



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

THIS IS THE BEGINNING OF MUR # 4581

DATE FILMED 1-8-77 CAMERA NO. 4

CAMERAMAN Jm H

97043772817

## REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: August 30, 1996

ANALYST: Vincent R. Tallman

I. COMMITTEE: Consolidated Local Union No. 177 of the  
I.B.E.W. Outside-Inside PAC Fund  
(C00139683)  
Thomas M. Gibbons, Treasurer  
966 Liberty Street  
Jacksonville, FL 32206

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i)  
11 CFR §104.5(c)(1)(i)(A)

## III. BACKGROUND:

## Failure to Timely File the 1996 April Quarterly Report

The Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund ("the Committee") failed to timely file the 1996 April Quarterly Report of Receipts and Disbursements covering the period from January 1, 1996 to March 31, 1996. The Committee was notified on March 22, 1996 that the report was due on April 15, 1996 (Attachment 2). A Non-Filer Notice was sent to the Committee on May 8, 1996 for failure to file the 1996 April Quarterly Report (Attachment 3).

On June 3, 1996, the Reports Analysis Division ("RAD") analyst called the Committee to inquire about the 1996 April Quarterly Report. The analyst informed Renee Martin, Secretary of the Committee, that the Committee must file the April Quarterly Report immediately to avoid enforcement action by the Office of General Counsel. Ms. Martin stated that she had not filed the report because their accountant was in the hospital and she didn't want to file a report with mistakes similar to those on the 1995 Year End Report. The analyst advised the Committee to file the most accurate report possible. Ms. Martin stated that the Committee would send in the report as soon as possible (Attachment 4).

On June 13, 1996, the RAD analyst called the Committee and informed Renee Martin that the April Quarterly Report

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still had not been filed. Ms. Martin stated that she mailed the April Quarterly Report on June 7, 1996 via certified mail. The analyst stated that he would be looking for the report (Attachment 5).

On June 26, 1996, the RAD analyst called the Committee and told Ms. Martin that the April Quarterly Report still had not arrived at the Commission. Ms. Martin said that she had mailed it earlier, but that she would send a copy of the report to the Commission via registered mail (Attachment 6).

The 1996 April Quarterly Report was sent certified mail on June 28, 1996 and received by the Commission on July 3, 1996 (Attachment 7).

97043772819

FEDERAL ELECTION COMMISSION  
1995-1996  
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 29MAR96

PAGE 1

COMMITTEE	NT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
CONSOLIDATED LOCAL UNION NO 177 OF THE I B E W OUTSIDE-INSIDE PAC FUND CONNECTED ORGANIZATION: ELECTRICAL WORKERS; INT'L BROTHD OF				ID #C00139683 NON-PARTY QUALIFIED		
1995 APRIL QUARTERLY		15,995	19,690	1JAN95 -31MAR95	8	95FEC/975/3176
REQUEST FOR ADDITIONAL INFORMATION				1JAN95 -31MAR95	3	96FEC/015/3820
REQUEST FOR ADDITIONAL INFORMATION 2ND				1JAN95 -31MAR95	3	96FEC/029/2376
JULY QUARTERLY		9,982	7,050	1APR95 -30JUN95	5	95FEC/984/4762
REQUEST FOR ADDITIONAL INFORMATION				1APR95 -30JUN95	3	96FEC/015/3814
REQUEST FOR ADDITIONAL INFORMATION 2ND				1APR95 -30JUN95	3	96FEC/029/2379
OCTOBER QUARTERLY		12,038	5,846	1JUL95 -30SEP95	5	95FEC/001/0003
REQUEST FOR ADDITIONAL INFORMATION				1JUL95 -30SEP95	3	96FEC/015/3817
REQUEST FOR ADDITIONAL INFORMATION 2ND				1JUL95 -30SEP95	4	96FEC/029/2382
YEAR-END		6,816	7,229	1OCT95 -31DEC95	5	96FEC/027/3476
YEAR-END - AMENDMENT		-	-	1OCT95 -31DEC95	2	96FEC/039/3690
REQUEST FOR ADDITIONAL INFORMATION				1OCT95 -31DEC95	3	96FEC/033/1225
REQUEST FOR ADDITIONAL INFORMATION 2ND				1OCT95 -31DEC95	4	96FEC/057/1783
1996 APRIL QUARTERLY		10,499	7,756	1JAN96 -31MAR96	5	96FEC/059/4829
NOTICE OF FAILURE TO FILE				1JAN96 -31MAR96	2	96FEC/049/2620
JULY QUARTERLY		8,481	4,500	1APR96 -30JUN96	4	96FEC/066/4419
TOTAL		63,751	0	32,071	0	62 TOTAL PAGES

All Reports Have Been Reviewed.

Ending Cash-On-Hand as of 6/30/96: \$170,500.67

Outstanding Debts Owed by the Committee: \$0

Outstanding Debts Owed to the Committee: \$0<sup>1</sup>

1 The Committee dropped a \$1000 debt from the 1995 Year-End Report to the 1996 April Quarterly Report.

9704372800



# QUARTERLY REPORT NOTICE

## FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1996

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
April Quarterly	01/01/96 - 03/31/96	04/15/96	04/15/96

### WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in April.

### PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See the January 1996 Record.

### 24 HOUR REPORT ON INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee make independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election day.

### CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from quarterly to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

### LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

\*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

\*\*Reports sent registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

(over)

**PARTIES AND PACS**

**APRIL QUARTERLY**

**COMPLIANCE**

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

**FOR INFORMATION, CALL: 800/424-9530 or 202/219-3420**

9704377282



## FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-7

May 8, 1996

Thomas M. Gibbons, Treasurer  
Consolidated Local Union No. 177 of  
the I B E W Outside-Inside PAC Fund  
966 Liberty Street  
Jacksonville, FL 32206

Identification Number: C00139683

Reference: April Quarterly Report (1/1/96-3/31/96)

Dear Mr. Gibbons:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. 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, 999 E Street, NW, Washington, DC 20463 (or with the Secretary of the Senate). 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).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Vincent Tallman on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

2704372803

TELECON

**ANALYST:** Vincent R. Tallman

**CONTACT:** Renee Martin, Bookkeeper/Secretary for the Committee

**DATE:** June 3, 1996

**COMMITTEE:** Consolidated Local Union No. 177 of the I.B.E.W.  
Outside-Inside Pac Fund

**SUBJECT:** Late filing of the 1996 April Quarterly Report

The analyst called the Committee and talked to Renee Martin, Bookkeeper/Secretary for Consolidated Local Union #177, and informed her that the 1996 April Quarterly Report had not been filed with the Commission. The analyst informed Ms. Martin that the omitted report must be filed immediately in order to avoid enforcement action by the Office of General Counsel.

Ms. Martin stated that the accountant who helps the Committee prepare their reports was in the hospital and she didn't want to send in a report full of mistakes. The analyst told Ms. Martin that the Committee should file the report as soon as possible and to fix any mistakes with an amended report, if needed, at a later date. Ms. Martin indicated that the report would be filed as soon as possible.

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TELECON

**ANALYST:** Vincent R. Tallman

**CONTACT:** Renee Martin, Bookkeeper/Secretary for the Committee

**DATE:** June 13, 1996

**COMMITTEE:** Consolidated Local Union No. 177 of the I.B.E.W.  
Outside-Inside Pac Fund

**SUBJECT:** Late filing of the 1996 April Quarterly Report

The analyst called the Committee and talked to Renee Martin, Bookkeeper/Secretary for Consolidated Local Union #177, and informed her that the 1996 April Quarterly Report still had not been filed with the Commission. Ms. Martin stated that she had mailed the report to the Commission on June 7, 1996, via certified mail. The analyst said that he would keep his eyes open for the report.

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TELECON

ANALYST: Vincent R. Tallman

CONTACT: Renee Martin, Bookkeeper/Secretary for the Committee

DATE: June 26, 1996

COMMITTEE: Consolidated Local Union No. 177 of the I.B.E.W.  
Outside-Inside Pac Fund

SUBJECT: Late filing of the 1996 April Quarterly Report

The analyst called the Committee and talked to Renee Martin, Bookkeeper/Secretary for Consolidated Local Union #177, and informed her that the 1996 April Quarterly Report still had not been filed with the Commission. Ms. Martin stated that she had mailed the report to the Commission earlier, but she would make a copy of the report and send it to the Commission via registered mail.

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## REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee  
(Summary Page)Attachment #7  
Page 1 of 2  
FEDERAL ELECTION  
COMMISSION  
MAIL ROOM

Jul 3 12 10 PM '97

USE FPC MAILING LABEL  
OR  
TYPE OR PRINT

## 1. NAME OF COMMITTEE (in full)

Consolidated Local Union #177 of the  
Outside-Inside PAC FundADDRESS (number and street) ☐ Check if different than previously reported

966 Liberty Street

CITY, STATE and ZIP CODE

Jacksonville, Florida 32206

## 2. FEC IDENTIFICATION NUMBER

C00139683

3. ☐ This committee has qualified as a multicandidate  
committee. (see FEC FORM 1M)

## 4. TYPE OF REPORT

(a) ☒ April 15 Quarterly Report☐ July 15 Quarterly Report☐ October 15 Quarterly Report☐ January 31 Year End Report☐ July 31 Mid Year Report (Non-election Year Only)☐ Termination Report

## Monthly Report Due On:

<input type="checkbox"/> February 20	<input type="checkbox"/> June 20	<input type="checkbox"/> October 20
<input type="checkbox"/> March 20	<input type="checkbox"/> July 20	<input type="checkbox"/> November 20
<input type="checkbox"/> April 20	<input type="checkbox"/> August 20	<input type="checkbox"/> December 20
<input type="checkbox"/> May 20	<input type="checkbox"/> September 20	<input type="checkbox"/> January 21

☐ Twelfth day report preceding \_\_\_\_\_  
(Type of Election)

election on \_\_\_\_\_ in the State of \_\_\_\_\_

☐ Thirtieth day report following the General Election on  
\_\_\_\_\_ in the State of \_\_\_\_\_

(b) Is this Report an Amendment?

☐ YES ☒ NO

## SUMMARY

5. Covering Period 1-1-96 through 3-31-96

6. (a) Cash on Hand January 1, 19 96

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 10)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and  
Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 30)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO the Committee  
(Itemize all on Schedule C and/or Schedule D)10. Debts and Obligations Owed BY the Committee  
(Itemize all on Schedule C and/or Schedule D)I certify that I have examined this Report and to the best of my knowledge  
and complete.

Type or Print Name of Treasurer

Thomas M. Gibbons

Signature of Treasurer

*Thomas M. Gibbons*

Date

6-27-96

NOTE: Submission of false, erroneous, or incomplete information may subject the p

signing this Report to the penalties of 2 U.S.C. 9437b.

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FEC FORM 3X

(revised 9/93)

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**Federal Election Commission**  
**ENVELOPE REPLACEMENT PAGE**  
**FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

☐

Hand Delivered

DATE OF RECEIPT

☐

First Class Mail

POSTMARKED

☒

Registered/Certified Mail

POSTMARKED

6-28-96

☐

No Postmark

☐

Postmark Illegible

☐Received from the House Office of Records  
and Registration

DATE OF RECEIPT

☐Received from the Senate Office of Public  
Records

DATE OF RECEIPT

☐

Other (Specify):

POSTMARKED

and/or DATE OF RECEIPT

*S.H.*

PREPARER

7-3-96

DATE PREPARED



FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

Nov 4 2 34 PM '96

FIRST GENERAL COUNSEL'S REPORT

**SENSITIVE**

RAD REFERRAL: 96NF-04  
DATE ACTIVATED: October 28, 1996

STAFF MEMBER: Xavier McDonnell  
Jeffrey Marks

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Consolidated Local Union No. 177 of the I.B.E.W.  
Outside-Inside PAC Fund and Thomas M. Gibbons,  
as treasurer

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on July 19, 1996. The basis for the referral is the failure of the Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund ("the Committee") and Thomas M. Gibbons, as treasurer ("Respondents") to timely file the 1996 April Quarterly Report of Receipts and Disbursements.

**II. FACTUAL AND LEGAL ANALYSIS**

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends the Commission find reason to believe the Respondents violated 2 U.S.C. § 434(a)(4)(A)(i).

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#### IV. RECOMMENDATIONS

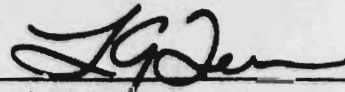
1. Open a MUR.
2. Find reason to believe that the Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, conciliation agreement, and the appropriate letter.

Lawrence M. Noble  
General Counsel

Date

11/1/96

BY:



Lois G. Lerner  
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed agreement


9704377283C



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**MEMORANDUM**

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE ROSS   
COMMISSION SECRETARY

DATE: NOVEMBER 7, 1996

SUBJECT: RAD Referral #96NF-04 - First General Counsel's Report

The above-captioned document was circulated to the Commission  
on Monday, November 04, 1996.

Objection(s) have been received from the Commissioner(s) as  
indicated by the name(s) checked below:

Commissioner Aikens	<u>XXX</u>
Commissioner Elliott	—
Commissioner McDonald	—
Commissioner McGarry	—
Commissioner Thomas	—

This matter will be placed on the meeting agenda for

Tuesday, November 12, 1996.

Please notify us who will represent your Division before the Commission on this  
matter.

97043772871

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

)  
Consolidated Local Union No. 177 of )  
the I.B.E.W. Outside-Inside PAC )  
Fund and Thomas M. Gibbons, as )  
treasurer )

RAD Referral

96NF-04

MUR 4581

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on November 12, 1996, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to RAD Referral 96NF-04:

1. Open a MUR.
2. Find reason to believe that the Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis, conciliation agreement, and the appropriate letter as recommended in the General Counsel's November 1, 1996 report.

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

Attest:

11-12-96

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

9704372832





**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**November 14, 1996**

**Thomas M. Gibbons, Treasurer  
Consolidated Local Union No. 177 of  
the I.B.E.W. Outside-Inside PAC Fund  
966 Liberty Street  
Jacksonville, FL 32206**

**RE: MUR 4581**

**Consolidated Local Union No. 177 of  
the I.B.E.W. Outside-Inside PAC Fund and  
Thomas M. Gibbons, as treasurer**

**Dear Mr. Gibbons:**

On November 12, 1996, the Federal Election Commission found that there is reason to believe that the Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer 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.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, 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.

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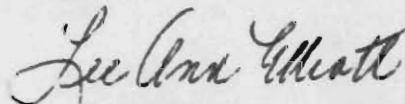
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Jeffrey Marks, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,



Lee Ann Elliot  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation Counsel Forms  
Conciliation Agreement

97043772874

**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENTS:** Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer **MUR: 4581**

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended ("the Act," ) requires that in a year in which a regularly scheduled general election is held, political committees other than authorized committees of a candidate must file quarterly reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i).

Pursuant to the Act, the Respondents were required to file a Quarterly Report of Receipts and Disbursements by April 15, 1996. The Commission received the Respondents' report by certified mail postmarked June 28, 1996, 74 days after the required date. Therefore, there is reason to believe that Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).

9 7 0 4 3 7 7 2 8 3 5



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 10, 1996

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
DEC 10 10 29 AM '96

**TWO WAY MEMORANDUM**

TO: OGC Docket

FROM: Rosa E. Swinton *RS* Accounting Technician Leslie D. Brown Disbursing Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from **CONSOLIDATED LOCAL UNION NO. 177 OF THE IBEW**, check number **1205**, dated **December 06, 1996**, for the amount of **\$1,100.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

=====

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursing Technician

FROM: OGC Docket *By aa*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$1,100.00, the MUR/Case number is 4581 and in the name of Consolidated Local Union No. 177 of the IBEW. Place this deposit in the account indicated below:

- ☐ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: \_\_\_\_\_

Anita Alexander  
Signature

12-10-96  
Date

97043772836



**CONSOLIDATED LOCAL UNION NO. 177**  
**OUTSIDE-INSIDE PAC FUND**  
966 LIBERTY STREET  
JACKSONVILLE, FL 32206

This Payment Made Possible  
By UNION LABOR

**1205**

12-6 19 96

63-7897/2830  
0

PAY  
TO THE  
ORDER OF

FEDERAL ELECTION COMMISSION

\$1,100.00

ONE THOUSAND ONE HUNDRED AND NO/100

DOLLARS

ELECTRICIANS LOCAL #177  
FEDERAL CREDIT UNION

966 LIBERTY STREET  
JACKSONVILLE, FLORIDA 32206

FOR MUR 4581

TWO SIGNATURES REQUIRED

*August R. Muffie*  
*Thomas M. Linton*

⑈001205⑈ ⑆263078976⑆ 0000001317051⑈

97043772837

Dec 13 9 53 AM '96

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of )  
)  
Consolidated Local Union No. 177 of the ) MUR 4581  
I.B.E.W. Outside-Inside PAC Fund and )  
Thomas M. Gibbons, as treasurer )

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On November 12, 1996, the Commission found reason to believe that the Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i), and entered into conciliation with Respondents prior to finding of probable cause to believe. The agreement approved by the Commission contained an admission of the violation and a civil penalty of \$1,100. Attached for the Commission's acceptance is a conciliation agreement signed by R. Michael Williams, Financial Secretary of the Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund.

9704372838

## II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

Date

12/12/96

BY:

Lois G. Lerner by AAS

Lois G. Lerner  
Associate General Counsel

### Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Xavier McDonnell  
Deborah Rice

97043772839

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Consolidated Local Union No. 177  
of the I.B.E.W. Outside-Inside PAC  
Fund and Thomas M. Gibbons, as  
treasurer.

)  
)  
) MUR 4581  
)  
)  
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 18, 1996, the Commission decided by a vote of 5-0 to take the following actions in MUR 4581:

1. Accept the conciliation agreement with Consolidated Local Union No. 177 of the I.B.E.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer, as recommended in the General Counsel's Report dated December 12, 1996.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated December 12, 1996.

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

Attest:

12-19-96  
Date

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

Received in the Secretariat: Fri., Dec. 13, 1996 9:53 a.m.  
Circulated to the Commission: Fri., Dec. 13, 1996 12:00 p.m.  
Deadline for vote: Wed., Dec. 18, 1996 4:00 p.m.

bjr

9704377284C





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 23, 1996

Thomas M. Gibbons, Treasurer  
Consolidated Local Union No. 177 of  
the I.B.E.W. Outside-Inside PAC Fund  
966 Liberty Street,  
Jacksonville, FL 32206

RE: MUR 4581  
Consolidated Local Union No. 177  
of the I.B.E.W. Outside-Inside PAC  
Fund and Thomas M. Gibbons,  
as treasurer

Dear Mr. Gibbons:

On December 18, 1996, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

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Enclosed you will find a copy of the fully executed conciliation agreement for your files.  
If you have any questions, please contact me at (202) 219-3690.

Sincerely,

*Xavier McDonnell*  
Xavier McDonnell  
Attorney

Enclosure  
Conciliation Agreement

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Nov 21 96

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COMMISSION MAIL ROOM

## BEFORE THE FEDERAL ELECTION COMMISSION

DEC 9 4 16 PM '96

In the Matter of

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MUR 4581

Consolidated Local Union No. 177 of the

)

I.B.F.W. Outside-Inside PAC Fund and

)

Thomas M. Gibbons, as treasurer

)

## CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities.

The Commission found reason to believe that Consolidated Local Union No. 177 of the I.B.F.W. Outside-Inside PAC Fund and Thomas M. Gibbons, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i).

NOW, THEREFORE, the Commission and the Respondents, 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 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.

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OFFICE OF GENERAL  
COUNSEL

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

1. Consolidated Local Union No. 177 of the I.B.E.W. Outside Inside PAC Fund is a political committee within the meaning of 2 U.S.C. § 431(4).
  2. Thomas M. Gibbons is the treasurer of Consolidated Local Union No. 177 of the I.B.E.W. ~~Outside~~-Inside PAC Fund.
  3. The Federal Election Campaign Act of 1971, as amended ("the Act") requires that in a year in which a regularly scheduled general election is held, political committees other than authorized committees of a candidate must file quarterly reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i). The Act further states that if the report is sent by certified or registered mail, the United States postmark will be considered the date of filing of the report. *Id.* at § 434(a)(5).
  4. Pursuant to the Act, the Respondents were required to file a Quarterly Report of Receipts and Disbursements by April 15, 1996.
  5. The Commission received the Respondents' report by certified mail postmarked June 28, 1996, 74 days after the required date. The report disclosed \$10,499.15 in contributions and \$7,756.81 in disbursements during the applicable reporting period.
- V. Respondents failed to timely file the 1996 April Quarterly Report of Receipts and Disbursements, in violation of 2 U.S.C. § 434(a)(4)(A)(i).
- VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand one hundred dollars (\$1,100), 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

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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(s) shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement(s) 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 enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:

*Lois O. Verner*  
Lois O. Verner  
Associate General Counsel

Date

12-23-96

FOR THE RESPONDENTS

*R. Michael Williams*  
(Name) R. MICHAEL WILLIAMS  
(Position) FINANCIAL SECRETARY

Date

12-6-96

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4581

DATE FILMED 1-8-97 CAMERA NO. 4

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