



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4636

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN C.S.

28043853148

Joseph M. Romagnano Jr.
701 Raines Dr
Mobile, Alabama 36609

APR 28 2 18 PM '97

April 22, 1997

Dear Sir,

I write to file a complaint on the following matter:

I'm a member of local Union 505, IBEW, Mobile, Ala. While at the Union hall today, I overheard a conversation between Brother David Green and his son, Mike Green about Mike's participation in the Clinton-Gore election campaign of 1996.

I inquired what their conversation was about as I overheard him say, he was hired by the Union to work in the Clinton-Gore campaign.

At this time, I indicated to him, I felt this was illegal.

After much discussion, it was revealed that not only Mike Green, but approximately, 4 other local members, had been paid to work in political campaigns during that same period.

He informed me, he had worked for Clinton-Gore and the other four members had worked in the Bedford U. S. Senate campaign. They were employed on a full time basis, approximately four weeks prior to and during the election.

Mr. Green informed me, he was paid a sum of _____ during this period.

Later that day, he brought me a copy of his W-2, confirming his employment by the Union.

After receiving this information, I contacted the Federal Election Commission, who advised me of the illegality of the disbursement of this money from the Local Union's general fund.

They indicated to me, a complaint should be written, requesting an investigation into this matter.

Respectfully yours,


Joseph M. Romagnano, Jr.

My Commission Expires June 1, 1998

8043853172



FEDERAL ELECTION COMMISSION

Washington, DC 20463

May 8, 1997

Joseph M. Romagnano, Jr.
701 Raines Drive
Mobile, Alabama 36609

Dear Mr. Romagnano:

This is to acknowledge receipt on April 28, 1997, of your letter dated April 22, 1997. The Federal Election Campaign Act of 1971, as amended and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge. The notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ____ day of ____, 19__." A statement by the notary that the complaint was sworn to and subscribed before him/her also will be sufficient. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

8043853173

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission. If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,

Retha Dixon

Retha Dixon
Docket Chief

Enclosure

cc: International Brotherhood of Electrical Workers-Local 505
Clinton-Gore '96
Roger Bedford for US Senate

8043853174

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNCIL

MAY 13 2 18 PM '97

Joseph M. Romagnano Jr.
701 Raines Dr.
Mobile, Alabama 36609
Tel. 334-344-8155

May 9, 1997

MUR 4636

Office of General Council
Federal Election Commission
999 E. Street Northwest
Washington, D.C. 20463

Dear Sir,

At this time I wish to resubmit my letter dated April 22, 1997, and add the following information concerning this matter.

On or about April 29, 1997 in the presence of Bobby Parmer and Jack Killpatrick, members of local union 505 IBEW, I asked Donald Adams, Financial Secretary/ Business Manager, if he had paid any members out of the local union's general fund to work in any federal campaigns? His answer was basically, that he had not.

I then informed him that Mike Green claimed that he'd worked in the Clinton-Gore campaign on full time basis for about four weeks. His answer to this was "that's a lie, that he had hired him under organizing and that he and other members had been working in (out to get the vote)".

Mr. Killpatrick then asked what is "out to get the vote" and his answer was "it's out to get the vote!"

I then asked how he could pay an organizer when the International President had not sanctioned a resolution passed by the body in May 1996 to fund an organizer from the general fund, much less organizers? He did not reply.

We then asked him who authorized him to disburse the money from the general fund? He replied that "the Executive Board" had given him the authority and the L.U. had approved their action.

I then asked him several times to let us review the minutes of the Executive Board, and Local Union meetings to verify when these actions had been voted on. Mr. Adams repeatedly refused our request to see the minutes of these meetings. He would not give us a reason why and directed us to address L.U. President Fred Moore for these request. On May 5, 1997 Bobby Parmer, Jack Killpatrick and I met with Mr. Moore and asked to see the canceled checks for September, October, and November 1996. He denied our request, but did produce a quarterly financial statement which covered Oct.-Dec. 1996 which showed that the L.U. paid out about \$12,000 to organizers. We asked Mr. Moore if this disbursement under organizing was used to pay the people who were working in (out to get the vote). His answer was "he'd find out and get back to us".

We then asked Mr. Moore if we could review the Executive Board, and L.U. meeting minutes?

He also denied our request.

8043853175

On May 6, 1997 at the regular membership meeting, to the best of my recollection, the following statement was made by Mr. Adams during his report to the members.

"There seems to be some controversy over some personnel that I hired to work in (out to get the vote)". He went on to say that he had hired six members to help in the elections. Member Mike Andrews asked Mr. Adams to give a description of these jobs?

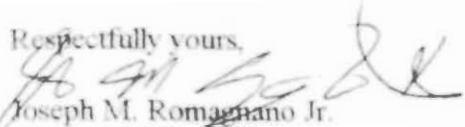
His answer was that they would report to the Democratic campaign headquarters on a daily basis and get there respective assignments, and that they worked in all the campaigns including federal campaigns.

I then asked him if this was in violation of the law?

His response was no, that this was not the first time that L.U. had paid members to work in election campaigns and that other labor organizations had also paid members to do the same thing and if we felt like he had violated the law, we knew what action to take.

I would like to add the above information to my original complaint.

Respectfully yours,


Joseph M. Romagnano Jr.

Sworn and subscribed before me on this date
in Mobile county, state of Alabama

My seal expires on


May 10, 1997

12/28/98

8043853176

May 13 2 10 PM '97

Joseph M. Romagnano Jr
701 Raines Dr
Mobile, Alabama 36609
334 344-8155

April 22, 1997
Office of General Council
Federal Election Commission
999 E. Street Northwest
Washington D.C. 20463

Dear Sir,

I write to file a complaint on the following matter.

I'm a member of local Union 505, IBEW, Mobile, Ala. While at the Union hall today, I overheard a conversation between Brother David Green and his son, Mike Green about Mike's participation in the Clinton-Gore election campaign of 1996.

I inquired what their conversation was about as I overheard him say, he was hired by the Union to work in the Clinton-Gore campaign.

At this time, I indicated to him, I felt this was illegal.

After much discussion, it was revealed that not only Mike Green, but approximately, 4 other local members, had been paid to work in political campaigns during that same period. He informed me, he had worked for Clinton-Gore and the other four members had worked in the Bedford U. S. Senate campaign. They were employed on a full time basis, approximately four weeks prior to and during the election.

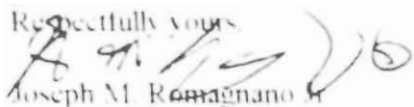
Mr. Green informed me, he was paid a sum of _____ during this period.

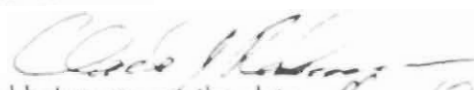
Later that day, he brought me a copy of his W-2, confirming his employment by the Union.

After receiving this information, I contacted the Federal Election Commission, who advised me of the possible illegality of the disbursement of this money from the Local Union's general fund.

They indicated to me, a complaint should be written, requesting an investigation into this matter.

Respectfully yours,


Joseph M. Romagnano Jr


Sworn and subscribed before me on this date _____
state of Alabama. My seal expires on _____

1997 in Mobile, county _____



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 19, 1997

Joseph M. Romagnano, Jr.
701 Raines Drive
Mobile, AL 36609

RE: MUR 4636

Dear Mr. Romagnano:

This letter acknowledges receipt on May 13, 1997, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended. The respondent(s) will be notified of this complaint within five business days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be notarized and sworn to in the same manner as the original complaint. We have numbered this matter MUR 4636. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

28043853178



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 19, 1997

Michael Green
3053 Calais Street
Mobile, AL 36606

RE: MUR 4636

Dear Mr. Green:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

28043853180



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 19, 1997

Fred Moore, President
International Brotherhood of Electrical
Workers-Local 505
2244 Halls Mills Road
Mobile, AL 36606

RE: MUR 4636

Dear Mr. Moore:

The Federal Election Commission received a complaint which indicates that the International Brotherhood of Electrical Workers-Local 505 and you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the International Brotherhood of Electrical Workers-Local 505 and you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

28043853132



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 19, 1997

Roger H. Bedford, Treasurer
Roger H. Bedford for US Senate
PO Box 669
Russellville, AL 35653

RE: MUR 4636

Dear Mr. Bedford:

The Federal Election Commission received a complaint which indicates that Roger H. Bedford for US Senate ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

8043853133

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

28043853194



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 19, 1997

Donald Adams, Financial Secretary/Business Manager
International Brotherhood of Electrical
Workers-Local 505
2244 Halls Mill Road
Mobile, AL 36606

RE: MUR 4636

Dear Mr. Adams:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Tarley
Supervisory Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

8804385316



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 19, 1997

Lyn Utrecht, Esq.
Oldaker, Ryan, Phillips & Utrecht
818 Connecticut Avenue, NW
Suite 1100
Washington, DC 20006

Eric F. Kleinfeld,
Chief Counsel
818 Connecticut Avenue, NW, 10th Floor
Washington, DC 20006

RE: MUR 4636

Dear Ms. Utrecht & Mr. Kleinfeld:

The Federal Election Commission received a complaint which indicates that Clinton/Gore '96 and Joan Pollitt, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4636. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Clinton/Gore '96 and Joan Pollitt, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

8043853107

If you have any questions, please contact Alva E. Smith at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

88043853188

GARDNER, MIDDLEBROOKS, FLEMING & GIBBONS, P.C.

LAWYERS

64 NORTH ROYAL STREET
POST OFFICE DRAWER 3103
MOBILE, ALABAMA 36652

J. CECIL GARDNER
S. C. MIDDLEBROOKS
CHARLES J. FLEMING
JOHN D. GIBBONS
WILLIAM H. REECE
MARY E. OLSEN*
KIMBERLY J. CALAMETTI

(334) 433-8100
TELECOPIER (334) 433-8181

* ALSO ADMITTED IN FLORIDA

May 23, 1997

Federal Election Commission
999 E Street, NW
Washington, D. C. 20463

RE: MUR 4636

Dear Sir/Madam:

I represent Respondent, Donald L. Adams, in the above matter. Please find enclosed the executed "Statement of Designation of Counsel". Mr. Adams was served on May 23, 1997. I anticipate responding to the complaint in a timely manner. A response is due fifteen days from May 23, 1997 which would be Saturday, June 7. A reply, therefore, presumably would be due the following Monday, June 9, 1997. Please advise me if I am incorrect in computing the date.

I will be grateful if you will direct any future correspondence to me.

Yours very truly,

GARDNER, MIDDLEBROOKS,
FLEMING & GIBBONS, P. C.


J. Cecil Gardner

JCG:mn

cc: Mr. Donald L. Adams

Enclosure

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MAY 27 2 32 PM '97
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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8

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4636

NAME OF COUNSEL: J. CECIL GARDNER

FIRM: GARDNER, MIDDLEBROOKS, FLEMING & GIBBONS, P. C.

ADDRESS: P. O. BOX 3103

MOBILE, ALABAMA 36652

TELEPHONE: (334) 433-8100

FAX: (334) 433-8181

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.

5-23-97

Date

Donald L. Adams

Signature

RESPONDENT'S NAME: DONALD L. ADAMS

ADDRESS: INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 505

2244 FALLS MILL ROAD

MOBILE, AL 36606

TELEPHONE: HOME _____

BUSINESS (334) 476-0275

8043853190



RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF CENTRAL
COUNSEL

JUN 2 2 17 PM '97

RUSSELL JACKSON DRAKE
ATTORNEY AT LAW

500 DOTHEN STREET NORTH
700 PLANNING CENTER
BIRMINGHAM, ALABAMA 35203-2608

205-988-1111
FAX 205-988-1112
WWW.RJD.COM

May 28, 1997

VIA FACSIMILE (202) 219-3923

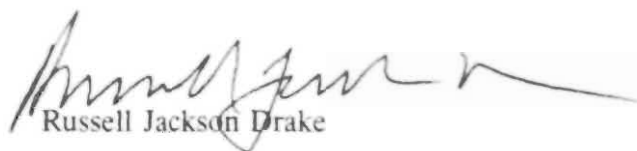
Alva E. Smith, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 4636

Dear Ms. Smith:

Roger H. Bedford, treasurer of the Roger H. Bedford for U.S. Senate Campaign, has asked me to represent him with respect to the above-referenced matter. Mr. Bedford has told me that he has filled out the statement of designation of counsel form and returned it to your office. If that is not the case please let me know. Mr. Bedford only received this letter a few days ago and on his behalf I ask for an additional 30 days to respond to the May 19, 1997 letter of the Commission.

Sincerely,



Russell Jackson Drake

RJD/gm
cc: Roger H. Bedford

8043853196

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4636NAME OF COUNSEL: Jack DrakeFIRM: Cooper, Mitch et alADDRESS: 505 20th Street North
1100 Financial CenterTELEPHONE: (205) 328-9576FAX: (205) 328-9669

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.

5/28/97
Date
SignatureRESPONDENT'S NAME: Roger H. Bedford, Jr.ADDRESS: Post Office Box 669
Pussellville AL 35653

TELEPHONE: HOME

BUSINESS: (205) 332-2880

28043853102

LAW OFFICES OF
BEDFORD, ROGERS & BOWLING, P.C.

303 NORTH JACKSON AVENUE
P.O. BOX 669
RUSSELLVILLE, ALABAMA 35653
(205) 332-2880
FAX NO. (205) 332-7821

ROBERT I. ROGERS, JR.
ROGER H. BEDFORD, JR.
DAVID NEAL
JEFFREY L. BOWLING

OF COUNSEL
ROGER H. BEDFORD, SR.
WM. W. (BILL) BEDFORD (1923-1992)

May 28, 1997

Mr. F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket
Federal Election Commission
999 E. Street Northwest
Washington, D.C. 20463

RE: MUR 4636

Dear Mr. Turley:

Please find enclosed my statement of designation of counsel whereby I am appointing the Honorable Jack Drake, of Cooper, Mitch et al, 505 20th Street North, 1100 Financial Center, Birmingham, Alabama 35203, to be my counsel on this matter.

On Friday, I spoke with Alva Smith in your office and informed them that I had just received the compliant. I was finally able to contact my attorney, who has been unavailable over the Memorial Day weekend, until yesterday. As such we have not had an opportunity to prepare a proper response, within the propose fifteen days.

Therefore, I would like to respectfully request a thirty (30) day extension to be able to properly answer and respond to MUR 4636.

Since I have now designated Jack Drake as my counsel in this matter please feel free for you and/or your staff to contact him directly about this matter and we will be responding shortly. I want to thank you in advance for your willingness to grant us a thirty (30) day extension, if this is not possible please fax me back a written response as soon as possible.

Sincerely yours,



Roger H. Bedford, Jr.

cc: Jack Drake

JUN 2 2 16 PM '97

FEDERAL ELECTION COMMISSION
U.S. DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D.C. 20530

804385313



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

June 2, 1997

Russell Jackson Drake, Esquire
COOPER, MITCH, et al.
505 20th Street North
1100 Financial Center
Birmingham, AL 35203

RE: MUR 436
Roger H. Bedford for U.S. Senate
Roger H. Bedford, Treasurer

Dear Mr. Drake:

This is in response to your letter dated May 28, 1997, which we received on that day, requesting a 30 day extension to respond to the complaint filed in the above-noted matter. Your designation of counsel form received in this office on May 30, 1997, does not list Roger H. Bedford for U.S. Senate ("Committee") as your client; however, in a telephone conversation with me on June 2, 1997, you stated that you are also representing the Committee. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on July 7, 1997.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

Alva E. Smith, Paralegal
Central Enforcement Docket

GARDNER, MIDDLEBROOKS, FLEMING & GIBBONS, P.C.

LAWYERS

64 NORTH ROYAL STREET

POST OFFICE DRAWER 3103

MOBILE, ALABAMA 36652

J. CECIL GARDNER
S. C. MIDDLEBROOKS
CHARLES J. FLEMING
JOHN D. GIBBONS
WILLIAM H. BEFCE
MARY E. OLSEN*
KIMBERLY J. CALAMETTI

* ALSO ADMITTED IN FLORIDA

(334) 433-8100
TELECOPIER (334) 433-8181

June 5, 1997

VIA FAX
(202) 219-3923

Federal Election Commission
999 E Street, NW
Washington, D. C. 20463

RE: MUR 4636

Dear Sir/Madam:

I have previously submitted a designation of counsel in behalf of Respondent Donald L. Adams. I will also be submitting a designation in behalf of Fred Moore, President of Local 505, International Brotherhood of Electrical Workers, who has now been served.

It now appears that I will not be able to respond by the due date of June 9, 1997. The reasons for this are as follows:

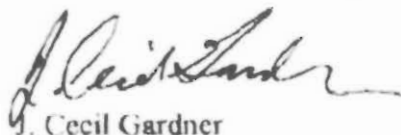
A. Several persons I wish to interview are working out of this area and are not expected to return for two more weeks.

B. My court appearance schedule has not allowed me to be out of the city to interview persons who should be interviewed.

Because of the foregoing, I respectfully request an additional thirty (30) days within which to file a response.

Yours very truly,

GARDNER, MIDDLEBROOKS,
FLEMING & GIBBONS, P. C.



J. Cecil Gardner

JUN 5 12 37 PM '97

FEDERAL ELECTION
COMMISSION
OFFICE OF THE CLERK

28043853195

Federal Election Commission

June 5, 1997

Page 2

JCG:mn

cc: Mr. Donald L. Adams
Mr. Fred Moore

RE: election of county

28 043853196

CLINTON GORE '96

June 4, 1997

Lawrence M. Noble, Esquire
Office of General Counsel
Federal Election Commission
999 E St., N.W.
6th Floor
Washington, D.C. 20463

JUN 5 4 38 PM '97

FEDERAL ELECTION
COMMISSION
OFFICE OF LEGAL COUNSEL

RE: MUR 4636
Clinton/Gore '96 General Committee, Inc. and Joan Pollitt, as treasurer

Dear Mr. Noble:

This is the response of the Clinton/Gore '96 General Committee (the "Committee") and Joan Pollitt, as Treasurer, to the complaint filed in the above-captioned MUR. As more fully explained below, the Committee respectfully requests that the Federal Election Commission (the "Commission" or "FEC") find no reason to believe that any violation of the Federal Election Campaign Act of 1971 (the "Act") (2 U.S.C. § 431 *et seq.*) as amended, occurred and close this matter.

Statement of the Case

Complainant alleges that Mike Green, a member of local union 505 IBEW, drew a salary from the local union for the purpose of working on "out to get the vote" matters for approximately the last four weeks of the general election. Mr. Green allegedly reported to the "Democratic campaign headquarters" in order to assist various Democratic campaigns including federal campaigns. Complainant specifically alleges that the Clinton/Gore campaign was one of the campaigns assisted by Mr. Green.

Discussion

A. **The Clinton/Gore '96 General Committee, Inc. should not be a respondent in this matter.**

The Committee was served as a respondent in this matter on the basis of complainant's hearsay reference to Clinton/Gore. However, the Committee has no knowledge of Mr. Green either as an employee or a volunteer. Mr. Green was not associated with any of the Committee's activity within the state of Alabama, as demonstrated below, and for that reason, the Commission should not have named the Committee as a respondent in this matter.

regulations to engage in get-out-the-vote efforts for presidential campaigns.³ It is absurd for the Commission to require the Committee to explain or defend every person who may have engaged in permissible volunteer activity, especially in locations where, as explained below, the Committee itself engaged in no activity.

Therefore, the Commission should not have served the Committee with this complaint based on the hearsay reference contained therein. The facts surrounding the Committee's presence in the state of Alabama and our operations therein conclusively determine that Mr. Green neither worked in the Committee's office nor worked under the Committee's direction at any time during the general election. The Commission should close this matter as it pertains to the Committee.

B. Complainant fails to state factual evidence in support of a violation of the ACT or the Commission's regulations

Even if the Commission finds that the Committee is rightfully a party to this matter, the Act has not been violated. Under certain circumstances both local party committees and labor unions are permitted to participate in "get-out-the-vote" activity without such activity constituting a contribution to the Committee. Nothing alleged in the complaint explains or even indicates that the get-out-the-vote activities were conducted inconsistently with the Act's provisions.

Complainant alleges that Mr. Green participated in "out to get the vote" activity that benefited the Committee. In fact, the complaint is deficient because it fails to describe the alleged get-out-the-vote activities. Complainant believes that this is a violation of law--such a belief is simply insufficient for the Commission to proceed and actually makes it impossible for the Committee to respond. Having no knowledge of Mr. Green and no information as to what he did, the Committee cannot provide an adequate response--clearly this demonstrates the insufficiency of the complaint.⁴

However, despite this insufficiency, the Committee does note that the Act clearly permits get-out-the-vote activity on behalf of presidential campaigns in certain circumstances, and there is nothing in the complaint to indicate that this is not one of those circumstances. Labor organizations are, for example, permitted to participate in get-out-the-vote activity directed to its members and their families. The terms contribution or expenditure do not refer to nonpartisan registration and get-out-the-vote campaigns by a...labor organization aimed at its members and their families. 2 U.S.C. § 441b (b)(2)(B).

See discussion below.

The Commission's regulations at 11 C.F.R. § 111.4(d)(4) require a clear and concise recitation of the facts which describe a violation of the Act--this complaint contains no facts describing the alleged get-out-the-vote activities, and is, therefore deficient.

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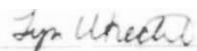
In addition to the permissible get-out-the-vote communication to members and their families, labor organizations may support or conduct voter registration and get-out-the-vote drives which are aimed at employees outside its restricted class and the general public in accordance with specific conditions. 11 C.F.R. § 114.4(d). Complainant fails to state who the audience is with regard to Mr. Green's alleged get-out-the-vote activity. There are no allegations or facts which state that Mr. Green's actions were other than permissible activity to a permissible audience. The complaint lacks evidence or even the suggestion of any improper circumstance which would have prompted the Commission to consider the allegations as having violated the law.

Finally, the state and local parties are permitted to participate in and pay for get-out-the-vote activities on behalf of the Presidential and Vice Presidential candidates of the party without making a contribution or an expenditure to the candidate. 11 C.F.R. §§ 100.7 (b)(17) and 100.8 (b)(18), respectively. Complainant does not refer to any specific acts which would fall outside the definition of permissible get-out-the-vote activity to the general public. He neither states any facts nor makes any suggestion as to what specific activity runs afoul of the Act or the Commission's regulations. The complainant merely states that Mr. Green participated in "out to get the vote" activity, activity wholly permitted by the Act and corresponding regulations. He never provides any evidence of a violation of law. Thus, complainant's conclusion of illegality is without basis in fact. Complainant cannot ask the Commission to support his conclusion when there is no allegation or evidence that the law has been violated.

Conclusion

Accordingly, because the Committee had no knowledge of or involvement in the activities complained of, the Committee is not an appropriate respondent for this complaint. Moreover, the facts as set forth in the complaint, fail to state any activity which violates a provision of the Act. In conclusion, the Committee respectfully requests that the Commission find no reason to believe that any violation of the Act or of the Commission's regulations occurred with respect to the actions taken by the Committee.

Sincerely,


Lyn Utrecht, Esquire
General Counsel

Clinton Gore '96 General Committee, Inc.


Eric F. Kleinfeld, Esquire
Chief Counsel

Clinton Gore '96 General Committee, Inc.

GARDNER, MIDDLEBROOKS, FLEMING & GIBBONS, P.C.

LAWYERS

64 NORTH ROYAL STREET

POST OFFICE DRAWER 3103

MOBILE, ALABAMA 36652

J. CECIL GARDNER
S.C. MIDDLEBROOKS
CHARLES J. FLEMING
JOHN D. GIBBONS
WILLIAM H. REECE
MARY E. OLSEN*
KIMBERLY J. CALAMETTI

(334) 433-8100
TELECOPIER (334) 433-8181

June 5, 1997

* ALSO ADMITTED IN FLORIDA

Federal Election Commission
999 E Street, NW
Washington, D. C. 20463

RE: MUR 4636

Dear Sir/Madam:

As I advised you earlier today in a letter which was faxed to your office, I am now submitting a Statement of Designation of Counsel in behalf of Fred Moore, President of Local 505, International Brotherhood of Electrical Workers.

Please advise as quickly as possible with regard to my request for an additional thirty (30) days within which to file a response in this matter.

Yours very truly,

GARDNER, MIDDLEBROOKS,
FLEMING & GIBBONS, P. C.

J. Cecil Gardner

JCG:mn

cc: Mr. Donald L. Adams
Mr. Fred Moore

ak: election eleccontg:13

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4636

NAME OF COUNSEL: J. CECIL GARDNER

FIRM: GARDNER, MIDDLEBROOKS, FLEMING & GIBBONS, P. C.

ADDRESS: P. O. BOX 3103

MOBILE, ALABAMA 36652

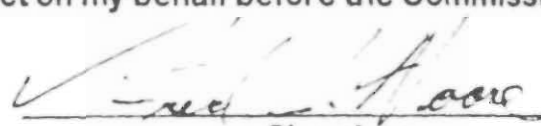
TELEPHONE: (334) 433-8100

FAX: (334) 433-8181

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

6/5/97

Date


Signature

RESPONDENT'S NAME: FRED J. MOORE, PRESIDENT

ADDRESS: INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS - LOCAL 505

2244 HALLS MILL ROAD

MOBILE, ALABAMA 36606

TELEPHONE: HOME ()

BUSINESS (334) 476-0275

28043853208

U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION
WASHINGTON, D.C. 20535

MR MICHAEL T GREEN
3053 CALAIS ST
MOBILE AL 36606
(HOME) 334-476-2708

JUN 6 9 05 AM '97

JUNE, 3, 1997

RE.MUR.4636

DEAR ALVA E SMITH
I AM WRITING IN RESPONSE TO YOUR LETTER DATED ON 5/19/97
DESIGNATED MUR 4636 I AM A MEMBER OF I.B.E.W LOCAL UNION
505/MOBILE AL.

MY BUSINESS MANAGER/FINANCIAL SECRETARY DONALD.L.ADAMS
ASK ME IF WANTED TO WORK IN A POLITICAL CAMPAING
AS I WAS UNEMPLOYED AT THIS TIME I EXCEPTED.
AS I RECALL THIS WAS ON OR ABOUT SEPTEMBER 1996.

ONE OF THE BUISNESS MANAGERS DUTIES IS TO REFER MEMBERS
TO WORK.
THE INTENT OF ROMAGONA'S LETTER WAS TO REQUEST AN INVESTIGATION
OF MISHANDLING OF UNION FUNDS.
AS I UNDERSTAND THE OFFICERS,PRESIDENT OF THE LOCAL,BUSINESS
MANAGER,TREASURER,RECORDING SECRETARY,AND EXECUTIVE BOARD
ARE RESPONSIBLE IN THIS ACTION.I'M NOT AN OFFICER OF MY
LOCAL UNION.
THREFORE I HAVE NO ACCESS TO MY LOCAL'S GENERAL'S FUND.

I HAVE BEEN IMPLICATED BECAUSE MY BUISNESS MANAGER
MISREPRESENTED ME AND THE REST OF OUR LOCAL MEMBERSHIP.

IF I CAN BE OF FURTHER ASSISTANCE PLEASE LET ME KNOW.

SINCERELY"

Michael T Green
MICHAEL,T.GREEN



RUSSELL JACKSON DRAKE
ATTORNEY AT LAW

305 20TH STREET NORTH
1100 FINANCIAL CENTER
BIRMINGHAM, ALABAMA 35203-2608

TEL 326-0670
FAX 326-0660
TOLL 721-9060

June 3, 1997

JUN 6 3 23 PM '97
FEDERAL ELECTION
COMMISSION
OFFICE OF THE
CLERK

VIA FACSIMILE (202) 219-3923

Alva E. Smith, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 4636

Dear Ms. Smith:

Pursuant to our telephone conversation on June 2, 1997, I am writing to confirm that in the above-referenced review, I represent Roger H. Bedford, Jr. as the treasurer of the campaign committee and also the campaign committee itself.

Sincerely,

Russell Jackson Drake

RJD/gm

cc: Roger H. Bedford, Jr., Esq.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 9, 1997

J. Cecil Gardner, Esquire
GARDNER, MIDDLEBROOKS,
FLEMING & GIBBONS, P.C.
P.O. Box 3103
Mobile, AL 36652

RE: MUR 4636
Donald L. Adams,
International Brotherhood of Electrical
Workers - Local 505, and
Fred J. Moore

Dear Mr. Gardner:

This is in response to your letter dated June 5, 1997, which we received on that day, requesting a 30 day extension, to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on July 7, 1997.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

Alva E. Smith, Paralegal
Central Enforcement Docket

GARDNER, MIDDLEBROOKS, FLEMING & GIBBONS, P.C.

LAWYERS

64 NORTH ROYAL STREET
POST OFFICE DRAWER 5109
MOBILE, ALABAMA 36682J. CECIL GARDNER
S. C. MIDDLEBROOKS
CHARLES J. FLEMING
JOHN D. GIBBONS
WILLIAM H. REECE
MARY E. OLSEN
KIMBERLY J. CALAMETTI(334) 433-8100
TELECOPIER (334) 433-8181

* ALSO ADMITTED IN FLORIDA

June 9, 1997

VIA FAX
(202) 219-3923Ms. Alva E. Smith
Federal Election Commission
999 F Street, NW
Washington, D. C. 20463

RE: MUR 4636

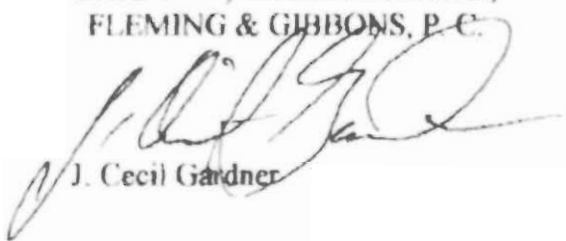
Dear Ms. Smith:

As I advised in our telephone conversation today, I will also be representing Local 505 in the above matter.

As we also discussed, my request for an extension of 30 days should be considered as an initial request and not a request for a second or "additional" extension.

Thank you for your consideration, and I remain

Yours very truly,

GARDNER, MIDDLEBROOKS,
FLEMING & GIBBONS, P.C.
J. Cecil Gardner

JC:gmh

06/10/97 11:12 AM

JUN 9 12 29 PM '97
FEDERAL ELECTION
COMMISSION
OFFICE OF THE
CLERK



RUSSELL JACKSON DRAKE
ATTORNEY AT LAW

403 20TH STREET NORTH
1100 FINANCIAL CENTER
BIRMINGHAM, ALABAMA 35203-2605

TEL 328-9576
FAX 328-9604
TOLL 721-9361

June 26, 1997

Alva E. Smith, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 4636

Dear Ms. Smith:

Enclosed please find Mr. Bedford's affidavit which is his response to the charge in the above-referenced matter.

Sincerely,

Russell Jackson Drake

RJD/gm
Enclosure
cc: Roger H. Bedford

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JUN 27 1997

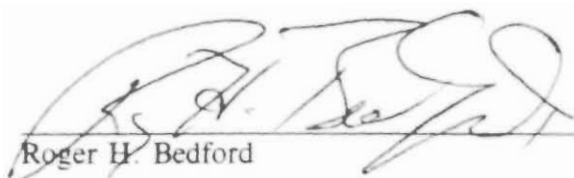
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STATE OF ALABAMA)
)
FRANKLIN COUNTY)

AFFIDAVIT OF ROGER H. BEDFORD

Roger H. Bedford having first been sworn deposes and says:

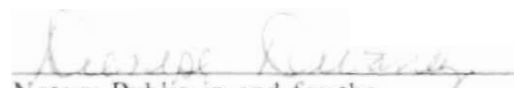
I am Roger H. Bedford. In the 1996 general election in November, I was the Democratic nominee for United State Senate. During the course of that campaign many people volunteered to do work. I have read the complaint filed with the Federal Election Commission by Joseph M. Romagnano, Jr. I have no knowledge of the facts set out in that complaint. I did not know the volunteers who allegedly were employed by a labor union in Mobile. I simply have no knowledge whatsoever about the facts underlying the allegations of the FEC complaint. I wish that I could be more helpful, but I simply have no knowledge of those events one way or the other.


Roger H. Bedford

STATE OF ALABAMA)
)
FRANKLIN COUNTY)

I, the undersigned authority, a Notary Public in and for the said State of Alabama at Large, do hereby certify that Roger H. Bedford, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of this document, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 25th day of June, 1997.


Notary Public in and for the
State of Alabama at Large

My Commission Expires: 7-25-2000

GARDNER, MIDDLEBROOKS, FLEMING & GIBBONS, P.C.

LAWYERS

64 NORTH ROYAL STREET
POST OFFICE DRAWER 3103
MOBILE, ALABAMA 36652

J. CECIL GARDNER
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WILLIAM H. REECE
MARY E. OLSEN *
KIMBERLY J. CALAMETTI

(334) 433-8100
TELECOPIER (334) 433-8181

* ALSO ADMITTED IN FLORIDA

July 16, 1997

Ms. Alva E. Smith
Federal Election Commission
999 E Street, NW
Washington, D. C. 20463

RE: MUR 4636

Dear Ms. Smith:

I am submitting the affidavits of Justina Strong and Donald Adams in response to the complaint filed in the above matter. It is the position of Local 505 President Fred Moore and Business Agent Donald Adams, that no laws of the United States were violated in this matter. For that reason, the complaint should be dismissed as unfounded.

Yours very truly,

GARDNER, MIDDLEBROOKS,
FLEMING & GIBBONS, P.C.

J. Cecil Gardner

JCG:mn

Enclosures

AK 1 election-recovery.15

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned authority in and for said State and County, personally appeared DONALD L. ADAMS, who being first duly sworn, did depose and say as follows:

My name is DONALD L. ADAMS. I am the Business Agent for Local 505, International Brotherhood of Electrical Workers. My address is 2226 Hoppin Street, Mobile, Alabama 36605. My telephone number is _____ This affidavit is given in connection with the complaint filed with the FEC by Joseph M. Romagnano. During the 1996 elections, the Executive Board of Local 505 was asked by the Alabama Democratic Party to assist with generating interest in the election, generally, and among traditional Democratic core voters such as union households, including Local 505 union members. Non-partisan efforts were also going to be made to register voters. Michael Green was paid by Local 505 and assigned to the Democratic Party office to support the efforts to raise interest in the election, the GOTV effort and voter registration. I authorized the use of the Local's membership roster for GOTV purposes. Mr. Green was not assigned to the Clinton-Gore Campaign nor to the Bedford Campaign. Those campaigns did not have offices in Mobile.

Donald L. Adams
DONALD L. ADAMS

Subscribed and sworn to before me
this 17th day of July, 1997.

Valerie A. Hunter
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

0133210

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned authority in and for said State and County, personally appeared Justina Strong, who is known to me, and who, being by me first duly sworn, deposes and says as follows:

My name is Justina Strong and I am over the age of twenty-one (21) years. My address is: 6016 Sussex Drive, Mobile, Alabama 36608. My telephone number is

During the 1996 general elections, I was employed by the Alabama Democratic Party as a paid full-time Mobile County Coordinator. I maintained a temporary office for the Party at 3925-H Michael Boulevard, Mobile, Alabama.

The campaign office was an office of the Democratic Party of Alabama. No campaign office was established for the Clinton-Gore Presidential Campaign in Mobile, nor for the Bedford Senatorial Campaign. As I understand, these campaigns were coordinated on a statewide basis. We did, however, keep various campaign materials such as yard signs and bumper stickers at the office for distribution locally. We did this for all Democratic candidates who were on the general election ballot for November, 1996, including, among many others, President Clinton and Roger Bedford. The name of the office was "Democrats Win In '96". The banner on the front said "Vote Democratic." Democratic candidates served through this office, included Mobile County Treasurer Candidate, Elaine Pennell; Mobile County License Commissioner, Carol Norris; Mobile County Revenue Commissioner,

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Freda Roberts; Mobile County Commission Candidate, Gary Tanner; Mobile County Commission Candidate, Sam Jones; and Mobile County Commission Candidate, Randy Kelly.

The office engaged in a number of activities over the two month period prior to the general election, including the following:

A. Non-partisan voter registration at the office and at various public events.

B. Get Out The Vote (GOTV) efforts, aimed at traditional Democratic core groups.

C. GOTV efforts aimed at generating interest in the election in general, such as a number of rallies at the headquarters at which local candidates appeared and spoke; rallies at churches and educational institutions. While local candidates generally attended and spoke at these events, the presidential and vice-presidential candidates did not. Mr. Bedford spoke once.

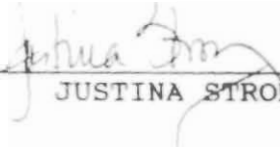
D. We provided speakers for events and radio/TV talk shows at several times. The speakers were volunteers. Mr. Green was not assigned to these events in any way.

I recall that Mr. Michael Green and a few other members of unions worked at the office off and on during the two months prior to the election. Neither Mr. Green nor any of the other union members were assigned to the "Clinton-Gore Campaign" or the "Bedford Campaign" since, indeed, these campaigns were coordinated from offices outside of Mobile. Rather, Mr. Green

and the others performed general work about the "Democrats Win In '96" office, such as cleaning the office, making coffee, answering the phone, taking phone messages, providing candidates literature to walk-ins, assisting with voter registration and running errands for me.

The only activities the Mobile office undertook specifically in support of the Clinton-Gore campaign were, (i) to organize several "human billboard" activities at which yard signs were displayed after working hours to passing motorists. (I do not recall that Mr. Green or any other union members attended any such event); and (ii) to organize a bus trip to Birmingham on the single occasion President Clinton visited the state of Alabama. Mr. Green, nor any other union members, to my knowledge, participated in that event.

I have read the foregoing affidavit and know of my own knowledge that the matters and things therein stated are true and correct.


JUSTINA STRONG

Subscribed and sworn to before me,
this 16 day of July, 1997.


NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
)
)

ENFORCEMENT PRIORITY

May 10 3 01 PM '97
SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

This is the first Enforcement Priority Report that reflects the impact of the 1996 election cycle cases on the Commission's enforcement workload. We have identified cases that are stale which are recommended for dismissal at this time. This is the highest number of cases identified as stale in a single report, and the highest number of stale cases recommended for closure at one time, since the inception of EPS in 1993.

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II. CASES RECOMMENDED FOR CLOSURE.

A. **Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission**

EPS was created to identify pending cases which, due to the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria, resulting in a numerical rating for each case.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified cases that do not warrant further action relative to other pending matters.³ Attachment I to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. **Stale Cases**

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the

³ These cases are:

RAD 97L-10 (*Citizens for Randy Borow*); RAD 97L-16 (*Republican State Central Committee of South Dakota*); Pre-MUR 347 (*Producers Lloyds Insurance Company*); Pre-MUR 348 (*Peoples National Bank of Commerce*); Pre-MUR 349 (*Trump Plaza*); Pre-MUR 350 (*Citibank, N.A.*); Pre-MUR 355 (*Feingold Senate Committee*); MUR 4494 (*Georgianna Lincoln*);

MUR 4586 (*Friends of Zach Wamp*); MUR 4590 (*Oklahoma Education Association*); MUR 4600 (*San Diego Police Officers Assoc.*); MUR 4612 (*Teresa Doggett for Congress*); MUR 4615 (*Catholic Democrats for Christian Values*); MUR 4616 (*American Legislative Exchange Council*); MUR 4620 (*Eastern Connecticut Chamber of Commerce*); MUR 4622 (*Telles for Mayor*); MUR 4628 (*Gutknecht for Congress*); MUR 4629 (*Janice Schakowsky*); MUR 4636 (*IBEW Local 505*); MUR 4637 (*Dettman for Congress*); MUR 4639 (*Larson for Congress*); MUR 4641 (*Becker for Congress*); MUR 4644 (*Detroit City Council*); MUR 4651 (*Mike Ryan*); MUR 4653 (*Pritzker for Congress*); MUR 4656 (*H. Carroll for Congress*); and MUR 4657 (*Buchanan for President*).

means to identify those cases which, though earning a higher rating when received, remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We are recommending the closure of cases based on staleness.⁶

⁶ These cases are: MUR 4283 (*Chenoweth for Congress*); MUR 4341 (*Juan Soliz for Congress*); MUR 4402 (*U.S. Representative Helen Chenoweth*); MUR 4435 (*Lincoln for Congress*); MUR 4439 (*UAIV*); MUR 4442 (*Lipinski for Congress*); MUR 4444 (*Roberts for Congress*); MUR 4445 (*Randy Tate for Congress*); MUR 4446 (*Clinton/Gore '96 Primary*); MUR 4447 (*Random House, Inc.*); MUR 4449 (*Clinton Administration*); MUR 4453 (*Mike Ward for Congress*); MUR 4454 (*Ralph Nader*); MUR 4459 (*Clinton/Gore '96*); MUR 4474 (*Saltri for Senate*); MUR 4477 (*BBDO-New York*); MUR 4481 (*Diamond Bar Caucus*); MUR 4485 (*Perot '92 Petition Committee*); MUR 4486 (*Bunda for Congress*); MUR 4495 (*Pennsylvania PACE for Federal Elections*); MUR 4496 (*Norwood for Congress*); MUR 4497 (*Pease for Congress*); MUR 4510 (*Stabenow for Congress*); MUR 4511 (*Bob Coffin for Congress*); MUR 4514 (*Friends for Franks*); MUR 4515 (*Clinton Investigative Commission*); MUR 4521 (*VMAL 630 AM*); MUR 4525 (*Senator Larry Pressler*); MUR 4527 (*Brennan for Senate*); MUR 4536 (*Signature Properties, Inc.*); MUR 4540 (*Tim Johnson for SD*); MUR 4542 (*Dan Frisa for Congress*); MUR 4552 (*Charles W. Norwood*); MUR 4554 (*John Byron for Congress*); MUR 4556 (*Jim Wiggins for Congress*); MUR 4561 (*Jay Hoffman for Congress*); MUR 4564 (*National Republican Congressional Committee*); MUR 4567 (*DNC Services Corp.*); MUR 4569 (*McGovern Committee*); RAD 96L-11 (*New York Republican County Committee*); Pre-MUR 343 (*NRSC*); and Pre-MUR 312 (*Joseph Demio*). The Demio case involves fundraising related to former Congresswoman Mary Rose Oaker's 1992 congressional campaign. It was held as a courtesy to the Department of Justice pending resolution of a parallel criminal matter in the District Court for the District of Columbia. Mr. Demio recently entered into a plea agreement with the Department of Justice (on which we were not consulted) in which he agreed, among other things, to waive the statute of limitations regarding civil violations of the FECA. Considering the age of the case and activity, the fact that DOJ has not formally referred this matter to us, and the Commission's continuing resource constraints, dismissal is the appropriate disposition of this matter.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective November 17, 1997. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

RAD 96L-11

Pre-MUR 312

Pre-MUR 349

Pre-MUR 343

Pre-MUR 350

RAD 97L-10

Pre-MUR 347

Pre-MUR 355

RAD 97L-16

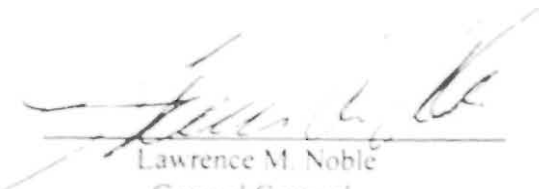
Pre-MUR 348

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B. Take no action, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

MUR 4283	MUR 4495	
MUR 4341	MUR 4496	MUR 4569
MUR 4402	MUR 4497	MUR 4586
MUR 4435	MUR 4510	MUR 4590
MUR 4439	MUR 4511	MUR 4600
MUR 4442	MUR 4514	MUR 4612
MUR 4444	MUR 4515	MUR 4615
MUR 4445		MUR 4616
MUR 4446	MUR 4521	MUR 4620
MUR 4447	MUR 4525	MUR 4622
MUR 4449	MUR 4527	MUR 4628
MUR 4453	MUR 4536	MUR 4629
MUR 4454	MUR 4540	MUR 4636
MUR 4459	MUR 4542	MUR 4637
MUR 4474	MUR 4552	MUR 4639
MUR 4477	MUR 4554	MUR 4641
MUR 4481	MUR 4556	MUR 4644
MUR 4485	MUR 4561	MUR 4651
MUR 4486		MUR 4653
	MUR 4564	MUR 4656
MUR 4494	MUR 4567	MUR 4657

Date 7/97


Lawrence M. Noble
General Counsel

28043853218

28043853219

In the Matter of)
)
Enforcement Priority) Agenda Document No. X97-77

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 2, 1997, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X97-77:

1. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- | | | | |
|----|-------------|-----|-------------|
| 1. | RAD 96L-11 | 7. | Pre-MUR 347 |
| | | 8. | Pre-MUR 348 |
| 3. | RAD 97L-10 | 9. | Pre-MUR 349 |
| 4. | RAD 97L-16 | 10. | Pre-MUR 350 |
| 5. | Pre-MUR 312 | 11. | Pre-MUR 355 |
| 6. | Pre-MUR 343 | | |

B. Take no action, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- | | | | |
|----|----------|-----|----------|
| 1. | MUR 4283 | 6. | MUR 4442 |
| 2. | MUR 4341 | 7. | MUR 4444 |
| 3. | MUR 4402 | 8. | MUR 4445 |
| 4. | MUR 4435 | 9. | MUR 4446 |
| 5. | MUR 4439 | 10. | MUR 4447 |

(continued)

Federal Election Commission
Certification: Agenda Document
No. X97-77
December 2, 1997

Page 2

11.	MUR 4449	36.	MUR 4556
12.	MUR 4453	37.	MUR 4561
13.	MUR 4454	38.	MUR 4564
14.	MUR 4459	39.	MUR 4567
15.	MUR 4474	40.	MUR 4569
16.	MUR 4477	41.	MUR 4586
17.	MUR 4481	42.	MUR 4590
18.	MUR 4485	43.	MUR 4600
19.	MUR 4486	44.	MUR 4612
20.	MUR 4494	45.	MUR 4615
21.	MUR 4495	46.	MUR 4616
22.	MUR 4496	47.	MUR 4620
23.	MUR 4497	48.	MUR 4622
24.	MUR 4510	49.	MUR 4628
25.	MUR 4511	50.	MUR 4629
26.	MUR 4514	51.	MUR 4636
27.	MUR 4515	52.	MUR 4637
28.	MUR 4521	53.	MUR 4639
29.	MUR 4525	54.	MUR 4641
30.	MUR 4527	55.	MUR 4644
31.	MUR 4536	56.	MUR 4651
32.	MUR 4540	57.	MUR 4653
33.	MUR 4542	58.	MUR 4656
34.	MUR 4552	59.	MUR 4657
35.	MUR 4554		

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

Attest:

12-4-97
Date

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

28043853220



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph M. Romagnano, Jr.
701 Raines Drive
Mobile, AL 36609

RE: MUR 4636

Dear Mr. Romagnano:

On May 13, 1997, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997. This matter will become part of the public record within 30 days.

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

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

18043853221

MUR 4636

LOCAL UNION 505, IBEW

Joseph Romagnano, a member of Local Union 505, IBEW, ("Local 505") alleges that approximately five union members were paid to work on political campaigns, including the Clinton/Gore and Roger Bedford campaigns. He further alleges that one member, Michael Green, admitted to being hired by the Local 505 to work full-time on the Clinton/Gore campaign, and that he was paid \$2,428. Mr. Ramagnano also alleges that the Local 505 paid about \$12,000 to "organizers" who apparently are union members hired to work on campaigns.

In response to the complaint, Donald L. Adams, Business Agent for Local 505, states that the Alabama Democratic Party asked Local 505's assistance with generating interest in the upcoming election with "traditional Democratic core voters such as union households," and to engage in non-partisan political activities such as voter registration. He states that Michael Green was paid by Local 505 to perform these duties for the Alabama Democratic Party, but denies these services were for the Clinton Gore or Roger Bedford campaigns.

Respondent Justina Strong, an employee of the Alabama Democratic Party, states that her Mobile office primarily supported general party activities, non-partisan voter registration, and GOTV efforts, with some direct assistance to Democratic candidates. She asserts that Mr. Green performed general work within the office and was not assigned to any duties involving a specific campaign.

Respondent Roger Bedford denied any knowledge of the facts set out in the complaint, as well as knowledge of the volunteers who allegedly were employed by Local 505 in Mobile.

Respondent Michael Green states that at the time Donald Adams asked him to work for a political campaign he was unemployed. He further states that the Business Manager, respondent Donald Adams, asked him if he wanted to work in a political campaign. Mr. Green denies any personal culpability regarding this matter.

Respondent Clinton Gore '96 General Committee denies any knowledge of Michael Green as either an employee or volunteer in its Washington, D.C. or the Alabama offices. The Committee notes that its Alabama office was located in Montgomery, AL, and that it did not have any presence in Mobile.

This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

J Cecil Gardner, Esquire
GARDNER, MIDDLEBROOKS,
FLEMING & GIBBONS, P.C.
P.O. Box 3103
Mobile, AL 36652

RE: MUR 4636

Donald L. Adams, International Brotherhood of Electrical Workers- Local 505,
and Fred J. Moore

Dear Mr. Gardner:

On May 19, 1997, the Federal Election Commission notified your clients, Donald L. Adams, International Brotherhood of Electrical Workers- Local 505, and Fred J. Moore, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997.

The confidentiality provisions of 2 U.S.C. § 437g(a)(2) 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

J Cecil Gardner, Esquire
Page 2

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,



F. Andrew Tuxley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

2804385322

MUR 4636
LOCAL UNION 505, IBEW

Joseph Romagnano, a member of Local Union 505, IBEW, ("Local 505") alleges that approximately five union members were paid to work on political campaigns, including the Clinton/Gore and Roger Bedford campaigns. He further alleges that one member, Michael Green, admitted to being hired by the Local 505 to work full-time on the Clinton/Gore campaign, and that he was paid \$2,428. Mr. Ramagnano also alleges that the Local 505 paid about \$12,000 to "organizers" who apparently are union members hired to work on campaigns.

In response to the complaint, Donald L. Adams, Business Agent for Local 505, states that the Alabama Democratic Party asked Local 505's assistance with generating interest in the upcoming election with "traditional Democratic core voters such as union households," and to engage in non-partisan political activities such as voter registration. He states that Michael Green was paid by Local 505 to perform these duties for the Alabama Democratic Party, but denies these services were for the Clinton/Gore or Roger Bedford campaigns.

Respondent Justina Strong, an employee of the Alabama Democratic Party, states that her Mobile office primarily supported general party activities, non-partisan voter registration, and GOTV efforts, with some direct assistance to Democratic candidates. She asserts that Mr. Green performed general work within the office and was not assigned to any duties involving a specific campaign.

Respondent Roger Bedford denied any knowledge of the facts set out in the complaint, as well as knowledge of the volunteers who allegedly were employed by Local 505 in Mobile.

Respondent Michael Green states that at the time Donald Adams asked him to work for a political campaign he was unemployed. He further states that the Business Manager, respondent Donald Adams, asked him if he wanted to work in a political campaign. Mr. Green denies any personal culpability regarding this matter.

Respondent Clinton Gore '96 General Committee denies any knowledge of Michael Green as either an employee or volunteer in its Washington, D.C. or the Alabama offices. The Committee notes that its Alabama office was located in Montgomery, AL, and that it did not have any presence in Mobile.

This matter is less significant relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Russell Jackson Drake, Esquire
COOPER, MITCH, et al.
505 20th Street North
1100 Financial Center
Birmingham, AL 35203

RE: MUR 4636
Roger H. Bedford for U.S. Senate
Roger H. Bedford, Treasurer

Dear Mr. Drake:

On May 19, 1997, the Federal Election Commission notified your clients, Roger H. Bedford for U.S. Senate and Roger H. Bedford, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

Russell Jackson Drake, Esquire
Page 2

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,



F. Andrew Tarley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

28043853222

MUR 4636
LOCAL UNION 505, IBEW

Joseph Romagnano, a member of Local Union 505, IBEW, ("Local 505") alleges that approximately five union members were paid to work on political campaigns, including the Clinton/Gore and Roger Bedford campaigns. He further alleges that one member, Michael Green, admitted to being hired by the Local 505 to work full-time on the Clinton/Gore campaign, and that he was paid \$2,428. Mr. Ramagnano also alleges that the Local 505 paid about \$12,000 to "organizers" who apparently are union members hired to work on campaigns.

In response to the complaint, Donald L. Adams, Business Agent for Local 505, states that the Alabama Democratic Party asked Local 505's assistance with generating interest in the upcoming election with "traditional Democratic core voters such as union households," and to engage in non-partisan political activities such as voter registration. He states that Michael Green was paid by Local 505 to perform these duties for the Alabama Democratic Party, but denies these services were for the Clinton Gore or Roger Bedford campaigns.

Respondent Justina Strong, an employee of the Alabama Democratic Party, states that her Mobile office primarily supported general party activities, non-partisan voter registration, and GOTV efforts, with some direct assistance to Democratic candidates. She asserts that Mr. Green performed general work within the office and was not assigned to any duties involving a specific campaign.

Respondent Roger Bedford denied any knowledge of the facts set out in the complaint, as well as knowledge of the volunteers who allegedly were employed by Local 505 in Mobile

Respondent Michael Green states that at the time Donald Adams asked him to work for a political campaign he was unemployed. He further states that the Business Manager, respondent Donald Adams, asked him if he wanted to work in a political campaign. Mr. Green denies any personal culpability regarding this matter.

Respondent Clinton Gore '96 General Committee denies any knowledge of Michael Green as either an employee or volunteer in its Washington, D.C. or the Alabama offices. The Committee notes that its Alabama office was located in Montgomery, AL, and that it did not have any presence in Mobile

This matter is less significant relative to other matters pending before the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Lyn Utrecht, Esquire
OLDAKER, RYAN, PHILLIPS & UTRECHT
818 Connecticut Avenue, N.W. 11th Floor
Washington, D.C. 20006

Eric Kleinfeld, Esquire
Chief Counsel, Clinton/Gore '96
818 Connecticut Avenue, N.W., 10th Floor
Washington, D.C. 20006

RE: MUR 4636
Clinton/Gore '96 General Committee, Inc.
Joan Pollitt, Treasurer

Dear Ms. Utrecht and Mr. Kleinfeld:

On May 19, 1997, the Federal Election Commission notified your clients, Clinton/Gore '96 General Committee, Inc. and Joan Pollitt, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

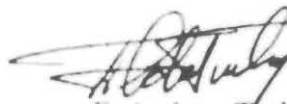
After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

Lyn Utrecht, Esquire
Eric Kleinfeld, Esquire
Page 2

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

8043853230

MUR 4636
LOCAL UNION 505, IBEW

Joseph Romagnano, a member of Local Union 505, IBEW, ("Local 505") alleges that approximately five union members were paid to work on political campaigns, including the Clinton/Gore and Roger Bedford campaigns. He further alleges that one member, Michael Green, admitted to being hired by the Local 505 to work full-time on the Clinton/Gore campaign, and that he was paid \$2,428. Mr. Ramagnano also alleges that the Local 505 paid about \$12,000 to "organizers" who apparently are union members hired to work on campaigns.

In response to the complaint, Donald L. Adams, Business Agent for Local 505, states that the Alabama Democratic Party asked Local 505's assistance with generating interest in the upcoming election with "traditional Democratic core voters such as union households," and to engage in non-partisan political activities such as voter registration. He states that Michael Green was paid by Local 505 to perform these duties for the Alabama Democratic Party, but denies these services were for the Clinton/Gore or Roger Bedford campaigns.

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Respondent Roger Bedford denied any knowledge of the facts set out in the complaint, as well as knowledge of the volunteers who allegedly were employed by Local 505 in Mobile

Respondent Michael Green states that at the time Donald Adams asked him to work for a political campaign he was unemployed. He further states that the Business Manager, respondent Donald Adams, asked him if he wanted to work in a political campaign. Mr. Green denies any personal culpability regarding this matter.

Respondent Clinton Gore '96 General Committee denies any knowledge of Michael Green as either an employee or volunteer in its Washington, D.C. or the Alabama offices. The Committee notes that its Alabama office was located in Montgomery, AL, and that it did not have any presence in Mobile.

This matter is less significant relative to other matters pending before the Commission.

8043853231



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Michael Green
3053 Calais Street
Mobile, AL 36606

RE: MUR 4636

Dear Mr. Green:

On May 19, 1997, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

800438532

MUR 4636
LOCAL UNION 505, IBEW

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In response to the complaint, Donald L. Adams, Business Agent for Local 505, states that the Alabama Democratic Party asked Local 505's assistance with generating interest in the upcoming election with "traditional Democratic core voters such as union households," and to engage in non-partisan political activities such as voter registration. He states that Michael Green was paid by Local 505 to perform these duties for the Alabama Democratic Party, but denies these services were for the Clinton/Gore or Roger Bedford campaigns.

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This matter is less significant relative to other matters pending before the Commission.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4636

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN ES.

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