



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 4, 1999

Tom Pedrick, Treasurer
Composition Roofers Local Union #30
Political Action & Education Fund
6447 Torresdale Avenue
Philadelphia, PA 19135

RE: MUR 4938
Composition Roofers Local Union # 30
Political Action & Education Fund and
Tom Pedrick, as Treasurer

Dear Mr. Pedrick:

On October 22, 1999, the Federal Election Commission found that there is reason to believe the Composition Roofers Local Union # 30 Political Action & Education 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.

If you are interested in expediting the resolution of this matter by pursuing pre-probable 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.

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.

Tom Pedrick, Treasurer
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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 enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Clinett Short, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

20.04.398.0715

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: The Composition Roofers Local Union # 30 MUR: 4938
Political Action & Education Fund and
Tom Pedrick, as Treasurer

I. GENERATION OF MATTER

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).

II. FACTUAL AND LEGAL ANALYSIS

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires treasurers of political committees, other than authorized committees of a candidate, to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). Such committees may choose to file reports either on a monthly or a quarterly basis. 2 U.S.C. § 434(a)(4).

In a calendar year in which a regularly scheduled general election is held, committees that choose to file on a quarterly basis shall 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).

A committee's post-general election report shall be filed no later than the 30th day after the general election and shall be complete as of the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii). In any other calendar year in which a report covers the period beginning July 1 and ends December 31, the report shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(iv).

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B. The Facts

The Composition Roofers Local Union # 30 Political Action & Education Fund and Tom Pedrick, as Treasurer, is a political committee that is not an authorized committee of a candidate, and has elected to file disclosure reports on a quarterly basis.

The Committee was required to file their 1997 Year-End Report no later than January 31, 1998. The Committee was also required to file their 1998 April Quarterly Report no later than April 15, 1998, and their 1998 July Quarterly Report no later than July 15, 1998. In addition, the Committee was also required to file their 1998 30 Day Post-General Report no later than December 3, 1998. Respondents failed to file these reports by the required due dates. The Committee's 1997 Year-End Report, which disclosed \$62,436 in receipts and \$50,002 in disbursements, was not filed until February 24, 1998, 24 days late. The 1998 April Quarterly Report, which disclosed \$22,979 in receipts and \$2,825 in disbursements, was not filed until May 20, 1998, 35 days late. The 1998 July Quarterly Report, which disclosed \$21,455 in receipts and \$32,408 in disbursement, was not filed until August 21, 1998, 37 days late. The 1998 30-Day Post General Report, which disclosed \$14,307 in receipts and \$0.00 in disbursement, was not filed until January 11, 1999, 39 days late.

Prior notices were mailed to the committee informing it of the due dates for filing each of the reports at issue. Following each of the due dates, separate non-filer notices for each of the reports were mailed to the committee stating it failed to file the reports at issue and advising it to file the reports immediately. Although the committee was given prior notices of when to file the reports, it continued to submit reports after their due dates during the 1997-1998 election cycle.

Therefore, there is reason to believe the Composition Roofers Local Union # 30 Political Action & Education Fund and Tom Pedrick, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i),(iii)&(iv).

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