Sarbanes.

John J. Brown

Subscribed and sworn to before me
this 21st day of September 1984.

Notary Public

350403/1127

Inter-office Memorandum
INTERNATIONAL UNION OF OPERATING ENGINEERS

To: J. C. Turner, General President

From: John J. Brown

Date: June 9, 1982

Subject: IPEC VOLUNTARY FUNDS
Senator Paul Sarbanes (D)
Maryland

Recommend a check in the amount of \$4,000 payable to:

CITIZENS FOR SARBANES
Mr. Charles M. Kerr, Treasurer
P. O. Box 10044
Baltimore, Maryland 21204

JJB/kmg

cc: House Counsel

(General Election - A - \$9,500)

EXHIBIT E

360107-1103



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 4, 1984

George A. Nilson, Esquire
Piper and Marbury
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21202

RE: MUR 1696
Citizens for Sarbanes
Charles M. Kerr, Treasurer

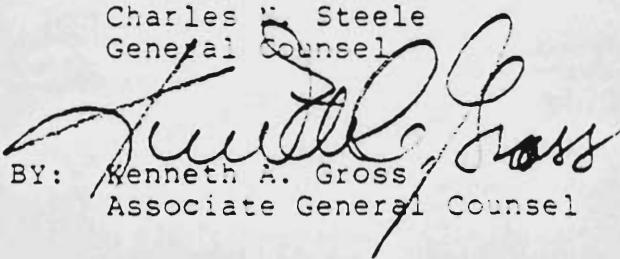
Dear Mr. Nilson:

This is in reference to your letter dated September 20, 1984, requesting an extension of 15 days to respond to the Commission's notice of reason to believe. After considering the circumstances presented in your letter, the Commission has determined to grant your requested extension. Accordingly, your response will be due on October 9, 1984.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles V. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

3604037109

GCC#4761



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT

JOHN N. STURDIVANT
EXECUTIVE VICE PRESIDENT

NICHOLAS J. NOLAN
NATIONAL SEC. TREAS.

1325 MASSACHUSETTS AVE., N.W. WASHINGTON, D. C. 20005
Telephone: (202) 737-8700



IN REPLY PLEASE REFER TO

Hand Delivered

8n/PAC

September 21, 1984

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

RECEIVED
SEP 21 1984
FEDERAL ELECTION COMMISSION
1325 K STREET, N.W.
WASHINGTON, D.C. 20463

Re: MUR 1696

Dear Ms. Hagan:

I am in receipt of Chairman Elliot's letter of September 11, 1984, in which she stated that the Commission has found reason to believe AFGE-PAC violated 2 U.S.C. Section 441(a)(2)(A).

As was stated in my original submission, the Commission should consider the fact that the technical violation at issue stems solely from our failure to indicate on Schedule B whether our contributions at issue in this case were for a primary or general election.

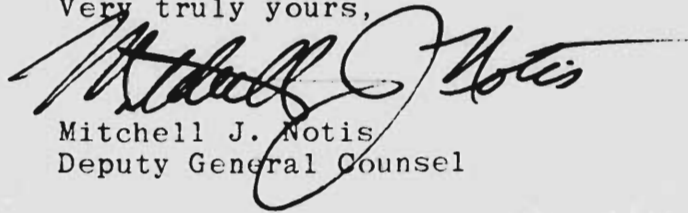
If we had merely checked the "general election" box on Schedule B for any contribution at issue in this case other than the smallest one, we would have been well within the contribution limits for either the primary or general elections at issue. The mere inadvertence to check a box on Schedule B should not be the basis for finding AFGE-PAC in violation of the FECA. However, to prevent such errors from happening in the future, our Finance Department has been instructed in no uncertain terms that Schedule B must always be completed in its entirety, with particular regard to designating the election for which a contribution was made.

Finally, should the above information not convince you that no further actions should be taken against AFGE-PAC and James

Frances Hagan, Esquire
September 21, 1984
Page Two

Lynch, Jr., Treasurer, we would appreciate the opportunity to meet with you in the hope of settling this matter through conciliation prior to a finding of probable cause.

Very truly yours,



Mitchell J. Notis
Deputy General Counsel

cc: NVP Lynch
H. Malloy
Jane McMichael
Betsy Reid

03040371131

GCC#4775



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International Union of Operating Engineers

1125 SEVENTEENTH STREET NORTHWEST ★ WASHINGTON, D. C. 20036
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

OFFICE OF GENERAL PRESIDENT • (202) 429-9100

September 21, 1984

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

4 SEP 21 1984
3:11

Re: MUR 1696

Dear Ms. Hagan:

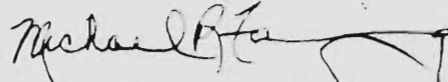
Reference is made to Chairman Elliott's letter of September 11, 1984, in the above captioned matter, requesting additional factual or legal materials relevant to the Commission's analysis.

Attached is an affidavit of John J. Brown, Director of Legislation of the International Union of Operating Engineers, concerning a conversation Mr. Brown had with a representative of the Citizens for Sarbanes Committee at the time of EPEC/IUOE's \$4,000 contribution to the Committee on June 21, 1984. Mr. Brown also submits a copy of his internal memorandum recommending the contribution which clearly indicates it was intended for the general election.

Mr. Brown's affidavit, together with the information provided in our initial statement in this matter, as well as the response of the Citizens for Sarbanes Committee, establishes that it was the intent of EPEC/IUOE that the \$4,000 contribution be applied to the general election campaign of Senator Sarbanes, that that intention was communicated to the Sarbanes Committee by EPEC/IUOE, and that the Sarbanes Committee applied the contribution to the general election campaign and so reported it to the Federal Election Commission.

Based upon the facts, we can see no basis for further action by the Commission in this matter. If, however, the Commission determines to further proceed, we would request informal conciliation of the matter.

Sincerely,


Michael R. Fanning
Counsel

MRF/jlw

Attachments

030403/1133

AFFIDAVIT OF JOHN J. BROWN

I, John J. Brown, being first duly sworn, depose and state that:

1. I am the Director of Legislation of the International Union of Operating Engineers and have held that position since 1976.

2. Among other duties, as Director of Legislation I initiate requests to the Engineers Political Education Committee of the International Union of Operating Engineers (EPEC/IUOE) for contributions to be made to candidates for federal office. I am also responsible for maintaining running tabulations of all contributions made by EPEC/IUOE to federal candidates.

3. By memorandum of June 19, 1982, a copy of which is attached, I recommended to Mr. J. C. Turner, General President of the International Union of Operating Engineers and President of EPEC/IUOE, that a contribution of \$4,000 be made to the Citizens for Sarbanes Committee with the notation at the bottom left of the memo that this was a general election contribution.

DECLASSIFIED

4. Subsequent to June 21 I was contacted by Mr. Marvin Moss of Senator Sarbanes' staff who inquired whether the \$4,000 contribution was intended for the primary or general election. I advised Mr. Moss that the contribution was intended for the general election campaign of Senator Sarbanes.

John J. Brown
John J. Brown

Subscribed and sworn to before me
this 21st day of September 1984.

Paul C. Little
Notary Public

My Commission Expires 12/31/87

9 5 0 9 0 7 1 1 5 5

Inter-office Memorandum
INTERNATIONAL UNION OF OPERATING ENGINEERS

To: J. C. Turner, General President

Date: June 9, 1982

From: John J. Brown

Subject: IPEG VOLUNTARY FUNDS
Senator Paul Sarbanes (D)
Maryland

Recommend a check in the amount of \$9,500 payable to:

CITIZENS FOR SARBANES
Mr. Charles M. Kerr, Treasurer
P. O. Box 1004
Baltimore, Maryland 21204

JJB/amg

cc: House Counsel

(General Election - A - \$9,500)

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HAND DELIVERED

04 SEP 21 12:15
GCC #4782

LAW OFFICES OF
PIPER & MARBURY

100 CHARLES CENTER SOUTH
16 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

888 SIXTEENTH STREET, N.W.
WASHINGTON, D. C. 20006
TELEPHONE 202-785-8150

WRITERS DIRECT NUMBER IS
576-1817

September 20, 1984

HAND DELIVER

Lee Ann Elliott, Chairman
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 1696
Citizens For Sarbanes
Charles M. Kerr, Treasurer

SEP 21 13:39

Dear Ms. Elliott

I am requesting a 15 day extension in the deadline by which we must respond to the above captioned matter.

Mr. Kerr has been out of town on business for several days since receipt of your letter of September 11, 1984 and Mr. Moss, of Senator Sarbanes office recently underwent an emergency dental procedure. Both individuals play a key role in our accumulating necessary information and documents to respond in this matter.

Please find enclosed statements of Designation of Counsel for Mr. Kerr individually and for the Committee.

Very truly yours,
George A. Nilson
George A. Nilson

GAN:ctr
Enclosures
cc: Ms. Frances Hagan
Kenneth A. Gross, Associate
General Counsel
Mr. Matt Gerson
Charles M. Kerr, Esquire

250471

REC
GCC#4803
04 SEP 24 9:31

LAW OFFICES OF
PIPER & MARBURY

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

888 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006

TELEPHONE 202-785-8150

WRITERS DIRECT NUMBER IS
576-1817

September 20, 1984

4 SEP 24 10:36

HAND DELIVER

Lee Ann Elliott, Chairman
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 1696
Citizens For Sarbanes
Charles M. Kerr, Treasurer

Dear Ms. Elliott

I am requesting a 15 day extension in the deadline by which we must respond to the above captioned matter.

Mr. Kerr has been out of town on business for several days since receipt of your letter of September 11, 1984 and Mr. Moss, of Senator Sarbanes office recently underwent an emergency dental procedure. Both individuals play a key role in our accumulating necessary information and documents to respond in this matter.

Please find enclosed statements of Designation of Counsel for Mr. Kerr individually and for the Committee.

Very truly yours,
George A. Nilson
George A. Nilson

GAN:ctr
Enclosures

cc: Ms. Frances Hagan
Kenneth A. Gross, Associate
General Counsel
Mr. Matt Gerson
Charles M. Kerr, Esquire

300473

LAW OFFICES OF

PER & MARBURY

30 CHARLES CENTER SOUTH

36 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201

84 SEP 24 9:31

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

GCC # 4803
34 SEP 20 AM 11:37

LAW OFFICES OF
PIPER & MARBURY

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

888 SIXTEENTH STREET N.W.
WASHINGTON, D.C. 20006

WRITERS DIRECT NUMBER IS
576-1817

TELEPHONE 202-785-8150

September 20, 1984

HAND DELIVER

Lee Ann Elliott, Chairman
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 1696
Citizens For Sarbanes
Charles M. Kerr, Treasurer

SEP 20
PI 2: 59

Dear Ms. Elliott

I am requesting a 15 day extension in the deadline by which we must respond to the above captioned matter.

Mr. Kerr has been out of town on business for several days since receipt of your letter of September 11, 1984 and Mr. Moss, of Senator Sarbanes office recently underwent an emergency dental procedure. Both individuals play a key role in our accumulating necessary information and documents to respond in this matter.

Please find enclosed statements of Designation of Counsel for Mr. Kerr individually and for the Committee.

Very truly yours,
George A. Nilson
George A. Nilson

GAN:ctr
Enclosures
cc: Ms. Frances Hagan
Kenneth A. Gross, Associate
General Counsel
Mr. Matt Gerson
Charles M. Kerr, Esquire

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

September 11, 1984

Charles M. Kerr, Treasurer
Citizens For Sarbanes Committee
Venable, Baetjer and Howard
1800 Mercantile Bank and Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21201

RE: MUR 1696
Citizens For Sarbanes
Charles M. Kerr, Treasurer

Dear Mr. Kerr:

The Federal Election Commission notified you on May 18, 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 you at that time. We acknowledge receipt of your explanation of this matter which was dated June 4, 1984.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on September 5, 1984, determined that there is reason to believe that the Citizens For Sarbanes Committee and you, as treasurer:

- A. Violated 2 U.S.C. § 441a(f) in connection with receipt of 1982 primary election contributions from the following:
 1. American Federation of Government Employees PAC;
 2. Engineers Political Education Committee/International Union of Operating Engineers;
- B. Violated 2 U.S.C. § 434(b)(2)(D) and § 434(b)(3)(B) in connection with receipt of contributions in 1982 from the American Federation of Government Employees PAC;
- C. Violated 11 C.F.R. § 104.14(d) in connection with contributions received from the following:

Charles M. Kerr, Treasurer
Page 2

1. AFGE PAC;
2. EPEC/IUOE.

In addition, the Commission found no reason to believe that violations of 2 U.S.C. § 441a(f) occurred in connection with contributions received during 1982 from the following:

1. AFL-CIO Committee on Political Education Political Contributions Committee;
2. Industrial Union Department Voluntary Fund;
3. International Ladies Garment Workers Union Campaign Committee;
4. Responsible Citizens Political League, Brotherhood of Railway and Airline Clerks.

Finally, the Commission found no reason to believe that a violation of 11 C.F.R. § 104.14(d) occurred in connection with the reporting of contributions received from:

1. AFL-CIO COPE PCC;
2. IUD Voluntary Fund;
3. ILGWUCC;
4. RCPL-PBRAC.

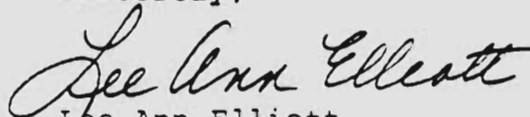
You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against the committee and you, as treasurer, the Office of General Counsel must proceed to the next compliance stage.

Letter to Charles M. Kerr, Treasurer
Re: MUR 1696
Page 3

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 have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,



Lee Ann Elliott
Chairman

930407/1144



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

September 11, 1984

Michael R. Fanning, Esquire
1125 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 1696
Engineers Political Education Committee
of the International Union of Operating
Engineers
Frank Hanley, Treasurer

Dear Mr. Fanning:

The Federal Election Commission notified your client on May, 18, 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 client at that time. We acknowledge receipt of your explanation of this matter which was dated June 5, 1984.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on September 5, 1984, determined that there is reason to believe that EPEC/IUOE and as treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act. In addition, the Commission found no reason to believe that your client violated 11 C.F.R. § 104.14(d) of the Regulations. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage.

Letter to Michael R. Fanning, Esquire
Re: MUR 1696
Page 2

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 your client wishes the matter to be made public. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,


Lee Ann Elliott
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 11, 1984

Mitchell J. Notis
Acting Deputy General Counsel
American Federation of Government Employees
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005

RE: MUR 1696
American Federal of Government Employees
Political Action Committee, James H.
Lynch, Jr., Treasurer

Dear Mr. Notis:

The Federal Election Commission notified your client on May 18, 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 client at that time. We acknowledge receipt of your explanation of this matter which was dated June 5, 1984.

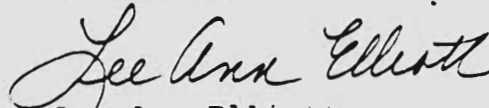
Upon further review of the allegations contained in the complaint and information supplied by you the Commission, on September 5, 1984, determined that there is reason to believe that AFGE PAC and as treasurer, James H. Lynch, Jr. violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act, and 11 C.F.R. § 104.14(d) of the Regulations. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage.

Letter to Mitchell J. Notis
Acting Deputy General Counsel
Re: MUR 1696
Page 2

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 your client wishes the matter to be made public. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,



Lee Ann Elliott
Chairman

96040371148



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 11, 1984

Margaret E. McCormick, Esquire
AFL-CIO Legal Department
815 16th Street N.W.
Washington, D.C. 20006

RE: MUR 1696
AFL-CIO COPE PCC, Thomas P. Donahue, Treasurer
IUD Voluntary Fund, Elmer Chatak, Treasurer

Dear Ms. McCormick:

On May 18, 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 September 5, 1984, determined that on the basis of the information in the complaint, and information provided by you there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the AFL-CIO COPE PCC. In addition, the Commission found no reason to believe that the IUD Voluntary Fund violated 2 U.S.C. § 441a(a)(2)(A), but determined to find reason to believe and take no further action for the violation of 11 C.F.R. § 104.14(d) in connection with reporting of the election designation. Accordingly, the Commission closed its file in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

A handwritten signature in cursive script that reads "Lee Ann Elliott".

Lee Ann Elliott
Chairman



FEDERAL ELECTION COMMISSION

WASHINGTON D C 20463

September 11, 1984

William J. Donlan, Esquire
3 Research Place
Rockville, Maryland 20850

RE: MUR 1696
Responsible Citizens Political
League - A Project of the
Brotherhood of Railway, Airline and
Steamship Clerks,
D. A. Bobo, Treasurer

Dear Mr. Donlan:

On May 18, 1984, the Commission notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September 5, 1984, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of 2 U.S.C. § 441a(a)(2)(A) has been committed by the RCPL-PBRAC. The Commission found reason to believe and took no further action for the violation of 11 C.F.R. § 104.14(d) concerning reporting of the election designation of contributions. Accordingly, the Commission closed its file in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

September 11, 1984

Max Zimny, Esquire
1710 Broadway
New York, New York 10019

RE: MUR 1696
International Ladies Garment Workers
Union Campaign Committee
Lawrence Dock, Acting Treasurer

Dear Mr. Zimny:

On May 18, 1984, the Commission notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September 5, 1984, determined that on the basis of the information in the complaint, and information provided by you, there is no reason to believe that a violation of 2 U.S.C. § 441a(a)(2)(A) has been committed by the ILGWUC. The Commission found reason to believe and took no further action for the violation of 11 C.F.R. § 104.14(d) concerning reporting of the election designation of contributions. Accordingly, the Commission closed its file in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

A handwritten signature in cursive script that reads "Lee Ann Elliott".

Lee Ann Elliott
Chairman

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Paul S. Sarbanes,)
 et al.)

MUR 1696

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 5, 1984, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1696:

1. Find reason to believe that AFGE PAC and as treasurer, James H. Lynch, Jr., violated the following in connection with 1982 primary election contributions to Citizens for Sarbanes:
 - a) 2 U.S.C. § 441a(a)(2)(A);
 - b) 11 C.F.R. § 104.14(d).

2. Find no reason to believe that the AFL-CIO COPE PCC and as treasurer, Thomas R. Donahue, violated the following provisions in connection with contributions to the Citizens for Sarbanes Committee during the 1982 primary election:
 - a) 2 U.S.C. § 441a(a)(2)(A);
 - b) 11 C.F.R. § 104.14(d).

3. Find no reason to believe that IUD Voluntary Fund and as treasurer, Elmer Chatak, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens for Sarbanes Committee during the 1982 primary campaign.

(Continued)

4. Find reason to believe and take no further action against the IUD Voluntary Fund and as treasurer, Elmer Chatak, for violation of 11 C.F.R. § 104.14(d).
5. Find no reason to believe that the ILGWUCC and as treasurer, Lawrence Dock, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens for Sarbanes Committees during the 1982 primary election.
6. Find reason to believe and take no further action against the ILGWUCC and as treasurer, Lawrence Dock, for a violation of 11 C.F.R. § 104.14(d).
7. Find reason to believe that EPEC/IUOE and as treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens for Sarbanes Committee during the 1982 primary campaign.
8. Find no reason to believe that EPEC/IUOE and as treasurer, Frank Hanley, violated 11 C.F.R. § 104.14(d).
9. Find no reason to believe that the RCPL-PBRAC, and as treasurer, D. A. Bobo, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens for Sarbanes Committee during the 1982 general election campaign.
10. Find reason to believe and take no further action against RCPL-PBRAC and as treasurer, D. A. Bobo, vor a violation of 11 C.F.R. § 104.14(d).

(Continued)

11. Find no reason to believe that the Citizens for Sarbanes Committee, and as treasurer, Charles M. Kerr, violated the following:
 - a) 2 U.S.C. § 441a(f) in connection with receipt of contributions from:
 1. AFL-CIO COPE PCC
 2. IUD Voluntary Fund
 3. ILGWUCC
 4. RCPL-PBRAC.
 - b) 11 C.F.R. § 104.14(d) in connection with contributions from:
 1. AFL-CIO COPE PCC
 2. IUD Voluntary Fund
 3. ILGWUCC
 4. RCPL-PBRAC.

12. Find reason to believe that the Citizens for Sarbanes Committee, and as treasurer, Charles M. Kerr, violated the following in connection with the 1982 primary election contributions from AFGE PAC:
 - a) 2 U.S.C. § 441a(f);
 - b) 2 U.S.C. § 434(b)(2)(D);
 - c) 2 U.S.C. § 434(b)(3)(B);
 - d) 11 C.F.R. § 104.14(d).

13. Find reason to believe that the Citizens for Sarbanes Committee and as treasurer, Charles M. Kerr, violated the following in connection with the 1982 general election contributions from EPEC/IUOE:
 - a) 2 U.S.C. § 441a(f);
 - b) 11 C.F.R. § 104.14(d).

(Continued)

14. Close the file as it pertains to:

- a) AFL-CIO COPE PCC;
- b) IUD Voluntary Fund;
- c) ILGWUCC;
- d) RCPL-PBRAC.

15. Send the letters attached to the General Counsel's August 7, 1984 report.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

9-7-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: August 9, 1984
SUBJECT: MUR 1696 - First General Counsel's Report

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

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution below)	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>		
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		
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FEDERAL ELECTION COMMISSION
1325 K Street, N.W.,
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC
TO THE COMMISSION 8/9/84 - 9:00

MUR NO. 1696
DATE COMPLAINT RECEIVED
BY OGC
DATE OF NOTIFICATION TO
RESPONDENT May 18, 1984
STAFF MEMBER
Frances B. Hagan

COMPLAINANT'S NAME: James Edward Antosh

RESPONDENTS' NAMES: Paul S. Sarbanes
Citizens for Sarbanes and as treasurer,
Charles M. Kerr
American Federation of Government Employees'
Political Action Committee and as
treasurer, James H. Lynch, Jr.
AFL-CIO COPE-PCC and as treasurer,
Thomas R. Donahue
IUD Voluntary Fund and as treasurer,
Elmer Chatak
ILGWU Campaign Committee and as treasurer,
Lawrence Dock
Engineers Political Education
Committee/International Union of Operating
Engineers and as treasurer, Frank Hanley
Responsible Citizens Political League -
A Project of the Brotherhood of Railway
and Airline Clerks and as treasurer,
D. A. Bobo

RELEVANT STATUTES
AND REGULATIONS: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
2 U.S.C. § 434(b)(2)(D)
2 U.S.C. § 434(b)(3)(B)
11 C.F.R. § 104.14(d)
11 C.F.R. § 102.9(e)
11 C.F.R. § 110.1(a)(2)

INTERNAL REPORTS
CHECKED: Respondents' Disclosure Reports

FEDERAL AGENCIES
CHECKED: None

SUMMARY OF ALLEGATIONS

1. Complainant alleges that Paul S. Sarbanes, Citizens for Sarbanes (or "the Sarbanes Committee") and its treasurer, Charles M. Kerr, violated 2 U.S.C. § 441a(f) by knowingly

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accepting contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) during the 1982 primary and general elections.

2. Complainant alleges that the American Federation of Government Employees' Political Action Committee ("AFGE PAC") and its treasurer, James H. Lynch, Jr., violated 2 U.S.C.

§ 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 primary election campaign.

3. Complainant alleges that the AFL-CIO Committee on Political Education and Political Contributions Committee ("COPE PCC") and its treasurer, Thomas R. Donahue, along with its affiliate AFL-CIO Industrial Union Department Voluntary Fund ("IUD Voluntary Fund") and its treasurer, Elmer Chatak, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 primary election campaign.

4. Complainant alleges that the International Ladies Garment Workers Union Campaign Committee ("ILGWUCC") and its treasurer, Lawrence Dock, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 primary election campaign.

5. Complainant alleges that the Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE") and its treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations

to the Sarbanes Committee during the 1982 primary election campaign.

6. Complainant alleges that the Responsible Citizens Political League - A Project of the Brotherhood of Railway and Airline Clerks ("RCPL-PBRAC") and its treasurer, D.A. Bobo, violated 2 U.S.C. § 441a(a)(2)(A) by making contributions in excess of limitations to the Sarbanes Committee during the 1982 general election campaign.

7. Complainant attaches liability to the treasurers of each committee both individually and in their capacity as treasurer. Complainant cites 11 C.F.R. § 104.14(d) which holds a treasurer "personally responsible" for timely and complete filing of reports and for accuracy of information therein.

8. Complainant alleges that the candidate, the respondents and their treasurers "knowingly" violated the Act because the respondents would have known, by keeping a running total of contributions, that the amounts designated for the primary and general elections were excessive for those elections.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441a(a)(2)(A) states that no multicandidate political committee shall make contributions to any candidate and his authorized political committee with respect to any federal election which in the aggregate, exceed \$5,000.

2 U.S.C. § 441a(f) prohibits receipt of contributions violative of this section.

11 C.F.R. § 110.1(a)(2)(i) makes it clear that contributions designated in writing by a contributor for a particular election are attributable to the limit set for that election. The regulation further states that a contribution made after a primary election and designated for the primary shall be made only to the extent of the net primary debt. In the case of a contribution not designated in writing for a particular election, the contribution will be attributable for the primary election if made on or before the primary date, and the contribution will be attributable to the general election if made after the primary election date.

11 C.F.R. § 102.9(e) states that if a candidate or authorized committee receives contributions prior to the primary election, which contributions are designated by the candidate or committee for use in the general election, such candidate or committee shall use an acceptable accounting method to distinguish between contributions received for the primary and general elections.

2 U.S.C. § 434(b)(2)(D) requires the reporting of contributions from political committees.

2 U.S.C. § 434(b)(3)(B) requires the identification on reports of a political committee which makes a contribution to the reporting committee during the reporting period, with the date and amount of such contribution.

Analysis of AFGE-PAC Contributions to Sarbanes Committee

Our review of reports filed by the Sarbanes Committee and AFGE PAC reveals the following contributions as reported by these committees:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of AFGE-PAC Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
AFGE-PAC	\$1,000.00	6/25/82	NONE	7/2/82	Primary
	3,006.00	6/30/82	NONE	Not on Reports	-
	297.60	7/08/82	NONE	Not on Reports	-
	1,000.00	9/03/82	NONE	9/14/82	Primary

Maryland Primary held September 14, 1982.

In its response to the complaint, AFGE-PAC states that it made the four contributions noted above in connection with the Sarbanes campaign for the "1982 election cycle." AFGE-PAC states that "due to inadvertent error, none of the boxes on Schedule B indicating which election these contributions were for (primary or general) were checked off." Counsel for AFGE-PAC states that total contributions did not exceed the limits of \$5,000 per election and that the violation is "technical" and "de minimis".

The Sarbanes Committee states that it received two checks of \$1,000 each from AFGE PAC on or before the Maryland primary held September 14, 1982. In reference to the two in-kind contributions reported by AFGE-PAC, the Sarbanes treasurer states that he has no record of, and "no present reason to believe" such contributions were made to his committee. The Sarbanes Committee asserts that AFGE PAC's 1982 primary contributions totaled \$2,000 and were properly reported.

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The information from AFGE PAC and the Sarbanes Committee does not fully clarify the discrepancies observed in their reporting of contributions. AFGE PAC reported two in-kind contributions made on behalf of the Sarbanes Committee; the Sarbanes Committee states that it had no knowledge of such in-kind gifts. Further, AFGE PAC states that it intended to divide the four contributions between two elections, but has not designated which contributions pertain to the primary or general election. However, based on the available information on reports and in these responses to the complaint, the Office of General Counsel concludes that the four apparent contributions, made prior to the primary and without designations, are applicable to the primary election pursuant to 11 C.F.R. § 110.1(a)(2)(ii). Therefore, absent evidence to the contrary, the resulting contribution to the Sarbanes Committee for the primary totals \$5,303.60. Accordingly, this office recommends findings of 2 U.S.C. § 441a(a)(2)(A) and 2 U.S.C. § 441a(f) in this matter. In addition, we recommend findings of 2 U.S.C. § 434(b)(2)(D) and (3)(B) against the Sarbanes Committee for failure to report the contributions in-kind and to identify the contributing committee.

Based on the complainant's allegation that each respondent violated 11 C.F.R. § 104.14(d) regarding the treasurer's responsibility for accuracy in reporting, we recommend reason to believe against AFGE PAC and the Sarbanes Committee as to the breaches of this regulation.

Analysis of AFL-CIO COPE PCC and IUD Voluntary Fund Contributions to the Sarbanes Committee

Our review of reports filed by the Sarbanes Committee and the AFL-CIO COPE PCC and its affiliate, the IUD Voluntary Fund, reveals the following contributions as reported by these committees:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
COPE PCC	\$5,000	10/27/81	Primary	11/10/81	Primary
IUD Voluntary Fund	250	07/09/82	Primary	07/15/82	Primary

Maryland Primary held September 14, 1982.

In the response to the complaint, counsel for COPE PCC and IUD Voluntary Fund state that due to a clerical error, the IUD Voluntary Fund's contribution of \$250 to the Sarbanes general election was incorrectly listed on FEC reports as a primary election contribution. The Voluntary Fund has provided a copy of the transmittal letter dated July 8, 1982, which denotes the \$250 contribution as a general election contribution. Respondent PAC has amended the FEC report to accurately reflect the intended designation.

The Sarbanes Committee response to the complaint includes a copy of the IUD Voluntary Fund's transmittal letter showing the PAC's general election designation of \$250. The Sarbanes Committee states that it is preparing an amended report to correctly reflect this designation.

Based on the contemporaneous evidence of the contributor's intent provided by the respondents, this office concludes that no violations of 2 U.S.C. § 441a(a)(2)(A) and § 441a(f) occurred in this matter. We would, however, recommend a finding of reason to believe and take no further action against the IUD Voluntary Fund for a violation of 11 C.F.R. § 104.14(d) for inaccuracy in reporting the election designation.

Analysis of ILGWUCC Contributions to Sarbanes Committee

A review of reports filed by the Sarbanes Committee and ILGWUCC reveals the following contributions:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
ILGWUCC	\$4,000	10/22/81	Primary	11/25/81	Primary
	1,000	08/12/82	Primary	09/01/82	Primary
	2,500	08/27/82	Primary	09/14/82	General

Maryland Primary held September 14, 1982.

The ILGWUCC, responding to the complaint allegations, provided a sworn statement from its Executive Secretary, stating that her instruction regarding the August 27, 1982, contribution of \$2,500 was relayed by telephone from Washington, D.C. to a secretary in New York City. The Executive Secretary states that the secretary had "quite limited experience with the legal requirements surrounding campaign contributions" and incorrectly noted the contribution for the primary election. The statement notes that this error was transferred to the reports.

The ILGWUCC Executive Secretary provides a copy of her own contemporaneous notation which clearly shows that the \$2,500 contribution was intended for the general election. She states

that an amended report will be submitted to correct the designation.

In addition, the Sarbanes Committee states in its response to the complaint, that upon receipt of the contribution in question, a member of Senator Sarbanes' staff contacted the ILGWUCC Executive Secretary," and was advised. . . that the contribution was intended for the Senator's general election campaign." The response adds that the Sarbanes Committee designated the contribution for the general election and deposited it into the general election campaign fund.

Based on the contributor's contemporaneous evidence of intent, this office is recommending a finding of no reason to believe that violations of 2 U.S.C. § 441a(a)(2)(a) or § 441a(f) occurred in this matter. However, in response to complainant's allegation that violations of 11 C.F.R. § 104.14(d) occurred, we recommend reason to believe and take no further action against the ILGWUCC for the inaccuracy in reporting the election designation.

Analysis of EPEC/IUOE Contribution to the Sarbanes Committee

The review of reports filed by the Sarbanes Committee and EPEC/IUOE reveals the following contributions:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
EPEC/IUOE	\$5,000	08/03/81	Primary	09/09/81	Primary
	4,000	06/09/82	Primary	06/25/82	General

Maryland Primary held September 14, 1982.

In response to the complaint, EPEC/IUOE states that the contribution of \$4,000 made June 9, 1982, was intended for the general rather than the primary election. Counsel for EPEC/IUOE states that the reported designation was the result of "a clerical error." The response provides a copy of the contribution transmittal letter which makes no designation, but requests that the recipient advise if the contribution exceeds limitations.

The Sarbanes Committee response to the complaint states that upon receipt of the contribution in question, a member of Senator Sarbanes' staff contacted EPEC/IUOE's Director of Legislation and was advised that the contribution was intended for the general rather than the primary election. Supporting this contact is a copy of the Sarbanes staff member's contemporaneous memorandum of receipt for the particular contribution containing his handwritten notation "General Election."

It is the General Counsel's position that the recipient committee cannot, without written designation of the contributor, treat a contribution received before the primary as a general election contribution. (See 11 C.F.R. § 110.1(a)(2) and MUR 1488). Therefore, absent written contemporaneous evidence from the contributor that the pre-primary contribution of \$4,000 was intended for the general election, we recommend that violations of 2 U.S.C. § 441a(a)(2)(A) and § 441a(f) occurred in this matter. Additionally, this office recommends reason to believe against the Sarbanes Committee for a violation of 11 C.F.R. § 104.14(d) for inaccuracy in reporting the election designation.

Analysis of RCPL-PBRAC Contributions to the Sarbanes Committee

Our review of reports filed by the Sarbanes Committee and RCPL-PBRAC reveals the following contributions:

<u>Contributor</u>	<u>Contri- bution Amount</u>	<u>Date of Contribution</u>	<u>Designation by Contributor</u>	<u>Date of Sarbanes Receipt</u>	<u>Designation By Recipient</u>
RCPL-PBRAC	\$2,000	07/14/81	General	08/19/81	Primary
	3,000	03/12/82	General	03/26/82	Primary
	1,000	08/30/82	General	09/10/82	General
	1,500	09/23/82	General	09/30/82	General
	1,500	10/08/82	General	10/20/82	General

Maryland Primary: September 14, 1982.

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In responding to the complaint, RCPL-PBRAC states that its contributions of \$2,000 dated July 14, 1981, and \$3,000 dated March 12, 1982, were intended for the primary rather than the general election. The response states that the general election designations accompanying these reported donations were the result of clerical errors.

In a sworn statement, RCPL-PBRAC's treasurer attests to his PAC's intent to donate the contribution in question for the primary election. The treasurer also states that he has established new procedures to ensure against similar errors in the future. He states that a transmittal letter will be sent with contributions notifying the recipient of the intended designation. Furthermore, the treasurer provides copies of amended reports dated March 27, 1984, prior to the notification of this complaint, which change the designations in question from "general" to "primary."

The Sarbanes Committee's response to the complaint states that the contributions of \$2,000 and \$3,000 were the first

contributions received from RCPL-PBRAC prior to the 1982 Maryland primary held September 14, 1982. The Sarbanes Committee states that it designated these contributions for the primary, "since it received no notice that the [contributions were] intended for anything other than the 1982 primary campaign." The Sarbanes response adds that when it received a third contribution (\$1,000 received 09/10/82) after previously receiving \$5,000 aggregate, a Sarbanes staff member contacted RCPL-PBRAC's National Legislative Director and was advised that the contribution of \$1,000 was intended for the general election. A contemporaneous memorandum by the Sarbanes staff person documenting this general election designation is included with the response. However, the Sarbanes Committee receipt vouchers for the earlier contributions of \$2,000 and \$3,000 do not contain a notation regarding the contributor's designation intent. These contributions were received prior to the primary with no other designation indication in the transmittal.

On its FEC reports, RCPL-PBRAC designated the initial pre-primary contribution of \$2,000 and \$3,000 to the general election. The Sarbanes Committee reported these as primary election contributions. While 11 C.F.R. § 102.9(e) (which requires separate accounting to distinguish between primary and general election contributions received before the primary) refers to "contributions. . . designated by the candidate or his or her authorized committee(s)," this phrase should not be construed as permission for the recipient committee to assign

contributions to a particular campaign without the contributor's written designation.

In this instance, however, the Sarbanes Committee, in the absence of contributor communication to the contrary, followed the presumption of 11 C.F.R. § 110.1(a)(2) that undesignated contributions received prior to the primary are to be designated to the primary election. Based on the Commission's determination of July 10, 1984, this Office recommends no reason to believe that the Sarbanes Committee violated 2 U.S.C. § 441a(f) or 11 C.F.R. § 104.14(d).

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Furthermore, the RCPL-PBRAC has offered a sworn affidavit that its pre-primary contributions of \$2,000 and \$3,000 were intended for the election period in which they were given. Because the contributions adhere to the presumption of 11 C.F.R. § 110.1(a)(2) and a sworn statement from the principal officer attests to the intention to make such primary contributions, this Office would accept the statement as evidence of the intended contribution designation. Therefore, we recommend no reason to believe that a violation of 2 U.S.C. § 441a(a)(2)(A) occurred.

In addition, we recommend a finding of reason to believe but take no further action against RCPL-PBRAC for a violation of 11 C.F.R. § 104.14(d) for inaccuracy in reporting the election designation of the \$2,000 and \$3,000 contributions.

RECOMMENDATIONS

1. Find reason to believe that AFGE PAC and as treasurer, James H. Lynch, Jr., violated the following in connection with 1982 primary election contributions to Citizens For Sarbanes:
 - a) 2 U.S.C. § 441a(a)(2)(A);
 - b) 11 C.F.R. § 104.14(d).

2. Find no reason to believe that the AFL-CIO COPE PCC and as treasurer, Thomas R. Donahue, violated the following provisions in connection with contributions to the Citizens For Sarbanes Committee during the 1982 primary election.
 - a) 2 U.S.C. § 441a(a)(2)(A);
 - b) 11 C.F.R. § 104.14(d).
3. Find no reason to believe that IUD Voluntary Fund and as treasurer, Elmer Chatak, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committee during the 1982 primary campaign.
4. Find reason to believe and take no further action against the IUD Voluntary Fund and as treasurer, Elmer Chatak, for a violation of 11 C.F.R. § 104.14(d).
5. Find no reason to believe that the ILGWUCC and as treasurer, Lawrence Dock, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committees during the 1982 primary election.
6. Find reason to believe and take no further action against the ILGWUCC and as treasurer, Lawrence Dock, for a violation of 11 C.F.R. § 104.14(d).
7. Find reason to believe that EPEC/IUOE and as treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committee during the 1982 primary campaign.
8. Find no reason to believe that EPEC/IUOE, and as treasurer, Frank Hanley, violated 11 C.F.R. § 104.14(d).
9. Find no reason to believe that the RCPL-PBRAC, and as treasurer, D.A. Bobo, violated 2 U.S.C. § 441a(a)(2)(A) in connection with contributions made to the Citizens For Sarbanes Committee during the 1982 general election campaign.
10. Find reason to believe and take no further action against RCPL-PBRAC and as treasurer, D.A. Bobo, for a violation of 11 C.F.R. § 104.14(d).
11. Find no reason to believe that the Citizens For Sarbanes Committee, and as treasurer, Charles M. Kerr, violated the following:

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- a) 2 U.S.C. § 441a(f) in connection with receipt of contributions from:
 - 1. AFL-CIO COPE PCC
 - 2. IUD Voluntary Fund
 - 3. ILGWUCC
 - 4. RCPL-PBRAC

- b) 11 C.F.R. § 104.14(d) in connection with contributions from:
 - 1. AFL-CIO COPE PCC
 - 2. IUD Voluntary Fund
 - 3. ILGWUCC
 - 4. RCPL-PBRAC.

12. Find reason to believe that the Citizens For Sarbanes Committee, and as treasurer, Charles M. Kerr, violated the following in connection with the 1982 primary election contributions from AFGE PAC:

- a) 2 U.S.C. § 441a(f);
- b) 2 U.S.C. § 434(b)(2)(D);
- c) 2 U.S.C. 434(b)(3)(B);
- d) 11 C.F.R. § 104.14(d).

13. Find reason to believe that the Citizens For Sarbanes Committee and as treasurer, Charles M. Kerr, violated the following in connection with the 1982 general election contributions from EPEC/IUOE:

- a) 2 U.S.C. § 441a(f);
- b) 11 C.F.R. § 104.14(d).

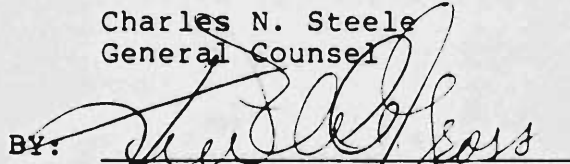
14. Close the file as it pertains to:

- a) AFL-CIO COPE PCC;
- b) IUD Voluntary Fund;
- c) ILGWUCC.
- d) RCPL-PBRAC.

15. Send the attached letters.

Charles N. Steele
General Counsel

August 9, 1984
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments:

- Letters (6)
- Responses from AFGE, EPEC, RCPL

95040; / 1171



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Charles M. Kerr, Treasurer
Citizens For Sarbanes Committee
Venable, Baetjer and Howard
1800 Mercantile Bank and Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21201

RE: MUR 1696
Citizens For Sarbanes
Charles M. Kerr, Treasurer

Dear Mr. Kerr:

850405/1177
The Federal Election Commission notified you on May 18, 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 you at that time. We acknowledge receipt of your explanation of this matter which was dated June 4, 1984.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on , 1984, determined that there is reason to believe that the Citizens For Sarbanes Committee and you, as treasurer:

- A. Violated 2 U.S.C. § 441a(f) in connection with receipt of 1982 primary election contributions from the following:
1. American Federation of Government Employees PAC;
 2. Engineers Political Education Committee/International Union of Operating Engineers;
- B. Violated 2 U.S.C. § 434(b)(2)(D) and § 434(b)(3)(B) in connection with receipt of contributions in 1982 from the American Federation of Government Employees PAC:
- C. Violated 11 C.F.R. § 104.14(d) in connection with contributions received from the following:
- Attachment H (1)

1. AFGE PAC;
2. EPEC/IUOE.

In addition, the Commission found no reason to believe that violations of 2 U.S.C. § 441a(f) occurred in connection with contributions received during 1982 from the following:

1. AFL-CIO Committee on Political Education Political Contributions Committee;
2. Industrial Union Department Voluntary Fund;
3. International Ladies Garment Workers Union Campaign Committee;
4. Responsible Citizens Political League, Brotherhood of Railway and Airline Clerks.

Finally, the Commission found no reason to believe that a violation of 11 C.F.R. § 104.14(d) occurred in connection with the reporting of contributions received from:

1. AFL-CIO COPE PCC;
2. IUD Voluntary Fund;
3. ILGWUCC;
4. RCPL-PBRAC.

You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against the committee and you, as treasurer, the Office of General Counsel must proceed to the next compliance stage.

Letter to Charles M. Kerr, Treasurer
Re: MUR 1696
Page 3

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 have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael R. Fanning, Esquire
1125 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 1696
Engineers Political Education Committee
of the International Union of Operating
Engineers
Frank Hanley, Treasurer

Dear Mr. Fanning:

The Federal Election Commission notified your client on May, 18, 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 client at that time. We acknowledge receipt of your explanation of this matter which was dated June 5, 1984.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on , 1984, determined that there is reason to believe that EPEC/IUOE and as treasurer, Frank Hanley, violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act. In addition, the Commission found no reason to believe that your client violated 11 C.F.R. § 104.14(d) of the Regulations. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage.

Letter to Michael R. Fanning, Esquire
Re: MUR 1696
Page 2

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 your client wishes the matter to be made public. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mitchell J. Notis
Acting Deputy General Counsel
American Federation of Government Employees
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005

RE: MUR 1696
American Federal of Government Employees
Political Action Committee, James H.
Lynch, Jr., Treasurer

Dear Mr. Notis:

The Federal Election Commission notified your client on May 18, 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 client at that time. We acknowledge receipt of your explanation of this matter which was dated June 5, 1984.

Upon further review of the allegations contained in the complaint and information supplied by you the Commission, on , 1984, determined that there is reason to believe that AFGE PAC and as treasurer, James H. Lynch, Jr. violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act, and 11 C.F.R. § 104.14(d) of the Regulations. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage.

Alignment (10)

Letter to Mitchell J. Notis
Acting Deputy General Counsel
Re: MUR 1696
Page 2

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 your client wishes the matter to be made public. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William J. Donlan, Esquire
3 Research Place
Rockville, Maryland 20850

RE: MUR 1696
Responsible Citizens Political
League - A Project of the
Brotherhood of Railway, Airline and
Steamship Clerks,
D. A. Bobo, Treasurer

Dear Mr. Donlan:

On May 18, 1984, the Commission notified your client 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 you, there is no reason to believe that a violation of 2 U.S.C. § 441a(a)(2)(A) has been committed by the RCPL-PBRAC. The Commission found reason to believe and took no further action for the violation of 11 C.F.R. § 104.14(d) concerning reporting of the election designation of contributions. Accordingly, the Commission closed its file in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

[Handwritten signature]



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

Max Zimny, Esquire
1710 Broadway
New York, New York 10019

RE: MUR 1696
International Ladies Garment Workers
Union Campaign Committee
Lawrence Dock, Acting Treasurer

Dear Mr. Zimny:

On May 18, 1984, the Commission notified your client 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 you, there is no reason to believe that a violation of 2 U.S.C. § 441a(a)(2)(A) has been committed by the ILGWUC. The Commission found reason to believe and took no further action for the violation of 11 C.F.R. § 104.14(d) concerning reporting of the election designation of contributions. Accordingly, the Commission closed its file in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Attachment E



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO Legal Department
815 16th Street N.W.
Washington, D.C. 20006

RE: MUR 1696
AFL-CIO COPE PCC, Thomas P. Donahue, Treasurer
IUD Voluntary Fund, Elmer Chatak, Treasurer

Dear Ms. McCormick:

On May 18, 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 you there is no reason to believe that a violation of any statute within its jurisdiction has been committed by the AFL-CIO COPE PCC. In addition, the Commission found no reason to believe that the IUD Voluntary Fund violated 2 U.S.C. § 441a(a)(2)(A), but determined to find reason to believe and take no further action for the violation of 11 C.F.R. § 104.14(d) in connection with reporting of the election designation. Accordingly, the Commission closed its file in this matter as it pertains to your client. This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Attachment P

2.CC# 3480



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT

JOHN N. STURDIVANT
EXECUTIVE VICE PRESIDENT

NICHOLAS J. NOLAN
NATIONAL SEC. TREAS.

1325 MASSACHUSETTS AVE., N.W. WASHINGTON, D. C. 20005
Telephone: (202) 737-8700



IN REPLY PLEASE REFER TO

8n/PAC

June 5, 1984

*MUR 1696
Hagan*

Ms. Frances Hagan
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Seventh Floor
Washington, D.C. 20463

Re: MUR 1696

Dear Ms. Hagan:

This response is submitted on behalf of the American Federation of Government Employees-PAC [AFGE-PAC] and James H. Lynch, Jr., the Treasurer of AFGE-PAC, respondents in the above referenced MUR. The MUR alleges that AFGE-PAC contributed \$303.60 above the limits set in 11 CFR Section 110.2 to the election committee of Senator Paul Sarbanes in 1982.

As you know, the AFGE-PAC is entitled to contribute to a candidate or his political committee, \$10,000 per election cycle (\$5,000 for a primary election, and \$5,000 for a general election). 11 CFR Section 110.2. If these limitations were violated at all in this case, the technical violation is due solely to the failure of AFGE-PAC to check the correct box on the Schedule B submitted in relation to the Sarbanes contributions.

The following contributions were made in relation to Senator Sarbanes' reelection campaign in the 1982 election cycle:

- (1) 6/25/82 - \$1,000.00
- (2) 6/30/82 - \$3,006.00
- (3) 7/8/82 - \$ 297.60
- (4) 9/3/82 - \$1,000.00

Although the total is slightly greater than \$5,000, it is substantially less than the \$10,000 limitation set for the complete election cycle.

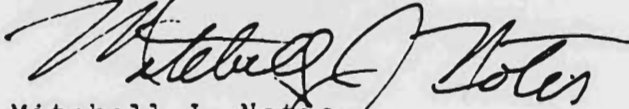
Attachment G (1)

Ms. Frances Hagan
June 5, 1984
Page Two

Due to inadvertent error, none of the boxes on Schedule B indicating which election these contributions were for (primary or general election) were checked off. If AFGE-PAC had simply checked the correct box on Schedule B, indicating its intention to divide the contributions between the primary and general elections, this matter would not have arisen. This technical violation was unintentional, and de minimis. It is worthwhile to note that the last contribution to Sarbanes in the 1982 election cycle, \$1,000, was made very shortly before the Maryland primary, and, according to the complaint in this case, was not received by the Sarbanes campaign until September 14, 1982, the day of the Maryland primary.

For all of the aforesaid reasons, respondents AFGE-PAC and James Lynch, Jr. urge you to dismiss the pending Complaint.

Very truly yours,



Mitchell J. Norris
Acting Deputy General Counsel

GCC# 3477



International Union of Operating Engineers

1125 SEVENTEENTH STREET NORTHWEST * WASHINGTON, D. C. 20036
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

OFFICE OF GENERAL PRESIDENT • (202) 429-9100

June 5, 1984

MUR. 1696
Hagan

DELIVERED BY HAND

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

JUN 5 2:10

Re: MUR 1696

Dear Mr. Steele:

This statement is submitted on behalf of the Engineers Political Education Committee of the International Union of Operating Engineers (EPEC/IUOE) and its Treasurer, Frank Hanley, in response to the Complaint filed in the above-captioned matter.

The Complaint at paragraphs 38 through 40 alleges that EPEC/IUOE violated 2 U.S.C. § 441a(a)(2)(A) by contributing a total of \$9,000.00 to the Citizens for Sarbanes Committee (the Sarbanes Committee) for the primary election of Senator Paul S. Sarbanes. This allegation is premised exclusively upon a Federal Election Commission (FEC) Form 3 filed by EPEC/IUOE after its \$4,000.00 contribution to the Sarbanes Committee on June 9, 1982, on which the box identified "primary" was checked in connection with this contribution.

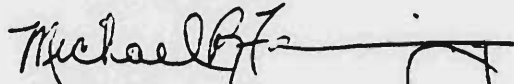
Please be advised that the checking of the primary box was a clerical error. The box identified "general" should have been checked in that it was the intention of EPEC/IUOE that the \$4,000.00 contribution be allocated by the Sarbanes Committee for the general election. Attached hereto is the June 21, 1982 transmittal letter forwarded by EPEC/IUOE with the \$4,000.00 contribution. Please note that the final paragraph states:

Attachment # (1)

"If this check together with any other contributions from our Local Unions exceeds the amount provided by Federal Law, please advise."

This paragraph was a written instruction to the Sarbanes Committee to allocate the contribution to assure that the limitations of § 441a(a)(2)(A) were not exceeded. In this case, since EPEC/IUOE had already contributed \$5,000.00 to the Sarbanes Committee, the \$4,000.00 was required to be allocated to the general election. Upon information and belief, the Sarbanes Committee did follow this instruction, allocating the contribution to the general election campaign and so reporting this allocation on its FEC report. Accordingly, no violation of 2 U.S.C. § 441a(a)(2)(A) occurred in connection with this matter and no further action by the FEC is required.

Sincerely,


Michael R. Fanning
Counsel

MRF/jlw

Enclosure

8 5 7 4 0 1 3 2

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

AFL-CIO — CLC



LEGAL DEPARTMENT

WILLIAM J. DONLON, General Counsel
MITCHELL M. KRAUS, Assistant General Counsel

June 12, 1984

Mr. Kenneth A. Gross
Associate General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Re: MUR 1696

Dear Mr. Gross:

This letter is in response to the Federal Election Commission's letter of May 18, 1984, to the Responsible Citizens Political League (RCPL), the separate segregated funds of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees (BRAC).

The Commission's letter notified Mr. D. A. Bobo, Treasurer of RCPL, that the Commission has received a complaint filed by James Edward Antosh alleging that Mr. Bobo and RCPL may have violated certain sections of the Fair Election Campaign Act, 2 USC §441, et seq. This complaint is based upon an assertion that RCPL contributed an aggregate in excess of \$5,000 for the 1982 Federal general election to Paul S. Sarbanes, a candidate for public office.

For the reasons set forth below, RCPL and Mr. D. A. Bobo, Treasurer, respectfully request that the Federal Election Commission take no action with regard to the allegations made in the complaint filed with the Commission by Mr. James Edward Antosh.

RELEVANT FACTS

Prior to July 14, 1981, RCPL received a request for a contribution to the Citizens for Sarbanes committee. RCPL issued its check dated July 14, 1981, in the amount of \$2,000, Exhibit A. This check was deposited by the Citizens for Sarbanes committee. Due to a clerical error, the

Mr. Kenneth A. Gross
Page 2
June 12, 1984

the employe completing the report for Mr. Bobo's signature checked the box indicating a contribution to the general election, rather than the primary election. This clerical error was discovered, and an amended report was filed with your Commission by Mr. Bobo March 27, 1984.

Prior to March 12, 1982, a determination was reached by RCPL to contribute an additional \$3,000 to the Citizens for Sarbanes Committee to be used to assist in the financing of primary election expenses. A copy of a check dated March 12, 1982, is attached as Exhibit B. Due to a clerical error, this contribution was also erroneously reported as a contribution to the general election. When the clerical error was discovered, Mr. Bobo had prepared and filed under date of March 27, 1984, an amended report with your Commission correcting the clerical error.

Records of RCPL further disclose three additional contributions to the Citizens for Sarbanes committee as follows:

August 30, 1982	\$1,000
September 23, 1982	\$1,500
October 8, 1982	\$1,500

Copies of the checks for these contributions are attached as Exhibits C, D and E. These three contributions in the total amount of \$4,000 were for general election purposes and were so reported to your Commission.

In support of the above-referred to clerical errors made in its reports for July, 1981, and March, 1982, please find attached an affidavit duly executed by Mr. D. A. Bobo, Treasurer of RCPL, designated as Exhibit F.

DISCUSSION

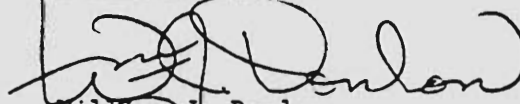
Since RCPL did not make a disbursement in excess of \$5,000 for the primary election to candidate Sarbanes and the reporting thereof has now been properly corrected with your Commission, and since RCPL did not make a contribution in excess of \$5,000 in the general election to candidate Sarbanes, RCPL has not violated 2 USC §441.

Since the above, including the actual dates of the contributions and the dates of the primary and general elections as well as the accompanying documentation establish merely a clerical error, Mr. D. A. Bobo is not personally, or in his capacity as Treasurer, subject to liability pursuant to 11 C.F.R. Section 104.14(d). The allegations that RCPL and Mr. D. A. Bobo as Treasurer have violated the Act due to the clerical errors, which have been corrected, in reporting contributions should be rejected.

Mr. Kenneth A. Gross
Page 3
June 12, 1984

We have also noted reference to other contributions in the complaint filed by Mr. Antosh. However, none of these matters appear to relate to Mr. D. A. Bobo and RCPL. Hence, same are not being commented on. We further understand that responses will be filed with your Commission by those to whom the allegations refer.

Sincerely yours,



William J. Donlon
General Counsel

WJD:v
Attachments
CC: D. A. Bobo, Treasurer

8 5 0 1 0 7 1 1 3 3

STATE OF MARYLAND)
) ss.
COUNTY OF MONTGOMERY)

AFFIDAVIT

OF

D. A. BOBO

D. A. Bobo, being first duly sworn on oath, deposes and says:

1. That he is the Treasurer of the Responsible Citizens Political League (RCPL) a project of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees (BRAC), and at all times relevant hereto has held that office.

2. That on or about May 21, 1984, he received a communication from the Federal Election Commission dated May 18, 1984, and signed by Kenneth A. Gross, Associate General Counsel, advising that a complaint has been filed by Mr. James Edward Antosh designated as MUR 1696 against RCPL.

3. That upon receipt of this communication, he investigated the allegations contained therein as they relate to RCPL, particularly its reporting records on contributions made during the calendar years 1981 and 1982 to Paul S. Sarbanes or Citizens for Sarbanes, and has ascertained the following contributions were made:

7/14/81	\$2,000
3/12/82	3,000
8/30/82	1,000
9/23/82	1,500
10/8/82	1,500

EXHIBIT F

He further ascertained that two of the contributions above listed were erroneously reported, as the result of a clerical error, as disbursements for the general election. The reports involving these contributions were filed with your Commission for the months of July, 1981, and March, 1982. Prior to the receipt of this complaint, he had ascertained that the clerical errors existed and through the filing of amended reports dated March 27, 1984, these clerical errors were corrected. Attached to this affidavit as Exhibits 1 and 2 are copies of the amendments filed.

4. That he, acting as Treasurer of the RCPL, does not personally do the clerical work relative to reporting to the Federal Election Commission, and prior to signing the reports which were subsequently amended March 27, 1984, he did not notice the involved reports designated the contributions as "general" rather than "primary."

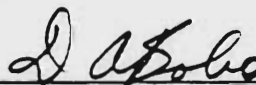
5. He verifies the amended reporting as set forth in Exhibit 1 and 2 attached to this affidavit, and that when he discovered the erroneous nature of the original reports filed he took action to have amended reports prepared and filed.

6. Your affiant further states that the errors in the original reports filed were merely the result of clerical errors and that he has now taken additional corrective action which should prevent clerical errors of this nature from occurring in the future. He has instituted a system under which a letter of transmittal is issued at the same time a check is sent to a

Federal candidate which states the purpose of the contribution, i.e.,
general, primary or deficit. This letter further advises the candidate
the manner in which RCPL is reporting the contribution to the Federal
Election Commission. A copy of the form letter used is attached as
Exhibit 3.

7. Further, your affiant states that the contributions made for the
purposes reported on the amended filings are correct. As it relates to
the general election held in 1982, the total amount of the contributions
made for this purpose by RCPL was \$4,000. The officers of RCPL and your
affiant and the Sarbanes' committee understood the purpose for which these
contributions were made. The contributions made July 14, 1981 and March 12,
1982 were for the primary election held September 14, 1982. The officers of
RCPL and your affiant and the Sarbanes' committee understood that these contri-
butions were made for the primary election.

Further affiant sayeth not.



D. A. Bobo, Treasurer

Subscribed and sworn to before me
this 8th day of June, 1984.



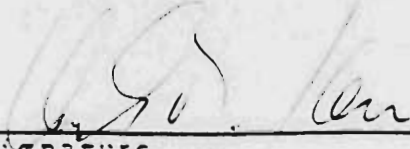
VIRGINIA P. DIXON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 1986

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1696
NAME OF COUNSEL: George A. Nilson
Lee Baylin
ADDRESS: 1100 Charles Center
36 South Charles Street
Baltimore, Maryland 21202
TELEPHONE: (301) 539-2530

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.

Sept. 20 1994
Date


Signature
Treasurer

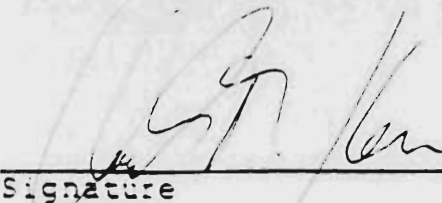
RESPONDENT'S NAME: Citizens for Sarbanes
ADDRESS: c/o Charles M. Kerr
Venable, Baetjer and Howard
1800 Mercantile Bank and Trust Building
Baltimore, Maryland 21202
HOME PHONE: _____
BUSINESS PHONE: (301)244-7544

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1696 George A. Nilson
NAME OF COUNSEL: Lee Baylin
ADDRESS: 36 South Charles Street
Suite 1100
Baltimore, Maryland 21202
TELEPHONE: (301) 539-2530

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.

Sept 20 1984
Date


Signature

RESPONDENT'S NAME: Charles M. Kerr, Treasurer
ADDRESS: Venable, Baetjer and Howard
1800 Mercantile Bank and Trust Building
Baltimore, Maryland 21201
HOME PHONE: (301) 396-1977
BUSINESS PHONE: (301) 244-7544

STATEMENT OF DESIGNATION OF COUNSEL

RECEIVED AT THE
FEC
CC# 3607
84 JUN 14 A 8:20

MUR 1696

NAME OF COUNSEL: William J. Donlon

ADDRESS: 3 Research Place

Rockville, MD 20850

TELEPHONE: 301/948-4910

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

June 12, 1984

Date

D. A. Bobo

Signature

RESPONDENT'S NAME: D. A. Bobo

ADDRESS: 3 Research Place

Rockville, MD 20850

HOME PHONE: _____

BUSINESS PHONE: 301/948-4910

STATEMENT OF DESIGNATION OF COUNSEL

FEC

MUR 1696

31 JUN 8 AIO: 28

NAME OF COUNSEL: Mitchell J. Notis
Acting Deputy General Counsel
ADDRESS: American Federation of Government Employees, AFL-CIO
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005
TELEPHONE: (202) 737-8700 Ext. 315

GOC# 3534

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

6-5-84
Date

James H. Lynch Jr.
Signature

RESPONDENT'S NAME: James H. Lynch, Jr.
ADDRESS: 1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005
HOME PHONE: (703) 780-4436
BUSINESS PHONE: (202) 737-8700 Ext. 216

*This was
inadvertently
left out of
our 6-5-84
letter to you.*

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES

AFFILIATED WITH THE AFL-CIO



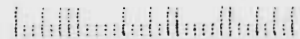
5 Massachusetts Avenue, N.W.
Washington, D. C. 20005

®

BUY AMERICAN
END RECESSION
MILLERS ADV.



Ms. Frances Hagan
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Seventh Floor
Washington, D.C. 20463



**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES**

AFL-CIO — CLC



LEGAL DEPARTMENT

WILLIAM J. DONLON, General Counsel
MITCHELL M. KRAUS, Assistant General Counsel

June 12, 1984

Mr. Kenneth A. Gross
Associate General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Re: MUR 1696

Dear Mr. Gross:

This letter is in response to the Federal Election Commission's letter of May 18, 1984, to the Responsible Citizens Political League (RCPL), the separate segregated funds of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees (BRAC).

The Commission's letter notified Mr. D. A. Bobo, Treasurer of RCPL, that the Commission has received a complaint filed by James Edward Antosh alleging that Mr. Bobo and RCPL may have violated certain sections of the Fair Election Campaign Act, 2 USC §441, et seq. This complaint is based upon an assertion that RCPL contributed an aggregate in excess of \$5,000 for the 1982 Federal general election to Paul S. Sarbanes, a candidate for public office.

For the reasons set forth below, RCPL and Mr. D. A. Bobo, Treasurer, respectfully request that the Federal Election Commission take no action with regard to the allegations made in the complaint filed with the Commission by Mr. James Edward Antosh.

RELEVANT FACTS

Prior to July 14, 1981, RCPL received a request for a contribution to the Citizens for Sarbanes committee. RCPL issued its check dated July 14, 1981, in the amount of \$2,000, Exhibit A. This check was deposited by the Citizens for Sarbanes committee. Due to a clerical error, the

Mr. Kenneth A. Gross

Page 2

June 12, 1984

the employe completing the report for Mr. Bobo's signature checked the box indicating a contribution to the general election, rather than the primary election. This clerical error was discovered, and an amended report was filed with your Commission by Mr. Bobo March 27, 1984.

Prior to March 12, 1982, a determination was reached by RCPL to contribute an additional \$3,000 to the Citizens for Sarbanes Committee to be used to assist in the financing of primary election expenses. A copy of a check dated March 12, 1982, is attached as Exhibit B. Due to a clerical error, this contribution was also erroneously reported as a contribution to the general election. When the clerical error was discovered, Mr. Bobo had prepared and filed under date of March 27, 1984, an amended report with your Commission correcting the clerical error.

Records of RCPL further disclose three additional contributions to the Citizens for Sarbanes committee as follows:

August 30, 1982	\$1,000
September 23, 1982	\$1,500
October 8, 1982	\$1,500

Copies of the checks for these contributions are attached as Exhibits C, D and E. These three contributions in the total amount of \$4,000 were for general election purposes and were so reported to your Commission.

In support of the above-referred to clerical errors made in its reports for July, 1981, and March, 1982, please find attached an affidavit duly executed by Mr. D. A. Bobo, Treasurer of RCPL, designated as Exhibit F.

DISCUSSION

Since RCPL did not make a disbursement in excess of \$5,000 for the primary election to candidate Sarbanes and the reporting thereof has now been properly corrected with your Commission, and since RCPL did not make a contribution in excess of \$5,000 in the general election to candidate Sarbanes, RCPL has not violated 2 USC §441.

Since the above, including the actual dates of the contributions and the dates of the primary and general elections as well as the accompanying documentation establish merely a clerical error, Mr. D. A. Bobo is not personally, or in his capacity as Treasurer, subject to liability pursuant to 11 C.F.R. Section 104.14(d). The allegations that RCPL and Mr. D. A. Bobo as Treasurer have violated the Act due to the clerical errors, which have been corrected, in reporting contributions should be rejected.

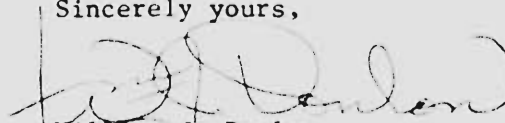
Mr. Kenneth A. Gross

Page 3

June 12, 1984

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Sincerely yours,



William J. Donlon
General Counsel

WJD:v

Attachments

CC: D. A. Bobo, Treasurer

RAILWAY CLERKS POLITICAL LEAGUE

3 RESEARCH PL
ROCKVILLE, MD 20850

4577

July 14

1981

15-52
540

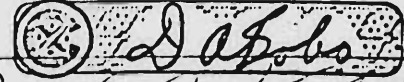
PAY TO THE
ORDER OF

Citizens for Sarbanes

\$ 2,000.00

Two Thousand and 00/100. DOLLARS

NATIONAL SAVINGS & TRUST COMPANY
WASHINGTON, D.C.



Fred J. Powell

FOR

⑈004577⑈ ⑆054000522⑆ 024⑈5281613⑈ ⑆0000200000⑆

Check No. 4577

Citizens for Sarbanes-----\$2,000.00

344 East 33rd Street
Baltimore, MD 21218

Voucher No. 4577

7/14/81

RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

187

March 12 82 ¹⁵⁻⁵²/₆₄₀

PAY TO THE ORDER OF Citizens for Sarbanes \$ 3,000.00

Three Thousand and 00/100 DOLLARS

NS&T BANK
National Savings and Trust Company
Washington, D.C. 20005

D. A. Bobo

R. J. Kelley

FOR "000187" > 1:054000522: 024 5281613 "0000300000"

RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS

402

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

15-52
640

August 30 19 82

PAY TO THE
ORDER OF

Citizens for Sarbanes

\$ 1,000.00

One Thousand and 00/100. DOLLARS

NS&T BANK
National Savings and Trust Company
Washington, D.C. 20005

D. A. Bobo

FOR

R. J. Kelly

⑈000402⑈ ⑆⑆054000522⑆ 024⑈5281613⑈ ⑈0000100000⑈

Check No. 402

Citizens for Sarbanes ----- \$1,000.00

P.O. Box 10644
Baltimore, MD 21204

Voucher No. 402

Date: August 30, 1982

RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS

477

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

Sept. 23

1982

15-52
640

PAY TO THE
ORDER OF

10/01/82 SERVER 5 001005797
Citizens for Sarbanes

\$ 1,500.00

One Thousand Five Hundred and 00/100. . . DOLLARS

NS&T BANK

National Savings and Trust Company
Washington, D.C. 20005



FOR

⑈000477⑈ >⑈054000522⑈ 024⑈5281613⑈ ⑈0000150000⑈

Check No. 477

Citizens for Sarbanes ----- \$1,500.00

344 E. 33rd St.
Baltimore, MD 21218

Voucher No. 477

Date: September 23, 1982

EXHIBIT D

RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

508

15-52
640

October 8 19 82

PAY TO THE
ORDER OF

Citizens for Sarbanes

\$ 1,500.00

One Thousand Five Hundred and 00/100. . . DOLLARS

NS&T BANK
National Savings and Trust Company
Washington, D.C. 20005

D. Dabobo

R. J. Kelley

FOR

⑈000508⑈ > ⑆054000522⑆ 024 ⑈5281613⑈ ⑈0000150000⑈

Check No. 508

Citizens for Sarbanes ----- \$1,500.00

c/o Details, Inc.
1750 Pennsylvania Ave., N.W.
Washington, D.C. 20006

Voucher No. 508

Date: October 8, 1982

EXHIBIT E

STATE OF MARYLAND)
) ss.
COUNTY OF MONTGOMERY)

AFFIDAVIT

OF

D. A. BOBO

D. A. Bobo, being first duly sworn on oath, deposes and says:

1. That he is the Treasurer of the Responsible Citizens Political League (RCPL) a project of the Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees (BRAC), and at all times relevant hereto has held that office.

2. That on or about May 21, 1984, he received a communication from the Federal Election Commission dated May 18, 1984, and signed by Kenneth A. Gross, Associate General Counsel, advising that a complaint has been filed by Mr. James Edward Antosh designated as MUR 1696 against RCPL.

3. That upon receipt of this communication, he investigated the allegations contained therein as they relate to RCPL, particularly its reporting records on contributions made during the calendar years 1981 and 1982 to Paul S. Sarbanes or Citizens for Sarbanes, and has ascertained the following contributions were made:

7/14/81	\$2,000
3/12/82	3,000
8/30/82	1,000
9/23/82	1,500
10/8/82	1,500

EXHIBIT F

He further ascertained that two of the contributions above listed were erroneously reported, as the result of a clerical error, as disbursements for the general election. The reports involving these contributions were filed with your Commission for the months of July, 1981, and March, 1982. Prior to the receipt of this complaint, he had ascertained that the clerical errors existed and through the filing of amended reports dated March 27, 1984, these clerical errors were corrected. Attached to this affidavit as Exhibits 1 and 2 are copies of the amendments filed.

4. That he, acting as Treasurer of the RCPL, does not personally do the clerical work relative to reporting to the Federal Election Commission, and prior to signing the reports which were subsequently amended March 27, 1984, he did not notice the involved reports designated the contributions as "general" rather than "primary."

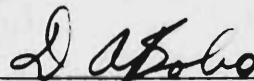
5. He verifies the amended reporting as set forth in Exhibit 1 and 2 attached to this affidavit, and that when he discovered the erroneous nature of the original reports filed he took action to have amended reports prepared and filed.

6. Your affiant further states that the errors in the original reports filed were merely the result of clerical errors and that he has now taken additional corrective action which should prevent clerical errors of this nature from occurring in the future. He has instituted a system under which a letter of transmittal is issued at the same time a check is sent to a

Federal candidate which states the purpose of the contribution, i.e., general, primary or deficit. This letter further advises the candidate the manner in which RCPL is reporting the contribution to the Federal Election Commission. A copy of the form letter used is attached as Exhibit 3.

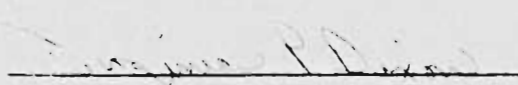
7. Further, your affiant states that the contributions made for the purposes reported on the amended filings are correct. As it relates to the general election held in 1982, the total amount of the contributions made for this purpose by RCPL was \$4,000. The officers of RCPL and your affiant and the Sarbanes' committee understood the purpose for which these contributions were made. The contributions made July 14, 1981 and March 12, 1982 were for the primary election held September 14, 1982. The officers of RCPL and your affiant and the Sarbanes' committee understood that these contributions were made for the primary election.

Further affiant sayeth not.



D. A. Bobo, Treasurer

Subscribed and sworn to before me
this 8th day of June, 1984.



VIRGINIA P. DIXON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 1986

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

File
1984

(Summary Page)

<p>ALIGN AREA <input type="checkbox"/></p> <p>1. Name of Committee (In Full) RESPONSIBLE CITIZENS POLITICAL LEAGUE, A PROJECT OF THE BROTHERHOOD OF RAILWAY AND AIRLINE CLERKS (BRAC) Formerly: Railway Clerks Political League</p> <hr/> <p>Address (Number and Street) 3 Research Place</p> <hr/> <p>City, State and ZIP Code Rockville, MD 20850</p> <p><input type="checkbox"/> Check here if address is different than previously reported.</p> <p>2. FEC Identification Number C00006338</p> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)</p>	<p>ALIGN AREA <input type="checkbox"/></p> <p>4. TYPE OF REPORT (Check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non Election Year Only) <input checked="" type="checkbox"/> Monthly Report for <u>July 1981</u> <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
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SUMMARY	COLUMN A This Period	COLUMN B Calendar Year to Date
5. Covering Period <u>7/1/81</u> through <u>7/31/81</u>		
6. (a) Cash on hand January 1, 19_____		\$ 6,358.65
(b) Cash on Hand at Beginning of Reporting Period	\$ 73,726.83	
(c) Total Receipts (from Line 18)	\$ 26,494.85	\$ 291,465.23
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 100,221.68	\$ 297,823.88
7. Total Disbursements (from Line 28)	\$ 22,850.41	\$ 220,452.61
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 77,371.27	\$ 77,371.27
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	\$	
10. Debts 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 it is true, correct and complete.

D. A. Bobo

Type or Print Name of Treasurer

D. A. Bobo

SIGNATURE OF TREASURER

3/27/84

Date

For further information contact
Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

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

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3-80)

EXHIBIT 1

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

Name of Committee (or Full) **RESPONSIBLE CITIZENS POLITICAL LEAGUE, A
PROJECT OF THE BROTHERHOOD OF RAILWAY & AIRLINE CLERKS
(BRAC)**

Period Covering the Period

From: 7/1/81 To: 7/31/81

COLUMN A **COLUMN B**
Total This Period Calendar Year-To-Date

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees	26,494.85	291,410.34	11(a)
(Memo Entry Unitemized \$ <u>24,451.97</u>)			
(b) Political Party Committees			11(b)
(c) Other Political Committees			11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	26,494.85	291,410.34	11(d)
12. TRANSFERS FROM AFFILIATED OTHER PARTY COMMITTEES			12
13. ALL LOANS RECEIVED			13
14. LOAN REPAYMENTS RECEIVED			14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		54.89	15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Dividends, Interest, etc.)			17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	26,494.85	291,465.23	18

II. DISBURSEMENTS

19. OPERATING EXPENDITURES41	57.61	19
20. TRANSFERS TO AFFILIATED OTHER PARTY COMMITTEES		15,600.00	20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	22,850.00	196,045.00	21
22. INDEPENDENT EXPENDITURES (Use Schedule E)			22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441 a(d)) (Use Schedule F)			23
24. LOAN REPAYMENTS MADE			24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			26(a)
(b) Political Party Committees			26(b)
(c) Other Political Committees			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			26(d)
27. OTHER DISBURSEMENTS		8,750.00	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	22,850.41	220,452.61	28

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)			29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)			30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)			31
32. TOTAL OPERATING EXPENDITURES from Line 19			32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15			33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			34

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 21
 (Use separate sheets 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 commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.			
Name of Committee (in Full) RESPONSIBLE CITIZENS POLITICAL LEAGUE, A PROJECT OF THE BROTHERHOOD OF RAILWAY AND AIRLINE CLERKS (BRAC)			
A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Citizens for Sarbanes (Paul) 344 East 33rd St. Baltimore, MD 21218	D - US Senate - MD Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	7/14/81	2,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Our check no. 4577 in the amount of \$2,000.00, dated 7/14/81 payable to "Citizens for Sarbanes," and reported on Schedule B, page 4 of line 21 on our July 1981 Monthly Report	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
was reported in error for the 1982 general election. This disbursement should have been reported for the 1982 primary election.	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			2,000.00

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

File
1984

(Summary Page)

ALIGN AREA ALIGN AREA

1. Name of Committee (In Full)
**RESPONSIBLE CITIZENS POLITICAL LEAGUE, A
PROJECT OF THE BROTHERHOOD OF
RAILWAY AND AIRLINE CLERKS
(BRAC)**

Address (Number and Street)
3 Research Place

City, State and ZIP Code
Rockville, MD 20850

Check here if address is different than previously reported.

2. FEC Identification Number
C00006338

3. This committee qualified as a multicand date committee during this Reporting Period on _____ (Date)

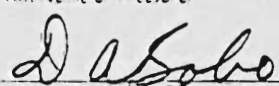
4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report
 July 15 Quarterly Report January 31 Year End Report
 July 31 Mid Year Report (Non Election Year Only)
 Monthly Report for **March 1982**
 Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
 Thirtieth day report following the General Election
on _____ in the State of _____
 Termination Report

(b) Is this Report an Amendment?
 YES NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year to Date
5. Covering Period <u>3/1/82</u> through <u>3/31/82</u>			
6. (a) Cash on hand January 1, 19			\$ 57,988.26
(b) Cash on Hand at Beginning of Reporting Period	\$ 80,936.73		
(c) Total Receipts (from Line 1B)	\$ 48,760.45	\$ 134,940.92	
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 129,697.18	\$ 192,929.18	
7. Total Disbursements (from Line 2B)	\$ 92,210.10	\$ 155,442.10	
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 37,487.08	\$ 37,487.08	
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	\$		
10. Debts 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 it is true, correct and complete.

D. A. Bobo
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

3/27/84
Date

For further information contact:
Federal Election Commission
Toll Free 800 424 9630
Local 202 523 4068

NOTE: Submission of false or incorrect information may subject the person signing this report to the penalties of 2 U.S.C. § 437c.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X 13 80

EXHIBIT 2

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

Name of Committee (or Full Name of Committee) **RESPONSIBLE CITIZENS POLITICAL LEAGUE, A PROJECT OF THE BROTHERHOOD OF RAILWAY & AIRLINE CLERKS (BRAC)**

Period Covering the Period
From: 3/1/82 To: 3/31/82

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees	48,760.45	134,940.92	11(a)
(Memo Entry Unitemized \$ <u>47,955.45</u>)			
(b) Political Party Committees			11(b)
(c) Other Political Committees			11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	48,760.45	134,940.92	11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			12
13. ALL LOANS RECEIVED			13
14. LOAN REPAYMENTS RECEIVED			14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES			16
AND OTHER POLITICAL COMMITTEES			
17. OTHER RECEIPTS (Dividends, Interest, etc.)			17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	48,760.45	134,940.92	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	12.87	14.87	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	30,000.00	30,000.00	20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND	57,777.23	114,872.23	21
OTHER POLITICAL COMMITTEES			
22. INDEPENDENT EXPENDITURES (Use Schedule E)			22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES			23
(2 U.S.C. § 441 a(d)) (Use Schedule F)			
24. LOAN REPAYMENTS MADE			24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees			26(a)
(b) Political Party Committees			26(b)
(c) Other Political Committees			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			26(d)
27. OTHER DISBURSEMENTS	4,420.00	10,555.00	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	92,210.10	155,442.10	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)			29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)			30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)			31
32. TOTAL OPERATING EXPENDITURES from Line 19			32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15			33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			34

SCHEDULE B

ITEMIZED DISBURSEMENTS

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) RESPONSIBLE CITIZENS POLITICAL LEAGUE, A PROJECT OF THE BROTHERHOOD OF RAILWAY AND AIRLINE CLERKS (BRAC)			
A. Full Name, Mailing Address and ZIP Code Citizens for Sarbanes (Paul) PO Box 10644 Baltimore, MD 21204	Purpose of Disbursement Contribution D - US Senate - MD Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 3/12/82	Amount of Each Disbursement This Period 3,000.00
B. Full Name, Mailing Address and ZIP Code Our check no. 187 in the amount \$3,000.00, dated 3/12/82 payable to "Citizens for Sarbanes," and reported on Schedule B, page 5 of line 21 on our March 1982 Monthly Report	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code was reported in error for the 1982 general election. This disbursement should have been reported for the 1982 primary election.	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			3,000.00

A Project of the
Brotherhood of Railway
and Airline Clerks (BRAC)

RCPL

**RESPONSIBLE
CITIZENS
POLITICAL
LEAGUE**



DATE:

TO: _____

FROM: D. A. BOBO, SECRETARY-TREASURER
RESPONSIBLE CITIZENS POLITICAL LEAGUE, A PROJECT OF THE BROTHERHOOD
OF RAILWAY AND AIRLINE CLERKS (BRAC)

We are pleased to enclose RCPL Check No. _____ in the amount
of \$ _____ dated _____, 1984, payable to your Committee.
This contribution will be appropriately reported to the Federal Election
Commission as a disbursement for the 1984 _____ Election.

If your committee does not agree with the above reporting to the
Federal Election Commission please notify my office in writing.

R. I. KILROY, Chairman
D. A. BOBO, Secretary
3 Research Place
Rockville, Maryland 20850



EXHIBIT 3

Brotherhood of Railway, Airline & Steamship Clerks
Freight Handlers, Express & Station Employees

D. A. BOBO

International Secretary-Treasurer

3 Research Place — Rockville, Maryland 20850

84 JUN 4 8:19

FIRST CLASS MAIL

BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES
3 RESEARCH PLACE
ROCKVILLE, MARYLAND 20850

DATE

TO: Mr. Kenneth A. Gross
Associate General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

RECEIVED
G 104#3538
JUN 8 1984 38

VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1800 MERCANTILE BANK & TRUST BUILDING

2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201
(301) 244-7400

WASHINGTON, D. C. OFFICE
VENABLE, BAETJER, HOWARD & CIVILETTI
SUITE 704
301 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D. C. 20004
(202) 783-4300

ARTHUR W. MACHEN, JR., P. C.
ROBERT M. THOMAS, P. C.
A. SAMUEL COOK, P. C.
ROBERT R. BAIR, P. C.
JACQUES T. SCHLENGER, P. C.
CHARLES B. REEVES, JR.
WILLIAM J. MCCARTHY, P. C.
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N. PETER LAREAU
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GEORGE W. JOHNSTON
F. DUDLEY STAPLES, JR.
EDWARD L. WENDER
DAVID M. FLEISHMAN
JANA HOWARD CAREY

COUNSEL
NORWOOD B. ORRICK
RICHARD W. EMORY
EDMUND P. SANDRIDGE, JR.
PARTNER EMERITUS
JOSEPH FRANCE

RICHARD M. VENABLE (1839-1900)
EDWIN G. BAETJER (1888-1948)
CHARLES MCH. HOWARD (1870-1942)

CONSTANCE H. BAKER
ROBERT C. GOMBAR
MITCHELL KOLKIN
VICKI L. HAWKINS
STEPHEN L. OWEN
PETER P. PARVIS
WILLIAM N. FITZPATRICK, JR.
JEFFREY P. AYRES
KENNETH R. HOFFMAN
BRIGID E. KENNEY
JAMES L. SHEA
BRUCE R. SPECTOR
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LESLIE A. VIAL
MAURICE BASKIN*
ELIZABETH C. HONEYWELL
M. LUCINDA MOTSKO
ANN N. BOSSE
DAVID S. ABRAMOFF
JACK L. HARVEY
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ELLYN L. BROWN
CHRISTOPHER R. HELLOTT
PETER E. KEITH
MARIANNE SCHMITT HELLAUER
W. ROBERT ZINKHAM
KATHLEEN MORRIS McDONALD
CYNTHIA MEYERS MAHN
DAVID EUGENE RICE
STEVEN H. RESNCOFF
YAAKOV S. NEUBERGER

JOHN B. WATKINS, IV
ELIZABETH R. HUGHES
JAMES A. DUNBAR
RONALD W. TAYLOR
STEPHEN F. SISBEE
ALISON D. KOHLER
PAUL D. SHELTON
WILLIAM T. FITZGERALD, JR.
STEPHEN P. CARNNEY
ROBERT L. WALDMAN
FRANCIS R. LAWS
HERMAN EUGENE FUNK, JR.
ALLAN NEIL KRINSMAN
W. CARTER LESTER, JR.
BERT BLACK
KATHLEEN M. FLYNN
ROBERT J. PROUTT
BARBARA G. GOLDEN
ARCHIBALD R. MONTGOMERY, IV
MICHAEL D. HANKIN
ROBERT J. BOLGER, JR.
STEVEN G. TYLER
ERNEST A. CROFOOT
RITA LINDER BLUNDO
GREGORY R. REDDING
KATHARINE J. ARMENTROUT
LAWRENCE H. NORTON
J. MICHAEL BRENNAN
RICHARD B. DAGEN

*ADMITTED IN DISTRICT OF COLUMBIA
NOT ADMITTED IN MARYLAND

WRITER'S DIRECT NUMBER IS
244-7544

June 4, 1984

CERTIFIED MAIL/
RETURN RECEIPT REQUESTED

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
Washington, D. C. 20463

Re: Antosh v. Sarbanes, et al.,
FEC Complaint MUR No. 1696

Dear Mr. Steele:

I am the Treasurer for Citizens for Sarbanes (the "Committee"), Senator Paul S. Sarbanes' federal campaign committee. Your letter of May 18, 1984, has been referred by the Senator to me for our reply. This letter is intended to set forth the knowledge of the Senator and the Committee regarding the matters alleged in the Antosh Complaint based upon our preliminary investigation into those matters.

I. Contributions to 1982 primary campaign
by AFGE-PAC

The Antosh Complaint alleges that Citizens for Sarbanes knowingly received contributions totalling \$5,303.60

Charles N. Steele, Esquire
June 4, 1984
Page Two

from AFGE-PAC for the 1982 federal primary election, held in Maryland on September 14, 1982, and that it thereby exceeded the \$5,000 contribution limitation specified by 2 U.S.C. §441a (f).

The Committee's records reflect that it received a \$1,000 contribution from AFGE-PAC on July 2, 1982, for the 1982 primary campaign, which contribution it duly reported. Our records in that regard are attached hereto as Exhibit 1. Our records also reflect a \$1,000 contribution received September 14, 1982, for the 1982 primary campaign, and those records are attached as Exhibit 2. The Committee has no record, nor does it have any knowledge, of the \$3,006 in-kind contribution allegedly made on June 30, 1982, or the \$297.60 in-kind contribution allegedly made July 8, 1982, by AFGE-PAC. The Committee received no notification of any such contributions, and it has no present reason to believe such contributions were made to it. Consequently, to the best of our knowledge, AFGE-PAC's contributions to the Committee for the 1982 primary campaign totalled \$2,000 and were, in fact, properly reported.

II. Contributions to 1982 primary and general election campaign by AFL-CIO COPE-PCC and affiliated Industrial Union Department AFL-CIO Voluntary Fund

The Antosh Complaint alleges that Citizens for Sarbanes knowingly received 1982 primary contributions totalling \$5,250 from AFL-CIO COPE-PCC and its affiliated Industrial Union Department AFL-CIO Voluntary Fund in violation of 2 U.S.C. §441a (f).

The Committee's records reflect that it received a \$5,000 contribution from AFL-CIO COPE on November 10, 1981, for the 1982 primary campaign, and that contribution was duly reported. Our records in that regard are attached as Exhibit 3. The Committee received a \$250 contribution on July 15, 1982, from the Industrial Union Department AFL-CIO Voluntary Fund. Accompanying the contribution check was a letter dated July 8, 1982, from Brian Turner of IUD advising the Committee that the contribution was "for your general campaign." The Committee maintained separate checking and money-market accounts for ear-marked general election campaign contributions received prior to the September 14, 1982, primary. This \$250

Charles N. Steele, Esquire
June 4, 1984
Page Three

contribution was held in our general election account pursuant to the instructions we received from IUD. In reporting this contribution, the Committee, however, did err. We reported this contribution as a primary election contribution. It was, and should have been reported as, a general election contribution. We are preparing an amendment to correct that error. Our documents regarding this contribution are attached as Exhibit 4.

III. Contributions to 1982 primary and
general election campaign by I.L.G.W.U.

The Antosh Complaint alleges that Citizens for Sarbanes knowingly received 1982 primary contributions totalling \$7,500 from the I.L.G.W.U. and that it thereby exceeded the \$5,000 contribution limitation specified by 2 U.S.C. §441a (f).

The Committee's records reflect that it received a \$4,000 contribution from the I.L.G.W.U. on November 25, 1981, for the 1982 primary campaign, which contribution it duly reported. Our records in that regard are attached hereto as Exhibit 5. A \$1,000 contribution to the 1982 primary campaign was received September 1, 1982, and was so reported. Our records of that contribution are attached as Exhibit 6. An additional \$2,500 contribution was received on September 14, 1982. When this contribution was received, Mr. Marvin F. Moss of Senator Sarbanes' staff contacted Evelyn Dubrow, Executive Secretary of the I.L.G.W.U., and was advised by Ms. Dubrow that the contribution was intended for the Senator's general election campaign. The contribution, as so designated, was deposited in the Committee's general election campaign fund and was properly reported as a general election contribution. Our records in that regard are attached as Exhibit 7.

IV. Contributions to 1982 primary and
general election campaign by EPEC/
IUOE

The Antosh Complaint alleges that Citizens for Sarbanes knowingly received 1982 primary contributions totalling \$9,000 from the Engineers Political Education Committee and that it thereby exceeded the \$5,000 contribution

Charles N. Steele, Esquire
June 4, 1984
Page Four

limitation specified by 2 U.S.C. §441a (f).

The Committee's records reflect that it received a \$5,000 contribution from EPEC on September 9, 1981, for the 1982 primary campaign, which contribution it duly reported. Our records in that regard are attached hereto as Exhibit 8. An additional \$4,000 contribution was received on June 25, 1982. When this contribution was received, Mr. Moss of Senator Sarbanes' staff contacted Mr. John Brown, Director of Legislation, of the EPEC and was advised by Mr. Brown that the contribution was intended for the Senator's general election campaign. The contribution, as so designated, was deposited in the Committee's general election campaign fund and was properly reported as a general election contribution. Our records in that regard are attached as Exhibit 9.

V. Contributions to 1982 primary and
general election campaign by RCPL

The Antosh Complaint alleges that Citizens for Sarbanes knowingly received from RCPL contributions totalling \$9,000 for the 1982 general election, and that it thereby exceeded the \$5,000 contribution limitation specified by 2 U.S.C. §441a (f).

The Committee's records reflect that it received \$5,000 in contributions to the 1982 primary election from RCPL and \$4,000 in contributions to the 1982 general election, all of which were properly reported by it. Specifically, on August 19, 1981, the Committee received a \$2,000 contribution from RCPL, which it duly reported as a primary contribution, since it received no notice that the contribution was intended for anything other than the 1982 primary campaign. Our records in that regard are attached as Exhibit 10. March 26, 1982, a \$3,000 contribution was received from RCPL, and again it was duly reported as a primary contribution since no direction to the contrary was received. Our records of that contribution are attached as Exhibit 11. September 10, 1982, we received a \$1,000 contribution from RCPL. Mr. Moss of the Senator's staff contacted Mr. Joe Trainor, National Legislative Director, Brotherhood of Railway, Airline and Steamship Clerks, Freight-Handlers, Express and Station Employees, and was advised that the contribution was intended for the Senator's general election campaign. The contribution was therefore deposited in the Committee's general election account, and it was properly reported as a general election contribution. Our records are

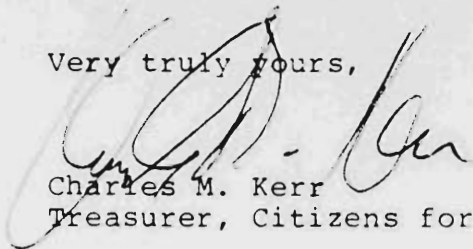
Charles N. Steele, Esquire
June 4, 1984
Page Five

attached as Exhibit 12. Following the September 14, 1982, primary, \$1,500 contributions were received on September 30 and October 20, 1982, and they were treated as general election contributions. Our records of those contributions are attached as Exhibits 13 and 14.

To summarize, with the exception of the \$250 I.U.D. contribution which was incorrectly reported as a primary campaign contribution, our records indicate that all of the contributions challenged in the Antosh Complaint were properly reported by the Committee. Furthermore, in no instance did we exceed the \$5,000 contribution limit.

Please let me know if I can be of further assistance in this matter.

Very truly yours,



Charles M. Kerr
Treasurer, Citizens for Sarbanes

CMK:trj
Enclosures

cc: The Honorable Paul S. Sarbanes

EXHIBIT #1

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

NO 6932 P

Campaign Contribution Receipt

To: July 2, 1982
American Federation of Government Employees, Political
Action Committee (A Voluntary Affiliate of AFGE)
1225 Mass. Ave. NW
Washington, DC 20005

P.A.C

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket: PAC

\$ 1000.00



Treasurer/Subtreasurer

APPLICABLE PERCENT

June 25 19 82

15 52
545

PAY TO THE ORDER OF Citizens for Sarbanes

\$ 1,000.00

One thousand and 00/100

DOLLARS

NS&T BANK, N.A.
WASHINGTON, D. C. 20005

Robert Reid DIRECTOR

James H. ... CHAIRMAN

OR Contribution

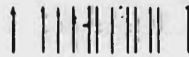
⑈000109⑈ ⑆054000522⑆ 024⑈50194⑈9⑈

DEPOSIT TICKET

CITIZENS FOR SARBANES

NS&T BANK, N.A.
WASHINGTON, D.C. 20005

DATE July 2 19



237

This deposit is accepted subject to verification and to our rules and regulations.

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

Name of Committee (in Full)
CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code Fidelity Group Political Action Committee 82 Devonshire Street Boston, Massachusetts 02109	Name of Employer N/A	Date (month, day, year) 7/3/82	Amount of Each Receipt This Period 200.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 200.00		

B. Full Name, Mailing Address and ZIP Code The First Boston Political Action Committee Five World Trade Center New York, New York 10048	Name of Employer N/A	Date (month, day, year) 7/30/82	Amount of Each Receipt This Period 250.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 250.00		

C. Full Name, Mailing Address and ZIP Code Government Employee Insurance Company - GEICO-Political Action Committee 5260 Western Avenue Washington, DC 20076	Name of Employer N/A	Date (month, day, year) 7/3/82	Amount of Each Receipt This Period 100.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 100.00		

D. Full Name, Mailing Address and ZIP Code American Federation of Government Employees, Political Action Committee 1325 Massachusetts Ave., N.W. Washington, DC 20005	Name of Employer N/A	Date (month, day, year) 7/2/82	Amount of Each Receipt This Period 1,000.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 1,000.00		

E. Full Name, Mailing Address and ZIP Code Hotel and Restaurant Employees & Bartenders International Union 1875 I Street, NW, Suite 450 Washington, DC 20006	Name of Employer N/A	Date (month, day, year) 8/23/82	Amount of Each Receipt This Period 500.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 1000.00		

F. Full Name, Mailing Address and ZIP Code Investment Management Political Action Committee 1775 K Street, NW Washington, DC 20006	Name of Employer N/A	Date (month, day, year) 7/14/82 8/25/82	Amount of Each Receipt This Period 3,000.00 1,500.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 4,500.00		

G. Full Name, Mailing Address and ZIP Code Independent Insurance Agents of America Political Action Comm. 1120 19th Street, NW, Suite 503 Washington, DC 20036	Name of Employer N/A	Date (month, day, year) 8/25/82	Amount of Each Receipt This Period 2,700.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 3,200.00		

SUBTOTAL of Receipts This Page (optional) 9,250.00

TOTAL This Period (last page this line number only)

EXHIBIT #2

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

No 9257 P

Campaign Contribution Receipt

To: American Federation of Government September 14, 1982

Employees, Political Action Committee
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005 *PAC*

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket *PAC*

\$ 1,000.00  _____
Treasurer/Subtreasurer

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, POLITICAL ACTION COMMITTEE

1400 M ST. N.W., WASHINGTON, D.C.
(A VOLUNTARY AFFILIATE OF AFGE)

291

Sept. 3 19 82

15 52
540

TO THE ORDER OF Citizens for Sarbanes

\$ 1,000.00

One thousand dollars and no cents

DOLLARS

NS&T BANK, N.A.
WASHINGTON, D.C. 20005

John Wilson DIRECTOR
Betsy Reed CHAIRMAN

⑆000291⑆ ⑆054000522⑆ 024⑆ 50154⑆ 9⑆

⑆000000000⑆

⑆000000000⑆

1000.00
1000.00
1000.00
1000.00
1000.00

DATE 1/14/82

DEPOSIT TICKET
CITIZENS FOR SARBANES

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)
 CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
ABC Active Ballot Club United Food & Commercial Workers International Union 1775 K Street, N.W. Washington, D.C. 20006	N/A	9/8/82	\$ 5,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 9,500.00	
B. Full Name, Mailing Address and ZIP Code Committee on Political Education AFL-CIO 815 16th Street, N.W. Washington, D.C. 20006	N/A	9/24/82	\$ 3,750.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 3,750.00	
C. Full Name, Mailing Address and ZIP Code American Federation of Government Employees. Political Action Comm. 1325 Massachusetts Avenue, N.W. Washington, D.C. 20005	N/A	9/14/82	\$ 1,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 2,000.00	
D. Full Name, Mailing Address and ZIP Code Avon Fund for Responsible Government 1660 L Street, N.W., Suite 715-16 Washington, DC 20036	N/A	9/3/82	\$ 250.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 250.00	
E. Full Name, Mailing Address and ZIP Code Bakery Confectionery and Tobacco Workers 1828 I Street, N.W. Washington, DC 20036	N/A	9/29/82	\$ 1,500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 4,000.00	
F. Full Name, Mailing Address and ZIP Code Build Political Action Committee of the Nat'l Assoc. of Home Builders 15th and M Streets, N.W. Washington, DC 20005	N/A	9/14/82	\$ 5,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 5,000.00	
G. Full Name, Mailing Address and ZIP Code Carpenters' Legislative Improvement Committee 101 Constitution Avenue Washington, DC 20001	N/A	9/28/82	\$ 2,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 6,000.00	

SUBTOTAL of Receipts This Page (optional) 512,500.00

TOTAL Tax-Exempt (Use page this line number only)

EXHIBIT #3

DEPOSIT TICKET

DATE _____ 19__

3



COMMITTEE ON POLITICAL EDUCATION, AFL-CIO
815 16TH STREET, N. W., WASHINGTON, D. C. 20006
POLITICAL CONTRIBUTIONS COMMITTEE - N

18-2
511

CHECK
NUMBER

PAY TO THE ORDER OF

AMOUNT

AMOUNT

CT2781

554 CITIZENS FOR SARBANES

\$ 5,000.00

\$ 5,000.00*

THE RIGGS NATIONAL BANK OF WASHINGTON
WASHINGTON, D. C.

Thomas Donahue
SECRETARY-TREASURER

⑆054000030⑆ 01⑆07008005⑆

This deposit is accepted subject to verification
and to our rules and regulations

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)			
CITIZENS FOR SARBANES			
A. Full Name, Mailing Address and ZIP Code Committee to Re-Elect Congressman William D. Ford 3476 City National Bank Bldg. Detroit, Michigan 48226	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		
B. Full Name, Mailing Address and ZIP Code Friends of Warren Duckett Acct. No. 2 145 Main Gorman St. Annapolis, Maryland 21401			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Aggregate Year-to-Date-\$			
C. Full Name, Mailing Address and ZIP Code Westvaco Political Participation Program 299 Park Avenue New York, N.Y. 10017			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Aggregate Year-to-Date-\$			
D. Full Name, Mailing Address and ZIP Code Committee on Political Education, AFL-CIO 815 16th Street, N.W. Washington, D.C. 20006			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Aggregate Year-to-Date-\$			
E. Full Name, Mailing Address and ZIP Code Ada Pac 1411 K Street, NW Washington, D.C. 20005			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Aggregate Year-to-Date-\$			
F. Full Name, Mailing Address and ZIP Code F.C.T.A. - PAC 504 W. Patrick Street Frederick, Maryland 21701			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Aggregate Year-to-Date-\$			
G. Full Name, Mailing Address and ZIP Code Washington County Political Action Committee 1410 Oak Hill Avenue Hagerstown, MD 21740			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Aggregate Year-to-Date-\$			
SUBTOTAL of Receipts This Page (optional)			500
TOTAL This Period (last page this line number only)			

EXHIBIT #4

INDUSTRIAL UNION DEPARTMENT, AFL-CIO
VOLUNTARY FUND

329

JULY 9, 1982 ¹⁵⁻⁷/₅₄₀ 20

PAY TO THE
ORDER OF

CITIZENS FOR SARBANES

\$ 250.00

— I. U. D. — \$250.00 — DOLLARS
AFL-CIO

DOLLARS



FOR CONTRIBUTION

⑈0000329⑈ • ⑈054000072⑈ ⑈063 36 7⑈

DEPOSIT TICKET

CITIZENS FOR SARBANES

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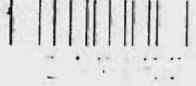
DATE July 15, 1982

[Handwritten signature]

Industrial Union \$250.00

AFL-CIO

15-3-JL21 82 879



500.000

500.00

This deposit is accepted subject to verification and to our rules and regulations.



Industrial Union Department AFL-CIO

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

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

July 8, 1982

The Honorable Paul Sarbanes
Citizens for Sarbanes
P.O. Box 10644
Baltimore, Maryland 21204

Dear Senator Sarbanes:

Enclosed is a contribution in the amount of \$250.00 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
Enclosure

DC III

Vice Presidents

Shelley Appleton • Kenneth Blaylock • Dominick D. Ambrosio • David J. Fitzmaurice • Douglas A. Fraser • Wayne E. Goss • Keith Johnson • William Lucy • Frank Martino • Lloyd McBride • Charles H. P. • Albert Shanker • Jack Sheinkman • Milan Stone • Sweeney • J. C. Turner • Shannon Wall • Martin J. Ward • Glenn E. Watts • William H. Wynn

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

Name of Committee (in Full)
CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code Industrial Union Department AFL/CIO Voluntary Fund 815 Sixteenth Street, N.W. Washington, DC 20006	Name of Employer N/A	Date (month, day, year) 7/15/82	Amount of Each Receipt this Period 250.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 250.00		

B. Full Name, Mailing Address and ZIP Code Machinists Non-Partisan Political League 1300 Connecticut Avenue, NW Washington, DC 20036	Name of Employer N/A	Date (month, day, year) 8/25/82	Amount of Each Receipt This Period 5,000.00
	Occupation N/A		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 5,000.00		

C. Full Name, Mailing Address and ZIP Code Maintenance of Way Political League 12050 Woodward Avenue Detroit, Michigan 48203	Name of Employer N/A	Date (month, day, year) 7/14/82	Amount of Each Receipt This Period 250.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 250.00		

D. Full Name, Mailing Address and ZIP Code Mortgage Bankers Political Action Committee (MORPAC) 1125 15th St., NW, Suite 700 Washington, DC 20005	Name of Employer N/A	Date (month, day, year) 8/23/82 8/24/82	Amount of Each Receipt This Period 500.00 500.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 1,000.00		

E. Full Name, Mailing Address and ZIP Code Mortgage Insurance Political Action Committee 1725 K Street, NW, Suite 1402 Washington, DC 20006	Name of Employer N/A	Date (month, day, year) 8/23/82	Amount of Each Receipt This Period 500.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 500.00		

F. Full Name, Mailing Address and ZIP Code Municipal Securities Industry Political Action Committee 490 L'Enfant Plaza, East, SW Suite 3212, Wash, DC 20024	Name of Employer N/A	Date (month, day, year) 8/25/82	Amount of Each Receipt This Period 500.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 500.00		

G. Full Name, Mailing Address and ZIP Code NMU-PLow 346 West 17th Street New York, New York 10011	Name of Employer N/A	Date (month, day, year) 8/5/82	Amount of Each Receipt This Period 1,000.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 1,000.00		

SUBTOTAL of Receipts This Page (optional) \$ 700.00

TOTAL This Period (last page this line number only)

EXHIBIT #5

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

No 2414

✓
P

Campaign Contribution Receipt

November 25, 1981

To: I. L. G. W. U.
Campaign Committee

1710 Broadway

New York, N. Y. 10019

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket

\$ 4,000.00

Treasurer/Subtreasurer

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)			
CITIZENS FOR SARBANES			
A. Full Name, Mailing Address and ZIP Code A.F. of M. TEMPO, P.C.C. 1500 Broadway New York, N.Y. 10036	Name of Employer N/A	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation N/A	11/25/81	1000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 1000		
B. Full Name, Mailing Address and ZIP Code ✓ I.L.G.W.U. Campaign Committee 1710 Broadway New York, N.Y. 10019	Name of Employer N/A	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation N/A	11/25/81	4000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 4000		
C. Full Name, Mailing Address and ZIP Code American President Lines, Ltd. Political Action Committee 1950 Franklin Street Oakland, California 94612	Name of Employer N/A	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation N/A	12/3/81	500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 500		
D. Full Name, Mailing Address and ZIP Code Moore McCormack/Pickands Mather Political Action Committee Moore McCormack Resources, Inc. One Landmark Square Stamford, Connecticut 06901	Name of Employer N/A	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation N/A	12/3/81	500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 500		
E. Full Name, Mailing Address and ZIP Code Ogden Corporation Political Action Fund C.G. Carrasm, Vice-President 2829 Pennsylvania Ave. NW Suite 205, Wash. D.C. 20007	Name of Employer N/A	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation N/A	12/3/81	500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 500		
F. Full Name, Mailing Address and ZIP Code Delta Political Action Association P.O. Box 50250 New Orleans. LA 70150	Name of Employer N/A	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation N/A	12/3/81	500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 500		
G. Full Name, Mailing Address and ZIP Code Brotherhood of Locomotive Engineers Legislative League 1128 Engineers Building Cleveland, Ohio 44114	Name of Employer N/A	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation N/A	12/4/81	300
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$ 300		
SUBTOTAL of Receipts This Page (optional)			7300
TOTAL This Period (last page this line number only)			

EXHIBIT #6

CITIZENS FOR SARBANES

P.O. Box 10644,
Baltimore, Md. 21204

No 8714 P

Campaign Contribution Receipt

To: I.L.G.W.U.

September 1, 1982

Campaign Committee
~~1710 Broadway~~
New York, New York 10019

Occupation _____ Business Name P.A.C.

Business Address _____

Cash Check Contribution in kind Ticket PAC - September

\$ 1,000.00  _____

Treasurer/Subtreasurer

ILGWU CAMPAIGN COMMITTEE

NATIONAL COMMITTEE OFFICE • 1710 BROADWAY • NEW YORK, N.Y. 10019

PHONE: COLUMBUS 5-7008

SOL C. CHAIKIN
Chairman

SHELLY APPLETON
Treasurer

WILBUR DANIELS
FREDERICK SIEMS
Vice Chairmen

GUS TYLER
Director

EVELYN DUBROW
Executive Secretary

DAVID I. WELLS
Associate Director

August 17, 1982

Citizens for Sarbanes
3240 Greenmount Avenue
Batimore, Maryland 21218

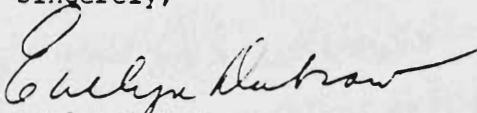
Gentlemen:

At the request of Chairman Chaikin, I am sending you this additional check for \$1,000 to be used toward Sarbanes campaign for re-election to Congress. With go our very best wishes for success.

This contribution represents the voluntary dollars collected from members of the International Ladies Garment Workers Union for the ILGWU Campaign Committee Fund.

May we suggest that you ascertain (if you do not already know) whether under the laws of Maryland you or the ILGWU Campaign Committee, or both, are required to file any reports of this contribution. If such a report is required of us, we would appreciate it if you would so inform us as quickly as possible.

Sincerely,



Evelyn Dubrow
Executive Secretary

ED/cf

opeiu - 153

Encl. Check # 5097

Executive Committee

NICHOLAS S. BONANNO

GLENWOOD CLAY

CLIFFORD DEPIN

JOSEPH FISHER

SOL GOLDBERG

MANUEL GONZALEZ

SOL GREENE

GERALD GROSSMAN

SOL HOFFMAN

MATTIE JACKSON

EDWARD KRAMER

DOUGLAS LEVIN

FRANK LONGO

JAY MAZUR

LOU MINTENEGRO

PETER NADASH

SAMUEL NEMAZER

EDWARD SCHNEIDER

MATTHEW SCHOENWALD

IRWIN SOLOMON

CORNELIUS WALL

SCHEDULE A

ITEMIZED RECEIPTS

LINE NUMBER 11-C
 (Use separate schedule(s) for each category of the Detailed Summary Page)

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

Name of Committee (in Full)			
CITIZENS FOR SARBANES C-00029777			
A. Full Name, Mailing Address and ZIP Code Firefighters Interested in Registration & Education Political Action Committee 1750 New York Avenue, N.W. Washington, DC 20006	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	N/A	9/30/82	\$ 600.00
Aggregate Year-to-Date—\$ 600.00			
B. Full Name, Mailing Address and ZIP Code Florida Congressional Committee 3500 Flamingo Drive Miami Beach, Florida 33140	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	N/A	9/29/82	\$ 2,000.00
Aggregate Year-to-Date—\$ 2,000.00			
C. Full Name, Mailing Address and ZIP Code Government Action Committee 5210 Contour Place Houston, Texas 77093	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	N/A	9/30/82	\$ 1,000.00
Aggregate Year-to-Date—\$ 1,000.00			
D. Full Name, Mailing Address and ZIP Code Graphic Arts International Union Political Contributions Committee 1900 L Street, N.W. Washington, DC 20036	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	N/A	9/28/82 9/24/82	\$ 500.00 \$ 500.00
Aggregate Year-to-Date—\$ 1,500.00			
E. Full Name, Mailing Address and ZIP Code The E. F. Hutton Group Political Action Committee One Battery Park Plaza New York, New York 10004	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	N/A	9/28/82	\$ 2,500.00
Aggregate Year-to-Date—\$ 2,500.00			
F. Full Name, Mailing Address and ZIP Code I.B.E.W.-C.O.P.E. International Brotherhood of Electrical Workers 1125 15th Street N.W. Washington, DC 20005	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	N/A	9/7/82	\$ 500.00
Aggregate Year-to-Date—\$ 3,000.00			
G. Full Name, Mailing Address and ZIP Code I.L.G.W.U. International Ladies Garment Workers Union 1715 Broadway, New York, N.Y. 10019	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	N/A	9/1/82	\$ 1,000.00
Aggregate Year-to-Date—\$ 1,000.00			
SUBTOTAL of Receipts This Page (optional)			\$ 8,600.00
TOTAL This Period (last page this line number only)			

EXHIBIT #7

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

No 9175 P

Campaign Contribution Receipt

To:

September 14, 1982

I.L.G.W.U.

International Ladies Garment Workers Union

1710 Broadway

New York, New York 10019

General

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket PAC

\$ 2,500.00



Treasurer/Subtreasurer

ILGWU CAMPAIGN COMMITTEE

NATIONAL COMMITTEE OFFICE • 1710 BROADWAY • NEW YORK, N.Y. 10019

PHONE: COLUMBUS 5-7008

SOL C. CHAIKIN
Chairman

SHELLY APPLETON
Treasurer

WILBUR DANIELS
FREDERICK SIEMS
Vice Chairman

GUS TYLER
Director

EVELYN DUBROW
Executive Secretary

DAVID I. WELLS
Associate Director

August 31, 1982

Executive Committee:

NICHOLAS S. BONANNO

GLENWOOD CLAY

CLIFFORD DEPIN

JOSEPH FISHER

SOL GOLDBERG

MANUEL GONZALEZ

SOL GREENE

GERALD GROSSMAN

SOL HOFFMAN

MATTIE JACKSON

EDWARD KRAMER

DOUGLAS LEVIN

FRANK LONGO

JAY MAZUR

LOU MONTENEGRO

PETER NADASH

SAMUEL NEMAIZER

EDWARD SCHNEIDER

MATTHEW SCHOENWALD

IRWIN SOLOMON

CORNELIUS WALL

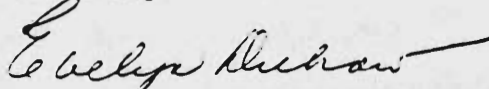
Citizens for Sarbanes
3240 Greenmount Avenue
Baltimore, Md. 21218

Gentlemen:

At the request of Chairman Chaikin, I am sending you this additional check for \$2,500 to be used toward Senator Sarbanes' campaign for re-election to the U.S. Senate. With it go our very best wishes for success.

This contribution represents the voluntary dollars collected from members of the International Ladies Garment Workers Union for the ILGWU Campaign Committee Fund.

Sincerely,



Evelyn Dubrow
Executive Secretary

ED/cf

opeiu - 153

Encl. 5284

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

Name of Committee (in Full)

CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
ILGWU, con't Campaign Committee 1710 Broadway New York, New York 10019	N/A	9/14/82	\$ 2,500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 3,500.00	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
International Union of Electrical Radio and Machine Workers Committee on Political Education 1126 16th Street, N.W. Washington, D.C. 20036	N/A	8/31/82	\$ 500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 500.00	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Kids Political Action Committee 80 Trowbridge Street Cambridge, Massachusetts 02138	N/A	9/20/82	\$ 1,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 2,000.00	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Laborers' Political League 905 16th Street, N.W. Washington, DC 20006	N/A	9/1/82	\$ 1,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 2,000.00	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Lane and Edson Political Action Committee 1800 M Street, NW, Suite 400, S Washington, Dc 20036	N/A	9/30/82	\$ 500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 500.00	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Brotherhood of Locomotive Engineers, Legislative League 1128 Engineers Building Cleveland, Ohio 44114	N/A	9/7/82	\$ 500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 750.00	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Masters, Mates & Pilots Political Contribution Fund 39 Broadway New York, New York 10006	N/A	9 30/82	\$ 200.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 3,200.00	

SUBTOTAL of Receipts This Page (optional) \$ 6,200.00

TOTAL This Period (last page this line number only)

EXHIBIT #8

8

CITIZENS FOR SARBANES
P.O. Box 10644
Baltimore, Md. 21204

NO 1408 P

Campaign Contribution Receipt Sept. 9, 1991

To: Engineers Political Education Committee
1125 Seventeenth Street, N.W.
Washington D.C. 20036

ENC

Occupation _____ Business Name _____
Business Address _____

Cash Check Contribution in kind Ticket

\$ 5,000.00

~~100~~ 10

Treasurer/Subtreasurer

Engineers Political Education Committee (E.P.E.C.)

15-4
540

1125 SEVENTEENTH STREET NORTHWEST WASHINGTON, D. C. 20036

No. 000476

DATE AUGUST 27 1981

Five thousand and no/100 DOLLARS \$ 5,000.00

FOR Citizens for Sarbanes

ENGINEERS POLITICAL EDUCATION COMMITTEE (E.P.E.C.)

FIRST NATIONAL BANK OF WASHINGTON WASHINGTON

⑆000476⑆ ⑆054000043⑆ ⑆055755⑆

[Signature]
TREASURER



1-44-0337
DEPOSIT TICKET

DATE _____ 19__

This deposit is receipt subject to verification

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)
CITIZENS FOR SARBANES

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Schlüssel, Lifton, Simon, Rands Kaufman and Lesinski Political Committee 29201 Telegraph Road, Suite 500 Southfield, Michigan 48034	N/A	7/31/81	300
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 300	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Milwaukeans for a Better Congress 3950 N. Holton Street Milwaukee, Wisconsin 53212	N/A	8/11/81	250
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 250	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Drive Political Fund 25 Louisiana Avenue, N.W. Washington, D.C. 20001	N/A	8/19/81	1000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 1000	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Railway Clerks Political League 3 Research Place Rockville, Maryland 20850	N/A	8/19/81	2000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 2000	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Engineers Political Education Committee 1125 17th Street, N.W. Washington, D.C. 20036	N/A	9/9/81	5000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 5000	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Southern Railway Good Government Fund 920 15th St., NW Washington, D.C. 20005	N/A	9/9/81	200
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 200	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
United Steelworkers of America Political Action Fund Five Gateway Center Pittsburgh, PA 15222	N/A	9/9/81	2500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 5000	

SUBTOTAL of Receipts This Page (optional) 11,250

TOTAL This Period (last page this line number only)

EXHIBIT = 9

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

NO 6472 P ✓

Campaign Contribution Receipt


To: Engineers Political Education Committee June 25, 1982

1125 Seventeenth Street, Northwest
Washington, D.C. 20036

Occupation _____ Business Name _____
Business Address _____

GENERAL ELECTION
PAC

Cash Check Contribution in kind Ticket PAC *reporter*

\$ 4000.00  _____
Treasurer/Subtreasurer



Engineers Political Education Committee (E.P.E.C.)

15-2
540

1125 SEVENTEENTH STREET NORTHWEST WASHINGTON D. C. 20036

No. 000719

DATE June 17, 1982

PAY Four thousand and no/00..... DOLLARS \$4,000.00

TO THE ORDER OF

ENGINEERS POLITICAL EDUCATION COMMITTEE (E.P.E.C.)

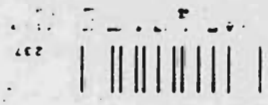
Citizens for Sarbanes

Edward Hanley
TREASURER

UNION FIRST NATIONAL BANK OF WASHINGTON - WASHINGTON, D.C.

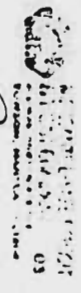
⑈000719⑈ ⑆054000043⑆ ⑆055256⑆

15-52



DEPOSIT TICKET
CITIZENS FOR SARBANES

DATE June 24 19



This deposit is accepted subject to verification and to our rules and regulations

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)
CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Drive Political Fund 25 Louisiana Avenue, N.W. Washington, D.C. 20001	N/A	6/9/82	1,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 1000.00	
B. Full Name, Mailing Address and ZIP Code Minnesota Drive Voluntary Fund 3001 University Avenue, SE Minneapolis, Minnesota 55414	N/A	6/17/82	1,000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 2000.00	
C. Full Name, Mailing Address and ZIP Code Engineers Political Education Committee 1125 17th Street, NW Washington, DC 20036	N/A	6/25/82	4,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 4,000.00	
D. Full Name, Mailing Address and ZIP Code Graphic Arts International Union Political Contributions Committee 1900 L Street, NW Washington, DC 20036	N/A	6/28/82	500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 500.00	
E. Full Name, Mailing Address and ZIP Code Hotel and Restaurant Employees & Bartenders International Union TIP-"To Insure Progress" Suite 450, 1875 Eye St., NW Washington, DC 20006	N/A	6/29/82	500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 500.00	
F. Full Name, Mailing Address and ZIP Code I.B.E.W. - C.O.P.E. 1125 15th Street, NW Washington, DC 20005	N/A	6/8/82 6/8/82	2,000.00 500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 2,500.00	
G. Full Name, Mailing Address and ZIP Code IEPAT - Political Action Together, Political Fund 1750 New York Avenue, NW Washington, DC 20006	N/A	6/25/82	2,500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date-\$ 4,000.00	

SUBTOTAL of Receipts This Page (optional) 12,000.00

EXHIBIT #10

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

No 1339 P

Campaign Contribution Receipt

August 19, 1991

To: Railway Clerks Political League

3 Research Place

Rockville, Maryland 20850

Occupation _____ Business Name _____

Business Address _____

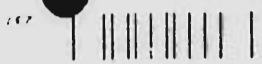
Cash Check Contribution in kind Ticket

\$ 2000.00

 DE

[Signature]

Treasurer/Subtreasurer



This deposit is accepted subject to verification and to our rules and regulations

DEPOSIT TICKET

FOR THE SAVINGS DEPARTMENT

DATE July 14 1981

RAILWAY CLERKS POLITICAL LEAGUE
3 RESEARCH PL.
ROCKVILLE, MD 20850

4577

July 14 • 1981 15-52
540

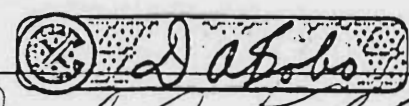
PAY TO THE ORDER OF

Citizens for Sarbanes

\$ 2,000.00

Two Thousand and 00/100. DOLLARS

NATIONAL SAVINGS TRUST COMPANY
WASHINGTON, D.C.



Fred J. Bull

FOR

⑈004577⑈ ⑈054000522⑈ 024⑈5281613⑈

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)			
CITIZENS FOR SARBANES			
A. Full Name, Mailing Address and ZIP Code Schlüssel, Lifton, Simon, Rands Kaufman and Lesinski Political Committee 29201 Telegraph Road, Suite 500 Southfield, Michigan 48034	Name of Employer N/A	Date (month, day, year) 7/31/81	Amount of Each Receipt This Period 300
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 300	
B. Full Name, Mailing Address and ZIP Code Milwaukeeans for a Better Congress 3950 N. Holton Street Milwaukee, Wisconsin 53212	Name of Employer N/A	Date (month, day, year) 8/11/81	Amount of Each Receipt This Period 250
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 250	
C. Full Name, Mailing Address and ZIP Code Drive Political Fund 25 Louisiana Avenue, N.W. Washington, D.C. 20001	Name of Employer N/A	Date (month, day, year) 8/19/81	Amount of Each Receipt This Period 1000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 1000	
D. Full Name, Mailing Address and ZIP Code Railway Clerks Political League 3 Research Place Rockville, Maryland 20850	Name of Employer N/A	Date (month, day, year) 8/19/81	Amount of Each Receipt This Period 2000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 2000	
E. Full Name, Mailing Address and ZIP Code Engineers Political Education Committee 1125 17th Street, N.W. Washington, D.C. 20036	Name of Employer N/A	Date (month, day, year) 9/9/81	Amount of Each Receipt This Period 5000
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 5000	
F. Full Name, Mailing Address and ZIP Code Southern Railway Good Government Fund 920 15th St., NW Washington, D.C. 20005	Name of Employer N/A	Date (month, day, year) 9/9/81	Amount of Each Receipt This Period 200
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 200	
G. Full Name, Mailing Address and ZIP Code United Steelworkers of America Political Action Fund Five Gateway Center Pittsburgh, PA 15222	Name of Employer N/A	Date (month, day, year) 9/9/81	Amount of Each Receipt This Period 2500
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 5000	
SUBTOTAL of Receipts This Page (optional)			11,250
TOTAL This Period (last page this line number only)			

EXHIBIT #11

3 11

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

NO 4034 P

Campaign Contribution Receipt

To: Responsible March 26, 1982

Responsible Citizens Political League

A Project of the Brotherhood of

Railway & Airline Clerks



3 Research Place

Rockville, Md 20850

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket

\$ 3,000.00  

Treasurer/Subtreasurer

**RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS**

187

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

March 12

82

$\frac{15.52}{640}$

19

PAY TO THE
ORDER OF

Citizens for Sarbanes

\$ 3,000.00

Three Thousand and 00/100. DOLLARS

NS&T BANK

Business Savings and Trust Company
Washington, D.C. 20005

D. A. [Signature]

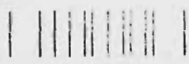
R. J. Kelly

FOR

⑈000187⑈ ⑆1:054000522⑆ 024⑈5281613⑈

DEPOSIT TICKET

DATE _____ 19__



237

This deposit is accepted subject to verification
and to our rules and regulations

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)			
CITIZENS FOR SARBANES C-00029777			
A. Full Name, Mailing Address and ZIP Code Masters, Mates & Pilots Political Contribution Fund 39 Broadway New York, New York 10006	Name of Employer N/A	Date (month, day, year) 3/19/82	Amount of Each Receipt this Period 2500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 2500.00	
B. Full Name, Mailing Address and ZIP Code National Educational Association Political Action Committee 1201 16th Street, N.W. Washington, D.C. 20036	Name of Employer N/A	Date (month, day, year) 3/31/82	Amount of Each Receipt This Period 2500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 2500.00	
C. Full Name, Mailing Address and ZIP Code Realtors Political Action Committee 430 N. Michigan Avenue Chicago, Illinois 60611	Name of Employer N/A	Date (month, day, year) 2/8/82	Amount of Each Receipt This Period 250.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 250.00	
D. Full Name, Mailing Address and ZIP Code Responsible Citizens Political League, A Project of the Brotherhood of Railway & Airline Clerks 3 Research Place Rockville, Maryland 20850	Name of Employer N/A	Date (month, day, year) 3/26/82	Amount of Each Receipt This Period 3000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 3000.00	
E. Full Name, Mailing Address and ZIP Code SAF PAC Society of American Florist PAC P.O. Box 909 Alexandria, VA 22313	Name of Employer N/A	Date (month, day, year) 1/20/82	Amount of Each Receipt This Period 25.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 25.00	
F. Full Name, Mailing Address and ZIP Code San Franciscans for Good Government (SFGG) One Maritime Plaza, Suite 2500 San Francisco, California 94111	Name of Employer N/A	Date (month, day, year) 3/22/82	Amount of Each Receipt This Period 2000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 2000.00	
G. Full Name, Mailing Address and ZIP Code Thriftpac National Association of Mutual Savings Banks Suite 200 1709 New York Avenue, N.W. Washington, D.C. 20006	Name of Employer N/A	Date (month, day, year) 1/18/82	Amount of Each Receipt This Period 250.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation N/A	Aggregate Year-to-Date—\$ 250.00	
SUBTOTAL of Receipts This Page (optional)			10525.00
TOTAL This Period (last page this line number only)			

EXHIBIT #12

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

No 9067 P

11

Campaign Contribution Receipt

To: September 10, 1982
Responsible Citizens Political League

A Project of the Brotherhood of Railway & Airline Clerks
3 Research Place

Fockville, Maryland 20850 PAC GENERAL

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket PAC

\$ 1,000.00  _____

Treasurer/ Subtreasurer

RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS

402

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

15-52
540

August 30 19 82

TO THE
ORDER OF

Citizens for Sarbanes

\$ 1,000.00

One Thousand and 00/100. DOLLARS

NS&T BANK

National Savings and Trust Company
Washington, D.C. 20005

D. A. Bobo

R. J. Kelley

⑆000402⑆ ⑆1:054000522⑆ 024⑆52816⑆3⑆

1,000.00

⑆000101000⑆
ST 10
⑆054000522⑆
⑆000402⑆

DATE 1/11/82

DEPOSIT TICKET
CITIZENS FOR SARBANES

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)
 CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Responsible Citizens Political League, A Project of the Brotherhood of Railway & Airline Clerks 3 Research Place Rockville, Maryland 20850	N/A	9/10/82	\$ 1,000.00
	Occupation N/A	9/30/82	\$ 1,500.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 5,500.00		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
NARFE-Political Action Committee National Association Retired Federal Employees 1533 New Hampshire Avenue, N.W. Washington, DC 20036	N/A	9/14/82	\$ 2,000.00
	Occupation N/A		
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 4,500.00		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Saint Louisians for Better Government 62 Briarcliff St. Louis, Missouri 63124	N/A	9/28/82	\$ 5,000.00
	Occupation N/A		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 5,000.00		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
San Franciscans for Good Government One Maritime Plaza, Suite 2500 San Francisco, California 94111	N/A	8/27/82	\$ 3,000.00
	Occupation N/A		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 8,000.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Service Employees Int'l Union Political Action Committee 2020 K Street, N.W. Washington, DC 20006	N/A	9/30/82	\$ 2,000.00
	Occupation N/A		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 7,000.00		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Sierra Club Committee on Political Education 530 Bush Street San Francisco, California 94108	N/A	9/1/82	\$ 100.00
	Occupation N/A	9/1/82	\$ 300.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 950.00		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Tanners' Council of America, Inc. Political Action Committee 2501 M Street, N.W., Suite 350 Washington, DC 20037	N/A	9/16/82	\$ 400.00
	Occupation N/A		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date—\$ 400.00		

SUBTOTAL of Receipts This Page (optional) \$15,300.00

EXHIBIT #13

CITIZENS FOR SARBANES

P.O. Box 10644
Baltimore, Md. 21204

No 10509 P

Campaign Contribution Receipt

To: September 30, 1982

Responsible Citizens Political League

A Project of the Brotherhood of

Railway & Airline Clerks

3 Research Place

Rockville, Maryland 20850

P.A.C.

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket P.A.C. DC-4

\$ 1,500.00



Treasurer/Subtreasurer

RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

477

Sept. 23 1982

15-52
540

PAY TO THE ORDER OF Citizens for Sarbanes \$ 1,500.00

One Thousand Five Hundred and 00/100. . . DOLLARS

NS&T BANK
National Savings and Trust Company
Washington, D.C. 20005

[Signature]

FOR *R. J. Kiley*

⑆000477⑆ ⑆1054000522⑆ 024⑆5281613⑆

DOTZ

CITIZENS FOR SARBANES

DATE _____ 19__

This deposit is accepted subject to verification and to our rules and regulations

⑆000170000⑆ ⑆024⑆5281613⑆ 1,500.00

SCHEDULE A ITEMIZED RECEIPTS

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

Name of Committee (in Full)
 CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
<input checked="" type="checkbox"/> Responsible Citizens Political League, A Project of the Brotherhood of Railway & Airline Clerks 3 Research Place Rockville, Maryland 20850 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):	N/A	9/10/82	\$ 1,000.00
	Occupation N/A	9/30/82	\$ 1,500.00
Aggregate Year-to-Date-\$ 5,500.00			
B. Full Name, Mailing Address and ZIP Code NARFE-Political Action Committee National Association Retired Federal Employees 1533 New Hampshire Avenue, N.W. Washington, DC 20036 Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	Name of Employer N/A	Date (month, day, year) 9/14/82	Amount of Each Receipt This Period \$ 2,000.00
	Occupation N/A		
Aggregate Year-to-Date-\$ 4,500.00			
C. Full Name, Mailing Address and ZIP Code Saint Louisians for Better Government 62 Briarcliff St. Louis, Missouri 63124 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):	Name of Employer N/A	Date (month, day, year) 9/28/82	Amount of Each Receipt This Period \$ 5,000.00
	Occupation N/A		
Aggregate Year-to-Date-\$ 5,000.00			
D. Full Name, Mailing Address and ZIP Code San Franciscans for Good Government One Maritime Plaza, Suite 2500 San Francisco, California 94111 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):	Name of Employer N/A	Date (month, day, year) 8/27/82	Amount of Each Receipt This Period \$ 3,000.00
	Occupation N/A		
Aggregate Year-to-Date-\$ 8,000.00			
E. Full Name, Mailing Address and ZIP Code Service Employees Int'l Union Political Action Committee 2020 K Street, N.W. Washington, DC 20006 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):	Name of Employer N/A	Date (month, day, year) 9/30/82	Amount of Each Receipt This Period \$ 2,000.00
	Occupation N/A		
Aggregate Year-to-Date-\$ 7,000.00			
F. Full Name, Mailing Address and ZIP Code Sierra Club Committee on Political Education 530 Bush Street San Francisco, California 94108 Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (Specify):	Name of Employer N/A	Date (month, day, year) 9/1/82	Amount of Each Receipt This Period \$ 100.00
	Occupation N/A	9/1/82	\$ 300.00
Aggregate Year-to-Date-\$ 950.00			
G. Full Name, Mailing Address and ZIP Code Tanners' Council of America, Inc. Political Action Committee 2501 M Street, N.W., Suite 350 Washington, DC 20037 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):	Name of Employer N/A	Date (month, day, year) 9/16/82	Amount of Each Receipt This Period \$ 400.00
	Occupation N/A		
Aggregate Year-to-Date-\$ 400.00			

SUBTOTAL of Receipts This Page (optional) \$15,300.00

TOTAL This Period (last page this line number only)

EXHIBIT #14

CITIZENS FOR SARBANES

P.O. Br 10644
Baltimore, Md. 21204

No 1044 P

72
14

Campaign Contribution Receipt

To: October 20, 1992

Responsible Citizens Political League

A Project of the Brotherhood of Railway & Airline Clerks

3 Research Place

Rockville, Maryland 20850

PAC

Occupation _____ Business Name _____

Business Address _____

Cash Check Contribution in kind Ticket

PAC *member*

\$ 1,500.00



Treasurer/Subtreasurer

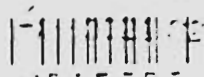
DEPOSIT TICKET

CITIZENS POLITICAL LEAGUE

DATE

Handwritten notes and signatures at the top of the page.

This deposit is accepted subject to verification and to our rules and regulations



617

10,700.00

RESPONSIBLE CITIZENS POLITICAL LEAGUE
A PROJECT OF THE BROTHERHOOD OF
RAILWAY & AIRLINE CLERKS

508

(BRAC)
3 RESEARCH PLACE
ROCKVILLE, MD 20850

October 8 19 82

15-52
540

PAY TO THE ORDER OF

Citizens for Sarbanes

\$ 1,500.00

One Thousand Five Hundred and 00/100. DOLLARS

NS&T BANK

Member FDIC

Signature: D. A. K. [unclear]

FOR

Signature: R. J. Kelley

⑆000508⑆ ⑆094000988⑆ 024⑆ 5 26 19 82⑆

1516

SCHEDULE A

ITEMIZED RECEIPTS

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

Name of Committee (in Full)
 CITIZENS FOR SARBANES C-00029777

A. Full Name, Mailing Address and ZIP Code Protect our Heritage Political Action Committee 6501 N. Washinaw Chicago, Illinois 60645	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	N/A	10/20/82	\$ 500.00
	Occupation N/A	Aggregate Year-to-Date—\$ 500.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):			

B. Full Name, Mailing Address and ZIP Code Realtors Political Action Comm. 430 N. Michigan Avenue Chicago, Illinois 60611	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	N/A	10/29/82	\$ 250.00
	Occupation N/A	Aggregate Year-to-Date—\$ 750.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):			

C. Full Name, Mailing Address and ZIP Code Responsible Citizens Political League A Project of the Brotherhood of Railway and Airline Clerks 3 Research Place Rockville, Maryland 20850	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	N/A	10/20/82	\$1,500.00
	Occupation N/A	Aggregate Year-to-Date—\$ 7,000.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):			

D. Full Name, Mailing Address and ZIP Code NARFE-PAC National Association of Retired Federal Employees 1501 New Hampshire Avenue, N.W. Washington, DC 20036	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	N/A	10/20/82	\$1,500.00
	Occupation N/A	Aggregate Year-to-Date—\$ 6,000.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):			

E. Full Name, Mailing Address and ZIP Code United Rubber, Cork, Linoleum and Plastic Workers of America 67 South High Street Akron, Ohio 44308	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	N/A	10/25/82	\$ 500.00
	Occupation N/A	Aggregate Year-to-Date—\$ 1,500.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):			

F. Full Name, Mailing Address and ZIP Code Action Committee for Rural Electrification 1800 Massachusetts Avenue, N.W. Washington, DC 20036	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	N/A	10/25/82	\$1,000.00
	Occupation N/A	Aggregate Year-to-Date—\$ 2,150.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):			

G. Full Name, Mailing Address and ZIP Code San Franciscans for Good Government One Maritime Plaza, Suite 2500 San Francisco, California 94111	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	N/A	10/25/82	\$1,500.00
	Occupation N/A	Aggregate Year-to-Date—\$ 9,500.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (Specify):			

SUBTOTAL of Receipts This Page (optional) \$6,750.00

TOTAL This Period (last page of this number only)

CERTIFIED
P 415 942 963
MAIL

BALTIMORE MARYLAND
PM
JUN 6
1984
212

BALTIMORE MARYLAND
PM
JUN 6
1984
212

VENABLE, BALDWIN, AND HOWARD
ATTORNEYS-AT-LAW
1800 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

CMK

TO: Charles N. Steele, Esquire
General Counsel
Federal Election Commission
Washington, D. C. 20463

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

FIRST CLASS MAIL

0 7 2 1 7 5 0 7 0 9 8

600#3502
UNION 34

INTERNATIONAL LADIES' GARMENT WORKERS' UNION

AFL-CIO

1710 BROADWAY • NEW YORK, N.Y. 10019

CABLE ADDRESS: ILGWU—NEW YORK • PHONE: 212-265-7000

LEGAL DEPARTMENT

MAX ZIMNY

General Counsel

June 4, 1984

Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

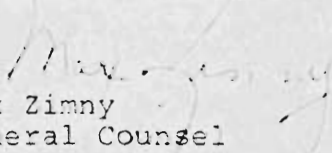
Re: MUR 1696
Attention: Frances Hagan

Dear Sir:

Enclosed is the response to the complaint in the captioned case filed on behalf of the ILGWU Campaign Committee and Lawrence Dock, its Acting Treasurer.

Also enclosed is a designation of the undersigned as counsel.

Sincerely yours,


Max Zimny
General Counsel

MZ:cs
Enclosure

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

Evelyn Dubrow, being duly sworn, deposes and
says:

1. I am Executive Secretary of the International Ladies' Garment Workers' Union Campaign Committee ("ILGWU Campaign Committee"). I also occupied that position in the years 1981 and 1982. I am fully familiar with all of the facts and circumstances complained of in MUR No. 1696 with respect to the ILGWU Campaign Committee and its Acting Treasurer, Lawrence Dock.

2. My principal office is in Washington D.C. I normally instruct clerical employees in New York by phone from my Washington office regarding campaign contribution from the ILGWU Campaign Committee.

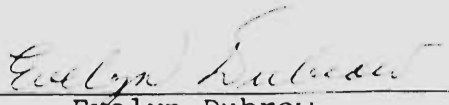
3. In 1981 and 1982, I issued instructions by phone to Carol Friedman, a secretary in New York, regarding contributions from the ILGWU Campaign Committee to Citizens for Sarbanes. Ms. Friedman was then a comparatively new employee with quite limited experience with the legal requirements surrounding campaign contributions.

4. In the latter part of October 1981, I instructed Ms. Friedman by phone to make a \$4,000 contribution from the ILGWU Campaign Committee to Citizens for Sarbanes for the primary


election, and she did so on October 22, 1981. In early August 1982, I again instructed her by phone to make a \$1,000 contribution from the ILGWU Campaign Committee to Citizens for Sarbanes for the primary election, and she did so on August 12, 1982. These contributions totaled \$5,000 and represented the maximum amount allowed by law for contributions from ILGWU Campaign Committee to Sarbanes in the primary election.

5. Accordingly, in late August 1982, I called Ms. Friedman from my Washington office and instructed her to make a \$2,500 contribution from the ILGWU Campaign Committee to Citizens for Sarbanes for the general election. She sent this contribution to Citizens for Sarbanes on August 27, 1982, but, in error, noted it on her records as a contribution for the primary election. Her error was carried forward in the report filed from New York with Federal Election Commission for the month of August 1982. The error is illustrated by the records of campaign contributions which I maintain independently in my Washington Office. Attached hereto as Exhibit "A" is a copy of my record of campaign contributions to Sarbanes in 1982. As can be seen it indicates primary election contributions of \$4,000 on October 22, 1981 and \$1,000 on August 12, 1982, and contributions to the general election of \$2,500 on August 27, 1982 and \$2,500 on October 7, 1982. The ILGWU Campaign Committee is filing an amended report with the Federal Election Commission of campaign contributions for the month of August 1982, which corrects the aforesaid error.

6. I respectfully submit that the ILGWU Campaign Committee contributions to Sarbanes in 1981 and 1982 for the primary and general elections were entirely lawful, for it consisted of \$5,000 for the primary election and \$5,000 for the general election.


Evelyn Dubrow

Sworn to before me this
4th day of June, 1984


Max Ginn
Notary Public
City of New York
Commission Expires March 31, 1985

MARYLAND

June 1, 1982

*denotes COPE
endorsed

SENATE

PRIMARY, September 14

DEMOCRATS		REPUBLICANS	CONTRIBUTIONS	REMARKS
*Paul Sarbanes (Inc.)		Larry Hogan	\$4,000 (10/22/81)-straight	
		Dr. Roscoe Bartlett	\$1,000 (7/4/82) - "	
		Dallas Norrell	\$2500 (8/21/82) - "	
		J. Glenn Beall	\$2500 (10/7/82) - "	
DISTRICT	DEMOCRATS	REPUBLICANS	CONTRIBUTIONS	REMARKS
1st ✓	* Roy Dyson (Inc.)	Bob Bauman	\$500 (8/27/82) straight	
		Porter Hopkins	\$500 (10/7/82) "	
2nd	* Clarence Long (Inc.)	Helen Bentley	\$200 (8/25/81)-tickets	\$1000 - 10-22-82
	Tom Kernan		\$250 (3/17/82)-tickets	
	Norman Stone		\$100 (6/28/82) - "	
	Patrick Welch		\$200 (8/82) - straight	
3rd	* Barbara Mikulski (Inc.)	Robert Scherr	\$400 (2/26/82)-tickets	\$200 (10/19/82) - tickets
	Debra Freeman		\$350 (8/82) - straight	
4th	John Astle	Marjorie Holt (Inc.)	"	
	* Patricia O'Brien Aiken	Frank Smiek	\$500 (2/3/82) - straight	
	* Howard Groenebaum			
5th	* Steny Hoyer (Inc.)	James Whitehead	\$500 (3/31/82) - straight	
	Francis White	Wm. Guthrie	\$1,000 (8/18/81) - straight	special election
			\$250 (4/19/82) - ticket	
			\$750 (10/14/82) - straight	
6th	Beverly Byron (Inc.)	Rosco Bartlett		
7th	* Parren Mitchell (Inc.)	M. Leonora Jones	\$300 (3/17/82) - ticket	
			\$400 (8/82) - straight	
8th	* Michael Barnes (Inc.)	Tim Brandt	"	
		Connie Morella	\$750 (8/82) - straight	
		Elizabeth Spencer	"	

"EXHIBIT A"

GCC#3502

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1696

NAME OF COUNSEL: MAX ZIMNY

ADDRESS: 1710 Broadway

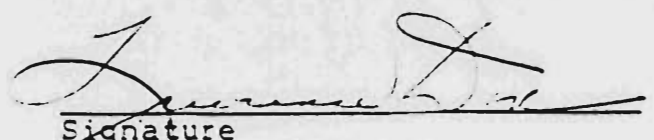
New York, N.Y. 10019

(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.

June 4, 1984
Date



Signature
Acting Treasurer
ILGWU Campaign Committee

RESPONDENT'S NAME: ILGWU Campaign Committee and Lawrence Dock
Acting Treasurer

ADDRESS: 1710 Broadway

New York, N.Y. 10019

HOME PHONE: (212) 225-7244

BUSINESS PHONE: (212) 265-7000

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20561

MEMORANDUM TO: F. Hagan

FROM: Barbara A. Johnson
Pocket Clerk

SUBJECT: Returned Letters

DATE: 6/11/84

The following letter MUR 1696 was returned. Please write a memo to the file and advise on what to do. If you wish to resend the letter, please have the envelope(s) and green card(s) made.

Thanks:

*Charles P. Lee, Treasurer
American Labor
League, Boylston and Harvard
800. Mercantile Bank and Trust Bldg
2 Hope Plaza
Baltimore, Maryland 21201*

11 411

24 JUN 7 4 34

From



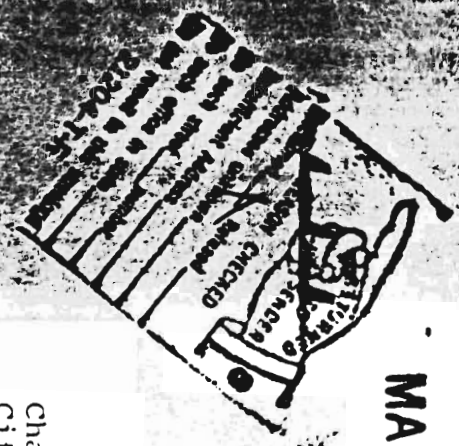
To

Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE
WASHINGTON, D.C. 200

WASHINGTON DC 200

MAY 18 1984 PM



Charles M. Kerr, Treasurer
Citizens for Sarbanes
P.O. Box 1064A
Baltimore, MD 21204

Name _____
1st Notice 5/18/84
2nd Notice 5/18/84
Return 6-6-84

CERTIFIED

FEDERAL ELECTION COMMISSION

1200 K ST, NW
WASHINGTON, DC 20543

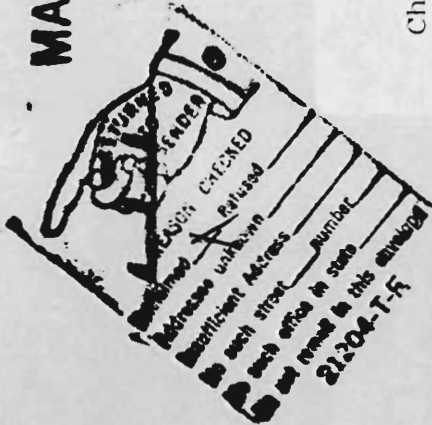
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE
WASHINGTON, D.C. 20543

86040771288

MAY 18 1984 PM

WASHINGTON DC 200



Charles M. Kerr, Treasurer
 Citizens for Sarbanes
 P.O. Box 10644
 Baltimore, MD 21204

Name _____
 1st Notice _____
 2nd Notice *3/21/84*
 Return *6-6-84*

CERTIFIED

0112709

BCC # 3501

American Federation of Labor and Congress of Industrial Organizations

EXECUTIVE COUNCIL



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

LANE KIRKLAND PRESIDENT	THOMAS R. DONAHUE SECRETARY-TREASURER
John H. Lyons S. Frank Rattery Glenn E. Watts Angelo Fosco Lloyd McBride Wm. W. Winpisinger Wayne E. Glenn John J. Sweeney Barbara Hutchinson Gerald W. McEntee Patrick J. Campbell	Thomas W. Gleason Murray H. Finley Sol C. Chaikin Charles H. Pillard Kenneth T. Blaylock William H. Wynn Robert F. Goss Frank Drozak Richard I. Kilroy William H. Bywater Kenneth J. Brown Frederick O. Neal Albert Shanker Edward T. Hanley J. C. Turner Alvin E. Heaps John DeConcini Joyce D. Miller James E. Hatfield Vincent R. Sombrotto Marvin J. Boede Owen Bieber

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

MUR 1696
11/29/84

Re: FEC MUR 1696

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("AFL-CIO COPE/PCC"), Elmer Chatak, and the Industrial Union Department AFL-CIO Voluntary Fund ("IUD Voluntary Fund") ("hereinafter "respondents") to your letter dated May 18, 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 FEC MUR 1696, alleges that the respondent political committees and their treasurers violated §441a(a)(2)(A) of the Act by making contributions to the Citizens for Sarbanes committee for the 1982 primary election which in the aggregate totalled \$5,250.00.

Respondents' contributions to the Citizens for Sarbanes committee for the 1982 primary election did not exceed the \$5000 per candidate per election limit of 2 U.S.C. 441a(a)(2)(A). Respondents' 1982 contribution records reflect that on October 27, 1981, AFL-CIO COPE/PCC contributed \$5000 to the Citizens for Sarbanes Committee for the 1982 primary election. Thereafter, on July 9, 1982, the IUD Voluntary Fund contributed \$250.00 to the Citizens for Sarbanes committee for the 1982 general election.

Due to a clerical error the IUD Voluntary Fund's 7/9/82 contribution was misdesignated in that committee's August 1982 monthly FEC report as a contribution for the primary rather than for the general election. This clerical error was not detected until that Committee's receipt of your May 18, 1984 letter.

An amendment to the IUD Voluntary Fund's August 1982 monthly report correctly designating the committee's July 9, 1982, contribution as a contribution for the general election is attached hereto. (Attachment A.)

Although the IUD Voluntary Fund's July 9, 1982 contribution was incorrectly reported as being for the 1982 primary election, that contribution was contemporaneously correctly recorded as a contribution for the general election in the IUD Voluntary Fund's contribution ledger as well as in AFL-CIO COPE/PCC's internal contribution log. Furthermore, the IUD Voluntary Fund's cover letter for the contribution check correctly reflects that the committee's 7/9/82 contribution to Citizens for Sarbanes was made for the 1982 general election. (See Attachment B).

Since, as demonstrated above, respondent political committees' contributions to the Citizens for Sarbanes committee for the 1982 primary election did not exceed \$5000, respondents have not violated 2 U.S.C. §441a(a)(2)(A). Accordingly, respondents respectfully request that the Federal Election Commission take no further action in this matter.

Sincerely,

Margaret E. McCormick

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

SCHEDULE B

ITEMIZED DISBURSEMENT

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	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Friends of Les Aspin PO Box 2884 Washington, D.C. 20013	Contribution	7/9/82	250.00
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
D.C. Friends of Bill Clay PO Box 1830 Washington, D.C. 20013	Contribution	7/9/82	250.00
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Reelect Clement J. Zablocki To Congress Club c/o J. Sullivan 4300 Ivanhoe Place Alexandria, VA 22304	Contribution	7/9/82	250.00
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Citizens for Sarbanes PO Box 10644 Baltimore, MD 21204	Contribution	7/9/82	250.00
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Congressman Kildee Committee c/o Richard Crockett Treas. 1209 West McClellan Flint, Michigan 48504	Contribution	7/9/82	125.00
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Committee to Re-Elect William D. Ford 3476 City National Bank Building Detroit, Michigan 48226	Contribution	7/14/82	250.00
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
McDaniel Senate Campaign Senate Democratic Campaign Comm. 400 N. Capitol St., Suite 319 Washington, D.C. 20001	Contribution	7/14/82	250.00
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Dennis Hertel For Congress Committee 6323 Halsey Road McLean, VA 22101	Contribution	7/19/82	100.00
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
John Gwinn For Congress PO Box 982 Urbana, IL 61801	Contribution	7/19/82	200.00
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			1,925.00
TOTAL This Period (last page this line number only)			1,925.00

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

(Summary Page)

ALIGN AREA		ALIGN AREA
------------	--	------------

1. Name of Committee (In Full)
*INDUSTRIAL UNION DEPARTMENT, AFL-CIO
VOLUNTARY FUND*

Address (Number and Street)
815 16TH ST NW Rm. 301

City, State and ZIP Code
WASHINGTON DC 20006

Check here if address is different than previously reported.

2. FEC Identification Number
C- 00117937

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report
 July 15 Quarterly Report January 31 Year End Report
 July 31 Mid Year Report (Non-Election Year Only)
 Monthly Report for *JULY 1982*
 Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
 Thirtieth day report following the General Election
on _____ in the State of _____
 Termination Report:

(b) Is this Report an Amendment?
 YES NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	<i>JULY 1, 1982</i> through <i>JULY 31, 1982</i>		
6. (a) Cash on hand January 1, 19 <i>82</i>			\$ <i>3,152.72</i>
(b) Cash on Hand at Beginning of Reporting Period		\$ <i>4,152.72</i>	
(c) Total Receipts (from Line 18)		\$ <i>-0-</i>	\$ <i>15,250.00</i>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ <i>4,152.72</i>	\$ <i>18,402.72</i>
7. Total Disbursements (from Line 28)		\$ <i>1,925.00</i>	\$ <i>16,175.00</i>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ <i>2,227.72</i>	\$ <i>2,227.72</i>
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)		\$ <i>-0-</i>	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ <i>-0-</i>	

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

ELMER GYATAK *SECY-TREAS*
Type or Print Name of Treasurer

[Signature]
SIGNATURE OF TREASURER

JUNE 6, 1984
Date

For further information contact:
 Federal Election Commission
 Toll Free 800-424-9520
 Local 202-523-4066

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

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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

Name of Committee (in Full) Industrial Union Department, AFL-CIO	Report Covering the Period From: July 1 To July 31, 1982	
	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
I. RECEIPTS		
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees	~	~
(Memo Entry Unitemized \$ _____)	~	~
(b) Political Party Committees	~	250.00
(c) Other Political Committees	~	250.00
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)	- 0 -	15,000.00
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 OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	~	~
17. OTHER RECEIPTS (Dividends, Interest, etc.)	~	~
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)	- 0 -	15,250.00
II. DISBURSEMENTS		
19. OPERATING EXPENDITURES	~	~
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	~	~
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	1,925.00	16,175.00
22. INDEPENDENT EXPENDITURES (Use Schedule E)	~	~
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441a(d)) (Use Schedule F)	~	~
24. LOAN REPAYMENTS MADE	~	~
25. LOANS MADE	~	~
26. REFUNDS OF CONTRIBUTIONS TO		
(a) Individuals/Persons Other Than Political Committees	~	
(b) Political Party Committees	~	(250.00)
(c) Other Political Committees	~	(250.00)
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)	- 0 -	
27. OTHER DISBURSEMENTS	- 0 -	- 0 -
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)	1,925.00	15,925.00
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. OFFSETS TO OPERATING EXPENDITURES from Line 15	~	~
34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)	~	~



Industrial Union Department AFL-CIO

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

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

July 8, 1982

The Honorable Paul Sarbanes
Citizens for Sarbanes
P.O. Box 10644
Baltimore, Maryland 21204

Dear Senator Sarbanes:

Enclosed is a contribution in the amount of \$250.00 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
Enclosure

Vice Presidents

Shelley Appleton • Kenneth Blaylock • Dominick D. Ambrosio • David J. Fitzmaurice • Douglas A. Fraser • Wayne E. Glenn • Robert F. Goss • Keith Johnson • William Lucy • Frank Marino • Lloyd McBride • Charles H. Plard • Albert Shanker • Jack Sheinkman • Milan Stone • Carl W. Studenroth • John J. Sweeney • J. C. Turner • Shannon Wa. • Martin J. Ward • Glenn E. Watts • William H. Wynn



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1984

Mr. William J. Donlon
General Counsel
Brotherhood of Railway, Airline
and Steamship Clerks
3 Research Place
Rockville, MD 20850

RE: MURs 1696 and 1697
Brotherhood of Railway,
Airline and Steamship
Clerks
D. A. Bobo, Treasurer

Dear Mr. Donlon:

This is in reference to your letter dated May 30, 1984, requesting an extension of 15 days to respond to the Commission's notifications of complaints. After considering the circumstances presented in your letter, the Commission has determined to grant you your requested extension. Accordingly, your response will be due on June 20, 1984.

In addition, please submit a designation of counsel statement signed by your clients as requested in the Commission's complaint notification.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

A handwritten signature in black ink, appearing to read "Kenneth A. Gross", is written over the typed name and title of the signatory.

By: Kenneth A. Gross
Associate General Counsel

**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES** | A8:47

AFL-CIO — CLC



LEGAL DEPARTMENT
WILLIAM J. DONLON, General Counsel
MITCHELL M. KRAUS, Assistant General Counsel

May 30, 1984

*MUR 1696
Hagan*

pl: 20

Frances Hagan, Esquire
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Ms. Hagan:

Reference is made to our telephone conversation of this date concerning two charges that have been filed against Mr. D. A. Bobo, Treasurer, Responsible Citizens Political League, Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, by James Edward Antosh, Complaint Nos. MUR 1696 and 1697.

I requested a 15-day extension in which to respond to the two complaints. For your information, the complaint designated as MUR 1696 was received in our offices May 21, 1984, and MUR 1697 was received May 18, 1984.

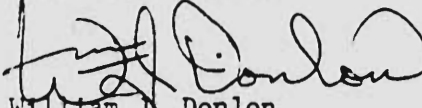
Because of the press of other business and primarily as a result of one of the key officers of RCPL being absent from this country until yesterday, it has been impossible for me to conclude an interview and investigation with this particular officer. The extension will afford an opportunity to provide additional data and evidence to your Commission.

I regret the necessity of asking for this extension, but under the circumstances I appreciate the consideration given me in our telephone conversation of this date.

Frances Hagan, Esquire
Page 2
May 30, 1984

If for any reason the formalization of my verbal request for this extension is declined, I would appreciate your calling me by phone.

Very truly yours,


William J. Donlon
General Counsel

WJD:v
CC: D. A. Bobo, Treasurer, RCPL

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1696

NAME OF COUNSEL: Michael R. Fanning

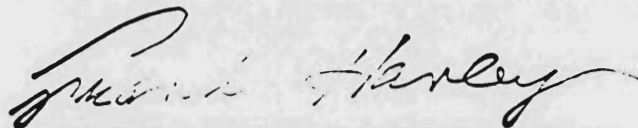
ADDRESS: 1125 17th Street, N.W.

Washington, D.C. 20036

TELEPHONE: (202) 429-9100

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

June 5, 1984
Date


Signature

RESPONDENT'S NAME: Frank Hanley, Treasurer, EPEC/IUOE

ADDRESS: International Union of Operating Engineers

1125 17th Street, N.W.

Washington, D.C. 20036

HOME PHONE: ---

BUSINESS PHONE: (202) 429-9100

6003450

American Federation of Labor and Congress of Industrial Organizations



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

EXECUTIVE COUNCIL

LANE KIRKLAND PRESIDENT

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James E. Hatfield
Vincent R. Sombrotto
Marvin J. Boede
Owen Bieber

H P3

MUR 1696
Hagan

May 31, 1984

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

RE: FEC MUR 1696

Dear Mr. Steele:

Pursuant to 11 C.F.R. §111.23, the AFL-CIO Committee on Political Education Political Contributions Committee, the Industrial Union Department AFL-CIO Voluntary Fund, Elmer Chatak, 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

G 10# 3480



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES



KENNETH T. BLAYLOCK NATIONAL PRESIDENT JOHN N. STURDIVANT EXECUTIVE VICE PRESIDENT NICHOLAS J. NOLAN NATIONAL SECRETARY

1325 MASSACHUSETTS AVE., N.W. WASHINGTON, D. C. 20005
Telephone: 202/737-8700

8n/PAC

June 5, 1984

*MUR 1696
Hagan*

Ms. Frances Hagan
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Seventh Floor
Washington, D.C. 20463

Re: MUR 1696

Dear Ms. Hagan:

This response is submitted on behalf of the American Federation of Government Employees-PAC [AFGE-PAC] and James H. Lynch, Jr., the Treasurer of AFGE-PAC, respondents in the above referenced MUR. The MUR alleges that AFGE-PAC contributed \$303.60 above the limits set in 11 CFR Section 110.2 to the election committee of Senator Paul Sarbanes in 1982.

As you know, the AFGE-PAC is entitled to contribute to a candidate or his political committee, \$10,000 per election cycle (\$5,000 for a primary election, and \$5,000 for a general election). 11 CFR Section 110.2. If these limitations were violated at all in this case, the technical violation is due solely to the failure of AFGE-PAC to check the correct box on the Schedule B submitted in relation to the Sarbanes contributions.

The following contributions were made in relation to Senator Sarbanes' reelection campaign in the 1982 election cycle:

- (1) 6/25/82 - \$1,000.00
- (2) 6/30/82 - \$3,006.00
- (3) 7/8/82 - \$ 297.60
- (4) 9/3/82 - \$1,000.00

Although the total is slightly greater than \$5,000, it is substantially less than the \$10,000 limitation set for the complete election cycle.

GCC# 3477



★
★
★
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★
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★
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★
★

International Union of Operating Engineers

1125 SEVENTEENTH STREET NORTHWEST ★ WASHINGTON, D. C. 20036
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

OFFICE OF GENERAL PRESIDENT • (202) 429-9100

June 5, 1984

MUR 1696
17290

DELIVERED BY HAND

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

Re: MUR 1696

Dear Mr. Steele:

This statement is submitted on behalf of the Engineers Political Education Committee of the International Union of Operating Engineers (EPEC/IUOE) and its Treasurer, Frank Hanley, in response to the Complaint filed in the above-captioned matter.

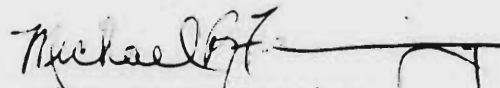
The Complaint at paragraphs 38 through 40 alleges that EPEC/IUOE violated 2 U.S.C. § 441a(a)(2)(A) by contributing a total of \$9,000.00 to the Citizens for Sarbanes Committee (the Sarbanes Committee) for the primary election of Senator Paul S. Sarbanes. This allegation is premised exclusively upon a Federal Election Commission (FEC) Form 3 filed by EPEC/IUOE after its \$4,000.00 contribution to the Sarbanes Committee on June 9, 1982, on which the box identified "primary" was checked in connection with this contribution.

Please be advised that the checking of the primary box was a clerical error. The box identified "general" should have been checked in that it was the intention of EPEC/IUOE that the \$4,000.00 contribution be allocated by the Sarbanes Committee for the general election. Attached hereto is the June 21, 1982 transmittal letter forwarded by EPEC/IUOE with the \$4,000.00 contribution. Please note that the final paragraph states:

"If this check together with any other contributions from our Local Unions exceeds the amount provided by Federal Law, please advise."

This paragraph was a written instruction to the Sarbanes Committee to allocate the contribution to assure that the limitations of § 441a(a)(2)(A) were not exceeded. In this case, since EPEC/IUOE had already contributed \$5,000.00 to the Sarbanes Committee, the \$4,000.00 was required to be allocated to the general election. Upon information and belief, the Sarbanes Committee did follow this instruction, allocating the contribution to the general election campaign and so reporting this allocation on its FEC report. Accordingly, no violation of 2 U.S.C. § 441a(a)(2)(A) occurred in connection with this matter and no further action by the FEC is required.

Sincerely,


Michael R. Fanning
Counsel

MRF/jlw

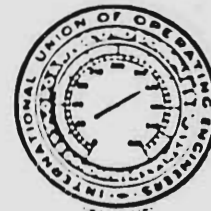
Enclosure

C. J. TURNER
Chairman

FRANK HANLEY
Treasurer

125 Seventeenth Street, N.W.
Washington, D.C. 20036
202-347-8560

Engineers Political Education Committee



June 21, 1982

Mr. Charles M. Kerr, Treasurer
CITIZENS FOR SARBANES
P. O. Box 10644
Baltimore, Maryland 21204

Dear Mr. Kerr:

Attached hereto is our check No. 000719 in the amount of \$4,000 as a contribution from the Engineers Political Education Committee of the International Union of Operating Engineers for the Senator's re-election campaign.

If this check together with any other contributions from our Local Unions exceeds the amount provided by Federal Law, please advise.

Sincerely,

J. C. Turner
CHAIRMAN

Frank Hanley
TREASURER

JCT:FH/kmg

Enc. (1)

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1696

NAME OF COUNSEL: Michael R. Fanning

ADDRESS: 1125 17th Street, N.W.
Washington, D.C. 20036

TELEPHONE: (202) 429-9100

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

June 5, 1984
Date


Signature

RESPONDENT'S NAME: Frank Hanley, Treasurer, EPEC/IUOE
ADDRESS: International Union of Operating Engineers
1125 17th Street, N.W.
Washington, D.C. 20036

HOME PHONE: ---

BUSINESS PHONE: (202) 429-9100



★
★ OFFICE OF GENERAL PRESIDENT

★
★ *International Union of Operating Engineers*

★ 1125 SEVENTEENTH STREET NORTHWEST ★ WASHINGTON, D.C. 20036

★

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

BY HAND



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1984

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

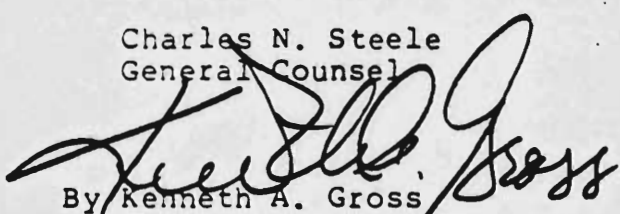
Dear Mr. Avakian and Ms. Poindexter:

This letter is to acknowledge receipt of the complaint of your client, James Edward Antosh which we received on May 11, 1984, against Senator Paul S. Sarbanes, Charles M. Kerr, Citizens for Sarbanes, Lawrence Dock, International Ladies Garment Workers Union Campaign Committee, Frank Hanley, Engineers Political Education Committee/International Union of Operating Engineers, James H. Lynch, Jr, American Federation of Government Employees PAC, Thomas R. Donahue, AFL-CIO Committee on Political Education and Political Contributions Committee, Elmer Chatak, AFL-CIO Industrial Union Department Voluntary Fund, D.A. Bobo, and Responsible Citizens Political League - Brotherhood of Railway and Airline Clerks, 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 Barbara A. Johnson at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

D.A. Bobo, Treasurer
Responsible Citizens
Political League -
Brotherhood of
Railway and Airline
Clerks
3 Research Place
Rockville, MD 20850

Re: MUR 1696

Dear Mr. Bobo:

This letter is to notify you that on May 11, 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 1696. 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 Frances Hagan, 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
By Kenneth A. Gross
Associate General Counsel

Enclosures

- 1. Complaint
- 2. Procedures
- 3. Designation of Counsel Statement

MUR 11916 Hagan

PS Form 3811, July 1962

● **SENDER:** Complete Items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1 The following service is requested (check one)

Show to whom and date delivered _____ c

Show to whom, date, and address of delivery _____ c

2 RESTRICTED DELIVERY _____ c
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO *D. A. Gode TR*
Responsible Citizens Political
League - Washington D.C. Hagan
and 3 Branches - Puerto Rico - 112 1188

4 TYPE OF SERVICE

REGISTERED INSURED

CERTIFIED COD

EXPRESS MAIL

ARTICLE NUMBER
943704

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Signature]

5. DATE OF DELIVERY

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS
DC

POSTMARK
(may be on reverse side)

RETURN RECEIPT

* GPO: 1982-378-563



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elmer Chatak, Treasurer
AFL-CIO Industrial Union
Department Voluntary
Fund
815 16th Street, N.W.
Room 301
Washington, D.C. 20006

Re: MUR 1696

Dear Mr. Chatak:

This letter is to notify you that on May 11, 1984 the Federal Election Commission received a complaint which alleges that the committees 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 1696. 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 committees 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 Frances Hagan, 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

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

Enclosures

- 1. Complaint
- 2. Procedures
- 3. Designation of Counsel Statement

Milk 1496 100000

PS Form 3811, July 1982

• SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):

Show to whom and date delivered \$

Show to whom, date, and address of delivery .. \$

2. RESTRICTED DELIVERY \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO: *James Chata, Jr*
AFL-CIO Ellis Columbus Fund
815 14th St NW RM 301
Wash DC 20006

4. TYPE OF SERVICE: ARTICLE NUMBER

REGISTERED INSURED

CERTIFIED COD

EXPRESS MAIL

943705

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

Carol Davis

5. DATE OF DELIVERY POSTMARK
5-31-84 (may be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE: 7b. EMPLOYEE'S INITIALS

[Signature]

5/18/84 • GPO: 1982-379-503



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas R. Donahue, Treasurer
AFL-CIO Committee on Political
Education and Political
Contributions Committee
815 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1696

Dear Mr. Donahue:

This letter is to notify you that on May 11, 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 1696. 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 Frances Hagan, 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

Charles N. Steele
By Kenneth A. Gross
Associate General Counsel

Enclosures

- 1. Complaint
- 2. Procedures
- 3. Designation of Counsel Statement

PS Form 3811, July 1982

MUR 1094 Hagan

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
(CONSULT POSTMASTER FOR FEES)	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered \$ <input checked="" type="checkbox"/> Show to whom, date, and address of delivery .. \$ 2. <input type="checkbox"/> RESTRICTED DELIVERY \$ <small>(The restricted delivery fee is charged in addition to the return receipt fee.)</small>	
TOTAL \$ _____	
3. ARTICLE ADDRESSED TO: <i>Thomas R. Donohue</i> <i>ACL CTO ROPE POC</i> <i>815 16th St NW</i> <i>Wash DC 20006</i>	
4. TYPE OF SERVICE: <input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED <input checked="" type="checkbox"/> CERTIFIED <input type="checkbox"/> COD <input type="checkbox"/> EXPRESS MAIL	ARTICLE NUMBER <i>943706</i>
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Mary Hollowell</i>	
5. DATE OF DELIVERY <i>5-21-84</i>	POSTMARK <small>(may be on reverse side)</small>
6. ADDRESSEE'S ADDRESS (Only if requested) <i>815-16th St NW</i> <i>Wash. DC 20006</i>	
7. UNABLE TO DELIVER BECAUSE:	EMPLOYEE'S INITIALS <i>[Signature]</i>

RETURN RECEIPT



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James H. Lynch, Jr., Treasurer
American Federation of Government
Employees PAC
1325 Massachusetts Avenue, N.W.
Washington, D.C. 20005

Re: MUR 1696

Dear Mr. Lynch:

This letter is to notify you that on May 11, 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 1696. 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.

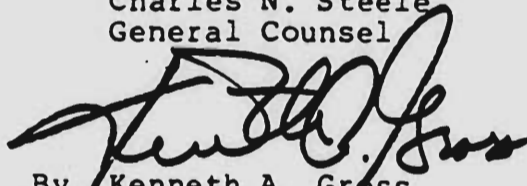
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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 Frances Hagan, 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



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Hanley, Treasurer
Engineers Political Education
Committee/International
Union of Operating Engineers
1125 17th Street, N.W.
Washington, D.C. 20036

Re: MUR 1696

Dear Mr. Hanley:

This letter is to notify you that on May 11, 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 1696. 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.

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If you have any questions, please contact Frances Hagan, 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

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

Enclosures

- 1. Complaint
- 2. Procedures
- 3. Designation of Counsel Statement

PS Form 3811, July 1982

11/18/84 5/18/84

● **SENDER:** Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

Show to whom and date delivered \$

Show to whom, date, and address of delivery .. \$

2. RESTRICTED DELIVERY \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO: *Franklin D. Roosevelt Library, 1155 17th St, Wash DC 20036*

4. TYPE OF SERVICE:

REGISTERED INSURED

CERTIFIED MAIL COD

EXPRESS MAIL

ARTICLE NUMBER
943708

(Always obtain signature of addressee or agent!)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Handwritten Signature]

5. DATE OF DELIVERY: **5/21/84** POSTMARK (may be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

5/18/84

RETURN RECEIPT



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lawrence Dock, Treasurer
International Ladies Garment
Workers Union Campaign
Committee
1710 Broadway
New York, NY 10019

Re: MUR 1696

Dear Mr. Dock:

This letter is to notify you that on May 11, 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 1696. 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.

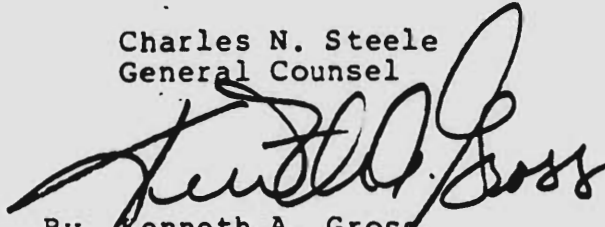
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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 Frances Hagan, 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



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Paul S. Sarbanes
237 Dirksen Senate Office Building
Washington, D.C. 20515

Re: MUR 1696

Dear Senator Sarbanes:

This letter is to notify you that on May 11, 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 1696. 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.

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If you have any questions, please contact Frances Hagan, 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
By Kenneth A. Gross
Associate General Counsel

Enclosures

- 1. Complaint
- 2. Procedures
- 3. Designation of Counsel Statement

SECRET

PS Form 3811, July 1982

● **SENDER:** Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
 Show to whom and date delivered
 Show to whom, date, and address of delivery ..
 2. **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:** *The Honorable Paul J. ...
 220 ...
 DC 20519*

4. **TYPE OF SERVICE:** REGISTERED INSURED
 CERTIFIED COD
 EXPRESS MAIL

ARTICLE NUMBER
943710

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent
M. J. ...

5. **DATE OF DELIVERY**

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

POSTMASTER (may be on reverse side)

MAY 1982

RETURN RECEIPT

MLK 11096 Hagan * GPO: 1982-870-503



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles M. Kerr, Treasurer
Citizens for Sarbanes
P.O. Box 10644
Baltimore, MD 21204

Re: MUR 1696

Dear Mr. Kerr:

This letter is to notify you that on May 11, 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 1696. 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.

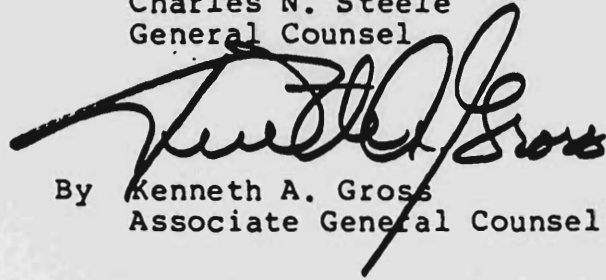
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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 Frances Hagan, 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

6/12/84

PS Form 3811, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

Show to whom and date delivered — \$

Show to whom, date, and address of delivery.. — \$

2. **RESTRICTED DELIVERY** — \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:** Charles M. Kurr, Jr.
CITIZENS FOR SARBANES
Venable, Baetjer and Howard
1800 Mercantile Bank & Trust Bldg
Hopkins Plaza
Baltimore, MD 21201

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**

REGISTERED INSURED

CERTIFIED COD

EXPRESS MAIL

943959

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. **DATE OF DELIVERY**

6-14-84

6. **ADDRESSEE'S ADDRESS** *(Only if requested)*

2 Hopkins Pl. 21201

7. **UNABLE TO DELIVER BECAUSE:**

EMPLOYEE'S INITIALS

POSTMARK
BALTIMORE, MD
JUN 14 1984
USPO

MUR 1696 Hagan

I. INTRODUCTION

1. Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against former candidate for federal public office, Paul S. Sarbanes; Citizens for Sarbanes; American Federation of Government Employees' Political Action Committee ("AFGE-PAC"); 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 fund ("SSF"), Industrial Union Department AFL-CIO Voluntary Fund; International Ladies Garment Workers Union Campaign Committee ("ILGWUCC"); Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE"); Responsible Citizens Political League-A Project of the Brotherhood of Railway and Airline Clerks ("RCPL-PBRAC"), 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. §441(a)(2)(A) during either the general or the 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. Paul S. Sarbanes,

P.O. Box 10644
Baltimore, Maryland 21204

3240 Greenmount Avenue
Baltimore, Maryland 21218

344 East 33rd Street
Baltimore, Maryland 21218

1750 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

b. Charles M. Kerr, individually and in his capacity as treasurer of Citizens for Sarbanes,

P.O. Box 10644
Baltimore, Maryland 21204

3240 Greenmount Avenue
Baltimore, Maryland 21218

344 East 33rd Street
Baltimore, Maryland 21218

1750 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

c. Citizens for Sarbanes,

P.O. Box 10644
Baltimore, Maryland 21204

3240 Greenmount Avenue
Baltimore, Maryland 21218

344 East 33rd Street
Baltimore, Maryland 21218

1750 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

d. James H. Lynch, Jr., individually and in his capacity as treasurer of American Federation of Government Employees' Political Action Committee, 1325 Massachusetts Avenue, N.W., Washington, D.C. 20005.

e. American Federation of Government Employees' Political Action Committee, 1325 Massachusetts Avenue, N.W., Washington, D.C. 20005.

f. Thomas R. Donahue, individually and in his capacity as treasurer of American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 315 16th Street, N.W., Washington, D.C. 20006.

g. American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 315 16th Street, N.W., Washington, D.C. 20006.

h. Elmer Chatak, individually and in his capacity as treasurer of Industrial Union Department AFL-CIO Voluntary Fund, 315 16th Street, N.W., Room 301, Washington, D.C. 20006.

i. Industrial Union Department AFL-CIO Voluntary Fund, 315 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.

l. Frank Hanley, individually and in his capacity as treasurer of Engineers Political Education Committee/International Union of Operating Engineers, 1125 17th Street, N.W., Washington, D.C. 20036.

m. Engineers Political Education Committee/International Union of Operating Engineers, 1125 17th Street, N.W., Washington, D.C. 20036.

n. D.A. Bobo, individually and in his capacity as treasurer of Responsible Citizens Political League-A Project of the Brotherhood of Railway and Airline Clerks, 3 Research Place, Rockville, Maryland 20850.

o. Responsible Citizens Political League-A Project of the Brotherhood of Railway and Airline Clerks, 3 Research Place, Rockville, Maryland 20850.

3. Liability may be imposed upon the candidate, Paul S. Sarbanes; Citizens for Sarbanes; AFGE-PAC; AFL-CIO COPE-PCC and its affiliated SSF, Industrial Union Department AFL-CIO Voluntary Fund; ILGWUCC; EPEC/IUOE; and RCPL-PBRAC 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 AFL-CIO COPE-PCC and its affiliated SSF, 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).

III. 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 Paul S. Sarbanes 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 Paul S. Sarbanes; Citizens for Sarbanes; AFGE-PAC; AFL-CIO COPE-PCC and its affiliated SSF, Industrial Union Department AFL-CIO Voluntary Fund; ILGWUCC; and EPEC/IUOE filed for the 1982 federal primary election; and which Paul S. Sarbanes, Citizens for Sarbanes, and RCPL-PBRAC filed for the 1982 federal general election.

7. For the 1982 federal primary election, excessive funds were contributed to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer by AFGE-PAC and its treasurer; AFL-CIO COPE-PCC and its treasurer; Industrial Union Department AFL-CIO Voluntary Fund and its treasurer; ILGWUCC and its treasurer; and EPEC/IUOE and its treasurer. For the 1982 federal general election, excessive funds were contributed to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer by RCPL-PBRAC 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.

**IV. VIOLATIONS OF THE F.E.C.A.
BY
CITIZENS FOR SARBANES
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, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, in

violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal primary election from AFGE-PAC, in the amount of \$5,303.60 (FIVE THOUSAND THREE HUNDRED THREE DOLLARS SIXTY CENTS).

10. Candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, for the 1982 federal primary election, accepted contributions from AFGE-PAC, in the following amounts:

<u>Date Received</u>	<u>Amount</u>	F.E.C. Microfilm <u>Location</u>
7/2/82	\$1,000.00	820200120222
unreported	\$3,006.00	
unreported	\$ 297.60	
9/14/82	<u>\$1,000.00</u>	82020130640
Total = \$5,303.60		

11. A running total of the amount of contributions received from AFGE-PAC would have put on notice Paul S. Sarbanes, Citizens for Sarbanes and its treasurer that they had received \$4,303.60 (FOUR THOUSAND THREE HUNDRED THREE DOLLARS SIXTY CENTS) before September 14, 1982. On that date, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer were only permitted to accept an additional contribution of \$696.40 (SIX HUNDRED NINETY SIX DOLLARS FORTY CENTS). 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.

12. AFGE-PAC and its treasurer failed to designate whether the \$3,006.00 (THREE THOUSAND SIX DOLLAR) in-kind contribution of June 30, 1982 and the \$297.60 (TWO HUNDRED NINETY SEVEN DOLLAR SIXTY CENT) in-kind contribution of July 8, 1982 were intended for the primary or the general election. (See F.E.C. Microfilm #s 82032390653, and 82032421619). However, the contributions were made more than two months before the Maryland Congressional primary election which was held on September 14, 1982. Therefore, the contributions are considered contributions for the primary election in accordance with 11 C.F.R. §110.1(a)(2)(ii)(A). In violation of 11 C.F.R. §104.14(d), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer failed to report the contributions. 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."

13. 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, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions

for the 1982 federal primary election from AFL-CIO COPE-PCC and its affiliated SSF, Industrial Union Department AFL-CIO Voluntary Fund, in the amount of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

14. Candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, for the 1982 federal primary election, accepted contributions from AFL-CIO COPE-PCC and Industrial Union Department AFL-CIO Voluntary Fund in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	F.E.C. Microfilm <u>Location</u>
11/10/81	\$5,000.00	AFL-CIO COPE-PCC	#82020030098
7/15/82	<u>\$ 250.00</u>	Industrial Union Department AFL-CIO Voluntary Fund	#82020120223

Total = \$5,250.00

15. A running total of contributions from AFL-CIO COPE-PCC and its affiliated SSF, Industrial Union Department AFL-CIO Voluntary Fund, would have put on notice Paul S. Sarbanes, Citizens for Sarbanes and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) on November 10, 1981. On that date, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer could no longer lawfully accept any contributions from AFL-CIO COPE-PCC and its affiliated SSF, Industrial Union Department AFL-CIO Voluntary Fund. In violation of 2 U.S.C. §441a(f), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer accepted a contribution

from this contributor in the amount of \$250.00 (TWO HUNDRED FIFTY DOLLARS). This amount exceeded the statutory monetary ceiling by \$250.00 (TWO HUNDRED FIFTY DOLLARS).

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, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal primary election from ILGWUC in the amount of \$7,500.00 (SEVEN THOUSAND FIVE HUNDRED DOLLARS).

17. Candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, for the 1982 federal primary election, accepted contributions from ILGWUC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	F.E.C. Microfilm <u>Location</u>
11/25/81	\$4,000.00	82020030099
9/1/82	\$1,000.00	82020130642
9/14/82	<u>\$2,500.00</u>	82020130643
Total = \$7,500.00		

18. A running total of contributions from ILGWUC would have put on notice Paul S. Sarbanes, Citizens for Sarbanes and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS)

on September 1, 1982. On that date, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer could no longer lawfully accept any contributions from ILGWUCC. In violation of 2 U.S.C. §441a(f), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer accepted a contribution from this contributor in the amount of \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS). This amount exceeded the statutory monetary ceiling by \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS).

19. Paul S. Sarbanes, Citizens for Sarbanes and its treasurer failed to accurately report the \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLAR) contribution of August 27, 1982 which was designated by ILGWUCC as a contribution for the primary election. (See F.E.C. Microfilm #82032435032.) In violation of 11 C.F.R. §104.14(d), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer reported it as a contribution for the general election. (See F.E.C. Microfilm #82020130643). 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." Paul S. Sarbanes, Citizens for Sarbanes and its treasurer knowingly misreported the contribution in order to accept contributions 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, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal primary election from EPEC/IUOE in the amount of \$9,000.00 (NINE THOUSAND DOLLARS).

21. Candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, for the 1982 federal primary election, accepted contributions from EPEC/IUOE in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>F.E.C. Microfilm Location</u>
9/9/81	\$5,000.00	#82020030097
6/25/82	<u>\$4,000.00</u>	#82020100272
Total=	\$9,000.00	

22. A running total of contributions from EPEC/IUOE would have put on notice Paul S. Sarbanes, Citizens for Sarbanes and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) on September 9, 1981. On that date, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer could no longer lawfully accept any contributions from EPEC/IUOE. In violation of 2 U.S.C. §441a(f), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer accepted a contribution from this contributor in the amount of \$4,000.00 (FOUR THOUSAND DOLLARS). This amount exceeded the statutory monetary ceiling by \$4,000.00 (FOUR THOUSAND DOLLARS).

23. Paul S. Sarbanes, Citizens for Sarbanes and its treasurer failed to accurately report the \$4,000.00 (FOUR THOUSAND DOLLAR) contribution of June 9, 1982 which was designated by EPEC/IUOE as a contribution for the primary election. (See F.E.C. Microfilm #82032380774.) In violation of 11 C.F.R. §104.14(d), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer reported it as a contribution for the general election. (See F.E.C. Microfilm #82020100272.) 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." Paul S. Sarbanes, Citizens for Sarbanes and its treasurer knowingly misreported the contribution in order to accept contributions in excess of the statutory limit.

24. 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, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal general election from RCPL-PBRAC in the amount of \$9,000.00 (NINE THOUSAND DOLLARS).

25. Candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer, for the 1982 federal general election accepted contributions from RCPL-PBRAC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>F.E.C. Microfilm Location</u>
8/19/81	\$2,000.00	82020030097
3/26/82	\$3,000.00	82020052449
9/10/82	\$1,000.00	82020130645
9/30/82	\$1,500.00	82020130645
10/10/82	<u>\$1,500.00</u>	82020180825
Total	\$9,000.00	

26. A running total of contributions from RCPL-PBRAC would have put on notice Paul S. Sarbanes, Citizens for Sarbanes and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) on March 26, 1982. On that date, Paul S. Sarbanes, Citizens for Sarbanes and its treasurer could no longer lawfully accept any contributions from RCPL-PBRAC. In violation of 2 U.S.C. §441a(f), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer accepted contributions from this contributor in the amounts of \$1,000.00 (ONE THOUSAND DOLLARS), \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS), and \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS). This amount exceeded the statutory monetary ceiling by \$4,000.00 (FOUR THOUSAND DOLLARS).

27. Paul S. Sarbanes, Citizens for Sarbanes and its treasurer failed to accurately report the \$2,000.00 (TWO THOUSAND DOLLAR)

contribution of July 14, 1981 and the \$3,000.00 (THREE THOUSAND DOLLAR) contribution of March 12, 1982 which were designated by RCPL-PBRAC as contributions for the general election. (See F.E.C. Microfilm #s 81032043897 and 82032290028.) In violation of 11 C.F.R. §104.14(d), Paul S. Sarbanes, Citizens for Sarbanes and its treasurer reported them as contributions for the primary election. (See F.E.C. Microfilm #s 82020030097 and 82020052449.) 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."

**V. VIOLATIONS OF THE F.E.C.A.
BY
AFGE-PAC
IN THE
1982 FEDERAL PRIMARY ELECTION**

28. 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 AFGE-PAC, for the 1982 federal primary election contributed to candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer a total of \$5,303.60 (FIVE THOUSAND THREE HUNDRED THREE DOLLARS SIXTY CENTS).

29. AFGE-PAC contributed the following amounts:

a. On June 25, 1982, AFGE-PAC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032390639).

b. On June 30, 1982, AFGE-PAC contributed \$3,006.00 (THREE THOUSAND SIX DOLLARS). (See F.E.C. Microfilm #82032390653).

c. On July 8, 1982, AFGE-PAC contributed \$297.60 (TWO HUNDRED NINETY SEVEN DOLLARS SIXTY CENTS). (See F.E.C. Microfilm #82032421619).

d. On September 31, 1982, AFGE-PAC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm 382032661357).

30. A running total of the amount contributed to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer would have put on notice AFGE-PAC that as of July 8, 1982, it had contributed \$4,303.60 (FOUR THOUSAND THREE HUNDRED THREE DOLLARS SIXTY CENTS) and that it could only contribute an additional \$696.40 (SIX HUNDRED NINETY SIX DOLLARS FORTY CENTS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. §441a(a)(2)(A), a \$1,000.00 (ONE THOUSAND DOLLAR) contribution was made to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer. This amount exceeded the statutory monetary ceiling by \$303.60 (THREE HUNDRED THREE DOLLARS SIXTY CENTS).

31. In violation of 11 C.F.R. §104.14(d), AFGE-PAC and its treasurer failed to designate whether the \$1,000.00 (ONE THOUSAND DOLLAR) contribution of June 25, 1982, the \$3,006.00 (THREE

THOUSAND SIX DOLLAR) in-kind contribution of June 30, 1982, the \$297.60 (TWO HUNDRED NINETY SEVEN DOLLAR SIXTY CENT) in-kind contribution of July 8, 1982 and the \$1,000.00 (ONE THOUSAND DOLLAR) contribution of September 3, 1982 were intended for the primary or the general election. (See F.E.C. Microfilm #s 82032390639, 82032390653, 82032421619 and 82032661357). However, the contributions were made before the Maryland Congressional primary election which was held on September 14, 1982. Therefore, the contributions are considered contributions for the primary election in accordance with 11 C.F.R. §110.1(a)(2)(ii)(A). 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
AFL-CIO COPE-PCC AND INDUSTRIAL UNION
DEPARTMENT AFL-CIO VOLUNTARY FUND
IN THE
1982 FEDERAL PRIMARY ELECTION**

32. 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 AFL-CIO COPE-PCC and its affiliated SSF, Industrial Union Department AFL-CIO Voluntary Fund, for the 1982 federal primary election contributed to candidate

Paul S. Sarbanes, Citizens for Sarbanes and its treasurer a total of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

33. AFL-CIO COPE-PCC and Industrial Union Department AFL-CIO Voluntary Fund contributed the following amounts:

a. On October 27, 1981, AFL-CIO COPE-PCC contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #81032093180).

b. On July 9, 1982, Industrial Union Department AFL-CIO Voluntary Fund contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032400644).

34. A running total of the amount contributed to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer by AFL-CIO COPE-PCC and its affiliated SSF, Industrial Union Department AFL-CIO Voluntary Fund, would have put them on notice that as of October 27, 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 \$250.00 (TWO HUNDRED FIFTY DOLLAR) contribution on July 9, 1982, which exceeded the \$5,000.00 (FIVE THOUSAND DOLLAR) ceiling by \$250.00 (TWO HUNDRED FIFTY DOLLAR).

**VII. VIOLATIONS OF THE F.E.C.A.
BY
ILGWUCC
IN THE
1982 FEDERAL PRIMARY 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 ILGWUCC, for the 1982 federal primary election contributed to candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer a total of \$7,500.00 (SEVEN THOUSAND FIVE HUNDRED DOLLARS).

36. ILGWUCC contributed the following amounts:

a. On October 22, 1981, ILGWUCC contributed \$4,000.00 (FOUR THOUSAND DOLLARS). (See F.E.C. Microfilm #81032100354).

b. On August 12, 1982, ILGWUCC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032435062).

c. On August 27, 1982, ILGWUCC contributed \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032435082).

37. A running total of the amount contributed to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer by ILGWUCC would have put it on notice that as of August 12, 1982, it had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), ILGWUCC made a \$2,500.00 (TWO THOUSAND FIVE

HUNDRED DOLLAR) contribution on August 27, 1982, which exceeded the \$5,000.00 (FIVE THOUSAND DOLLAR) ceiling by \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS).

**VIII. VIOLATIONS OF THE F.E.C.A.
BY
EPEC/IUOE
IN THE
1982 FEDERAL PRIMARY ELECTION**

38. 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 EPEC/IUOE, for the 1982 federal primary election contributed to candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer a total of \$9,000.00 (NINE THOUSAND DOLLARS).

39. EPEC/IUOE contributed the following amounts:

a. On August 3, 1981, EPEC/IUOE contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032145375).

b. On June 9, 1982, EPEC/IUOE contributed \$4,000.00 (FOUR THOUSAND DOLLARS). (See F.E.C. Microfilm #82032380774).

40. A running total of the amount contributed to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer by EPEC/IUOE would have put it on notice that as of August 3, 1981, it had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), EPEC/IUOE made a \$4,000.00 (FOUR THOUSAND DOLLAR)

contribution on June 9, 1982, which exceeded the \$5,000.00 (FIVE THOUSAND DOLLAR) ceiling by \$4,000.00 (FOUR THOUSAND DOLLARS).

**IX. VIOLATIONS OF THE F.E.C.A. BY
RCPL-PBRAC
IN THE 1982 FEDERAL GENERAL ELECTION**

41. 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 RCPL-PBRAC for the 1982 federal general election contributed to candidate Paul S. Sarbanes, Citizens for Sarbanes and its treasurer a total of \$9,000.00 (NINE THOUSAND DOLLARS).

42. RCPL-PBRAC contributed the following amounts:

a. On July 14, 1981, RCPL-PBRAC contributed \$2,000.00 (TWO THOUSAND DOLLARS). (See F.E.C. Microfilm #81032043897).

b. On March 12, 1982, RCPL-PBRAC contributed \$3,000.00 (THREE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032290028).

c. On August 30, 1982, RCPL-PBRAC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032440383).

d. On September 23, 1982, RCPL-PBRAC contributed \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032503496).

e. On October 3, 1982, RCPL-PBRAC contributed \$1,500.00

(ONE THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032503514).

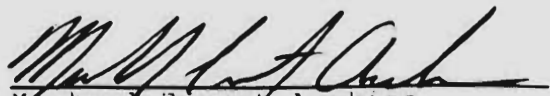
43. A running total of the amount contributed to Paul S. Sarbanes, Citizens for Sarbanes and its treasurer by RCPL-PBRAC would have put it on notice that as of March 12, 1982, it had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), RCPL-PBRAC made a \$1,000.00 (ONE THOUSAND DOLLAR) contribution on August 30, 1982, a \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLAR) contribution on September 23, 1982, and a \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLAR) contribution on October 8, 1982, which exceeded the \$5,000.00 (FIVE THOUSAND DOLLAR) ceiling by \$4,000.00 (FOUR THOUSAND DOLLARS).

X. CONCLUSION

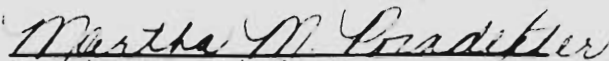
44. As documented above, Respondents have knowingly violated the spirit and letter of the Federal Election Campaign Act.

45. 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 each of the Respondents.



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Attorneys for Complainant

May 11, 1984



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE BEGINNING OF MUR # 1696

Date Filmed 3/5/86 Camera No. --- 2

Cameraman: AS