

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JAMES E. MATHER

Oceanside, CA 92054

2008 OCT 29 A 11: 51

October 16, 2008

MUR # 6119

Office of General Counsel
Federal Election Commission
999 E street, N.W.
Washington DC, 20463

Formal Complaint;

To Whom It May Concern:

I would like to file this formal complaint with your office. I am complaining that my Labor Union, BLET (Brotherhood of Locomotive Engineers and Trainmen) who is affiliated with the Teamsters Union has violated the Federal Election Campaign Laws. Enclosed with this complaint is a copy of an email that I received from my BLET Local 662 chairman, Rudy Borrego. The email was forwarded to me by Rudy from our State chairman Tim Smith. As you can see by the chain of events in this email activity, I attempted to stop this unlawful campaign activity with Rudy Borrego and Tim Smith directly. Rudy Borrego referred me directly to Tim Smith because he was the person who originally sent the email out canvassing for volunteers. As you can see by my response and that response from Mr. Smith, my complaint fell on deaf ears. Mr. Tim Smith's original email clearly violates the Law in my opinion by his canvassing effort specifically for, "Helping the Democratic Campaign". This is intensified by his statement that, "Again, your expenses and a daily rate of \$235 will be covered by the National". The term National means the Teamsters National.

It is my understanding that this is a violation of Election law.

Corporations and Unions

The Law also prohibits contributions from Corporations and Labor Unions.

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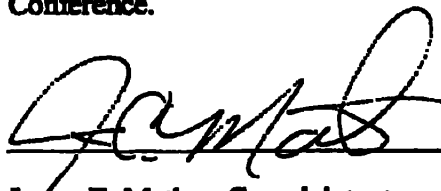
It is further defined that a contribution is;

What is a contribution

Most people think of contributions as donations of money in the form of checks or currency. While these are common ways of making a contribution, anything of value given to influence a Federal Election is considered a contribution.

My charge is that this Labor union is in fact contributing to the Democratic Party by paying members with BLET dues money to actively join and campaign for the Democratic Party. The BLET is in fact trying to influence our Federal Election. These chairmen are not acting as private individuals, they are acting on behalf of the BLET.

My interpretation of the Law as it is written on your website is very clear. It simply is illegal for a Labor Union to make a contribution to a Federal Campaign. I believe that The evidence attached to this complaint is very clear as to the intentions of the BLET. I believe that the BLET is trying to influence this Election while operating under their title as a Labor Union. This is evidenced by their own admission that they will pay members to campaign. As you can see Tim Smith used his Union title, Tim Smith, Chairman, CSLB/BLET/IBT Rail Conference.

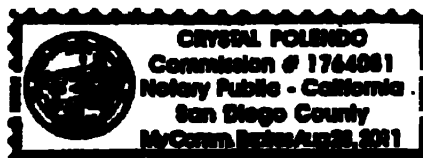
 OCT, 16, 2008

James E. Mather, Complainant

Subscribed and Sworn to before me this 16th day of October, 2008.



Notary Public



Republican peer pressure once elected, please advise. Just remember, our union dues go to support the membership's agenda.

Fraternally,

Tim Smith, State Chairman
CSLB/BLET/IBT Rail Conference

wrote:

I made this response to Rudy Borrego, he has directed me to forward it to you Mr. Smith. As you can see I am angry. Sir the BLET is my union as well, I expect fair and nonpartisan representation. I am a Republican in good standing and am appalled by this behavior.

— Original Message —

From:
To: rudy borrego
Sent: Sunday, October 05, 2008 8:30 AM
Subject: Re: Campaign Work

Whioa, you are kidding right? I would like my union to pay me to campaign for my Republican party. Is my union politically biased? Is my union failing to represent me equally as a member in good standing? Does my union understand that many of it's members are Republicans? Does my union understand that by this type of unethical conduct they are disenfranchising the Republican and independent voters that pay union dues, those dues I might add are going to pay for Democrats to campaign for Obama? I can not believe what I am reading!! Endorsing a candidate is one thing as a union, but paying partisan members to campaign? With my dues to campaign against my beliefs and well being as I see it? As you can see I am angry about this, it makes me sick to see my dues go to this partisan behavior.

— Original Message —

From: rudy borrego
Sent: Saturday, October 04, 2008 11:37 AM
Subject: FW: Campaign Work

I DONT KNOW TOO MUCH ABOUT THIS BUT IF YOU ARE INTERESTED, SEND TIM AN E-MAIL. NOT A BAD DEAL FOR SOMEONE ON THE RETENTION BOARD OR SOMEONE THAT CAN NOT HOLD A SPOT HERE LOCALY.

> Dear Brothers,

>

> If anyone is interested in helping the Democratic Campaign, please let

> me know. I will then provide the names and

> recommended territories we need to cover within California or outside

> the state. I will advise you accordingly. Again, your expenses and a

> daily rate of \$235 will be covered by the National.

>

> Fraternaly,

10/16/2008

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- >
- > Tim Smith, State Chairman
- > CSLB/BLET/IBT Rail Conference

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