FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1733

Date Filmed 2/13/87 Camera No. --- 2

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MUR 1732

FEDERAL ELECTION COMMISSION

12 day reports, voting slips, internal communications, Conciliation materials, Pre-brief, 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):

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

Signed Charles E. Snyder

date 2-2-87

FEC 9-21-77

8704054057

pelm

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 8, 1986

Richard A. Levy, Esquire
General Counsel
Local 1199
Drug Hospital and Health Care
Employees Union RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036

RE: MUR 1733
District 1199
District 1199 PAF

Dear Mr. Levy:

On December 2 , 1986, the Commission accepted the conciliation agreements signed by your clients calling for a civil penalty in settlement of a violation of 2 U.S.C. §§ 441b, 434(b), and 434(a)(4)(A)(i), provisions 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.

Enclosed you will find fully executed copies of the final conciliation agreements for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Lawrence M. Noble
Deputy General Counsel

Enclosures
Conciliation Agreements

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard A. Levy, Esquire
General Counsel
Local 1199
Drug Hospital and Health Care
Employees Union RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036

RE: MUR 1733
District 1199
District 1199 PAF

Dear Mr. Levy:

On , 1986, the Commission accepted the conciliation agreements signed by your clients calling for a civil penalty in settlement of a violation of 2 U.S.C. §§ 441b, 434(b), and 434(a)(4)(A)(i), provisions 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.

Enclosed you will find fully executed copies of the final conciliation agreements for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosures
Conciliation Agreements

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
Telbert King, as treasurer	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe has been found that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer ("Respondents") violated:

2 U.S.C. § 434(a)(4)(A)(i), by filing their April, 1984 Quarterly Report 60 days late;

2 U.S.C. § 434(b), by filing reports understating their receipts and disbursements for the period March 31, 1981 through December 31, 1981 by $8,852.25; and

2 U.S.C. § 441b, by accepting funds from District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (hereinafter "the Union") as reimbursements for funds inadvertently expended by Respondents on obligations owed by the Union; and by accepting deposits of funds owed or belonging to the Union.

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

I. The Commission has jurisdiction over the Respondents, 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO is a qualified, non-party related political committee, connected with the Retail Wholesale Department Store Union. Respondent Telbert King, at all times relevant hereto, was the treasurer of that political committee.

2. Respondents permitted various transfers of funds between themselves and the Union; these transfers are detailed as follows:

(a) Respondents received $7,088.20 from the Union during the period from June 22, 1981 through October 20, 1983. These payments represented reimbursements to Respondents from the Union for payments of Union expenses

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inadvertently made by Respondents during the period from March 25, 1981 through September 19, 1983. Of this amount, $2,468.20 was deposited within 30 days of the disbursement, and, therefore, such portion of the deposit would have been permissible had 11 C.F.R. § 114.5(b)(3) of the Commission's regulations been in effect at that time;

(b) Some $9,999.44 worth of funds that should have been deposited in the Union's account were inadvertently deposited into Respondents' account. On twenty-two occasions, from April 24, 1981 through June 21, 1984, Respondents reimbursed the Union, in the amount of $9,999.44 for the funds inadvertently deposited into the Respondents' account.

3. During the period from March 31, 1981 through December 31, 1981, Respondents understated their reported receipts and disbursements by $8,852.25. The understatement resulted from Respondent's failure to report certain of the receipts and disbursements between Respondents and the Union.

4. Respondents filed their April, 1984 Quarterly Report 60 days late.

V.1. Respondents accepted the deposit of union treasury funds into the account of a political committee in violation of 2 U.S.C. § 441b.

2. Respondents understated the amount of their receipts and disbursements in violation of 2 U.S.C. § 434(b).

3. Respondents failed to file their April, 1984 Quarterly Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Thousand Five Hundred and Eighty Dollars ($1,580), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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.

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

IX. Respondents 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.

X. 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: Lawrence M Noble (HT) 12/5/86
Lawrence M. Noble
Deputy General Counsel
Date

FOR THE RESPONDENTS:

(Name) DENNIS RIVERA 9/8/86
(Position) EXECUTIVE VICE-PRESIDENT
Date

2 7 1 0 6 4 1 7 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe has been found that District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("Respondent") violated 2 U.S.C. § 441b by reimbursing its separate, segregated fund, District 1199 PAF, for various expenditures, by depositing its union treasury funds into the District 1199 PAF account, and by making expenditures in connection with a Federal election.

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. Respondent District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO is a labor

organization which has established District 1199 PAF as a separate segregated fund. It is Respondent's position that the Officers, Agents and Employees of Respondent responsible for the acts and violations hereinafter set forth, no longer are employed or hold such positions with Respondent.

2. Respondent permitted various transfers of funds between itself and the District 1199 PAF; these transfers are detailed as follows:

(a) Respondent disbursed $7,088.20 to the District 1199 PAF during the period from June 22, 1981 through October 20, 1983. These payments represented reimbursements to District 1199 PAF from Respondent for payments of Respondent's expenses inadvertently made by District 1199 PAF during the period from March 25, 1981 through September 19, 1983. Of this amount, $2,468.20 was deposited within 30 days of the disbursement, and, therefore, such portion of the deposit would have been permissible had 11 C.F.R. § 114.5(b)(3) of the Commission's regulations been in effect at that time; and

(b) Some $9,999.44 worth of funds that should have been deposited in the Respondent's account were inadvertently deposited into District 1199 PAF's account. On twenty-two occasions, from April 24, 1981 through June 21, 1984, Respondent received reimbursements totalling

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$9,999.44 from District 1199 PAF for the funds inadvertently deposited into the District 1199 PAF's account.

3. Respondent expended $1,005.98 to make an in-kind contribution, in the form of printing services, to the Mark Green for Congress Committee.

V. Respondent deposited union treasury funds into its separate segregated fund and made an in-kind contribution to a candidate in a Federal election in violation of 2 U.S.C. § 441b.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Thousand Dollars ($1,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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.

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

IX. 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.

X. 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: Lawrence M. Noble (LH) 12/5/86
Lawrence M. Noble Date
Deputy General Counsel

FOR THE RESPONDENT:

Gerry Ann Johnson 1/6/86
(Name) Date
(Position) President.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Edward Kay, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 2, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 1733:

1. Approve the conciliation agreements, as recommended in the General Counsel's Report signed November 26, 1986.

2. Approve and send the letter, as recommended in the General Counsel's Report signed November 26, 1986.

3. Close the file.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for this decision.

Attest:

12-3-86
Date

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

Received in Office of Commission Secretary: Fri., 11-28-86, 8:14
Circulated on 48 hour tally basis: Fri., 11-28-86, 2:00
Deadline for vote: Tues., 12-2-86, 4:00

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel RD

DATE: November 26, 1986

SUBJECT: MUR 1733 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Edward Kay, as treasurer	)	
	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached are two conciliation agreements, one signed by Georgianna Johnson on behalf of District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the union") and the other signed by Dennis Rivera on behalf of the union's Political Action Fund ("PAF").

3701-4134

III. RECOMMENDATIONS

1. Approve the attached conciliation agreements.

2. Approve and send the attached letter.

3. Close the file.

Charles N. Steele
General Counsel

11/26/80
Date

By: _____
Lawrence M. Noble
Deputy General Counsel

Attachments
1. Proposed Agreement with District 1199
2. Proposed Agreement with District 1199 PAF
3. Letter from Dan Ratner
4. Letter from Richard Levy
5. Proposed letter to Richard Levy

Attachment 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe has been found that District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("Respondent") violated 2 U.S.C. § 441b by reimbursing its separate, segregated fund, District 1199 PAF, for various expenditures, by depositing its union treasury funds into the District 1199 PAF account, and by making expenditures in connection with a Federal election.

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. Respondent District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO is a labor

organization which has established District 1199 PAF as a separate segregated fund. It is Respondent's position that the Officers, Agents and Employees of Respondent responsible for the acts and violations hereinafter set forth, no longer are employed or hold such positions with Respondent.

2. Respondent permitted various transfers of funds between itself and the District 1199 PAF; these transfers are detailed as follows:

(a) Respondent disbursed $7,088.20 to the District 1199 PAF during the period from June 22, 1981 through October 20, 1983. These payments represented reimbursements to District 1199 PAF from Respondent for payments of Respondent's expenses inadvertently made by District 1199 PAF during the period from March 25, 1981 through September 19, 1983. Of this amount, $2,468.20 was deposited within 30 days of the disbursement, and, therefore, such portion of the deposit would have been permissible had 11 C.F.R. § 114.5(b)(3) of the Commission's regulations been in effect at that time; and

(b) Some $9,999.44 worth of funds that should have been deposited in the Respondent's account were inadvertently deposited into District 1199 PAF's account. On twenty-two occasions, from April 24, 1981 through June 21, 1984, Respondent received reimbursements totalling

$9,999.44 from District 1199 PAF for the funds inadvertently deposited into the District 1199 PAF's account.

3. Respondent expended $1,005.98 to make an in-kind contribution, in the form of printing services, to the Mark Green for Congress Committee.

V. Respondent deposited union treasury funds into its separate segregated fund and made an in-kind contribution to a candidate in a Federal election in violation of 2 U.S.C. § 441b.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Thousand Dollars ($1,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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.

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

IX. 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.

2 7 0 1 4 7 0 4 1 0 3 7

X. 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: _____ _____
Lawrence M. Noble Date
Deputy General Counsel

FOR THE RESPONDENT:

Georgeanna Johnson _____ 11/6/86
(Name) Date
(Position) President.

Attachment 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
Telbert King, as treasurer	)	

CONCILIATION AGREEMENT

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2 U.S.C. § 434(a)(4)(A)(i), by filing their April, 1984 Quarterly Report 60 days late;

2 U.S.C. § 434(b), by filing reports understating their receipts and disbursements for the period March 31, 1981 through December 31, 1981 by $8,852.25; and

2 U.S.C. § 441b, by accepting funds from District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (hereinafter "the Union") as reimbursements for funds inadvertently expended by Respondents on obligations owed by the Union; and by accepting deposits of funds owed or belonging to the Union.

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

I. The Commission has jurisdiction over the Respondents, 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO is a qualified, non-party related political committee, connected with the Retail Wholesale Department Store Union. Respondent Telbert King, at all times relevant hereto, was the treasurer of that political committee.

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(a) Respondents received $7,088.20 from the Union during the period from June 22, 1981 through October 20, 1983. These payments represented reimbursements to Respondents from the Union for payments of Union expenses

inadvertently made by Respondents during the period from March 25, 1981 through September 19, 1983. Of this amount, $2,468.20 was deposited within 30 days of the disbursement, and, therefore, such portion of the deposit would have been permissible had 11 C.F.R. § 114.5(b)(3) of the Commission's regulations been in effect at that time;

(b) Some $9,999.44 worth of funds that should have been deposited in the Union's account were inadvertently deposited into Respondents' account. On twenty-two occasions, from April 24, 1981 through June 21, 1984, Respondents reimbursed the Union, in the amount of $9,999.44 for the funds inadvertently deposited into the Respondents' account.

3. During the period from March 31, 1981 through December 31, 1981, Respondents understated their reported receipts and disbursements by $8,852.25. The understatement resulted from Respondent's failure to report certain of the receipts and disbursements between Respondents and the Union.

4. Respondents filed their April, 1984 Quarterly Report 60 days late.

V.1. Respondents accepted the deposit of union treasury funds into the account of a political committee in violation of 2 U.S.C. § 441b.

2. Respondents understated the amount of their receipts and disbursements in violation of 2 U.S.C. § 434(b).

3. Respondents failed to file their April, 1984 Quarterly Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Thousand Five Hundred and Eighty Dollars ($1,580), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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.

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X. 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: _____ _____
Lawrence M. Noble Date
Deputy General Counsel

FOR THE RESPONDENTS:

_____ 9/8/86
(Name) DENNIS RIVERA Date
(Position) EXECUTIVE VICE-PRESIDENT

attachments

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard A. Levy, Esquire
General Counsel
Local 1199
Drug Hospital and Health Care
Employees Union RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036

RE: MUR 1733
District 1199
District 1199 PAF

Dear Mr. Levy:

On , 1986, the Commission accepted the conciliation agreements signed by your clients calling for a civil penalty in settlement of a violation of 2 U.S.C. §§ 441b, 434(b), and 434(a)(4)(A)(i), provisions 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.

Enclosed you will find fully executed copies of the final conciliation agreements for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosures
Conciliation Agreements

EISNER & LEVY, P.C.
ATTORNEYS AT LAW
113 UNIVERSITY PLACE
NEW YORK, NEW YORK 10003-4588

TELEPHONE (212) 473-1122

EUGENE G. EISNER
RICHARD A. LEVY
FANETTE POLLACK

DANIEL J. RATNER
MIRIAM F. CLARK

October 30, 1986

Frank P. Reiche, Commissioner
Federal Election Commission
Washington, D.C. 20463

Re: MUR1733, District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO

Dear Commissioner Reiche:

This letter is being delivered to you simultaneously with the execution of the accompanying Conciliation Agreement in the captioned matter. We request that you attach this letter to the Conciliation Agreement and incorporate it into the public file in this matter.

The Officers of Local 1199 have executed the accompanying document solely for the purpose of amicably resolving all outstanding claims and issues arising from the Federal Election Commission investigation into alledged violations of federal election law from the period of June, 1981 to October, 1983. None of the officers of Local 1199 who served in office during the time covered by the Commission's investigation, and held such office at the time of violations admitted in this Conciliation Agreement currently hold any position as officer, agent or employee of Local 1199. The current leadership of Local 1199 does not know, nor does it have any basis to know, whether Local 1199, Local 1199 PAF or any officers, agents, or employees of these entities committed any of the violations which are alleged by the Federal Election Commission. The execution of this document represents the most expeditious and amicable means of resolving all outstanding matters.

Very truly yours,

Richard A. Levy
General Counsel
Local 1199

RAL/kk

encl.

EISNER & LEVY, P.C.
ATTORNEYS AT LAW
113 UNIVERSITY PLACE
NEW YORK, NEW YORK 10003-4588

TELEPHONE (212) 473-1122

October 30, 1986

EUGENE G. EISNER
RICHARD A. LEVY
FANETTE POLLACK

DANIEL J. RATNER
MIRIAM F. CLARK

Frank P. Reiche, Commissioner
Federal Election Commission
Washington, D.C. 20463

Re: MUR1733, District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO

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Very truly yours,

Richard A. Levy
General Counsel
Local 1199

RAL/kk

encl.

SENSITIVE

EXECUTIVE SESSION

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

OCT 28 1986

86 OCT 24 P12:52 Submitted Late

October 24, 1986

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

SUBJECT: MUR 1733

Chairman Aikens has requested that this matter be discussed during the meeting of October 28, 1986. Therefore, the attached Comprehensive Investigative Report is being submitted late.

Attachment

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 3, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: ~~DUANE BROWN~~ C. SNYDER

FROM: SHAWN WOODHEAD
SENIOR COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 1733: DISTRICT 1199 POLITICAL ACTION FUND

Please review the attached Request for Additional Information which is to be sent to the District 1199 Political Action Fund for the 1984 30 Day Post-General Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 10:00 a.m. on Monday, January 7, 1985. Thank you.

COMMENTS:

Attachment

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Telbert King, Treasurer
District 1199 Political
Action Fund
310 West 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: 30 Day Post-General Report (10/18/84-11/26/84)

Dear Mr. King:

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

-Schedule B supporting Line 27 of your report discloses a disbursement in the amount of $4,160 for "Mailing of Endorsement Letter". Please provide the following information with regard to this disbursement: the identification of the candidates, office sought, district or state and whether the letter was in support of or in opposition to those candidates; the election designation of the letter (primary or general); and the cost of the letter per candidate.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Brian J. Hancock

Brian J. Hancock
Reports Analyst
Reports Analysis Division

GCC #1624

LOCAL 1199
Drug, Hospital and Health Care Employees Union, RWDSU/AFL-CIO
310 West 43rd Street,
New York, N. Y. 10036
(212) 582-1890

September 23, 1986

Charles Snyder, Esq.
Office of General Counsel
Federal Election Commissions
Washington, D.C. 20463

RE: MUR 1733
LOCAL 1199 AND LOCAL 1199 PAF

Dear Mr. Snyder:

This is to advise you that Richard A. Levy, with whom you spoke to last week, has been appointed General Counsel of Local 1199. Any future communications regarding the above matter should be with him.

Thank you for your cooperation.

Very truly yours,

Georgianna Johnson,
President

GJ/gm
1199

cc: Richard A. Levy

Georgianna Johnson, President
Edward Kay, Secretary-Treasurer
Katherine Abelson, Executive Vice President
Marshall Garcia, Executive Vice President
Betty Hughley, Executive Vice President
Dennis Rivera, Executive Vice President

VICE PRESIDENTS
Harold Curtis • Angela Doyle • Aida Garcia
Frederick Gilliam • Sylvia Grant-Gutierrez • Eustace Jarrett
Dalton Mayfield • Carlton Yearwood

LOCAL 1199
NEW YORK

Charles Snyder, Esq.
Office of General Counsel
Federal Election Commissions
Washington, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
	)	MUR 1733
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 15, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1733:

1. Union of Hospital and Health Care Employees, RWDSU, AFL-CIO and Telbert King, as treasurer.

2. Approve the attached conciliation agreements at Attachment 5 and the letter at Attachment 4 of the General Counsel's report dated July 11, 1986.

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

7-15-86
Date

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

8711102

OGC Docket

Submitted Late

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 11, 1986

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

SUBJECT: MUR 1733 - District 1199 of the National Union of Hospital and Health Care Employees, et. al.

Pursuant to the discussion of MUR 1733 at the July 9, 1986 meeting, we are hereby submitting the revised General Counsel's Report and attachments for the meeting of July 15, 1986. This report is being submitted late due to the fact that the Commission requested an expedited revision of the report on Wednesday, July 9th.

EXECUTIVE SESSION
7-15-86

Enclosures

Submitted Late

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel RD

DATE: July 11, 1986

SUBJECT: MUR 1733 - General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of July 15, 1986

Open Session _____

Closed Session XX

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

SENSITIVE - CIRCULATE ON BLUE PAPER on agenda 7-15-86 (Submitted late)

3 7 1 2 0 4 1 1 0 4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file its April, 1984 Quarterly Report in a timely manner, and 2 U.S.C. § 441b, by permitting commingling of its funds with those of its connected organization, District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the Union"). In addition, subsequent to an audit, the Commission found reason to believe on June 25, 1985 that PAF violated 2 U.S.C. § 434(b), by filing reports understating its receipts and disbursements by $8,852.25. PAF requested pre-probable cause conciliation on July 29, 1985.

The Commission also found reason to believe that the Union violated 2 U.S.C. § 441b by depositing its funds into the PAF account and by making a contribution in connection with a Federal

election. The Union requested pre-probable cause conciliation on August 16, 1985.

On February 19, 1986, the Commission voted to enter into conciliation with PAF and the Union and to approve and send the conciliation agreements attached to the General Counsel's Report signed February 12, 1986. Copies of those proposed agreements are attached. (See Attachment 1).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

8 7 0 1 0 6 4 1 1 0 5

of Hospital and Health Care Employees, RWDSU, AFL-CIO and Telbert King, as treasurer.

2. Approve the attached conciliation agreements and the attached letter.

Charles N. Steele
General Counsel

7/11/96
Date

By: _____
Lawrence M. Noble
Deputy General Counsel

Attachments

4. Proposed letter to Respondents

Snyder

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/CHERYL A. FLEMING

DATE: JUNE 27, 1986

SUBJECT: OBJECTION TO MUR 1733 - General Counsel's Report Signed June 26, 1986

The above-named document was circulated to the Commission on

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner Josefiak	X
Commissioner McDonald	_____
Commissioner McGarry	_____

This matter will be placed on the Executive Session agenda for Wednesday, July 9, 1986.

8704141703

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: June 27, 1986

SUBJECT: MUR 1733 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

_____ _____

_____ _____

_____ _____

_____

2704041179

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file its April, 1984 Quarterly Report in a timely manner, and 2 U.S.C. § 441b, by permitting commingling of its funds with those of its connected organization, District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the Union"). In addition, the Commission found reason to believe on June 25, 1985, that PAF violated 2 U.S.C. § 434(b), by filing reports understating its receipts and disbursements by $8,852.25. PAF requested pre-probable cause conciliation on July 29, 1985.

The Commission also found reason to believe that the Union violated 2 U.S.C. § 441b by depositing its funds into the PAF account and by making a contribution in connection with a Federal election. The Union requested pre-probable cause conciliation on August 16, 1985.

are attached. (See Attachment 1).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

Charles N. Steele
General Counsel

Date 6/26/96

By: _____
Lawrence M. Noble
Deputy General Counsel

Attachments

ro

27044112

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 15, 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: CHARLES SNYDER

FROM: LEE GARRITY
COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 1733

Please review the attached Request for Additional Information which is to be sent to the District 1199 Political Action Committee of the National Union of Hospital and Health Care, RWDSU, AFL-CIO for the 1985 Amended Mid-Year and Year End Reports. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 1:00 p.m. on Thursday, April 17, 1986. Thank you.

COMMENTS:

Attachment

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

RQ-2

Telbert King, Treasurer
District 1199 Political Action
Committee of the National Union
of Hospital and Health Care, RWDSU,
AFL-CIO
310 West 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Amended Mid-Year (1/1/85-6/30/85) and Year End (7/1/85-12/31/85) Reports

Dear Mr. King:

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

-Please provide separate Schedule A's to support the entries of $3,060 for the Mid-Year Report and $9,790 for the Year End Report on Line 13 of the Detailed Summary Page. All loans and loan repayments received by your committee must be itemized on Schedule A, regardless of the amount loaned or repaid. 2 U.S.C. §§434(b)(3)(E) and (5)(D).

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Robyn Jimeson

Robyn Jimeson
Reports Analyst
Reports Analysis Division

2711044114

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: April 9, 1986

SUBJECT: MUR 1733 - 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	[ ]	Compliance	[X]
Sensitive	[ ]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[X]	Status Sheets	[ ]
Sensitive	[X]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
	)	
Retail Wholesale and Department Store Union	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 19, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 1733:

1. Enter into conciliation with District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, prior to a finding of probable cause to believe.

2. Enter into conciliation with District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, prior to a finding of probable cause to believe.

3. Approve and send the conciliation agreement attached to the General Counsel's Report signed February 12, 1986.

(continued)

4. Approve and send the letters attached to the General Counsel's Report signed February 12, 1986.

Commissioners Aikens, Elliott, Josefiak, McDonald and McGarry voted affirmatively for this decision; Commissioner Harris did not cast a vote.

Attest:

2-19-86
Date

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

Received in Office of Commission Secretary: Fri., 2-14-86, 8:59
Circulated on 48 hour tally basis: Fri., 2-14-86, 2:00
Deadline for vote: Wed., 2-19-86, 4:00

8701041117

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel ld

DATE: February 13, 1986

SUBJECT: MUR 1733 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

_____ _____

_____ _____

_____ _____

_____

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	86 FEB 14 A8:59
	)	MUR 1733
	)	SENSITIVE
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail Wholesale and Department Store Union	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file its April, 1984 Quarterly Report in a timely manner, and 2 U.S.C. § 441b, by permitting commingling of its funds with those of its connected organization, District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the Union"). In addition, the Commission found reason to believe on June 25, 1985, that PAF violated 2 U.S.C. § 434(b), by filing reports understating its receipts and disbursements by $8,852.25. PAF has now requested pre-probable cause conciliation (See General Counsel's Report, October 11, 1985).

The Commission also found reason to believe that the Union violated 2 U.S.C. § 441b by depositing its funds into the PAF account and by making a contribution in conection with a Federal election. The Union has now also requested pre-probable cause conciliation. (See General Counsel's Report, October 11, 1985).

The Commission considered the recommendations of the General Counsel concerning those requests on October 22, 1985, and referred the matter back to this Office for revision of the proposed conciliation agreements in accordance with the Commission's discussion of that date. After the agreements had been revised in accordance with said discussion, the Commission considered the recommendations on January 22, 1986, and again referred the matter back to this Office for additional revisions.

II. LEGAL ANALYSIS

The General Counsel's Report on June 17, 1985 discussed the foregoing violations in detail. Since the Office of the General Counsel has now completed its investigation of this matter, it is recommended that the Commission authorize pre-probable cause conciliation.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

ag' ·re

IV. RECOMMENDATIONS

1. Enter into conciliation with District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, prior to a finding of probable cause to believe.

2. Enter into conciliation with District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, prior to a finding of probable cause to believe.

3. Approve and send the attached conciliation agreements.

4. Approve and send the attached letters.

Charles N. Steele
General Counsel

February 12, 1986
Date

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

Attachments
1. Proposed Conciliation Agreement with PAF.
2. Proposed Conciliation Agreement with the Union.
3. Letters to Respondents

attachment 3
(Part I)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, New York 10017

RE: MUR 1733
District 1199 PAF of the
National Union of
Hospitals and Health
Care Employees
Telbert King, as
treasurer

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that that District 1199 PAF of N.U.H.H.C.C. violated 2 U.S.C. §§ 441b and 434(a)(4)(A)(i). Also, on June 25, 1985, the Commission found reason to believe that the same respondent violated 2 U.S.C. § 434(b). At your request, the Commission determined on , 198 , to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

Attachment 3
(Part 2)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, New York 10017

RE: MUR 1733
District 1199 the
National Union of
Hospital and Health
Care Employees

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of N.U.H.H.C.C. violated 2 U.S.C. § 441b. At your request, the Commission determined on , 198 , to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 6, 1986

Mr. Jon Quint, Esquire
Markewich, Friedman
and Markewich, P.C.
1501 Broadway
New York, New York 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

This is to advise you that after an investigation was conducted, the Commission concluded on February 4 , 1986 , that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1733, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, 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.

If you have any questions, contact Charles Snyder at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 6, 1986

I. Philip Sipser, Esquire
Sipser, Weinstock, Harper,
Dorn & Leibowitz
380 Madison Avenue
New York, New York 10017

RE: MUR 1733
District 1199 PAF of the
National Union of Hospital
and Health Care Employees

Dear Mr. Sipser:

This is to advise you that after an investigation was conducted, the Commission concluded on February 4 , 1986 , that there is no probable cause to believe that your client violated the Act with respect to its reported receipt of a $20,000 loan from RWDSU. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, 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.

If you have any questions, contact Charles Snyder at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser, Esquire
Sipser, Weinstock, Harper,
Dorn & Leibowitz
380 Madison Avenue
New York, New York 10017

RE: MUR 1733
District 1199 PAF of the
National Union of Hospital
and Health Care Employees

Dear Mr. Sipser:

This is to advise you that after an investigation was conducted, the Commission concluded on , 198 , that there is no probable cause to believe that your client violated the Act with respect to its reported receipt of a $20,000 loan from RWDSU. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, 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.

If you have any questions, contact Charles Snyder at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Jon Quint, Esquire
Markewich, Friedman
and Markewich, P.C.
1501 Broadway
New York, New York 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

This is to advise you that after an investigation was conducted, the Commission concluded on , 198 , that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1733, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, 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.

If you have any questions, contact Charles Snyder at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
	)	MUR 1733
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO and Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of February 4, 1986, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 1733:

1. Find no probable cause to believe that the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).

2. Find no probable cause to believe District 1199 PAF of the National Union of Hospital and Health Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, violated 2 U.S.C. § 441b(a) with respect to its reported receipt of a loan from RWDSU.

(continued)

3. Approve and send the letter attached to the General Counsel's report dated January 28, 1986.

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

Attest:

2/4/86
Date

Marjorie W. Emmons
Secretary of the Commission

2 7 0 1 0 4 9 4 1 3 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: January 29, 1986

SUBJECT: MUR 1733 - General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of February 4, 1986

Open Session _____

Closed Session XX

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

SENSITIVE -

CIRCULATE ON BLUE PAPER

On Agenda 2-4-86

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO and Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

86 JAN 29 P 3:27

FEB 04 1986

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 29, 1984, the Commission found reason to believe the above-referenced Respondents violated 2 U.S.C. § 441b(a). The grounds for that finding, insofar as is pertinent to this report, were that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, (hereinafter "PAF") apparently received a $20,000 loan from the Retail, Wholesale and Department Store Union (hereinafter "RWDSU"), in violation of 2 U.S.C. § 441b.

II. LEGAL ANALYSIS

(See OGC Briefs of October 10, 1985).

As was pointed out in the General Counsel's Briefs, RWDSU had contributed its funds to a non-federal candidate. PAF subsequently repaid RWDSU $20,000 because RWDSU's contribution was made on behalf of District 1199. There is no indication that any of RWDSU's union treasury funds were ever deposited in PAF's account. Hence this transaction would not have involved a violation of 2 U.S.C. § 441b.

8704113 2

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find no probable cause to believe that the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).

2. Find no probable cause to believe District 1199 PAF of the National Union of Hospital and Health Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, violated 2 U.S.C. § 441b(a) with respect to its reported receipt of a loan from RWDSU.

3. Approve and send the attached letter.

28 Jan 1986
Date

Charles N. Steele
General Counsel

3701241133

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO Telbert King, as treasurer	)	MUR 1733
	)	
Retail Wholesale and Department Store Union	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of January 22, 1986, do hereby certify that the Commission returned the General Counsel's January 9, 1986 report on MUR 1733 to the Office of General Counsel for revision pursuant to the discussion held in the meeting.

Commissioners Elliott, Harris, Josefiak, McDonald, and McGarry voted affirmatively for the decision; Commissioner Aikens dissented.

Attest:

1-23-86
Date

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

2711043744

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING

DATE: JANUARY 14, 1986

SUBJECT: OBJECTION - MUR 1733 - General Counsel's Report Signed January 9, 1986.

The above-named document was circulated to the Commission on MOnday, January 13, 1986, 11:00 A.M.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	X
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____

This matter will be placed on the Executive Session agenda for Wednesday, January 22, 1986.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: January 10, 1986

SUBJECT: MUR 1733 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

_____ _____

_____ _____

_____ _____

_____

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail Wholesale and Department Store Union	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file its April, 1984 Quarterly Report in a timely manner, and 2 U.S.C. § 441b, by permitting commingling of its funds with those of its connected organization, District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the Union"). In addition, the Commission found reason to believe on June 25, 1985, that PAF violated 2 U.S.C. § 434(b), by filing reports understating its receipts and disbursements by $8,852.25. PAF has now requested pre-probable cause conciliation (See General Counsel's Report, October 11, 1985).

The Commission also found reason to believe that the Union violated 2 U.S.C. § 441b by depositing its funds into the PAF account and by making a contribution in conection with a Federal election. The Union has now also requested pre-probable cause conciliation. (See General Counsel's Report, October 11, 1985).

The Commission considered the recommendations of the General Counsel concerning those requests on October 22, 1985. Ultimately, the Commission referred the matter back to this Office for revision of the proposed conciliation agreements in accordance with the Commission's discussion.

II. LEGAL ANALYSIS

The General Counsel's Report on June 17, 1985 discussed the foregoing violations in detail. Since the Office of the General Counsel has now completed its investigation of this matter, it is recommended that the Commission authorize pre-probable cause conciliation.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

9 7 1 4 1 3 9

IV. RECOMMENDATIONS

1. Enter into conciliation with District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, prior to a finding of probable cause to believe.

2. Enter into conciliation with District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, prior to a finding of probable cause to believe.

3. Approve and send the attached conciliation agreements.

4. Approve and send the attached letters.

Charles N. Steele
General Counsel

Date February 5, 1996

By: _____
Kenneth A. Gross
Associate General Counsel

Attachments
1. Proposed Conciliation Agreement with PAF.
2. Proposed Conciliation Agreement with the Union.
3. Letters to Respondents

Attachment 3
(Part 1)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, New York 10017

RE: MUR 1733
District 1199 PAF of the
National Union of
Hospitals and Health
Care Employees
Telbert King, as
treasurer

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that that District 1199 PAF of N.U.H.H.C.C. violated 2 U.S.C. §§ 441b and 434(a)(4)(A)(i). Also, on June 25, 1985, the Commission found reason to believe that the same respondent violated 2 U.S.C. § 434(b). At your request, the Commission determined on , 198 , to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

2704411 10

attachment 3
(part 3)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, New York 10017

RE: MUR 1733
District 1199 the
National Union of
Hospital and Health
Care Employees

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of N.U.H.H.C.C. violated 2 U.S.C. § 441b. At your request, the Commission determined on , 198 , to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

2 7 0 1 0 4 1 1 4 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING

DATE: JANUARY 2, 1986

SUBJECT: OBJECTION - MUR 1733 - General Counsel's Report Signed December 23, 1985

The above-named document was circulated to the Commission on Thursday, December 26, 1985, 4:00 p.m.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner Josefiak	_____
Commissioner McDonald	X
Commissioner McGarry	_____

This matter will be placed on the Executive Session agenda for Tuesday, January 7, 1986.

2701063411442

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel RD

DATE: December 24, 1985

SUBJECT: MUR 1733 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

_____ _____

_____ _____

_____ _____

_____

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
85 DEC 24 AM 11:42
SENSITIVE

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file its April, 1984 Quarterly Report in a timely manner, and 2 U.S.C. § 441b, by permitting commingling of its funds with those of its connected organization, District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the Union") and by paying for an in-kind contribution by the Union. In addition, the Commission found reason to believe on June 25, 1985 that PAF violated 2 U.S.C. § 434(b), by filing reports understating its receipts and disbursements by $8852.25. PAF has now requested pre-probable cause conciliation (See General Counsel's Report, October 11, 1985).

The Commission also found reason to believe that the Union violated 2 U.S.C. § 441b by depositing its funds into the PAF account and by making a contribution in connection with a Federal election. The Union has now also requested pre-probable cause conciliation. (See General Counsel's Report, October 11, 1985).

The Commission considered the recommendations of the General Counsel concerning those requests on October 22, 1985. Ultimately, the Commission referred the matter back to this Office for revision of the proposed conciliation agreements in accordance with the Commission's discussion.

II. LEGAL ANALYSIS

The General Counsel's Report of June 17, 1985 discussed the foregoing violations in detail. Since the Office of the General Counsel has now completed its investigation of this matter, it is recommended that the Commission authorize pre-probable cause conciliation.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

3710341145

IV. RECOMMENDATIONS

1. Enter into conciliation with District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, prior to a finding of probable cause to believe.

2. Enter into conciliation with District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, prior to a finding of probable cause to believe.

3. Approve and send the attached conciliation agreements.

4. Approve and send the attached letters.

Charles N. Steele
General Counsel

Dec 23/1985
Date

BY: K. A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments
1. Proposed Conciliation Agreement with PAF.
2. Proposed Conciliation Agreement with the Union.
3. Letters to Respondents

Attachment 3
(part 1)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, NY 10017

RE: MUR 1733
District 1199 PAF of the
National Union of Hospitals
and Health Care Employees
Telbert King, as treasurer

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of N.U.H.H.C.E. violated 2 U.S.C. §§ 441b and 434(a)(4)(A)(i). Also, on June 25, 1985, the Commission found reason to believe that the same respondent violated 2 U.S.C. § 434(b). At your request, the Commission determined on October 22, 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

8701164117

attachment 1
(part 1)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, NY 10017

RE: MUR 1733
District 1199 the National
Union of Hospital and Health
Care Employees

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that District 1199 of N.U.H.H.C.E. violated 2 U.S.C. § 441b. At your request, the Commission determined on Octover 22, 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

3711141118

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

I. Philip Sipser, Esquire
Sipser, Weinstock, Harper,
Dorn & Leibowitz
380 Madison Avenue
New York, New York 10017

RE: MUR 1733
District 1199 PAF of the
National Union of Hospital
and Health Care Employees

Dear Mr. Sipser:

This is to advise you that after an investigation was conducted, the Commission concluded on , 198 , that there is no probable cause to believe that your client violated the Act with respect to its reported receipt of a $20,000 loan from RWDSU. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, 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.

If you have any questions, contact Charles Snyder at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

2710741149

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Jon Quint, Esquire
Markewich, Friedman
and Markewich, P.C.
1501 Broadway
New York, New York 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

This is to advise you that after an investigation was conducted, the Commission concluded on , 198 , that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1733, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, 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.

If you have any questions, contact Charles Snyder at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

8701064110

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
Telbert King, as Treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of October 22, 1985, do hereby certify that the Commission took the following actions in MUR 1733:

2. Decided by a vote of 6-0 to reconsider the previous motion.

(continued)

3. Decided by a vote of 6-0 to return the October 11, 1985 report to the Office of General Counsel with the direction

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

Attest:

10-25-85
Date

Marjorie W. Emmons
Secretary of the Commission

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING

DATE: OCTOBER 17, 1985

SUBJECT: OBJECTION - MUR 1733 - General Counsel's Report

The above-named document was circulated to the Commission on Tuesday, October 15, 1985, 4:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner Josefiak	_____
Commissioner McDonald	X
Commissioner McGarry	_____

This matter will be placed on the Executive Session agenda for Tuesday, October 22, 1985.

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING

DATE: OCTOBER 16, 1985

SUBJECT: OBJECTION - MUR 1733 General Counsel's Report

The above-named document was circulated to the Commission on Tuesday, October 15, 1985, 4:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	X
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____

This matter will be placed on the Executive Session agenda for Tuesday, October 22, 1985.

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

'85 OCT 15 P3:40

RECEIVED
OFFICE OF THE
FEC
COMMISSION SECRETARY

October 15, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR #1733

Attached for the Commission's review is a brief, copies of which will go to two respondents, stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe was mailed on October 15, 1985. Following receipt of the Respondents' reply to this notice, this Office will make a further report to the Commission.

Attachments
1. Brief
2. Letters to Respondents

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

On June 29, 1984, the Commission found reason to believe that the above-referenced Respondents violated 2 U.S.C. § 441b(a). The grounds for that finding, insofar as it is pertinent to this brief, may be summarized as follows:

District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (hereinafter "PAF") reported in its 30 day post-general election report that it had received a $20,000 loan from the Retail, Wholesale and Department Store Union (hereinafter "RWDSU"). The making, and acceptance, of such a loan would violate the prohibition on contributions by a labor organization. 2 U.S.C. § 441b. In response to the Commission's finding reason to believe that a violation had occurred, counsel for RWDSU asserted that RWDSU had contributed its treasury funds to a non-federal candidate, specifically the Cuomo for Governor campaign in New York. It was understood that the contribution would be made on behalf of both RWDSU and

District 1199. PAF subsequently repaid RWDSU $20,000 in compensation for the latter making the contribution to Cuomo for Governor on its behalf.

An audit of PAF conducted by the Commission confirmed that PAF's auditor reported the $20,000 loan, despite the fact that no RWDSU funds had been deposited with PAF, in order to balance the contribution made by RWDSU on behalf of PAF. About seven months later (May 3, 1983), PAF repaid RWDSU $20,000 for making the contribution on its behalf to the state candidate.

II. Legal Analysis

The pertinent statute states: "It is unlawful for ... any labor organization, to make a contribution or expenditure in connection with any [Federal] election...." 2 U.S.C. § 441b(a). In this case, no contribution or expenditure was made in connection with a Federal election, since the $20,000 in question went to the Cuomo for Governor campaign. In addition, the audit showed that no union treasury funds were ever deposited in PAF's account. Consequently, it appears that there is no probable cause to believe a violation of 2 U.S.C. § 441b occurred as a result of the above-described transaction.

III. Recommendation

1. Find no probable cause to believe that the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).

2. Find no probable cause to believe that the District 1199 PAF of the National Union of Hospital and Health Care

Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, violated 2 U.S.C. § 441b(a) with respect to its reported receipt of a loan from RWDSU.

3. Approve and send the attached letters.

10 October 1985
Date

Charles N. Steele
General Counsel

Attached
Letters

CS #5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 15, 1985

I. Philip Sipser, Esquire
Sipser, Weinstock, Harper, Dorn & Leibowitz
380 Madison Avenue
New York, N.Y. 10017

RE: MUR 1733
District 1199 of the National Union of Hospital and Health Care Employees

Dear Mr. Sipser:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b(a) and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred with respect to the reported loan from RWDSU. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

/S/

Charles N. Steele
General Counsel

Enclosure
Brief

9701160

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

1985 OCT 15 P 3:40

CELD
FEC
SECRETARY

October 15, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR #1733

Attached for the Commission's review is a brief, copies of which will go to two respondents, stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe was mailed on October 15, 1985. Following receipt of the Respondents' reply to this notice, this Office will make a further report to the Commission.

Attachments
1. Brief
2. Letters to Respondents

2711741561

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

On June 29, 1984, the Commission found reason to believe that the above-referenced Respondents violated 2 U.S.C. § 441b(a). The grounds for that finding, insofar as it is pertinent to this brief, may be summarized as follows:

District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (hereinafter "PAF") reported in its 30 day post-general election report that it had received a $20,000 loan from the Retail, Wholesale and Department Store Union (hereinafter "RWDSU"). The making, and acceptance, of such a loan would violate the prohibition on contributions by a labor organization. 2 U.S.C. § 441b. In response to the Commission's finding reason to believe that a violation had occurred, counsel for RWDSU asserted that RWDSU had contributed its treasury funds to a non-federal candidate, specifically the Cuomo for Governor campaign in New York. It was understood that the contribution would be made on behalf of both RWDSU and

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District 1199. PAF subsequently repaid RWDSU $20,000 in compensation for the latter making the contribution to Cuomo for Governor on its behalf.

An audit of PAF conducted by the Commission confirmed that PAF's auditor reported the $20,000 loan, despite the fact that no RWDSU funds had been deposited with PAF, in order to balance the contribution made by RWDSU on behalf of PAF. About seven months later (May 3, 1983), PAF repaid RWDSU $20,000 for making the contribution on its behalf to the state candidate.

II. Legal Analysis

The pertinent statute states: "It is unlawful for ... any labor organization, to make a contribution or expenditure in connection with any [Federal] election...." 2 U.S.C. § 441b(a). In this case, no contribution or expenditure was made in connection with a Federal election, since the $20,000 in question went to the Cuomo for Governor campaign. In addition, the audit showed that no union treasury funds were ever deposited in PAF's account. Consequently, it appears that there is no probable cause to believe a violation of 2 U.S.C. § 441b occurred as a result of the above-described transaction.

III. Recommendation

1. Find no probable cause to believe that the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).

2. Find no probable cause to believe that the District 1199 PAF of the National Union of Hospital and Health Care

3710041163

Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, violated 2 U.S.C. § 441b(a) with respect to its reported receipt of a loan from RWDSU.

3. Approve and send the attached letters.

10 October 1985
Date

Charles N. Steele
General Counsel

Attached
Letters

CS #5

9711754

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 15, 1985

I. Philip Sipser, Esquire
Sipser, Weinstock, Harper, Dorn & Leibowitz
380 Madison Avenue
New York, N.Y. 10017

RE: MUR 1733
District 1199 of the National Union of Hospital and Health Care Employees

Dear Mr. Sipser:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b(a) and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred with respect to the reported loan from RWDSU. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

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Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

/S/

Charles N. Steele
General Counsel

Enclosure
Brief

9711141162

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

October 15, 1985

Mr. Jon Quint, Esquire
Markewich, Friedman and Markewich, P.C.
1501 Broadway
New York, N.Y. 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b, a provision of the Act and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

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Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

/S/

Charles N. Steele
General Counsel

Enclosure
Brief

3711741568

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 15, 1985

Mr. Jon Quint, Esquire
Markewich, Friedman and Markewich, P.C.
1501 Broadway
New York, N.Y. 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b, a provision of the Act and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

87010041170

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 15, 1985

Mr. Jon Quint, Esquire
Markewich, Friedman and Markewich, P.C.
1501 Broadway
New York, N.Y. 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b, a provision of the Act and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

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Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

/S/

Charles N. Steele
General Counsel

Enclosure
Brief

87110541172

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

October 15, 1985

Mr. Jon Quint, Esquire
Markewich, Friedman and Markewich, P.C.
1501 Broadway
New York, N.Y. 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b, a provision of the Act and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

8711040174

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 14, 1985

Mr. Jon Quint, Esquire
Markewich, Friedman and Markewich, P.C.
1501 Broadway
New York, N.Y. 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b, a provision of the Act and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

27112475

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

GENERAL COUNSEL'S BRIEF

I. **Statement of the Case**

On June 29, 1984, the Commission found reason to believe that the above-referenced Respondents violated 2 U.S.C. § 441b(a). The grounds for that finding, insofar as it is pertinent to this brief, may be summarized as follows:

District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (hereinafter "PAF") reported in its 30 day post-general election report that it had received a $20,000 loan from the Retail, Wholesale and Department Store Union (hereinafter "RWDSU"). The making, and acceptance, of such a loan would violate the prohibition on contributions by a labor organization. 2 U.S.C. § 441b. In response to the Commission's finding reason to believe that a violation had occurred, counsel for RWDSU asserted that RWDSU had contributed its treasury funds to a non-federal candidate, specifically the Cuomo for Governor campaign in New York. It was understood that the contribution would be made on behalf of both RWDSU and

District 1199. PAF subsequently repaid RWDSU $20,000 in compensation for the latter making the contribution to Cuomo for Governor on its behalf.

An audit of PAF conducted by the Commission confirmed that PAF's auditor reported the $20,000 loan, despite the fact that no RWDSU funds had been deposited with PAF, in order to balance the contribution made by RWDSU on behalf of PAF. About seven months later (May 3, 1983), PAF repaid RWDSU $20,000 for making the contribution on its behalf to the state candidate.

II. Legal Analysis

The pertinent statute states: "It is unlawful for ... any labor organization, to make a contribution or expenditure in connection with any [Federal] election...." 2 U.S.C. § 441b(a). In this case, no contribution or expenditure was made in connection with a Federal election, since the $20,000 in question went to the Cuomo for Governor campaign. In addition, the audit showed that no union treasury funds were ever deposited in PAF's account. Consequently, it appears that there is no probable cause to believe a violation of 2 U.S.C. § 441b occurred as a result of the above-described transaction.

III. Recommendation

1. Find no probable cause to believe that the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).

2. Find no probable cause to believe that the District 1199 PAF of the National Union of Hospital and Health Care

Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, violated 2 U.S.C. § 441b(a) with respect to its reported receipt of a loan from RWDSU.

3. Approve and send the attached letters.

10 October 1985
Date

Charles N. Steele
General Counsel

Attached
Letters

CS #5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 14, 1985

I. Philip Sipser, Esquire
Sipser, Weinstock, Harper, Dorn & Leibowitz
380 Madison Avenue
New York, N.Y. 10017

RE: MUR 1733
District 1199 of the National Union of Hospital and Health Care Employees

Dear Mr. Sipser:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on June 29, 1984, found reason to believe that your clients had violated 2 U.S.C. § 441b(a) and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred with respect to the reported loan from RWDSU. The Commission may or may not approve the General Counsel's Recommendation.

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 client's 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 submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

9741321

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

On June 29, 1984, the Commission found reason to believe that the above-referenced Respondents violated 2 U.S.C. § 441b(a). The grounds for that finding, insofar as it is pertinent to this brief, may be summarized as follows:

District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (hereinafter "PAF") reported in its 30 day post-general election report that it had received a $20,000 loan from the Retail, Wholesale and Department Store Union (hereinafter "RWDSU"). The making, and acceptance, of such a loan would violate the prohibition on contributions by a labor organization. 2 U.S.C. § 441b. In response to the Commission's finding reason to believe that a violation had occurred, counsel for RWDSU asserted that RWDSU had contributed its treasury funds to a non-federal candidate, specifically the Cuomo for Governor campaign in New York. It was understood that the contribution would be made on behalf of both RWDSU and

District 1199. PAF subsequently repaid RWDSU $20,000 in compensation for the latter making the contribution to Cuomo for Governor on its behalf.

An audit of PAF conducted by the Commission confirmed that PAF's auditor reported the $20,000 loan, despite the fact that no RWDSU funds had been deposited with PAF, in order to balance the contribution made by RWDSU on behalf of PAF. About seven months later (May 3, 1983), PAF repaid RWDSU $20,000 for making the contribution on its behalf to the state candidate.

II. Legal Analysis

The pertinent statute states: "It is unlawful for ... any labor organization, to make a contribution or expenditure in connection with any [Federal] election...." 2 U.S.C. § 441b(a). In this case, no contribution or expenditure was made in connection with a Federal election, since the $20,000 in question went to the Cuomo for Governor campaign. In addition, the audit showed that no union treasury funds were ever deposited in PAF's account. Consequently, it appears that there is no probable cause to believe a violation of 2 U.S.C. § 441b occurred as a result of the above-described transaction.

III. Recommendation

1. Find no probable cause to believe that the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).

2. Find no probable cause to believe that the District 1199 PAF of the National Union of Hospital and Health Care

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: October 11, 1985

SUBJECT: MUR 1733 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

_____ _____

_____ _____

_____ _____

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

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FEDERAL ELECTION
COMMISSION
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GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file its April, 1984 Quarterly Report in a timely manner, and 2 U.S.C. § 441b, by permitting commingling of its funds with those of its connected organization, District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the Union") and by paying for an in-kind contribution by the Union.*/ In addition, the Commission found reason to believe on June 25, 1985 that PAF violated 2 U.S.C. § 434(b), by filing reports understating its receipts and disbursements by $8852.25. PAF has now requested pre-probable cause conciliation (see Attachment I).

*/ The Commission also found reason to believe that PAF violated 2 U.S.C. § 441b with respect to a loan from the Retail, Wholesale and Department Store Union, and that the latter violated the same statute with respect to that loan. Further recommendations have been made with respect to these issues in a brief already submitted to the Commission.

The Commission also found reason to believe that the Union violated 2 U.S.C. § 441b by depositing its funds into the PAF account and by making a contribution in connection with a Federal election. The Union has now also requested pre-probable cause conciliation. (See Attachment 2).

II. LEGAL ANALYSIS

The General Counsel's Report of June 17, 1985 discussed the foregoing violations in detail. Since the Office of the General Counsel has now completed its investigation of this matter, it is recommended that the Commission authorize pre-probable cause conciliation.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

2711043

IV. RECOMMENDATIONS

1. Enter into conciliation with District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, prior to a finding of probable cause to believe.

2. Enter into conciliation with District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, prior to a finding of probable cause to believe.

3. Approve and send the attached conciliation agreements.

4. Approve and send the attached letters.

Charles N. Steele
General Counsel

Oct. 10, 1985
Date

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments
1. PAF Request for pre-probable cause conciliation
2. Union request for pre-probable cause conciliation.
3. Proposed Conciliation Agreement with PAF.
4. Proposed Conciliation Agreement with the Union.
5. Letters to Respondents

T-5 Snyder

SIPSER WEINSTOCK HARPER
380 MADISON AVE
NEW YORK NY 10017 26AM
attachment 1

Western Union Mailgram

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FEDERAL ELECTION COMMISSION OFFICE OF THE
GENERAL COUNSEL
4325 K ST NORTHWEST
WASHINGTON DC 20463

THIS IS A CONFIRMATION COPY OF A TELEGRAM ADDRESSED TO YOU:

ATTN CHARLES SNYDER
RE: DISTRICT 1199 PAF OF THE NATIONAL UNION OF HOSPITAL AND HEALTHCARE EMPLOYEES, RWDSU, AFL/CIO, AND TELBERT KING, AS TREASURER
PURSUANT TO OUR TELEPHONIC CONVERSATION THIS DAY THE UNDERSIGNED HEREBY REQUEST THAT A PRE-PROBABLE CAUSE CONCILIATION BE INITIATED WITH A VIEW TOWARD RESOLVING THE ISSUES RAISED BY THE COMMISSION.
PLEASE ADVISE US FORTHWITH OF YOUR DISPOSITION OF THIS REQUEST
SIPSER WEINSTOCK HARPER DORN AND LEIBOWITZ BY I PHILIP SIPSER
380 MADISON AVE
NEW YORK NY 10017

09:01 EST

MGMCOMP

attachment 2

RECEIVED AT THE

western union

Telegram

IPMWGW2 WSH1-024513A228 08/16/85
ICS IPMWGWC WSH
00441 08-16 1124P EDT
ICS IPMWGW2
1-024080A228 08/16/85
ICS IPMNXNB BWAY
0049 NEW YORK NY 08-16
PMS FEDERAL ELECTION COMMISSION OFFICE
OF THE GENERAL COUNSEL
25 K STREET NORTHWEST 1325 K ST NW
WASHINGTON DC 20463

ATTN: CHARLES SNYDER

RE: LOCAL 1199 HOSPITAL AND HEALTH CARE EMPLOYEES
UNION, RWSDSU, AFL-CIO AND TELBERT KING, AS TREASURER

THE UNDERSIGNED, ON BEHALF OF LOCAL 1199, RWDSU, AFL-CIO, REQUEST THAT A PRE-PROBABLE CAUSE CONCILIATION BE INITIATED WITH A VIEW TOWARD RESOLVING THE ISSUES RAISED BY THE COMMISSION. PLEASE ADVISE THE UNDERSIGNED OF YOUR DISPOSITION OF THIS REQUEST.

W.U. 1201-SF (RS-69)

G

AUG 19 AM 11:45

western union

Telegram

SIPSER, WEINSTOCK, HARPER & DORN

BY:I PHILIP SIPSER
380 MADISON AVUENUE
NEW YORK, NEW YORK 10017

CC: MS. DORIS TURNER

2153 EST

2233 EST

IPMWGW2 WSH

W.U. 1201-SF (RS-69)

attachments (part 1)

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, NY 10017

RE: MUR 1733
District 1199 PAF of the
National Union of Hospitals
and Health Care Employees
Telbert King, as treasurer

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that District 1199 PAF of N.U.H.H.C.E. violated 2 U.S.C. §§ 441b and 434(a)(4)(A)(i). Also, on June 25, 1985, the Commission found reason to believe that the same respondent violated 2 U.S.C. § 434(b). At your request, the Commission determined on , 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

2711341120

attachment 5
(part 2)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser
Sipser, Weinstock, Harper, Dorn,
& Leibowitz
380 Madison Avenue
New York, NY 10017

RE: MUR 1733
District 1199 the National
Union of Hospital and Health
Care Employees

Dear Mr. Sipser:

On June 29, 1984, the Commission found reason to believe that District 1199 of N.U.H.H.C.E. violated 2 U.S.C. § 441b. At your request, the Commission determined on [redacted], 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures

2740411021

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: September 16, 1985

SUBJECT: MUR 1733 - 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	[ ]	Compliance	[XX]
Sensitive	[ ]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[XX]	Status Sheets	[ ]
Sensitive	[XX]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

2704041192

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer	)	
Retail, Wholesale and Department Store Union	)	

95 SEP 16 P3:46

RECEIVED
OFFICE OF THE SECRETARY
FEC COMMISSION

GENERAL COUNSEL'S REPORT

The Office of General Counsel is prepared to close the investigation in this matter as to District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, the District 1199 of N.H.H.C.E. PAF, and Telbert King, as treasurer, and the Retail, Wholesale and Department Store Union, based on the assessment of the information presently available.

9/13/95
Date

Charles N. Steele
General Counsel

3701041123

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and	)	
Telbert King, as treasurer	)	
Retail, Wholesale and Department Store Union	)	

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OFFICE OF THE FEC
COMMISSION SECRETARY
85 SEP 16 P 3:46

GENERAL COUNSEL'S REPORT

The Office of General Counsel is prepared to close the investigation in this matter as to District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, the District 1199 of N.H.H.C.E. PAF, and Telbert King, as treasurer, and the Retail, Wholesale and Department Store Union, based on the assessment of the information presently available.

9/13/85
Date

Charles N. Steele
Charles N. Steele
General Counsel

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RECEIVED BY THE FEC

western union

Telegram

GCC#2331

'85 AUG 19 A11:45

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1-024080A228 08/16/85
ICS IPMNXNB BWAY
0049 NEW YORK NY 08-16
PMS FEDERAL ELECTION COMMISSION OFFICE
OF THE GENERAL COUNSEL
25 K STREET NORTHWEST 1325 K ST NW
WASHINGTON DC 20463

ATTN: CHARLES SNYDER

RE: LOCAL 1199 HOSPITAL AND HEALTH CARE EMPLOYEES
UNION, RWSDSU, AFL-CIO AND TELBERT KING, AS TREASURER

THE UNDERSIGNED, ON BEHALF OF LOCAL 1199, RWDSU, AFL-CIO, REQUEST THAT A PRE-PROBABLE CAUSE CONCILIATION BE INITIATED WITH A VIEW TOWARD RESOLVING THE ISSUES RAISED BY THE COMMISSION. PLEASE ADVISE THE UNDERSIGNED OF YOUR DISPOSITION OF THIS REQUEST.

WU 1201-SF (R5-69)

western union

Telegram

SIPSER, WEINSTOCK, HARPER & DORN

BY: I PHILIP SIPSER
380 MADISON AVUENUE
NEW YORK, NEW YORK 10017

CC: MS. DORIS TURNER

2153 EST

2233 EST

IPMWGW2 WSH

WU 1201-SF (R5-69)

RECEIVED BY THE FEC

western union

Telegram

GCC#2

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ICS IPMNXNB BWAY
0049 NEW YORK NY 08-16
PMS FEDERAL ELECTION COMMISSION OFFICE
OF THE GENERAL COUNSEL
25 K STREET NORTHWEST 1325 K ST NW
WASHINGTON DC 20463

ATTN: CHARLES SNYDER

RE: LOCAL 1199 HOSPITAL AND HEALTH CARE EMPLOYEES
UNION, RWSDSU, AFL-CIO AND TELBERT KING, AS TREASURER

THE UNDERSIGNED, ON BEHALF OF LOCAL 1199, RWDSU, AFL-CIO, REQUEST THAT A PRE-PROBABLE CAUSE CONCILIATION BE INITIATED WITH A VIEW TOWARD RESOLVING THE ISSUES RAISED BY THE COMMISSION. PLEASE ADVISE THE UNDERSIGNED OF YOUR DISPOSITION OF THIS REQUEST.

WU 1201-SF (R5-69)

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western union

Telegram

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BY: I PHILIP SIPSER
380 MADISON AVUENUE
NEW YORK, NEW YORK 10017

CC: MS. DORIS TURNER

2153 EST

2233 EST

IPMWGW2 WSH

WU 1201-SF (R5-69)


western union
Telegram

SIPSER WEINSTOCK HARPER
380 MADISON AVE
NEW YORK NY 10017 26AM

Western Union Mailgram

4-0053308207003 07/26/85 ICS IPMMTZZ CSP WHSB
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GCCT 9144

FEDERAL ELECTION COMMISSION OFFICE OF THE
GENERAL COUNSEL
4325 K ST NORTHWEST
WASHINGTON DC 20463

JUL 29 P3:06

THIS IS A CONFIRMATION COPY OF A TELEGRAM ADDRESSED TO YOU:

ATTN CHARLES SNYDER
RE: DISTRICT 1199 PAF OF THE NATIONAL UNION OF HOSPITAL AND HEALTHCARE EMPLOYEES, RWDSU, AFL/CIO, AND TELBERT KING, AS TREASURER
PURSUANT TO OUR TELEPHONIC CONVERSATION THIS DAY THE UNDERSIGNED HEREBY REQUEST THAT A PRE-PROBABLE CAUSE CONCILIATION BE INITIATED WITH A VIEW TOWARD RESOLVING THE ISSUES RAISED BY THE COMMISSION.
PLEASE ADVISE US FORTHWITH OF YOUR DISPOSITION OF THIS REQUEST
SIPSER WEINSTOCK HARPER DORN AND LEIBOWITZ BY I PHILIP SIPSER
380 MADISON AVE
NEW YORK NY 10017

09:01 EST

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FEC
OFFICE OF THE FEC
COMMISSION SECRETARY

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ

ATTORNEYS AT LAW

380 MADISON AVENUE
NEW YORK, N.Y. 10017
(212) 867-2100

95 JUL 30 P 2:53

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
VICKI ERENSTEIN
SUSAN MARTIN
LARRY MAGARIK
LIZA S. HIRSCH*

*ALSO ADMITTED IN CALIF. AND ARK

HARRY WEINSTOCK
1905-1980

July 25, 1985

RECEIVED
FEC
JUL 30 P5:00

John Warren McGarry, Chairman
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1733, District 1199 PAF of the National Union of Hospitals and Health Care Employees

Dear Sir:

In accordance with your letter of July 12, we are enclosing a statement of Designation of Counsel on behalf of the Respondents.

Respectfully yours,

Donald E. Klein

DEK:bp

cc: Charles Snyder, Esq.

2711749

SIPSER WEINSTOCK HARPER DORN & LEIBOWITZ

ATTORNEYS AT LAW
350 MADISON AVENUE
NEW YORK, N.Y. 10017

John Warren McGarry, Chairman
Federal Election Commission
Washington, D. C. 20463

1975 JUL 23 P 1:44

RECEIVED AT THE FEC
85 JUL 29 P 1:44

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ

ATTORNEYS AT LAW

380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 867-2100

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
VICKI ERENSTEIN
SUSAN MARTIN
LARRY MAGARIK
LIZA S. HIRSCH*

*ALSO ADMITTED IN CALIF. AND ARK.

HARRY WEINSTOCK
(1905-1980)

July 25, 1985

85 JUL 29 P 3:06

John Warren McGarry, Chairman
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1733, District 1199 PAF of the National Union of Hospitals and Health Care Employees

Dear Sir:

In accordance with your letter of July 12, we are enclosing a statement of Designation of Counsel on behalf of the Respondents.

Respectfully yours,

Donald E. Klein

DEK:bp

cc: Charles Snyder, Esq.

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1733

NAME OF COUNSEL: SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ

ADDRESS: 380 Madison Avenue
New York, New York 10017

TELEPHONE: (212) 867-2100

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.

7/25/85
Date

Signature - Telbert King

RESPONDENT'S NAME: DISTRICT 1199 PAF AND TELBERT KING, TREASURER

ADDRESS: 310 West 43rd Street
New York, N. Y. 10036

HOME PHONE:

BUSINESS PHONE: (212) 582-1890

2704041202

SIPSER WEINSTOCK HARPER DORN & LEIBOWITZ

ATTORNEYS AT LAW
380 MADISON AVENUE
NEW YORK, N. Y. 10017

Charles Snyder, Esq.
Staff, Federal Election Commission
Washington, D.C. 20463

83 JUL 25 P1:49

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1733

NAME OF COUNSEL: SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ

ADDRESS: 380 Madison Avenue
New York, New York 10017

TELEPHONE: (212) 867-2100

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7/25/85
Date

Signature - Telbert King

RESPONDENT'S NAME: DISTRICT 1199 PAF AND TELBERT KING, TREASURER

ADDRESS: 310 West 43rd Street
New York, N. Y. 10036

HOME PHONE:

BUSINESS PHONE: (212) 582-1890

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

Telbert King, Treasurer
District 1199
PAF of the National Union of Hospital
and Health Care Employees
310 W. 43rd Street
New York, NY 10036

RE: MUR 1733
District 1199 PAF of the
National Union of Hospital and
Health Care Employees

Dear Mr. King:

On , 1985, the Federal Election Commission determined that there is reason to believe District 1199 PAF of the National Union of Hospital and Health Care Employees and you, as treasurer, violated 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Charles Snyder, the attorney assigned this matter, at (202)523-4000.

Sincerely,

John Warren McGarry
Chairman

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

2710434205

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO Telbert King, as treasurer	)	MUR 1733
	)	
Retail Wholesale and Department Store Union	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 25, 1985, do hereby certify that the Commission took the following actions in MUR 1733:

1. Decided by a vote of 6-0 to find reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, violated 2 U.S.C. § 434(b).

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

(continued)

2. Decided by a vote of 4-2 to disapprove recommendation number 2 in the FEC General Counsel's report dated June 14, 1985.

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

3. Decided by a vote of 6-0 to direct the Office of General Counsel to send appropriate letters pursuant to the above decisions.

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

Attest:

6/27/85
Date

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

0 7 1 1 4 1 2 7 4

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM TO: CHARLES STEELE
GENERAL COUNSEL

FROM: MWE MARJORIE W. EMMONS/ CHERYL A. FLEMING CAF

DATE: June 19, 1985

SUBJECT: Objection MUR 1733 - General Counsel's Report signed June 14, 1985.

The above-named document was circulated to the Commission on Monday, June 17, 1985, 11:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	X
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____

This matter will be placed on the Executive Session agenda for Tuesday, June 25, 1985.

3 7 0 4 1 4 - 2 0 0 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: June 14, 1985

SUBJECT: MUR 1733 - 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	[X]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

0704210

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY
85 JUN 14 P4:10

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as treasurer	)	
	)	
Retail Wholesale and Department Store Union	)	

SENSITIVE

GENERAL COUNSEL'S REPORT

BACKGROUND

On June 29, 1984, the Commission found reason to believe that the Respondents in the above-captioned matter violated 2 U.S.C. § 441b(a), and that Respondent District 1199 PAF of the National Union of Hospital and Health Care Employees ("PAF") and Telbert King, as treasurer, also violated 2 U.S.C. § 434(a)(4)(A)(i). Due to the discovery of various inconsistencies in Respondents' reports and in their responses to interrogatories, this office recommended a 2 U.S.C. § 437g audit of PAF, which the Commission authorized on December 29, 1984. The results of that audit may now be summarized.

FACTUAL AND LEGAL ANALYSIS

The audit focused on four distinct areas of concern. Each of these will be considered in turn.

PRINTING SERVICES

Telbert King's response to the interrogatories stated that District 1199 of the National Union of Hospital and Health Care

Employees, RWDSU, AFL-CIO ("the union") printed campaign literature for the Mark Green for Congress Committee, at a cost of $1,005.98. PAF paid the union $1006 as reimbursement for this expenditure.

The union's alleged provision of printing services to the Mark Green for Congress Committee without charge, if substantiated, would constitute an in-kind contribution to a political committee by a labor organization and, consequently, a violation of 2 U.S.C. § 441b(a).

The audit staff's review of Respondents' records identified two disbursements by PAF to reimburse the union for four printing bills paid on behalf of the Mark Green for Congress Committee. This analysis supports the allegation that the union made an illegal in-kind contribution of $1005.98 to a candidate for Federal office.

DEPOSITS AND DISBURSEMENTS "IN ERROR"

The statute defines an entity such as PAF as a "a separate segregated fund to be utilized for political purposes by a ... labor organization..." 2 U.S.C. § 441b(b)(2)(C). Frequent transfers of money from the union to PAF, and vice-versa, under the rubric of "deposits and disbursements in error," appeared to violate the prohibition against commingling PAF and union funds.

The Audit confirms that such commingling occurred, but rejects any inference that Respondents' "disbursements in error"

represented a subterfuge designed to circumvent the statute. Specifically, the Audit found the following:

1. PAF received a total of $7,088.20 from the union during the period June 22, 1981 through October 20, 1983 as reimbursements, on eleven occasions, for payments erroneously made by PAF on obligations owed the union;

2. PAF received a total of $1518.25 from the union during the period February 24, 1981 through September 21, 1982 as reimbursements, on seven occasions, for deposits of PAF funds erroneously made into the union's account; and

3. The union received a total of $9,999.44 from PAF during the period April 24, 1981 through June 21, 1984 as reimbursements, on twenty-two occasions, for deposits of union funds made in error to the PAF account.

In summary, the Audit confirmed, with respect to the first two categories of "reimbursements for deposits and disbursements in error," that the union and PAF violated 2 U.S.C. § 441b(a). As to the cause of these violations, however, Audit concluded that "all of the transactions noted above were the result of accounting errors made by committee personnel. The violations of the Act occurred when the Committee attempted to correct the original transactions." As to the third category, Audit was unable to identify the source of the funds involved. Further investigation is therefore warranted, and the Office of the General Counsel recommends that interrogatories be sent to PAF in order to clarify this point.

THE LOAN

The Commission found reason to believe that the Retail, Wholesale and Department Store Union, ("RWDSU") had violated 2 U.S.C. § 441b by making a $20,000 contribution in the form of a loan to PAF, which violated the same statute by accepting the loan. According to Audit, this loan represented a paper transaction. In October, 1982, RWDSU made a $20,000 contribution on behalf of PAF to Friends of Cuomo, a state committee. Consequently, PAF's auditor reported the transaction as a $20,000 loan received from RWDSU, and he consequently disbursed $20,000 to RWDSU to balance the accounts. Further inquiry is necessary to determine the nature of the arrangements between RWDSU and PAF with respect to this transaction.

DISCLOSURE OF FINANCIAL ACTIVITY

A political committee must, for each reporting period, disclose to the Commission its total receipts and disbursements. 2 U.S.C. § 434(b). Apparently due to confusion resulting from the numerous transfers of funds between PAF and the union, PAF understated its receipts and disbursements for the period March 31, 1981 through December 31, 1981 by $8,852.25. Consequently, it is recommended that the Commission find reason to believe that PAF violated 2 U.S.C. § 434(b).

In conclusion, the Audit supported the allegation that the union violated 2 U.S.C. § 441b by making in-kind contributions to

the Mark Green for Congress Committee. The Audit further supported the charge that PAF and the union violated 2 U.S.C. § 441b as a result of transfers of union funds to PAF as compensation for payments and deposits made in error. Finally, the same transactions also resulted in an error in reporting PAF's receipts and disbursements in 1981, constituting a violation of 2 U.S.C. § 434(b).

RECOMMENDATIONS

1. Find reason to believe that District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer, violated 2 U.S.C. § 434(b);

2. Approve and send the attached letters, questions, and General Counsel's Factual and Legal Analysis.

Date

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachments
1. Audit Report
2. Proposed letters and questions to Telbert King.
3. General Counsel's Factual and Legal Analysis.

Attachment 1

AR-85-18

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: ROBERT J. COSTA
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: RESULTS OF AUDIT ON THE DISTRICT 1199 POLITICAL ACTION FUND (MUR 1733)

I. Background

Attached for your information are the findings of our audit of the District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees (hereinafter "the PAF").

On June 29, 1984, the Commission found reason to believe that the PAF and Telbert King, as treasurer, violated 2 U.S.C. § 441b(a) for (1) accepting reimbursements from a labor organization for disbursements made by the PAF, (2) making reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate, (3) depositing union treasury funds in the PAF's account, and (4) accepting a $20,000 loan from a labor organization. In addition, the Commission found reason to believe that the PAF violated 2 U.S.C. § 434(a)(4)(A)(i) for failing to file its 1984 April Quarterly Report. On that same date, the Commission found reason to believe that District 1199 (the Union) also violated 2 U.S.C. § 441b(a) for (1) making reimbursements to its separate segregated fund, and (2) causing treasury funds to be deposited in the PAF's account. Finally, on the same date the Commission found reason to believe the Retail, Wholesale and Department Store Union ("RWDSU") violated 2 U.S.C. § 441b(a) when it made a $20,000 loan to the PAF.

On December 24, 1984, the Commission approved the authorization of an audit of the PAF. On January 11, 1985, OGC and the Audit staff met and agreed that a full scope audit of the PAF should be performed. That same day a letter was sent to the PAF notifying them of the audit. The fieldwork began on January 28, 1985 and was concluded with an exit conference on February 6, 1985 during which the matters detailed below were discussed with the PAF Treasurer.

The audit was conducted in accordance with 2 U.S.C. §437g(a)(2) which states, in part that when the Commission determines, by an affirmative vote of 4 of its members, that it has reason to believe that a person has committed a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"), the Commission shall make an investigation of such alleged violation, which may include an audit.

The PAF registered on May 22, 1975 with the United States General Accounting Office and maintains its headquarters in New York, New York.

The audit covered the period from January 1, 1981 through December 31, 1984. The PAF reported a beginning cash balance on January 1, 1981 of $55,828.00; total receipts for the period of $310,215.00; total disbursements for the period of $308,797.00; and a closing cash balance at December 31, 1984 of $57,246.00.

The current treasurer of the PAF is Mr. Telbert King. Prior to March 7, 1983, Mr. Harry Epstein served as Treasurer.

II. Summary of Findings

A. Transfer of Funds Between Union and PAF Accounts

Section 441b(a) of Title 2 of the United States Code prohibits a corporation or labor organization from making a contribution or expenditure in connection with any (Federal) election.

2 U.S.C. §431(8)(A)(i) states that a contribution includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Detailed below are instances involving transfers of funds between the Union and the PAF, and vice versa.

1) A review of the PAF's receipt and disbursement records disclosed funds totalling $7,088.20 received from the Union during the period June 22, 1981 through October 20, 1983. These funds represented reimbursement by the Union for union expenses paid in error by the PAF during the period March 25, 1981 through September 19, 1983 (See schedule at attachment #1). Once the errors were discovered, checks were then drawn on the Union's treasury account to reimburse the PAF.

2) On seven occasions during the period February 24, 1981 through September 21, 1982, the Union reimbursed the PAF a total of 1,518.25 for deposits of PAF funds made into the Union's account in error (See attachment #2). Although the PAF did not have complete records detailing when the deposits were made, check voucher request forms supporting the Union reimbursements were available.

3) On twenty-two occasions during the period April 24, 1981 through June 21, 1984, the PAF reimbursed the Union a total of $9,999.44 for deposits made in error to the PAF account which should have been deposited into Union accounts (See attachment #3). Incomplete records were available to determine the source of the funds deposited. Records supporting a portion of original deposits indicate that those funds did not pass through Union treasury accounts prior to deposit to the PAF account.

The Audit staff concludes that, at least in 1 and 2 noted above, funds were transferred from the Union's treasury account to the PAF on numerous occasions between 1981 and 1984. Although, it is apparent that all of the transactions noted above were the result of accounting errors made by committee personnel. The violations of the Act occurred when the Committee attempted to correct the original transactions.

B. In-Kind Contributions Made on Behalf of a Federal Candidate

The Audit staff identified two disbursements made by the PAF to reimburse the Union for four printing bills paid on behalf of the Mark Green for Congress Committee. According to work orders contained in the PAF files, three bills were for work performed in July, 1980 and one bill covered work performed in October, 1980. The reimbursements were contained in PAF checks, payable to the Union, dated February 23, 1981 and May 26, 1981, and were reported by the PAF at the time of payment. The printing costs totalled $1,005.98.

Based on the information noted above it is the opinion of the Audit staff that in-kind contributions totalling $1,005.98 were made by the Union to the Mark Green for Congress Committee.

C. Loan by Retail Wholesalers and Department Store Union (RWDSU)

On October 19, 1982, the PAF reported the receipts of a $20,000 loan from RWDSU. On the same date the PAF reported an expenditure to Friends of Cuomo (Loan-RWDSU COPE) in the same amount. A review of the PAF's bank accounts for that period disclosed no receipt nor expenditure for that amount.

The PAF's auditor stated that in October, 1982, he was informed that RWDSU had made a contribution on behalf of the PAF to Friends of Cuomo. He therefore reported the $20,000 as a loan received from RWDSU. Since no funds were actually received by the PAF it was necessary for him to report a corresponding expenditure to offset the receipt and arrive at a correct ending cash balance on the disclosure report. On May 10, 1983, the PAF paid $20,000 to RWDSU. The PAF provided the Audit staff with a statement signed by the Treasurer of the PAF dated May 3, 1983, which authorized the $20,000 payment to RWSDU for "Reimbursement

to them for contribution for Mario Cuomo for Governor paid by them on our behalf. The PAF also provided a copy of the contribution card and check voucher request (See attachment #4).

It should be noted that although a loan technically did exist between RWDSU and the PAF, at no time were any union treasury funds transferred to the PAF and the $20,000 was not used to support any Federal Elections.

D. Disclosure of Financial Activity

Section 434(b)(2) and (4) of Title 2 United States code states that each report shall disclose for the reporting period and the calendar year, the total amount of all receipts and disbursements.

A reconciliation of the PAF's bank activity to reported activity disclosed that for the period March 31, 1981 through December 31, 1981, the committee had understated its reported receipts and disbursements by $8,852.25. The understatement resulted from the accountant's not reporting a number of the receipts and disbursements between the PAF and the Union.

It is the recommendation of the Audit staff that amended reports be filed to correct the misstatement. If you have any questions regarding any of these matters please contact Ray Lisi or Tony Smith at 523-4155.

Attachment #1

Schedule of Disbursements Made by PAF and Later Reimbursed by Union

Date	Payee/Purpose	Ck#	Amount	Amount Reimbursed By Union	Date
3/25/81	Bewco/ Deposit hall Long Island Dance	793	$ 450.00	$ 450.00	8/6/81
4/14/81	Rosa L. Parks Shrine	830	2,500.00	2,500.00	6/22/81
4/16/81	A. Matauasso & Co./Ins.	855	1,370.00		
6/23/81	Jamie Ferguson/ Refreshments Hispanic Dance	879	43.77		
6/26/81	Son Dela Loma/ Band Hispanic Dance	882	450.00	1,863.77	7/14/81
8/17/81	Dist 1199/Ford	907	418.50	418.50	8/18/81
7/8/82	National Union/ Printing	1107	601.50*	601.50	7/23/82
9/23/82	National Union/ Hispanic Affair Printing	1142	279.43**	279.43	10/14/83
9/29/82	Workers Defense League/ 10 tickets Roosevelt Hotel Dance	1144	600.00		
9/29/82	Coalition of Labor Union Women/ Ad in journal	1145	75.00	675.00	10/14/82
9/19/83	John Knight/ Dep. for band L.I.	1281	300.00	300.00	10/20/83
			$7,088.20	$7,088.20	

* check amount $714.49
** check amount $322.85

Attachment #2

District 1199 PAF
Schedule of Reimbursements to PAF
for Receipts Deposited into Union Accounts in Error

	Date of Check	Amount
	2/24/81	$608.75
	11/30/81	198.00
	5/2/82	31.50
	7/23/82	350.00
	8/20/82	250.00
	9/13/82	30.00
	9/21/82	50.00
Total Amount		$1,518.25

Attachment #3

Schedule of Expenditures to Correct Deposits
Made to PAF in Error

Date	Payee	Ck#	Amount
4/24/81	Dist 1199	857	$ 242.00
5/26/81	Dist 1199	870	56.00
7/6/81	Dist 1199	887	2,190.00
7/10/81	Drug Industry Fund	893	5.00
9/30/81	Dist 1199	938	1,820.00
10/31/81	Nat'l Union of Hospital and Health Care Employees	956	2,808.75
10/6/81	Dist 1199	960	50.00
11/11/81	Nat'l Union of Hospital and Health Care Employees	961	667.00
11/30/81	Dist 1199	967	140.00
12/29/81	Dist 1199	973	150.00
6/30/82	Dist 1199	1104	30.00
7/23/82	Dist 1199	1109	100.00
9/23/82	Nat'l Union	1142	322.85
11/2/82	Dist 1199	1174	475.00
11/16/82	Nat'l Union	1180	230.00
11/16/82	Dist 1199	1181	206.00
12/20/82	Dist 1199	1191	40.00
1/10/83	Strike & Defense Fund	1207	22.00
2/1/83	Strike & Defense Fund	1217	108.00
3/24/83	Dist 1199	1234	18.59
5/31/84	Dist 1199	1370	68.25
6/21/84	Dist 1199 Solidarity Fund	1388	250.00
			$9,999.44

The committee of the Political Action Fund held a meeting on May 3, 1983.

The committee voted upon and approved unanimously their recommendation for the following contributions:

RWDSU-AFL-CIO $20,000.00
Reimbursement to them for
contribution for Mario Cuomo
for Governor paid by them on
our behalf
20 East 29 Street, Nyc 10016

Respectfully submitted,

Telbert King

8711042 3

DISTRICT 1199 POLITICAL ACTION FUND CONTRIBUTION

EXECUTIVE COUNCIL APPROVAL DATE 5/3/83
AMOUNT OF CONTRIBUTION $20,000.00
CHECK PAYABLE TO RWDSA-AFL/CIO
reimbursement for money PD on behalf of Cuomo.
ADDRESS 30 EAST 29th Street
N.Y., N.Y. 10016

OFFICE SOUGHT GOVERNOR (STATE) OR FEDERAL)
OFFICE HELD (STATE OR FEDERAL)
NAME OF POLITICAL PARTY Democratic
FULL NAME OF CANDIDATE MARIO CUOMO

OTHER CONTRIBUTION to CUOMO PAC FOR OFFICE OF GOVERNOR

db 10/22/81 coe:1199

MAY 10 1983

DISTRICT 1199 NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES

CHECK VOUCHER REQUEST

If over $150.00 must be signed by the President

Print Clearly

5/3/83
Date Submitted

Area

Division

(Check 1)
☐ District 1199
☒ Other PA Fund
Specify

RWDSU/AFL-CIO
MAKE CHECK PAYABLE TO

30 E. 29th.
STREET ADDRESS

NYC 10016
CITY STATE ZIP

GIVE CHECK TO

MAIL CHECK TO

PART 1 REIMBURSEMENT TO MEMBERS

Lost Time For:
(Check 1)
☐ Negotiation
☐ Arbitration
☐ Organization
☐ Hosp. Election
☐ Other (explain in detail)

Date Time Lost	Name of Institution	Hourly Pay Rate	No. Hours Lost
	-	--	

$ _____ Amount Due

PART 2 REIMBURSEMENT AND REQUEST FOR PAYMENT OF EXPENSES INCURRED
(Attach Bill)

a) Type/Kind of Expense Incurred i.e. Fare, Food, Auto, Meeting Room, etc
☐ Paid
☐ Not Paid

b) Purpose / Reason for Expense: i.e., Organization, Negotiation, Arbitration, etc.

c) Name of Institution &/or Area

d) Date Expense Incurred

PAID
MAY 3 -

$ _____ Amount Due

PART 3 OTHER CHECK REQUEST

a) Purpose/Reason: Contribution to Cuomo PHC
of RWDSU

b) Date of Expense

c) Name of Institution | d) Area | e) Division

$ 20,000 = Amount Due

Attachment 2
Part 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Telbert King, Treasurer
District 1199
PAF of the National Union of Hospital
and Health Care Employees
310 W. 43rd Street
New York, NY 10036

RE: MUR 1733
District 1199 PAF of the
National Union of Hospital and
Health Care Employees

Dear Mr. King:

On , 1985, the Federal Election Commission determined that there is reason to believe District 1199 PAF of the National Union of Hospital and Health Care Employees and you, as treasurer, violated 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Charles Snyder, the attorney assigned this matter, at (202)523-4000.

Sincerely,

John Warren McGarry
Chairman

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

attachment 2
part 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Telbert King, Treasurer
District 1199, PAF
National Union of Hospital and Health Care Employees
310 W. 43rd Street
New York, N.Y. 10036

RE: MUR 1733
District 1199, PAF
National Union of Hospital and
Health Employees, and
Telbert King, as treasurer

Dear Mr. King:

On July 2, 1984, you were notified that the Commission found reason to believe District 1199 PAF, N.U.H.H.C.E. and you, as treasurer, violated 2 U.S.C. § 441b(a) a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached questions. You may consult with an attorney and have an attorney assist you in the preparation of your responses to these questions. However, you should submit the information under oath within ten days of receipt.

If you have any questions, please direct them to Charles Snyder, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Questions

Attachment 2
Part 3

FEDERAL ELECTION COMMISSION

Questions to: Telbert King, treasurer
National Union of Hospital and
Health Care Employees PAF

As used in these questions, the terms listed below are defined as follows:

a. The term "identify" or "list" with respect to individuals shall mean to give the full name, last known residence address of such individual, and the last known place of business where such individual is or was employed. "Identify" or "list" with respect to other entities shall mean to give the full legal name, last known address of such entity, the entity's principal employees, if any, and the nature of the relationship between that entity and the District 1199 of the National Union of Hospital and Health Care Employees and the dates of such relationship.

b. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these questions any information which may be otherwise construed to be out of its scope.

1. Identify and list all sources of funds owed or belonging to the District 1199, National Union of Hospital and Health Care Employees ("N.U.H.H.C.E.") that were, in error or otherwise, deposited with the District 1199 National Union of Hospital and Health Care Employees Political Action Fund ("PAF") during the period from 1981 through 1984.

2. List and identify the source of funds deposited in error or otherwise with the PAF that belonged, or were owed, to the following:

a. Drug Industry Fund.

b. National Union of Hospital and Health Care Employees.

c. Strike and Defense Fund

d. Solidarity Fund

3. State whether any of the sources of funds referred to in the preceding two questions included union dues or assessments.

4. Identify all agents of the PAF who had advance knowledge of, or agreed to, the making of a $20,000 contribution by the Retail, Wholesale and Department Store Union ("RWDSU") to Friends of Cuomo in the name of PAF.

5. State when PAF agreed to or knew of the making of a $20,000 contribution to Friends of Cuomo by RWDSU in the name of PAF.

6. State what agreements, discussions, or arrangements among N.U.H.H.C.E., PAF, and RWDSU related to RWDSU's making a $20,000 contribution to Friends of Cuomo in the name of PAF.

Attachment 3

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1733
STAFF MEMBER & TEL. NO.
Charles Snyder
(202)523-4000

RESPONDENT District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, and Telbert King, as treasurer

SUMMARY OF ALLEGATIONS

On June 29, 1984, the Commission found reason to believe that the above-named Respondents in this matter violated 2 U.S.C. § 441b(a) and 2 U.S.C. § 434(a)(4)(A)(i). Due to the discovery of various inconsistencies in Respondents' reports and in their responses to interogatories, this office recommended a 2 U.S.C. § 437g audit of PAF, which the Commission authorized on December 29, 1984. That audit, which has now been completed, identified numerous transfers of funds between District 1199 PAF of the National Union of Hospital and Health Care Employees ("PAF") and its affiliated union, District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("the Union").

The Commission has already found reason to believe that these transfers resulted in violations of 2 U.S.C. § 441b; it now appears that the transfers also caused errors in PAF's reports to the Commission.

FACTUAL AND LEGAL ANALYSIS

A political committee must, for each reporting period, disclose to the Commission its total receipts and disbursements.

2 U.S.C. § 434(b). Apparently due to confusion resulting from the numerous transfers of funds between PAF and the union, PAF understated its receipts and disbursements for the period March 31, 1981 through December 31, 1981 by $8,852.25. Consequently, it is recommended that the Commission find reason to believe that PAF violated 2 U.S.C. § 434(b).

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 27, 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: DUANE BROWN

FROM: SHAWN WOODHEAD
SENIOR COMPLIANCE ANALYST
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 1733: DISTRICT 1199 POLITICAL ACTION COMMITTEE OF THE NATIONAL UNION OF HOSPITAL AND HEALTH CARE, RWDSU, AFL-CIO (DISTRICT 1199 PAC)

Please review the attached Request for Additional Information which is to be sent to the District 1199 PAC for the 1984 Year End Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have should be forwarded to RAD by 12:00 noon on Friday, March 1, 1985. Thank you.

COMMENTS:

Attachment

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Telbert King, Treasurer
District 1199 Political Action
Committee of the National Union
of Hospital and Health Care,
RWDSU, AFL-CIO
310 West 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Year End Report (11/27/84-12/31/84)

Dear Mr. King:

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

-Schedule B supporting Line 27 of your report discloses a disbursement to the Direct Mail Envelope Company for the mailing of an "endorsement letter." Upon reviewing the informational list attached to your report, the Commission has determined that additional information is needed to satisfy the requirements of the Act.

Please provide the Date(s) of Communication and the Class or Category Communicated With (i.e., Executive or Administrative Personnel, Stockholders, or Members) in connection with this endorsement letter.

For future reporting, it is recommended that any Communications Costs reported by your Committee be filed on an FEC Form 7 (copy enclosed).

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Brian J. Hancock

Brian J. Hancock
Reports Analyst
Reports Analysis Division

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 27, 1984

Telbert King, Treasurer
District 1199, Political
Action Fund ("PAF") of the
National Union of Hospital
and Health Care Employees
310 W. 43rd Street
New York, New York 10036

Re: MUR 1733
District 1199 PAF of the
National Union of Hospital
and Health Care Employees

Dear Mr. King:

On July 2, 1984, the Federal Election Commission notified you that it had found reason to believe that the District 1199 PAF and you, as treasurer, violated 2 U.S.C. § 441b(a) of the Federal Election Campaign Act. Based on information obtained during its investigation of this matter, the Commission, on December 24, 1984, voted to authorize an audit of District 1199 PAF pursuant to 2 U.S.C. § 437g.

If you have any questions, please call Charles Snyder, the attorney assigned to this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
	)	MUR 1733
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO, et. al.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 24, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1733:

1. Authorize a 2 U.S.C. § 437g audit of the District 1199 Political Action Fund.

2. Approve the letter attached to the General Counsel's Report signed December 19, 1984.

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

Attest:

12-26-84
Date

Jody C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 12-20-84, 8:52
Circulated on 48 hour tally basis: 12-20-84, 11:00

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: December 20, 1984

SUBJECT: MUR 1733 - 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	[X]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

_____ _____

_____ _____

_____ _____

_____

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
COMMISSION SECRETARY

94 DEC 20 A 8: 52

In the Matter of	)
	)
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	) MUR 1733
	)
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO Telbert King, as treasurer	)
	)
Retail, Wholesale and Department Store Union	)

GENERAL COUNSEL'S REPORT

On June 29, 1984, the Commission found reason to believe that the above-referenced Respondents violated 2 U.S.C. § 441b(a). The grounds for that finding may be summarized as follows:

1. District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (hereinafter "District 1199") allegedly reimbursed its separate, segregated political action fund, District 1199 PAF, for various expenditures and deposited its union treasury funds into the political action fund account;

2. District 1199 PAF (hereinafter "PAF") and Telbert King, as treasurer, allegedly accepted reimbursements from District 1199, a labor organization; reimbursed District 1199 for in-kind contributions to a candidate for Federal office; accepted deposits of labor union treasury funds in its account; and accepted a $20,000 contribution in the form of a loan from a labor organization, the Retail, Wholesale and Department Store Union; (the Commission also found reason to believe that PAF

violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file its April 1984 Quarterly Report); and

3. The Retail Wholesale and Department Store Union (hereinafter "RWDSU") allegedly violated 2 U.S.C. § 441b by contributing $20,000 in the form of a loan to the PAF.

Interrogatories were sent out with the reason to believe notification. 1/ The responses to those interrogatories are summarized as follows:

1. According to Telbert King, treasurer of PAF, District 1199 printed campaign literature for the Mark Green for Congress Committee on four occasions in 1980. According to the billing forms submitted to this Office by Mr. King, the total cost of the four printing jobs amounted to $1,005.98. Meanwhile, PAF's 1981 Mid-Year Report disclosed four disbursements to District 1199 totalling $1,006, for contributions on behalf of the Mark Green for Congress Committee. All four of these payments were made in 1981.

2. District 1199 has repeatedly reimbursed PAF for "expenditures made in error." The explanation proffered for this practice is that PAF has frequently satisfied obligations actually owed by District 1199. The upshot has been the deposit of union treasury funds into the PAF account.

1/ When Telbert King, treasurer of PAF, failed to respond to the interrogatories, staff from this Office contacted him. Mr. King indicated he had not received the interrogatories. An additional copy was sent to Mr. King on September 13, 1984, and he responded on September 20, 1984.

Two examples of this practice occurred in 1982. PAF allegedly disbursed $954 "in error" in September of that year, and accepted repayment by District 1199 the following October. The previous July, PAF expended $602, and recovered that amount from the parent union that same month.

The 1983 Mid-Year Report suggests that the practice persisted during that reporting period. Still more recent examples of such transfers for "disbursements made in error" appear in the 1983 Year-End and the April 1984 Quarterly Reports.

As an analogue to the practice just discussed, PAF's records also reveal that it frequently has accepted "in error" deposits that it then transferred to District 1199. PAF disbursed $2,195 to District 1199 as "transfers of deposits incorrectly made" in July 1981 alone. Numerous other examples of such "errors" could be similarly cited.

3. Counsel for RWDSU has stated that his client made no loan to PAF, and, therefore, no $20,000 check evidencing such loan could ever have existed. Instead, he indicates that RWDSU made a contribution to Gov. Cuomo. The contribution was meant to be from RWDSU and District 1199. RWDSU advanced District 1199's portion of the contribution and later received reimbursement from District 1199. Counsel did not know whether the reimbursement came from District 1199 or the PAF. See Attachment 3. Telbert King, as treasurer of PAF, responded by saying that he was not treasurer during the period in question and had no personal knowledge of the events. He indicated he had read the response of RWDSU and, based on information and belief, thought it

was accurate. See Attachment 1. In assessing this situation, it is important to note that PAF's 30 day Post-General Election Report disclosed receipt of such a loan on October 19, 1982. In May, 1982, moreover, PAF reported to the Commission that it had repaid the loan and attached a copy of the refund check. See Attachment.

ANALYSIS

As noted above, the Commission has found reason to believe that the Respondents violated 2 U.S.C. § 441b. That statutue states in pertinent part:

> (a) It is unlawful for...any labor organization... to make a contribution or expenditure in connection with any [Federal] election..., or for any...political committee...knowingly to accept or receive any contribution prohibited by this section, or any...officer of any labor organization to consent to any contribution or expenditure by the...labor organization...prohibited by this section...
> (b)(2) For purposes of this section..., the term "contribution or expenditure" shall include any direct or indirect payment..., loan..., or any services, or anything of value..., but shall not include -
> ...(C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a...labor organization.

2 U.S.C. § 441b.

PRINTING SERVICES

The provision of printing services to a political committee without charge constitutes an in-kind contribution under 2 U.S.C. § 441b(b)(2), and therefore is not an action properly undertaken by a labor organization. To be sure, PAF may make such contributions, since it is a fund established under

2 U.S.C. § 441b(b)(2)(C), and it seems that PAF ultimately did pay the cost of the printings in question. The issue, then, is whether a labor organization may permissibly provide services to a federal campaign where its political action fund bears the cost of such activity.

The means by which labor organizations may provide the services of their own employees to benefit federal candidates have been recently delimited in two advisory opinions issued by the Commission. (These Advisory Opinions dealt with corporations, but are equally applicable to labor organizations). In Advisory Opinion 1984-24, the Commission stated that once a corporation

> disburses its treasury funds to pay an employee for political services rendered to a federal candidate and for the use of any [corporate] facilities in rendering those services, the [corporation] makes a prohibited corporate contribution or expenditure and a violation of the Act occurs. The subsequent transfer of voluntary contributions from the...separate segregated fund under either a reimbursement payment method or an advance payment method using an escrow account does not cause the violation to abate. 2/

In Advisory Opinion 1984-37 the Commission found that where a political action committee estimated the hours each corporate

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2/ In AO 1984-24, moreover, the Commission pointed out that while 11 C.F.R. § 114.9 authorizes the use of corporate facilities by stockholders and employees engaged in individual volunteer activity on behalf of a Federal candidate, it does not apply to the use of such facilities by compensated employees. In the present case, the District 1199 employees do not appear to have been volunteers.

employee would work on behalf of any federal candidate and paid in advance for such services no violation occurred. Under such a system, the Commission concluded,

> there is no initial disbursements of corporate treasury funds that constitutes either a loan, advance, or anything of value to either the candidate or [the PAC]. Because [the PAC] will pay the usual and normal charge for the...services of [corporate] employees based on the [prevailing rates, the PAC] will not receive anything of value from its dealings with [the corporation]. Therefore, this advanced payment method is not prohibited by 2 U.S.C. § 441b(a).

The procedures followed in the present case align more nearly with the proposals the Commission disapproved in AO 1984-24 than those approved in AO 1984-37. The printing was done in 1980, and the PAF payments followed in 1981. Under the principles enunciated by the Commission, such subsequent payments could not erase the taint of illegality that had already attached to the union's in-kind contributions.

DEPOSITS AND DISBURSEMENTS "IN ERROR"

The statute defines funds such as PAF as "a separate segregated fund to be utilized for political purposes by a...labor organization...." 2 U.S.C. § 441b(b)(2)(C). (emphasis added). Thus any commingling of union treasury funds with PAF funds strikes at the heart of the statutory scheme and is at odds with the Supreme Court's decision in United States v. Pipefitters Local Union No. 562, 407 U.S. 385 414 (1972). The frequency of transfers of money from District 1199 to PAF, and vice-versa, all under the rubric of "deposits and disbursements in error"

indicates systemic problems in the PAF's accounts. Because of the frequency of such transfers and the PAF's inability to fully explain them, this Office recommends that the Commission authorize an audit of the PAF to determine the full extent of the Committee's problems.

THE LOAN

Campaign contributions or expenditures, which may not be made by labor organizations, are defined to include loans. 2 U.S.C. § 441b(a)(2). Thus a loan by RWDSU to PAF would constitute a violation of the statute. The Respondents now deny that any such loan was made, however, PAF's reports disclose receipt of such a loan on October 19, 1982, and repayment of the loan on May 10, 1983. In addition, a copy of the PAF's repayment check to RWDSU has been provided to the Commission. It appears, therefore, either that a prohibited contribution was made or PAF has some reporting problems.

In conclusion, there appear to be numerous problems with the PAF's accounts. In order to ascertain the full extent of these problems, it appears necessary to conduct an audit of PAF. This Office, therefore, recommends that this matter be referred to the audit division.

2 7 1 1 0 2 4 1 2 4 4

RECOMMENDATION

Authorize a 2 U.S.C. § 437g audit of the District 1199 Political Action Fund and approve the attached letter.

Charles N. Steele
General Counsel

Dec 12, 1984
Date

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

Attachments
1. Response from Telbert King, dated September 20, 1984.
2. Forms supplied by Telbert King relating to printing services provided by District 1199.
3. Letter from Counsel for RWDSU, dated August 22, 1984.
4. Refund check from PAF to RWDSU.
5. Proposed letter to Telbert King.

3 7 3 4 1 2 1 3

DISTRICT 1199 NEW YORK

Hospital & Health Care Employees Union RWDSU, AFL-CIO

310 W. 43rd St.
New York, NY 10036
(212) 582-1890

attachment 1

RECEIVED AT THE FEC

84 SEP 24 P12:25

September 20, 1984

Re: Mur 1733;

Answers to Interrogatories of the FEC dated September 13, 1984

Telbert King, as Treasurer of the District 1199 Political Action Fund, ("PAF"), answers the interrogatories as follows:

1. I have no knowledge of District 1199 PAF financial transactions during the years 1980 or 1981 as I was not at that time its treasurer nor did I hold any other PAF office or position. Furthermore, I was not in 1980 or 1981, nor at any other time, the treasurer of the National Union of Hospitals and Health Care Employees ("NUHHCE"). On July 1, 1984, District 1199 disaffiliated from the NUHHCE. I currently hold no office in the NUHHCE and have no access to their financial records. The PAF treasurer and administrator during 1980 and 1981 are no longer employed by PAF or by District 1199.

Accordingly, I cannot state on personal knowledge whether each or any of the four disbursements was made for the purpose of reimbursing NUHHCE for a debt incurred by the NUHHCE on behalf of the PAF. I have spoken to the auditing firm employed by the PAF during the period in question and they have informed me that the documentary records of the PAF show that such payments were made for printing services provided by NUHHCE. Upon information, such printing services were performed directly by NUHHCE. I have attached copies of the documentation. I have no other or further knowledge of the matters inquired into regarding the four printing expenditures.

Doris Turner, President
Telbert King, Treasurer
Edward Wecker, Executive Secretary

Executive Vice Presidents:
Philip Kamenkowitz, Drug Div.
Ramon Malave, Hospital Div.
David White, Guild Div.
Jo-Ann Marshall, RN Div.

Vice Presidents:
Herbert Binger
Claude Ferrara
George Goodman
Barrington Moore
Karl Rath
Rachel Rivera
Floris Saunders
Floyd Shepard

2. As to interrogatories 10, 11 and 12, I have read the statement of Jon Quint, attorney for the RWDSU dated August 22, 1984, (a copy of which is annexed hereto) and state that the facts set forth therein regarding the $20,000 campaign contribution are upon information and belief, true.

Telbert King, Treasurer

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

Barbara Payos
Notary Public

BARBARA PAYOS
Notary Public, State of New York
No. 41-4648038
Qualified in Queens County
Certificate filed in New York County
Commission Expires March 30, 19[illegible]

c 7 0 1 0 4 1 3 7

attachment 2

BILLING FORM

Entered on Sheet No. 285 Date Received Oct. 24, 1980 Date Completed ✓

Work Order No. 5597 Department: Dist. 1199 Political Action

tle or Form No.				
Leaflet for Mark Green	Art Dept., Prep & Layout & Revisions (Morris)		Hrs.	Mechanical supplied to make neg.
	Composition Time with Revisions XXXX		Hrs.	
	Negative(s) by 1199 Invoice No. Date		Cost	11.00
self mailer	Plates No. 2 XXXXX $5.00			10.00
fold	Plate making, Stripping (J.R.)	1	Hrs.	17.34
2 sided	Offset Time (Jose)	4	Hrs.	42.36
	Cutting (By) Time		Hrs.	—
	Folding (By ALEX WALFORD Time	2	Hrs.	20.10
	Collating ( ) Stapling ( ) TIME		Hrs.	—
	Numbering (By) Time		Hrs.	—
	Padding (By) Time		Hrs.	—
	(By) Time		Hrs.	—
	Ink & Chemicals & Material to make mechanicals			10.00
				—

6.20
+ 20
12.40 ✓

Materials Used:

Type of Stock	20# Colored Mimeo
Size of Stock	8½ x 11
Number of pieces used	20M
Cost of Stock	124.00 ✓

ecial instructions:

Total ✓ 235.60
30% ✓ 70.68
306.28

869

nual ( ) Rerun ( )

959.57
699.70
259.87

Entered on Sheet #285 Work Order No.

WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

#5597 Foner

Date 10/24/80 Originator Moe Foner Title Exec. Sec. Authorized Signature

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Admin.
☐ OTHER

Date Needed asap Special Rush

Description Leaflet for Mark Green

Mail to

Deliver to

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING ____ HOSPITAL/HOME

☐ GRIEVANCE ____ HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. ____ ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. ____ ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN. ____ ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. ____ ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED WHEN ____

☐ TYPIST NEEDED WHEN ____

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

8½" x 11" green
~~printed 2 sides~~
self mailer/fold for mailing

SPECIAL INSTRUCTIONS

FOR OFFICE MANAGER'S USE ONLY

Assigned to Date entered Approximate Completion Date

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on DATE Mail on DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO	OFFSET	NO. OF COPIES	NO. OF PAGES
	X	20,000	2

	PRINT	CUT	FOLD	PUNCH	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL	X	X	X						
TIME									

Total Time CHARGE TO: Material

Price per hour Labor

Total Labor Cost Postage

BILLING FORM

Entered on Sheet No. 272 Date Received July 25, 1980 Date Completed

Work Order No. 5420 Department: Dist. 1199 Political Action

itle or Form No.			
Mark Green Ice Cream and Cocktails heres Room at the Top" of the Empire State Building orin to size and fold	Art Dept.. Prep & Layout & Revisions (Morris)	Hrs.	copy supplied to ~~make negs.~~
	Composition Time with Revisions	Hrs.	
	Negative(s) by 1199 Cost Invoice No. #1881 Date 7/25		6.00
	Plates No. 2 @ $2.50		5.00
	Plate making, Stripping (J.R.) .12	Hrs.	8.08
	Offset Time (~~Jim~~) EMANUEL 3½	Hrs.	28.60
	Cutting (By John Ryan) Time 1½	Hrs.	24.23
	Folding (By Emanuel) Time 1	Hrs.	8.17
	Collating ( ) Stapling ( ) TIME	Hrs.	—
	Numbering (By) Time	Hrs.	—
	Padding (By) Time	Hrs.	—
	(By) Time	Hrs.	—
	Ink & Chemicals & Material to make mechanicals		10.00
	Wash-up	$3.00	—

16.5
× 5½
8 4
12 50
90 75

Materials Used:

2/23/81

Type of Stock	80# Vellum
Size of Stock	7 x 11
Number of pieces used	5,500
Cost of Stock	90.75

cial instructions:

inal ( ) Rerun ( )

Total - 180.83
30% 54.25
235.08

Ente[illegible] on Sheet #272 [illegible] Work Order No.

1199 WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

5420

Date July 24, 1980 Originator Moe Foner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dist. 1199 P/A
OTHER

Date Needed ..... Special Rush .....

Description Hank Green ~~Reply Card~~

Mail to Three Room at the Top

Deliver to INVITATION 8x12
CUT + Fold to 5x7
5500

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING _____ HOSPITAL/HOME
☐ GRIEVANCE _____ HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. _____ ☐ ENG. ☐ SPAN.
☐ MEETING NOTICES, QUAN. _____ ☐ ENG. ☐ SPAN.
☐ CARDS, QUAN. _____ ☐ ENG. ☐ SPAN.
☐ LETTERHEADS, QUAN. _____ ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED
WHEN _____
☐ TYPIST NEEDED
WHEN _____

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make neg.
plate and print
2 sides + Trim
fold

SPECIAL INSTRUCTIONS .....

FOR OFFICE MANAGER'S USE ONLY

Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on ..... DATE Mail on ..... DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO ☐ OFFSET ☐ 8x12 ~~Tan 11~~ vellum NO. OF COPIES ~~5500~~ 5500 NO. OF PAGES _____ $16.50 M ~~REBU per M~~

	PRINT	CUT	FOLD	PUNCH	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL									
TIME									

Completed

BILLING FORM

Entered on Sheet No. 272 Date Received July 25, 1980 Date Completed

Work Order No. 5418 & 5419 combined Department: Dist. 1199 Political Action

billing

Title or Form No.				
Invitation to Mark Green dinner Invitation to reception	Art Dept., Prep & Layout & Revisions (Morris)		Hrs.	copy supplied to make negs and plates
	Composition Time with Revisions		Hrs.	
	Negative(s) by #1879, Invoice No. #1879	1199 Date 7/	Cost 3 — 3 —	6 00
	Plates No.	1 @ $2.50		2 50
	Plate making, Stripping (J.R.)	1/2	Hrs.	8.06
	Offset Time (Jose)	1	Hrs.	9.81
	Cutting (By Jose)	Time	Hrs.	—
	Folding (By)	Time	Hrs.	—
	Collating ( ) Stapling ( )	TIME	Hrs.	—
	Numbering (By)	Time	Hrs.	—
	Padding (By)	Time	Hrs.	—
	(By)	Time	Hrs.	—
	Ink & Chemicals & Material to make mechanicals			2 50
	Wash-up		$3.00	—

17.00 + 3 = $1.00

Materials Used:

Type of Stock 65# Vellum

Size of Stock 8 x 12 (cut and trim)

Number of pieces used 3M

Cost of Stock $1 00

TBC 2/23/81

Special instructions:

Total - 79.89

3070 23.97

103.86

Original ( ) Rerun ( )

Enter on Sheet #272 Work Order No.

1199 WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

5418

Date July 24, 1980 Originator Moe Foner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dist. 1199 P/A
OTHER

Date Needed ..... Special Rush .....

Description Invitation to Mark Green Dinner Aug. 12th.

Mail to .....

Deliver to .....

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING _____ HOSPITAL/HOME

☐ GRIEVANCE _____ HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. _____ ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. _____ ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN. _____ ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. _____ ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED WHEN _____

☐ TYPIST NEEDED WHEN _____

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make neg. plate

cut and trim to fold

PRINT 2 UP

SPECIAL INSTRUCTIONS .....

FOR OFFICE MANAGER'S USE ONLY

Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on ..... DATE Mail on ..... DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO ☐ OFFSET ☒

NO. OF COPIES 3 shifts 65# Vellum ~~White~~

NO. OF PAGES

3M sheets RIEN per m

~~Sun~~ 8 x 12 cut and trim ~~folded~~

	PRINT	CUT	~~FOLD~~	PUNCH	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL									
TIME									

Completed _____

1

Ent[illegible] on Sheet #272 [illegible] Work Order No.

1199 WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

5419

Date July 24, 1960 Originator Mae F oner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dist. 1199 P/A
OTHER

Date Needed ..... Special Rush .....

Description Mark Green Invitation to reception

Mail to .....

Deliver to .....

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING _____ HOSPITAL/HOME

☐ GRIEVANCE _____ HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. _____ ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. _____ ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN. _____ ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. _____ ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED
WHEN _____

☐ TYPIST NEEDED
WHEN _____

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make negs ad plate

SPECIAL INSTRUCTIONS .....

FOR OFFICE MANAGER'S USE ONLY

Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on _____ DATE Mail on _____ DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO	OFFSET		NO. OF COPIES	NO. OF PAGES
		3-3/4 x 9	3M	

	PRINT	CUT	FOLD	PUNCH	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL									
TIME									

Completed _____

BILLING FORM

Entered on Sheet No. #272 Date Received July 25,1980 Date Completed

Work Order No. #5419 Department: Dist 1199 P/A

Title or Form No.				
Dark Green Invitation to reception. Copy supplied to make negs. and plate.	Art Dept., Prep & Layout & Revisions (Morris)	Hrs.		
	Composition Time with Revisions KATHY	Hrs.		
	Negative(s) by 1199 Cost Invoice No. Date			
	Plates No. @ $2.50			
	Plate making, Stripping (J.R.)	Hrs.		
	Offset Time (Jose)	Hrs.		
	Cutting (By) Time	Hrs.		
	Folding (By) Time	Hrs.		
	Collating ( ) Stapling ( ) TIME	Hrs.		
	Numbering (By) Time	Hrs.		
	Padding (By) Time	Hrs.		
	(By) Time	Hrs.		
	Ink & Chemicals & Material to make mechanicals			
	Wash-up	$3.00		

Materials Used:

Type of Stock			
Size of Stock 3-3/4x9			
Number of pieces used 3M			
Cost of Stock			

Special instructions:

Total -

Original ( ) Rerun ( )

BILLING FORM

Entered on Sheet No. #272 Date Received July 25,1980 Date Completed

Work Order No. #5417 Department: Dist 1199 P/A

tle or Form No.

lank Green Political
eaflet:
~~opy supplied to make~~
eg, plate 2 sided
old.
~~all 564-5134~~
arres Diamond
eff Saref or T. Grana

Art Dept., Prep & Layout & Revisions (Morris)		Hrs.	Copy supplied to make
Composition Time with Revisions · KATHY		Hrs.	Negs + Plates
Negative(s) by 1199 Cost Invoice No. #1874 Date 7/31/80			27.00
Plates No. 2 @ ~~5.00~~			10.00
Plate making, Stripping (J.R.)	1	Hrs.	16.15
Offset Time (Jose)	4	Hrs.	39.24
Cutting (By) Time		Hrs.	—
Folding (By Jose) Time	2 1/2	Hrs.	24.52
Collating ( ) Stapling ( ) TIME		Hrs.	—
Numbering (By) Time		Hrs.	—
Padding (By) Time		Hrs.	—
(By) Time		Hrs.	—
Ink & Chemicals & Material to make mechanicals			10.00
Wash-up		~~$3.00~~	-

15.06
x 10
150.60

Materials Used:

Type of Stock White Wove W/msbur

Size of Stock 11 x 17 offset

Number of pieces used 10M

Cost of Stock 150.00

786
2/27/81

Special instructions:

Total 277.51
30% 83.25
360.76

Original ( ) Rerun ( )

Entered on Sheet #272 Work Order No.

1199 WORK ORDER SPECIFICATION FORM 5417

Please print and attach copy to form

Date July 24, 1980 Originator Moe Foner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dis t. 1199 P/A
OTHER

Date Needed ..... Special Rush .....

Description Hank Green Political Leaflet

Mail to .....

Deliver to [redacted] call 564-5138 Harres Diamond

Jeff Saref or T. Brana

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING ..... HOSPITAL/HOME

☐ GRIEVANCE ..... HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. ..... ☐ ENG. ☐ SPAN.

☒ CARDS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. ..... ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED WHEN .....

☐ TYPIST NEEDED WHEN .....

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make
neg. plate
2 sided
Fold
(1) 4¼ x 5½ 5500
(2) #10 3500
(3) 8½x11 1000
10,000

SPECIAL INSTRUCTIONS (New Press 2 plates)

FOR OFFICE MANAGER'S USE ONLY

Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on ..... DATE Mail on ..... DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO ☐ OFFSET ☐ White Wove W'msburg offset NO. OF COPIES 10M NO. OF PAGES ..... REML per M

	PRINT	CUT	FOLD	~~PUNCH~~ STAPLE 8½x11	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL	☐	☐	☐	☐	☐	☐	☐	☐	☐
TIME									

Completed .....

attachment

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

ARTHUR MARKEWICH
Of Counsel

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

August 22, 1984

Federal Election Commission
Washington, D.C. 20463

Attn: Duane A. Brown, Esq.

Re: MUR 1733
Retail Wholesale Department Store Union

Gentlemen:

This letter serves as the response to the Commission's notice that it has reason to believe that our client has violated the Act.

Initialy we wish to make the following procedural points:

1. We object to the Commission's handling of our prior requests for extensions of time to respond. As my prior correspondence pointed out, our client, as the parent of District 1199, has been fully involved in the District's on-going strike. To force us to make this response in the absence of adequate time to investigate is unfair. Especially objectionable is the passage of time between the request for an extension, the date of the Commission's response and the short period that remains after the response is actually received. The last letter, extending our time to August 20, was only dated August 16 and arrived on the 20th (which is actually the first possible date it could have). Such methods do not indicate any attempt at procedural fairness.

2. The Commission, under the same MUR, has served a summary of allegations against the District which is wholly unrelated to the facts summarized in the MUR to my client. This mixing of issues in one proceeding has prevented each party from fully addressing any one issue since you call for a response on allegations common to one event from only one party to the event. If the Commission was truly interested in the Act it would seem proper that it address both parties on the same issue at the same time.

As to the summary of allegations we wish to bring the following to the Commission's attention:

1. On or about October 19, 1982, the RWDSU made a

contribution of treasury funds to a non-federal candidate's campaign, specifically to the Cuomo for Governor committee in New York. The intent of the one check made was to make the contribution on behalf of the RWDSU and District 1199, the latter's contribution advanced by the RWDSU.

2. No "loan" was ever made to the District and no check from the RWDSU to the District's PAF exists.

3. In May of 1983 the RWDSU received from the district the funds representing the advance it had previously made. We have no record of the actual account on which that check was drawn. If it was in fact drawn on the PAF's account, the actual application of voluntary funds, to a non-federal campaign, was permissable.

4. Since the RWDSU made no such loan, the limited scope of the allegations have been fully answered and no action should be taken.

As an attorney admitted to practice in the State of New York, I submit these statements under oath.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: _____
Jon Quint

JQ:kp

83 MAY 19 P1:33

Attachment 4

DATE		AMOUNT
Contribution		20,000 00
Guom	-0 fice of	Governor.

DISTRICT 1199 POLITICAL ACTION FUND
310 WEST 43RD STREET
NEW YORK, N.Y. 10036

1251

1-337/260

May 10, 1983 19

PAY TO THE ORDER OF RETAIL, WHOLESALE AND DEPARTMENT STORE UNION AFL/CIO $20,000.00

$20000 and 00 Cts DOLLARS

AMALGAMATED BANK OF NEW YORK
124 1710 BROADWAY NEW YORK, NEW YORK 10019

CERTIFIED
MAY 10 1983
197315

"001251" :026003379": 3100320

Lewis Burner

Attachment 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Telbert King, Treasurer
District 1199, Political
Action Fund ("PAF") of the
National Union of Hospital
and Health Care Employees
310 W. 43rd Street
New York, New York 10036

Re: MUR 1733
District 1199 PAF of the
National Union of Hospital
and Health Care Employees

Dear Mr. King:

On July 2, 1984, the Federal Election Commission notified you that it had found reason to believe that the District 1199 PAF and you, as treasurer, violated 2 U.S.C. § 441b(a) of the Federal Election Campaign Act. Based on information obtained during its investigation of this matter, the Commission, on , 1984, voted to authorize an audit of District 1199 PAF pursuant to 2 U.S.C. § 437g.

If you have any questions, please call Charles Snyder, the attorney assigned to this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

DISTRICT 1199 NEW YORK

Hospital & Health Care Employees Union RWDSU, AFL-CIO

310 W. 43rd St.
New York, NY 10036
(212) 582-1890

RECEIVED
GCC#4836
84 SEP 24 P12:24

September 20, 1984

Re: Mur 1733;

Answers to Interrogatories of the FEC dated September 13, 1984

Telbert King, as Treasurer of the District 1199 Political Action Fund, ("PAF"), answers the interrogatories as follows:

1. I have no knowledge of District 1199 PAF financial transactions during the years 1980 or 1981 as I was not at that time its treasurer nor did I hold any other PAF office or position. Furthermore, I was not in 1980 or 1981, nor at any other time, the treasurer of the National Union of Hospitals and Health Care Employees ("NUHHCE"). On July 1, 1984, District 1199 disaffiliated from the NUHHCE. I currently hold no office in the NUHHCE and have no access to their financial records. The PAF treasurer and administrator during 1980 and 1981 are no longer employed by PAF or by District 1199.

Accordingly, I cannot state on personal knowledge whether each or any of the four disbursements was made for the purpose of reimbursing NUHHCE for a debt incurred by the NUHHCE on behalf of the PAF. I have spoken to the auditing firm employed by the PAF during the period in question and they have informed me that the documentary records of the PAF show that such payments were made for printing services provided by NUHHCE. Upon information, such printing services were performed directly by NUHHCE. I have attached copies of the documentation. I have no other or further knowledge of the matters inquired into regarding the four printing expenditures.

Doris Turner, President
Telbert King, Treasurer
Edward Wecker, Executive Secretary

Executive Vice Presidents:
Philip Kamenkowitz, Drug Div.
Ramon Malave, Hospital Div.
David White, Guild Div.
Jo-Ann Marshall, RN Div.

Vice Presidents:
Herbert Binger
Claude Ferrara
George Goodman
Barrington Moore
Karl Rath
Rachel Rivera
Floris Saunders
Floyd Shepard

2. As to interrogatories 10, 11 and 12, I have read the statement of Jon Quint, attorney for the RWDSU dated August 22, 1984, (a copy of which is annexed hereto) and state that the facts set forth therein regarding the $20,000 campaign contribution are upon information and belief, true.

Telbert King, Treasurer

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

Barbara Payos
Notary Public

BARBARA PAYOS
Notary Public, State of New York
No. 41-4648038
Qualified in Queens County
Certificate filed in New York County
Commission Expires March 30, 19[illegible]

27 7 1 4 2 6 3

BILLING FORM

Entered on Sheet No. 285 Date Received Oct. 24, 1980 Date Completed ✓

Work Order No. 5597 Department: Dist. 1199 Political Action

Title or Form No.

Leaflet for
Mark Green

self mailer
fold
2 sided

Art Dept., Prep & Layout & Revisions (Morris)		Hrs.	Mechanical supplied to make neg.
Composition Time with Revisions XXXXX		Hrs.	
Negative(s) by 1199 Cost Invoice No. Date			11 00
Plates No. 2 XXXXX $5.00			10 00
Plate making, Stripping (J.R.)	1	Hrs.	17.34
Offset Time (Jose)	4	Hrs.	42.36
Cutting (By) Time		Hrs.	—
Folding (By ALEX WALDORF Time	2	Hrs.	20.10
Collating ( ) Stapling ( ) TIME		Hrs.	—
Numbering (By) Time		Hrs.	—
Padding (By) Time		Hrs.	—
(By) Time		Hrs.	—
Ink & Chemicals & Material to make mechanicals			10 00
			—

6 M
v 20
12 11 00 ✓

Materials Used:

Type of Stock	20# Colored Mimeo
Size of Stock	8½ x 11
Number of pieces used	20M
Cost of Stock	✓ 124 50

Special instructions:

Total - ✓ 235.60
30 % ✓ 70.68
306.28

Original ( ) Rerun ( )

869

959 ✓7
699 70
259.87

Entered on Sheet #285 Work Order No.

WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

#5597 Foner

Date 10/24/80 Originator Moe Foner Title Exec. Sec. Authorized Signature

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Admin.
☐ OTHER

Date Needed asap Special Rush

Description Leaflet for Mark Green

Mail to

Deliver to

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING HOSPITAL/HOME

☐ GRIEVANCE HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN. ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED
WHEN

☐ TYPIST NEEDED
WHEN

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

8½" x 11" green
printed 2 sides
self mailer/fold for mailing

SPECIAL INSTRUCTIONS

FOR OFFICE MANAGER'S USE ONLY

Assigned to Date entered Approximate Completion Date

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on DATE Mail on DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO	OFFSET	NO. OF COPIES	NO. OF PAGES
	X	20,000	2

	PRINT	CUT	FOLD	PUNCH	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL	X	X	X						
TIME									

Total Time CHARGE TO: Material

Price per hour Labor

Total Labor Cost Postage

Other

BILLING FORM

Entered on Sheet No. 272 Date Received July 25, 1980 Date Completed

Work Order No. 5420 Department: Dist. 1199 Political Action

Title or Form No.

Mark Green
Ice Cream and
Cocktails
Theres Room at the Top"
of the Empire
State Building

trim to size and
fold

Art Dept., Prep & Layout & Revisions (Morris)		Hrs.	copy supplied to make nega.
Composition Time with Revisions		Hrs.	
Negative(s) by 1199 Cost Invoice No. #1881 Date 7/25			6.00
Plates No. 2 @ $2.50			5.00
Plate making, Stripping (J.R.)	.12	Hrs.	8.08
Offset Time (Von) EMANUEL	3½	Hrs.	28.60
Cutting (By John Ryan Time	1½	Hrs.	24.23
Folding (By Emanuel) Time	1	Hrs.	8.17
Collating ( ) Stapling ( ) TIME		Hrs.	—
Numbering (By) Time		Hrs.	—
Padding (By) Time		Hrs.	—
(By) Time		Hrs.	—
Ink & Chemicals & Material to make mechanicals			10.00
Wash-up	$3.00		—

16.5
1 1/2
1 1/2
42.50
90.75

Materials Used:

Type of Stock	80# Vellum
Size of Stock	7 x 11
Number of pieces used	5,500
Cost of Stock	90.75

2/23/81

Special instructions:

Total - 180.83
30% 54.25
235.08

Original ( ) Rerun ( )

Entered on Sheet #272 Work Order No.

1199 WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

5420

Date July 24, 1980 Originator Moe Foner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dist. 1199 P/A
☐ OTHER

Date Needed ..... Special Rush .....

Description Hank Green ~~rugby match~~

Mail to Trade Room at 1st Inv.

Deliver to INVITATION 5x7
Cost - Foil to 5x7
5500

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING ..... HOSPITAL/HOME

☐ GRIEVANCE ..... HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. ..... ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED
WHEN .....

☐ TYPIST NEEDED
WHEN .....

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make neg.

plate add print

2 sides + Tissue

paid

SPECIAL INSTRUCTIONS .....

FOR OFFICE MANAGER'S USE ONLY

Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on ..... DATE Mail on ..... DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO ☐ OFFSET ☐ 5x7 ~~Parchment~~ vellum NO. OF COPIES 5500 NO. OF PAGES ☐ ~~$1.50~~ ~~REBU per M~~

	PRINT	CUT	FOLD	PUNCH	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL									
TIME									

Completed _____

BILLING FORM

Entered on Sheet No. 272 Date Received July 25, 1980 Date Completed

Work Order No. 5418 & 5419 combined billing Department: Dist. 1199 Political Action

Title or Form No.				
Invitation to Mark Green dinner Invitation to reception	Art Dept.. Prep & Layout & Revisions (Morris)		Hrs.	copy supplied to make negs and plates
	Composition Time with Revisions		Hrs.	
	Negative(s) by #1879	1199 Cost	3 —	6.00
	Invoice No. #1880	Date 7/ —	3 —	
	Plates No.	1 @ $2.50		2.50
	Plate making, Stripping (J.R.)	1/2	Hrs.	8.06
	Offset Time (Jose)	1	Hrs.	9.81
	Cutting (By Jose)	Time	Hrs.	—
	Folding (By)	Time	Hrs.	—
	Collating ( ) Stapling ( )	TIME	Hrs.	—
	Numbering (By)	Time	Hrs.	—
	Padding (By)	Time	Hrs.	—
	(By)	Time	Hrs.	—
	Ink & Chemicals & Material to make mechanicals			2.50
	Wash-up		$3.00	—

17.00 + 3 = $1.00

Materials Used:

Type of Stock 65# Vellum

Size of Stock 8 x 12 (cut and trim)

Number of pieces used 3M

Cost of Stock $1.00

786 2/23/81

Special instructions:

Total - 79.59

30% 23.97

103.86

Original ( ) Rerun ( )

Entered on Sheet #272 Work Order No.

1199 WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

5418

Date July 24, 1980 Originator Moe Foner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dist. 1199 P/A OTHER

Date Needed ..... Special Rush .....

Description Invitation to Mark Green Dinner Aug. 12th.

Mail to .....

Deliver to .....

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING ..... HOSPITAL/HOME

☐ GRIEVANCE ..... HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. ..... ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED WHEN .....

☐ TYPIST NEEDED WHEN .....

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make mag. plate

cut and trim to fold

PRINT 2 up

SPECIAL INSTRUCTIONS .....

FOR OFFICE MANAGER'S USE ONLY

Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on ..... DATE Mail on ..... DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO ☐ OFFSET ☒

65# Vellum ~~White~~ NO. OF COPIES 3M NO. OF PAGES

8 x 12 cut and trim ~~folded~~ Stub

3M sheets RIEN per n

	PRINT	CUT	~~FOLD~~	PUNCH	PAD	COLLATE	INSERT	ADDRESS	OTHER
INITIAL									
TIME									

Completed .....

Entered on Sheet #272 Work Order No.

1199 WORK ORDER SPECIFICATION FORM

Please print and attach copy to form

5419

Date July 24, 1980 Originator Mae F oner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dist. 1199 P/A OTHER

Date Needed ..... Special Rush .....

Description Mark Green Invitation to reception

Mail to .....

Deliver to .....

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING ..... HOSPITAL/HOME

☐ GRIEVANCE ..... HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN. ..... ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED WHEN .....

☐ TYPIST NEEDED WHEN .....

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make negs and plate

SPECIAL INSTRUCTIONS .....

FOR OFFICE MANAGER'S USE ONLY

Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on ..... DATE Mail on ..... DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO	OFFSET		NO. OF COPIES	NO. OF PAGES
☐	☐	3-3/4 x 9	3M	

	PRINT	CUT	FOLD	PUNCH	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL	☐	☐	☐	☐	☐	☐	☐	☐	☐
TIME									

Completed .....

BILLING FORM

Entered on Sheet No. #272 Date Received July 25,1980 Date Completed

Work Order No. #5419 Department: Dist 1199 P/A

Title or Form No.

Mark Green Invitation to reception. copy supplied to make negs. and plate.

Art Dept., Prep & Layout & Revisions (Morris)	Hrs.		
Composition Time with Revisions KATHY	Hrs.		
Negative(s) by 1199 Cost Invoice No. Date			
Plates No. @ $2.50			
Plate making, Stripping (J.R.)	Hrs.		
Offset Time (Jose)	Hrs.		
Cutting (By) Time	Hrs.		
Folding (By) Time	Hrs.		
Collating ( ) Stapling ( ) TIME	Hrs.		
Numbering (By) Time	Hrs.		
Padding (By) Time	Hrs.		
(By) Time	Hrs.		
Ink & Chemicals & Material to make mechanicals			
Wash-up	$3.00		

Materials Used:

Type of Stock		
Size of Stock 3-3/4x9		
Number of pieces used 3M		
Cost of Stock		

Special instructions:

Total -

Original ( ) Rerun ( )

BILLING FORM

Entered on Sheet No. #272 Date Received July 25,1980 Date Completed

Work Order No. #5417 Department: Dist 1199 P/A

Title or Form No.

Hank Green Political Leaflet:
~~copy supplied to make~~ neg, plate 2 sided fold.
~~call 564-5134~~
Harres Diamond
Jeff Saref or T. Grana

Art Dept., Prep & Layout & Revisions (Morris)		Hrs.	COPY SUPPLIED TO MAKE
Composition Time with Revisions · KATHY		Hrs.	NEGS + PLATES
Negative(s) by 1199 Cost Invoice No. #1878 Date 7/25/80			27.00
Plates No. 2 @ ~~5.00~~			10.00
Plate making, Stripping (J.R.)	1	Hrs.	16.15
Offset Time (Jose)	4	Hrs.	39.24
Cutting (By) Time		Hrs.	—
Folding (By JOSE) Time	2½	Hrs.	24.52
Collating ( ) Stapling ( ) TIME		Hrs.	—
Numbering (By) Time		Hrs.	—
Padding (By) Time		Hrs.	—
(By) Time		Hrs.	—
Ink & Chemicals & Material to make mechanicals			10.00
Wash-up	~~$3.00~~		-

Materials Used:

Type of Stock White Wove W/msbur

Size of Stock 11 x 17 offset

Number of pieces used 10M

Cost of Stock 150.00

7806
2/23/81

Special instructions:

Total 277.51
30% 83.25
360.76

Original ( ) Rerun ( )

Entered on Sheet #272 Work Order No.

1199 WORK ORDER SPECIFICATION FORM 5417

Please print and attach copy to form

Date July 24, 1980 Originator Moe Foner Title ..... Authorized Signature .....

☐ HOSPITAL DIVISION
☐ GUILD DIVISION
☐ DRUG DIVISION
☐ Dis t. 1199 P/A OTHER

Date Needed ..... Special Rush .....

Description Hank Green Political Leaflet

Mail to .....

Deliver to [redacted] call 564-5138 Harres Diamond

Jeff Saref or T. Brana

CHECK APPROPRIATE BOX(S)

REPORTS

☐ CHAPTER MEETING..... HOSPITAL/HOME

☐ GRIEVANCE ..... HOSPITAL/HOME

STENCILS

☐ LEAFLETS, QUAN. ..... ☐ ENG. ☐ SPAN.

☐ MEETING NOTICES, QUAN..... ☐ ENG. ☐ SPAN.

☐ CARDS, QUAN..... ☐ ENG. ☐ SPAN.

☐ LETTERHEADS, QUAN..... ☐ ENG. ☐ SPAN.

SECRETARIAL REQUIREMENTS

☐ STENO NEEDED
WHEN.....

☐ TYPIST NEEDED
WHEN.....

TYPING

☐ LETTERS
☐ CONTRACTS
☐ MINUTES
☐ TRANSLATION
☐ PROOFREAD

OTHER, Describe

copy supplied to make
neg. plate
2 sided
Fold
① 4½x5½ 5.5¢
② #10 3.5¢
③ 8½x11 10¢
No cut

SPECIAL INSTRUCTIONS (Deliver Copies)

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Assigned to ..... Date entered ..... Approximate Completion Date .....

☐ PAPER 8½ X 11 ☐ LETTERHEAD ☐ LEGAL ☐ 3 X 5 ☐ 4 X 6

Finish on ..... DATE Mail on ..... DATE Retain plate ☐ Retain stencil ☐

FOR REPRODUCTION DEPT. USE ONLY

MIMEO ☐ OFFSET ☐ White Wove W'msbur offset NO. OF COPIES 10M NO. OF PAGES ☐ KBNL per M

	PRINT	CUT	FOLD	~~PUNCH~~ 11X17	PAD	COLLATE	INSERT	ADDRESSO	OTHER
INITIAL	☐	☐	☐	☐	☐	☐	☐	☐	☐
TIME									

Completed _____

8 7 0 4 0 3 4 1 2 7 4

84 SEP 24 P12:

FROM:

Customer Number, if any

TO:

* U.S.G.P.O. 1984 425 341 Label 11B (1 84)

EXPRESS MAIL NEXT DAY SERVICE

POST OFFICE TO ADDRESSEE

U.S. POSTAL SERVICE U.S. MAIL

▼ TO REMOVE PEEL BACK HERE ▼

EXPRESS MAIL SERVICE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 13, 1984

I. Philip Sipser, Esq.
380 Madison Avenue
New York, New York 10017

Re: MUR 1733

Dear Mr. Sipser:

Pursuant to your telephone conversation with Duane Brown of this office, in which you indicated that you had not received the interrogatories relevant to this investigation, please find enclosed for your immediate attention a second copy of the interrogatories.

Due to the inordinate period of time which has lapsed since this office received a substantive response from your office, and due to the Commission's statutory responsibility to complete its investigations expeditiously, you have five (5) days from your receipt of this letter to respond. If we have not received your response within that time, this office is prepared to recommend that the Commission find probable cause to believe that your clients, District 1199 and District 1199 PAF, violated the Act.

If you have any questions, please call Duane Brown at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure

2711041275

EXPRESS MAIL

POST OFFICE TO ADDRESSEE

B 41873126

FROM:

ORIGIN

Customer Number if any

TO:

DESTINATION:

Date of Delivery

Time of Delivery

Initials of Delivering Employee

Signature of Addressee or Agent

DELIVERY WAS ATTEMPTED

Date | Time

Notice Left By

TO REMOVE PEEL BACK HERE

EXPRESS MAIL SERVICE

LABEL 11B JUNE 79 USGPO 1979-301-203

RECEIVED AT THE FEC

84 AUG 24 AM 9:37

84 AUG 24 PM 1:38

RECEIVED AT THE FEC

84 AUG 24 AM : 36

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

ARTHUR MARKEWICH
Of Counsel

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

August 22, 1984

GCC #4437

Federal Election Commission
Washington, D.C. 20463

Attn: Duane A. Brown, Esq.

Re: MUR 1733
Retail Wholesale Department Store Union

Gentlemen:

This letter serves as the response to the Commission's notice that it has reason to believe that our client has violated the Act.

24 AUG 84 P 1:

Initialy we wish to make the following procedural points:

1. We object to the Commission's handling of our prior requests for extensions of time to respond. As my prior correspondence pointed out, our client, as the parent of District 1199, has been fully involved in the District's on-going strike. To force us to make this response in the absence of adequate time to investigate is unfair. Especially objectionable is the passage of time between the request for an extension, the date of the Commission's response and the short period that remains after the response is actually received. The last letter, extending our time to August 20, was only dated August 16 and arrived on the 20th (which is actually the first possible date it could have). Such methods do not indicate any attempt at procedural fairness.

2. The Commission, under the same MUR, has served a summary of allegations against the District which is wholly unrelated to the facts summarized in the MUR to my client. This mixing of issues in one proceeding has prevented each party from fully addressing any one issue since you call for a response on allegations common to one event from only one party to the event. If the Commission was truly interested in the Act it would seem proper that it address both parties on the same issue at the same time.

As to the summary of allegations we wish to bring the following to the Commission's attention:

1. On or about October 19, 1982, the RWDSU made a

contribution of treasury funds to a non-federal candidate's campaign, specifically to the Cuomo for Governor committee in New York. The intent of the one check made was to make the contribution on behalf of the RWDSU and District 1199, the latter's contribution advanced by the RWDSU.

2. No "loan" was ever made to the District and no check from the RWDSU to the District's PAF exists.

3. In May of 1983 the RWDSU received from the district the funds representing the advance it had previously made. We have no record of the actual account on which that check was drawn. If it was in fact drawn on the PAF's account, the actual application of voluntary funds, to a non-federal campaign, was permissable.

4. Since the RWDSU made no such loan, the limited scope of the allegations have been fully answered and no action should be taken.

As an attorney admitted to practice in the State of New York, I submit these statements under oath.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: _____
Jon Quint

JQ:kp

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

ARTHUR MARKEWICH
Of Counsel

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

August 22, 1984

Federal Election Commission
Washington, D.C. 20463

Attn: Duane A. Brown, Esq.

Re: MUR 1733
Retail Wholesale Department Store Union

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As an attorney admitted to practice in the State of New York, I submit these statements under oath.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: _____
Jon Quint

JQ:kp

RECEIVED AT THE FEC

84 AUG 24 AM : 36

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

ARTHUR MARKEWICH
Of Counsel

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

August 22, 1984

GCC #4437

Federal Election Commission
Washington, D.C. 20463

Attn: Duane A. Brown, Esq.

Re: MUR 1733
Retail Wholesale Department Store Union

Gentlemen:

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84 AUG 24 P 1:

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Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: _____
Jon Quint

JQ:kp

COM#446

RECEIVED AT THE FEC

84 AUG 27 A8:41

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ
ATTORNEYS AT LAW
380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 867-2100

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
VICKI ERENSTEIN
SUSAN MARTIN
LARRY MAGARIK
MARY JILL HANSON
ERIC WASHINGTON
LIZA S. HIRSCH*

*ADMITTED IN CALIF. AND ARK. ONLY

HARRY WEINSTOCK
(1905-1980)

August 21, 1984

84 AUG 27 P1:23

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL

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

Re: MUR 1733
District 1199 of the National Union of Hospitals and Health Care Employees
District 1199 PAF of the National Union of Hospital and Health Care Employees

Dear Mr. Gross:

This is in response to your letter of August 16, 1984 to I. Philip Sipser denying Mr. Sipser's request for an extension of time to respond in this matter until September 5.

Please be advised that my office received your letter today, August 21, 1984, and that Mr. Sipser is out of town and I am therefore responding on his behalf. The strike in the Health Care industry in New York City is in its final stages and may be settled within the next few days.

As we advised you, it was impossible for us to properly respond during the strike. We are therefore again requesting that you extend our time to September 5 to respond to the Commission's notice. It is obviously no longer possible for us to respond by August 20, having received your letter today. Our intent is to cooperate with you in this matter and provide to you what we feel will be a full and satisfactory explanation

of the matters you inquired into. We believe it will be in the best interests of all parties concerned, including your Commission, to grant us this short extension.

Thank you.

Sincerely,

JEROME TAUBER

JT:rw

9704042

SIPSER WEINSTOCK HARPER DORN & LEIBOWITZ

ATTORNEYS AT LAW

380 MADISON AVENUE

NEW YORK, N.Y. 10017

AUG 27 AM

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

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 16, 1984

Jon Quint, Esquire
1501 Broadway
New York, New York 10036

Re: MUR 1733
Retail, Wholesale, Department
Store Union

Dear Mr. Quint:

This is in reference to your letter dated July 31, 1984, requesting an additional extension to respond to the Commission's notice that it has reason to believe that your client has violated the Act.

Considering the Commission's responsibility to act expeditiously on matters under review and the circumstances of this matter, your request for an extension will be granted only until August 20, 1984.

If you have any questions, please contact Duane A. Brown, the attorney handling this matter at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

2704041233

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 16, 1984

I. Philip Sipser, Esquire
380 Madison Avenue
New York, New York 10017

Re: MUR 1733
District 1199 of the National
Union of Hospital and Health
Care Employees
District 1199 PAF of the National
Union of Hospital and Health
Care Employees

Dear Mr. Sipser:

This is in reference to your letter dated July 30, 1984, requesting an extension until September 5, to respond to the Commission's notice that it has reason to believe that your clients have violated the Act.

Considering the Commission's responsibilities to act expeditiously on matters under review and the circumstances of this matter, your request for an extension will be granted only until August 20, 1984.

If you have any questions, please contact Duane A. Brown, the attorney handling this matter at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

3 7 1 4 0 5 4 1 2 3 7

FEDERAL ELECTION COMMISSION

Telbert King, Treasurer

The 1981 Mid-Year Report filed by the political action fund disclosed four disbursements to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for contributions on behalf of the Mark Green for Congress Committee.

1. Please state whether each of the four disbursements was made for the purpose of reimbursing NUHHCE for a debt incurred by the NUHHCE on behalf of the political action fund.

2. If the response to No. 1 is yes, for each such disbursement:

   a) Describe the manner in which the debt was incurred;

   b) State the date upon which each debt was incurred, and

   c) State the amount of each debt incurred.

3. If the response to No. 1 is no, please describe why each disbursement was made.

4. Please state whether the NUHHCE printed any materials on behalf of the Mark Green for Congress Committee.

   For each such printing:

   a) State the date of the printing;

   b) State the cost of the printing; and

   c) State whether the political action fund requested such printing.

5. If NUHHCE did not print materials on behalf of the Mark Green for Congress Committee but had an outside vendor print them, please state:

   a) the name and address of the vendor;

   b) the date of each printing;

   c) the amount charged by the vendor for each printing; and

   d) whether the political action fund requested each such printing.

6. Describe the arrangements made between NUHHCE and the political action fund concerning the printing of materials on behalf of the Mark Green for Congress Committee. Please include a statement concerning who was responsible for payment and why the PAF made such arrangements through the union.

7. Describe the materials printed on behalf of the Mark Green for Congress Committee.

8. State whether any person connected with the Mark Green for Congress Committee was notified that the political action fund was printing materials on its behalf.

If so:

a) State the name and title of such person; and

b) the date of the notice.

9. State how the Mark Green for Congress Committee materials were distributed.

The 30 Day Post General Report provided by the political action fund disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union ("RWDSU") on October 19, 1982. On the fund's disbursement schedule, the transaction was shown and included the notation "loan-RWDSU COPE".

10. State the exact source of the $20,000 loan.

11. State the purpose of the loan.

12. Provide a copy of the check or other instrument on which the loan was made.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1733
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
	)	
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	
Telbert King, as Treasurer	)	
	)	
Retail, Wholesale and Department Store Union	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 15, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1733:

1. Deny the requested extension of District 1199 and District 1199 PAF, but grant an extension until August 20, 1984.

2. Deny the requested extension of the Retail, Wholesale, Department Store Union, but grant an extension until August 20, 1984.

3. Approve and send the letters attached to the General Counsel's Report signed August 10, 1984.

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

Attest:

8-15-84

Date

Marjorie W. Emmons
Secretary of the Commission

9 7 1 1 0 4 2 2 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: August 10, 1984

SUBJECT: MUR 1733 - 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	[X]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

0704042

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	84 AUG 10 All : 46
District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	MUR 1733
District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO	)	SENSITIVE
Telbert King, as treasurer	)	
Retail, Wholesale and Department Store Union	)	

GENERAL COUNSEL'S REPORT

BACKGROUND

On June 29, 1984, the Commission decided to find reason to believe District 1199 PAF and Telbert King, as treasurer, violated 2 U.S.C. § 441b(a) for (1) accepting reimbursements from a labor organization for disbursements made by the PAF, (2) making reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate, (3) depositing union treasury funds in the PAF's account and, (4) accepting a $20,000 loan from a labor organization. In addition, the Commission found reason to believe that the PAF violated 2 U.S.C. § 434(a)(4)(A)(i) for failing to file its 1984 April Quarterly Report. On that same date, the Commission found reason to believe that District 1199 also violated 2 U.S.C. § 441b(a) for (1) making reimbursements to its separate segregated fund, and, (2) causing treasury funds to be deposited in the PAF's account. Finally, on the same date the Commission found reason to believe the Retail, Wholesale and Department Store Union ("RWDSU") violated 2 U.S.C. § 441b(a) when it made a $20,000 loan to the

District 1199 PAF.

FACTUAL AND LEGAL ANALYSIS

Counsel for District 1199 and District 1199 PAF responded to the Commission's reason to believe finding by letter dated July 11, 1984. Counsel for the RWDSU responded by letter dated July 17, 1984. Both letters were preceded by telephone calls to General Counsel staff requesting an extension of time to respond to the Commission's reason to believe finding (Attachments I & II). The bases for the extension are identical. Both counsel indicate that the membership of the National Union of Hospital and Health Care Employees, to which both are related, is on strike. As a result, both counsel contend that they are unable to respond to the Commission's reason to believe finding since the staff members who have knowledge of the activity in question are also on strike. On July 24, 1984, an extension of time to respond was granted up to and including August 3, 1984.

Subsequently, General Counsel staff received another request for an additional extension by both counsel for the same reason. Both argue that the strike is still in progress and no end is in sight. Consequently, each requests an additional extension up to and including September 5, 1984 (Attachments III & IV). The Commission should deny the request for an extension for the requested period of time.

In one instance, counsel contends that the principal individual responsible for the reporting obligations of the District PAF is involved 24 hours a day, 7 days a week with

the strike. In the second instance, counsel contends that it needs the same reports as the first counsel, and, therefore, cannot respond without them.

Neither counsel indicates that the reports are not available for their respective inspection. Each only indicates that the individual responsible for the reports is not available. Moreover, a strike can involve an indeterminate period of time. Thus, the Office of General Counsel recommends that the respondents be given five days from the receipt of the attached letters to respond.

RECOMMENDATIONS

1. Deny the requested extension of District 1199 and District 1199 PAF, but grant an extension until August 20, 1984.

2. Deny the requested extension of the Retail, Wholesale, Department Store Union, but grant an extension until August 20, 1984.

3. Approve and send attached letters.

Charles N. Steele
General Counsel

August 16, 1984
Date

By: _____
Kenneth A. Gross
Associate General Counsel

Attachments
1. Letter from I. Philip Sipser
2. Letter from Jon Quint
3. Letter from I. Philip Sipser
4. Letter from Jon Quint
5. Letter to I. Philip Sipser
6. Letter to Jon Quint

ATTACHMENT I

84 JUL 16 AM : 26

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ
ATTORNEYS AT LAW
380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 867-2100

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
VICKI ERENSTEIN
SUSAN MARTIN
LARRY MAGARIK
MARY JILL HANSON
ERIC WASHINGTON
LIZA S. HIRSCH*

*ADMITTED IN CALIF. AND ARK. ONLY

HARRY WEINSTOCK
(1905-1980)

GCC #4061

July 11, 1984

Federal Election Commission
Washington, D. C. 20463

Att: Duane A. Brown, Esq.

Re: MUR 1733
District 1199 of the National Union
Of Hospital and Health Care Employees

Dear Mr. Brown:

On behalf of District 1199, as well as the District 1199 PAC Fund, we herewith request an opportunity to reply to the Summary of the Allegations contained in your letter dated July 2, 1984, to and including August 3, 1984.

The principals of both entities are currently engaged in City-wide negotiations with the Hospital Association of New York and are unavailable for consultation. Hopefully, the negotiations will be terminated in the next several weeks, and we will then be able to give appropriate attention to the above-captioned matter.

Very truly yours,

I. PHILIP SIPSER

IPS/obs

17 AM 9:33

ATTACHMENT II

RECEIVED AT THE FEC
GCC# 4093
84 JUL 19 P12:02

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

ARTHUR MARKEWICH
Of Counsel

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

July 17, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1733
Retail Wholesale Department Store Union

Dear Mr. Brown:

As I told you on the phone yesterday, this firm serves as General Counsel to the Retail Wholesale Department Store Union, AFL-CIO, the respondent in the above-matter. I enclose the completed and executed Statement of Designation of Counsel in the matter.

As I also told you, the respondent in this matter is unable to make any submission to the Commission at this time and requests a period of 15 further days beyond the original deadline in which to make its submission. We belive that in order to make a full response we must obtain from the District 1199 Political Action Fund. which figures prominently in the analysis of the General Counsel, copies of all reports referred to in the analysis. However, over 50,000 of the members of the District are on strike against dozens of hospitals and nursing homes. The officers of the District as well as of the respondent are involved in the strike and the ongoing negotiations, making it impossible for us to obtain the required information or to consult with knowledgable officials.

You had informed me that you had spoken to Mr. Sipser about a "mirror-image" MUR involving District 1199. I have attempted to reach him but he is apparently involved in strike matters also, which should further weigh in favor of the requested extension.

May I be informed of the decision on the request as soon as possible.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: _____
Jon Quint

JQ:kp
Encl.

2704043

ATTACHMENT III

LCC 4248

RECEIVED AT THE FEC

84 AUG 2 P12:30

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ

ATTORNEYS AT LAW

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
VICKI ERENSTEIN
SUSAN MARTIN
LARRY MAGARIK
MARY JILL HANSON
ERIC WASHINGTON
LIZA S. HIRSCH*

*ADMITTED IN CALIF. AND ARK. ONLY

AUG 2 P 2:38

380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 687-2100

HARRY WEINSTOCK
(1908-1980)

July 30, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1733
District 1199, Hospital and
Health Care Employees

Dear Mr. Brown:

As per our telephone conversation of this date, request is herewith made for an extension of time to respond to the Commission's allegations. As I indicated to you, the Union has been on strike since July 13 and the strike is still on. There are approximately 50,000 workers involved in the strike and the persons involved in the PAC Fund, including Telbert King, are also involved on a 7-day 24-hour basis in the activities of the strike. We have therefore been unable to get any information on what appears to be a complicated situation. Moreover, the Controller who apparently was involved in some of the financial transactions has left the Union and is antagonistic to the Union, so that it is impossible to obtain any information from him.

We have also hunted high and low for a copy of the Interrogatories which you requested we answer, and we have been unable to find copies of them. Would you therefore send the undersigned a copy of the Interrogatories, and extend our time to respond to the Commission's allegations to September 5, 1984.

Thank you.

Very truly yours,

I. PHILIP SIPSER

IPS:lf

2 7 0 4 0 4 2 0 2 7

ATTACHMENT IV

RECEIVED BY THE FEC
GCC#4228
84 AUG 1 AM : 48

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

ARTHUR MARKEWICH
Of Counsel

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

July 31, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1733

Dear Mr. Brown:

We must write again to request a further extension of time to respond in the above matter. As I explained before, we must obtain from, and discuss with, District 1199 the numerous documents mentioned in the papers already served on our client.

District 1199 continues to be totally involved in a strike of 46,000 of its workers against dozens of health care facilities in New York. The strike, which began on July 13 and has continued throughout the extension period already granted has precluded our properly responding.

I understand from I. Phillip Sipser, the attorney for District 1199, that he has requested an extension also. It would appear, given the time frames before the FEC acted that a further extension would be appropriate.

May I know the Commission's response as soon as possible.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: Jon Quint

JQ:mk

2711734228

ATTACHMENT V

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

I. Philip Sipser, Esquire
380 Madison Avenue
New York, New York 10017

Re: MUR 1733
District 1199 of the National
Union of Hospital and Health
Care Employees
District 1199 PAF of the National
Union of Hospital and Health
Care Employees

Dear Mr. Sipser:

This is in reference to your letter dated July 30, 1984, requesting an extension until September 5, to respond to the Commission's notice that it has reason to believe that your clients have violated the Act.

Considering the Commission's responsibilities to act expeditiously on matters under review and the circumstances of this matter, your request for an extension will be granted only until August 20, 1984.

If you have any questions, please contact Duane A. Brown, the attorney handling this matter at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT VI

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jon Quint, Esquire
1501 Broadway
New York, New York 10036

Re: MUR 1733
Retail, Wholesale, Department
Store Union

Dear Mr. Quint:

This is in reference to your letter dated July 31, 1984, requesting an additional extension to respond to the Commission's notice that it has reason to believe that your client has violated the Act.

Considering the Commission's responsibility to act expeditiously on matters under review and the circumstances of this matter, your request for an extension will be granted only until August 20, 1984.

If you have any questions, please contact Duane A. Brown, the attorney handling this matter at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	RAD Referral #84L-6
District 1199 of the National Union of Hospital and Health Care Employees RWDSU, AFL-CIO, et. al.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 29, 1984, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral #84L-6:

1. Open a MUR.
2. Find reason to believe District 1199 PAF of the National Union of Hospital and Health Care Employees and Telbert King, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(a)(4)(A)(i).
3. Find reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b(a).
4. Find reason to believe the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).
5. Approve the letters with questions attached to the First General Counsel's Report signed June 26, 1984.

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

Attest:

6/29/84
Date

Marjorie W. Emmons
Secretary of the Commission

RECEIVED AT THE FEC
GCC#4238
84 AUG 1 AM : 48

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

ARTHUR MARKEWICH
Of Counsel

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

July 31, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1733

Dear Mr. Brown:

We must write again to request a further extension of time to respond in the above matter. As I explained before, we must obtain from, and discuss with, District 1199 the numerous documents mentioned in the papers already served on our client.

District 1199 continues to be totally involved in a strike of 46,000 of its workers against dozens of health care facilities in New York. The strike, which began on July 13 and has continued throughout the extension period already granted has precluded our properly responding.

I understand from I. Phillip Sipser, the attorney for District 1199, that he has requested an extension also. It would appear, given the time frames before the FEC acted that a further extension would be appropriate.

May I know the Commission's response as soon as possible.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: Jon Quint

JQ:mk

MARKEWICH FRIEDMAN & MARKEWICH P.C.
150 BROADWAY
NEW YORK, N.Y. 10038

FEC
94 AUG 1 AM 8:48

Duane A. Brown, Esq.
Federal Election Commission
Washington, D. C. 20463

EXPRESS MAIL
NEXT DAY SERVICE

POST OFFICE TO ADDRESSEE

1 & 2 with this stub

TO REMOVE PEEL BACKING

B 41873123

FROM:

Customer Number, if any

TO:

DESTINATION:

Date of Delivery

Time of Delivery

Initials of Delivering Employee

Signature of Addressee or Agent

DELIVERY WAS ATTEMPTED

Date | Time

Notice Left By

EXPRESS MAIL SERVICE

ABEL 11B JUNE 79 USGPO 1979-301-203

AUG

6CC 4748
RECEIVED AT THE FEC
84 AUG 2 P12:30

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ
ATTORNEYS AT LAW
380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 867-2100

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
VICKI ERENSTEIN
SUSAN MARTIN
LARRY MAGARIK
MARY JILL HANSON
ERIC WASHINGTON
LIZA S. HIRSCH*

*ADMITTED IN CALIF. AND ARK. ONLY

HARRY WEINSTOCK
(1905-1980)

July 30, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1733
District 1199, Hospital and
Health Care Employees

Dear Mr. Brown:

As per our telephone conversation of this date, request is herewith made for an extension of time to respond to the Commission's allegations. As I indicated to you, the Union has been on strike since July 13 and the strike is still on. There are approximately 50,000 workers involved in the strike and the persons involved in the PAC Fund, including Telbert King, are also involved on a 7-day 24-hour basis in the activities of the strike. We have therefore been unable to get any information on what appears to be a complicated situation. Moreover, the Controller who apparently was involved in some of the financial transactions has left the Union and is antagonistic to the Union, so that it is impossible to obtain any information from him.

We have also hunted high and low for a copy of the Interrogatories which you requested we answer, and we have been unable to find copies of them. Would you therefore send the undersigned a copy of the Interrogatories, and extend our time to respond to the Commission's allegations to September 5, 1984.

Thank you.

Very truly yours,

I. PHILIP SIPSER

IPS:lf

SIPSER WEINSTOCK HARPER DORN & LEIBOWITZ

ATTORNEYS AT LAW

380 MADISON AVENUE

NEW YORK, N. Y. 10017

84 AUG 2 12:30

Duane A. Brown, Esq.
Federal Election Commission
Washington, D. C. 20463

RECEIVED AT THE FEC
24 AUG 2 P12:30

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ
ATTORNEYS AT LAW
2 P 2 380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 867-2100

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
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SUSAN MARTIN
LARRY MAGARIK
MARY JILL HANSON
ERIC WASHINGTON
LIZA S. HIRSCH*

*ADMITTED IN CALIF. AND ARK. ONLY

HARRY WEINSTOCK
(1905-1980)

July 30, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1733
District 1199, Hospital and
Health Care Employees

Dear Mr. Brown:

As per our telephone conversation of this date, request is herewith made for an extension of time to respond to the Commission's allegations. As I indicated to you, the Union has been on strike since July 13 and the strike is still on. There are approximately 50,000 workers involved in the strike and the persons involved in the PAC Fund, including Telbert King, are also involved on a 7-day 24-hour basis in the activities of the strike. We have therefore been unable to get any information on what appears to be a complicated situation. Moreover, the Controller who apparently was involved in some of the financial transactions has left the Union and is antagonistic to the Union, so that it is impossible to obtain any information from him.

We have also hunted high and low for a copy of the Interrogatories which you requested we answer, and we have been unable to find copies of them. Would you therefore send the undersigned a copy of the Interrogatories, and extend our time to respond to the Commission's allegations to September 5, 1984.

Thank you.

Very truly yours,

Philip Sipser

I. PHILIP SIPSER

IPS:lf

2 7 1 4 0 4 1 3 0 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 24, 1984

I. Philip Sipser, Esquire
380 Madison Avenue
New York, New York 10017

Re: MUR 1733
District 1199 of the National
Union of Hospital and Health
Care Employees

Dear Mr. Sipser:

This is in reference to your letter dated July 11, 1984, requesting an extension until August 3, 1984, to respond to the Commission's reason to believe notification. 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 August 3, 1984.

If you have any questions, please contact Duane A. Brown, the attorney assigned this matter at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

2711743178

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 24, 1984

Jon Quint, Esquire
1501 Broadway
New York, New York 10036

Re: MUR 1733
Retail, Wholesale, Department
Store Union

Dear Mr. Quint:

This is in reference to your letter dated July 17, 1984, requesting an extension of 15 days to respond to the Commission's reason to believe notification. 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 August 1, 1984.

If you have any questions, please contact Duane A. Brown, the attorney assigned this matter at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

RECEIVED BY THE FEC
GCC#4093
84 JUL 19 P12:02

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

ARTHUR MARKEWICH
Of Counsel

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

July 17, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1733
Retail Wholesale Department Store Union

Dear Mr. Brown:

As I told you on the phone yesterday, this firm serves as General Counsel to the Retail Wholesale Department Store Union, AFL-CIO, the respondent in the above matter. I enclose the completed and executed Statement of Designation of Counsel in the matter.

As I also told you, the respondent in this matter is unable to make any submission to the Commission at this time and requests a period of 15 further days beyond the original deadline in which to make its submission. We belive that in order to make a full response we must obtain from the District 1199 Political Action Fund. which figures prominently in the analysis of the General Counsel, copies of all reports referred to in the analysis. However, over 50,000 of the members of the District are on strike against dozens of hospitals and nursing homes. The officers of the District as well as of the respondent are involved in the strike and the ongoing negotiations, making it impossible for us to obtain the required information or to consult with knowledgable officials.

You had informed me that you had spoken to Mr. Sipser about a "mirror-image" MUR involving District 1199. I have attempted to reach him but he is apparently involved in strike matters also, which should further weigh in favor of the requested extension.

May I be informed of the decision on the request as soon as possible.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: _____
Jon Quint

JQ:kp
Encl.

2 7 1 4 3 4 1 5 1 0

MARKEWICH FRIEDMAN & MARKEWICH P.C.
150 BROADWAY
NEW YORK, N.Y. 10038

'84 JUL 13 P12:02

Duane A. Brown, Esq.
Federal Election Commission
Washington, DC 20463

RECEIVED AT THE FEC
GCC# 4093
84 JUL 19 P12:02

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ROBERT MARKEWICH
MILTON FRIEDMAN
DANIEL MARKEWICH
JON QUINT

ARTHUR MARKEWICH
Of Counsel

1501 BROADWAY
NEW YORK, N.Y. 10036
(212) 382-3800

SAMUEL MARKEWICH (1881-1975)
JEROME G. ROSENHAUS (1904-1965)

July 17, 1984

Duane A. Brown, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1733
Retail Wholesale Department Store Union

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May I be informed of the decision on the request as soon as possible.

Very truly yours,

MARKEWICH FRIEDMAN & MARKEWICH, P.C.

By: _____
Jon Quint

JQ:kp
Encl.

SIPSER WEINSTOCK HARPER DORN & LEIBOWITZ

ATTORNEYS AT LAW

380 MADISON AVENUE

NEW YORK, N.Y. 10017

Federal Election Commission
Washington, D. C. 20463

Att: Duane A. Brown, Esq.

RECEIVED FEC
84 JUL 16 AM : 20

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ
ATTORNEYS AT LAW
380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 867-2100

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

SIDNEY S. BERMAN
ELMER H. BEBERFALL
VICKI ERENSTEIN
SUSAN MARTIN
LARRY MAGARIK
MARY JILL HANSON
ERIC WASHINGTON
LIZA S. HIRSCH*

*ADMITTED IN CALIF. AND ARK. ONLY

HARRY WEINSTOCK
(1905-1980)

GCC #4061

July 11, 1984

Federal Election Commission
Washington, D. C. 20463

Att: Duane A. Brown, Esq.

Re: MUR 1733
District 1199 of the National Union
Of Hospital and Health Care Employees

Dear Mr. Brown:

On behalf of District 1199, as well as the District 1199 PAC Fund, we herewith request an opportunity to reply to the Summary of the Allegations contained in your letter dated July 2, 1984, to and including August 3, 1984.

The principals of both entities are currently engaged in City-wide negotiations with the Hospital Association of New York and are unavailable for consultation. Hopefully, the negotiations will be terminated in the next several weeks, and we will then be able to give appropriate attention to the above-captioned matter.

Very truly yours,

I. PHILIP SIPSER

IPS/obs

2711041314

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ
ATTORNEYS AT LAW
380 MADISON AVENUE
NEW YORK, N. Y. 10017
(212) 867-2100

I. PHILIP SIPSER
BELLE HARPER
RICHARD L. DORN
LEONARD LEIBOWITZ
JEROME TAUBER
DONALD E. KLEIN

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SUSAN MARTIN
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MARY JILL HANSON
ERIC WASHINGTON
LIZA S. HIRSCH*

*ADMITTED IN CALIF. AND ARK. ONLY

HARRY WEINSTOCK
(1905-1980)

JUL 16 9 11 : 26

GCC #4061

July 11, 1984

Federal Election Commission
Washington, D. C. 20463

Att: Duane A. Brown, Esq.

Re: MUR 1733
District 1199 of the National Union
Of Hospital and Health Care Employees

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Very truly yours,

I. PHILIP SIPSER

IPS/obs

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1733

NAME OF COUNSEL: MARKEWICH FRIEDMAN & MARKEWICH, P.C.

ADDRESS: 1501 Broadway
New York, NY 10036

TELEPHONE: (212) 38203800

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.

7/13/84
Date

Signature

RESPONDENT'S NAME: RETAIL WHOLESALE DEPARTMENT STORE UNION, AFL-CIO/CLC

ADDRESS: 30 East 29th Street
New York, NY 10016

HOME PHONE:

BUSINESS PHONE: (212) 684-5300

9741064131 5

6cH 4025

STATEMENT OF DESIGNATION OF COUNSEL

84 JUL 12 P12:11

MUR 1733

NAME OF COUNSEL: Sipser, Weinstock, Harper, Dorn & Liebowitz

ADDRESS: Atty: Jerome Tauber
380 Madison Avenue
New York, N. Y. 10017

TELEPHONE: (212) 867-2100

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.

July 9, 1984
Date

Doris Turner
Signature Doris Turner

RESPONDENT'S NAME: District 1199 Hospital & Health Care Employees Union RWDSU, AFL-CIO

ADDRESS: 310 West 43rd Street
New York, N. Y. 10038

HOME PHONE:

BUSINESS PHONE: JU 2-1890

2 7 0 1 3 4 3 1 7

SIPSER, WEINSTOCK, HARPER, DORN & LEIBOWITZ
ATTORNEYS AT LAW
380 MADISON AVENUE
NEW YORK, N. Y. 10017



Federal Election Commission
Washington, D.C. 20463

94041318

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 11, 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTN: DUANE BROWN

FROM: SHAWN WOODHEAD
COMPLIANCE BRANCH, RAD

SUBJECT: MUR 1733 - DISTRICT 1199 POLITICAL ACTION COMMITTEE/NATIONAL UNION OF HOSPITAL AND HEALTH, RWDSU, AFL-CIO (DISTRICT 1199 PAC)

Please review the attached Informational Notice (IN) which is to be sent to the District 1199 PAC for the 1984 April Quarterly Report. Any comments which you may have should be forwarded to RAD by the close of business on Friday, July 13th. Thank you.

COMMENTS:

Attachment

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

RQ-5

Telbert King, Treasurer
District 1199 Political Action
Committee/National Union of
Hospital and Health, RWDSU,
AFL-CIO
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

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

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26a of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration.

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Eugene LaCroce
Reports Analyst
Reports Analysis Division

27044043021

Page 1 of 1 for .
LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

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)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W. 43RD STREET NEW YORK N.Y. 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer TO REIM-BURSE FOR 1/4/84 PAYMENT TO DIST 1199 Occupation RESTAURANT IN ERROR Aggregate Year-to-Date—$	Date (month, day, year) 2-2-84	Amount of Each Receipt this Period 68.-
B. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43RD STREET NEW YORK N.Y. 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer ADDITIONAL REIMBURSEMENT RE ABOVE- WILL BE Occupation CORRECTED Aggregate Year-to-Date—$	Date (month, day, year) 2-2-84	Amount of Each Receipt This Period 68.-
C. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43RD STREET NEW YORK N.Y. 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer TO REIM-BURSE FOR 1/2/83 PAYMENT TO NEWCO Occupation IN ERROR Aggregate Year-to-Date—$	Date (month, day, year) 3-26-84	Amount of Each Receipt This Period 450.
D. Full Name, Mailing Address and ZIP Code AMALGAMATED BANK OF NEW YORK Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer INTEREST Occupation Aggregate Year-to-Date—$	Date (month, day, year) 3-31-84	Amount of Each Receipt This Period 857.-
E. Full Name, Mailing Address and ZIP Code Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			1,443

2123316442

OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

84 JUL 3 P3:42

July 3, 1984

SENSITIVE

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

SUBJECT: RAD Referral 84L-6

On June 29, 1984 the Commission approved the recommendation that the subject RAD Referral be made a MUR. Therefore, all documents which had previously been identified as RAD Referral 84L-6 should now become MUR # 1733.

Attachment
Copy of Certification

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 2, 1984

Alvin Heaps
President
Retail, Wholesale, Department
Store Union
30 E. 29th Street
New York, New York 10016

Re: MUR 1733
Retail, Wholesale, Department
Store Union

Dear Mr. Heaps:

On June 29, 1984, the Federal Election Commission determined that there is reason to believe the Retail, Wholesale, Department Store Union violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Retail, Wholesale, Department Store Union. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

Frank P. Reiche

Frank P. Reiche,
Commissioner

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

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No. 1733

RESPONDENT Retail, Wholesale, Department Store Union

SUMMARY OF ALLEGATIONS

This matter was generated as the result of a review of the reports of receipts and disbursements of the District 1199 Political Action Fund (the "PAF") by the Reports Analysis Division.

During a review of the reports of receipts and disbursements provided by the PAF, Reports Analysts determined that during the 1981-82 election cycle, the PAF accepted a $20,000 loan from the Retail, Wholesale, Department Store Union ("RWDSU"). The PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the RWDSU on October 19, 1982. On May 4, 1983, a Request For Additional Information ("RFAI") was sent regarding the 30 Day Post-General Election Report advising the PAF that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised the PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor.

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the RWDSU representing full repayment of the loan. The date on the check indicated that the repayment was made on May 10, 1983.

For purposes of 2 U.S.C. § 441b(a), the term "contribution or expenditure" shall include any direct or indirect payment, distribution [or] loan.... It appears that the RWDSU made a prohibited contribution in the form of a loan in violation of the provisions of this section.

Accordingly, the Office of General Counsel recommends the Commission find reason to believe the Retail, Wholesale, Department Store Union violated 2 U.S.C. § 441b(a).

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 2, 1984

Doris Turner
President
District 1199 of the National Union
of Hospital and Health Care Employees
310 West 43rd Street
New York, New York 10036

Re: MUR 1733
District 1199 of the National
Union of Hospital and Health
Care Employees

Dear Ms. Turner:

On June 29, 1984, the Federal Election Commission determined that there is reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against District 1199 of the National Union of Hospital and Health Care Employees. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against District 1199 of the National Union of Hospital and Health Care Employees, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Commissioner

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

2741743229

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No. 1733

RESPONDENT District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO

SUMMARY OF ALLEGATIONS

This matter pertains to the referral of the District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (the "PAF"). During a review of the reports of receipts and expenditures provided by the PAF, Reports Analysts determined that during the 1981-82 election cycle, District 1199 of the National Union of Hospital and Health Care Employees ("NUHHCE") engaged in the following activities in apparent violation of 2 U.S.C. § 441b(a):

1. Make reimbursements to its separate segregated fund; and;

2. Caused treasury funds to be deposited in the PAF's account.

With respect to item #1, the 1982 October Quarterly and 30 Day Post-General Election Reports filed by the PAF disclosed the receipt of two (2) reimbursements from District 1199 one for $954 and one for $602. Each were characterized by the PAF as, "reimbursements for disbursements made in error." The alleged erroneous disbursement for $602 was made on July 8, 1982. The reimbursement was made on July 23, 1982. The alleged erroneous disbursements totalling $954 were made on September 23 and 29.

The reimbursement was made on October 14, 1982. On May 20, 1983, the Commission received a response from the PAF regarding the October Quarterly Report. The response indicated that the $602 from District 1199 represented a "return of an erroneous disbursement" by the PAF for printing. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199 "who was responsible for these bills". In addition, the Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District". In addition, the Amended 1981 Year End Report disclosed two disbursements totalling $2,195 to District 1199 accounts for funds which were deposited in the PAF's account "in error". Also, the 1982 30 Day Post-General Report disclosed a disbursement to District 1199 in the amount of $206. The PAF described the disbursement as a repayment for "monies deposited in error".

In attempting to provide an explanation as to the problems which occurred between the separate segregated fund and District 1199, Ray Anderson, the PAF's Controller, indicates that the transactions related to: 1) disbursements made by the PAF, "in error", with subsequent reimbursements received from District 1199 and; 2) funds incorrectly deposited into the PAF's account and subsequently disbursed to District 1199.

2 U.S.C. § 441b(a) makes "[i]t unlawful for any ... corporation ... or any labor organization whatever to make a contribution or expenditure in connection with any [federal] election ..., or for any ... political committee knowingly to accept or receive any contribution prohibited by this section ... ." The view that the prohibition against the commingling of treasury funds and voluntary contributions is to be strictly construed was specifically addressed in United States v. Pipefitters Local Union No. 562, 407 U.S. 385, 414 (1972), wherein the Supreme Court noted "that there must be a strict segregation of [the separate segregated fund's] monies from union dues and assessments."

It appears that Union treasury funds were frequently and inexplicably commingled with the PAF's funds. The October Quarterly and 30 Day Post General Reports disclose several reimbursements by District 1199 for disbursements originally made by the PAF and characterized as "in error". The 1981 Year End discloses reimbursements from District 1199 for "expenditures to be assumed by the District" and several other disbursements to District 1199 for funds which were "incorrectly deposited" in the PAF's account - each apparently in violation of 2 U.S.C. § 441b.

Accordingly, the Office of General Counsel recommends that the Commission find reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b.

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

July 2, 1984

Telbert King, Treasurer
District 1199 Political Action Fund
310 West 43rd Street
New York, New York 10036

Re: MUR 1733
District 1199 Political Action Fund
Telbert King, as treasurer

Dear Mr. King:

On June 29, 1984, the Federal Election Commission determined that there is reason to believe District 1199 Political Action Fund and you, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(a)(4)(A)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Commissioner

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

2741744

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No. 1733

RESPONDENTS District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO and Telbert King, as treasurer

SUMMARY OF ALLEGATIONS

This matter was generated as the result of a review of the reports of receipts and disbursements of the District 1199 Political Action Fund by the Reports Analysis Division.

This is a referral of the District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF"). 1/ During a review of the reports of receipts and expenditures provided by the PAF, Reports Analysts determined that during the 1981-82 election cycle, the PAF engaged in the following activities in apparent violation of 2 U.S.C. § 441b(a):

1. The PAF accepted reimbursements from labor organizations for disbursements made by PAF;

2. The PAF made reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate;

3. The PAF deposited union treasury funds in its account - and;

4. The PAF accepted a $20,000 loan from a labor organization.

1/ District 1199 is a division of the Retail, Wholesale and Department Store Union. Telbert King is treasurer of PAF.

With respect to item #1, the 1982 October Quarterly and 30 Day Post-General Election Reports filed by the PAF disclosed the receipt of two (2) reimbursements from District 1199 one for $954 and one for $602. Each were characterized by the PAF as, "reimbursements for disbursements made in error." The alleged erroneous disbursement for $602 was made on July 8, 1982. The reimbursement was made on July 23, 1982. The alleged erroneous disbursements totalling $954 were made on September 23 and 29. The reimbursement was made on October 14, 1982. On May 20, 1983, the Commission received a response from the PAF regarding the October Quarterly Report. The response indicated that the $602 from District 1199 represented a "return of an erroneous disbursement" by the PAF for printing. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199 "who was responsible for these bills". In addition, the Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District" and two disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the PAF's account. The PAF also indicated that it did not consider these transactions as contributions from a labor organization.

With respect to item #2, a review of the PAF's 1981 reports disclosed additional activity which appears to be questionable.

The 1981 Mid-Year Report included four (4) disbursements by PAF to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for contributions made on behalf of a Federal candidate.

With respect to item #3, PAF has refunded the treasury funds reportedly deposited into its account "in error." However, PAF has not completely refunded the reimbursements received from labor organizations for the disbursements noted in item 1. In addition, a preliminary review of PAF's 1983 Mid-Year and Year End Reports by Reports Analysts indicates that the PAF may still be depositing non-voluntary treasury funds and continuing to report the deposits as "in error" in addition to reporting receipts from the Union which appear to be proceeds from joint fundraisers. Also, the Amended 1981 Year End Report shows two (2) disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the political action account. The 1982 October Quarterly Report disclosed $1,054 in disbursements to District 1199, the Workers Defense Fund, Inc., and the Coalition of Labor Union Women for deposits or disbursements said to have been made in error. The 1982 30 Day Post-General Report disclosed disbursements to the National Union in the amount of $230 and to District 1199 in the amount of $206. In both cases, the disbursements were described as repayments for monies deposited in error.

A Request for Additional Information was sent on October 13, 1983, questioning the aforementioned transactions. Since there

was no response, a Second Notice was sent on November 3, 1983.

The PAF responded on November 7, 1983, and provided a brief explanation of the problems which had occurred between the separate segregated fund and other parties. According to a Roy Anderson, the PAF's Controller, the transactions related to: a) disbursements made by PAF in error with subsequent reimbursements received from District 1199, the National Union, the Workers Defense League Fund, and the Coalition of Labor; b) payments by the PAF to the National Union for printing on behalf of Mark Green for Congress; and c) funds incorrectly deposited into PAF's account which were subsequently disbursed to District 1199, the National Union and the Drug Industry Fund. It does not appear from either response that any of the reimbursements received by PAF for disbursements allegedly made in error have been refunded.

With respect to item #4, the PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union on October 19, 1982.

On May 4, 1983, a Request For Additional Information ("RFAI") was sent regarding the 30 Day Post-General Election Report advising the PAF that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised the PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor.

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the Retail, Wholesale and Department Store Union AFL-CIO ("RWDSU") representing full repayment of the loan. The date on the check indicated that the repayment was made on May 10, 1983.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 441b(a) makes "[i]t unlawful for any ... corporation ... or any labor organization whatever to make a contribution or expenditure in connection with any [federal] election ..., or for any ... political committee knowingly to accept or receive any contribution prohibited by this section ... ." The view that the prohibition against the commingling of treasury funds and voluntary contributions is to be strictly construed was specifically addressed in United States v. Pipefitters Local Union No. 562, 407 U.S. 385, 414 (1972), wherein the Supreme Court noted "that there must be a strict segregation of [the separate segregated fund's] monies from union dues and assessments." The question for consideration, therefore, is whether the Union's funds were commingled with the PAF's funds in violation of 441b.

It appears that Union treasury funds were frequently and inexplicably commingled with the PAF's funds. The October Quarterly and 30 Day Post General Reports disclose several reimbursements by District 1199 for disbursements originally made

by the PAF and characterized as "in error". The 1981 Year End discloses reimbursements from District 1199 for "expenditures to be assumed by the District" and several other disbursements to District 1199 for funds which were "incorrectly deposited" in the PAF's account - each apparently in violation of 2 U.S.C. § 441b.

Also, the 1981 Mid-Year Report included four disbursements by the PAF to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for in-kind contributions for printing on behalf of the Mark Green for Congress Committee.

The PAF's 30 Day Post General Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union ("RWDSU") on October 19, 1982. After the appropriate RFAI's regarding this matter were sent, and on May 19, 1983, the Commission received an amendment to the 30 Day Post General Report which included a copy of a $20,000 check to the RWDSU representing full repayment of the loan. For purposes of 2 U.S.C. § 441b(a), the term "contribution or expenditure" shall include any direct or indirect payment, distribution [or] loan.... It appears that the RWDSU made a prohibited contribution in the form of a loan in violation of the provisions of this section and that the PAF accepted the prohibited contribution in violation of this section.

On the same day, the PAF received the loan from the RWDSU, the PAF reportedly made a $20,000 contribution to Friends of Cuomo. The transaction was disclosed on a disbursement schedule and included the notation "loan-RWDSU COPE".

Finally, a recent update from RAD indicates that the PAF failed to file its 1984 April Quarterly Report in violation of 2 U.S.C. § 434(a)(4)(A)(i). The report was due on April 15, 1984, but the Commission has yet to receive it.

Accordingly, the Office of General Counsel recommends the Commission find reason to believe District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees and Telbert King, as treasurer, violated 2 U.S.C. § 441b.

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FEDERAL ELECTION COMMISSION

Telbert King, Treasurer

The 1981 Mid-Year Report filed by the political action fund disclosed four disbursements to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for contributions on behalf of the Mark Green for Congress Committee.

1. Please state whether each of the four disbursements was made for the purpose of reimbursing NUHHCE for a debt incurred by the NUHHCE on behalf of the political action fund.

2. If the response to No. 1 is yes, for each such disbursement:

   a) Describe the manner in which the debt was incurred;

   b) State the date upon which each debt was incurred, and

   c) State the amount of each debt incurred.

3. If the response to No. 1 is no, please describe why each disbursement was made.

4. Please state whether the NUHHCE printed any materials on behalf of the Mark Green for Congress Committee.

   For each such printing:

   a) State the date of the printing;

   b) State the cost of the printing; and

   c) State whether the political action fund requested such printing.

5. If NUHHCE did not print materials on behalf of the Mark Green for Congress Committee but had an outside vendor print them, please state:

   a) the name and address of the vendor;

   b) the date of each printing;

   c) the amount charged by the vendor for each printing; and

   d) whether the political action fund requested each such printing.

6. Describe the arrangements made between NUHHCE and the political action fund concerning the printing of materials on behalf of the Mark Green for Congress Committee. Please include a statement concerning who was responsible for payment and why the PAF made such arrangements through the union.

7. Describe the materials printed on behalf of the Mark Green for Congress Committee.

8. State whether any person connected with the Mark Green for Congress Committee was notified that the political action fund was printing materials on its behalf.

If so:

a) State the name and title of such person; and

b) the date of the notice.

9. State how the Mark Green for Congress Committee materials were distributed.

The 30 Day Post General Report provided by the political action fund disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union ("RWDSU") on October 19, 1982. On the fund's disbursement schedule, the transaction was shown and included the notation "loan-RWDSU COPE".

10. State the exact source of the $20,000 loan.

11. State the purpose of the loan.

12. Provide a copy of the check or other instrument on which the loan was made.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alvin Heaps
President
Retail, Wholesale, Department
Store Union
30 E. 29th Street
New York, New York 10016

Re: MUR.
Retail, Wholesale, Department
Store Union

Dear Mr. Heaps:

On , 1984, the Federal Election Commission determined that there is reason to believe the Retail, Wholesale, Department Store Union violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Retail, Wholesale, Department Store Union. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

DAB
7/2/14

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

3704041345

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Doris Turner
President
District 1199 of the National Union
of Hospital and Health Care Employees
310 West 43rd Street
New York, New York 10036

Re: MUR·
District 1199 of the National
Union of Hospital and Health
Care Employees

Dear Ms. Turner:

On , 1984, the Federal Election Commission determined that there is reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against District 1199 of the National Union of Hospital and Health Care Employees. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against District 1199 of the National Union of Hospital and Health Care Employees, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Telbert King, Treasurer
District 1199 Political Action Fund
310 West 43rd Street
New York, New York 10036

Re: MUR
District 1199 Political Action Fund
Telbert King, as treasurer

Dear Mr. King:

On , 1984, the Federal Election Commission determined that there is reason to believe District 1199 Political Action Fund and you, as treasurer, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

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

2741341349

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	RAD Referral #84L-6
District 1199 of the National Union of Hospital and Health Care Employees RWDSU, AFL-CIO, et. al.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 29, 1984, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral #84L-6:

1. Open a MUR.
2. Find reason to believe District 1199 PAF of the National Union of Hospital and Health Care Employees and Telbert King, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(a)(4)(A)(i).
3. Find reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b(a).
4. Find reason to believe the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).
5. Approve the letters with questions attached to the First General Counsel's Report signed June 26, 1984.

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

Attest:

6/29/84
Date

Jody C. Ransom
for 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

DATE: June 27, 1984

SUBJECT: RAD Referral 84L-6: 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	[X]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

RAD Referral # 84L-6
Staff Duane A. Brown

'84 JUN 27 A10: 03

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

RESPONDENTS' NAMES: District 1199 of the National Union of Hospital and Health Care Employees RWDSU, AFL-CIO
District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO
Telbert King, as treasurer
Retail, Wholesale and Department Store Union

RELEVANT STATUTE: 2 U.S.C. § 441b(a)

INTERNAL REPORTS CHECKED: Respondent PAF's Reports

FACTUAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was generated as the result of a review of the reports of receipts and disbursements of the District 1199 Political Action Fund by the Reports Analysis Division.

SUMMARY OF ALLEGATIONS

This is a referral of the District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF"). 1/ During a review of the reports of receipts and expenditures provided by the PAF, Reports Analysts determined that during the 1981-82 election cycle, the PAF engaged in the following activities in apparent violation of 2 U.S.C. § 441b(a):

1. The PAF accepted reimbursements from labor organizations for disbursements made by PAF;

1/ District 1199 is a division of the Retail, Wholesale and Department Store Union. Telbert King is treasurer of PAF.

2. The PAF made reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate;

3. The PAF deposited union treasury funds in its account - and;

4. The PAF accepted a $20,000 loan from a labor organization.

With respect to item #1, the 1982 October Quarterly and 30 Day Post-General Election Reports filed by the PAF disclosed the receipt of two (2) reimbursements from District 1199 one for $954 and one for $602. Each were characterized by the PAF as, "reimbursements for disbursements made in error." The alleged erroneous disbursement for $602 was made on July 8, 1982. The reimbursement was made on July 23, 1982. The alleged erroneous disbursements totalling $954 were made on September 23 and 29. The reimbursement was made on October 14, 1982. On May 20, 1983, the Commission received a response from the PAF regarding the October Quarterly Report. The response indicated that the $602 from District 1199 represented a "return of an erroneous disbursement" by the PAF for printing. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199 "who was responsible for these bills". In addition, the Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District" and two disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the PAF's account. The PAF also

indicated that it did not consider these transactions as contributions from a labor organization.

With respect to item #2, a review of the PAF's 1981 reports disclosed additional activity which appears to be questionable. The 1981 Mid-Year Report included four (4) disbursements by PAF to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for contributions made on behalf of a Federal candidate.

With respect to item #3, PAF has refunded the treasury funds reportedly deposited into its account "in error." However, PAF has not completely refunded the reimbursements received from labor organizations for the disbursements noted in item 1. In addition, a preliminary review of PAF's 1983 Mid-Year and Year End Reports by Reports Analysts indicates that the PAF may still be depositing non-voluntary treasury funds and continuing to report the deposits as "in error" in addition to reporting receipts from the Union which appear to be proceeds from joint fundraisers. Also, the Amended 1981 Year End Report shows two (2) disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the political action account. The 1982 October Quarterly Report disclosed $1,054 in disbursements to District 1199, the Workers Defense Fund, Inc., and the Coalition of Labor Union Women for deposits or disbursements said to have been made in error. The 1982 30 Day Post-General Report disclosed disbursements to the National Union

in the amount of $230 and to District 1199 in the amount of $206. In both cases, the disbursements were described as repayments for monies deposited in error.

A Request for Additional Information was sent on October 13, 1983, questioning the aforementioned transactions. Since there was no response, a Second Notice was sent on November 3, 1983.

The PAF responded on November 7, 1983, and provided a brief explanation of the problems which had occurred between the separate segregated fund and other parties. According to a Roy Anderson, the PAF's Controller, the transactions related to: a) disbursements made by PAF in error with subsequent reimbursements received from District 1199, the National Union, the Workers Defense League Fund, and the Coalition of Labor; b) payments by the PAF to the National Union for printing on behalf of Mark Green for Congress; and c) funds incorrectly deposited into PAF's account which were subsequently disbursed to District 1199, the National Union and the Drug Industry Fund. It does not appear from either response that any of the reimbursements received by PAF for disbursements allegedly made in error have been refunded.

With respect to item #4, the PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union on October 19, 1982. 2/

On May 4, 1983, a Request For Additional Information ("RFAI") was

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2/ On the same day, PAF reportedly made a $20,000 contribution to Friends of Cuomo. The transaction was disclosed on a disbursement schedule supporting Line 27 and included the notation "loan - RWDSU COPE".

sent regarding the 30 Day Post-General Election Report advising the PAF that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised the PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor.

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the Retail, Wholesale and Department Store Union AFL-CIO ("RWDSU") representing full repayment of the loan. The date on the check indicated that the repayment was made on May 10, 1983. The amendment, however, does not indicate whether the PAF was reimbursed by the Cuomo committee or whether the loan was repaid out of the PAF's treasury without receiving reimbursement from the Cuomo committee.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441b(a) makes "[i]t unlawful for any ... corporation ... or any labor organization whatever to make a contribution or expenditure in connection with any [federal] election ..., or for any ... political committee knowingly to accept or receive any contribution prohibited by this section ... ." The view that the prohibition against the commingling of treasury funds and voluntary contributions is to be strictly construed was specifically addressed in United States v. Pipefitters Local Union No. 562, 407 U.S. 385, 414 (1972), wherein the Supreme Court noted "that there must be a strict segregation of [the

separate segregated fund's] monies from union dues and assessments." The question for consideration, therefore, is whether the Union's funds were commingled with the PAF's funds in violation of 441b.

It appears that Union treasury funds were frequently and inexplicably commingled with the PAF's funds. The October Quarterly and 30 Day Post General Reports disclose several reimbursements by District 1199 for disbursements originally made by the PAF and characterized as "in error". The 1981 Year End discloses reimbursements from District 1199 for "expenditures to be assumed by the District" and several other disbursements to District 1199 for funds which were "incorrectly deposited" in the PAF's account - each apparently in violation of 2 U.S.C. § 441b.

Also, the 1981 Mid-Year Report included four disbursements by the PAF to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for in-kind contributions for printing on behalf of the Mark Green for Congress Committee. What is unclear, however, is whether the Union printed the Mark Green for Congress materials, or whether the Union contracted with an outside vendor and paid for the Mark Green materials on behalf of the PAF. Moreover, the Mark Green for Congress Committee reports do not reflect the receipt of an in-kind contribution from the NUHHCE or the PAF. Accordingly, this Office has prepared interrogatories to be sent to the PAF in an effort to ascertain the details pertaining to the disbursements

to the NUHHCE as they pertain to the Mark Green for Congress Committee. 3/

The PAF's 30 Day Post General Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union ("RWDSU") on October 19, 1982. After the appropriate RFAI's regarding this matter were sent, and on May 19, 1983, the Commission received an amendment to the 30 Day Post General Report which included a copy of a $20,000 check to the RWDSU representing full repayment of the loan.

For purposes of 2 U.S.C. § 441b(a), the term "contribution or expenditure" shall include any direct or indirect payment, distribution [or] loan.... It appears that the RWDSU made a prohibited contribution in the form of a loan in violation of the provisions of this section and that the PAF accepted the prohibited contribution in violation of this section.

On the same day, the PAF received the loan from the RWDSU, the PAF reportedly made a $20,000 contribution to Friends of Cuomo. The transaction was disclosed on a disbursement schedule and included the notation "loan-RWDSU COPE". It appears that the RWDSU intended to make a loan to the Cuomo Committee, but for some reason, made the loan indirectly to the Cuomo Committee while using the PAF as its intermediary. It also appears from the PAF's notation, "RWDSU COPE",

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3/ It does not appear that there is reason to believe that the Mark Green for Congress Committee has committed a violation at this time. If the responses received from the PAF indicate otherwise, further recommendations will be made.

that the RWDSU's COPE may be the actual source of the loan and not the union. Questions regarding the exact source of the loan will be included in the PAF's interrogatories.

Finally, a recent update from RAD indicates that the PAF failed to file its 1984 April Quarterly Report in violation of 2 U.S.C. § 434(a)(4)(A)(i). The report was due on April 15, 1984, but the Commission has yet to receive it.

RECOMMENDATIONS

1. Open a MUR.

2. Find reason to believe District 1199 PAF of the National Union of Hospital and Health Care Employees and Telbert King, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(a)(4)(A)(i).

3. Find reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b(a).

4. Find reason to believe the Retail, Wholesale and Department Store Union violated 2 U.S.C. § 441b(a).

5. Approve attached letters with questions.

Charles N. Steele
General Counsel

June 7, 1984
Date

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

Attachments
I - Referral
II - Proposed Letters (3)
III - Proposed Interrogatories
IV - Summary of RTB Findings (3)

ATTACHMENT I

84L-6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

16 February 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA /S/
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF DISTRICT 1199 POLITICAL ACTION FUND OF THE NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, RWDSU, AFL-CIO

This is a referral of the District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF"). During the 1981-82 election cycle, PAF was engaged in the following activities in apparent violation of 2 U.S.C. 441b(a):

1. accepting reimbursements from labor organizations for disbursements made in error by PAF;

2. making reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate;

3. depositing non-voluntary funds in error; and

4. receiving a $20,000 loan from a labor organization.

Disbursements have been made to remedy the apparent violations noted in items 3 and 4; however, PAF does not appear to have refunded the reimbursements received from labor organizations for disbursements made in error as noted in item 1. According to the Review and Referral Procedures (Chart 4), further examination is required by your office.

Please note that a cursory review of the 1983 Mid-Year and Year End Reports indicate that PAF may still be depositing non-voluntary funds in error (totaling ($170) and reporting receipts from the union totalling $14,106 which appear to be proceeds from fundraisers.

For your information, PAF was referred for possible audit under 2 U.S.C 438(b) on August 23, 1983; however, the Commission voted not to audit on September 13, 1983.

If you have any questions, please contact Ed Ryan at 523-4048.

Attachment

8711164136

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 16 February 1984

ANALYST: Edward Ryan

I. COMMITTEE: District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO 1/
(C00022400)
Telbert King, Treasurer
310 West 43rd Street
New York, NY 10036

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

III. BACKGROUND:

Activities Involving Prohibited Contributions - 2 U.S.C. 441b(a)

The 1982 October Quarterly and 30 Day Post-General Election Reports filed by District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") disclosed the receipt of two (2) reimbursements from District 1199 and District 1199 of the National Union of Hospital and Health Care Employees totalling $1,556 (Attachments 2a & 2b). In addition, PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union on October 19, 1982 (Attachment 3).2/

1/ District 1199 is a division of the Retail, Wholesale and Department Store Union.

2/ On the same day, PAF reportedly made a $20,000 contribution to Friends of Cuomo. The transaction was disclosed on a disbursement schedule supporting Line 27 and included the notation "loan - RWDSU COPE".

On May 4, 1983, a Request for Additional Information ("RFAI") was sent on the 30 Day Post-General Election Report advising PAF that contributions by labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor (Attachment 4). PAF was also notified via a May 5th Informational Notice that it may have received a prohibited labor contribution during the October Quarterly reporting period, and that a refund should be made (Attachment 5).

On May 12, 1983, representatives of PAF called the Reports Analysis Division (RAD) analyst to say that they had received the notices. Telbert King, PAF's new treasurer, asked several questions regarding a labor organization loaning or contributing money to its separate segregated fund. He was advised that a labor organization may not loan or contribute money from its general treasury to its separate segregated fund. He was informed that affiliated committees may transfer money between one another without limit, but under no circumstances could they accept money from the general treasury of a labor organization. He said he would repay the loan according to the instructions in the notice (Attachment 6).

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the Retail, Wholesale and Department Store Union AFL-CIO representing full repayment of the loan (Attachment 7). 3/ As indicated on the check, repayment was made on May 10, 1983. The transaction was disclosed on PAF's 1983 Mid-Year Report (Attachment 8). The May 19th response, however, did not include an explanation regarding the $954 reimbursement from District 1199 of the National Union of Hospital and Health Care Employees.

3/ The check included a notation that the amount was a contribution for Cuomo for Governor.

2704134 3

On May 20, 1983, the Commission received a response from PAF regarding the October Quarterly Report, which stated that the $602 from District 1199 was a "return of an erroneous disbursement" for printing which PAF had made. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199" who was responsible for these bills." PAF also indicated that it did not consider this transaction a contribution from a labor organization (Attachment 9).

A subsequent review of PAF's 1981 and 1982 reports disclosed additional activity that appeared to be questionable. The 1981 Mid-Year Report included four (4) reimbursements by PAF to the National Union of Hospital and Health Care Employees totalling $1,006 for contributions on behalf of a Federal candidate (Attachment 10). The Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District" and two (2) disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the political action account (Attachments 11a and 11b). The 1982 October Quarterly Report disclosed $1,054 in disbursements to District 1199, the Workers Defense Fund, Inc., and the Coalition of Labor Union Women for deposits or disbursements made in error (Attachment 12). The 1982 30 Day Post-General Report disclosed disbursements to the National Union in the amount of $230 and to District 1199 in the amount of $206. In both cases, the disbursements were for monies deposited in error (Attachment 13).

A Request for Additional Information was sent on October 13, 1983, questioning the aforementioned transactions (Attachment 14). Since there was no response, a Second Notice was sent on November 3, 1983 (Attachment 15).

PAF did respond on November 7, 1983 by providing a brief explanation of the problems that occurred between the separate segregated fund and several other parties (Attachment 16). According to Mr. Roy Anderson (PAF's Controller), the transactions related to: a) disbursements made by PAF in error with subsequent reimbursements received from District 1199, the National Union, the Workers Defense League, and the Coalition of Labor; b) payments by PAF to the National Union for printing on behalf of Mark Green for Congress; and c) and funds incorrectly deposited into PAF's account which were subsequently disbursed to District 1199, the National Union, and the Drug Industry Fund.

On November 15, 1983, a second response was received from PAF, which reiterated points mentioned in the earlier response (Attachment 17). It does not appear from either response that any of the reimbursements received by PAF for disbursements in error have been refunded.

The attached chart lists the apparent violations of 2 U.S.C. 441b by category and report type. The figures have been derived from reports filed by PAF.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

There are no outstanding RFAIs or other matters requiring referral.

27044136

CHART ON APPARENT VIOLATIONS OF 2 U.S.C. 441b

I. Deposits in Error

	Date Rec'd	Amount	Date Disb.
1981 Mid-Year	3/9/81	$ 5	7/10/81
	6/81	1,970	7/6/81
1981 Year End	7/1/81	220	7/6/81
1982 October Qtrly.	7/15/81	100	7/23/82
1982 Post-General	10/8/82	230	11/16/82
	11/4/82	40	11/16/82
	11/15/82	166	11/16/82
TOTAL		$2,731	

II. Reimbursement Received by PAC for Disbursements in Error

	Date Disb.	Amount	Date Rec'd
1981 Mid-Year	4/16/81	$1,370	7/81
	6/23/81	43.77	7/81
	6/26/81	450	7/81
1981 Year End	3/25/81	450	8/5/81
1982 October Qtrly.	7/8/82	602	7/23/82
1982 Post-General	9/23/82	279	10/14/82
	9/29/82	600	10/14/82
	9/29/82	75	10/14/82
TOTAL		$3,869 .77	

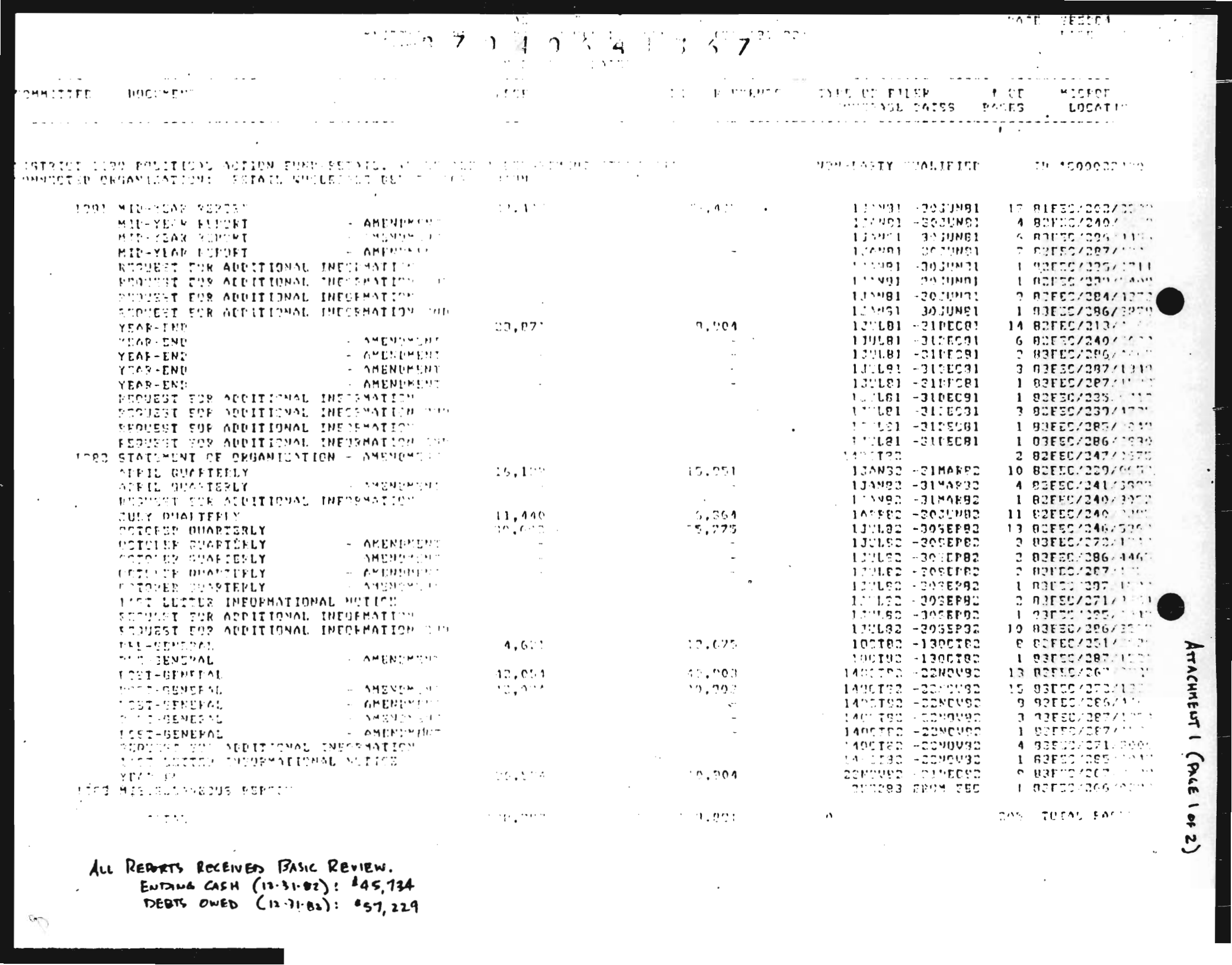
III. Reimbursements to Union for In-Kind Contributions

	Date Disb.	Amount
1981 Mid-Year	2/23/81	$ 361
	2/23/81	104
	2/23/81	235
	5/26/81	306
TOTAL		$1,006

IV. Loan from Union to PAC

	Date Rec'd	Amount	Date Repaid
1982 Post-General	10/19/82	$20,000	5/10/83
TOTAL		$20,000	
GRAND TOTAL		$27,606 .77	

2741365



ALL REPORTS RECEIVED BASIC REVIEW.
ENDING CASH (12-31-82): $45,734
DEBTS OWED (12-31-82): $57,229

ATTACHMENT 1 (PAGE 1 of 2)

COMMITTEE	DOCUMENT	RECEIPTS		DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
DISTRICT 1122 POLITICAL ACTION FUND/RETAIL WHOLESALE AND DEPARTMENT STORE UNION					NON-PARTY QUALIFIED		ID #C00022400
CONNECTED ORGANIZATION: RETAIL WHOLESALE DEPT STORE UNION							
1983	REQUEST FOR ADDITIONAL INFORMATION					1	83FEC/271/3004
	STATEMENT OF ORGANIZATION - AMENDMENT				7MAR83	1	83FEC/267/2720
	STATEMENT OF ORGANIZATION - AMENDMENT				19MAY83	1	83FEC/272/1570
	MID-YEAR REPORT	36,051		40,677	1JAN83 -30JUN83	15	83FEC/280/3610
	YEAR-END	35,076		15,429	1JUL83 -31DEC83	13	84FEC/296/1619
	TOTAL	71,127	0	56,106	0	31	TOTAL PAGES

No reports have been reviewed.

Ending cash-on-hand as of December 31, 1983:	$60,755
Debts owed to the committee as of December 31, 1983:	$ 0
Debts owed by the committee as of December 31, 1983:	$35,811

Attachment 1
(Page 2 of 2)

SCHEDULE A — ITEMIZED RECEIPTS — (Use separate schedule(s) for each category of the Detailed Summary Page)

October Quarterly Report

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)
DISTRICT 1199 POLITICAL ACTION FUND

	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt this Period
A. Full Name, Mailing Address and ZIP Code * RAFFLE Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	7-82 8-82 9-82	3,971.- 6,280.- 10,336.
B. ~~Full Name, Mailing Address and ZIP Code~~ * DRAWING, FORMALLY TO BE HELD OCT. 6, 1982, HAS BEEN POSTPONED TO DEC 10, 1982 TO ALLOW MORE MEMBERS TO PARTICIPATE Receipt For: ~~☐ Primary ☐ General~~ ☐ Other ~~(specify)~~	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
C. ~~Full Name, Mailing Address and ZIP Code~~ 25% OF PROCEEDS TO BE GIVEN TO DISTRICT 1199 SOLIDARITY FUND Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code MANUFACTURERS BANK OF NEW YORK Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer INTEREST Occupation Aggregate Year-to-Date—$	Date (month, day, year) 9-30-82	Amount of Each Receipt This Period 165.-
E. Full Name, Mailing Address and ZIP Code MICHAEL AIFKIN 318 W 101 ST NEW YORK NY 10025 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer DEPOSIT IN ERROR Occupation Aggregate Year-to-Date—$	Date (month, day, year) 7-15-82	Amount of Each Receipt This Period 100.-
F. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 ST NEW YORK NY 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer REIMBURSEMENT FOR 7-8-82 DISBURSEMENT Occupation IN ERROR Aggregate Year-to-Date—$	Date (month, day, year) 7-23-82	Amount of Each Receipt This Period 602.-
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			21,154.

SCHEDULE A — ITEMIZED RECEIPTS — (Use separate schedule(s) for each category of the Detailed Summary Page)

30 Day [redacted]t General Election

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): DISTRICT 1199 POLITICAL ACTION FUND

	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt this Period
A. Full Name, Mailing Address and ZIP Code * RAFFLE Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	OCT 14-31 NOV. 1-22	2,125 7,672
B. ~~Full Name, Mailing Address and ZIP Code~~ * DRAWING FORMALLY TO BE HELD OCT. 6, 1982, HAS BEEN POSTPONED TO DEC 10 1982 TO ALLOW MORE MEMBERS TO PARTICIPATE Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
C. ~~Full Name, Mailing Address and ZIP Code~~ 25% OF PROCEEDS TO BE GIVEN TO DISTRICT 1199 SOLIDARITY FUND Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code DISTRICT 1199, NUH & H.C.E. 310 W. 43 ST. N.Y. 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer REIMBURSEMENT FOR DISBURSMENTS MADE Occupation IN ERROR 9/23 & 9/29/82 Aggregate Year-to-Date—$	Date (month, day, year) 10-14-82	Amount of Each Receipt This Period 954
E. Full Name, Mailing Address and ZIP Code BROOKDALE VILLAGE 125 B. 19 ST. FAR ROCKAWAY, N.Y. 11691 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer ADJUSTMENT - DEPOSIT IN ERROR Occupation SEE DISBURSEMENTS Aggregate Year-to-Date—$	Date (month, day, year) 10-8-82	Amount of Each Receipt This Period 230
F. Full Name, Mailing Address and ZIP Code FRIENDS OF MARIO CUOMO Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer REIMBURSEMENT FOR LIQUOR BILL Occupation SEE DISBURSEMENTS Aggregate Year-to-Date—$	Date (month, day, year) 11-4-82	Amount of Each Receipt This Period 202
G. Full Name, Mailing Address and ZIP Code ROSE MALDONADO 1197 E. 174 ST BRONX, N.Y. 10472 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer DEPOSIT IN ERROR Occupation SEE DISBURSEMENTS Aggregate Year-to-Date—$	Date (month, day, year) 11-4-82	Amount of Each Receipt This Period 40
SUBTOTAL of Receipts This Page (optional)			11,223
TOTAL This Period (last page this line number only)			

LOANS

LINE NUMBER 16 #3
(Use separate schedules for each numbered line)

30 Day Post General Election Report

Name of Committee (in Full)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES POLITICAL ACTION FUND Election: ☐ Primary ☐ General ☐ Other (specify)	$ 20,000.-	12,000.-	13,000.-

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. ~~Full Name, Mailing Address and ZIP Code~~ 310 W 43 RD STREET NEW YORK, N.Y. 10036	Name of Employer Occupation Amount Guaranteed Outstanding: $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION Election: ☐ Primary ☑ General ☐ Other (specify):	$ 20,000.-	- 0 -	20,000.-

Terms: Date Incurred 10-19-82 Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. ~~Full Name, Mailing Address and ZIP Code~~ 30 E. 29 STREET NEW YORK, N.Y. 10016	Name of Employer Occupation Amount Guaranteed Outstanding: $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	33,000.-

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

8303247271 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

4 May 1983

Telbert King, Treasurer
District 1199 Political Action Fund
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

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

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26a of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

-The total amount of contributions itemized on Schedule A plus the total amount of unitemized contributions reported on the Detailed Summary Page should equal the total reported on Line 11(a) of the Detailed Summary Page. Please amend either Schedule A or the Detailed Summary figures to correct this discrepancy. (11 CFR 104.3(a))

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

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

27114437

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

5 May 1983

Telbert King, Treasurer
District 1199 Political Action Fund
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: October Quarterly Report (7/1/82-9/30/82)

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26a of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

15

Attachment 6

MEMORANDUM TO THE FILE

TELECON WITH : Telbert King, Treasurer, Roy Anderson, Comptroller, & Alan S. Schneyman of Fine & Gruber, P.C.

ANALYST : Ed Ryan

DATE : May 12, 1983

SUBJECT : Notices dated May 4 and 5, 1983

Mr. King, treasurer of the Political Action Fund, Roy Anderson and Alan S. Schneyman called regarding notices which had been recently sent. Mr. King asked several questions regarding a labor organization loaning or contributing money to its separate segregated fund. I told Mr. King that a labor union could not contribute any money from general treasury funds of the union to its separate segregated fund. He then asked if a separate segregated fund may loan or contribute to another separate segregated fund? I told him a separate segregated fund can loan or contribute money to another separate segregated fund provided that they stay within the contribution limitations for political committees. I went on to say that affiliated separate segregated funds can loan, contribute or transfer money to each other without limitation , but under no circumstances could they accept money from the general treasury of the labor organization. He started to explain about the reimbursements, but I advised him to include all of that information in his response. He said he would, and he would also refund the $20,000 from the Retail, Wholesale and Department Store Union per the instructions in the notice .

Amended 1982 30 Day Post-General Report

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

May 10, 1983

POLITICAL ACTION FUND

Edward Ryan
Reports Analyst
Reports Analyst Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Ryan:

RE: Federal Election Commission
Report of Receipts and
Disbursements-- dated
Oct. 14, 1982 to
Nov. 22, 1982

I.D. No. C00022400

Thank you for your letters to Telbert King, Treasurer, District 1199 Political Action Fund, dated 4 May, 1983 as RQ-1 and 4 May 1983 as RQ-2.

RQ-1 is replied to as follows: enclosed is the amended report with R.W.D.S.U. fully written out and added to the name of our committee;

RQ-2 is replied to as follows: we have refunded the $20,000.00 to the donor by certified check, and enclose herewith a copy of that check; and

RQ-2 is additionally replied to as follows: no change in the report has been made as to contributions because no contributions were shown in the Schedule A., only items shown are "other receipts". Items 11(a) and 11(d) total contributions are respectively $5,288 and are in agreement. Schedule A items are all fully explained.

Unless we are in error, the enclosed amended report is, hopefully, submitted in satisfaction of your letters. The refund will appear on Line 26a of the Detailed Summary Page of our next report.

Faithfully Yours,
District 1199
Political Action Fund
Roy Anderson, Comptroller

coe 1199/ra

Doris Turner, *President*
Exec. Vice Presidents: Sondra Clark, *RN Div.* • Philip Kamenkowitz, *Drug Div.* • Jesse Olson, *Guild Div.* • Ramon Malave, *Hospital Div.*
Vice Presidents: Judith Berek • Herbert Binger • Henrietta Doar • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Gioia
Edward Kay • Telbert King • Barrington Moore • Karl Rath • Floris Saunders • Floyd Shepard • Edward Wecker • David White

83 MAY 19 P1:33

DATE		AMOUNT
Contribution		20,000 00
Cuomo -0	fice of	Governor.

DISTRICT 1199 POLITICAL ACTION FUND
310 WEST 43RD STREET
NEW YORK, N.Y. 10036

1251

1-337/260

May 10, 1983 19

PAY TO THE ORDER OF RETAIL, WHOLESALE AND DEPARTMENT STORE UNION AFL/CIO $20,000.00

$20000 and 00 cts DOLLARS

CERTIFIED

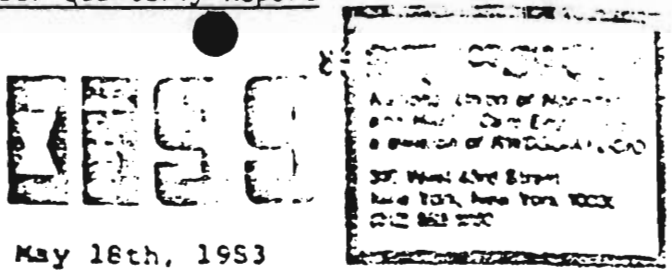
AMALGAMATED BANK OF NEW YORK
124 1710 BROADWAY NEW YORK, NEW YORK 10019

Louis Burner

"001251" :026003379: 3100328

197315

Amended October Quarterly Report



May 18th, 1993

Mr. Edward Ryan, Reports Analyst
Federal Election Commission
Reports Analysis Division
Washington, D.C. #20463

Re: I.D. No. C00022400
October Quarterly Report
(7/1/92-9/30/92)
RQ-5

Dear Mr. Ryan:

Pursuant to your telephone conversation with Alan S. Schneyman of Fine and Gruber, P.C. we wish to reiterate our position that no contribution from a labor organization was received during the above referenced period.

The receipt of $602.00 from District #1199 which you question (item F on Schedule A) was in fact the return of an erroneous disbursement which was made two weeks earlier. This occured when two bills totaling $601.50 which were not properly payable by District #1199 Political Action Fund were miscoded and included along with another printing bill in the payment to National Union made on July 8, 1992 and shown in item A on page 5 of itemized disbursements. When the error was discovered the money was refunded to the District #1199 Political Action Fund by District #1199 who was respon-

Dan Tumm, President
Executive Secretary Carol, RN D... • Phillip Kamenkowitz, Dave D... • Jose C... Gold E... • ... Mitchell, R... D...
... • Bernard L... • Bernard R... • Alan L... • ... • ...
... • Tim ... • Larry ... • Ken Lall • ... • ... • ...

DISTRICT 1199
National Union of Hospital and Nursing Home Employees
310 West 43rd Street
New York, New York 10036

sible for these bills. This was clearly not a contribution from a labor organization.

If you require any further information please contact the undersigned.

Sincerely yours,

Roy Anderson,
Comptroller

Dennis Rivera, President
Executive Vice Presidents: Sondra Clark, R.N. Div. • Phil Bartholomew, Drug Div. • Jesse Olson, Guild Div. • Lorraine Holmes, Hospital Div.
Vice Presidents: Jack Tyler • Herbert Lee • Henrietta Lee • Arlene Lee • Sandra Lee • Victor G.
Executive Secretary • Telecommunications Director • Barbara Brown • Ken Hall • Florida Supervisor • Organizing Director • Director of Women's Affairs

ATTACHMENT 9

1983 Mid-Year Report

SUMMARY PAGE
...tements
...E (FORM 3X)

Name of Committee (in Full)
DISTRICT 1199 Political Action Fund

Report Covering the Period
From 1-1-83 To 6-30-83

	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	27603	27603	11(a)
Memo Entry Unitemized $ 27603			
(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))	27603	27603	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 AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Dividends, Interest, etc.)	9448	9448	17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	37051	37051	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	213	213	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	6250	6250	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	20000	20000	24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees	18	18	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))	18	18	26(d)
27. OTHER DISBURSEMENTS	18346	18346	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	44977	44977	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	27603	27603	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)	18	18	30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	27585	27585	31
32. TOTAL OPERATING EXPENDITURES from Line 19	213	213	32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	-0-	-0-	33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	213	213	34

21

FUND

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding Close of This Period
[illegible] CAKE EMPLOYEES [illegible]	$ 25,000-	$ 12,000-	$ 13,000-

Election: [illegible]

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code 310 W. 43RD STREET NEW YORK, N.Y 10036.	Name of Employer Occupation Amount Guaranteed Outstanding: $
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding Close of This Period
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION	$ 20000.	20000-	-0-

Election: ☐ Primary ☐ [illegible] ☐ Other (specify):

Terms: Date Incurred 10-14-82 Date Due _____ Interest Rate _____ % (apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code 30 E. 29 STREET NEW YORK, N.Y 10016	Name of Employer Occupation Amount Guaranteed Outstanding: $
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $

SUBTOTALS This Period This Page (optional) . . . . . .

TOTALS This Period (last page in this line only) . . . . . .

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

8303282036122

22

SCHEDULE B — ITEMIZED DISBURSEMENTS

1981 MID-YEAR REPORT

Name of Committee (in Full)

DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code TED WEISS FOR CONGRESS COMM 180 EAST END AVE. NEW YORK 10028	Purpose of Disbursement PARTY CELEBRATION Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 4-29-81	Amount of Each Disbursement This Period 300 -
B. Full Name, Mailing Address and ZIP Code CITIZENS COMM FOR FRED 42 PIERREPONT ST. BROOKLYN BROOKLYN NY 11201	Purpose of Disbursement RECEPTION. Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 5-22-81	Amount of Each Disbursement This Period 250 -
C. Full Name, Mailing Address and ZIP Code NATIONAL UNION OF HOSP. & HEALTH CARE EMPLOYEES 310 W 43 ST NEW YORK	Purpose of Disbursement LEAFLET - MARK GREEN FOR CONGRESS Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 2-23-81 3-26-81	Amount of Each Disbursement This Period 34 - 301 -
D. Full Name, Mailing Address and ZIP Code NATIONAL UNION	Purpose of Disbursement DINNER INVITATIONS MARK GREEN Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 2-23-81	Amount of Each Disbursement This Period 104 -
E. Full Name, Mailing Address and ZIP Code NATIONAL UNION	Purpose of Disbursement PRINTING COCKTAIL PARTY MARK GREEN Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 2-23-81	Amount of Each Disbursement This Period 230 -
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUB TOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			1574.

Name of Committee (in Full)
DISTRICT 1199 POLITICAL ACTION FUND C00022400

A. Full Name, Mailing Address and ZIP Code ATLANTIC CITY BUS RIDE 310 WEST 43rd STREET NEW YORK NY 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A SOCIAL AFFAIR Occupation HELD 6-27-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81 8-81	Amount of Each Receipt This Period 200. 33-
B. Full Name, Mailing Address and ZIP Code SALUTE TO FREEDOM 310 W 43 ST. NEW YORK NY 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A, CIVIC, SOCIAL AWARD AFFAIR Occupation HELD 6-27-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81	Amount of Each Receipt This Period VO.
C. Full Name, Mailing Address and ZIP Code LONG ISLAND BOAT RIDE 310 WEST 43 ST. NEW YORK NY 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A SOCIAL AFFAIR Occupation HELD 7-10-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81	Amount of Each Receipt This Period 2224.
D. Full Name, Mailing Address and ZIP Code BOUNCED CHECK Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer RAFFLE HELD 9-80 Occupation Aggregate Year-to-Date-$	Date (month, day, year) 8-81	Amount of Each Receipt This Period (6.)
E. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 ST NEW YORK NY Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer REIMBURSEMENT FOR EXPENDITURE - TO Occupation BE ASSUMED BY DISTRICT Aggregate Year-to-Date-$	Date (month, day, year) 8-81	Amount of Each Receipt This Period 45.
F. Full Name, Mailing Address and ZIP Code) Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			24 51.

8-13

1981 YEAR END REPORT - AMENDED

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)

DISTRICT 1199 POLITICAL ACTION FUND

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for	Date (month, day, year)	Amount of Each Disbursement This Period
DISTRICT 1199 310 WEST 43 ST. NEW YORK NY 10036	TRANSFER OF DEPOSITS - INCORRECTLY MADE JUNE Disbursement for ☐ Primary ☐ General ☐ Other (specify) ☒ JULY 1981	7-6-81	2190.-
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for	Date (month, day, year)	Amount of Each Disbursement This Period
DIST. 1199 DRUG INC. FUND 310 WEST 43 ST NEW YORK NY 10036	TRANSFER OF DEPOSIT INCORRECTLY MADE Disbursement for ☐ Primary ☐ General ☐ Other (specify) MARCH 1981	7-10-81	√.
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			2190 -

ATTACHMENT 12

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)

DISTRICT 1199 POLITICAL ACTION FUND

	Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for ☐Primary ☐General ☐Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
A	NATIONAL UNION OF HOSP. & HEALTH CARE EMPLOYEES 310 W 43 ST NY 10036	DISBURSEMENT IN ERROR	7-8-82	602.-
B	DISTRICT 1199 310 - W 43 ST. NY NY 10036	TO ADJUST FOR 7-8-82 DEPOSIT IN ERROR	7-22-82	100.-
C	NATIONAL UNION	DISBURSEMENT IN ERROR	9-23-82	279.-
D	WORKERS DEFENSE LEAGUE. 64 5TH AVE. N.Y. NY 10011 INT	SAME	9-29-82	600.-
E	COALITION OF LABOR UNION WOMEN 156 PARK AVE N.Y. NY 10016	SAME	9-29-82	75.-
F				
G				
H				
I				

SUBTOTAL of Disbursements This Page (optional)	1,654.-
TOTAL This Period (last page this line number only)	18786.-

C 00071410 042032405374

1982 - POST-GENERAL ELECTION REPORT - AMENDED (Page 1 of

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) DISTRICT 1199 POLITICAL ACTION FUND
RETAIL WHOLESALE AND DEPARTMENT STORE UNION

A. Full Name, Mailing Address and ZIP Code NY CHAPTER, AMERICANS FOR DEMOCRATIC ACTION	Purpose of Disbursement CONTRIBUTION Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-22-82	Amount of Each Disbursement This Period 100
B. Full Name, Mailing Address and ZIP Code 320 WEST END AVE. NEW YORK, NY 10023	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code CASH - E. KAY 1444 E. 19 ST. BROOKLYN, NY 11230	Purpose of Disbursement EXPENSES - VARIOUS L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-25-82 27	Amount of Each Disbursement This Period 700 300
D. Full Name, Mailing Address and ZIP Code BRENT QUARLES	Purpose of Disbursement MUSIC - L.I. DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-25-82	Amount of Each Disbursement This Period 175
E. Full Name, Mailing Address and ZIP Code SAMMY FORDON 2975 W 24 ST. BROOKLYN NY 11224	Purpose of Disbursement MUSIC - L.I. DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-27-82	Amount of Each Disbursement This Period 600
F. Full Name, Mailing Address and ZIP Code KENTUCKY FRIED CHICKEN 215 OSER AVE HAUPPAUGE NY 11787	Purpose of Disbursement FOOD - L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-27-82	Amount of Each Disbursement This Period 729
G. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 ST NY NY 10036	Purpose of Disbursement REIMBURSEMENT RENTAL - L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-2-82	Amount of Each Disbursement This Period 800
H. Full Name, Mailing Address and ZIP Code MANHATTAN PLAZA WINERY 489 9TH AVE NY. NY 10036	Purpose of Disbursement RE CUOMO SEE 11-4-82 RECEIPT Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-16-82	Amount of Each Disbursement This Period 202
I. Full Name, Mailing Address and ZIP Code NATIONAL UNION 310 W 43 ST NY NY 10036	Purpose of Disbursement CORRECTION - 10-8-82 DEPOSIT IN ERROR Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-15-82	Amount of Each Disbursement This Period 330
SUBTOTAL of Disbursements This Page (optional)			3836
TOTAL This Period (last page this line number only)			

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) DISTRICT 1199 POLITICAL ACTION FUND
RETAIL WHOLESALE AND DEPARTMENT STORE UNION

	Purpose of Disbursement / Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
A. Full Name, Mailing Address and ZIP Code DISTRICT 1199	CORRECTION: 11/4 & 11/15 DEPOSITS IN ERROR	11-16-82	266
B. Full Name, Mailing Address and ZIP Code DISTRICT 1199 SOLIDARITY FUND 310 W 43 St. NY NY 10036	DISTRIBUTION - 25% OF RAFFLE PROCEEDS	11-2-82 19	5587 1238
C. Full Name, Mailing Address and ZIP Code			
D. Full Name, Mailing Address and ZIP Code			
E. Full Name, Mailing Address and ZIP Code			
F. Full Name, Mailing Address and ZIP Code			
G. Full Name, Mailing Address and ZIP Code			
H. Full Name, Mailing Address and ZIP Code			
I. Full Name, Mailing Address and ZIP Code			

SUBTOTAL of Disbursements This Page (optional)	7031
TOTAL This Period (last page this line number only)	37237

2F

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 13, 1983

Telbert King, Treasurer
District 1199 Political Action Fund/
Retail, Wholesale & Department
Store Union
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Mid-Year (1/1/81-6/30/81), Amended Year End (7/1/81-12/31/81), October Quarterly (7/1/82-9/30/82) and Amended 30 Day Post-General (10/14/82-11/22/82) Reports

Dear Mr. King:

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

-Your reports disclose apparent contributions from labor organizations (pertinent portions attached). In addition, there appear to be contributions on behalf of a Federal candidate, which have been made by a labor organization. You are advised that contributions from/by labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26(a) of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance and making of prohibited contributions, prompt action by you to refund the full amount will be taken into consideration by the Commission. You are reminded that an explanation should be provided for each apparent violation.

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

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

27144134

ATTACHMENT 15

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-3

November 3, 1983

Telbert King, Treasurer
District 1199 Political Action Fund/
Retail, Wholesale & Department
Store Union
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Mid-Year (1/1/81-6/30/81), Amended Year End (7/1/81-12/31/81) and October Quarterly (7/1/82-9/30/82) Reports

Dear Mr. King:

This letter is to inform you that as of November 2, 1983, the Commission has not received your response to our request for additional information, dated October 13, 1983. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Edward Ryan on our toll-free number (800) 424-9530 or our local number (202) 357-0026.

Sincerely,

John D. Gibson for
Assistant Staff Director
Reports Analysis Division

Enclosure



DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

November 1, 1983

"POLITICAL ACTION FUND"

Edward Ryan
Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Ryan:

Identification Number: C00022400

Responding to your letter of October 13, 1983, "RQ-2", requesting amendments to certain original reports (see copy of your letter attached) we have had our accountants prepare corrective adjustments, according to the attachments to your letter, which we have numbered 1 to 7 and tied these numbers in with our corrective adjustments. (i.e.: 1st Attachment, 2nd Attachment, 3rd Attachment, & etc.).

Trusting this is the information you need, remain,

Very truly yours,
DISTRICT 1199,
POLITICAL ACTION FUND

Roy Anderson, Comptroller
for Teibert King, Treasurer

coe:1199/RA/mf

Doris Turner, President
Exec. Vice Presidents: Phillip Kamerdorwitz, Drug Div. • Jesse Olson, Guild Div. • Ramon Malave, Hospital Div.
Vice Presidents: Herbert Binger • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Gioia •
Edward Kay • Teibert King • Barrington Moore • Karl Rath • [illegible] Saunders • Floyd Shepard • Edward Wacker • David White

DISTRICT 9TH POLITICAL ACTION FUND
DETAILS RE: ITEMS
FEDERAL ELECTION LETTER DATED 13 OCTOBER 1982

1ST ATTACHMENT

DISBURSEMENTS MADE IN ERROR

4/16	A BATORAS	1370.
6/23	J. FERGUSON	4277
6/26	SOO OKLAHOMA	1990.
		18637

SHOULD HAVE BEEN MADE BY DISTRICT 1199. WAS REIMBURSED IN JULY 1981. SEE PG. 1 OF 2, LINE 17 JANUARY 31 YEAR-END REPORT

2ND ATTACHMENT

ALL PAYMENTS TO NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES REPRESENT PAYMENT FOR PRINTING SERVICES AS INDICATED ON ATTACHMENT RE: MARK GREEN FOR CONGRESS.

3RD ATTACHMENT

3/5/81 REIMBURSEMENT FROM DISTRICT 1199 [illegible] WAS IS FOR 3/27/81 DISBURSEMENT TO BEVER FOR DEPOSIT - HALL RENTAL. LATER WAS LISTED ON PG 1 OF H. ITEM 19 IN JULY 1981 MID-YEAR REPORT.

27110329461136

4th ATTACHMENT

7/6/81 DISBURSEMENT TO DISTRICT 1199 OF $ 2190.-
REPRESENTS TRANSFER OF BOOKS RECEIVED
IN JUNE OF 1980.- AND FULL I OF 22
FOR EVENTS HELD BY DISTRICT 1199, BUT
INCORRECTLY DEPOSITED IN POLITICAL ACTION
SEE RESPECTIVE REPORTS.

2/2/81 DISBURSEMENT TO DISTRICT 1199
DRUG INDUSTRY FUND OF MONEY DEPOSITED
3/9/81 " " INCORRECTLY, SEE REPORT.

8 3 0 3 2 9 6 1 1 7 0

ATTACHMENT

1. 7/29/82 DISBURSEMENT TO DISTRICT 1199 OF $100 - IS TO TRANSFER AMOUNT RECEIPTED FROM MICHAEL RIFKIN - 7/1/82 AND DEPOSITED HERE IN ERROR. SEE REPORT.

2. 9/29/82 DISBURSEMENT TO NATIONAL UNION OF 27 - WAS IN ERROR AS IT HAD TO DO WITH AN EVENT HELD BY DISTRICT 1199. REIMBURSED OCTOBER 14 SEE REPORT

3. 9/29/82 DISBURSEMENT TO WORKERS DEFENSE LEAGUE, INC OF $50 - WAS IN ERROR AS IT WAS NOT A POLITICAL CONTRIBUTION WAS REIMBURSED OCTOBER 14 SEE REPORT

4. 9/29/82 DISBURSEMENT TO COALITION OF LABOR OF 75 - IS SAME AS ABOVE

C7h3329641FPH

1	2					
ATTACHMENT						
11/16/82 OF 206	DISBURSEMENT TO DISTRICT 1199 IS TO TRANSFER THE FOLLOWING DEPOSITED IN ERROR:					
11/4/82	ROSE MALDONADO- CHILDREN'S X MAS PARTY					
11/15/82	TALBERT KIDD - REIMBURSEMENT AIRFARE				166-	
					206-	

7 5 ATTACHMENT

11/16/92 DISBURSEMENT TO NATIONAL UNION OF $ 22a. IS TO CORRECT 10/5/92 DEPOSIT THOUGHT TO BE CONTRIBUTIONS WAS FROM BROOKDALE VILLAGE HMO WAS DUES CHECK-OFF.

0 3 0 3 2 9 6 4 1 7 3

1981 Mid-Year and Year End Reports
1982 October Quarterly and 30 Day
-General Election Reports

ATTACHMENT #17
(Page 1 of 2)

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

November 10, 1983

eports Analyst
vision
ommission
20463

RE: Letter Dated October 13, 1983 and
Political Action Fund of District 1199

clear up the above-captioned matter, please note the following:

s made by Political Action Fund in error:

4/16	A. Mataresso & Co.	$1,370.00
6/23	J. Ferguson	43.77
6/26	Son De la Loma	450.00
		$1,863.77

reimbursed the Political Action Fund in July 1981.
to our year-end report dated January 31, 1982
, line 17) now in your possession.

to the National Union of Hospital and Health Care Employees
ment for printing charges as indicated on attachment
er for Congress

81 reimbursement from District 1199 is for March 25, 1981
to B.E.W. Co. for deposit for hall rental. Latter was
ge 1 of 4, item 19 in July, 1981 mid-year report, also in
ion.

81 disbursement to District 1199 of $3,190
ransfer of monies received in June - $1,970
$220 for events held by District 1199, but
deposited in political action account. See
eports.

81 disbursement to District 1199 Drug Industry Fund of
ted March 9, 1981 - $5.00 incorrectly. See respective report.

Doris Turner, President
Philip Ramenkowitz, Drug Dv. • Jesse Olson, Gue D. • Ramon Malave, Hospital Dv.
Herbert Binger • Arlene Esratty • Steve Frankel • Joe Franklin • Vivian Gross •
Barrington Moore • Karl Rath • Floris Saunders • Floyd Shepard • Edward Wacker • David White

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Mr. Edward Ryan, Reports Analyst
Federal Election Committee
Page 2
November 10, 1983

EXHIBIT V

1. July 23, 1982 disbursement to District 1199 of $100 is to transfer amount received from Michael Rifkin July 15, 1982 and deposited here in error. See respective report.

2. September 23, 1982 disbursement to National Union of $279; was in error as it had to do with an event held by District 1199. Reimbursed October 14th. See respective report.

3. September 29, 1982 disbursement to Workers Defense League, Inc. of $500, was in error as it was not a political contribution. Was reimbursed October 14. See respective report.

4. September 29, 1982 disbursement to Coalition of Labor of $75. Same as above.

EXHIBIT VI

November 16, 1982 disbursement to District 1199 of $206 is to transfer the following that was deposited in error:

November 4, 1982 - Rose Maldonado - Children's Xmas Party -	$ 40.00
November 15, 1982 - Telbert Kinn - Reimbursement for Airfare	166.00
	$206.00

EXHIBIT VII

November 16, 1982 disbursement to National Union of $230 is to correct October 8, 1982 deposit thought to be contributions. Was from Brookdale Village and was dues check-off.

[illegible] enclosed clearly indicates the Exhibit being referred to herein and we [illegible] these details respond satisfactorily to your letter.

Very truly yours,

TELBERT KINN
Treasurer

TK:rc
Encl.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

14 June 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: DUANE BROWN

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL UPDATE CONCERNING DISTRICT 1199 POLITICAL ACTION FUND OF THE NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, RWDSU, AFL-CIO

On February 16, 1984, the Reports Analysis Division ("RAD") referred District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") for apparent violations of 2 U.S.C. 441b (see 84L-6). During our review of PAF's 1983-84 election cycle reports, certain matters were noted which we determined should be brought to your attention. Based upon conversations with your office, it was decided that this information should be presented in the form of an update to our earlier referral.

The 1983 Mid-Year and Year End Reports filed by PAF disclosed $1,655 in deposits in error and $340 in reimbursements from the connected organization for disbursements made in error. While the amounts in question do not meet the current thresholds for referral, they appear to indicate a continuation of problems noted in 84L-6.

The other issue concerns PAF's failure to file the 1984 April Quarterly Report. PAF was notified on March 22, 1984 that the April Quarterly Report was due on April 15, 1984 (Attachment 1). Because the report was not submitted, a Non-Filer Notice was sent on May 8, 1984 (Attachment 2). PAF submitted a letter dated May 18, 1984, which stated they have no record of receiving prior notice, but the report would be filed within the next ten days (Attachment 3).

On June 6, 1984, a RAD analyst attempted to contact PAF's treasurer, Mr. Telbert King. Since Mr. King was not in his office, the analyst spoke to his secretary, Ms. Renee Brockman

about the committee's failure to file the required report. Ms. Brockman stated that she would speak to Mr. King and file the report as soon as possible (Attachment 4). To date, PAF has not filed the report.

If you have any questions, please contact Eugene LaCroce or Michael Filler at 523-4048.

Attachment

2711741100

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

APRIL REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE
ALL unauthorized political committees, except those that file monthly, must file a quarterly report by April 15, 1984. (See below)

WHAT MUST BE REPORTED
All financial activity must be disclosed from the last report filed through March 31, 1984. Political committees which have not previously filed a financial disclosure report covering any period in 1984 should report all financial activity from the later of January 1, 1984, or date of registration,* through March 31, 1984.

WHEN TO FILE
Reports sent by registered or certified mail must be postmarked no later than April 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business April 15, 1984.

WHERE AND HOW TO FILE
Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS
Committees that file on a monthly schedule must file their next report by April 20, 1984, and disclose all financial activity of their committee from March 1 through March 31, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE
Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed in 1984, and prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b) Activity which occurred prior to 1984 should be reported separately.

-over-

ATTACHMENT 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

May 8, 1984

Telbert King, Treasurer
District 1199 PAC of the National
Union of Hospital & Health Care,
RWDSU, AFL-CIO
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

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

Dear Mr. Telbert:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Eugene LaCroce on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson

John D. Gibson
Assistant Staff Director
Reports Analysis Division

RECEIVED BY THE FEC
DISTRICT 1199
NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES
a division of AFSCME AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

ATTACHMENT 3

May 18, 1984

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Gibson:

ID Number: C00022400

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

We are in receipt of your letter dated May 8, 1984. Be advised that we have no record of having received notification for filing the above.

However, we will have this report ready for you within the next ten days.

Thank you for your consideration.

Sincerely,

Telbert King
Treasurer

TK:gb

ATTACHMENT II

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alvin Heaps
President
Retail, Wholesale, Department
Store Union
30 E. 29th Street
New York, New York 10016

Re: MUR
Retail, Wholesale, Department
Store Union

Dear Mr. Heaps:

On , 1984, the Federal Election Commission determined that there is reason to believe the Retail, Wholesale, Department Store Union violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Retail, Wholesale, Department Store Union. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

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

3701041403

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Doris Turner
President
District 1199 of the National Union
of Hospital and Health Care Employees
310 West 43rd Street
New York, New York 10036

Re: MUR
District 1199 of the National
Union of Hospital and Health
Care Employees

Dear Ms. Turner:

On , 1984, the Federal Election Commission determined that there is reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against District 1199 of the National Union of Hospital and Health Care Employees. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against District 1199 of the National Union of Hospital and Health Care Employees, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

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

2704043707

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Telbert King, Treasurer
District 1199 Political Action Fund
310 West 43rd Street
New York, New York 10036

Re: MUR
District 1199 Political Action Fund
Telbert King, as treasurer

Dear Mr. King:

On , 1984, the Federal Election Commission determined that there is reason to believe District 1199 Political Action Fund and you, as treasurer, violated 2 U.S.C. §§ 441b(a) and 434(a)(4)(A)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within ten days of your receipt of this letter. Statements should be submitted under oath.

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

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-4000.

Sincerely,

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

ATTACHMENT III

FEDERAL ELECTION COMMISSION

Telbert King, Treasurer

The 1981 Mid-Year Report filed by the political action fund disclosed four disbursements to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for contributions on behalf of the Mark Green for Congress Committee.

1. Please state whether each of the four disbursements was made for the purpose of reimbursing NUHHCE for a debt incurred by the NUHHCE on behalf of the political action fund.

2. If the response to No. 1 is yes, for each such disbursement:

   a) Describe the manner in which the debt was incurred;

   b) State the date upon which each debt was incurred, and

   c) State the amount of each debt incurred.

3. If the response to No. 1 is no, please describe why each disbursement was made.

4. Please state whether the NUHHCE printed any materials on behalf of the Mark Green for Congress Committee.

   For each such printing:

   a) State the date of the printing;

   b) State the cost of the printing; and

   c) State whether the political action fund requested such printing.

5. If NUHHCE did not print materials on behalf of the Mark Green for Congress Committee but had an outside vendor print them, please state:

   a) the name and address of the vendor;

   b) the date of each printing;

   c) the amount charged by the vendor for each printing; and

   d) whether the political action fund requested each such printing.

6. Describe the arrangements made between NUHHCE and the political action fund concerning the printing of materials on behalf of the Mark Green for Congress Committee. Please include a statement concerning who was responsible for payment and why the PAF made such arrangements through the union.

7. Describe the materials printed on behalf of the Mark Green for Congress Committee.

8. State whether any person connected with the Mark Green for Congress Committee was notified that the political action fund was printing materials on its behalf.

If so:

a) State the name and title of such person; and

b) the date of the notice.

9. State how the Mark Green for Congress Committee materials were distributed.

The 30 Day Post General Report provided by the political action fund disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union ("RWDSU") on October 19, 1982. On the fund's disbursement schedule, the transaction was shown and included the notation "loan-RWDSU COPE".

10. State the exact source of the $20,000 loan.

11. State the purpose of the loan.

12. Provide a copy of the check or other instrument on which the loan was made.

ATTACHMENT IV

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No.

RESPONDENT Retail, Wholesale, Department Store Union

SUMMARY OF ALLEGATIONS

This matter was generated as the result of a review of the reports of receipts and disbursements of the District 1199 Political Action Fund (the "PAF") by the Reports Analysis Division.

During a review of the reports of receipts and disbursements provided by the PAF, Reports Analysts determined that during the 1981-82 election cycle, the PAF accepted a $20,000 loan from the Retail, Wholesale, Department Store Union ("RWDSU"). The PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the RWDSU on October 19, 1982. On May 4, 1983, a Request For Additional Information ("RFAI") was sent regarding the 30 Day Post-General Election Report advising the PAF that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised the PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor.

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the RWDSU representing full repayment of the loan. The date on the check indicated that the repayment was made on May 10, 1983.

For purposes of 2 U.S.C. § 441b(a), the term "contribution or expenditure" shall include any direct or indirect payment, distribution [or] loan.... It appears that the RWDSU made a prohibited contribution in the form of a loan in violation of the provisions of this section.

Accordingly, the Office of General Counsel recommends the Commission find reason to believe the Retail, Wholesale, Department Store Union violated 2 U.S.C. § 441b(a).

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No.

RESPONDENT District 1199 of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO

SUMMARY OF ALLEGATIONS

This matter pertains to the referral of the District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO (the "PAF"). During a review of the reports of receipts and expenditures provided by the PAF, Reports Analysts determined that during the 1981-82 election cycle, District 1199 of the National Union of Hospital and Health Care Employees ("NUHHCE") engaged in the following activities in apparent violation of 2 U.S.C. § 441b(a):

1. Make reimbursements to its separate segregated fund; and;

2. Caused treasury funds to be deposited in the PAF's account.

With respect to item #1, the 1982 October Quarterly and 30 Day Post-General Election Reports filed by the PAF disclosed the receipt of two (2) reimbursements from District 1199 one for $954 and one for $602. Each were characterized by the PAF as, "reimbursements for disbursements made in error." The alleged erroneous disbursement for $602 was made on July 8, 1982. The reimbursement was made on July 23, 1982. The alleged erroneous disbursements totalling $954 were made on September 23 and 29.

The reimbursement was made on October 14, 1982. On May 20, 1983, the Commission received a response from the PAF regarding the October Quarterly Report. The response indicated that the $602 from District 1199 represented a "return of an erroneous disbursement" by the PAF for printing. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199 "who was responsible for these bills". In addition, the Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District". In addition, the Amended 1981 Year End Report disclosed two disbursements totalling $2,195 to District 1199 accounts for funds which were deposited in the PAF's account "in error". Also, the 1982 30 Day Post-General Report disclosed a disbursement to District 1199 in the amount of $206. The PAF described the disbursement as a repayment for "monies deposited in error".

In attempting to provide an explanation as to the problems which occurred between the separate segregated fund and District 1199, Ray Anderson, the PAF's Controller, indicates that the transactions related to: 1) disbursements made by the PAF, "in error", with subsequent reimbursements received from District 1199 and; 2) funds incorrectly deposited into the PAF's account and subsequently disbursed to District 1199.

3 7 0 4 1 1 3

2 U.S.C. § 441b(a) makes "[i]t unlawful for any ... corporation ... or any labor organization whatever to make a contribution or expenditure in connection with any [federal] election ..., or for any ... political committee knowingly to accept or receive any contribution prohibited by this section ... ." The view that the prohibition against the commingling of treasury funds and voluntary contributions is to be strictly construed was specifically addressed in United States v. Pipefitters Local Union No. 562, 407 U.S. 385, 414 (1972), wherein the Supreme Court noted "that there must be a strict segregation of [the separate segregated fund's] monies from union dues and assessments."

It appears that Union treasury funds were frequently and inexplicably commingled with the PAF's funds. The October Quarterly and 30 Day Post General Reports disclose several reimbursements by District 1199 for disbursements originally made by the PAF and characterized as "in error". The 1981 Year End discloses reimbursements from District 1199 for "expenditures to be assumed by the District" and several other disbursements to District 1199 for funds which were "incorrectly deposited" in the PAF's account - each apparently in violation of 2 U.S.C. § 441b.

Accordingly, the Office of General Counsel recommends that the Commission find reason to believe District 1199 of the National Union of Hospital and Health Care Employees violated 2 U.S.C. § 441b.

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR No.

RESPONDENTS District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO and Telbert King, as treasurer

SUMMARY OF ALLEGATIONS

This matter was generated as the result of a review of the reports of receipts and disbursements of the District 1199 Political Action Fund by the Reports Analysis Division.

This is a referral of the District 1199 PAF of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF"). 1/ During a review of the reports of receipts and expenditures provided by the PAF, Reports Analysts determined that during the 1981-82 election cycle, the PAF engaged in the following activities in apparent violation of 2 U.S.C. § 441b(a):

1. The PAF accepted reimbursements from labor organizations for disbursements made by PAF;

2. The PAF made reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate;

3. The PAF deposited union treasury funds in its account - and;

4. The PAF accepted a $20,000 loan from a labor organization.

1/ District 1199 is a division of the Retail, Wholesale and Department Store Union. Telbert King is treasurer of PAF.

2711041417

With respect to item #1, the 1982 October Quarterly and 30 Day Post-General Election Reports filed by the PAF disclosed the receipt of two (2) reimbursements from District 1199 one for $954 and one for $602. Each were characterized by the PAF as, "reimbursements for disbursements made in error." The alleged erroneous disbursement for $602 was made on July 8, 1982. The reimbursement was made on July 23, 1982. The alleged erroneous disbursements totalling $954 were made on September 23 and 29. The reimbursement was made on October 14, 1982. On May 20, 1983, the Commission received a response from the PAF regarding the October Quarterly Report. The response indicated that the $602 from District 1199 represented a "return of an erroneous disbursement" by the PAF for printing. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199 "who was responsible for these bills". In addition, the Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District" and two disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the PAF's account. The PAF also indicated that it did not consider these transactions as contributions from a labor organization.

With respect to item #2, a review of the PAF's 1981 reports disclosed additional activity which appears to be questionable.

The 1981 Mid-Year Report included four (4) disbursements by PAF to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for contributions made on behalf of a Federal candidate.

With respect to item #3, PAF has refunded the treasury funds reportedly deposited into its account "in error." However, PAF has not completely refunded the reimbursements received from labor organizations for the disbursements noted in item 1. In addition, a preliminary review of PAF's 1983 Mid-Year and Year End Reports by Reports Analysts indicates that the PAF may still be depositing non-voluntary treasury funds and continuing to report the deposits as "in error" in addition to reporting receipts from the Union which appear to be proceeds from joint fundraisers. Also, the Amended 1981 Year End Report shows two (2) disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the political action account. The 1982 October Quarterly Report disclosed $1,054 in disbursements to District 1199, the Workers Defense Fund, Inc., and the Coalition of Labor Union Women for deposits or disbursements said to have been made in error. The 1982 30 Day Post-General Report disclosed disbursements to the National Union in the amount of $230 and to District 1199 in the amount of $206. In both cases, the disbursements were described as repayments for monies deposited in error.

A Request for Additional Information was sent on October 13, 1983, questioning the aforementioned transactions. Since there

was no response, a Second Notice was sent on November 3, 1983.

The PAF responded on November 7, 1983, and provided a brief explanation of the problems which had occurred between the separate segregated fund and other parties. According to a Roy Anderson, the PAF's Controller, the transactions related to: a) disbursements made by PAF in error with subsequent reimbursements received from District 1199, the National Union, the Workers Defense League Fund, and the Coalition of Labor; b) payments by the PAF to the National Union for printing on behalf of Mark Green for Congress; and c) funds incorrectly deposited into PAF's account which were subsequently disbursed to District 1199, the National Union and the Drug Industry Fund. It does not appear from either response that any of the reimbursements received by PAF for disbursements allegedly made in error have been refunded.

With respect to item #4, the PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union on October 19, 1982.

On May 4, 1983, a Request For Additional Information ("RFAI") was sent regarding the 30 Day Post-General Election Report advising the PAF that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised the PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor.

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the Retail, Wholesale and Department Store Union AFL-CIO ("RWDSU") representing full repayment of the loan. The date on the check indicated that the repayment was made on May 10, 1983.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 441b(a) makes "[i]t unlawful for any ... corporation ... or any labor organization whatever to make a contribution or expenditure in connection with any [federal] election ..., or for any ... political committee knowingly to accept or receive any contribution prohibited by this section ... ." The view that the prohibition against the commingling of treasury funds and voluntary contributions is to be strictly construed was specifically addressed in United States v. Pipefitters Local Union No. 562, 407 U.S. 385, 414 (1972), wherein the Supreme Court noted "that there must be a strict segregation of [the separate segregated fund's] monies from union dues and assessments." The question for consideration, therefore, is whether the Union's funds were commingled with the PAF's funds in violation of 441b.

It appears that Union treasury funds were frequently and inexplicably commingled with the PAF's funds. The October Quarterly and 30 Day Post General Reports disclose several reimbursements by District 1199 for disbursements originally made

by the PAF and characterized as "in error". The 1981 Year End discloses reimbursements from District 1199 for "expenditures to be assumed by the District" and several other disbursements to District 1199 for funds which were "incorrectly deposited" in the PAF's account - each apparently in violation of 2 U.S.C. § 441b.

Also, the 1981 Mid-Year Report included four disbursements by the PAF to the National Union of Hospital and Health Care Employees ("NUHHCE") totalling $1,006 for in-kind contributions for printing on behalf of the Mark Green for Congress Committee.

The PAF's 30 Day Post General Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union ("RWDSU") on October 19, 1982. After the appropriate RFAI's regarding this matter were sent, and on May 19, 1983, the Commission received an amendment to the 30 Day Post General Report which included a copy of a $20,000 check to the RWDSU representing full repayment of the loan. For purposes of 2 U.S.C. § 441b(a), the term "contribution or expenditure" shall include any direct or indirect payment, distribution [or] loan.... It appears that the RWDSU made a prohibited contribution in the form of a loan in violation of the provisions of this section and that the PAF accepted the prohibited contribution in violation of this section.

On the same day, the PAF received the loan from the RWDSU, the PAF reportedly made a $20,000 contribution to Friends of Cuomo. The transaction was disclosed on a disbursement schedule and included the notation "loan-RWDSU COPE".

Finally, a recent update from RAD indicates that the PAF failed to file its 1984 April Quarterly Report in violation of 2 U.S.C. § 434(a)(4)(A)(i). The report was due on April 15, 1984, but the Commission has yet to receive it.

Accordingly, the Office of General Counsel recommends the Commission find reason to believe District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees and Telbert King, as treasurer, violated 2 U.S.C. § 441b.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

14 June 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: DUANE BROWN

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL UPDATE CONCERNING DISTRICT 1199 POLITICAL ACTION FUND OF THE NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, RWDSU, AFL-CIO

On February 16, 1984, the Reports Analysis Division ("RAD") referred District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") for apparent violations of 2 U.S.C. 441b (see 84L-6). During our review of PAF's 1983-84 election cycle reports, certain matters were noted which we determined should be brought to your attention. Based upon conversations with your office, it was decided that this information should be presented in the form of an update to our earlier referral.

The 1983 Mid-Year and Year End Reports filed by PAF disclosed $1,655 in deposits in error and $340 in reimbursements from the connected organization for disbursements made in error. While the amounts in question do not meet the current thresholds for referral, they appear to indicate a continuation of problems noted in 84L-6.

The other issue concerns PAF's failure to file the 1984 April Quarterly Report. PAF was notified on March 22, 1984 that the April Quarterly Report was due on April 15, 1984 (Attachment 1). Because the report was not submitted, a Non-Filer Notice was sent on May 8, 1984 (Attachment 2). PAF submitted a letter dated May 18, 1984, which stated they have no record of receiving prior notice, but the report would be filed within the next ten days (Attachment 3).

On June 6, 1984, a RAD analyst attempted to contact PAF's treasurer, Mr. Telbert King. Since Mr. King was not in his office, the analyst spoke to his secretary, Ms. Renee Brockman

about the committee's failure to file the required report. Ms. Brockman stated that she would speak to Mr. King and file the report as soon as possible (Attachment 4). To date, PAF has not filed the report.

If you have any questions, please contact Eugene LaCroce or Michael Filler at 523-4048.

Attachment

87044425

ATTACHMENT 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 1984

APRIL REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE
ALL unauthorized political committees, except those that file monthly, must file a quarterly report by April 15, 1984. (See below)

WHAT MUST BE REPORTED
All financial activity must be disclosed from the last report filed through March 31, 1984. Political committees which have not previously filed a financial disclosure report covering any period in 1984 should report all financial activity from the later of January 1, 1984, or date of registration,* through March 31, 1984.

WHEN TO FILE
Reports sent by registered or certified mail must be postmarked no later than April 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business April 15, 1984.

WHERE AND HOW TO FILE
Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS
Committees that file on a monthly schedule must file their next report by April 20, 1984, and disclose all financial activity of their committee from March 1 through March 31, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE
Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed in 1984, and prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b) Activity which occurred prior to 1984 should be reported separately.

-over-

ATTACHMENT 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

May 8, 1984

Telbert King, Treasurer
District 1199 PAC of the National
Union of Hospital & Health Care,
RWDSU, AFL-CIO
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

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

Dear Mr. Telbert:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Eugene LaCroce on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson

John D. Gibson
Assistant Staff Director
Reports Analysis Division

RECEIVED BY THE FEC
84 JUN -4 AM 8:51

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

ATTACHMENT 3

May 18, 1984

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Gibson:

ID Number: C00022400

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

We are in receipt of your letter dated May 8, 1984. Be advised that we have no record of having received notification for filing the above.

However, we will have this report ready for you within the next ten days.

Thank you for your consideration.

Sincerely,

Telbert King
Treasurer

TK:gb

ATTACHMENT 4

ANALYST LaCroce

TELECON

TELECON WITH: Renee Brockman, secretary to Telbert King, treasurer.

CANDIDATE/COMMITTEE: District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO.

DATE: June 6, 1984

SUBJECT: Failure to File the April Quarterly Report (1984)

The Committee treasurer, Telbert King, was not in his office. I spoke with his secretary, Ms. Renee Brockman. Ms. Brockman stated that the Committee had filed its responses to Mr. Gibson's letters. I stated that although the Committee had submitted a letter noting their intention to file, the April Quarterly Report had not been received. Ms. Brockman stated that she would speak to Mr. King and file the report as soon as possible.

2710419

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTN: DUANE BROWN

FROM: SHAWN WOODHEAD
COMPLIANCE BRANCH, RAD

SUBJECT: RAD REFERRAL #84L-6 - DISTRICT 1199 PAC OF THE NATIONAL UNION OF HOSPITAL AND HEALTH CARE, RWDSU, AFL-CIO

Please review the attached Requests for Additional Information (RFAIs) which are to be sent to the District 1199 PAC for the 1983 Mid-Year and Year End Reports. If no responses or inadequate responses are received, Second Notices will be sent.

Any comments which you may have should be forwarded to RAD by noon on Wednesday, March 21st. Thank you.

COMMENTS:

Attachments

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Telbert King, Treasurer
District 1199 PAC of the National
Union of Hospital and Health
Care, RWDSU, AFL-CIO
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Mid-Year Report (1/1/83-6/30/83)

Dear Mr. King:

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

-Your report discloses contributions both to Federal and non-Federal candidates/committees on a Schedule B for Line 21. For future filings you should note that contributions to non-Federal candidates/committees which exceed $200 in the aggregate should be itemized on a separate Schedule B for Line 27. (2 U.S.C. 434 (b)(6)(B)(v))

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26(a) of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

-Schedule A of your report discloses receipts from District 1199 of the National Union of Hospital and Health Care Employees. 2 U.S.C. prohibits the receipt of funds from national banks, corporations, and labor organizations. Under 11 CFR 102.6, however, certain entities may serve as collecting agents for the purpose of transmitting contributions to a separate segregated fund.

A collecting agent may be a committee which is affiliated with the separate segregated fund; the connected organization or parent, subsidiary, or local unit of the connected organization; or a local, national, or international union. See 11 CFR 102.6(b)(1).

Contributions received from a collecting agent are to be attributed to the original contributors and should be disclosed according to the requirements of 11 CFR 104.3(a). If the amounts in question were contributed by individuals and transmitted to your committee by a collecting agent, the activity should be included on Line 11a of the Detailed Summary Page. Any contribution from an individual, that exceeds $200 in the aggregate during the calendar year, should be itemized on a supporting schedule. Collecting agents need not be identified on your report.

To the extent that the funds received were not from entities serving as collecting agents, all non-voluntary contributions should be refunded and disclosed on Schedule B for Line 26a of your next report.

-Your report discloses a total of $130 in disbursements to The Strike and Defense Fund for deposits in error. Please provide further clarification regarding the nature and date of deposits.

Although the Commission may take further legal steps concerning this matter, your prompt action will be taken into consideration.

-On Schedule D of your report you have failed to include certain information. Commission Regulations require a statement as to the nature or purpose of each debt. Additionally, all debts must be reported continuously until extinguished or settled. Please amend your report to include the purpose for each debt. (11 CFR 104.11)

37044432

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Eugene LaCroce
Reports Analyst
Reports Analysis Division

27044435

SCHEDULE A

ITEMIZED RECEIPTS

Page 2 of 2 for
LINE NUMBER 17
(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)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code STRIKE + DEFENSE FUND 310 W 43RD STREET NY NY Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer DEPOSITED IN ERROR Occupation Aggregate Year-to-Date–S	Date (month, day, year) 1-11-83	Amount of Each Receipt This Period REMOVED 22 - V
B. Full Name, Mailing Address and ZIP Code STRIKE + DEFENSE FUND 310 W 43rd STREET NY NY Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer DEPOSITED IN ERROR Occupation Aggregate Year-to-Date–S	Date (month, day, year) 1-30-83	Amount of Each Receipt This Period REMOVED EAL 108 -
C. Full Name, Mailing Address and ZIP Code DIST 1199 [illegible] [illegible] Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer TO ADJUST 12-20-82 DEPOSIT IN ERROR Occupation Aggregate Year-to-Date–S	Date (month, day, year) 2-17-83	Amount of Each Receipt This Period 40 -
D. Full Name, Mailing Address and ZIP Code DIST 1199 NUH+HCE 310 W 43rd STREET NY NY Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer PROCEEDS FROM MAN EVENT DANCE Occupation 75% x 109.50 Aggregate Year-to-Date–S	Date (month, day, year) 6-[illegible]-83	Amount of Each Receipt This Period EAL 82.50
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date–S	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date–S	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date–S	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			993 -
TOTAL This Period (last page this line number only)			8448 -

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Telbert King, Treasurer
District 1199 PAC of the National
Union of Hospital & Health
Care, RWDSU, AFL-CIO
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Year End Report (7/1/83-12/31/83)

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26(a) of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

-Schedule A of your report discloses receipts from District 1199 of the National Union of Hospital and Health Care Employees. 2 U.S.C. prohibits the receipt of funds from national banks, corporations, and labor organizations. Under 11 CFR 102.6, however, certain entities may serve as collecting agents for the purpose

of transmitting contributions to a separate segregated fund.

A collecting agent may be a committee which is affiliated with the separate segregated fund; the connected organization or parent, subsidiary, or local unit of the connected organization; or a local, national, or international union. See 11 CFR 102.6(b)(1).

Contributions received from a collecting agent are to be attributed to the original contributors and should be disclosed according to the requirements of 11 CFR 104.3(a). If the amounts in question were contributed by individuals and transmitted to your committee by a collecting agent, the activity should be included on Line 11a of the Detailed Summary Page. Any contribution from an individual, that exceeds $200 in the aggregate during the calendar year, should be itemized on a supporting schedule. Collecting agents need not be identified on your report.

To the extent that the funds received were not from entities serving as collecting agents, all non-voluntary contributions should be refunded and disclosed on Schedule B for Line 26a of your next report.

-On Schedule D of your report you have failed to include certain information. Commission Regulations require the full name and mailing address of each creditor, the outstanding balance at the beginning and ending of the reporting period, the amount incurred during the period, the payment made during the period, and the nature or purpose of each debt. Additionally, all debts must be reported continuously until extinguished or settled. Please amend your report to include the purpose for each debt. (11 CFR 104.11)

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Eugene LaCroce

Eugene LaCroce
Reports Analyst
Reports Analysis Division

27044134

SCHEDULE A — ITEMIZED RECEIPTS

Page 1 of 3 for LINE NUMBER 17
(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): DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date—S	Date (month, day, year)	Amount of Each Receipt this Period
RAFFLE DRAWING WAS HELD ———		JULY 1,'83	20 -
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
B. ~~Full Name, Mailing Address and ZIP Code~~ 25% OF PROCEEDS TO BE GIVEN TO DISTRICT 1199 SOLIDARITY FUND			
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
C. Full Name, Mailing Address and ZIP Code AMALGAMATED BANK OF NEW YORK	Name of Employer: INTEREST FOR (2) QUARTERS	9-30-83	602 -
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	12-31-83	810 -
D. Full Name, Mailing Address and ZIP Code DIST. 1199 310 W. 43rd STREET N.Y. N.Y. 10036	Name of Employer: 75% OF SURPLUS HOME CARE DANCE	8-31-83	710 -
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
E. Full Name, Mailing Address and ZIP Code DIST. 1199 310 W. 43rd STREET N.Y. N.Y. 10036	Name of Employer: PROCEEDS FROM MOONLIGHT RIDE	9-20-83	7859 -
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: 75% x 10,478.66		
F. Full Name, Mailing Address and ZIP Code DIST. 1199 310 W. 43RD STREET N.Y. N.Y. 10036	Name of Employer: 75% OF SURPLUS "MANHATTAN WEST DANCE	7-1-83	299 -
Receipt For: ☐ Primary ☐ General ☐ ~~Other (specify)~~:	Occupation		
G. Full Name, Mailing Address and ZIP Code DIST. 1199 310 W. 43RD STREET N.Y. N.Y. 10036	Name of Employer: REFUND - CHECK FROM POLITICAL ACTION FUND DRAWN TO JOHN KNIGHT IN ERROR	9-19-83	300 -
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		

SUBTOTAL of Receipts This Page (optional) 10600

TOTAL This Period (last page this line number only) . . . . .

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

16 February 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF DISTRICT 1199 POLITICAL ACTION FUND OF THE NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, RWDSU, AFL-CIO

This is a referral of the District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF"). During the 1981-82 election cycle, PAF was engaged in the following activities in apparent violation of 2 U.S.C. 441b(a):

1. accepting reimbursements from labor organizations for disbursements made in error by PAF;

2. making reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate;

3. depositing non-voluntary funds in error; and

4. receiving a $20,000 loan from a labor organization.

Disbursements have been made to remedy the apparent violations noted in items 3 and 4; however, PAF does not appear to have refunded the reimbursements received from labor organizations for disbursements made in error as noted in item 1. According to the Review and Referral Procedures (Chart 4), further examination is required by your office.

Please note that a cursory review of the 1983 Mid-Year and Year End Reports indicate that PAF may still be depositing non-voluntary funds in error (totaling ($170) and reporting receipts from the union totalling $14,106 which appear to be proceeds from fundraisers.

For your information, PAF was referred for possible audit under 2 U.S.C 438(b) on August 23, 1983; however, the Commission voted not to audit on September 13, 1983.

If you have any questions, please contact Ed Ryan at 523-4048.

Attachment

2 7 1 1 0 4 4 1 3 9

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 16 February 1984

ANALYST: Edward Ryan

I. COMMITTEE: District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO 1/
(C00022400)
Telbert King, Treasurer
310 West 43rd Street
New York, NY 10036

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

III. BACKGROUND:

Activities Involving Prohibited Contributions - 2 U.S.C. 441b(a)

The 1982 October Quarterly and 30 Day Post-General Election Reports filed by District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") disclosed the receipt of two (2) reimbursements from District 1199 and District 1199 of the National Union of Hospital and Health Care Employees totalling $1,556 (Attachments 2a & 2b). In addition, PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union on October 19, 1982 (Attachment 3).2/

1/ District 1199 is a division of the Retail, Wholesale and Department Store Union.

2/ On the same day, PAF reportedly made a $20,000 contribution to Friends of Cuomo. The transaction was disclosed on a disbursement schedule supporting Line 27 and included the notation "loan - RWDSU COPE".

On May 4, 1983, a Request for Additional Information ("RFAI") was sent on the 30 Day Post-General Election Report advising PAF that contributions by labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor (Attachment 4). PAF was also notified via a May 5th Informational Notice that it may have received a prohibited labor contribution during the October Quarterly reporting period, and that a refund should be made (Attachment 5).

On May 12, 1983, representatives of PAF called the Reports Analysis Division (RAD) analyst to say that they had received the notices. Telbert King, PAF's new treasurer, asked several questions regarding a labor organization loaning or contributing money to its separate segregated fund. He was advised that a labor organization may not loan or contribute money from its general treasury to its separate segregated fund. He was informed that affiliated committees may transfer money between one another without limit, but under no circumstances could they accept money from the general treasury of a labor organization. He said he would repay the loan according to the instructions in the notice (Attachment 6).

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the Retail, Wholesale and Department Store Union AFL-CIO representing full repayment of the loan (Attachment 7). 3/ As indicated on the check, repayment was made on May 10, 1983. The transaction was disclosed on PAF's 1983 Mid-Year Report (Attachment 8). The May 19th response, however, did not include an explanation regarding the $954 reimbursement from District 1199 of the National Union of Hospital and Health Care Employees .

3/ The check included a notation that the amount was a contribution for Cuomo for Governor.

On May 20, 1983, the Commission received a response from PAF regarding the October Quarterly Report, which stated that the $602 from District 1199 was a "return of an erroneous disbursement" for printing which PAF had made. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199" who was responsible for these bills." PAF also indicated that it did not consider this transaction a contribution from a labor organization (Attachment 9).

A subsequent review of PAF's 1981 and 1982 reports disclosed additional activity that appeared to be questionable. The 1981 Mid-Year Report included four (4) reimbursements by PAF to the National Union of Hospital and Health Care Employees totalling $1,006 for contributions on behalf of a Federal candidate (Attachment 10). The Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District" and two (2) disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the political action account (Attachments 11a and 11b). The 1982 October Quarterly Report disclosed $1,054 in disbursements to District 1199, the Workers Defense Fund, Inc., and the Coalition of Labor Union Women for deposits or disbursements made in error (Attachment 12). The 1982 30 Day Post-General Report disclosed disbursements to the National Union in the amount of $230 and to District 1199 in the amount of $206. In both cases, the disbursements were for monies deposited in error (Attachment 13).

A Request for Additional Information was sent on October 13, 1983, questioning the aforementioned transactions (Attachment 14). Since there was no response, a Second Notice was sent on November 3, 1983 (Attachment 15).

PAF did respond on November 7, 1983 by providing a brief explanation of the problems that occurred between the separate segregated fund and several other parties (Attachment 16). According to Mr. Roy Anderson (PAF's Controller), the transactions related to: a) disbursements made by PAF in error with subsequent reimbursements received from District 1199, the National Union, the Workers Defense League, and the Coalition of Labor; b) payments by PAF to the National Union for printing on behalf of Mark Green for Congress; and c) and funds incorrectly deposited into PAF's account which were subsequently disbursed to District 1199, the National Union, and the Drug Industry Fund.

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On November 15, 1983, a second response was received from PAF, which reiterated points mentioned in the earlier response (Attachment 17). It does not appear from either response that any of the reimbursements received by PAF for disbursements in error have been refunded.

The attached chart lists the apparent violations of 2 U.S.C. 441b by category and report type. The figures have been derived from reports filed by PAF.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

There are no outstanding RFAIs or other matters requiring referral.

3 7 1 4 2 6 4 1 4 1 3

CHART ON APPARENT VIOLATIONS OF 2 U.S.C. 441b

I. Deposits in Error

	Date Rec'd	Amount	Date Disb.
1981 Mid-Year	3/9/81	$ 5	7/10/81
	6/81	1,970	7/6/81
1981 Year End	7/1/81	220	7/6/81
1982 October Qtrly.	7/15/81	100	7/23/82
1982 Post-General	10/8/82	230	11/16/82
	11/4/82	40	11/16/82
	11/15/82	166	11/16/82
TOTAL		$2,731	

II. Reimbursement Received by PAC for Disbursements in Error

	Date Disb.	Amount	Date Rec'd
1981 Mid-Year	4/16/81	$1,370	7/81
	6/23/81	43.77	7/81
	6/26/81	450	7/81
1981 Year End	3/25/81	450	8/5/81
1982 October Qtrly.	7/8/82	602	7/23/82
1982 Post-General	9/23/82	279	10/14/82
	9/29/82	600	10/14/82
	9/29/82	75	10/14/82
TOTAL		$3,869 .77	

III. Reimbursements to Union for In-Kind Contributions

	Date Disb.	Amount
1981 Mid-Year	2/23/81	$ 361
	2/23/81	104
	2/23/81	235
	5/26/81	306
TOTAL		$1,006

IV. Loan from Union to PAC

	Date Rec'd	Amount	Date Repaid
1982 Post-General	10/19/82	$20,000	5/10/83
TOTAL		$20,000	

GRAND TOTAL $27,606 .77

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27140541445

DATE 08FEB84
PAGE

COMMITTEE	DOCUMENT	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
DISTRICT 1199 POLITICAL ACTION CONNECTED ORGANIZATIONS: RETAIL		DEPARTMENT STORE UNION ION	NON-PARTY QUALIFIED		IN AC000032400
1981 MID-YEAR REPORT		3,43	14,405	1JAN81 -30JUN81	17 81FEC/202/3530
MID-YEAR REPORT	- AMENDMENT			1JAN81 -30JUN81	4 82FEC/240/3530
MID-YEAR REPORT	- AMENDMENT			1JAN81 -30JUN81	6 83FEC/286/4456
MID-YEAR REPORT	- AMENDMENT			1JAN81 -30JUN81	7 83FEC/287/1940
REQUEST FOR ADDITIONAL INFORMATION				1JAN81 -30JUN81	1 82FEC/235/0711
REQUEST FOR ADDITIONAL INFORMATION				1JAN81 -30JUN81	1 82FEC/239/5400
REQUEST FOR ADDITIONAL INFORMATION				1JAN81 -30JUN81	9 83FEC/284/1273
REQUEST FOR ADDITIONAL INFORMATION 2ND				1JAN81 -30JUN81	1 83FEC/286/3879
YEAR-END		2,07	38,904	1JUL81 -31DEC81	14 82FEC/213/4060
YEAR-END	- AMENDMENT		-	1JUL81 -31DEC81	6 82FEC/240/3692
YEAR-END	- AMENDMENT			1JUL81 -31DEC81	3 83FEC/286/4402
YEAR-END	- AMENDMENT		-	1JUL81 -31DEC81	3 83FEC/287/1348
YEAR-END	- AMENDMENT			1JUL81 -31DEC81	1 83FEC/287/1592
REQUEST FOR ADDITIONAL INFORMATION				1JUL81 -31DEC81	1 82FEC/235/0710
REQUEST FOR ADDITIONAL INFORMATION 2ND				1JUL81 -31DEC81	3 82FEC/239/4735
REQUEST FOR ADDITIONAL INFORMATION				1JUL81 -31DEC81	1 83FEC/285/0042
REQUEST FOR ADDITIONAL INFORMATION 2ND				1JUL81 -31DEC81	1 83FEC/286/3880
1982 STATEMENT OF ORGANIZATION - AMENDMENT				14OCT82	2 82FEC/247/0675
APRIL QUARTERLY		,3	15,951	1JAN82 -31MAR82	10 82FEC/229/0650
APRIL QUARTERLY	- AMENDMENT		-	1JAN82 -31MAR82	4 83FEC/241/3809
REQUEST FOR ADDITIONAL INFORMATION				1JAN82 -31MAR82	1 82FEC/240/3052
JULY QUARTERLY		1,44	6,364	1APR82 -30JUN82	11 82FEC/240/3395
OCTOBER QUARTERLY			55,775	1JUL82 -30SEP82	13 82FEC/246/5360
OCTOBER QUARTERLY	AMENDMENT		-	1JUL82 -30SEP82	3 83FEC/272/1840
OCTOBER QUARTERLY	AMENDMENT		-	1JUL82 -30SEP82	2 83FEC/286/4465
OCTOBER QUARTERLY	AMENDMENT			1JUL82 -30SEP82	2 83FEC/287/1058
OCTOBER QUARTERLY	AMENDMENT			1JUL82 -30SEP82	1 83FEC/287/1593
1ST LETTER INFORMATIONAL NOTICE				1JUL82 -30SEP82	2 83FEC/271/3304
REQUEST FOR ADDITIONAL INFORMATION				1JUL82 -30SEP82	1 83FEC/285/1040
REQUEST FOR ADDITIONAL INFORMATION 2ND				1JUL82 -30SEP82	10 83FEC/286/3559
PRE-GENERAL		4,0	13,625	10CT82 -13OCT82	8 82FEC/251/2626
PRE-GENERAL	AMENDMENT		-	10CT82 -13OCT82	1 83FEC/287/1591
POST-GENERAL		10,0	40,903	14OCT82 -22NOV82	13 82FEC/267/2739
POST-GENERAL	AMENDMENT		40,903	14OCT82 -22NOV82	15 83FEC/273/1330
POST-GENERAL	AMENDMENT		-	14OCT82 -22NOV82	6 83FEC/286/4467
POST-GENERAL	AMENDMENT		-	14OCT82 -22NOV82	3 83FEC/287/1284
POST-GENERAL	AMENDMENT			14OCT82 -22NOV82	1 83FEC/287/1594
REQUEST FOR ADDITIONAL INFORMATION				14OCT82 -22NOV82	4 83FEC/271/3006
1ST LETTER INFORMATIONAL NOTICE				14OCT82 -22NOV82	1 83FEC/285/0047
YEAR-END		,3	,304	23NOV82 -31DEC82	9 83FEC/267/2739
1983 MID-YEAR REPORT				8FEB83 FROM FEC	1 83FEC/286/0293
			99,801		305 TOTAL PAGES

ALL REPORTS RECEIVED BASIC REVIEW.
ENDING CASH (12-31-82): $45,734
DEBTS OWED (12-31-82): $57,229

ATTACHMENT 1 (PAGE 1 of 2)

					TYPE OF FILER / COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
DISTRICT 1199 POLITICAL ACTION FUND/RETAIL WHOLESALE AND DEPARTMENT STORE UNION					NON-PARTY QUALIFIED		ID #C00022400
CONNECTED ORGANIZATION: RETAIL WHOLESALE DEPT'S STORE UNION							
1983 REQUEST FOR ADDITIONAL INFORMATION						1	83FEC/271/3004
STATEMENT OF ORGANIZATION					7MAR83	1	83FEC/267/2728
STATEMENT OF ORGANIZATION - AMENDMENT					19MAY83	1	83FEC/272/1670
MID YEAR REPORT	36,091		40,977		1JAN83 -30JUN83	15	83FEC/280/3610
YEAR-END	35,036		55,129		1JUL83 -31DEC83	13	84FEC/296/1619
TOTAL	71,127	0	96,106	0		31	TOTAL PAGES

No reports have been reviewed.

Ending cash-on-hand as of December 31, 1983: $60,755
Debts owed to the committee as of December 31, 1983: $ 0
Debts owed by the committee as of December 31, 1983: $35,811

Attachment 1
(Page 2 of 2)

DULE A

ITEMIZED RECEIPTS

October Quarterly Report

Page 1 of 1 for LINE NUMBER 17 (Use separate schedule(s) for each category of the Detailed Summary Page)

ATTACHMENT #2a

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)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code * RAFFLE Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date–$	Date (month, day, year) 7-82 8-82 9-82	Amount of Each Receipt this Period 3 471.- 6,280.- 10,336.
B. ~~Full Name, Mailing Address and ZIP Code~~ * DRAWING, FORMALLY TO BE HELD OCT 6, 1982, HAS BEEN POSTPONED TO DEC 10, 1982 TO ALLOW MORE MEMBERS TO PARTICIPATE Receipt For: ~~☐ Primary ☐ General~~ ☐ Other ~~(specify)~~	Name of Employer Occupation Aggregate Year-to-Date–$	Date (month, day, year)	Amount of Each Receipt This Period
C. ~~Full Name, Mailing Address and ZIP Code~~ 25% OF PROCEEDS TO BE GIVEN TO DISTRICT 1199 SOLIDARITY FUND Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date–$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code MANUFACTURERS HANOVER OF NEW YORK Receipt For ☐ Primary ☐ General ☐ Other (specify):	Name of Employer INTEREST Occupation Aggregate Year-to-Date–$	Date (month, day, year) 9-30-82	Amount of Each Receipt This Period 166.-
E. Full Name, Mailing Address and ZIP Code MICAEL FIFKIN 313 W 101 ST NEW YORK NY 10025 Receipt For ☐ Primary ☐ General ☐ Other (specify):	Name of Employer DEPOSIT IN ERROR Occupation Aggregate Year-to-Date–$	Date (month, day, year) 7-16-82	Amount of Each Receipt This Period 100
F. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 ST NEW YORK NY 10036 Receipt For ☐ Primary ☐ General ☐ Other (specify):	Name of Employer REIMBURSEMENT FOR 7-8-82 DISBURSEMENT Occupation IN ERROR Aggregate Year-to-Date–$	Date (month, day, year) 7-23-82	Amount of Each Receipt This Period 100.-
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date–$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			21,154

2 72 10 1122 4 4 3 3 6 7

...DULE A

ITEMIZED RECEIPTS

LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

30 Day Post General Election

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)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
* RAFFLE		OCT 14-31	2,125
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	NOV. 1-22	7,672
	Aggregate Year-to-Date—$		

B. ~~Full Name, Mailing Address and ZIP Code~~	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
* DRAWING FORMALLY TO BE HELD OCT. 6, 1982, HAS BEEN POSTPONED TO DEC. 10, 1982 TO ALLOW MORE MEMBERS TO PARTICIPATE			
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

C. ~~Full Name, Mailing Address and ZIP Code~~	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
25% OF PROCEEDS TO BE GIVEN TO DISTRICT 1199 SOLIDARITY FUND			
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
DISTRICT 1199, NUH&HCE 310 W. 43 ST N.Y. 10036	REIMBURSEMENT FOR DISBURSMENTS MADE	10-14-82	954
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation IN ERROR 9/23 & 9/29/82		
	Aggregate Year-to-Date—$		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
BROOKDALE VILLAGE 125 B 19 ST. FAR ROCKAWAY, N.Y. 11691	ADJUSTMENT - DEPOSIT IN ERROR	10-8-82	230
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation SEE DISBURSEMENTS		
	Aggregate Year-to-Date—$		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
FRIENDS OF MARIO CUOMO	REIMBURSEMENT FOR LIQUOR BILL	11-4-82	202
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation SEE DISBURSEMENTS		
	Aggregate Year-to-Date—$		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
ROSE MALDONADO 1197 E. 174 ST BRONX, N.Y. 10472	DEPOSIT IN ERROR	11-4-82	40
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation SEE DISBURSEMENTS		
	Aggregate Year-to-Date—$		

SUBTOTAL of Receipts This Page (optional)	11,223
TOTAL This Period (last page this line number only)	

SCHEDULE C
(Revised 3/80)

LOANS

Page 1 of 2 for ATTACHMENT
LINE NUMBER 10 #3
(Use separate schedules for each numbered line)

30 Day Post General Election Report

Name of Committee (in Full)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES POLITICAL ACTION FUND Election: ☐ Primary ☐ General ☐ Other (specify):	$ 20,000.-	12,000.-	$ 13,000.-

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. ~~Full Name, Mailing Address and ZIP Code~~ 310 W 43 RD STREET NEW YORK, N.Y. 10036	Name of Employer Occupation Amount Guaranteed Outstanding: $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION Election: ☐ Primary ☑ General ☐ Other (specify):	$ 20,000.-	-0-	$ 20,000.-

Terms: Date Incurred 10-19-82 Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. ~~Full Name, Mailing Address and ZIP Code~~ 30 E 29 STREET NEW YORK, N.Y. 10016	Name of Employer Occupation Amount Guaranteed Outstanding: $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	
3 Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $	

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	33,000.-

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

8730302547247190

ATTACHMENT #4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

4 May 1983

Telbert King, Treasurer
District 1199 Political Action Fund
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

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

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26a of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

-The total amount of contributions itemized on Schedule A plus the total amount of unitemized contributions reported on the Detailed Summary Page should equal the total reported on Line 11(a) of the Detailed Summary Page. Please amend either Schedule A or the Detailed Summary figures to correct this discrepancy. (11 CFR 104.3(a))

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

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

9720424151

ATTACHMENT #5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

5 May 1983

Telbert King, Treasurer
District 1199 Political Action Fund
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: October Quarterly Report (7/1/82-9/30/82)

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26a of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

8303271372

Attachment 6

MEMORANDUM TO THE FILE

TELECON WITH : Telbert King, Treasurer, Roy Anderson, Comptroller, & Alan S. Schneyman of Fine & Gruber, P.C.

ANALYST : Ed Ryan

DATE : May 12, 1983

SUBJECT : Notices dated May 4 and 5, 1983

Mr. King, treasurer of the Political Action Fund, Roy Anderson and Alan S. Schneyman called regarding notices which had been recently sent. Mr. King asked several questions regarding a labor organization loaning or contributing money to its separate segregated fund. I told Mr. King that a labor union could not contribute any money from general treasury funds of the union to its separate segregated fund. He then asked if a separate segregated fund may loan or contribute to another separate segregated fund? I told him a separate segregated fund can loan or contribute money to another separate segregated fund provided that they stay within the contribution limitations for political committees. I went on to say that affiliated separate segregated funds can loan, contribute or transfer money to each other without limitation , but under no circumstances could they accept money from the general treasury of the labor organization. He started to explain about the reimbursements, but I advised him to include all of that information in his response. He said he would, and he would also refund the $20,000 from the Retail, Wholesale and Department Store Union per the instructions in the notice .

Amended 1982 30 Day Post-General Report

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

83 MAY 13 P 1:33

May 10, 1983

POLITICAL ACTION FUND

Edward Ryan
Reports Analyst
Reports Analyst Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Ryan:

RE: Federal Election Commission
Report of Receipts and
Disbursements-- dated
Oct. 14, 1982 to
Nov. 22, 1982

I.D. No. C00022400

Thank you for your letters to Telbert King, Treasurer, District 1199 Political Action Fund, dated 4 May, 1983 as RQ-1 and 4 May 1983 as RQ-2.

RQ-1 is replied to as follows: enclosed is the amended report with R.W.D.S.U. fully written out and added to the name of our committee;

RQ-2 is replied to as follows: we have refunded the $20,000.00 to the donor by certified check, and enclose herewith a copy of that check; and

RQ-2 is additionally replied to as follows: no change in the report has been made as to contributions because no contributions were shown in the Schedule A., only items shown are "other receipts". Items 11(a) and 11(d) total contributions are respectively $5,288 and are in agreement. Schedule A items are all fully explained.

Unless we are in error, the enclosed amended report is, hopefully, submitted in satisfaction of your letters. The refund will appear on Line 26a of the Detailed Summary Page of our next report.

Faithfully Yours,
District 1199
Political Action Fund
Roy Anderson, Comptroller

coe 1199/ra

Doris Turner, *President*
Exec. Vice Presidents: Sondra Clark, *RN Div.* • Philip Kamenkowitz, *Drug Div.* • Jesse Olson, *Guild Div.* • Ramon Malave, *Hospital Div.*
Vice Presidents: Judith Berek • Herbert Binger • Henrietta Doar • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Gioia
Edward Kay • Telbert King • Barrington Moore • Karl Rath • Floris Saunders • Floyd Shepard • Edward Wecker • David White

Attachment 7 (page 2 of 2)

83 MAY 18 P1:33

BY ENDORSEMENT THIS CHECK WHEN PAID IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING ACCOUNT

DATE		AMOUNT
Contribution		20,000 00
Cuome-Office of	Governor.	

DISTRICT 1199 POLITICAL ACTION FUND
310 WEST 43RD STREET
NEW YORK, N.Y. 10036

1251

1-337/260

May 10, 1983 19

PAY TO THE ORDER OF RETAIL, WHOLESALE AND DEPARTMENT STORE UNION AFL/CIO $20,000.00

20000 and 00 Cts DOLLARS

CERTIFIED
MAY 10 1983
AMALGAMATED BANK
NEW YORK

AMALGAMATED BANK OF NEW YORK
124 1710 BROADWAY NEW YORK, NEW YORK 10019

Louis Burner

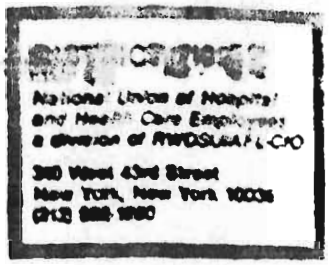
⑈001251⑈ ⑆026003379⑆ 3100328

RUOCO 008

3 7 0 4 3 7 4 1 4 2

Amended October Quarterly Report





May 18th, 1983

Mr. Edward Ryan, Reports Analyst
Federal Election Commission
Reports Analysis Division
Washington, D.C. #20463

Re: I.D. No. C00022400
October Quarterly Report
(7/1 82-9/30/82)
RQ-5

Dear Mr. Ryan:

Pursuant to your telephone conversation with Alan S. Schneyman of Fine and Gruber, P.C. we wish to reiterate our position that no contribution from a labor organization was received during the above referenced period.

The receipt of $602.00 from District #1199 which you question (item F on Schedule A) was in fact the return of an erroneous disbursement which was made two weeks earlier. This occured when two bills totaling $601.50 which were not properly payable by District #1199 Political Action Fund were miscoded and included along with another printing bill in the payment to National Union made on July 8, 1982 and shown in item A on page 5 of itemized disbursements. When the error was discovered the money was refunded to the District #1199 Political Action Fund by District #1199 who was respon-

Doris Turner, President
Exec. Vice Presidents: Sandra Clark, RN Dir. • Phillip Kennebrew, Drug Dir. • Jesse [illegible] Guild Dir. • Ramon Nieves, Jr. Dir.
[illegible] • Herbert Berger • Hendricks Boar • Arlene Lavelle • [illegible] • Mel [illegible]
[illegible] • Talbert Lugo • Darlington Moore • Karl Raff • [illegible] • [illegible] • [illegible]

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

sible for these bills. This was clearly not a contribution from a labor organization.

If you require any further information please contact the undersigned.

Sincerely yours,

Roy Anderson,
Comptroller

C 0 3 0 3 2 7 2 1 8 5 0

Doris Turner, *President*
Exec. Vice Presidents: Sandra Clark, *RN Div.* • Philip Kamenkowitz, *Drug Div.* • Jack Olsen, *Guild Div.* • Bernice Malone, *Hospital Div.*
Vice Presidents: Judith Levik • Herbert Luger • Henrietta Dear • Arlene Lavalty • Steve Fraser • Joe Bruzzese • Vivian Gu
Edward Day • Talbert Lang • Barrington Moore • Karl Rath • Doris Saunders • Floyd Shepard • Edward Wechsler • David W

ATTACHMENT 9

1983 Mid-Year Report

SUMMARY PAGE
of Receipts and Disbursements
(For FEC FORM 3X)

Name of Committee (In Full)
DISTRICT 1199 POLITICAL ACTION FUND

Report Covering the Period
From 1-1-82 To 6-30-83

	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 $ 27603)	27603	27603	11(a)
(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))	27603	27603	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 AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Dividends, Interest, etc.)	8448	8448	17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	36051	36051	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	213	213	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	2350	2350	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	20000	20000	24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees	18	18	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))	18	18	26(d)
27. OTHER DISBURSEMENTS	18396	18396	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	40977	40977	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	27603	27603	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)	18	18	30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	27585	27585	31
32. TOTAL OPERATING EXPENDITURES from Line 19	213	213	32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	-0-	-0-	33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	213	213	34

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES PO[illegible] FUND	$25,000.	$12,000 -	$13,000 -

Election: ☐ Primary ☐ General ☐ Other (specify):

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code 310 W 43rd STREET NEW YORK, N Y 10036	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION	$20000.	20000 -	- 0 -

Election: ☐ Primary ☐ General ☐ Other (specify):

Terms: Date Incurred 10-19-82 Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code 30 E. 29 STREET NEW YORK, N Y 10016	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

83032RN36112

ATTACHMENT 10

SCHEDULE B — ITEMIZED DISBURSEMENTS

Page 1 of 1 Pages
Last Number Used 31
Enter one number for each category of the Disbursement Schedule Used

1981 MID-YEAR REPORT

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)

DISTRICT 1199 POLITICAL ACTION FUND

	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
A. Full Name, Mailing Address and ZIP Code TED WEISS FOR CONGRESS COMM 180 EAST END AVE N.Y. N.Y. 10028	PARTY CELEBRATION Disbursement for ☐ Primary ☐ General ☐ Other (specify)	4-29-81	300 -
B. Full Name, Mailing Address and ZIP Code CITIZENS COMM FOR FRED 43 PIERREPONT ST. BROOKLYN BROOKLYN N.Y. 11201	RECEPTION Disbursement for ☐ Primary ☐ General ☐ Other (specify)	5-22-81	250 -
C. Full Name, Mailing Address and ZIP Code NATIONAL UNION OF HOSP. & HEATH CARE EMPLOYEES 310 W 43 ST N.Y. 10036	LEAFLET - MARK GREEN FOR CONGRESS Disbursement for ☐ Primary ☐ General ☐ Other (specify)	2-23-81 5-26-81	36 - 30 -
D. Full Name, Mailing Address and ZIP Code NATIONAL UNION	DINNER INVITATIONS MARK GREEN Disbursement for ☐ Primary ☐ General ☐ Other (specify)	2-23-81	104 -
E. Full Name, Mailing Address and ZIP Code NATIONAL UNION	PRINTING COCKTAIL PARTY MARK GREEN Disbursement for ☐ Primary ☐ General ☐ Other (specify)	2-23-81	236 -
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Page (if no subpages) or Subpage Line Number (start)			1574 -

AMENDED 1981 YEAR END REPORT

ATTACHMENT 11a

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)
DISTRICT 1199 POLITICAL ACTION FUND C00022400

A. Full Name, Mailing Address and ZIP Code ATLANTIC CITY BUS RIDE 310 WEST 43rd STREET NEW YORK NY 10036 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A SOCIAL AFFAIR Occupation HELD 6-27-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81 8-81	Amount of Each Receipt this Period 200. 33.
B. Full Name, Mailing Address and ZIP Code SALUTE TO FREEDOM 310 W 43 ST. NEW YORK NY 10036 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A, CIVIC, SOCIAL AWARD AFFAIR Occupation HELD 6-27-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81	Amount of Each Receipt This Period 50.
C. Full Name, Mailing Address and ZIP Code LONG ISLAND BOAT RIDE 310 WEST 43 St. NEW YORK NY 10036 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A SOCIAL AFFAIR Occupation HELD 7-10-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81	Amount of Each Receipt This Period 2224.
D. Full Name, Mailing Address and ZIP Code BOUNCED CHECK Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer RAFFLE HELD 9-80 Occupation Aggregate Year-to-Date-$	Date (month, day, year) 8-81	Amount of Each Receipt This Period (6.)
E. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 ST NEW YORK NY Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer REIMBURSEMENT FOR EXPENDITURE - TO Occupation BE ASSUMED BY DISTRICT Aggregate Year-to-Date-$	Date (month, day, year) 8-81	Amount of Each Receipt This Period 45.
F. Full Name, Mailing Address and ZIP Code Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			2971.

8-13-81

1981 YEAR END REPORT AMENDED

ATTACHMENT 1

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

Full Name of Committee (In Full)

DISTRICT 1199 POLITICAL ACTION FUND

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for	Date (month, day, year)	Amount of Each Disbursement This Period
DISTRICT 1199 310 WEST 43 ST NEW YORK NY 10036	TRANSFER OF DEPOSITS - INCORRECTLY MADE JUNE ☐ Primary ☐ General ☐ Other (specify) to JULY 1001	7-6-81	2190 -
DIST. 1199 DRUG INC. FUND 310 WEST 43 ST NEW YORK NY 10036	TRANSFER OF DEPOSIT INCORRECTLY MADE ☐ Primary ☐ General ☐ Other (specify) MARCH 1981	7-10-81	✓
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement ☐ Primary ☐ General ☐ 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)			2190 -

1982 OCTOBER QUARTERLY REPORT

ATTACHMENT 12

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)

DISTRICT 1199 POLITICAL ACTION FUND

	Purpose of Disbursement / Disbursement for	Date (month, day, year)	Amount of Each Disbursement This Period
A. Full Name, Mailing Address and ZIP Code NATIONAL UNION OF HOSP & HEALTH CARE EMPLOYEES 310 W 43 St NY 10036	Purpose of Disbursement: DISBURSEMENT IN ERROR Disbursement for ☐ Primary ☐ General ☐ Other (specify)	7-8-82	602 -
B. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 St. NY, NY 10036	Purpose of Disbursement: TO ADJUST FOR 7-N-82 DEPOSIT IN ERROR Disbursement for ☐ Primary ☐ General ☐ Other (specify)	7-23-82	100 -
C. Full Name, Mailing Address and ZIP Code NATIONAL UNION	Purpose of Disbursement: DISBURSEMENT IN ERROR Disbursement for ☐ Primary ☐ General ☐ Other (specify)	9-23-82	279
D. Full Name, Mailing Address and ZIP Code WORKERS DEFENSE LEAGUE INC 84 5th AVE. N.Y. NY 10011	Purpose of Disbursement: SAME Disbursement for ☐ Primary ☐ General ☐ Other (specify)	9-29-82	600.-
E. Full Name, Mailing Address and ZIP Code COALITION OF LABOR UNION WOMEN 256 PARK AVE N.Y. NY 10016	Purpose of Disbursement: SAME Disbursement for ☐ Primary ☐ General ☐ Other (specify)	9-29-82	75 -
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			1,656 -
TOTAL This Period (last page this line number only)			18786.-

C 7 1 1 1 0 2 0 3 2 4 0 5 3 7 4

ATTACHMENT 13

1982 - POST-GENERAL ELECTION REPORT - AMENDED (Page 1 of 2)

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) DISTRICT 1199 POLITICAL ACTION FUND
RETAIL WHOLESALE, AND DEPARTMENT STORE UNION

A. Full Name, Mailing Address and ZIP Code NY CHAPTER, AMERICANS FOR DEMOCRATIC ACTION	Purpose of Disbursement CONTRIBUTION Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-22-82	Amount of Each Disbursement This Period 100
B. Full Name, Mailing Address and ZIP Code 320 WEST END AVE NEW YORK, NY 10023	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code CASH - E. KAY 1444 E. 19 ST. BROOKLYN, NY 11230	Purpose of Disbursement EXPENSES - VARIOUS L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-25-82 27	Amount of Each Disbursement This Period 700 300
D. Full Name, Mailing Address and ZIP Code BRENT QUARLES	Purpose of Disbursement MUSIC - L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-25-82	Amount of Each Disbursement This Period 175
E. Full Name, Mailing Address and ZIP Code SAMMY GORDON 2970 W 24 ST. BROOKLYN, NY 11224	Purpose of Disbursement MUSIC - L I. DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-27-82	Amount of Each Disbursement This Period 600
F. Full Name, Mailing Address and ZIP Code KENTUCKY FRIED CHICKEN 215 OSER AVE HAUPPAUGE, NY 11787	Purpose of Disbursement FOOD - L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-27-82	Amount of Each Disbursement This Period 729
G. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 S- NY NY 10036	Purpose of Disbursement REIMBURSEMENT RENTAL - L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-2-82	Amount of Each Disbursement This Period 800
H. Full Name, Mailing Address and ZIP Code MANHATTAN PLAZA WINERY 489 9th AVE NY. NY 10036	Purpose of Disbursement RE CUOMO SEE 11-4-82 RECEIPT Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-16-82	Amount of Each Disbursement This Period 202
I. Full Name, Mailing Address and ZIP Code NATIONAL UNION 310 W 43 St NY NY 10036	Purpose of Disbursement CORRECTION - 10-8-82 DEPOSIT IN ERROR Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-15-82	Amount of Each Disbursement This Period 330
SUBTOTAL of Disbursements This Page (optional)			$ 836
TOTAL This Period (last page this line number only)			

M82 - Pre-General Election Report - Amended ATTACHMENT 13

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 (Page 2 of 2)

Name of Committee (in Full) DISTRICT 1199 POLITICAL ACTION FUND
RETAIL WHOLESALE AND DEPARTMENT STORE UNION

A. Full Name, Mailing Address and ZIP Code DISTRICT 1199	Purpose of Disbursement CORRECTION - 11/4 & 11/15 DEPOSITS IN ERROR Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-16-82	Amount of Each Disbursement This Period 206
B. Full Name, Mailing Address and ZIP Code DISTRICT 1199 SOLIDARITY FUND 310 W 43 St. NY NY 10036	Purpose of Disbursement DISTRIBUTION - 25% OF RAFFLE PROCEEDS Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-2-82 19	Amount of Each Disbursement This Period 5587 1238
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			7031
TOTAL This Period (last page this line number only)			37 237

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 13, 1983

Telbert King, Treasurer
District 1199 Political Action Fund/
Retail, Wholesale & Department
Store Union
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Mid-Year (1/1/81-6/30/81), Amended Year End (7/1/81-12/31/81), October Quarterly (7/1/82-9/30/82) and Amended 30 Day Post-General (10/14/82-11/22/82) Reports

Dear Mr. King:

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

-Your reports disclose apparent contributions from labor organizations (pertinent portions attached). In addition, there appear to be contributions on behalf of a Federal candidate, which have been made by a labor organization. You are advised that contributions from/by labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26(a) of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance and making of prohibited contributions, prompt action by you to refund the full amount will be taken into consideration by the Commission. You are reminded that an explanation should be provided for each apparent violation.

2711241565

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

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

37044167

ATTACHMENT 15

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-3

November 3, 1983

Telbert King, Treasurer
District 1199 Political Action Fund/
Retail, Wholesale & Department
Store Union
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Mid-Year (1/1/81-6/30/81), Amended Year End (7/1/81-12/31/81) and October Quarterly (7/1/82-9/30/82) Reports

Dear Mr. King:

This letter is to inform you that as of November 2, 1983, the Commission has not received your response to our request for additional information, dated October 13, 1983. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Edward Ryan on our toll-free number (800) 424-9530 or our local number (202) 357-0026.

Sincerely,

John D. Gibson for
Assistant Staff Director
Reports Analysis Division

Enclosure

2710741468

Amended 198[illegible] Mid-Year and Year Reports
Amended 1982 October Quarterly and 30 Day Post
General Election Reports

DISTRICT 1199
[illegible] Drug Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) [illegible]

November 1, 1983

"POLITICAL ACTION FUND"

Edward Ryan
Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Ryan:

Identification Number: C00022400

Responding to your letter of October 13, 1983, "RQ-2", requesting amendments to certain original reports (see copy of your letter attached) we have had our accountants prepare corrective adjustments, according to the attachments to your letter, which we have numbered 1 to 7 and tied these numbers in with our corrective adjustments. (i.e.: 1st Attachment, 2nd Attachment, 3rd Attachment, & etc.).

Trusting this is the information you need, remain,

Very truly yours,
DISTRICT 1199
POLITICAL ACTION FUND

Roy Anderson, Comptroller
for Tolbert King, Treasurer

coe:1199/RA/mf

Doris Turner, President
Exec. Vice Presidents: Phillip Kamerdinowitz, Drug Div. • Jesse Olsen, Guild Div. • Ramon Malave, Hospital Div.
Vice Presidents: Herbert Binger • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Glein •
Edward Kay • Tolbert King • Barrington Moore • Karl Rath • [illegible]ris Saunders • Floyd Shepard • Edward Wacker • David White

DISTRICT 1199 POLITICAL ACTION FUND
DETAILS RE: ITEMS
FEDERAL ELECTION LETTER DATED 13 OCTOBER 1982

1st ATTACHMENT

DISBURSEMENTS MADE IN ERROR:

4/16 A. NATARASS & Co		1370.
6/23 J. FERGUSON		4277
6/26 Sou Dela Loma		490.
		10637

SHOULD HAVE BEEN MADE BY DISTRICT 1199. WAS REIMBURSED IN JULY 1981. SEE PG. 1 OF 2, LINE 17 JANUARY 31 YEAR-END REPORT

2nd ATTACHMENT

ALL PAYMENTS TO NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES REPRESENT PAYMENT FOR PRINTING CHARGES AS INDICATED ON ATTACHMENT RE: MARK GREEN FOR CONGRESS.

3rd ATTACHMENT

3/5/81 REIMBURSEMENT FROM DISTRICT 1199 $ 490.- IS FOR 3/2/81 DISBURSEMENT TO BEWD FOR DEPOSIT- HALL RENTAL. LATTER WAS LISTED ON PG 1 OF 4, ITEM 19 IN JULY 1981 MID-YEAR REPORT.

0 5 0 3 2 9 6 1 1 6 9

4th ATTACHMENT

7/6/81 DISBURSEMENT TO DISTRICT 1199 OF $ 2190.-
REPRESENTS TRANSFER OF DUES AGREED
IN JUNE OF 1970.- AND STILL 1 OF 220.-
FOR EVENTS HELD BY DISTRICT 1199, BUT
INCORRECTLY DEPOSITED IN POLITICAL ACTION
SEE RESPECTIVE REPORTS.

7/20/81 DISBURSEMENT TO DISTRICT 1199
DRUG INDUSTRY FUND OF MONEY DEPOSITED
3/9/81 $ INCORRECTLY. SEE REPORT.

8303290611170

	Initials	Date
Prepared By		
Approved By		

ATTACHMENT

1. 7/23/82 DISBURSEMENT TO DISTRICT 1199 OF 100 - IS TO TRANSFER AMOUNT REFUNDED FROM MICHAEL RIFKIN 7/1/82 AND DEPOSITED HERE IN ERROR. SEE REPORT.

2. 9/23/82 DISBURSEMENT TO NATIONAL UNION OF 279. - WAS IN ERROR AS IT HAD TO DO WITH AN EVENT HELD BY DISTRICT 1199. REIMBURSED OCTOBER 14. SEE REPORT

3. 9/29/82 DISBURSEMENT TO WORKERS DEFENSE LEAGUE, INC OF 100 - WAS IN ERROR AS IT WAS NOT A POLITICAL CONTRIBUTION WAS REIMBURSED OCTOBER 14. SEE REPORT.

4. 9/29/82 DISBURSEMENT TO COALITION OF LABOR OF 75. - IS SAME AS ABOVE

C 7 0 0 3 2 9 6 4 1 4 7 1 2

	Initial	Date
Prepared By		
Approved By		

5th ATTACHMENT

11/16/82, DISBURSEMENT TO DISTRICT 1199 OF 206 IS TO TRANSFER THE FOLLOWING DEPOSITED IN ERROR:

11/4/82 ROSE MALDONADO - CHILDREN'S & HAS PART 4 — 40.-

11/15/82 TOLBERT KING - REIMBURSEMENT AIRFARE — 166.-

$ 206.-

3 7 1 1 7 2 4 1 1 7 2
0 3 0 3 2 9 6 1 1 7 2

	Initials	Date
Prepared By		
Approved By		

23 ATTACHMENT						
11/16/82 DISBURSEMENT TO NATIONAL UNION OF $ 22a. IS TO CORRECT 10/31/82 DEPOSIT THOUGHT TO BE CONTRIBUTIONS WAS FROM BROOKDALE VILLAGE HMO WAS DUES CHECK-OFF.						

0 8 2 3 2 9 6 4 1 7 3

Amended 1981 Mid-Year and Year End Reports
Amended 1982 October Quarterly and 30 Day
Post-General Election Reports

ATTACHMENT #17
(Page 1 of 2)

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

November 10, 1983

Mr. Edward Ryan, Reports Analyst
Reports Analyst Division
Federal Election Commission
Washington, D. C. 20463

RE: Letter Dated October 13, 1983 and
Political Action Fund of District 1199

Dear Mr. Ryan:

In an effort to clear up the above-captioned matter, please note the following:

EXHIBIT I

Disbursements made by Political Action Fund in error:

4/16 A. Matarasso & Co.	$1,370.00
6/23 J. Ferguson	43.77
6/26 Son Dela Loma	450.00
	$1,863.77

The District reimbursed the Political Action Fund in July 1981. Please refer to our year-end report dated January 31, 1982 (Page 1 of 2, line 17) now in your possession.

EXHIBIT II

All payments to the National Union of Hospital and Health Care Employees represent payment for printing charges as indicated on attachment Re: Mark Green for Congress

EXHIBIT III

August 5, 1981 reimbursement from District 1199 is for March 25, 1981 disbursement to B.E.W. Co. for deposit for hall rental. Latter was listed on Page 1 of 4, item 19 in July, 1981 mid-year report, also in your possession.

EXHIBIT IV

July 6, 1981 disbursement to District 1199 of $2,190 represents transfer of monies received in June - $1,970 and July 1 of $220 for events held by District 1199, but incorrectly deposited in political action account. See respective reports.

July 15, 1981 disbursement to District 1199 Drug Industry Fund of money deposited March 9, 1981 - $5,000 incorrectly. See respective report.

Doris Turner, President
Exec. Vice Presidents Philip Ramenkowitz, Drug Div. • Jesse Olson, Guild Div. • Ramon Malave, Hospital Div.
Vice Presidents Herbert Binger • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Gioia •
Edward Kay • Telbert King • Barrington Moore • Karl Rath • Floris Saunders • Floyd Shepard • Edward Wecker • David White

Mr. Edward Ryan, Reports Analyst
Federal Election Committee
Page 2
November 10, 1983

EXHIBIT V

1. July 23, 1982 disbursement to District 1199 of $100 is to transfer amount received from Michael Rifkin July 15, 1982 and deposited here in error. See respective report.

2. September 23, 1982 disbursement to National Union of $279; was in error as it had to do with an event held by District 1199. Reimbursed October 14th. See respective report.

3. September 29, 1982 disbursement to Workers Defense League, Inc. of $600, was in error as it was not a political contribution. Was reimbursed October 14. See respective report.

4. September 29, 1982 disbursement to Coalition of Labor of $75. Same as above.

EXHIBIT VI

November 16, 1982 disbursement to District 1199 of $206 is to transfer the following that was deposited in error:

November 4, 1982 - Rose Maldonado - Children's Xmas Party -	$ 40.00
November 15, 1982 - Telbert King - Reimbursement for Airfare	166.00
	$206.00

EXHIBIT VII

November 16, 1982 disbursement to National Union of $230 is to correct October 8, 1982 deposit thought to be contributions. Was from Brookdale Village and was dues check-off.

Each item enclosed clearly indicates the Exhibit being referred to herein and we trust that these details respond satisfactorily to your letter.

Very truly yours,

TELBERT KING
Treasurer

Enc.

C 7 0 0 0 0 4 1 1 7 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

16 February 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF DISTRICT 1199 POLITICAL ACTION FUND OF THE NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, RWDSU, AFL-CIO

This is a referral of the District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF"). During the 1981-82 election cycle, PAF was engaged in the following activities in apparent violation of 2 U.S.C. 441b(a):

1. accepting reimbursements from labor organizations for disbursements made in error by PAF;

2. making reimbursements to a labor organization for in-kind contributions on behalf of a Federal candidate;

3. depositing non-voluntary funds in error; and

4. receiving a $20,000 loan from a labor organization.

Disbursements have been made to remedy the apparent violations noted in items 3 and 4; however, PAF does not appear to have refunded the reimbursements received from labor organizations for disbursements made in error as noted in item 1. According to the Review and Referral Procedures (Chart 4), further examination is required by your office.

3704041477

Please note that a cursory review of the 1983 Mid-Year and Year End Reports indicate that PAF may still be depositing non-voluntary funds in error (totaling ($170) and reporting receipts from the union totalling $14,106 which appear to be proceeds from fundraisers.

For your information, PAF was referred for possible audit under 2 U.S.C 438(b) on August 23, 1983; however, the Commission voted not to audit on September 13, 1983.

If you have any questions, please contact Ed Ryan at 523-4048.

Attachment

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 16 February 1984

ANALYST: Edward Ryan

I. COMMITTEE: District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO 1/
(C00022400)
Telbert King, Treasurer
310 West 43rd Street
New York, NY 10036

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

III. BACKGROUND:

Activities Involving Prohibited Contributions - 2 U.S.C. 441b(a)

The 1982 October Quarterly and 30 Day Post-General Election Reports filed by District 1199 Political Action Fund of the National Union of Hospital and Health Care Employees, RWDSU, AFL-CIO ("PAF") disclosed the receipt of two (2) reimbursements from District 1199 and District 1199 of the National Union of Hospital and Health Care Employees totalling $1,556 (Attachments 2a & 2b). In addition, PAF's 30 Day Post-General Election Report disclosed the receipt of a $20,000 loan from the Retail, Wholesale and Department Store Union on October 19, 1982 (Attachment 3).2/

1/ District 1199 is a division of the Retail, Wholesale and Department Store Union.

2/ On the same day, PAF reportedly made a $20,000 contribution to Friends of Cuomo. The transaction was disclosed on a disbursement schedule supporting Line 27 and included the notation "loan - RWDSU COPE".

On May 4, 1983, a Request for Additional Information ("RFAI") was sent on the 30 Day Post-General Election Report advising PAF that contributions by labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. The RFAI further advised PAF that if it had received a prohibited contribution, a refund of the full amount should be made to the donor (Attachment 4). PAF was also notified via a May 5th Informational Notice that it may have received a prohibited labor contribution during the October Quarterly reporting period, and that a refund should be made (Attachment 5).

On May 12, 1983, representatives of PAF called the Reports Analysis Division (RAD) analyst to say that they had received the notices. Telbert King, PAF's new treasurer, asked several questions regarding a labor organization loaning or contributing money to its separate segregated fund. He was advised that a labor organization may not loan or contribute money from its general treasury to its separate segregated fund. He was informed that affiliated committees may transfer money between one another without limit, but under no circumstances could they accept money from the general treasury of a labor organization. He said he would repay the loan according to the instructions in the notice (Attachment 6).

On May 19, 1983, the Commission received an amendment to the 30 Day Post-General Election Report, which included a copy of a $20,000 check to the Retail, Wholesale and Department Store Union AFL-CIO representing full repayment of the loan (Attachment 7). 3/ As indicated on the check, repayment was made on May 10, 1983. The transaction was disclosed on PAF's 1983 Mid-Year Report (Attachment 8). The May 19th response, however, did not include an explanation regarding the $954 reimbursement from District 1199 of the National Union of Hospital and Health Care Employees .

3/ The check included a notation that the amount was a contribution for Cuomo for Governor.

On May 20, 1983, the Commission received a response from PAF regarding the October Quarterly Report, which stated that the $602 from District 1199 was a "return of an erroneous disbursement" for printing which PAF had made. This amount was combined with another printing bill and paid to the National Union on July 8, 1982. When the error was discovered, the money was refunded by District 1199" who was responsible for these bills." PAF also indicated that it did not consider this transaction a contribution from a labor organization (Attachment 9).

A subsequent review of PAF's 1981 and 1982 reports disclosed additional activity that appeared to be questionable. The 1981 Mid-Year Report included four (4) reimbursements by PAF to the National Union of Hospital and Health Care Employees totalling $1,006 for contributions on behalf of a Federal candidate (Attachment 10). The Amended 1981 Year End Report disclosed the receipt of $450 from District 1199 as a "reimbursement for expenditure to be assumed by District" and two (2) disbursements totalling $2,195 to District 1199 accounts for funds which were incorrectly deposited in the political action account (Attachments 11a and 11b). The 1982 October Quarterly Report disclosed $1,054 in disbursements to District 1199, the Workers Defense Fund, Inc., and the Coalition of Labor Union Women for deposits or disbursements made in error (Attachment 12). The 1982 30 Day Post-General Report disclosed disbursements to the National Union in the amount of $230 and to District 1199 in the amount of $206. In both cases, the disbursements were for monies deposited in error (Attachment 13).

A Request for Additional Information was sent on October 13, 1983, questioning the aforementioned transactions (Attachment 14). Since there was no response, a Second Notice was sent on November 3, 1983 (Attachment 15).

PAF did respond on November 7, 1983 by providing a brief explanation of the problems that occurred between the separate segregated fund and several other parties (Attachment 16). According to Mr. Roy Anderson (PAF's Controller), the transactions related to: a) disbursements made by PAF in error with subsequent reimbursements received from District 1199, the National Union, the Workers Defense League, and the Coalition of Labor; b) payments by PAF to the National Union for printing on behalf of Mark Green for Congress; and c) and funds incorrectly deposited into PAF's account which were subsequently disbursed to District 1199, the National Union, and the Drug Industry Fund.

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On November 15, 1983, a second response was received from PAF, which reiterated points mentioned in the earlier response (Attachment 17). It does not appear from either response that any of the reimbursements received by PAF for disbursements in error have been refunded.

The attached chart lists the apparent violations of 2 U.S.C. 441b by category and report type. The figures have been derived from reports filed by PAF.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

There are no outstanding RFAIs or other matters requiring referral.

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CHART ON APPARENT VIOLATIONS OF 2 U.S.C. 441b

I. Deposits in Error

	Date Rec'd	Amount	Date Disb.
1981 Mid-Year	3/9/81	$ 5	7/10/81
	6/81	1,970	7/6/81
1981 Year End	7/1/81	220	7/6/81
1982 October Qtrly.	7/15/81	100	7/23/82
1982 Post-General	10/8/82	230	11/16/82
	11/4/82	40	11/16/82
	11/15/82	166	11/16/82
TOTAL		$2,731	

II. Reimbursement Received by PAC for Disbursements in Error

	Date Disb.	Amount	Date Rec'd
1981 Mid-Year	4/16/81	$1,370	7/81
	6/23/81	43.77	7/81
	6/26/81	450	7/81
1981 Year End	3/25/81	450	8/5/81
1982 October Qtrly.	7/8/82	602	7/23/82
1982 Post-General	9/23/82	279	10/14/82
	9/29/82	600	10/14/82
	9/29/82	75	10/14/82
TOTAL		$3,869 .77	

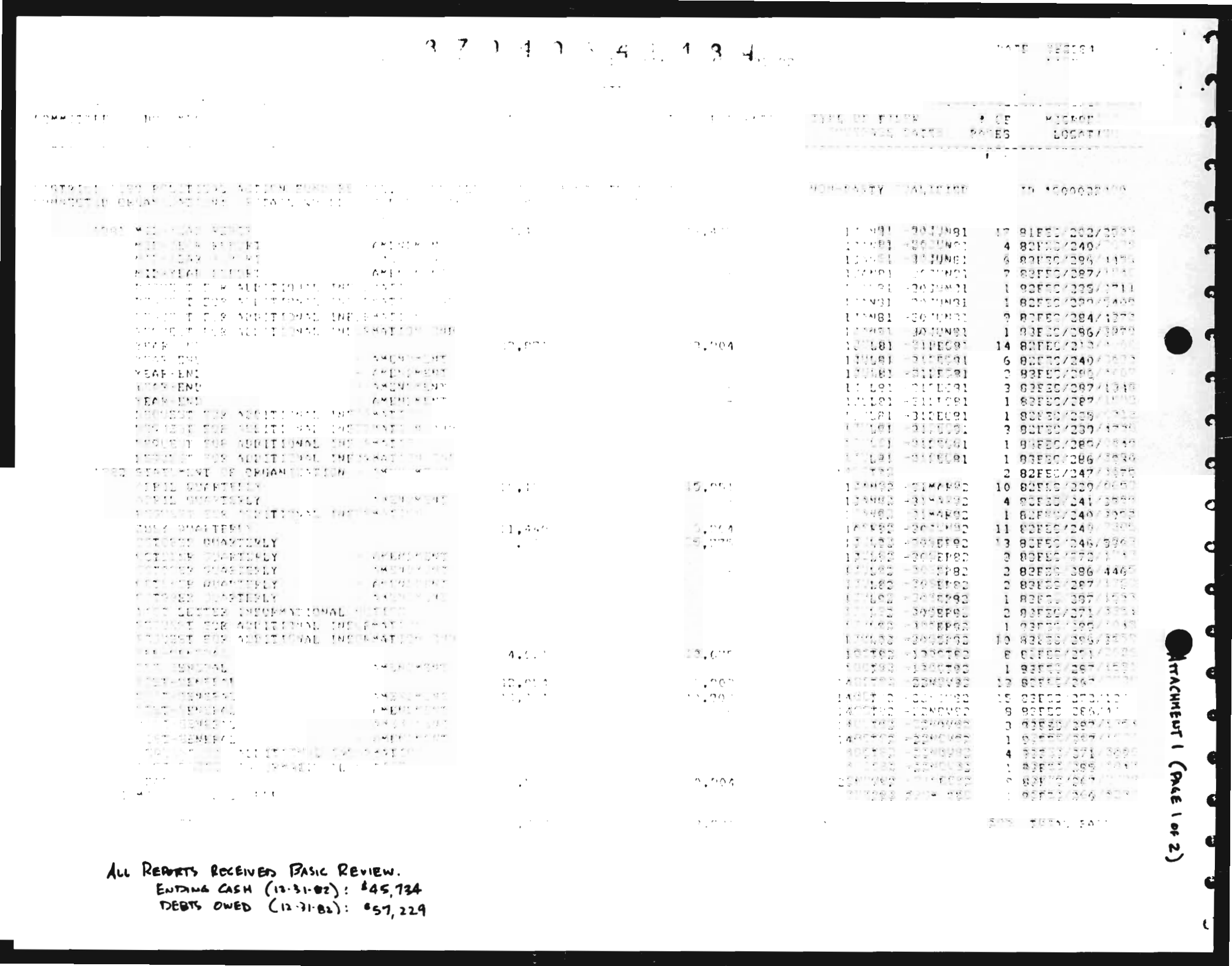
III. Reimbursements to Union for In-Kind Contributions

	Date Disb.	Amount
1981 Mid-Year	2/23/81	$ 361
	2/23/81	104
	2/23/81	235
	5/26/81	306
TOTAL		$1,006

IV. Loan from Union to PAC

	Date Rec'd	Amount	Date Repaid
1982 Post-General	10/19/82	$20,000	5/10/83
TOTAL		$20,000	

GRAND TOTAL $27,606 .77



All Reports Received Basic Review.
Ending Cash (12-31-82): $45,734
Debts Owed (12-31-82): $57,229

Attachment 1 (Page 1 of 2)

COMMITTEE	CONSENT	DISBURSEMENTS		TYPE OF FILER COVERAGE DATES		# OF PAGES	MICROFILM LOCATION
DISTRICT 1199 POLITICAL ACTION FUND (RETAIL, WHOLESALE AND DEPARTMENT ST RE UNION				NON PARTY QUALIFIED			ID #C00022400
CONNECTED ORGANIZATI N: RETAIL WHOLESALE DEPT STORE UNION							
1983 REQUEST FOR ADDITIONAL INFORMATION						1	83FEC/271/3004
STATEMENT OF ORGANIZATION	AMENDMENT			7MAR83		1	83FEC/267/2728
STATEMENT OF ORGANIZATION	AMENDMENT			10MAY83		1	83FEC/272/1670
MID YEAR REPORT	30,851	40,977		1JAN83	-30JUN83	15	83FEC/280/3610
YEAR-END	35,276	15,129		1JUL83	-31DEC83	13	84FEC/296/1619
TOTAL	71,127	0 56,106	0			31	TOTAL PAGES

No reports have been reviewed.

Ending cash-on-hand as of December 31, 1983:	$60,755
Debts owed to the committee as of December 31, 1983:	$ 0
Debts owed by the committee as of December 31, 1983:	$35,811

SCHEDULE A

ITEMIZED RECEIPTS

October Quarterly Report

LINE NUMBER 17 (Use separate schedule(s) for each category of the Detailed Summary Page)

ATTACHMENT #2

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)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt this Period
* RAFFLE -		7-82 8-82 9-82	3,971.- 6,280.- 10,336.-
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
B. ~~Full Name, Mailing Address and ZIP Code~~	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
* DRAWING, FORMALLY TO BE HELD OCT 6, 1982, HAS BEEN POSTPONED TO DEC 10, 1982 TO ALLOW MORE MEMBERS TO PARTICIPATE			
Receipt For: ~~☐ Primary ☐ General~~ ☐ Other (specify)	Aggregate Year-to-Date—$		
C. ~~Full Name, Mailing Address and ZIP Code~~	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
25% OF PROCEEDS TO BE GIVEN TO DISTRICT 1199 SOLIDARITY FUND			
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
MANUFACTURERS BANK OF NEW YORK	INTEREST	9-30-82	165.-
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
MICAEL RIFKIN 310 W 101 ST NEW YORK NY 10025	CREDIT IN ERROR	7-16-82	100.-
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
DISTRICT 1199 310 W 43 ST NEW YORK NY 10025	REIMBURSEMENT FOR 7-8-82 DISBURSEMENT IN ERROR	7-23-82	1,002.-
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
-			
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			21,154

P 3 2 0 1 3 3 6 7

SCHEDULE A

ITEMIZED RECEIPTS

30 Day Post General Election

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)
DISTRICT 1199 POLITICAL ACTION FUND

	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
A. Full Name, Mailing Address and ZIP Code * RAFFLE - Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Aggregate Year-to-Date—$	OCT 14-31 NOV. 1-22	2,125 7,672
B. ~~Full Name, Mailing Address and ZIP Code~~ * DRAWING FORMALLY TO BE HELD OCT. 6, 1982, HAS BEEN POSTPONED TO DEC. 10, 1982 TO ALLOW MORE MEMBERS TO PARTICIPATE Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
C. ~~Full Name, Mailing Address and ZIP Code~~ 25% OF PROCEEDS TO BE GIVEN TO DISTRICT 1199 SOLIDARITY FUND Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code DISTRICT 1199, NUH&HCE 310 W. 43 ST N.Y. 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer REIMBURSEMENT FOR DISBURSMENTS MADE IN ERROR Occupation 9/23 & 9/29/82 Aggregate Year-to-Date—$	Date (month, day, year) 10-14-82	Amount of Each Receipt This Period 954
E. Full Name, Mailing Address and ZIP Code BROOKDALE VILLAGE 125 B. 19 ST. FAR ROCKAWAY, N.Y. 11691 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer ADJUSTMENT - DEPOSIT IN ERROR Occupation SEE DISBURSEMENTS Aggregate Year-to-Date—$	Date (month, day, year) 10-8-82	Amount of Each Receipt This Period 230
F. Full Name, Mailing Address and ZIP Code FRIENDS OF MARIO CUOMO Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer REIMBURSEMENT FOR LIQUOR BILL Occupation SEE DISBURSEMENTS Aggregate Year-to-Date—$	Date (month, day, year) 11-4-82	Amount of Each Receipt This Period 202
G. Full Name, Mailing Address and ZIP Code ROSE MALDONADO 1595 E. 174 ST BRONX N.Y. 10472 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer DEPOSIT IN ERROR Occupation SEE DISBURSEMENTS Aggregate Year-to-Date—$	Date (month, day, year) 11-4-82	Amount of Each Receipt This Period 40
SUBTOTAL of Receipts This Page (optional)			11,223
TOTAL This Period (last page this line number only)			

SCHEDULE C
(Revised 3/80)

LOANS

LINE NUMBER 10 #3
(Use separate schedules for each numbered line)

30 Day Post General Election Report

Name of Committee (in Full)
DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES POLITICAL ACTION FUND Election: ☐ Primary ☐ General ☐ Other (specify)	$ 20,000.-	12,000.-	13,000.-

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. ~~Full Name, Mailing Address and ZIP Code~~ 310 W 43 RD STREET NEW YORK, N.Y. 10036	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION Election: ☐ Primary ☑ General ☐ Other (specify)	$ 20,000.-	-0-	$ 20,000.-

Terms: Date Incurred 10-19-82 Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. ~~Full Name, Mailing Address and ZIP Code~~ 30 E. 29 STREET NEW YORK, N.Y. 10016	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	33,000.-

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

ATTACHMENT #4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

4 May 1983

Telbert King, Treasurer
District 1199 Political Action Fund
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

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

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26a of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

-The total amount of contributions itemized on Schedule A plus the total amount of unitemized contributions reported on the Detailed Summary Page should equal the total reported on Line 11(a) of the Detailed Summary Page. Please amend either Schedule A or the Detailed Summary figures to correct this discrepancy. (11 CFR 104.3(a))

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

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

27114141490

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

5 May 1983

Telbert King, Treasurer
District 1199 Political Action Fund
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: October Quarterly Report (7/1/82-9/30/82)

Dear Mr. King:

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

-Your report discloses an apparent contribution(s) from a labor organization (pertinent portion attached). You are advised that contributions from labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26a of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by you to refund the full amount will be taken into consideration by the Commission.

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

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Attachment 6

MEMORANDUM TO THE FILE

TELECON WITH : Telbert King, Treasurer, Roy Anderson, Comptroller, & Alan S. Schneyman of Fine & Gruber, P.C.

ANALYST : Ed Ryan

DATE : May 12, 1983

SUBJECT : Notices dated May 4 and 5, 1983

Mr. King, treasurer of the Political Action Fund, Roy Anderson and Alan S. Schneyman called regarding notices which had been recently sent. Mr. King asked several questions regarding a labor organization loaning or contributing money to its separate segregated fund. I told Mr. King that a labor union could not contribute any money from general treasury funds of the union to its separate segregated fund. He then asked if a separate segregated fund may loan or contribute to another separate segregated fund? I told him a separate segregated fund can loan or contribute money to another separate segregated fund provided that they stay within the contribution limitations for political committees. I went on to say that affiliated separate segregated funds can loan, contribute or transfer money to each other without limitation , but under no circumstances could they accept money from the general treasury of the labor organization. He started to explain about the reimbursements, but I advised him to include all of that information in his response. He said he would, and he would also refund the $20,000 from the Retail, Wholesale and Department Store Union per the instructions in the notice .

8701041492

Amended 1982 30 Day Post-General Report

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

May 10, 1983

POLITICAL ACTION FUND

Edward Ryan
Reports Analyst
Reports Analyst Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Ryan:

RE: Federal Election Commission Report of Receipts and Disbursements-- dated Oct. 14, 1982 to Nov. 22, 1982

I.D. No. C00022400

Thank you for your letters to Telbert King, Treasurer, District 1199 Political Action Fund, dated 4 May, 1983 as RQ-1 and 4 May 1983 as RQ-2.

RQ-1 is replied to as follows: enclosed is the amended report with R.W.D.S.U. fully written out and added to the name of our committee;

RQ-2 is replied to as follows: we have refunded the $20,000.00 to the donor by certified check, and enclose herewith a copy of that check; and

RQ-2 is additionally replied to as follows: no change in the report has been made as to contributions because no contributions were shown in the Schedule A., only items shown are "other receipts". Items 11(a) and 11(d) total contributions are respectively $5,288 and are in agreement. Schedule A items are all fully explained.

Unless we are in error, the enclosed amended report is, hopefully, submitted in satisfaction of your letters. The refund will appear on Line 26a of the Detailed Summary Page of our next report.

Faithfully Yours,
District 1199
Political Action Fund
Roy Anderson, Comptroller

coe 1199/ra

Doris Turner, *President*
Exec. Vice Presidents: Sondra Clark, *RN Div.* • Philip Kamenkowitz, *Drug Div.* • Jesse Olson, *Guild Div.* • Ramon Malave, *Hospital Div.*
Vice Presidents: Judith Berek • Herbert Binger • Henrietta Doar • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Gioia
Edward Kay • Telbert King • Barrington Moore • Karl Rath • Floris Saunders • Floyd Shepard • Edward Wecker • David White

37343761334

Attachment 7 (page 2 of 2)

83 MAY 19 P1:33

DATE		AMOUNT
Contribution		20,000 00
Cuomo-Office of		Governor.

DISTRICT 1199 POLITICAL ACTION FUND
310 WEST 43RD STREET
NEW YORK, N.Y. 10036

1251

1-337/260

May 10, 1983 19

PAY TO THE ORDER OF RETAIL, WHOLESALE AND DEPARTMENT STORE UNION AFL/CIO $20,000.00

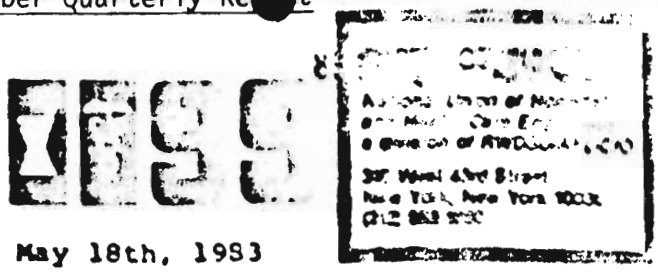
20000 and 00 cts DOLLARS

AMALGAMATED BANK OF NEW YORK
124 1710 BROADWAY NEW YORK, NEW YORK 10019

CERTIFIED

"001251" :026003379: 3100328

Amended October Quarterly Report



May 18th, 1983

Mr. Edward Ryan, Reports Analyst
Federal Election Commission
Reports Analysis Division
Washington, D.C. #20463

Re: I.D. No. C00022400
October Quarterly Report
(7/1/82-9/30/82)
RQ-5

Dear Mr. Ryan:

Pursuant to your telephone conversation with Alan S. Schneyman of Fine and Gruber, P.C. we wish to reiterate our position that no contribution from a labor organization was received during the above referenced period.

The receipt of $902.00 from District #1199 which you question (item F on Schedule A) was in fact the return of an erroneous disbursement which was made two weeks earlier. This occured when two bills totaling $901.50 which were not properly payable by District #1199 Political Action Fund were miscoded and included along with another printing bill in the payment to National Union made on July 8, 1982 and shown in item A on page 5 of itemized disbursements. When the error was discovered the money was refunded to the District #1199 Political Action Fund by District #1199 who was respon-

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of the RWDSU
310 West 43rd Street
New York, New York 10036
(212) 582-1890

sible for these bills. This was clearly not a contribution from a labor organization.

If you require any further information please contact the undersigned.

Sincerely yours,

Roy Anderson,
Comptroller

27 0 4 7 0 4 1 4 2 5
8 8 0 3 2 7 2 1 8 5 0

Doris Turner, President
Executive Vice Presidents Sandra Feldman, RN, Dist. • Patrick Gallagher, Dist. • Jack Gilden, Guild Dist. • Lillian Roberts, Nursing Home Dist.
Vice Presidents Jay Feldman • Helen Fisher • Henrietta Jones • Arlene Kaplan • Stanley Kessler • Victor Kovner
Executive Secretary • Telecommunications • Director of Organization • Karl Kurtz • Director of Research • Director of Publications • Director of Welfare

ATTACHMENT 9

1983 Mid-Year Report

...Y PAGE
...sements
...FORM 3X)

Name (Last Name First) If Individual
DISTRICT 1199 Political Action Fund

Report Covering the Period From: 1-1-83 To: 6-30-83

	COLUMN A Total This Period	COLUMN B Calendar Year ...	
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees.	27603	27603	11(a)
Memo Entry Unitemized $ 27603			
(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))	27603	27603	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 AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Dividends, Interest, etc.)	448	448	17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	28051	28051	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	213	213	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	350	[illegible]	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	[illegible]	[illegible]	24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees	18	18	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))	18	18	26(d)
27. OTHER DISBURSEMENTS	18346	[illegible]	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	18927	[illegible]	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	27603	[illegible]	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)	18	[illegible]	30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	27585	[illegible]	31
32. TOTAL OPERATING EXPENDITURES from Line 19	213	213	32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	-0-	-0-	33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	213	213	34

FEC ID 27711411127

FUND

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Owed at Close of This Period
CAL GRIFFITHS	$ 7000-	$ 12,000-	$ 13,00 -

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code 310 W. 43RD STREET NEW YORK, N Y 10036	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Owed at Close of This Period
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION	$ 20000.	20000-	- 0 -

Election: ☐ Primary ☐ General ☐ Other (specify):

Terms: Date Incurred 12-14-82 Date Due _____ Interest Rate _____ %(apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code 30 E. 29 STREET NEW YORK, N Y 10016	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

83032803612

ATTACHMENT 10

SCHEDULE B — ITEMIZED DISBURSEMENTS

Page 1 of 1 Pages

1981 MID-YEAR REPORT

Name of Committee (In Full)

DISTRICT 1199 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
TED WEISS FOR CONGRESS COMM 180 EAST END AVE NEW YORK 10028	PARTY CELEBRATION	4-29-81	300 -
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
CITIZENS COMM FOR FRED 43 PIERREPONT ST. RICHMOND BROOKLYN NY 11201	RECEPTION	5-22-81	250 -
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
NATIONAL UNION OF HOSP & HEALTH CARE EMPLOYEES 310 E 43 ST NY 10017	LEAFLET - MARK GREEN FOR CONGRESS	2-23-81 5-26-81	34 - 301 -
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
NATIONAL UNION	DINNER INVITATIONS MARK GREEN	2-23-81	104 -
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
NATIONAL UNION	PRINTING COCKTAIL PARTY MARK GREEN	2-23-81	236 -
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Candidate for Which Disbursement Was Made	Date (month, day, year)	Amount of Each Disbursement This Period
SUB TOTAL of Disbursements This Page (optional)			
TOTAL This Page (if no SUB TOTAL) or SUB TOTAL plus previous page			1574 -

AMENDED [illegible]

ATTACHMENT 11a

Name of Committee (in Full)
DISTRICT 1199 POLITICAL ACTION FUND C00022400

A. Full Name, Mailing Address and ZIP Code ATLANTIC CITY BUS RIDE 310 WEST 43rd STREET NEW YORK NY 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A SOCIAL AFFAIR Occupation HELD 6-27-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81 8-81	Amount of Each Receipt this Period 200. 33-
B. Full Name, Mailing Address and ZIP Code SALUTE TO FREEDOM 310 W 43 ST. NEW YORK NY 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A, CIVIC, SOCIAL AWARD AFFAIR Occupation HELD 6-27-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81	Amount of Each Receipt This Period 50.
C. Full Name, Mailing Address and ZIP Code LONG ISLAND BOAT RIDE 310 WEST 43 St. NEW YORK NY 10036 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer A SOCIAL AFFAIR Occupation HELD 7-10-81 Aggregate Year-to-Date-$	Date (month, day, year) 7-81	Amount of Each Receipt This Period 2224.
D. Full Name, Mailing Address and ZIP Code BOUNCED CHECK Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer RAFFLE HELD 9-80 Occupation Aggregate Year-to-Date-$	Date (month, day, year) 8-81	Amount of Each Receipt This Period (6-)
E. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 ST NEW YORK NY Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer REIMBURSEMENT FOR EXPENDITURE - TO Occupation BE ASSUMED BY DISTRICT Aggregate Year-to-Date-$	Date (month, day, year) 8-81	Amount of Each Receipt This Period 45c.
F. Full Name, Mailing Address and ZIP Code) Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			29 51

8-13-81

1981 YEAR END REPORT - AMENDED

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)

DISTRICT 1199 POLITICAL ACTION FUND

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
DISTRICT 1199 310 WEST 43 ST NEW YORK NY 10036	TRANSFER OF DEPOSITS - INCORRECTLY MADE JUNE Disbursement for ☐ Primary ☐ General ☐ Other (specify) @ JULY 1981	7-6-81	2190 -
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
DIST. 1199 ORG INC FUND 310 WEST 43 ST NEW YORK NY 10036	TRANSFER OF DEPOSIT INCORRECTLY MADE Disbursement for ☐ Primary ☐ General ☐ Other (specify) MARCH 1981	7-10-81	√ -
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			2190 -

ATTACHMENT 12

1982 OCTOBER QUARTERLY REPORT

Any solicitation issued 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)

DISTRICT 1199 POLITICAL ACTION FUND

	Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Disbursement for	Date (month, day, year)	Amount of Each Disbursement This Period
A	NATIONAL UNION OF HOSP & HEALTH CARE EMPLOYEES 310 W 43 St NY 10036	DISBURSEMENT IN ERROR	☐ Primary ☐ General ☐ Other (specify)	7-8-82	602 -
B	DISTRICT 1199 310 - W 43 ST NY NY 10036	TO ADJUST FOR 7-8-82 DEPOSIT IN ERROR	☐ Primary ☐ General ☐ Other (specify)	7-22-82	100 -
C	NATIONAL UNION	DISBURSEMENT IN ERROR	☐ Primary ☐ General ☐ Other (specify)	9-23-82	279 -
D	WORKERS DEFENSE LEAGUE 84 5th AVE. INT N.Y. NY 10011	SAME	☐ Primary ☐ General ☐ Other (specify)	9-29-82	600.-
E	COALITION OF LABOR 265 PARK AVE UNION WOMEN N.Y. NY 10016	SAME	☐ Primary ☐ General ☐ Other (specify)	9-29-82	75 -
F			☐ Primary ☐ General ☐ Other (specify)		
G			☐ Primary ☐ General ☐ Other (specify)		
H			☐ Primary ☐ General ☐ Other (specify)		
I			☐ Primary ☐ General ☐ Other (specify)		

SUBTOTAL of Disbursements This Page (optional)	1,854 -
TOTAL This Period (last page this line number only)	18786.-

27117 0203234 05374

ATTACHMENT 13

1982 POST-GENERAL ELECTION [illegible] - AMENDED (Page 1 of 2)

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): DISTRICT 1199 POLITICAL ACTION FUND
RETAIL WHOLESALE, AND DEPARTMENT STORE UNION

A. Full Name, Mailing Address and ZIP Code NY CHAPTER, AMERICANS FOR DEMOCRATIC ACTION	Purpose of Disbursement CONTRIBUTION Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-22-82	Amount of Each Disbursement This Period 100
B. Full Name, Mailing Address and ZIP Code 320 WEST END AVE NEW YORK, NY 10023	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code CASH - E. KAY 1444 E. 19 ST. BROOKLYN, NY 11230	Purpose of Disbursement EXPENSES - VARIOUS L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-25-82 27	Amount of Each Disbursement This Period 700 300
D. Full Name, Mailing Address and ZIP Code BRENT QUARLES	Purpose of Disbursement MUSIC - L. I. DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-28-82	Amount of Each Disbursement This Period 175
E. Full Name, Mailing Address and ZIP Code SAMMY GORDON 2970 W 24 ST. BROOKLYN NY 11224	Purpose of Disbursement MUSIC - L I. DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-27-82	Amount of Each Disbursement This Period 600
F. Full Name, Mailing Address and ZIP Code KENTUCKY FRIED CHICKEN 215 OSER AVE HAUPPAUGE, NY 11787	Purpose of Disbursement FOOD - L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 10-27-82	Amount of Each Disbursement This Period 729
G. Full Name, Mailing Address and ZIP Code DISTRICT 1199 310 W 43 S- NY NY 10036	Purpose of Disbursement REIMBURSEMENT RENTAL - L I DANCE Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-2-82	Amount of Each Disbursement This Period 800
H. Full Name, Mailing Address and ZIP Code MANHATTAN PLAZA WINERY 489 9th Ave NY NY 10036	Purpose of Disbursement RE CUOMO SEE 11-4-82 RECEIPT Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-16-82	Amount of Each Disbursement This Period 202
I. Full Name, Mailing Address and ZIP Code NATIONAL UNION 310 W 43 St NY NY 10036	Purpose of Disbursement CORRECTION - 10-8-82 DEPOSIT IN ERROR Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 11-15-82	Amount of Each Disbursement This Period 230
SUBTOTAL of Disbursements This Page (optional)			3836
TOTAL This Period (last page this line number only)			

M82 - Dec. General Election Report - Amended

ATTACHMENT 15

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) DISTRICT 1199 POLITICAL ACTION FUND
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION

	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
A. Full Name, Mailing Address and ZIP Code DISTRICT 1199	CORRECTION - 11/4 & 11/15 DEPOSITS IN ERROR Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	11-16-82	206
B. Full Name, Mailing Address and ZIP Code DISTRICT 1199 SOLIDARITY FUND 310 W 43 St. NY NY 10036	DISTRIBUTION - 25% OF RAFFLE PROCEEDS Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	11-2-82 19	587 1238
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			7 031
TOTAL This Period (last page this line number only)			37 037

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 13, 1983

Telbert King, Treasurer
District 1199 Political Action Fund/
Retail, Wholesale & Department
Store Union
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Mid-Year (1/1/81-6/30/81), Amended Year End (7/1/81-12/31/81), October Quarterly (7/1/82-9/30/82) and Amended 30 Day Post-General (10/14/82-11/22/82) Reports

Dear Mr. King:

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

-Your reports disclose apparent contributions from labor organizations (pertinent portions attached). In addition, there appear to be contributions on behalf of a Federal candidate, which have been made by a labor organization. You are advised that contributions from/by labor organizations are prohibited by the Act, unless made from a separate segregated fund established by the labor organization. (2 U.S.C. 441b(a)) If you have received a labor contribution(s), the Commission recommends that you refund the full amount to the donor(s). The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 26(a) of the Detailed Summary Page of your next report.

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

Although the Commission may take further legal steps concerning the acceptance and making of prohibited contributions, prompt action by you to refund the full amount will be taken into consideration by the Commission. You are reminded that an explanation should be provided for each apparent violation.

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

Sincerely,

Edward Ryan

Edward Ryan
Reports Analyst
Reports Analysis Division

8720424153

ATTACHMENT 15

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-3

November 3, 1983

Telbert King, Treasurer
District 1199 Political Action Fund/
Retail, Wholesale & Department
Store Union
310 W. 43rd Street
New York, NY 10036

Identification Number: C00022400

Reference: Mid-Year (1/1/81-6/30/81), Amended Year End (7/1/81-12/31/81) and October Quarterly (7/1/82-9/30/82) Reports

Dear Mr. King:

This letter is to inform you that as of November 2, 1983, the Commission has not received your response to our request for additional information, dated October 13, 1983. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Edward Ryan on our toll-free number (800) 424-9530 or our local number (202) 357-0026.

Sincerely,

John D. Gibson for
Assistant Staff Director
Reports Analysis Division

Enclosure

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582-1890

November 1, 1983

"POLITICAL ACTION FUND"

Edward Ryan
Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Ryan:

Identification Number: C00022400

Responding to your letter of October 13, 1983, "RQ-2", requesting amendments to certain original reports (see copy of your letter attached) we have had our accountants prepare corrective adjustments, according to the attachments to your letter, which we have numbered 1 to 7 and tied these numbers in with our corrective adjustments. (i.e.: 1st Attachment, 2nd Attachment, 3rd Attachment, & etc.).

Trusting this is the information you need, remain,

Very truly yours,
DISTRICT 1199
POLITICAL ACTION FUND

Roy Anderson, Comptroller
for Tolbert King, Treasurer

coe:1199/RA/mf

Doris Turner, President
Exec. Vice Presidents Phillip Kamenkowitz, Drug Div. • Jesse Olsen, Guild Div. • Ramon Malave, Hospital Div.
Vice Presidents Herbert Binger • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Gioia •
Edward Kay • Tolbert King • Barrington Moore • Karl Rach • [illegible]ris Saunders • Floyd Shepard • Edward Wecker • David White

ATTACHMENT 16

DISTRICT 1199 POLITICAL ACTION FUND
DETAILS RE: ITEMS
FEDERAL ELECTION LETTER DATED 13 OCTOBER 1983

1ST ATTACHMENT

DISBURSEMENTS MADE IN ERROR:

4/16	A. NATORAS & Co	4370.
6/23	J. FERGUSON	4277
6/26	SOUTH DELTA LOAN	1990.
		10637

SHOULD HAVE BEEN MADE BY DISTRICT 1199. WAS REIMBURSED IN JULY 1981. SEE PG. 1 OF 2, LINE 17 JANUARY 31 YEAR-END REPORT

2ND ATTACHMENT

ALL PAYMENTS TO NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, REPRESENT PAYMENT FOR PRINTING CHARGES AS INDICATED ON ATTACHMENT RE: MARK GREEN FOR CONGRESS.

3RD ATTACHMENT

3/15/81 REIMBURSEMENT FROM DISTRICT 1199 - NO - IS FOR 3/27/81 DISBURSEMENT TO BE USED FOR DEPOSIT- HALL RENTAL. LATTER WAS LISTED ON PG 1 OF H. ITEM 19 IN JULY 1981 MID-YEAR REPORT.

0 5 0 3 2 9 6 4 1 6 9

4th ATTACHMENT

7/6/81 DISBURSEMENT TO DISTRICT 1199 OF $ 2190.-
REPRESENTS TRANSFER OF DUES RECEIVED
IN JUNE OF 1970.- AND $ 1 OF $ 220.-
FOR EVENTS HELD BY DISTRICT 1199, BUT
INCORRECTLY DEPOSITED IN POLITICAL ACTION
SEE RESPECTIVE REPORTS.

7/20/81 DISBURSEMENT TO DISTRICT 1199 -
DRUG INDUSTRY FUND OF MONEY DEPOSITED
3/9/81 " INCORRECTLY, SEE REPORT.

8103290611170

ATTACHMENT

1. 7/23/82 DISBURSEMENT TO DISTRICT 1199 OF 100.- IS TO TRANSFER AMOUNT REFUNDED FROM MICHAEL RIFKIN 7/W/82 AND DEPOSITED HERE IN ERROR. SEE REPORT.

2. 9/23/82 DISBURSEMENT TO NATIONAL UNION OF 279.- WAS IN ERROR AS IT WAS TO DO WITH AN EVENT HELD BY DISTRICT 1199. REIMBURSED OCTOBER 14'82. SEE REPORT

3. 9/29/82 DISBURSEMENT TO WORKERS DEFENSE LEAGUE, INC OF 100.- WAS IN ERROR AS IT WAS NOT A POLITICAL CONTRIBUTION WAS REIMBURSED OCTOBER 14'82. SEE REPORT.

4. 9/29/82 DISBURSEMENT TO COALITION OF LABOR OF 75.- IS SAME AS ABOVE

27 7 1 2 4 6 0 3 2 9 4 1 7 1 1

6th ATTACHMENT

11/16/82, DISBURSEMENT TO DISTRICT 1199 OF 206 IS TO TRANSFER THE FOLLOWING DEPOSITED IN ERROR:

11/4/82 ROSE MALDONADO- CHILDREN'S X MAS PARTY $ 40.-

11/15/82 TELGERT KING - REIMBURSEMENT AIRFARE 166.-

$ 206.-

0332961172

13 ATTACHMENT						
11/16/82 DISBURSEMENT TO NATIONAL UNION OF $ 230 IS TO CORRECT 10/31/82 DEPOSIT THOUGHT TO BE PAYROLL DEDUCTIONS WAS FROM GREENDALE VILLAGE H&O WAS DUES CHECK-OFF.						

0132964173

Amended 1981 Mid-Year and Year End Reports
Amended 1982 October Quarterly and 30 Day
Post-General Election Reports

ATTACHMENT #17
(Page 1 of 2)

DISTRICT 1199
National Union of Hospital and Health Care Employees
a division of RWDSU/AFL-CIO
310 West 43rd Street
New York, New York 10036
(212) 582 1890

November 10, 1983

Mr. Edward Ryan, Reports Analyst
Reports Analyst Division
Federal Election Commission
Washington, D. C. 20463

RE: Letter Dated October 13, 1983 and
Political Action Fund of District 1199

Dear Mr. Ryan:

In an effort to clear up the above-captioned matter, please note the following:

EXHIBIT I

Disbursements made by Political Action Fund in error:

4/16 A. Matarasso & Co.	$1,370.00
6/23 J. Ferguson	43.77
6/26 Son Dela Loma	450.00
	$1,863.77

The District reimbursed the Political Action Fund in July 1981. Please refer to our year-end report dated January 31, 1982 (Page 1 of 2, line 17) now in your possession.

EXHIBIT II

All payments to the National Union of Hospital and Health Care Employees represent payment for printing charges as indicated on attachment Re: Mark Green for Congress

EXHIBIT III

August 5, 1981 reimbursement from District 1199 is for March 25, 1981 disbursement to B.E.W. Co. for deposit for hall rental. Latter was listed on Page 1 of 4, item 19 in July, 1981 mid-year report, also in your possession.

EXHIBIT IV

July 6, 1981 disbursement to District 1199 of $2,190 represents transfer of monies received in June - $1,970 and July 1 of $220 for events held by District 1199, but incorrectly deposited in political action account. See respective reports.

July 13, 1981 disbursement to District 1199 Drug Industry Fund of none, deposited March 9, 1981 - $5.00 incorrectly. See respective report.

Doris Turner, President
Exec. Vice Presidents Philip Karmenkowitz, Drug Div. • Jesse Olson, Guild Div. • Ramon Malave, Hospital Div.
Vice Presidents Herbert Binger • Arlene Ezratty • Steve Frankel • Joe Franklin • Vivian Gross •
Edward Kay • Telbert King • Barrington Moore • Karl Rath • Floris Saunders • Floyd Shepard • Edward Wecker • David White

Mr. Edward Ryan, Reports Analyst
Federal Election Committee
Page 2
November 10, 1983

EXHIBIT V

1. July 23, 1982 disbursement to District 1199 of $100 is to transfer amount received from Michael Rifkin July 15, 1982 and deposited here in error. See respective report.

2. September 23, 1982 disbursement to National Union of $279; was in error as it had to do with an event held by District 1199. Reimbursed October 14th. See respective report.

3. September 29, 1982 disbursement to Workers Defense League, Inc. of $600, was in error as it was not a political contribution. Was reimbursed October 14. See respective report.

4. September 29, 1982 disbursement to Coalition of Labor of $75. Same as above.

EXHIBIT VI

November 16, 1982 disbursement to District 1199 of $206 is to transfer the following that was deposited in error:

November 4, 1982 - Rose Maldonado - Children's Xmas Party -	$ 40.00
November 15, 1982 - Telbert King - Reimbursement for Airfare	166.00
	$206.00

EXHIBIT VII

November 16, 1982 disbursement to National Union of $230 is to correct October 8, 1982 deposit thought to be contributions. Was from Brookdale Village and was dues check-off.

Each item enclosed clearly indicates the Exhibit being referred to herein and we hope that these details respond satisfactorily to your letter.

Very truly yours,

TELBERT KING
Treasurer

Enclosures

FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1733

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

12.3.87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE

PUBLIC FILE OF CLOSED MUR 1733

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 27, 1987

Jon Quint, Esquire
Markewich, Friedman & Markewich
1501 Broadway
New York, New York 10036

RE: MUR 1733
Retail Wholesale and
Department Store Union

Dear Mr. Quint:

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 Charles Snyder the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

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EISNER & LEVY, P.C.
ATTORNEYS AT LAW
113 UNIVERSITY PLACE
NEW YORK, NEW YORK 10003-4588
TELEPHONE (212) 473-1122

EUGENE G. EISNER
RICHARD A. LEVY
FANETTE POLLACK

DANIEL J. RATNER
MIRIAM F. CLARK

December 29, 1986

87 JAN 8 A10:57

Charles N. Steele
General Counsel, Federal Election Commission
Washington, D.C. 20463

Re: MUR-1733, District 1199, District 1199 PAF

Dear Mr. Steele:

Enclosed please find a check drawn by District 1199 in the amount of $1,000.00, and a second check drawn by District 1199 PAF in the amount of $1,580.00 representing the civil penalties pursuant to the District 1199 and District 1199 PAF conciliation agreements in respect to the above captioned matters.

With the tender of the checks here enclosed, we believe that all matters arising out of the acts and transactions set forth in the above referred conciliation agreements are fully resolved.

Very truly yours,

EISNER & LEVY, P.C.

By: Daniel J. Ratner per RAL
Daniel J. Ratner

DJR/kk
cc: Georgianna Johnson
Eddie Kay
Richard A. Levy

2413

EISNER & LEVY P.C.
ATTORNEYS AT LAW
111 UNIVERSITY PLACE
NEW YORK, NEW YORK 10003-4688

Charles N. Steele, General Counsel
Federal Election Commission
Washington, D.C. 20463

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