



FEDERAL ELECTION COMMISSION

1125 K STREET NW  
WASHINGTON D.C. 20463

THIS IS THE END OF MUR # 726

Date Filmed 4/26/79 Camera No. --- 2

Cameraman hpc



FEDERAL ELECTION COMMISSION

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

March 27, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. William A. Macchi  
Treasurer  
Democratic Hudson County  
N.J. Campaign Fund - Nov. 1976  
4800 Kennedy Boulevard  
Union City, New Jersey 07087

Re: MUR 726 (78)

Dear Mr. Macchi:

The Commission has voted to accept the conciliation agreement which you signed on behalf of the Democratic Hudson County, N.J. Campaign Fund, Nov. 1976, in connection with MUR 726 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to the Committee's violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4073.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

cc: John Tomasin



79040121347

PS Form 3811, Rev. 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse. **706**

1. The following service is requested (check one):  
☐ Show to whom and date delivered ..... c  
☒ Show to whom, date, and address of delivery ..... c  
☐ RESTRICTED DELIVERY  
 Show to whom and date delivered ..... c  
☐ RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery \$ .....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*William Maake*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
                     *943080*

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent  
*R. Haas*

4. DATE OF DELIVERY *4/21/77* POSTMARK *6/67*

5. ADDRESS (Complete only if requested)  
*4807 Kennedy*

6. UNABLE TO DELIVER BECAUSE \_\_\_\_\_ CLERK'S INITIALS \_\_\_\_\_

2090 1977-0-249-986

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
(9 FEB 6 P1:47

In the Matter of )  
)  
)

MUR 726 (78)

Democratic Hudson County )  
N.J. Campaign Fund )  
Nov. 1976 )

CONCILIATION AGREEMENT

79040121  
This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Democratic Hudson County, N.J. Campaign Fund (hereinafter "the Respondent") has violated 2 U.S.C. § 441a(a) (1) (A), § 434(b) (13), and § 434(e) (2).

WHEREFORE, the Commission and the Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437(a) (5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
  - A. The Respondent first registered with the Federal Election Commission on October 6, 1976.
  - B. On October 22, 1976, the Respondent transferred \$2,500 to the Citizens Committee. Helstoski for Congress.

- 79040121342
- C. The Respondent made independent expenditures of \$4,342.50 on behalf of the Joseph A. LeFante for Congress Committee, \$7,13.12 on behalf of Jimmy Carter, \$367.50 for Harrison A. Williams, Jr., a U.S. Senatorial candidate, and \$25 on behalf of congressional candidate Helen S. Meyner. All of these expenditures were made on either October 22, 1976, October 26, 1976, or October 28, 1976.
  - D. No reports identifying the amount and date of the indicated expenditures, on whose behalf and to whom they were made, nor a certification of independence were filed by the Respondent.
  - E. The Respondent did not report these expenditures to the Commission within 24 hours of the time they were made.

WHEREFORE, Respondent agrees:

- A. That the Respondent registered with the Commission on October 6, 1976.
- B. That on October 22, 1976, the Respondent transferred \$2,500 to the Citizens Committee, Helstoski for Congress.
- C. That when the \$2,500 was transferred to the Fund, the Respondent had only been registered with the Commission for three weeks.
- D. A political committee is subject to the contribution limitations of 2 U.S.C. § 441a(a)(1)(A) unless it can qualify as a multicandidate committee. 2 U.S.C. § 441a(a)(4) requires that a committee be registered for 6 months before it can acquire multicandidate status.

- E. The Respondent was not a multicandidate committee within 2 U.S.C. § 441a(a)(4) when the \$2,500 was transferred to the Fund since it had not been registered for 6 months at that time.
- F. 2 U.S.C. § 441a(a)(1)(A) limits to \$1,000 per candidate the amount a political committee can contribute in an election.
- G. The Respondent violated 2 U.S.C. § 441a(a)(1)(A) by contributing \$2,500 to the Citizens Committee, Helstoski for Congress.
- H. That the Respondent made independent expenditures of \$5,448.12 on behalf of candidates for federal office but did not file any reports with the Commission detailing the amount and date of the expenditures, to whom and on whose behalf they were made; nor did Respondent file a certificate of independence with the Commission.
- I. 2 U.S.C. § 434(b)(13) and 11 CFR § 109.2(a) require that a schedule reporting the date and amount of the expenditure, to whom and on whose behalf it was made, along with a certificate of independence be filed with the Commission for all independent expenditures in excess of \$100.
- J. Respondent violated 2 U.S.C. § 434(b)(13) and 11 CFR § 109.2(a) by making independent expenditures of \$5,448.12 while not filing reports containing information about those expenditures to the Commission.

79040121350

- 79040121351
- K. That the Respondent made all of the aforementioned independent expenditures on either October 22, 26, or 28 of 1976, which was after the 15th day but more than 24 hours, before the election on November 2, 1976.
  - L. 2 U.S.C. § 434(e)(2) and 11 CFR § 109.2(c) require that independent expenditures in excess of \$100 made after the 15th day but more than 24 hours before the election be reported to the Commission within 24 hours of the time they are made.
  - M. The Respondent violated 2 U.S.C. § 434(e)(2) and 11 CFR § 109.2(c) by making independent expenditures after the 15th day but more than 24 hours before the election in 1976 without reporting them to the Commission within 24 hours.
  - N. The Respondent will file a Schedule E with the Commission listing the date and amount of all independent expenditures in excess of \$100 made in 1976 on behalf of candidates for federal office, and to whom they were made, along with a certificate of independence.
  - O. The Respondent will pay a civil penalty in the amount of \$150.
  - P. The Respondent will now and in the future comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

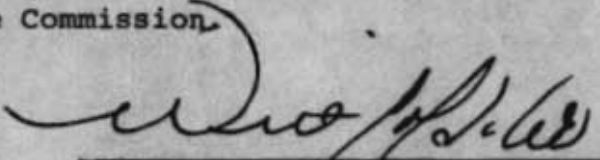
- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance

with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a) (5) (A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

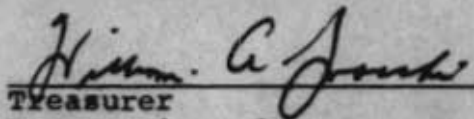
79040121352  
Date:

3/26/79

  
William C. Oldaker  
General Counsel

Date:

Jan 29, 1979

  
Treasurer

Democratic Hudson County  
New Jersey Campaign Fund, Nov. 1976

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Democratic Hudson County ) MUR 726 (78)  
N.J. Campaign Fund )  
Nov. 1976 )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on March 22, 1979, the Commission determined by a vote of 6-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated March 14, 1979, regarding the above-captioned matter:

1. Approve the conciliation agreement attached to the above-named report.
2. Send the letters attached to the above-named report.
3. Close the file.

Attest:

3/26/79

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary to the Commission

Received in Office of Commission Secretary: 3-14-79, 2:05  
Circulated on 48 hour vote basis: 3-15-79, 9:00  
Objection filed: 3-16-79, 10:14  
Placed on Agenda for Executive Session of March 22, 1979

7904012135



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS *YME*  
DATE: MARCH 16, 1979  
SUBJECT: MUR 726 - General Counsel's Report dated  
3-14-79: Received in OCS 3-14-79,  
2:05

The above-named report was circulated on a 48 hour  
vote basis at 9:00, March 15, 1979.

Commissioner Friedersdorf submitted an objection  
at 10:14, March 16, 1979, thereby placing MUR 726 on the  
Executive Session Agenda for March 22, 1979.

A copy of Commissioner Friedersdorf's vote sheet  
is attached.

ATTACHMENT:  
Copy of Vote Sheet

79040121354



## FEDERAL ELECTION COMMISSION

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

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

79 MAR 16 A10: 14

Date and Time Transmitted: March 15, 1979 - 7:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, MCGARRY, THOMSON, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: MARCH 17, 1979 - 9:00

MUR No. 726 - General Counsel's Report dated 3-14-79

( ) I approve the recommendation

(X) I object to the recommendation

COMMENTS: Bring up for discussion of civil penalty

Date: 3/16/79 Signature: Max L. Friedersdorf  
*ham*

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.



March 14, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Wane Colgrove  
SUBJECT: MUR 726

Please have the attached General Counsel's Report on MUR 726 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040121356

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

79 MAR 14 P 2: 05

In the Matter of )  
 )  
Democratic Hudson County ) MUR 726  
N.J. Campaign Fund, Nov. 1976 )

GENERAL COUNSEL'S REPORT

On January 17, 1979, the Commission found reasonable cause to believe the Democratic Hudson County N.J. Campaign Fund, Nov. 1976 ("the Committee") violated 2 U.S.C. § 441a(a) (1)(A) by making an excessive contribution to the Citizens Committee, Helstoski for Congress; 2 U.S.C. §§ 434(b)(13) and 434(e)(2) by not filing the required reports with respect to independent expenditures made by the Committee. The Commission also voted to send a proposed conciliation agreement to the Committee.

The Office of General Counsel has now received a signed conciliation agreement from the Committee. A proposal to reduce the civil penalty assessed against the Committee by \$100 was made as a result of negotiations with the respondent, and the conciliation agreement was modified to reflect the proposal.

As the General Counsel's Office has received the signed conciliation agreement, and a check in the amount of the proposed civil penalty, it is recommended that the Commission approve the attached conciliation agreement. As there remains no action

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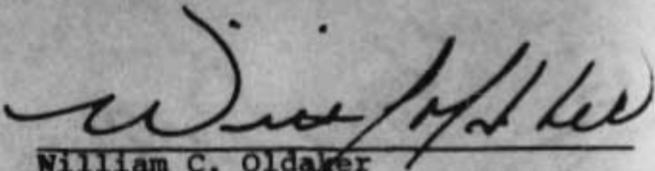
pending against any other respondent in this matter 1/, it is also recommended that this file be closed. A copy of the signed conciliation agreement and the check for the civil penalty is attached.

RECOMMENDATIONS

1. Approve the attached conciliation agreement.
2. Send the attached letters.
3. Close the file.

Date

3/11/79

  
William C. Oldaker  
General Counsel

Attachments:

Conciliation Agreement  
Letter to Mr. William A. Macchi

- 
- 1/ On February 21, 1979, the Commission voted to take no further action and close the file as to the other respondent in this matter, the Citizens Committee, Helstoski for Congress, which was the recipient of the Committee's excessive contribution.

79040121358

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Democratic Hudson County )  
N.J. Campaign Fund )  
Nov. 1976 )

MUR 726 (78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Democratic Hudson County, N.J. Campaign Fund (hereinafter "the Respondent") has violated 2 U.S.C. § 441a(a) (1) (A), § 434(b) (13), and § 434(e) (2).

WHEREFORE, the Commission and the Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437(a) (5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
  - A. The Respondent first registered with the Federal Election Commission on October 6, 1976.
  - B. On October 22, 1976, the Respondent transferred \$2,500 to the Citizens Committee. Helstoski for Congress,

79040121359

RECEIVED  
FEB 6 1977  
P 1:47

- 79040121360
- C. The Respondent made independent expenditures of \$4,342.50 on behalf of the Joseph A. LeFante for Congress Committee, \$7,13.12 on behalf of Jimmy Carter, \$367.50 for Harrison A. Williams, Jr., a U.S. Senatorial candidate, and \$25 on behalf of congressional candidate Helen S. Meyner. All of these expenditures were made on either October 22, 1976, October 26, 1976, or October 28, 1976.
  - D. No reports identifying the amount and date of the indicated expenditures, on whose behalf and to whom they were made, nor a certification of independence were filed by the Respondent.
  - E. The Respondent did not report these expenditures to the Commission within 24 hours of the time they were made.

WHEREFORE, Respondent agrees:

- A. That the Respondent registered with the Commission on October 6, 1976.
- B. That on October 22, 1976, the Respondent transferred \$2,500 to the Citizens Committee, Helstoski for Congress.
- C. That when the \$2,500 was transferred to the Fund, the Respondent had only been registered with the Commission for three weeks.
- D. A political committee is subject to the contribution limitations of 2 U.S.C. § 441a(a)(1)(A) unless it can qualify as a multicandidate committee. 2 U.S.C. § 441a(a)(4) requires that a committee be registered for 6 months before it can acquire multicandidate status.

- E. The Respondent was not a multicandidate committee within 2 U.S.C. § 441a(a)(4) when the \$2,500 was transferred to the Fund since it had not been registered for 6 months at that time.
- F. 2 U.S.C. § 441a(a)(1)(A) limits to \$1,000 per candidate the amount a political committee can contribute in an election.
- G. The Respondent violated 2 U.S.C. § 441a(a)(1)(A) by contributing \$2,500 to the Citizens Committee, Helstoski for Congress.
- H. That the Respondent made independent expenditures of \$5,448.12 on behalf of candidates for federal office but did not file any reports with the Commission detailing the amount and date of the expenditures, to whom and on whose behalf they were made; nor did Respondent file a certificate of independence with the Commission.
- I. 2 U.S.C. § 434(b)(13) and 11 CFR § 109.2(a) require that a schedule reporting the date and amount of the expenditure, to whom and on whose behalf it was made, along with a certificate of independence be filed with the Commission for all independent expenditures in excess of \$100.
- J. Respondent violated 2 U.S.C. § 434(b)(13) and 11 CFR § 109.2(a) by making independent expenditures of \$5,448.12 while not filing reports containing information about those expenditures to the Commission.

79040121361

- K. That the Respondent made all of the aforementioned independent expenditures on either October 22, 26, or 28 of 1976, which was after the 15th day but more than 24 hours, before the election on November 2, 1976.
- L. 2 U.S.C. § 434(e)(2) and 11 CFR § 109.2(c) require that independent expenditures in excess of \$100 made after the 15th day but more than 24 hours before the election be reported to the Commission within 24 hours of the time they are made.
- M. The Respondent violated 2 U.S.C. § 434(e)(2) and 11 CFR § 109.2(c) by making independent expenditures after the 15th day but more than 24 hours before the election in 1976 without reporting them to the Commission within 24 hours.
- N. The Respondent will file a Schedule E with the Commission listing the date and amount of all independent expenditures in excess of \$100 made in 1976 on behalf of candidates for federal office, and to whom they were made, along with a certificate of independence.
- O. The Respondent will pay a civil penalty in the amount of \$150.
- P. The Respondent will now and in the future comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance

79040121362

with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a) (5) (A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: Jan 29, 1977

William A. Jones  
Treasurer  
Democratic Hudson County  
New Jersey Campaign Fund, Nov. 1976

79040121363

7904012136

| BY ENDORSEMENT THIS CHECK WHEN PAID IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING ACCOUNT |        |
|------------------------------------------------------------------------------------------|--------|
| DATE                                                                                     | AMOUNT |
| Re: Hudson County                                                                        |        |
| Campaign Fund                                                                            |        |
| Nov 1976                                                                                 |        |
| Constitutional Fund                                                                      |        |

IF INCORRECT PLEASE RETURN NO RECEIPT NECESSARY

JOHN TOMASIN, ESQ. (P.A.)  
4800 KENNEDY BOULEVARD WEST  
UNION CITY, N. J. 07087

8115

PAY TO THE ORDER OF

Treasurer of the United States

2/28/79 55-411 270 U

\$ 150 <sup>XX</sup>/<sub>100</sub>

One Hundred Fifty

<sup>XX</sup>/<sub>100</sub> DOLLARS

**COMMERCIAL TRUST**  
COMMERCIAL TRUST COMPANY OF NEW JERSEY  
BERGENLINE BANKING OFFICE  
4800 BERGENLINE AVENUE  
UNION CITY, N. J. 07087

*John Tomasin*

⑆027000410⑆ 0481-20032⑈



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. William A. Macchi  
Treasurer  
Democratic Hudson County  
N.J. Campaign Fund - Nov. 1976  
4800 Kennedy Boulevard  
Union City, New Jersey 07087

Re: MUR 726 (78)

Dear Mr. Macchi:

The Commission has voted to accept the conciliation agreement which you signed on behalf of the Democratic Hudson County, N.J. Campaign Fund, Nov. 1976, in connection with MUR 726 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to the Committee's violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4073.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

cc: John Tomasin



QCR# 9515

JOHN TOMASIN, ESQ. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N.J. 07087

(201) 863-1621  
1622

RECEIVED  
FEDERAL ELECTION  
COMMISSION

'79 MAR 5 PM 2:16

Federal Election Commission  
1325 K Street NW  
Washington, D.C. 20463

901228

Re: Conciliation Agreement  
MUR 726(78)  
Dem. Hudson County Campaign  
Fund-Nov. 1976

Att: Ms. Marsha Gentner  
General Counsel's Office

Dear Ms. Gentner:

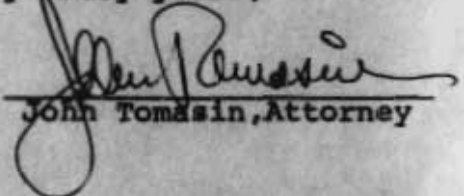
There was a misunderstanding, and I thought we had to wait to hear from you what the final penalty was, before we sent down the check, and this caused the delay.

Therefore to expedite, I am enclosing check for \$150.00 and ask that this penalty be recommended when the conciliation agreement is submitted for signature.

As you recall, this was a first offense; the Treasurer is an amateur; and both the Committee and the Treasurer are no longer active, and do not propose to operate in any further elections.

Can you please submit and advise?

Very truly yours,

  
John Tomasin, Attorney

79040121366

79040121367

BY ENDORSEMENT THIS CHECK WHEN PAID IS ACCEPTED  
IN FULL PAYMENT OF THE FOLLOWING ACCOUNT

| DATE                                             | AMOUNT |
|--------------------------------------------------|--------|
| Re:                                              |        |
| Hon. Hudson County                               |        |
| Campaign Fund                                    |        |
| Nov 1976                                         |        |
| contribution payment                             |        |
| IF INCORRECT PLEASE RETURN, NO RECEIPT NECESSARY |        |

JOHN TOMASIN, ESQ. (P.A.)  
4800 KENNEDY BOULEVARD WEST  
UNION CITY, N. J. 07087

8115

PAY  
TO THE  
ORDER OF

Treasurer of the United States

2/28/79 55-411  
270 U

\$ 150 <sup>XX</sup>/<sub>100</sub>

One Hundred Fifty

<sup>XX</sup>/<sub>100</sub> DOLLARS

**COMMERCIAL TRUST**  
COMMERCIAL TRUST COMPANY OF NEW JERSEY  
BERGENLINE BANKING OFFICE  
4800 BERGENLINE AVENUE  
UNION CITY, N. J. 07087

*John Tomasin*

010270004101 0481 20032

79040121360

FEDERAL ELECTION

JOHN TOMASIN, ESQ. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W  
UNION CITY, N. J. 07087

'79 MAR 5 PM 2:16

Att: Ms. Marsha Gentner  
General counsel's Office

Federal Election Commission  
1325 K Street NW  
Washington, D.C. 20463





# FEDERAL ELECTION COMMISSION

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

February 23, 1979

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. John Mazella  
Treasurer  
Citizens Committee, Helstoski  
for Congress  
666 Paterson Avenue  
East Rutherford, New Jersey 07073

Re: MUR 726

Dear Mr. Mazella:

The Federal Election Commission has voted to take no further action against the Committee in the above-referenced matter. Accordingly, that portion of the file pertaining to a possible violation by the Citizens Committee, Helstoski for Congress will be closed.

If you have any questions concerning the above action, please contact Ms. Marsha Gentner, the attorney handling the matter, at (202) 523-4060.

Sincerely,

W. C. Oldaker  
Counsel

W. N. Steele  
Associate General Counsel

PS Form 3811, Apr. 1977

|                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------|--|
| 1. The following service is requested (check one):<br><input type="checkbox"/> Show to whom and date delivered<br><input checked="" type="checkbox"/> Show to whom, date, and address of delivery<br><input type="checkbox"/> RESTRICTED DELIVERY<br>Show to whom and date delivered<br><input type="checkbox"/> RESTRICTED DELIVERY<br>Show to whom, date, and address of delivery. \$<br>(CONSULT POSTMASTER FOR FEES) |  | 2. ARTICLE ADDRESSED TO:<br><br>Mr. John Mazella |  |
| 3. ARTICLE DESCRIPTION:<br>REGISTERED NO. 438055                                                                                                                                                                                                                                                                                                                                                                         |  | CERTIFIED NO. INSURED NO.                        |  |
| (Always obtain signature of addressee or agent)                                                                                                                                                                                                                                                                                                                                                                          |  |                                                  |  |
| I have received the article described above:<br>SIGNATURE <input type="checkbox"/> Addressee <input checked="" type="checkbox"/> Authorized agent<br>DATE OF DELIVERY 3/1/79                                                                                                                                                                                                                                             |  | POSTMARK                                         |  |
| 5. ADDRESS (Complete only if requested)                                                                                                                                                                                                                                                                                                                                                                                  |  | 4. UNABLE TO DELIVER BECAUSE:                    |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                          |  | CLERK'S INITIALS                                 |  |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Democratic Hudson County, N.J. )  
Campaign Fund, Nov. 1976 )

MUR 726

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 21, 1979, the Commission determined by a vote of 5-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated February 14, 1979, regarding the above-captioned matter:

1. Take no further action against the Citizens Committee, Helstoski for Congress.
2. Send the letter attached to the above-named report.

Voting for this determination were Commissioners Aikens, Tiernan, McGarry, Thomson, and Harris.

Attest:

2/21/79

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary to the Commission

Received in Office of Commission Secretary: 2-14-79, 4:15  
Circulated on 48 hour vote basis: 2-15-79, 9:00

79040121370

February 14, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 726

Please have the attached General Counsel's Report on MUR 726 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040121371

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

In the Matter of )  
 )  
Democratic Hudson County, N.J. )  
Campaign Fund, Nov. 1976 )

79 FEB 14 P4: 15  
MUR 726

GENERAL COUNSEL'S REPORT

Background

On January 17, 1979, the Commission found reasonable cause to believe the Democratic Hudson County New Jersey Campaign Fund, ("the Fund") violated 2 U.S.C. §§ 434(b)(13), 434(e)(2) and 441a(a)(1)(A), and reason to believe the Citizens Committee, Helstoski for Congress ("the Committee") violated 2 U.S.C. § 441a(f) by receiving a contribution of \$2,500 from the Fund before it had achieved multicandidate status.

A conciliation agreement was sent to the Fund, and a letter of notification to the Committee.

Analysis

The staff attorney assigned to this matter was contacted by both Mr. Helstoski and Mr. John Mazella, who was treasurer of the Committee when the contribution in question was received. Mr. Mazella explained that the Committee believed the Fund had achieved multi-candidate status and thus did not knowingly accept an excessive contribution. He said that the Committee could not refund the excessive contribution because it no longer existed and thus was without funds. He did, however, offer to reopen the Committee records by amending their last report filed to show a debt of \$1,500 to the Fund, as a refund of the excessive

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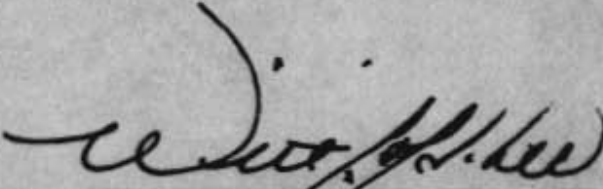
contribution. 2 U.S.C. § 441a(f) prohibits a committee from knowingly accepting an excess contribution. Both Mr. Helstoski and Mr. Mazella have been most cooperative in seeking a resolution of this matter and have indicated that they did not know that Democratic Hudson County New Jersey Campaign Fund was not a multicandidate committee. It would be purely a matter of form to make the Committee (which has long since terminated) reopen its records and amend its report to show a debt to the Fund and continuously report this debt, especially since the Fund could now, having achieved multicandidate status, contribute the amount in question. Therefore, in view of the circumstances and the elements necessary to prove a violation of 2 U.S.C. § 441a(f), the Office of General Counsel recommends that no further action be taken against the Citizens Committee, Helstoski for Congress, for receiving an excessive contribution. The file will remain open with regard to the making of the excessive contribution by the Democratic Hudson Party.

RECOMMENDATIONS

1. Take no further action against the Citizens Committee, Helstoski for Congress.
2. Send the attached letter.

Date

2/14/79

  
William C. Oldaker  
General Counsel

Attachments

Letter



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John Mazella  
Treasurer  
Citizens Committee, Helstoski  
for Congress  
666 Paterson Avenue  
East Rutherford, New Jersey 07073

Re: MUR 726

Dear Mr. Mazella:

The Federal Election Commission has voted to take no further action against the Committee in the above-referenced matter. Accordingly, that portion of the file pertaining to a possible violation by the Citizens Committee, Helstoski for Congress will be closed.

If you have any questions concerning the above action, please contact Ms. Marsha Gentner, the attorney handling the matter, at (202) 523-4060.

Sincerely,

William C. Oldaker  
General Counsel



JOHN TOMASIN, ESQ. (RA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N.J. 07087

(200 863-1821  
1822

February 1, 1979

Federal Election Commission  
1325 K Street N.W.  
Washington, D. C. 20463

Attn: William C. Oldaker,  
General Counsel

RE: MUR 726(78)

Dear Sir:

In the above matter, enclosed please find proposed conciliation agreement, signed by William A. Macchi, Treasurer.

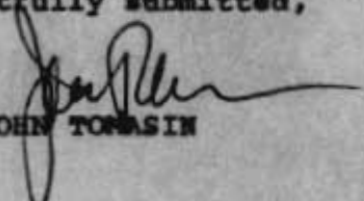
Since this committee (1) came into existence for a particular election in November, 1976 and went out of existence thereafter; and (2) was by amateur unpaid volunteer work; and (3) since the committee has not participated in any such election since, and doesn't propose to do so ever again; and (4) since the Treasurer also does not propose to participate in any such election ever again; may we petition that payment of the \$250.00 fine or penalty be suspended or waived?

I believe the record reflects good faith and no wilful violations or attempts to deceive.

Also, this is a first offense or violation.

Please advise.

Respectfully submitted,

  
JOHN TOMASIN

JT:vk  
Enc.

cc: Mr. William A. Macchi

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GOC# 9263  
19 FEB 6 P1:47

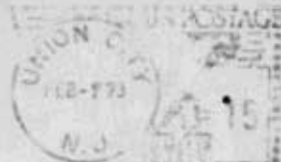
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JOHN TOMASIN, ESQ. (P.A.)

PROFESSIONAL CORPORATION

4800 KENNEDY BLVD. W

UNION CITY, N. J. 07087



Federal Election Commission  
1325 K Street N.W.  
Washington, D. C. 20463

*Ret Rec Req'd*

tn: William C. Oldaker,  
General Counsel

**CERTIFIED**

**No. 364696**

**MAIL**



FEDERAL ELECTION COMMISSION

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

January 19, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. D. John Mazella  
Treasurer, Citizens Committee, Helstoski for Congress  
666 Paterson Avenue  
East Rutherford, New Jersey 07073

Re: MUR 726 (78)

Dear Mr. Mazella:

The Federal Election Commission has found reason to believe that the Citizens Committee, Helstoski for Congress has violated the Federal Election Campaign Act of 1971, as amended. Specifically, the Commission has found reason to believe the Citizens Committee, Helstoski for Congress may have violated 2 U.S.C. § 441a(f) by accepting a contribution of \$2,500 from the Democratic Hudson County, N.J. Campaign Fund, Nov. 1976. 2 U.S.C. § 441a(f) prohibits the acceptance of contributions in violation of 2 U.S.C. § 441a(a)(1)(A), which limits committees that do not have multicandidate status to contributions of \$1,000 per candidate per election.

Under the Act, you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. Failure to do so may require the Commission to act on the information available to it. If you intend to be represented by counsel in this matter, please have such counsel notify us in writing.

79040121377

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Ms. Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

*William C. Oldaker*  
William C. Oldaker  
General Counsel

7216 0112

PS Form 3811, Apr 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------|
| 1. The following service is requested (check one).<br><input type="checkbox"/> Show to whom and date delivered ..... c<br><input checked="" type="checkbox"/> Show to whom, date, and address of delivery ..... c<br><input checked="" type="checkbox"/> RESTRICTED DELIVERY<br>Show to whom and date delivered ..... c<br><input type="checkbox"/> RESTRICTED DELIVERY<br>Show to whom, date, and address of delivery, \$ .....<br>(CONSULT POSTMASTER FOR FEES) |               |                  |
| 2. ARTICLE ADDRESSED TO:<br>John D. Mazella<br>Citizens Comm, Hektort: Co<br>Col: 1225                                                                                                                                                                                                                                                                                                                                                                            |               |                  |
| 3. ARTICLE DESCRIPTION:<br>REGISTERED NO. 90600                                                                                                                                                                                                                                                                                                                                                                                                                   | CERTIFIED NO. | INSURED NO.      |
| (Always obtain signature of addressee or agent)                                                                                                                                                                                                                                                                                                                                                                                                                   |               |                  |
| I have received the article described above.<br>SIGNATURE <i>[Signature]</i> <input checked="" type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent                                                                                                                                                                                                                                                                                              |               |                  |
| 4. DATE OF DELIVERY 1/22/79                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                  |
| 5. ADDRESS (Complete only if requested)                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                  |
| 6. UNABLE TO DELIVER BECAUSE:                                                                                                                                                                                                                                                                                                                                                                                                                                     |               | CLERK'S INITIALS |

☆GPO: 1977-0-249-596

79040121378



FEDERAL ELECTION COMMISSION

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

January 19, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. William A. Macchi, Treasurer  
Democratic Hudson County, N.J.  
Campaign Fund, Nov. 1976  
4800 Kennedy Blvd.  
Union City, N.J. 07087

Re: MUR 726(78)

Dear Mr. Macchi:

The Federal Election Commission has found reasonable cause to believe that the Democratic Hudson County, N.J. Campaign Fund, Nov. 1976 has violated 2 U.S.C. §441a(a)(1)(A) by making a contribution in excess of \$1,000 to the Henry Helstoski Campaign Fund, and 2 U.S.C. §§ 434(b)(13), 434(e)(2) by not filing schedules to the Commission containing information about independent expenditures made on behalf of candidates for federal office.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha Gentner at (202) 523-4060 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure  
cc John Tomasin

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PS Form 3811, Apr 1977

**SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
☐ Show to whom and date delivered .....  
☒ Show to whom, date, and address of delivery .....  
☐ RESTRICTED DELIVERY  
 Show to whom and date delivered .....  
☐ RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery \$ .....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 William Maechi  
 4800 Kennedy Blvd.  
 Union City, N.J. 07087

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 94718

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY POSTMARK  
 6/15/77 NW

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

726 *Sender* ☆GPO: 1977-0-249-595

PS Form 3811, Apr 1977

*HG 726*

**SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
☐ Show to whom and date delivered .....  
☒ Show to whom, date, and address of delivery .....  
☐ RESTRICTED DELIVERY  
 Show to whom and date delivered .....  
☐ RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery \$ .....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 John Tomarin  
 4800 Kennedy Union City, NJ

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 94718

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY POSTMARK  
 6/15/77 NW

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO: 1977-0-249-595

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Democratic Hudson County  
N.J. Campaign Fund  
Nov. 1976

MUR 726 (78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Democratic Hudson County, N.J. Campaign Fund (hereinafter "the Respondent") has violated 2 U.S.C. § 441a(a) (1) (A), § 434(b) (13), and § 434(e) (2).

WHEREFORE, the Commission and the Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437(a) (5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
  - A. The Respondent first registered with the Federal Election Commission on October 6, 1976.
  - B. On October 22, 1976, the Respondent transferred \$2,500 to the Citizens Committee, Helstoski for Congress,

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- 79040121382
- C. The Respondent made independent expenditures of \$4,342.50 on behalf of the Joseph A. LeFante for Congress Committee, \$7,13.12 on behalf of Jimmy Carter, \$367.50 for Harrison A. Williams, Jr., a U.S. Senatorial candidate, and \$25 on behalf of congressional candidate Helen S. Meyner. All of these expenditures were made on either October 22, 1976, October 26, 1976, or October 28, 1976.
  - D. No reports identifying the amount and date of the indicated expenditures, on whose behalf and to whom they were made, nor a certification of independence were filed by the Respondent.
  - E. The Respondent did not report these expenditures to the Commission within 24 hours of the time they were made.

WHEREFORE, Respondent agrees:

- A. That the Respondent registered with the Commission on October 6, 1976.
- B. That on October 22, 1976, the Respondent transferred \$2,500 to the Citizens Committee. Helstoski for Congress.
- C. That when the \$2,500 was transferred to the Fund, the Respondent had only been registered with the Commission for three weeks.
- D. A political committee is subject to the contribution limitations of 2 U.S.C. § 441a(a)(1)(A) unless it can qualify as a multicandidate committee. 2 U.S.C. § 441a (a)(4) requires that a committee be registered for 6 months before it can acquire multicandidate status.

- E. The Respondent was not a multicandidate committee within 2 U.S.C. § 441a(a)(4) when the \$2,500 was transferred to the Fund since it had not been registered for 6 months at that time.
- F. 2 U.S.C. § 441a(a)(1)(A) limits to \$1,000 per candidate the amount a political committee can contribute in an election.
- G. The Respondent violated 2 U.S.C. § 441a(a)(1)(A) by contributing \$2,500 to the Citizens Committee, Helstoski for Congress.
- H. That the Respondent made independent expenditures of \$5,448.12 on behalf of candidates for federal office but did not file any reports with the Commission detailing the amount and date of the expenditures, to whom and on whose behalf they were made; nor did Respondent file a certificate of independence with the Commission.
- I. 2 U.S.C. § 434(b)(13) and 11 CFR § 109.2(a) require that a schedule reporting the date and amount of the expenditure, to whom and on whose behalf it was made, along with a certificate of independence be filed with the Commission for all independent expenditures in excess of \$100.
- J. Respondent violated 2 U.S.C. § 434(b)(13) and 11 CFR § 109.2(a) by making independent expenditures of \$5,448.12 while not filing reports containing information about those expenditures to the Commission.

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- K. That the Respondent made all of the aforementioned independent expenditures on either October 22, 26, or 28 of 1976, which was after the 15th day but more than 24 hours, before the election on November 2, 1976.
  - L. 2 U.S.C. § 434(e)(2) and 11 CFR § 109.2(c) require that independent expenditures in excess of \$100 made after the 15th day but more than 24 hours before the election be reported to the Commission within 24 hours of the time they are made.
  - M. The Respondent violated 2 U.S.C. § 434(e)(2) and 11 CFR § 109.2(c) by making independent expenditures after the 15th day but more than 24 hours before the election in 1976 without reporting them to the Commission within 24 hours.
  - N. The Respondent will file a Schedule E with the Commission listing the date and amount of all independent expenditures in excess of \$100 made in 1976 on behalf of candidates for federal office, and to whom they were made, along with a certificate of independence.
  - O. The Respondent will pay a civil penalty in the amount of \$250.
  - P. The Respondent will now and in the future comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance

with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a) (5) (A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: \_\_\_\_\_

\_\_\_\_\_  
Treasurer  
Democratic Hudson County  
New Jersey Campaign Fund, Nov. 1976

79040121385

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 726 (78)  
Democratic Hudson County )  
N.J. Campaign Fund, Nov. 1976 )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 17, 1979, the Commission determined by a vote of 4-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated January 12, 1979, regarding the above-captioned matter:

1. Find reasonable cause to believe the Democratic Hudson County N.J. Campaign Fund, Nov. 1976, violated 2 U.S.C. §434(b)(13).
2. Find reasonable cause to believe the Democratic Hudson County N.J. Campaign Fund violated 2 U.S.C. §434(e)(2).
3. Find reasonable cause to believe the Democratic Hudson County N.J. Campaign Fund violated 2 U.S.C. §441a(a)(1)(A).
4. Find reason to believe the Citizens Committee, Helstoski for Congress violated 2 U.S.C. §441a(f).
5. Send the conciliation agreement and letters attached to the above-named report.

Voting for this determination were Commissioners  
Springer, Tiernan, McGarry, and Thomson.

Attest:

1/18/79  
Date

*Marjorie W. Emmons*  
Marjorie W. Emmons, Secretary to the Commission

Received in Office of Commission Secretary: Friday, 1-12-79, 3:19  
Circulated on 48 hour vote basis: Monday, 1-15-79, 3:30

79040121386

January 12, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 726

Please have the attached General Counsel's Report on  
MUR 726 distributed to the Commission on a 48 hour tally  
basis.

Than you.

79040121387

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

In the Matter of )  
 )  
Democratic Hudson County )  
N.J. Campaign Fund, Nov. 1976 )

79 JAN 12 P 3:19  
MUR 726 (78)

GENERAL COUNSEL'S REPORT

Summary of Allegations and Commission Action

In reviewing the information referred by Reports Analysis Division concerning the Democratic Hudson County Campaign Fund, Nov. 1976 ("the Committee"), the auditors discovered that the Committee had made independent expenditures in excess of \$100 without filing a separate schedule identifying the candidate(s) on whose behalf the expenditures were made and without submitting a certification of independence in possible violation of 2 U.S.C. § 434(b)(13). It was also found that \$2,932.50 of the independent expenditures made by the Committee was spent after the fifteenth day before the election but more than 24 hours before it, but was not reported by the Committee within 24 hours of the time the expenditure was made. This raised the possibility that the Committee violated 2 U.S.C. §434(e)(2). The auditors also discovered that the Committee contributed \$2,500 to Citizens Committee, Helstoski for Congress at a time when it had not yet met the requirements to qualify as a multicandidate committee. Thus, the possibility that the Committee violated 2 U.S.C. § 441a(a)(1)(A) by giving a contribution in excess of \$1,000 was also raised.

On October 16, 1978, the Commission found reason to believe the Committee violated 2 U.S.C. §§ 434(b)(13), 434(e)(2), and 441a(a)(1)(A).

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Evidence

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Upon the filing by the Committee of its 30 Day Post-Election Report, the Reports Analysis Division discovered that a contribution of \$4,342.50 which had been reported by the Joseph A. LeFante for Congress Committee as being received by the Committee on November 15, 1976, had not been reported by the Committee. When questioned about this, the Committee responded, in a letter dated January 17, 1978, that this \$4,342.50 represented independent expenditures made on behalf of Joseph A. LeFante's campaign, and that neither Mr. Lefante nor his principal campaign committee knew of these expenditures. After the expenditures were made, the Committee did inform the candidate about them, accounting for the date of "receipt" by the candidate's committee of November 15, 1976. Independent expenditures of \$713.12, \$367.50, and \$25 were made on behalf of Jimmy Carter for President, Harrison A. Williams, Jr. (U.S. Senate) and Helen S. Meyner (U.S. Congress) respectively.

Initially, the question was raised by the Audit Division in referring this matter to the Office of General Counsel as to whether such independent expenditures would violate 11 CFR § 110.7(b)(4), which prohibits party committees from making independent expenditures on candidates for federal office. This question was raised because the name of the respondent (Democratic Hudson County, N.J. Campaign Fund, Nov. 1976) indicated that perhaps the Committee was a Democratic Party local committee. If the Committee was a party committee, however, the \$5,448.12 in independent expenditures made on behalf of the aforementioned federal candidates would be permissible under 2 U.S.C. § 441a (d) which provides that a subordinate committee of a state party

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committee can make expenditures on federal candidates up to \$20,000. It is the opinion of the Office of General Counsel that the Committee was not a Democratic party committee. The Committee did not have continuous existence but rather organized in 1976 and has since terminated. The Committee had no known connection with the New Jersey Democratic Party or the Democratic National Committee. It sent no delegates to any national or state Democratic Party conventions or functions nor did the Committee participate in any "Get-Out-the-Vote" drives or voter registration activities for or in connection with the Democratic Party. Essentially, the Committee's only connection with the Democratic party was the use of the word "Democratic" in its name. Thus, the Committee could properly make independent expenditures under the Act.

The Committee did not disclose to the Commission any information concerning the \$5,448.12 expenditures when they were made. 2 U.S.C. § 434(b)(13) requires a political committee making an independent expenditure in excess of \$100 to file a certification that the expenditure is not made in cooperation, concert, or at the request of any candidate or authorized political committee. That section and 11 CFR § 109.2(a) also require that a separate schedule be filed identifying the person to whom the independent expenditure was made, the amount and date of it, the name of the candidate with respect to whom the expenditure was made and the office the candidate seeks, and whether the expenditure was made in support of or opposition to the candidate.

Since the Committee did not file such a report with the Commission though it made independent expenditures in excess of \$100, the Office

of General Counsel recommends that the Commission find reasonable cause to believe the Committee violated 2 U.S.C. § 434(b)(13). 1/

All \$5,448.12 of the independent expenditures attributed to the four federal candidates were made on either October 22, 1976, October 26, 1976, or October 28, 1976, according to the New Jersey Election Reports submitted by the Committee. Thus, these expenditures were made within fifteen days of, but more than 24 hours before the election. 2 U.S.C. § 434(e)(2) and 11 CFR § 109.2(c) require that independent expenditures of \$1,000 or more made after the fifteenth day, but more than 24 hours before an election be reported within 24 hours of that expenditure. As the Committee did not file such reports, the Office of General Counsel recommends the Commission find reasonable cause to believe the Committee violated 2 U.S.C. § 434(e)(2).

The auditors also discovered that the Committee transferred \$2,500 to the Citizens Committee, Helstoski for Congress on October 22, 1976. At that time, the Committee was not a multicandidate committee since under 2 U.S.C. § 441a(a)(4) a political committee must have been registered with the Commission for six months to be eligible for multicandidate committee status, and the Committee had only been registered for three weeks. (The Committee registered with the Commission on October 6, 1976). Therefore, the Committee was subject to the lower contribution limits of 2 U.S.C. § 441a(a)(1) of \$1,000 per candidate per election. Since the transfer of \$2,500 to the Citizens Committee, Helstoski for Congress exceeded this limitation, the Office of General Counsel recommends that the Commission find

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1/ The Committee has submitted to the Commission copies of New Jersey Election Reports containing this information.

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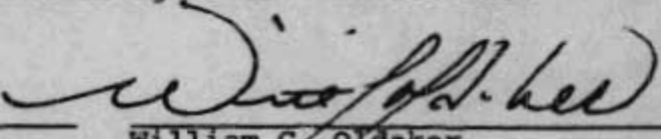
reasonable cause to believe that the Committee violated 2 U.S.C. § 441a(a)(1)(A), 2/ and reason to believe the Citizens Committee, Helstoski for Congress violated 2 U.S.C. § 441a(f) by accepting the excessive contributions.

RECOMMENDATIONS

1. Find reasonable cause to believe the Democratic Hudson County N.J. Campaign Fund, Nov. 1976, violated 2 U.S.C. § 434(b)(13).
2. Find reasonable cause to believe the Democratic Hudson County N.J. Campaign Fund violated 2 U.S.C. § 434(e)(2).
3. Find reasonable cause to believe the Democratic Hudson County N.J. Campaign Fund violated 2 U.S.C. § 441a(a)(1)(A).
4. Find reason to believe the Citizens Committee, Helstoski for Congress violated 2 U.S.C. § 441a(f).
5. Send the attached conciliation agreement and letters.

Date

1/12/79

  
William C. Oldaker  
General Counsel

Attachment:

Conciliation Agreement and Letters

- 2/ The Committee contends that their contribution to the Citizens Committee, Helstoski for Congress was on behalf of state candidates as well. However, in the reports of the Citizens Committee, Helstoski for Congress, no such designations were made. In any case, the Citizens Committee, Helstoski for Congress was designated to the Commission as the principal campaign committee of Henry Helstoski, and 2 U.S.C. § 441a(a)(1)(A) says that "no person (committee) shall make contributions to any candidate and his authorized political committee" in excess of \$1,000 per election. Since the Citizens Committee, Helstoski for Congress was the Candidate's authorized committee, the contribution in question comes within the terms of 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. D. John Mazella  
Treasurer, Citizens Committee, Helstoski for Congress  
666 Paterson Avenue  
East Rutherford, New Jersey 07073

Re: MUR 726 (78)

Dear Mr. Mazella:

The Federal Election Commission has found reason to believe that the Citizens Committee, Helstoski for Congress has violated the Federal Election Campaign Act of 1971, as amended. Specifically, the Commission has found reason to believe the Citizens Committee, Helstoski for Congress may have violated 2 U.S.C. § 441a(f) by accepting a contribution of \$2,500 from the Democratic Hudson County, N.J. Campaign Fund, Nov. 1976. 2 U.S.C. § 441a(f) prohibits the acceptance of contributions in violation of 2 U.S.C. § 441a(a)(1)(A), which limits committees that do not have multicandidate status to contributions of \$1,000 per candidate per election.

Under the Act, you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. Failure to do so may require the Commission to act on the information available to it. If you intend to be represented by counsel in this matter, please have such counsel notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Ms. Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker  
General Counsel

79040121394



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. William A. Macchi, Treasurer  
Democratic Hudson County, N.J.  
Campaign Fund, Nov. 1976  
4800 Kennedy Blvd.  
Union City, N.J. 07087

Re: MUR 726 (78)

Dear Mr. Macchi:

The Federal Election Commission has found reasonable cause to believe that the Democratic Hudson County, N.J. Campaign Fund, Nov. 1976 has violated 2 U.S.C. §441a(a)(1) (A) by making a contribution in excess of \$1,000 to the Henry Helstoski Campaign Fund, and 2 U.S.C. §§ 434(b)(13), 434(e)(2) by not filing schedules to the Commission containing information about independent expenditures made on behalf of candidates for federal office.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha Gentner at (202) 523-4060 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure  
cc John Tomasin

79040121395



## FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO CHARLES STEELE

FROM: MARJORIE W. EMMONS *MRE leg pc*

DATE: NOVEMBER 15, 1978

SUBJECT: MUR 726 (78) - Interim Status Report  
dated 11-10-78  
Received in OCS: 11-14-78,  
11:06

The above-named document was circulated on a 24 hour no-objection basis at 3:30, November 14, 1978.

The Commission Secretary's Office has received no objections to the Interim Status Report as of 4:00, this date.

November 14, 1978

MEMORANDUM TO: Marge Emons  
FROM: Elissa T. Garr  
SUBJECT: MUR 726

Please have the attached Interim Status Report on  
MUR 726 distributed to the Commission.

Thank you.

79040121397

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
CLERK

78 NOV 14 11:06

In the Matter of )  
 )  
 )  
Dem. Hudson County N.J. )  
Campaign Fund, Nov. 1976 )

MUR 726 (78)

INTERIM STATUS REPORT

On October 16, 1978, the Commission found reason to believe the Democratic Hudson County New Jersey Campaign Fund, Nov. 1976, ("the Committee"), apparently violated 2 U.S.C. §§ 434(b)(13), 434(e)(2), and 441a(a)(1)(A). The Committee no longer exists, but its former chairman, John Tomasin, has decided to represent the Committee.

Mr. Tomasin sent a reply to this office within ten days of receipt of the letter of notification of reason to believe. He supplied some pertinent information and is in the process of securing additional necessary documents and information from former officers of the Committee, which he has promised to promptly send to the General Counsel's Office. If, however, this Office has not received such information in two weeks, a General Counsel's report based on the information already available will be submitted.

11/10/78  
Date

William C. Oldaker  
General Counsel

79040121398

## FEDERAL ELECTION COMMISSION

-----  
 IN THE MATTER OF THE DEMOCRATIC )  
 HUDSON COUNTY N. J. CAMPAIGN FUND, )  
 NOV. 1976 )  
 FEC FILE #MUR 726(78) )  
 -----

AFFIDAVIT

STATE OF NEW JERSEY)  
 )SS:  
 COUNTY OF HUDSON )

WILLIAM A. MACCHI, of full age, being duly sworn according to law, upon his oath, deposes and says:

1. I reside at 72 Sterling Avenue, Jersey City, Hudson County, New Jersey.
2. During the Fall of 1976, I was the Campaign Treasurer of the committee titled "Democratic Hudson County, N.J. Campaign Fund, Nov. 1976", and in answer to your letter inquiry of October 19, 1978, relating to the above committee, I can state as follows:

(A) As to the contribution in excess of \$1,000.00 to the Henry Helstoski Campaign Fund, this was in the form of a contribution of \$2,500.00, made on October 22, 1976.

However, it was my understanding that Henry Helstoski's campaign concerned expenditures in support of his own Congressional candidacy and expenditures on behalf of local non-federal candidates running only in New Jersey, as to which candidacies the Federal Election Laws do not apply.

Just as the Federal Election Commission allocates expenditures between local non-federal candidates, and on behalf of Federal candidates also, when expenditures are made for an entire ticket; even though the local committee contends that they were only benefitting local candidates, so too must the same procedure be applied, I feel, when funds are expended for candidates, where some benefits accrue to the Federal candidates, and other benefits accrue to the State candidates.

Since there were candidates on the ballot who were

State candidates who received the benefit (when the ticket in "Column A" was supported), it is my contention that the Federal Election Commission could not lawfully ignore the benefits accruing to local State candidates, nor fail to allocate appropriate expenditures in such case, since they consistently used the allocation approach in all of their allocations and determinations.

I respectfully submit that of the \$2,500.00 contribution made to the Henry Helstoski Campaign Fund, that \$1,000.00 or less went to the benefit of Henry Helstoski as a Federal candidate, and the balance accrued to, was used for and must be allocated as benefits and expenditures for the local State candidates. This was my understanding, as neither Helstoski nor any other candidate that ran as part of a ticket, ran only for himself, without benefiting the others that were on the ballot and on the ticket with him.

If it can be determined that no benefits whatsoever accrued to local State candidates (which I say is impossible) then when that is established, I will, of course, request a return of the excess over \$1,000.00 from Helstoski, if you so determine, although I do not agree.

The Democratic Hudson county N.J. Campaign Fund, Nov. 1976 made independent expenditures which benefited the following candidates proportionately:

Jimmy Carter - President  
and  
Walter Mondale - Vice-President  
Gerald M. Madden - County Register of Deeds  
Anthony M. DeFino - County Surrogate  
Harrison A. Williams - U. S. Senate  
Helen S. Meyner - U.S. Congress (13th Cong. Dist.)  
Joseph A. LeFante-U.S. Congress (14th Cong. Dist.)

Copies of New Jersey Election Reports showing date, amount and purpose, are attached.

The Democratic Hudson County N.J. Campaign Fund, Nov. 1976 was organized specially to participate in the election of November, 1976, not to be an affiliate of the National, State or Local Democratic Party, and went out of existence after the November,

1976 election.

It was organized primarily to participate in said November, 1976 elections, and had no Democratic Party function or standing whatsoever.

It never had any delegates present at any Democratic Party Nominating Convention, nor did it ever have a voice in any policy decisions of any national, state or local Democratic Party Committee.

The Democratic Hudson County N.J. Campaign Fund, Nov. 1976 did not participate in any "get out the vote" drives, or other voter registration activities for the Democratic Party.

There is a local Democratic Party organization, known as the Hudson County Democratic County Committee, whose members were elected at the Primary Election of June 8, 1976, pursuant to New Jersey Law RS19:5-3.

At that time, the Democratic Party in Hudson County had their own independent Chairman; namely, Bernard M. Hartnett, Jr., of 44 Kensington Ave., Jersey City, N. J. 07304.

(B) As to your inquiry regarding independent expenditures on behalf of Joseph A. LeFante for Congress Committee, in the sum of \$4,342.50, please be advised as follows:

(1) We were and are primarily an independent State Election Committee.

(2) As such, we expended moneys to elect our local Hudson County, N. J. candidates.

(3) However, although the moneys we expended were for our local campaign, it is possible to argue subjectively that some "benefit" accrued to Federal candidates. It is not possible to prove or disprove this really, but we did "allocate" part of such independent campaign expenses to Congressman LeFante, and reported to him, so he could include same in his reports.

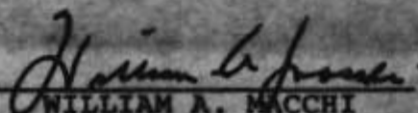
(4) We enclose copies of our New Jersey reports, which so allocated such expenditures. Our New Jersey reports have a

different time frame, however, so our 7-day before the election report showed allocation of \$2,932.50; and our 15-day after election report showed allocation of \$1,410.00; making the \$4,342.50 allocated.

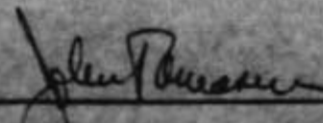
(5) We submit that the report to the State of New Jersey and to Congressman LeFante, which he in turn included in his report, is the functional equivalent of the Schedule E certification, and substantial informal compliance.

(6) This was really an ad hoc committee that went out of existence shortly after the November, 1976 election; and was conducted by unpaid volunteers, who may have overlooked additional formal certification due to unfamiliarity with same.

Respectfully,

  
WILLIAM A. MACCHI

Sworn and subscribed to (by telephone)  
before me this 14 day  
of Dec, 1978.

  
NOTARY PUBLIC OF NEW JERSEY  
JOHN TOMASIN  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Sept. 24, 1979

REPORT OF CONTRIBUTIONS AND EXPENDITURES  
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION  
28 West State Street, Suite 1114  
Trenton, New Jersey 08605 (609) 292-8700

FORM R-1  
REVISED (7-76)

C. LE PANTO

USE FOR REPORT  
15 days after election

18 DEC 18 AM 10:31

|                                                         |                                 |
|---------------------------------------------------------|---------------------------------|
| COUNTY                                                  | HUDSON                          |
| LEGAL NAME OF ELECTION DISTRICT, MUNICIPALITY           | HUDSON                          |
| OFFICE SOUGHT                                           | DEPUTY, SHERIFF & OTHER OFFICES |
| ELECTION (GENERAL, PRIMARY, SCHOOL, MUNICIPAL, SPECIAL) | GENERAL                         |
| POLITICAL PARTY (IF ANY)                                | DEMOCRATIC                      |

FOR STATE USE ONLY

NOV. 2, 1976

DATE OF ELECTION

008494

|                                                                         |                                             |
|-------------------------------------------------------------------------|---------------------------------------------|
| FULL NAME OF CANDIDATE, COMMITTEE OR POLITICAL INFORMATION ORGANIZATION | DEM. HUDSON COUNTY CAMPAIGN FUND, NOV. 1976 |
| STREET ADDRESS                                                          | c/o JOHN TOMASIN, 4800 KENNEDY BLVD.        |
| CITY, STATE & ZIP CODE                                                  | UNION CITY, N. J. 07087                     |

DO NOT ATTEMPT TO COMPLETE TABLES I & II UNTIL APPROPRIATE SCHEDULES HAVE BEEN COMPLETED

SUMMARY TABLES

TABLE I: CAMPAIGN RECEIPTS THIS PERIOD

|                                                      |      |   |
|------------------------------------------------------|------|---|
| 1. CONTRIBUTIONS OF \$100 OR LESS (Sch. A, Line 3)   |      |   |
| 2. CONTRIBUTIONS OF MORE THAN \$100 (Sch. A, Line 5) | 500  |   |
| 3. RECEIPTS THRU TRANSFER (Sch. B Total)             | 3000 |   |
| 4. LOANS RECEIVED (Sch. C Total)                     |      |   |
| 5. TOTAL RECEIPTS (Sum of Lines 1, 2, 3 & 4)         | 3500 | - |

TABLE II: CAMPAIGN DISBURSEMENTS THIS PERIOD

|                                                                               |      |    |
|-------------------------------------------------------------------------------|------|----|
| 1. TOTAL NET DISBURSEMENTS (Sch. D, Line 4)                                   | 6099 | 63 |
| 2. FUNDS TRANSFERRED (Sch. D, Line 3, Col. B)                                 |      |    |
| 3. ALLOCATED TO CANDIDATES & PUBLIC QUESTIONS (Sch. D, Line 3, Col. C)        |      |    |
| 4. OTHER (Sch. D, Line 3, Col. D)                                             |      |    |
| 5. SUM OF LINES 2, 3 & 4                                                      | 6099 | 63 |
| 6. NET CASH EXPENDITURES (Line 1, Minus Line 5) (Must be zero for Committees) | -    |    |

LINES 7-10 ONLY FOR USE BY CANDIDATES; OR COMMITTEES FOR OR AGAINST PUBLIC QUESTIONS  
(Expenditures By Others On Your Behalf)

|                                                                              |  |  |
|------------------------------------------------------------------------------|--|--|
| 7. VALUE OF ALLOCATIONS RECEIVED OF \$100 OR LESS (Sch. A, Line 1)           |  |  |
| 8. VALUE OF ALLOCATIONS RECEIVED OF MORE THAN \$100 (Sch. A, Line 4, Col. B) |  |  |
| 9. TOTAL EXPENDED BY OTHERS (Line 7 plus Line 8)                             |  |  |
| 10. NET CAMPAIGN EXPENDITURES (Line 6 plus Line 9)                           |  |  |

VERIFICATION BY TREASURER/CAMPAIGN TREASURER

WILLIAM A. MACCHI

(PLEASE PRINT) FULL NAME OF TREASURER/CAMPAIGN TREASURER

HEREBY SWEAR (AFFIRM) THAT THE FOREGOING STATEMENTS MADE ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

(SIGNATURE OF TREASURER/CAMPAIGN TREASURER)

DATE:

NOV. 15, 1976

VERIFICATION BY CANDIDATE (THIS VERIFICATION NOT FOR USE BY POLITICAL COMMITTEES & POLITICAL INFORMATION ORGANIZATIONS)

(PLEASE PRINT) FULL NAME OF TREASURER/CAMPAIGN TREASURER

HEREBY SWEAR (AFFIRM) THAT THE FOREGOING STATEMENTS MADE ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

(SIGNATURE OF CANDIDATE)

DATE:

SCHEDULE D  
DISBURSEMENTSFORM R-1  
REVISED (7-78)

DISBURSEMENTS BY POLITICAL COMMITTEES OR POLITICAL ORGANIZATIONS CANNOT BE REPORTED IN COL. A. ALL DISBURSEMENTS BY SUCH COMMITTEES ON BEHALF OF CANDIDATES OR PUBLIC QUESTIONS MUST BE REPORTED IN COL. C.

## ITEMIZED DISBURSEMENTS (List by Check Number)

| PAYMENT DATE                                                                                                                                                                                         | CHECK NUMBER | NAME OF PAYEE                                                                                | FULL MAILING ADDRESS | PURPOSE                         | (COL. A)<br>CAMPAIGN<br>DISBURSEMENTS<br>(ONLY FOR USE<br>BY REPORTING<br>CANDIDATE) | (COL. B)<br>TRANSFERS<br>TO OTHER<br>CAMPAIGN<br>FUNDS                               | (COL. C)<br>ALLOCATION<br>TO<br>CANDIDATES<br>OR PUBLIC<br>QUESTIONS | (COL. D)<br>OTHER |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------|----------------------|---------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------|-------------------|
| 10/22/76                                                                                                                                                                                             | 08           | Henry Halstucki—666 Pater-<br>Campaign Fund son Ave.,<br>East Rutherford, N.J.               |                      | Transfer                        | REG. ACCT. #52591<br>(REG.)                                                          | 2,500 00                                                                             |                                                                      |                   |
| 10/26/76                                                                                                                                                                                             | 09           | V O I D                                                                                      |                      |                                 |                                                                                      |                                                                                      |                                                                      |                   |
| 10/26/76                                                                                                                                                                                             | 010          | HUDSON DISPATCH 404-38 St.,<br>Union City, N.J. 07087                                        |                      | LaFante<br>Ad                   |                                                                                      | NOTE:<br>TWO ACCOUNTS<br>SO AS NOT TO<br>CONFOUND<br>CORP. AND<br>NON-CORP.<br>FUNDS | 1,410 00                                                             |                   |
| 10/27/76                                                                                                                                                                                             | 011          | Postmaster Union City, NJ                                                                    |                      | 3,000 postcards                 |                                                                                      |                                                                                      | 370 00                                                               |                   |
| 10/28/76                                                                                                                                                                                             | 012          | Postmaster Union City, NJ                                                                    |                      | 6,000 postcards                 |                                                                                      |                                                                                      | 540 00                                                               |                   |
| 10/28/76                                                                                                                                                                                             | 013          | Insty Prints 173 Newark<br>St., Jersey City, NJ                                              |                      | Reproduce JEWISH<br>STANDARD Ad |                                                                                      |                                                                                      | 45 62                                                                |                   |
| 10/28/76                                                                                                                                                                                             | 014          | JEWISH 40 Journal Sq.<br>STANDARD Jersey City, NJ                                            |                      | Carter Ad                       |                                                                                      |                                                                                      | 100 00                                                               |                   |
| 11/4/76                                                                                                                                                                                              | 015          | Numerous Small Cash Payments to Pollwatchers,<br>& Election Day Workers (Ms. Macchi, Treas.) |                      |                                 | ACCOUNT #52028<br>(CORP.)                                                            |                                                                                      | 270 00                                                               |                   |
| 11/4/76                                                                                                                                                                                              | 017          | Numerous Small Cash Payments to Pollwatchers,<br>& Election Day Workers (Ms. Macchi, Treas.) |                      |                                 |                                                                                      |                                                                                      | 180 00                                                               |                   |
| 11/8/76                                                                                                                                                                                              | 018          | Jas. Sutcliffe, 422 Fair-<br>mount Ave., Jersey City NJ                                      |                      | Man Campaign<br>Headquarters    |                                                                                      |                                                                                      | 526 00                                                               |                   |
| 11/8/76                                                                                                                                                                                              | 019          | Monaco Lock 503 Newark Av.,<br>Co. Jersey City, N.J.                                         |                      | Door Lock                       |                                                                                      |                                                                                      |                                                                      | 33 00             |
| 11/8/76                                                                                                                                                                                              | 020          | Jas. Sutcliffe, 422 Fair-<br>mount Ave., Jersey City, NJ                                     |                      | Food & Gas                      |                                                                                      |                                                                                      | 25 01                                                                |                   |
| 1. GROSS DISBURSEMENTS (Total of itemized entries above)                                                                                                                                             |              |                                                                                              |                      |                                 |                                                                                      | 2,500 00                                                                             | 3,568 63                                                             | 33 00             |
| 2. DISBURSEMENTS REFUNDED (Enter total of all refunds and rebates received<br>during this reporting period.)<br>Itemize Col. A on Sch. F, Col. A; Col. C on Sch. F, Col. B; Col. D on Sch. F, Col. C |              |                                                                                              |                      |                                 |                                                                                      |                                                                                      |                                                                      |                   |
| 3. NET DISBURSEMENTS (Line 1 minus Line 2)<br>Enter Cols. B, C & D on Table II, Lines 2, 3 & 4<br>Itemize Col. C as to Candidates supported on Sch. G                                                |              |                                                                                              |                      |                                 |                                                                                      | 2,500 00                                                                             | 3,568 63                                                             | 33 00             |
| 4. TOTAL NET DISBURSEMENTS (Sum of Line 3, Cols. A, B, C & D)<br>Enter on Table II, Line 1                                                                                                           |              |                                                                                              |                      |                                 |                                                                                      |                                                                                      | 6,099 63                                                             |                   |

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION  
 SEN. HUDSON COUNTY  
 CAMPAIGN FUND, NOV. 1976

7 9 0 4 0 1 2 1 4 0 5

SCHEDULE G  
 DISBURSEMENTS ALLOCATED

FORM R-1  
 REVISED (7-76)

NAME OF CANDIDATE, COMMITTEE OR  
 POLITICAL ORGANIZATION ALLOCATING

EXPENDITURES ON BEHALF OF CANDIDATES OR PUBLIC QUESTIONS  
 ALLOCATED BY REPORTING CANDIDATE OR COMMITTEE

| OFFICE                                      | COUNTY | ELECTION DISTRICT | NAME OF CANDIDATE                                               | FULL MAILING ADDRESS                                                     | AMOUNT   |
|---------------------------------------------|--------|-------------------|-----------------------------------------------------------------|--------------------------------------------------------------------------|----------|
| PRESIDENT/<br>VICE-PRES.                    | HUDSON | NEW JERSEY        | JIMMY CARTER<br>WALTER MONDALE                                  | c/o State Campaign Headquarters<br>11 Dunder Road,<br>Springfield, N. J. | 348 62   |
| U.S. CONG.                                  | "      | 14th Cong.        | JOSEPH A. LEFANTE, 66 W. 36 St., Bayonne, N.J. 07002            |                                                                          | 1,410 00 |
| REGISTER                                    | "      | HUDSON            | GERALD M. MADDEN, 125 North St., Jersey City, NJ 07307          |                                                                          | 905 36   |
| SURROGATE                                   | "      | HUDSON            | ANTHONY M. DE PINO, 6031 Blvd. East, West New York, N. J. 07093 |                                                                          | 905 51   |
| NET DISBURSEMENTS ALLOCATED                 |        |                   |                                                                 |                                                                          | 3,569 63 |
| Total Must Agree With Sch. D Line 3, Col. C |        |                   |                                                                 |                                                                          |          |

REPORT OF CONTRIBUTIONS AND EXPENDITURES  
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION  
28 West State Street, Suite 1114  
Trenton, New Jersey 08605 (609) 292-8700

FORM R-1  
REVISED (7-76)

Re: **HELSTOSKI**

USE FOR REPORT  
15 days after election

|                                                         |                                              |
|---------------------------------------------------------|----------------------------------------------|
| COUNTY                                                  | <b>HUDSON</b>                                |
| LEGAL NAME OF ELECTION DISTRICT, MUNICIPALITY           | <b>HUDSON</b>                                |
| OFFICE SOUGHT                                           | <b>GOVERNOR, SENATOR &amp; OTHER OFFICES</b> |
| ELECTION (GENERAL, PRIMARY, SCHOOL, MUNICIPAL, SPECIAL) | <b>GENERAL</b>                               |
| POLITICAL PARTY (IF ANY)                                | <b>DEMOCRATIC</b>                            |

FOR STATE USE ONLY

**NOV. 3, 1976**  
DATE OF ELECTION

|                                                                         |                                                    |
|-------------------------------------------------------------------------|----------------------------------------------------|
| FULL NAME OF CANDIDATE, COMMITTEE OR POLITICAL INFORMATION ORGANIZATION | <b>DEM. HUDSON COUNTY CAMPAIGN FUND, NOV. 1976</b> |
| STREET ADDRESS                                                          | <b>c/o JOHN TOMASIN, 4800 KENNEDY BLVD.</b>        |
| CITY, STATE & ZIP CODE                                                  | <b>UNION CITY, N. J. 07087</b>                     |

DO NOT ATTEMPT TO COMPLETE TABLES I & II UNTIL APPROPRIATE SCHEDULES HAVE BEEN COMPLETED  
SUMMARY TABLES

| TABLE I: CAMPAIGN RECEIPTS THIS PERIOD               |             |          |
|------------------------------------------------------|-------------|----------|
| 1. CONTRIBUTIONS OF \$100 OR LESS (Sch. A, Line 3)   |             |          |
| 2. CONTRIBUTIONS OF MORE THAN \$100 (Sch. A, Line 5) | <b>500</b>  |          |
| 3. RECEIPTS THRU TRANSFER (Sch. B Total)             | <b>3000</b> |          |
| 4. LOANS RECEIVED (Sch. C Total)                     |             |          |
| 5. TOTAL RECEIPTS (Sum of Lines 1, 2, 3 & 4)         | <b>3500</b> | <b>-</b> |

| TABLE II: CAMPAIGN DISBURSEMENTS THIS PERIOD                                  |             |           |
|-------------------------------------------------------------------------------|-------------|-----------|
| 1. TOTAL NET DISBURSEMENTS (Sch. D, Line 4)                                   | <b>6099</b> | <b>63</b> |
| 2. FUNDS TRANSFERRED (Sch. D, Line 3, Col. B)                                 |             |           |
| 3. ALLOCATED TO CANDIDATES & PUBLIC QUESTIONS (Sch. D, Line 3, Col. C)        |             |           |
| 4. OTHER (Sch. D, Line 3, Col. D)                                             |             |           |
| 5. SUM OF LINES 2, 3 & 4                                                      | <b>6099</b> | <b>63</b> |
| 6. NET CASH EXPENDITURES (Line 1, Minus Line 5) (Must be zero for Committees) | <b>-</b>    |           |

LINES 7-10 ONLY FOR USE BY CANDIDATES: OR COMMITTEES FOR OR AGAINST PUBLIC QUESTIONS  
(Expenditures By Others On Your Behalf)

|                                                                              |  |  |
|------------------------------------------------------------------------------|--|--|
| 7. VALUE OF ALLOCATIONS RECEIVED OF \$100 OR LESS (Sch. A, Line 1)           |  |  |
| 8. VALUE OF ALLOCATIONS RECEIVED OF MORE THAN \$100 (Sch. A, Line 4, Col. B) |  |  |
| 9. TOTAL EXPENDED BY OTHERS (Line 7 plus Line 8)                             |  |  |
| 10. NET CAMPAIGN EXPENDITURES (Line 6 plus Line 9)                           |  |  |

VERIFICATION BY TREASURER/CAMPAIGN TREASURER

**WILLIAM A. MACCHI**

(PLEASE PRINT) FULL NAME OF TREASURER/CAMPAIGN TREASURER

HEREBY SWEAR (AFFIRM) THAT THE FOREGOING STATEMENTS MADE ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

(SIGNATURE OF TREASURER/CAMPAIGN TREASURER)

DATE:

**NOV. 15, 1976**

VERIFICATION BY CANDIDATE (THIS VERIFICATION NOT FOR USE BY POLITICAL COMMITTEES & POLITICAL INFORMATION ORGANIZATIONS)

(PLEASE PRINT) FULL NAME OF TREASURER/CAMPAIGN TREASURER

HEREBY SWEAR (AFFIRM) THAT THE FOREGOING STATEMENTS MADE ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

(SIGNATURE OF CANDIDATE)

DATE:

SCHEDULE D  
DISBURSEMENTS

DISBURSEMENTS BY POLITICAL COMMITTEES OR POLITICAL ORGANIZATIONS CANNOT BE REPORTED IN COL. A. ALL DISBURSEMENTS BY SUCH COMMITTEES ON BEHALF OF CANDIDATES OR PUBLIC QUESTIONS MUST BE REPORTED IN COL. C.

## ITEMIZED DISBURSEMENTS (List by Check Number)

| PAYMENT DATE                                                                                                                                                                                         | CHECK NUMBER | NAME OF PAYEE                                                                                | FULL MAILING ADDRESS | PURPOSE                         | (COL. A)<br>CAMPAIGN<br>DISBURSEMENTS<br>(ONLY FOR USE<br>BY REPORTING<br>CANDIDATE) | (COL. B)<br>TRANSFERS<br>TO OTHER<br>CAMPAIGN<br>FUNDS                                 | (COL. C)<br>ALLOCATION<br>TO<br>CANDIDATES<br>OR PUBLIC<br>QUESTIONS | (COL. D)<br>OTHER |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------|----------------------|---------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------------|-------------------|
| 10/22/76                                                                                                                                                                                             | 88           | Henry Helstoski—666 Pater-<br>Campaign Fund son Ave.,<br>East Rutherford, N.J.               |                      | Transfer                        | REG. ACCT. 052591<br>(REG.)                                                          | 2,500 00                                                                               |                                                                      |                   |
|                                                                                                                                                                                                      | 89           | VOID                                                                                         |                      |                                 |                                                                                      |                                                                                        |                                                                      |                   |
| 10/26/76                                                                                                                                                                                             | 910          | HUDSON DISPATCH 404-38 St.,<br>Union City, N.J. 07087                                        |                      | LaFente<br>Ad                   |                                                                                      | NOTE:<br>TWO ACCOUNTS<br>SO AS NOT TO<br>CONFUSIBLE<br>COMP. AND<br>NON-COMP.<br>FUNDS | 1,418 00                                                             |                   |
| 10/27/76                                                                                                                                                                                             | 911          | Postmaster Union City, NJ                                                                    |                      | 3,000 postcards                 |                                                                                      |                                                                                        | 270 00                                                               |                   |
| 10/28/76                                                                                                                                                                                             | 912          | Postmaster Union City, NJ                                                                    |                      | 6,000 postcards                 |                                                                                      |                                                                                        | 540 00                                                               |                   |
| 10/28/76                                                                                                                                                                                             | 913          | Insty Prints 173 Newark<br>St., Jersey City, NJ                                              |                      | Reproduce JEWISH<br>STANDARD Ad |                                                                                      |                                                                                        | 45 63                                                                |                   |
| 10/28/76                                                                                                                                                                                             | 914          | JEWISH 40 Journal Sq.<br>STANDARD Jersey City, NJ                                            |                      | Carter Ad                       |                                                                                      |                                                                                        | 300 00                                                               |                   |
| 11/4/76                                                                                                                                                                                              | 915          | Numerous Small Cash Payments to Pollwatchers,<br>& Election Day Workers (Mr. Macchi, Treas.) |                      |                                 | ACCOUNT 452028<br>(COMP.)                                                            |                                                                                        | 270 00                                                               |                   |
| 11/4/76                                                                                                                                                                                              | 917          | Numerous Small Cash Payments to Pollwatchers,<br>& Election Day Workers (Mr. Macchi, Treas.) |                      |                                 |                                                                                      |                                                                                        | 100 00                                                               |                   |
| 11/8/76                                                                                                                                                                                              | 918          | Jas. Sutcliffe, 422 Fair-<br>mount Ave, Jersey City NJ                                       |                      | Man Campaign<br>Headquarters    |                                                                                      |                                                                                        | 526 00                                                               |                   |
| 11/8/76                                                                                                                                                                                              | 919          | Monaco Lock 503 Newark Av.,<br>Co. Jersey City, N.J.                                         |                      | Door Lock                       |                                                                                      |                                                                                        |                                                                      | 33 00             |
| 11/8/76                                                                                                                                                                                              | 910          | Jas. Sutcliffe, 422 Fair-<br>mount Ave., Jersey City, NJ                                     |                      | Food & Gas                      |                                                                                      |                                                                                        | 25 01                                                                |                   |
| 1. GROSS DISBURSEMENTS (Total of itemized entries above)                                                                                                                                             |              |                                                                                              |                      |                                 |                                                                                      | 2,500 00                                                                               | 3,566 63                                                             | 33 00             |
| 2. DISBURSEMENTS REFUNDED (Enter total of all refunds and rebates received<br>during this reporting period.)<br>Itemize Col. A on Sch. F, Col. A; Col. C on Sch. F, Col. B; Col. D on Sch. F, Col. C |              |                                                                                              |                      |                                 |                                                                                      |                                                                                        |                                                                      |                   |
| 3. NET DISBURSEMENTS (Line 1 minus Line 2)<br>Enter Cols. B, C & D on Table II, Lines 2, 3 & 4<br>Itemize Col. C as to Candidates supported on Sch. G                                                |              |                                                                                              |                      |                                 |                                                                                      | 2,500 00                                                                               | 3,566 63                                                             | 33 00             |
| 4. TOTAL NET DISBURSEMENTS (Sum of Line 3, Cols. A, B, C & D)<br>Enter on Table II, Line 1                                                                                                           |              |                                                                                              |                      |                                 |                                                                                      |                                                                                        |                                                                      | 6,099 63          |

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION  
 DEM. HUDSON COUNTY  
 CAMPAIGN FUND, NOV. 1976

7 9 0 4 0 1 2 1 4 0 8

SCHEDULE G  
 DISBURSEMENTS ALLOCATED

FORM R-1  
 REVISED (7-76)

NAME OF CANDIDATE, COMMITTEE OR  
 POLITICAL ORGANIZATION ALLOCATING

EXPENDITURES ON BEHALF OF CANDIDATES OR PUBLIC QUESTIONS  
 ALLOCATED BY REPORTING CANDIDATE OR COMMITTEE

| OFFICE                                      | COUNTY | ELECTION DISTRICT | NAME OF CANDIDATE              | FULL MAILING ADDRESS                                                     | AMOUNT   |
|---------------------------------------------|--------|-------------------|--------------------------------|--------------------------------------------------------------------------|----------|
| PRESIDENT/<br>VICE-PRES.                    | HUDSON | NEW JERSEY        | JIMMY CARTER<br>WALTER MONDALE | c/o State Campaign Headquarters<br>11 Dunder Road,<br>Springfield, N. J. | 345 62   |
| U.S. CONG.                                  | "      | 14th Cong.        | JOSEPH A. LEFAITTE, 68 W. 36   | St., Bayonne, N.J. 07002                                                 | 1,410 00 |
| REGISTER                                    | "      | HUDSON            | GERALD M. MADDEN, 125 North    | St., Jersey City, NJ 07307                                               | 905 50   |
| SURROGATE                                   | "      | HUDSON            | ANTHONY M. DE PINO, 6031 Blvd. | Last, West New York,<br>N. J. 07093                                      | 905 51   |
| NET DISBURSEMENTS ALLOCATED                 |        |                   |                                |                                                                          | 3,566 63 |
| Total Must Agree With Sch. D Line 3, Col. C |        |                   |                                |                                                                          |          |

**REPORT OF CONTRIBUTIONS AND EXPENDITURES  
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION**

28 West State Street, Suite 1114  
Trenton, New Jersey 08605 (609) 292-8700

**FORM R-1**  
REVISED (7-76)

**Re: LE FANTE**

USE FOR REPORT  
7 days before election

|                                                         |                                              |
|---------------------------------------------------------|----------------------------------------------|
| COUNTY                                                  | <b>HUDSON</b>                                |
| LEGAL NAME OF ELECTION DISTRICT, MUNICIPALITY           | <b>HUDSON</b>                                |
| OFFICE SOUGHT                                           | <b>REGISTER, SHERIFF &amp; OTHER OFFICES</b> |
| ELECTION (GENERAL, PRIMARY, SCHOOL, MUNICIPAL, SPECIAL) | <b>GENERAL</b>                               |
| POLITICAL PARTY (IF ANY)                                | <b>DEMOCRATIC</b>                            |

|                    |
|--------------------|
| FOR STATE USE ONLY |
|--------------------|

**NOV. 2, 1976**

DATE OF ELECTION

|                                                                         |                                                    |
|-------------------------------------------------------------------------|----------------------------------------------------|
| FULL NAME OF CANDIDATE, COMMITTEE OR POLITICAL INFORMATION ORGANIZATION | <b>DEM. HUDSON COUNTY CAMPAIGN FUND, NOV. 1976</b> |
| STREET ADDRESS                                                          | <b>c/o JOHN TOMASIN, 4800 KENNEDY BLVD.</b>        |
| CITY, STATE & ZIP CODE                                                  | <b>UNION CITY, N. J. 07087</b>                     |

**DO NOT ATTEMPT TO COMPLETE TABLES I & II UNTIL APPROPRIATE SCHEDULES HAVE BEEN COMPLETED**

**SUMMARY TABLES**

| TABLE I: CAMPAIGN RECEIPTS THIS PERIOD               |  |  |                  |
|------------------------------------------------------|--|--|------------------|
| 1. CONTRIBUTIONS OF \$100 or LESS (Sch. A, Line 3)   |  |  |                  |
| 2. CONTRIBUTIONS OF MORE THAN \$100 (Sch. A, Line 5) |  |  |                  |
| 3. RECEIPTS THRU TRANSFER (Sch. B Total)             |  |  | <b>12,000 00</b> |
| 4. LOANS RECEIVED (Sch. C Total)                     |  |  |                  |
| 5. TOTAL RECEIPTS (Sum of Lines 1, 2, 3 & 4)         |  |  | <b>12,000 00</b> |

| TABLE II: CAMPAIGN DISBURSEMENTS THIS PERIOD                                  |              |           |                 |
|-------------------------------------------------------------------------------|--------------|-----------|-----------------|
| 1. TOTAL NET DISBURSEMENTS (Sch. D, Line 4)                                   |              |           | <b>8,338 00</b> |
| 2. FUNDS TRANSFERRED (Sch. D, Line 3, Col. B)                                 |              |           |                 |
| 3. ALLOCATED TO CANDIDATES & PUBLIC QUESTIONS (Sch. D, Line 3, Col. C)        | <b>8,338</b> | <b>00</b> |                 |
| 4. OTHER (Sch. D, Line 3, Col. D)                                             |              |           |                 |
| 5. SUM OF LINES 2, 3 & 4                                                      |              |           | <b>8,338 00</b> |
| 6. NET CASH EXPENDITURES (Line 1, Minus Line 5) (Must be zero for Committees) |              |           | <b>-8-</b>      |

**LINES 7-10 ONLY FOR USE BY CANDIDATES: OR COMMITTEES FOR OR AGAINST PUBLIC QUESTIONS**  
(Expenditures By Others On Your Behalf)

|                                                                              |  |  |  |
|------------------------------------------------------------------------------|--|--|--|
| 7. VALUE OF ALLOCATIONS RECEIVED OF \$100 OR LESS (Sch. A, Line 1)           |  |  |  |
| 8. VALUE OF ALLOCATIONS RECEIVED OF MORE THAN \$100 (Sch. A, Line 4, Col. B) |  |  |  |
| 9. TOTAL EXPENDED BY OTHERS (Line 7 plus Line 8)                             |  |  |  |
| 10. NET CAMPAIGN EXPENDITURES (Line 6 plus Line 9)                           |  |  |  |

**VERIFICATION BY TREASURER/CAMPAIGN TREASURER**

**WILLIAM A. MACCHI**

(PLEASE PRINT) FULL NAME OF TREASURER/CAMPAIGN TREASURER

HEREBY SWEAR (AFFIRM) THAT THE FOREGOING STATEMENTS MADE ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

(SIGNATURE OF TREASURER/CAMPAIGN TREASURER)

**OCT. 25, 1976**

**VERIFICATION BY CANDIDATE (THIS VERIFICATION NOT FOR USE BY POLITICAL COMMITTEES & POLITICAL INFORMATION ORGANIZATIONS)**

(PLEASE PRINT) FULL NAME OF TREASURER/CAMPAIGN TREASURER

HEREBY SWEAR (AFFIRM) THAT THE FOREGOING STATEMENTS MADE ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

(SIGNATURE OF CANDIDATE)

SCHEDULE D  
DISBURSEMENTSFORM R-1  
REVISED (7-76)

DISBURSEMENTS BY POLITICAL COMMITTEES OR POLITICAL ORGANIZATIONS CANNOT BE REPORTED IN COL. A. ALL DISBURSEMENTS BY SUCH COMMITTEES ON BEHALF OF CANDIDATES OR PUBLIC QUESTIONS MUST BE REPORTED IN COL. C.

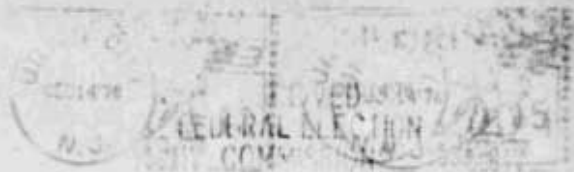
## ITEMIZED DISBURSEMENTS (List by Check Number)

| PAYMENT DATE                                                                                                                                                                                      | CHECK NUMBER | NAME OF PAYEE                                       | FULL MAILING ADDRESS                                | PURPOSE                                   | (COL. A)<br>CAMPAIGN DISBURSEMENTS<br>(ONLY FOR USE BY REPORTING CANDIDATE) | (COL. B)<br>TRANSFERS TO OTHER CAMPAIGN FUNDS                                       | (COL. C)<br>ALLOCATION TO CANDIDATES OR PUBLIC QUESTIONS | (COL. D)<br>OTHER |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------------------------------------------|-----------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------|
| 10/15/76                                                                                                                                                                                          | 1            | O'Nealia Co.                                        | 94 Hwy, Jersey City, NJ                             | Billboards (State campaign)               | Account 052501                                                              |                                                                                     | 1,171 30                                                 |                   |
| 10/15/76                                                                                                                                                                                          | 2            | James Set-422 Fairmount Av., Jersey City NJ         | James Set-422 Fairmount Av., Jersey City NJ         | Non-campaign signs                        | (2 Checks)                                                                  |                                                                                     | 536 00                                                   |                   |
| 10/22/76                                                                                                                                                                                          | 3            | James Setcliffe-422 Fairmount Av-Jersey City, NJ    | James Setcliffe-422 Fairmount Av-Jersey City, NJ    | Non-Campaign Headquarters                 | Account 052028                                                              | (NOTE: TWO Accounts Used, as as not to commingle corporate and non-corporate funds) | 263 00                                                   | ✓                 |
| 10/22/76                                                                                                                                                                                          | 4            | James Setcliffe-422 Fairmount Av-Jersey City, NJ    | James Setcliffe-422 Fairmount Av-Jersey City, NJ    | Non-Campaign Headquarters                 | (4 checks)                                                                  |                                                                                     | 91 75                                                    |                   |
| 10/22/76                                                                                                                                                                                          | 5            | Lee Levy-146 Pleasant Av., Jersey City, N.J.        | Lee Levy-146 Pleasant Av., Jersey City, N.J.        | Artwork on Flyer-State Campaign           |                                                                             |                                                                                     | 385 --                                                   | ✓                 |
| 10/22/76                                                                                                                                                                                          | 6            | Progress Printing                                   | 338 Montgomery St., Jersey City, NJ                 | Printing flyer-State Campaign             |                                                                             |                                                                                     | 2,073 25                                                 | ✓                 |
| 10/22/76                                                                                                                                                                                          | 3            | H.J. Bell Telephone Office                          | Jersey City                                         | Telephone                                 | Account 052501                                                              |                                                                                     | 125 00                                                   | ✓                 |
| 10/22/76                                                                                                                                                                                          | 4            | Belen Meyer Comm.-Cocktail Party-Bonville, N.J.     | Belen Meyer Comm.-Cocktail Party-Bonville, N.J.     | Ticket                                    | (4 checks)                                                                  |                                                                                     | 25 00                                                    |                   |
| 10/22/76                                                                                                                                                                                          | 5            | Communications PO Box 381, Illustrated Wilson, N.J. | Communications PO Box 381, Illustrated Wilson, N.J. | Carter-Ledante Williams Flyers (2 checks) |                                                                             |                                                                                     | 1,182 30                                                 | ✓                 |
| 10/22/76                                                                                                                                                                                          | 6            | JERSEY JOURNAL-Journal Sq, Jersey City, NJ          | JERSEY JOURNAL-Journal Sq, Jersey City, NJ          | (State & Federal Candidates)              |                                                                             |                                                                                     | 2,960 00                                                 | ✓                 |
| 1. GROSS DISBURSEMENTS (Total of itemized entries above)                                                                                                                                          |              |                                                     |                                                     |                                           |                                                                             |                                                                                     | 8,338 00                                                 |                   |
| 2. DISBURSEMENTS REFUNDED (Enter total of all refunds and rebates received during this reporting period.)<br>Itemize Col. A on Sch. F, Col. A; Col. C on Sch. F, Col. B; Col. D on Sch. F, Col. C |              |                                                     |                                                     |                                           |                                                                             |                                                                                     |                                                          |                   |
| 3. NET DISBURSEMENTS (Line 1 minus Line 2)<br>Enter Cols. B, C & D on Table II, Lines 2, 3 & 4<br>Itemize Col. C as to Candidates supported on Sch. G                                             |              |                                                     |                                                     |                                           |                                                                             |                                                                                     | 8,338 00                                                 |                   |
| 4. TOTAL NET DISBURSEMENTS (Sum of Line 3, Cols. A, B, C & D)<br>Enter on Table II, Line 1                                                                                                        |              |                                                     |                                                     |                                           |                                                                             |                                                                                     | 8,338 00                                                 |                   |

HUDSON COUNTY  
CAMPAIGN FUND, NOV. 1976NAME OF CANDIDATE, COMMITTEE OR  
POLITICAL ORGANIZATION ALLOCATING7 9 0 4 0 1 2 1 4 1 1  
SCHEDULE G  
DISBURSEMENTS ALLOCATEDFORM R-1  
REVISED (7-76)EXPENDITURES ON BEHALF OF CANDIDATES OR PUBLIC QUESTIONS  
ALLOCATED BY REPORTING CANDIDATE OR COMMITTEE

| OFFICE                                      | COUNTY | ELECTION DISTRICT | NAME OF CANDIDATE                                | FULL MAILING ADDRESS                                                | AMOUNT     |
|---------------------------------------------|--------|-------------------|--------------------------------------------------|---------------------------------------------------------------------|------------|
| PRESIDENT/VICE-PRES.                        | HUDSON | NEW JERSEY        | JIMMY CARTER<br>WALTER MONDALE                   | c/o State Campaign Headquarters<br>11 Dundar Rd., Springfield, N.J. | \$367 50   |
| U.S. SENATE                                 | "      | NEW JERSEY        | HARRISON A. WILLIAMS, JR.,                       | 130 Brooklake Road,<br>Flersham Park, N. J. 07932                   | 367 50     |
| U.S. CONG.                                  | "      | 14th Cong.        | JOSEPH A. LE FANTE, 66 W. 36 St.,                | Bayonne, N.J. 07002                                                 | 2,932 50   |
| REGISTER                                    | "      | HUDSON            | GERALD H. MADDEN, 125 North St.,                 | Jersey City, NJ 07307                                               | 2,322 75   |
| SURROGATE                                   | "      | HUDSON            | ANTHONY M. DE FINO, 6031 Blvd. East,             | West New York 07093                                                 | 2,322 75   |
| U.S. CONG.                                  | "      | 13th Cong.        | HELEN S. MEYER, c/o State Campaign Headquarters, | Deenville, N. J.                                                    | 25 00      |
| NET DISBURSEMENTS ALLOCATED                 |        |                   |                                                  |                                                                     | \$9,338 00 |
| Total Must Agree With Sch. D Line 3, Col. C |        |                   |                                                  |                                                                     |            |

79040121413  
JOHN TOMASIN, ESQ. (P.A.)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N. J. 07087



78 DEC 18 AM 10:31

Federal Election Commission  
1325 K St., N.W.  
Washington, D. C. 20463

Attn: William C. Oldaker,  
General Counsel

790401413

JOHN TOMASIN, ESQ. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W  
UNION CITY, N. J. 07087



DEC 19 AM 10:30

Federal Election Commission  
1325 K St., N.W.  
Washington, D. C. 20463

Attn: Ms. Marsha Gentner  
General Counsel Office

JOHN TOMASIN, ESQ. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N.J. 07087

(201) 863-1821  
(201) 863-1822

DEC 1 PM 1:25

November 27, 1978

Mr. William A. Macchi  
72 Sterling Avenue  
Jersey City, N. J. 07305

808146

RE: DEMOCRATIC HUDSON COUNTY  
N. J. CAMPAIGN FUND, NOV. 1976  
FEC INQUIRY #MUR 726(78)

Dear Sir:

You will recall that in answer to the inquiry of the Federal Election Commission of October 19, 1978, I responded as attorney, by my letter of November 2, 1978, a copy of which I sent to you.

They require this information in the form of an affidavit from you, as Treasurer; and accordingly, I enclose a form of affidavit, and ask you to review same, and if satisfactory, please sign, notarize and return to me, for submission to them.

Thanking you.

Very truly yours,

*John Tomasin*  
JOHN TOMASIN

BT:vk  
cc: Ms. Marsha Gentner  
Federal Election Commission

79040121414

COPY

79040120415

JOHN TOMASIN, ESQ. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N. J. 07087



DEC 29 1:25

Federal Election Commission  
1325 K Street N.W.  
Washington, D. C. 20463

Attn: Ms. Marsha Gentner

JOHN TOMASIN, ESQ. (P.A.)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N.J. 07087

18 NOV 6 AID: 01

November 2, 1978

(201) 863 1821  
1822

Federal Election Commission  
1325 K St., N. W.  
Washington, D. C. 20463

807647

Attn: William C. Oldaker,  
General Counsel

RE: Dem. Hudson County N.J.  
Campaign Fund, Nov. 1976  
Your File #MUR 726(78)

Dear Sir:

Confirming my discussion with your staff today, I am responding, as counsel, to your letter of October 19, 1978, relating to the above committee, and as I stated, this committee was staffed by unpaid volunteers, and has long since disbanded, and I will be contacting the Treasurer to prepare a more formal response, but in the meantime, I can advise as follows:

1. As to failing to file a "Schedule E", relating to independent expenditures of \$4,352.50 on behalf of Joseph A. LaFante for Congress, I do not find such expenditure figure, and I wonder if you could send me a copy of the item to which you refer, so that I may take it up with the Treasurer, and make a proper response when this item is so identified.

We did attach Schedule G from our State report to serve as our Schedule E, and I will forward copies to you when I contact the Treasurer.

2. As to the contribution in excess of \$1,000.00 to the Henry Helstoski Campaign Fund, this was in the form of a contribution of \$2,500.00, made on October 22, 1976.

However, it was our understanding that Henry Helstoski's campaign concerned expenditures in support of his own Congressional candidacy, and expenditures on behalf of local non-federal candidates running only in New Jersey, as to which candidacies the Federal Election Laws do not apply.

Just as the Federal Election Commission allocates expenditures between local non-federal candidates, and on behalf of Federal candidates also, when expenditures are made for an entire ticket; even though the local committee contends that they were only benefiting local candidates, so too must the same procedure be applied, we feel, when funds are expended for candidates, where some benefits accrue to the Federal candidates, and other benefits accrue to the State candidates.

Since there were candidates on the ballot who were State candidates who received the benefit (when the ticket in "Column A" was supported), it is our contention that the Federal Election Commission could not lawfully ignore the benefits accruing to local State candidates, nor fail to allocate appropriate expenditures in such case, since they consistently used the allocation approach in all of their allocations and determinations.

7 9 0 4 0 1 2 1 4 1 7

JOHN TOMASIN, ESQ. (RA)

A PROFESSIONAL CORPORATION

4800 KENNEDY BLVD. W.

UNION CITY, N. J. 07087

(201) 863 1821  
1822

- 2 -

November 2, 1978

We respectfully submit that of the \$2,500.00 contribution made to the Henry Helstoski Campaign Fund, that \$1,000.00 or less went to the benefit of Henry Helstoski as a Federal candidate, and the balance accrued to, was used for and must be allocated as benefits and expenditures for, the local State candidates. This was our understanding, since neither Helstoski nor any other -andidate that ran as part of a ticket, ran only for himself, without benefiting the others that were on the ballot and on the ticket with him.

If it can be determined that no benefits whatsoever accrued to local State candidates (which we say is impossible) then when that is established, we will, of course, request a return of the excess over \$1,000.00 from Helstoski, if you so determine, although we do not agree.

3. The Democratic Hudson County N.J. Campaign Fund, Nov. 1976 made expenditures which benefited the following candidates proportionately:

Jimmy Carter - President

and

Walter Mondale - Vice-President

Gerald M. Madden - County Register of Deeds

Anthony M. DeFino - County Surrogate

Congressman Joseph LeFante.

4. The Dem. Hudson County N.J. Campaign Fund, Nov. 1976 went out of existence after the November, 1976 election, and was not affiliated with the national, state or local Democratic Party. It was organized to conduct a dinner and did support Democrats and made expenditures in said election, but has no regular or official Democratic Party standing whatsoever.

5. The Dem. Hudson County N.J. Campaign Fund, Nov. 1976 was organized solely to conduct a dinner and to participate in the General Election of November, 1976, as stated, and went out of existence shortly thereafter.

It never had any delegates present at any Democratic Party Nominating Convention, nor did it ever have a voice in any policy decisions of any national, state or local Democratic Party Committee.

6. The Dem. Hudson County N.J. Campaign Fund, Nov. 1976 did not participate in any "get out the vote" drives, or other voter registration activities, for the Democratic Party.

7. There is a regular local Democratic Party organization, known as the Hudson County Democratic County Committee, whose members were elected at the Primary Election of June 8, 1976, pursuant to N.J.S.A. 19:5-3.

JOHN TOMASIN, ESQ. (P.A.)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N. J. 07087

(201) 863-1821  
1822

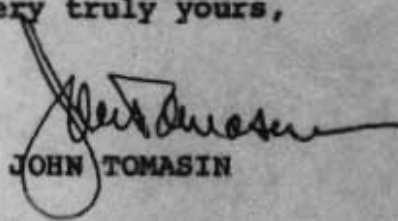
- 3 -

November 2, 1978

At that time, the Democratic Party in Hudson County had their own independent Chairman; namely, Bernard M. Hartnett, Jr., of 44 Kensington Ave., Jersey City, N. J. 07304.

Please convey this information to the Federal Election Commission, and meanwhile, I will be getting a more detailed affidavit response from the Treasurer, Mr. William A. Macchi, whom I must contact and consult, as this organization went out of existence shortly after the November, 1976 Election, as stated.

Very truly yours,

  
JOHN TOMASIN

JT:vk

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JOHN TOMASIN, ESQ. (P.A.)  
A PROFESSIONAL CORPORATION  
4600 KENNEDY BLVD. W.  
UNION CITY, N. J. 07087



NOV 6 10:01

Federal Election Commission  
Attn: William C. Oldaker, Esq.,  
General Counsel  
1325 K St., N. W.  
Washington, D. C. 20463

Attn: Ms. Martha Getner

JOHN TOMASIN, ESQ. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N.J. 07087

RECEIVED  
FEDERAL ELECTION  
COMMISSION

October 30, 1978

(201) 863-1821  
1822

78 NOV 1 AM 10:20

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

807545

Attn: William C. Oldaker,  
General Counsel

RE: MUR 726(78)  
DEM. HUDSON COUNTY CAMPAIGN FUND, NOV. 1976

Gentlemen:

We have your letter of October 19, 1978, and we will investigate and respond promptly.

We do not feel we are guilty of any wilful violations, but will review very carefully and answer point by point.

This committee has long gone out of existence; and the people were unpaid volunteers, who will have to be contacted; and the old records will have to be checked, etc., so please allow us a couple of weeks to prepare and file our response.

We wish to cooperate fully, and will respond as promptly as we can. Please acknowledge.

Very truly yours,

JOHN TOMASIN

JT:vk

cc: Mr. William A. Macchi,  
Treasurer

Dear Mr. Tomasin:

Receipt of the within is hereby acknowledged this \_\_\_\_\_.

FEDERAL ELECTION COMMISSION

BY: \_\_\_\_\_

79040121420

79040121421

JOHN TOMASIN, ESQ. (P.A.)  
A PROFESSIONAL CORPORATION -  
4800 KENNEDY BLVD. W.  
UNION CITY, N. J. 07087

JOHN TOMASIN, ESQ. (P.A.)  
4800 KENNEDY BLVD. W.  
UNION CITY, N.J. 07087  
(201) 863-1821



79040121422

JOHN TOMASIN, ESQ. (RA)

A PROFESSIONAL CORPORATION

4800 KENNEDY BLVD. W

UNION CITY, N. J. 07087



Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

NOV 1 AM 10:20

Attn: William C. Oldaker,  
General Counsel

RECEIVED  
FEDERAL ELECTION COMMISSION  
NOV 1 1990



FEDERAL ELECTION COMMISSION

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

October 19, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. William A. Macchi  
Treasurer  
Democratic Hudson County N.J. Campaign Fund,  
Nov. 1976  
4800 Kennedy Blvd.  
Union City, N.J. 07087

Re: MUR 726 (78)

Dear Mr. Macchi:

This letter is to inform you that the Federal Election Commission has found reason to believe that the Democratic Hudson County, New Jersey Campaign Fund, Nov. 1976, has violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that your Committee has violated 2 U.S.C. §441a(a)(1)(A) by making a contribution in excess of \$1000 to the Henry Helstoski Campaign Fund. The Commission has found reason to believe that your committee has violated 2 U.S.C. §434(b)(13) by failing to file a "Schedule E" in reference to an independent expenditure of \$4,352.50 for the Joseph A. LeFante for Congress Committee, and by failing to submit a certification of independence for that expenditure. 2 U.S.C. §434(b)(13) requires that a certification of independence, along with a separate schedule identifying the candidate on whose behalf the expenditure is made, the amount of the expenditure, and whether the expenditure is made in support of or against the candidate, be filed with the Commission when an independent expenditure of over \$100 is made. The Commission has also found reason to believe that your committee violated 2 U.S.C. §434(e)(2) by not reporting within twenty-four hours independent expenditures of over \$1000 made after the 15th day, but more than 24 hours before, the election.

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter.

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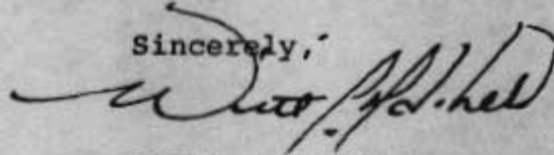
Where appropriate, statements or explanations should be made under oath. In particular, we request your response to the following questions:

1. A list of all candidates in relation to whom the Democratic Hudson County N.J. Campaign Fund made independent expenditures in 1976, the date and amount of such expenditures, to whom made, and whether they were made in support or opposition of the candidate.
2. Has the Democratic Hudson County N.J. Campaign Fund now or ever been affiliated with the national, New Jersey State, and/or local Democratic Party?
3. Has your committee ever had delegates represent it to any Democratic Party nominating convention, or a voice in policy decisions of any national, New Jersey, or local Democratic Party Committee?
4. Has your committee participated in a Get-Out-the-Vote drive or voter registration activities for the Democratic Party?
5. Is there a local Democratic Party committee in Hudson County and if so, please identify it.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing. Failure to respond within ten days may cause the Commission to take further action based on the information at hand.

This letter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(b) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,



William C. Oldaker  
General Counsel

cc: John Tomasin  
Chairman, Democratic Hudson County N.J.  
Campaign Fund

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MC 726

SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):  
☐ Show to whom and date delivered ..... C  
☒ Show to whom, date, and address of delivery ..... C  
☐ RESTRICTED DELIVERY  
 Show to whom and date delivered ..... C  
☐ RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery ..... S  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 William A. Macchi  
 Treas. Dem. Hudson City  
 N.J. Campaign Fund, Nov. 1976

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943691

(Also, get obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent  
 R. H. Hegar

4. DATE OF DELIVERY: OCT 23 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Q9FD 1077-0-245-980

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Democratic Hudson County ) MUR 726  
New Jersey Campaign Fund, )  
Nov. 1976 )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 16, 1978, the Commission determined by a vote of 6-0 to adopt the following recommendations, as set forth in the First General Counsel's Report dated October 12, 1978, regarding the above-captioned matter:

1. Find reason to believe that the Democratic Hudson County New Jersey Fund, Nov. 1976, apparently violated 2 U.S.C. §434(b)(13) by making an independent expenditure in excess of \$100 without filing a schedule identifying the person to whom the expenditure was made, the amount and date of it, or whether it was made in support or opposition to the candidate, and by not filing a certification of independence.
2. Find reason to believe that the Democratic Hudson County New Jersey Campaign Fund, November 1976, apparently violated 2 U.S.C. §434(e)(2) by making an independent expenditure in excess of \$1000 after the 15th day but more than 24 hours before the election without reporting the expenditure within 24 hours of making it.

79040121425

MUR 726

Page 2

First General Counsel's Report

Dated: October 12, 1978

CERTIFICATION

3. Find reason to believe the Democratic Hudson County New Jersey Campaign Fund, November 1976, violated 2 U.S.C. §441a(a) (1) (A) by making a contribution in excess of the \$1000 per candidate per election limitation for political committees registered less than 6 months.
4. Send the letter attached to the above-named report.

Attest:

10/16/78

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary to the Commission

Received in Office of Commission Secretary: 10-12-78, 12:40  
Circulated on 48 hour vote basis: 10-12-78, 4:00

pc

79040121427

October 12, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 726

Please have the attached First General Counsel's Report on MUR 726 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040121428

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY  
FEDERAL ELECTION COMMISSION  
FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMISSION 78 OCT 12 1978  
BY OGC TO COMMISSION

MUR NO. 726  
STAFF MEMBER(S) Gentner

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Democratic Hudson County New Jersey Campaign Fund, Nov. 1976

RELEVANT STATUTE: 2 U.S.C. §441a(a)(1)(A); 2 U.S.C. §441a(a)(4);  
2 U.S.C. §434(b)(13); 2 U.S.C. §434(e)(2)

INTERNAL REPORTS CHECKED: Audit Findings

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This MUR stems from Audit Recommendation #28c, approved by the Commission on September 13, 1978.

SUMMARY OF ALLEGATIONS

That the Democratic Hudson County New Jersey Campaign Fund, Nov. 1976 ("the Committee") violated 2 U.S.C. §441a(a)(1)(A) by making a contribution to a candidate for federal office in excess of \$1000 per election, and that the Committee violated 2 U.S.C. §434(b)(13) by making an independent expenditure in excess of \$100 without filing a separate schedule identifying the candidate on whose behalf the expenditure was made, and without submitting a certification of independence; and that the Committee violated 2 U.S.C. §434(e)(2) by not reporting within twenty-four hours an independent expenditure made after the fifteenth day and more than 24 hours before the election.

PRELIMINARY LEGAL ANALYSIS

During the course of an investigation of the respondent by the Audit Division, it was discovered that the Committee had not disclosed a transfer of \$4,342.50 by the Committee to the Joseph A. LeFante for Congress Committee, which the latter had reported. When questioned on this matter by the Audit Division, the Committee responded, in a letter

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dated January 17, 1978, that this was not a transfer of funds but rather represented independent expenditures on behalf of Candidate LeFante, which were reported to the Joseph A. LeFante for Congress Committee after the election. However, no Schedule E as required by 11 C.F.R. §109.2(a), containing the identification of the person to whom the independent expenditure was made, the amount and date of it, and whether the expenditure was made in support or opposition to the candidate, was filed. This would apparently place the respondent in violation of 2 U.S.C. §434(b)(13) which requires that a political committee making an independent expenditure in excess of \$100 disclose the information that is required in a Schedule E. 2 U.S.C. §434(b)(13) also requires that a political committee making such an independent expenditure file a certification that the expenditure is not made in cooperation, concert, or at the request of any candidate or authorized political committee. The Committee did not file a certification.

According to Committee information contained in the treasurer's letter to the Commission dated January 17, 1978, at least \$2,932.50 to the \$4,342.50 independent expenditure was spent after the fifteenth day before the election but more than twenty-four hours before it, yet was not reported by the Committee within twenty-four after the expenditure was made. This would apparently place the Committee in violation of 2 U.S.C. §434(e)(2) and 11 C.F.R. §109.2(c), which require that a committee make such a report, if the expenditure involved exceeds \$1000.

The auditors also discovered that the Committee transferred \$2,500 to the Henry Helstaski Campaign Fund ("the Fund") on October 22, 1976. The Committee first registered with the Commission on October 6, 1976. A political committee is subject to the individual contributor limitation of 2 U.S.C. §441a(a)(1)(A) unless it can qualify as a "multi-candidate committee". 2 U.S.C. §434a(a)(4) provides that a political committee is not a multi-candidate committee unless it has been registered with the Commission for a least six months. Since at the time the transfer of money was made to the Fund the Committee had been registered less than six months, the Committee was subject to the \$1000 per candidate per election limitation of 2 U.S.C. §441a(a)(1)(A). As the transfer of \$2500 by the Committee exceeded this limitation, it appears the Committee may also have violated 2 U.S.C. §441a(a)(1)(A).

#### RECOMMENDATIONS:

1. Find reason to believe that the Democratic Hudson County New Jersey Campaign Fund, Nov. 1976, apparently violated 2 U.S.C. §434(b)(13) by making an independent expenditure in excess of \$100 without filing a schedule identifying the person to whom the expenditure was made, the amount and date of it, or whether it was made in support or opposition to the candidate, and by not filing a certification of independence.

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2. Find reason to believe that the Democratic Hudson County New Jersey Campaign Fund, November 1976, apparently violated 2 U.S.C. §434(e)(2) by making an independent expenditure in excess of \$1000 after the 15th day but more than 24 hours before the election without reporting the expenditure within 24 hours of making it.
3. Find reason to believe the Democratic Hudson County New Jersey Campaign Fund, November 1976, violated 2 U.S.C. §441a(a)(1)(A) by making a contribution in excess of the \$1000 per candidate per election limitation for political committees registered less than 6 months.
4. Send the attached letter .

Attachments:  
Audit Referral  
Letter of Notification

79040121432



## FEDERAL ELECTION COMMISSION

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

September 15, 1978

MEMORANDUM

To : Bill Oldaker

Through : Orlando B. Potter *BL for O.B.P.*

From : Bob Costa *RC*

Subject : Audit Recommendation #28c:  
Democratic Hudson County Campaign Fund,  
November, 1976

At the September 13, 1978 Executive Session, the Commission approved the Audit Division's recommendation regarding the above mentioned committee which had been referred for audit considerations. As the attached audit recommendation, together with the referral package, states, our analysis found the major question to be whether the Committee was entitled to make Independent Expenditures on behalf of the 1976 General Election. Also, the recommendation discusses an apparent excessive contribution to a House candidate for which no action has been taken to date.

Should you have any questions regarding this audit recommendation, please contact Patricia Schering at extension 3-4155.

Attachment as stated





FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

7/13/78  
5-1

AUDIT DIVISION

AUDIT RECOMMENDATION #28c

Committee: Democratic Hudson County Campaign Fund,  
November, 1976

Referred By: Office of the Staff Director on March 14, 1978

Total Receipts \$20,021

Total Expenditures 17,846

ANALYSIS

1) Reporting History

Following its registration in October 1976, the Committee filed three (3) disclosure reports, including a Termination Report. Two (2) Requests for Additional Information were sent regarding the reports filed, one (1) amendment, responding to both, was submitted. The content of the RFAI's is detailed on the first page of the attached referral.

2) OGC Action

- a) Opinions-None
- b) Compliance-None

3) Factors Considered

The referral itself raises no major questions for resolution by the Audit Division regarding the Committee's reported activity as it was originally prepared for transmittal to the Office of General Counsel with the recommendation that the outlined facts be reviewed for a determination of whether further action would be necessary and appropriate. The matter was referred to the Audit Division for audit consideration by the Office of the Staff Director.



7904012143A

*See  
#213*

The situation described involved the fact that a Congressional candidate's principal campaign committee reported the receipt of a transfer of \$4,342.50 from the Committee; however, the Committee reports did not reciprocally disclose such a transaction. The Committee responded that the amount reported by the candidate's principal campaign committee represented Independent Expenditures made by the Committee on behalf of the candidate (without the candidate's knowledge, but of which he was advised after they were made). In reviewing the Committee's explanation (contained in the attached referral), we feel perhaps requirements of State law regarding the allocation of expenditures and Federal law regarding Independent Expenditures (as discussed in Audit Recommendation #28a re: N.J. State Schedule G) may have been confused and applied by the Committee which resulted in erroneous reporting by both committees.

79040121435

While Section 110.7(b)(4) of the FEC Regulations prohibits State or local party committees from making Independent Expenditures on behalf of the General Election, we note here that on its Statement of Organization, which provides for disclosure of the type of political committee registering under the Act, on Line 5e (for party committee identification) the Committee identified itself to be an "Independent Committee favoring the Democratic Party." (See Attachment #1). The Committee's file does not reflect that the Commission sought any clarification of the category of political committee which the Committee created for itself on its Statement of Organization. If, in fact, some or all of the expenditures made qualified as Independent Expenditures, then a determination must be made as to whether the Committee was entitled to make them or whether they were prohibited as a party committee from doing so. Further, if they were Independent Expenditures (\$8,261 of which was reported as spent for newspaper ads, printing, and postcards), they were not disclosed as required on Schedule E, the certification of independence was absent, and no candidates were identified as supported or opposed by them. Additionally, the expenditures exceeded \$1,000, occurred after the fifteenth day preceeding the election, and were not reported within 24 hours as required by Section 109.2(c) of the Regulations. In the event the Committee is a party committee and the expenditures may be considered as made pursuant to 2 U.S.C. 441a(d), an amendment to disclose the benefiting candidate(s) would yet be required.

Not mentioned in the referral is the fact that the Committee transferred \$2,500 to the Henry Helstoski Campaign Fund (NJ/9) on October 22, 1976. Regardless of whether the Committee is an Independent Expendor or a party committee, the requirements of 2 U.S.C. 441a(a)(4) (registration for a period of six (6) months and receiving contributions from more than 50 persons) had not been met at the time the transfer was made. Therefore, the Committee was not qualified to exceed a contribution limit of \$1,000 to a candidate. (The records of the House Team of the Reports Analysis Division do not indicate that the Helstoski Committee was notified of this particular excessive contribution).

We further noted the Committee received \$500 from the Hudson County Regular Civic Association, respondent in MUR 558(78) for failure to register and to file reports for which an audit was recommended and approved.

#### RECOMMENDATION

In that the major question is whether or not the Committee could make Independent Expenditures on behalf of the 1976 General Election, we feel this matter, together with the apparent excessive contribution made to a candidate, should be referred to the Office of General Counsel for its review and action. Therefore, we recommend that no audit be undertaken with respect to the matters as described herein.

79040121436

Do not include(s) for federal office and anticipated contributions or expenditures in excess of \$1,000 in any calendar year in support of such candidate(s).

AR & JRL

**Notes:** Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election, and file separate reports with respect to each election.

|                                                                                         |                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1(a) Name of Committee (in full)<br>DEM. HUDSON COUNTY N.J. CAMPAIGN FUND,<br>NOV. 1976 | 2 Identification Number<br>C00069252<br><del>C00020115</del>                                                                                                             |
| 3(a) Address (number and street)<br>c/o JOHN TOMASIN, ESQ.-4800 Kennedy Blvd.           | 3 Date of registration (month, day, year)<br>OCTOBER 6, 1976                                                                                                             |
| 4(a) City, State and ZIP code<br>UNION CITY, N. J. 07087                                | 4 Is this an amended statement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If "Yes" fill in only those lines in which there has been a change |

5 Check one:

☐ (a) This committee has been designated as the principal campaign committee for \_\_\_\_\_  
(Name of Candidate)  
a candidate for \_\_\_\_\_ in the \_\_\_\_\_ Election(s)  
(Federal office sought) (General, Primary, Runoff, etc.)

a candidate for \_\_\_\_\_ in the \_\_\_\_\_ Election(s)  
(Federal office sought) (General, Primary, Runoff, etc.)

to be held in the State of \_\_\_\_\_ on \_\_\_\_\_  
(State in which election is held) (Date(s))

(The Principal Campaign Committee will forward to the Commission a copy of the Statement of Organization for each committee required to file with it).

☐ (b) This committee is supporting only one candidate, and is authorized by \_\_\_\_\_ (Name of Candidate)

to receive contributions and make expenditures with respect to the \_\_\_\_\_ Election(

(General, Primary, Runoff, etc.)

held on \_\_\_\_\_, and will file all reports and statements with the candidate's principal campaign  
(Date(s))

committee, \_\_\_\_\_  
(Full name of principal campaign committee)

(Attach a copy of Candidate's written authorization.) (FEC Form 2a)

☐ (c) This committee supports only one candidate \_\_\_\_\_ but is not an authorized committee.  
(Name of Candidate)

☐ (d) This committee is a multicandidate committee.

02 (e) This committee is a Independent committee favoring Democratic Party.  
(National, state, county, city) (Democratic, Republican, etc.)

(We will be mainly concerned with local non-federal Candidates.)

| 6 Name of affiliated or connected organization | Mailing address and ZIP code | Relationship |
|------------------------------------------------|------------------------------|--------------|
|                                                |                              |              |

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

7. 6803631437

5/25/51

In the Matter of

DEMOCRATIC HUDSON COUNTY CAMPAIGN FUND, NOV. 1976)

Requests for  
Additional InformationREPORTS ANALYSIS' REPORTI. Findings

## Requests for Additional Information

30 Day Post-Election Report

The committee was requested to supply coverage dates

The committee was informed that the committee below reported receiving a transfer from the Democratic Hudson County Campaign Fund, Nov. 1976, but that a review of the committee's report did not reflect this transfer out. The committee was asked to provide the circumstances for the reporting discrepancy.

Joseph A. LeFante for Congress Committee  
11/15/77 \$4,342.50

Year End-Termination Report

The committee was informed that its request for termination could not be accepted until it provided information regarding the dispensing of residual funds, in the amount of \$2,175.37.

II. Telephone and other communications

Letters were received by the Commission, stating that copies of the reports were being requested of Public Records, and that the committee was assembling the information. Letters were dated 10/26/77 and 11/29/77. The letter of 11/29/77 requested an extension.

Committee responded in a letter, dated 1/17/78, to the requests. The coverage dates were supplied, and it was stated that the residual funds would be spent for lawful State election purposes.

Regarding the report of the receipt, as reported by Joseph A. LeFante for Congress Committee, the committee stated that the amount represented independent expenditures made by the committee for the candidate, under 11 C.F.R. 109.

III. Recommendations

It is recommended that the Office of General Counsel review this report to determine what further action is necessary and appropriate.

79040121438

William Oldaker  
Democratic Hudson County Campaign Fund, Nov. 1976

Page Two

Attachments-

RFAI's of 10/19/77

Letters dated 10/26/77, 11/29/77, 1/17/78

79040121439



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

October 19 1977

William A. Macchi, Treasurer  
Democratic Hudson County Campaign Fund, Nov., 1976  
c/o John Tomasin, Esquire  
4800 Kennedy Boulevard, West  
Union City, New Jersey

07087

Dear Mr. Macchi:

This letter is prompted by our interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended.

During review of the 30 Day Post General Election & January 31 Year End Termination Reports of Receipts and Disbursements, we noticed that you omitted information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Commission with the missing information within (10) days of receipt of this letter. If you have any questions, please do not hesitate to contact David U. Greevy (202-523-4048) our Reports Analyst assigned to you.

Sincerely,

*Orlando B. Potter*

Orlando B. Potter  
Staff Director

Attachment

12



ST FOR ADDITIONAL INFORMATION FOR THE 30 Day Post General REPORT OF RECEIPTS  
PENDITURES COVERING THE PERIOD ? THROUGH ?  
ANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

✓ of the report indicates that additional information is needed in order to be considered complete. Please  
copy of this form with your amended submission(s).

rovide the required data, as indicated (x):

verage Dates X omitted or — incorrect

nature — omitted or — incorrect

mmary Page Line(s) — Column(s) — Totals — omitted or — incorrect

ailed Summary (Page 2) Line(s) — Column(s) — Totals — omitted or — incorrect

chedule Totals — disagree with Detailed Summary (Page 2) or — omitted

ite(s) — omitted or — inadequate for Schedule(s) — Line(s) —

all Name(s) Omitted for Schedule(s) — Line(s) —

ailing Address(es) — omitted or — inadequate for Schedule(s) — Line(s) —

Occupational Descriptions — omitted or — inadequate for Schedule(s) — Line(s) —

ncipal Place(s) of Business — omitted or — inadequate for Schedule(s) — Line(s) —

gregate Year-to-date Totals — omitted or — inadequate for Schedule(s) — Line(s) —

nature or Purpose of Expenditure — omitted or — inadequate for Schedule(s) — Line(s) —

nature or Purpose of Receipt — omitted or — inadequate for Schedule(s) — Line(s) —

adequate Description of — proceeds — dates — events — location of Schedule —

ther: Please See Page Two

our initial submission(s), together with this request for additional information, has been made available for  
inspection. The Commission urges you to file the additional submission(s) promptly to the above address.  
have any questions regarding this request, please call the Disclosure Division toll free at (800) 424-9530.  
cal Washington, D.C. telephone number is (202) 523-4048.

ate filers should file their submission(s) with the Secretary of the Senate, Office of Public Records, 119 D St.,  
Washington, D.C. 20510. House filers should file their submission(s) with the Clerk of the House, Office of  
ds and Registration, 1036 Longworth House Office Building, Washington, D.C. 20515.

Democratic Hudson County Campaign Fund, Nov., 1976  
30 Day Post General Election Report-1976

Please be advised that 2 U.S.C. 434(b) (4) requires that each report shall disclose "the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers". The committee listed below reported receiving transfers from your committee, but a complete review of your committee's reports does not reflect this activity. Please provide the circumstances regarding this reporting discrepancy.

Joseph A. Lafante for Congress Committee  
11/15/76 \$4,342.50

79040121442

I.D. NO.: \_\_\_\_\_  
January 31 Year \_\_\_\_\_  
EST FOR ADDITIONAL INFORMATION FOR THE Termination REPORT OF RECEIPTS  
EXPENDITURES COVERING THE PERIOD 12/1/76 THROUGH 1/31/77  
JANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

ew of the report indicates that additional information is needed in order to be considered complete. Please  
a copy of this form with your amended submission(s).

provide the required data, as indicated (x):

coverage Dates \_\_\_ omitted or \_\_\_ incorrect

signature \_\_\_ omitted or \_\_\_ incorrect.

summary Page Line(s) \_\_\_ Column(s) \_\_\_ Totals \_\_\_ omitted or \_\_\_ incorrect

Detailed Summary (Page 2) Line(s) \_\_\_ Column(s) \_\_\_ Totals \_\_\_ omitted or \_\_\_ incorrect

Schedule Totals \_\_\_ disagree with Detailed Summary (Page 2) or \_\_\_ omitted

Date(s) \_\_\_ omitted or \_\_\_ inadequate for Schedule(s) \_\_\_ Line(s) \_\_\_

Full Name(s) Omitted for Schedule(s) \_\_\_ Line(s) \_\_\_

Mailing Address(es) \_\_\_ omitted or \_\_\_ inadequate for Schedule(s) \_\_\_ Line(s) \_\_\_

Occupational Descriptions \_\_\_ omitted or \_\_\_ inadequate for Schedule(s) \_\_\_ Line(s) \_\_\_

Principal Place(s) of Business \_\_\_ omitted or \_\_\_ inadequate for Schedule(s) \_\_\_ Line(s) \_\_\_

Aggregate Year-to-date Totals \_\_\_ omitted or \_\_\_ inadequate for Schedule(s) \_\_\_ Line(s) \_\_\_

Nature or Purpose of Expenditure \_\_\_ omitted or \_\_\_ inadequate for Schedule(s) \_\_\_ Line(s) \_\_\_

Nature or Purpose of Receipt \_\_\_ omitted or \_\_\_ inadequate for Schedule(s) \_\_\_ Line(s) \_\_\_

Inadequate Description of \_\_\_ proceeds \_\_\_ dates \_\_\_ events \_\_\_ location of Schedule \_\_\_

Other: The Commission cannot accept your request for termination until you have

provided information regarding the dispensing of residual funds in the  
amount of \$2175.37.

Your initial submission(s), together with this request for additional information, has been made available for  
ic inspection. The Commission urges you to file the additional submission(s) promptly to the above address.  
ou have any questions regarding this request, please call the Disclosure Division toll free at (800) 424-9530.  
local Washington, D.C. telephone number is (202) 523-4048.

enate filers should file their submission(s) with the Secretary of the Senate, Office of Public Records, 119 D St.,  
., Washington, D.C. 20510. House filers should file their submission(s) with the Clerk of the House, Office of  
ords and Registration, 1036 Longworth House Office Building, Washington, D.C. 20515.

October 26, 1977

77 OCT 28 AM 10:38

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Attn: Mr. Orlando B. Potter,  
Staff Director

RE: DEMOCRATIC HUDSON COUNTY CAMPAIGN FUND, NOV., 1976  
30 Day Post General Election &  
January 31 Year End-Termination

Dear Sir:

I have received your inquiry of October 19, 1977  
regarding the above political committee.

Since these concern past elections, wherein some of  
the principals are no longer Hudson County Democratic Party  
officials, I will have to reach out for them and review records  
to respond.

We are going ahead to assemble our materials and will  
respond in detail shortly.

Meanwhile, I am asking Mr. Heisey's office (Public  
Records) to send copy of the other records you refer to, and  
I would appreciate it if you could confirm to him so we can  
get copies of the reports you mention.

Very truly yours,

*John Tomasin*  
JOHN TOMASIN

JT:vk

cc: Mr. David U. Greevy,  
Reports Analyst

cc: Mr. Michael Heisey,  
Public Records

79040121444  
77033611383

JOHN TOMASIN, ESQ. (PA)

A PROFESSIONAL CERTIFICATION

4800 KENNEDY BLVD W.

UNION CITY, N.J. 07083

77 DEC 2 PM 2:23

(204 863-1521)  
(204 863-1522)

November 29, 1977

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Attn: Mr. Orlando B. Potter,  
Staff Director

RE: DEMOCRATIC HUDSON COUNTY CAMPAIGN FUND, NOV, 1976  
30-Day Post General Election &  
January 31 Year-End Termination

Dear Sir:

I received the copies of the pertinent reports from Mr. Heisey of Public Records and was contacting the present and past officials of the Hudson County Democratic Party concerned, in order to respond to your recent inquiries, and in accordance to my previous reply.

However, Mr. John J. O'Connor, the present Treasurer (in whose custody and control the books, check stubs, bills and bank statements are presently maintained) is hospitalized at St. Mary's Hospital, Hoboken, N. J., in intensive care with a serious case of pneumonia (he had a serious heart attack several years ago), so our access to the records will be delayed.

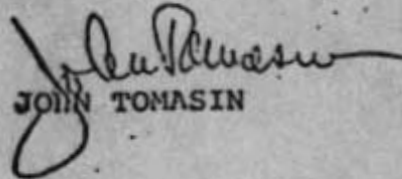
In fact, he may be having a pacemaker put in today.

Under these unusual and serious circumstances, we request an extension of approximately 30 days to insure his recovery, and so that we may then review the past records and respond.

We cannot respond without such records.

Please advise.

Very truly yours,

  
JOHN TOMASIN

JT:vk

cc: Mr. David U. Greevy,  
Reports Analyst

770348632405

January 17, 1978

A PRIME COMMERCIAL CORPORATION  
4800 KENNEDY BLVD.  
UNION CITY, N.J. 07087  
201 663 1000

78 JAN 31 P2:23

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

RE: Supplement to  
DEMOCRATIC HUDSON COUNTY  
CAMPAIGN FUND, NOV/1976  
IC 69252 Reports -  
30-Day Post General Election  
of November, 1976 - and -  
January 31, 1977 Year End-  
Termination  
Year Reference IDG-3

Gentlemen:

(a) In response to the above inquiry, as to the period covered, the period of the 30-day report would be October 18, 1976 (date of last prior 10-day report) through November 30, 1976, the date of the 30-day report. This was omitted inadvertently.

(b) As to the Year-End and Termination Report, it would cover Nov. 30, 1976, the date of the last prior 30-day report, through January 31, 1977, the date of the year-end termination report, also omitted inadvertently.

(c) As to your inquiry regarding the discrepancy projected by the fact that the Joseph A. LeFante for Congress Committee reports a "receipt" of \$4,342.50 as of November 15, 1976, while our report did not reflect this figure of \$4,342.50, we can advise as follows:

1. We were primarily a multi-candidate committee, operating under New Jersey State Law, and making independent expenditures, within the meaning of Section 109 of the FEC regulations.

2. Naturally, we added up all our expenditures and divided or "allocated" same among the candidates we supported, one of whom was Cong. Joseph A. LeFante.

3. After we made same, we duly reported and "allocated" the possible benefit, under State Law, to the New Jersey Election Law Enforcement Commission, on Schedule G thereof; in the N. J. State 7-day before, and 15-day after, State Reports for the November 2, 1976 General Election (Copies of pertinent Schedule G are attached hereto).

4. These expenditures were not previously known to the LeFante Committee or candidate, of course, but we did inform them of these independent expenditures on our part, after they were made by us.

5. These two reports fell within the period covered by the next report of LeFante (Dec. 1, 1976) and from our independent expenditures on our 7-day State report, allocated as \$2,932.50 for LeFante; and our 15-day State report, allocated to him of \$1,410.00; the LeFante Committee on being so informed, combined same, yielding

79040121446

JOHN TOMASIN, C.A. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD W.  
UNION CITY, N.J. 07087  
LPM 842 022

Federal Elec. Commission  
Ref. IC 69252  
(DG-3)

- 2 -

January 17, 1978

the \$4,342.50 reported by them in their Dec. 1, 1976-30th day Federal Report after the November 2, 1976 General Election, to which you made inquiry.

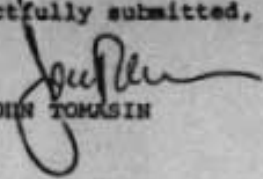
They never actually saw this money, but were informed that we had expended same.

These being independent expenditures by us, reported as such and duly disclosed in the LeFante report as well, we request that this clarification be filed, and the inquiry concluded administratively on the basis of such disclosure and explanation.

This committee has terminated - any balance shall go to lawful State Election political purposes.

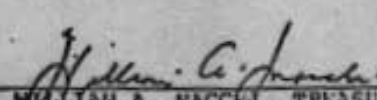
January 17, 1978

Respectfully submitted,

  
JOHN TOMASIN

JT:vk

The above is hereby confirmed and filed.

  
WILLIAM A. MACCAI, TREASURER  
DEM. HUDSON COUNTY CAMPAIGN  
FUND, NOV/1976

Cert. Mail, Ret. Rec. Req'd.

cc: Mr. David Greevy, Reports Analyst

cc: Joseph LeFante for Congress Comm.

Attn: Ms. Karen Grube

79040121447



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. William A. Macchi  
Treasurer  
Democratic Hudson County N.J. Campaign Fund,  
Nov. 1976  
4800 Kennedy Blvd.  
Union City, N.J. 07087

Re: MUR 726(78)

Dear Mr. Macchi:

This letter is to inform you that the Federal Election Commission has found reason to believe that the Democratic Hudson County, New Jersey Campaign Fund, Nov. 1976, has violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that your Committee has violated 2 U.S.C. §441a(a)(1)(A) by making a contribution in excess of \$1000 to the Henry Helstaski Campaign Fund. The Commission has found reason to believe that your committee has violated 2 U.S.C. §434(b)(13) by failing to file a "Schedule E" in reference to an independent expenditure of \$4,352.50 for the Joseph A. LeFante for Congress Committee, and by failing to submit a certification of independence for that expenditure. 2 U.S.C. §434(b)(13) requires that a certification of independence, along with a separate schedule identifying the candidate on whose behalf the expenditure is made, the amount of the expenditure, and whether the expenditure is made in support of or against the candidate, be filed with the Commission when an independent expenditure of over \$100 is made. The Commission has also found reason to believe that your committee violated 2 U.S.C. §434(e)(2) by not reporting within twenty-four hours independent expenditures of over \$1000 made after the 15th day, but more than 24 hours before, the election.

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter.

79040121443

Where appropriate, statements or explanations should be made under oath. In particular, we request your response to the following questions:

1. A list of all candidates in relation to whom the Democratic Hudson County N.J. Campaign Fund made independent expenditures in 1976, the date and amount of such expenditures, to whom made, and whether they were made in support or opposition of the candidate.
2. Has the Democratic Hudson County N.J. Campaign Fund now or ever been affiliated with the national, New Jersey State, and/or local Democratic Party?
3. Has your committee ever had delegates represent it to any Democratic Party nominating convention, or a voice in policy decisions of any national, New Jersey, or local Democratic Party Committee?
4. Has your committee participated in a Get-Out-the-Vote drive or voter registration activities for the Democratic Party?
5. Is there a local Democratic Party committee in Hudson County and if so, please identify it.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing. Failure to respond within ten days may cause the Commission to take further action based on the information at hand.

This letter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(b) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

William C. Oldaker  
General Counsel

cc: John Tomasin  
Chairman, Democratic Hudson County N.J.  
Campaign Fund

79040121449



## FEDERAL ELECTION COMMISSION

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

September 15, 1978

MEMORANDUM

To : Bill Oldaker

Through : Orlando B. Potter *BLG o.b.p.*

From : Bob Costa *RC*

Subject : Audit Recommendation #28c:  
Democratic Hudson County Campaign Fund,  
November, 1976

At the September 13, 1978 Executive Session, the Commission approved the Audit Division's recommendation regarding the above mentioned committee which had been referred for audit considerations. As the attached audit recommendation, together with the referral package, states, our analysis found the major question to be whether the Committee was entitled to make Independent Expenditures on behalf of the 1976 General Election. Also, the recommendation discusses an apparent excessive contribution to a House candidate for which no action has been taken to date.

Should you have any questions regarding this audit recommendation, please contact Patricia Schering at extension 3-4155.

Attachment as stated



79040121450



# FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20461

7/13/78  
5-1

## AUDIT DIVISION

### AUDIT RECOMMENDATION #28c

Committee: Democratic Hudson County Campaign Fund,  
November, 1976

Referred By: Office of the Staff Director on March 14, 1978

Total Receipts \$20,021

Total Expenditures 17,846

### ANALYSIS

#### 1) Reporting History

Following its registration in October 1976, the Committee filed three (3) disclosure reports, including a Termination Report. Two (2) Requests for Additional Information were sent regarding the reports filed, one (1) amendment, responding to both, was submitted. The content of the RFAI's is detailed on the first page of the attached referral.

#### 2) OGC Action

- a) Opinions-None
- b) Compliance-None

#### 3) Factors Considered

The referral itself raises no major questions for resolution by the Audit Division regarding the Committee's reported activity as it was originally prepared for transmittal to the Office of General Counsel with the recommendation that the outlined facts be reviewed for a determination of whether further action would be necessary and appropriate. The matter was referred to the Audit Division for audit consideration by the Office of the Staff Director.



79040121451

*See  
Committee  
#223*

The situation described involved the fact that a Congressional candidate's principal campaign committee reported the receipt of a transfer of \$4,342.50 from the Committee; however, the Committee's reports did not reciprocally disclose such a transaction. The Committee responded that the amount reported by the candidate's principal campaign committee represented Independent Expenditures made by the Committee on behalf of the candidate (without the candidate's knowledge, but of which he was advised after they were made). In reviewing the Committee's explanation (contained in the attached referral), we feel perhaps requirements of State law regarding the allocation of expenditures and Federal law regarding Independent Expenditures (as discussed in Audit Recommendation #28a re: N.J. State Schedule G) may have been confused and applied by the Committee which resulted in erroneous reporting by both committees.

79040121452

While Section 110.7(b)(4) of the FEC Regulations prohibits State or local party committees from making Independent Expenditures on behalf of the General Election, we note here that on its Statement of Organization, which provides for disclosure of the type of political committee registering under the Act, on Line 5e (for party committee identification, the Committee identified itself to be an "Independent Committee favoring the Democratic Party." (See Attachment #1). The Committee's file does not reflect that the Commission sought any clarification of the category of political committee which the Committee created for itself on its Statement of Organization. If, in fact, some or all of the expenditures made qualified as Independent Expenditures, then a determination must be made as to whether the Committee was entitled to make them or whether they were prohibited as a party committee from doing so. Further, if they were Independent Expenditures (\$8,261 of which was reported as spent for newspaper ads, printing, and postcards), they were not disclosed as required on Schedule E, the certification of independence was absent, and no candidates were identified as supported or opposed by them. Additionally, the expenditures exceeded \$1,000, occurred after the fifteenth day preceeding the election, and were not reported within 24 hours as required by Section 109.2(c) of the Regulations. In the event the Committee is a party committee and the expenditures may be considered as made pursuant to 2 U.S.C. 441a(d), an amendment to disclose the benefiting candidate(s) would yet be required.

Not mentioned in the referral is the fact that the Committee transferred \$2,500 to the Henry Helstoski Campaign Fund (NJ/9) on October 22, 1976. Regardless of whether the Committee is an Independent Expendor or a party committee, the requirements of 2 U.S.C. 441a(a)(4) (registration for a period of six (6) months and receiving contributions from more than 50 persons) had not been met at the time the transfer was made. Therefore, the Committee was not qualified to exceed a contribution limit of \$1,000 to a candidate. (The records of the House Team of the Reports Analysis Division do not indicate that the Helstoski Committee was notified of this particular excessive contribution).

We further noted the Committee received \$500 from the Hudson County Regular Civic Association, respondent in MUR 558(78) for failure to register and to file reports for which an audit was recommended and approved.

#### RECOMMENDATION

In that the major question is whether or not the Committee could make Independent Expenditures on behalf of the 1976 General Election, we feel this matter, together with the apparent excessive contribution made to a candidate, should be referred to the Office of General Counsel for its review and action. Therefore, we recommend that no audit be undertaken with respect to the matters as described herein.

79040121453

5/28/51 7.80303551434

In the Matter of

DEMOCRATIC HUDSON COUNTY CAMPAIGN FUND, NOV. 1976)

) Requests for  
Additional Information

REPORTS ANALYSIS' REPORT

I. Findings

Requests for Additional Information

30 Day Post-Election Report

The committee was requested to supply coverage dates

The committee was informed that the committee below reported receiving a transfer from the Democratic Hudson County Campaign Fund, Nov. 1976, but that a review of the committee's report did not reflect this transfer out. The committee was asked to provide the circumstances for the reporting discrepancy.

Joseph A. LeFante for Congress Committee  
11/15/77 \$4,342.50

Year End-Termination Report

The committee was informed that its request for termination could not be accepted until it provided information regarding the dispensing of residual funds, in the amount of \$2,175.37.

II. Telephone and other communications

Letters were received by the Commission, stating that copies of the reports were being requested of Public Records, and that the committee was assembling the information. Letters were dated 10/26/77 and 11/29/77. The letter of 11/29/77 requested an extension.

Committee responded in a letter, dated 1/17/78, to the requests. The coverage dates were supplied, and it was stated that the residual funds would be spent for lawful State election purposes.

Regarding the report of the receipt, as reported by Joseph A. LeFante for Congress Committee, the committee stated that the amount represented independent expenditures made by the committee for the candidate, under 11 C.F.R. 109.

III. Recommendations

It is recommended that the Office of General Counsel review this report to determine what further action is necessary and appropriate.

79040121455

William Oldaker  
Democratic Hudson County Campaign Fund, Nov. 1976

Page Two

Attachments-

RFAI's of 10/19/77

Letters dated 10/26/77, 11/29/77, 1/17/78

79040121455



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

October 19, 1977

William A. Macchi, Treasurer  
Democratic Hudson County Campaign Fund, Nov., 1976  
c/o John Tomasini, Esquire  
4800 Kennedy Boulevard, West  
Union City, New Jersey  
07087

Dear Mr. Macchi:

This letter is prompted by our interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended.

30 Day Post General Election &  
January 31 Year End Termination  
During review of the January 31 Year End Termination  
Reports of Receipts and Expenditures, we noticed that you omitted  
information or made apparent mathematical errors in certain entries.  
Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in  
filling out the reporting forms, we must ask that you supply the  
Commission with the missing information within (10) days of receipt  
of this letter. If you have any questions, please do not hesitate to  
contact David U. Greevy (202-523-4048) our  
Reports Analyst assigned to you.

Sincerely,

*Orlando B. Potter*

Orlando B. Potter  
Staff Director

Attachment

12



ST FOR ADDITIONAL INFORMATION FOR THE 30 Day Post General REPORT OF RECEIPTS  
PENDITURES COVERING THE PERIOD ? THROUGH ?  
ANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

ow of the report indicates that additional information is needed in order to be considered complete. Please  
copy of this form with your amended submission(s).

Provide the required data, as indicated (x):

verage Dates ☒ omitted or ☐ incorrect

Signature ☐ omitted or ☐ incorrect

Summary Page Line(s) ☐ Column(s) ☐ Totals ☐ omitted or ☐ incorrect

Detailed Summary (Page 2) Line(s) ☐ Column(s) ☐ Totals ☐ omitted or ☐ incorrect

Schedule Totals ☐ disagree with Detailed Summary (Page 2) or ☐ omitted

ate(s) ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

all Name(s) Omitted for Schedule(s) ☐ Line(s) ☐

ailing Address(es) ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Occupational Descriptions ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Principal Place(s) of Business ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Aggregate Year-to-date Totals ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

ature or Purpose of Expenditure ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

ature or Purpose of Receipt ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

adequate Description of ☐ proceeds ☐ dates ☐ events ☐ location of Schedule ☐

Other: Please See Page Two

our initial submission(s), together with this request for additional information, has been made available for  
inspection. The Commission urges you to file the additional submission(s) promptly to the above address.  
If you have any questions regarding this request, please call the Disclosure Division toll free at (800) 424-9530.  
Local Washington, D.C. telephone number is (202) 523-4048.

ate filers should file their submission(s) with the Secretary of the Senate, Office of Public Records, 119 D St.,  
Washington, D.C. 20510. House filers should file their submission(s) with the Clerk of the House, Office of  
Records and Registration, 1036 Longworth House Office Building, Washington, D.C. 20515.

Page Two

Democratic Hudson County Campaign Fund, Nov., 1976  
30 Day Post General Election Report-1976

Please be advised that 2 U.S.C. 434(b) (4) requires that each report shall disclose "the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers". The committee listed below reported receiving transfers from your committee, but a complete review of your committee's reports does not reflect this activity. Please provide the circumstances regarding this reporting discrepancy.

Joseph A. Iefante for Congress Committee  
11/15/76 \$4,342.50

79040121459

January 31 Year End

TEST FOR ADDITIONAL INFORMATION FOR THE Termination REPORT OF RECEIPTS  
EXPENDITURES COVERING THE PERIOD 12/1/76 THROUGH 1/31/77  
QUANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

Review of the report indicates that additional information is needed in order to be considered complete. Please  
attach a copy of this form with your amended submission(s).

provide the required data, as indicated (x):

Coverage Dates ☐ omitted or ☐ incorrect

Signature ☐ omitted or ☐ incorrect,

Summary Page Line(s) ☐ Column(s) ☐ Totals ☐ omitted or ☐ incorrect

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Date(s) ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Full Name(s) Omitted for Schedule(s) ☐ Line(s) ☐

Mailing Address(es) ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Occupational Descriptions ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Principal Place(s) of Business ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Aggregate Year-to-date Totals ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Nature or Purpose of Expenditure ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Nature or Purpose of Receipt ☐ omitted or ☐ inadequate for Schedule(s) ☐ Line(s) ☐

Inadequate Description of ☐ proceeds ☐ dates ☐ events ☐ location of Schedule ☐

Other: The Commission cannot accept your request for termination until you have  
provided information regarding the dispensing of residual funds in the  
amount of \$2175.37.

Your initial submission(s), together with this request for additional information, has been made available for  
public inspection. The Commission urges you to file the additional submission(s) promptly to the above address.  
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JOHN TOMASIN, ESQ. (PA)  
A PROFESSIONAL CORPORATION  
4800 KENNEDY BLVD. W.  
UNION CITY, N.J. 07087  
1821  
1822

October 26, 1977

77 OCT 28 AM 10:38  
FEDERAL ELECTION  
COMMISSION

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Attn: Mr. Orlando B. Potter,  
Staff Director

RE: DEMOCRATIC HUDSON COUNTY CAMPAIGN FUND, NOV., 1976  
30 Day Post General Election &  
January 31 Year End-Termination

Dear Sir:

I have received your inquiry of October 19, 1977  
regarding the above political committee.

Since these concern past elections, wherein some of  
the principals are no longer Hudson County Democratic Party  
officials, I will have to reach out for them and review records  
to respond.

We are going ahead to assemble our materials and will  
respond in detail shortly.

Meanwhile, I am asking Mr. Heisey's office (Public  
Records) to send copy of the other records you refer to, and  
I would appreciate it if you could confirm to him so we can  
get copies of the reports you mention.

Very truly yours,

*John Tomasin*  
JOHN TOMASIN

JT:vk

cc: Mr. David U. Greevy,  
Reports Analyst

cc: Mr. Michael Heisey,  
Public Records

33943031621142813

77 DEC 2 PM 2:23

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1022

November 29, 1977

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Attn: Mr. Orlando B. Potter,  
Staff Director

RE: DEMOCRATIC HUDSON COUNTY CAMPAIGN FUND, NOV, 1976  
30-Day Post General Election &  
January 31 Year-End Termination

Dear Sir:

I received the copies of the pertinent reports from Mr. Heisey of Public Records and was contacting the present and past officials of the Hudson County Democratic Party concerned, in order to respond to your recent inquiries, and in accordance to my previous reply.

However, Mr. John J. O'Connor, the present Treasurer (in whose custody and control the books, check stubs, bills and bank statements are presently maintained) is hospitalized at St. Mary's Hospital, Hoboken, N. J., in intensive care with a serious case of pneumonia (he had a serious heart attack several years ago), so our access to the records will be delayed.

1

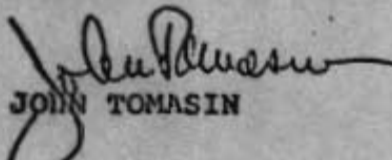
In fact, he may be having a pacemaker put in today.

Under these unusual and serious circumstances, we request an extension of approximately 30 days to insure his recovery, and so that we may then review the past records and respond.

We cannot respond without such records.

Please advise.

Very truly yours,

  
JOHN TOMASIN

JT:vk

cc: Mr. David U. Greevy,  
Reports Analyst

77 DEC 31 PM 4:23

January 17, 1978

JOHN TOMASIN, ENG (FBI)  
A PRIVATE INVESTIGATIVE FIRM  
4800 KENNETH BLVD  
UNION CITY, N.J. 07087  
1908 843 1871

78 JAN 31 P2:23

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

RE: Supplement to  
DEMOCRATIC HUDSON COUNTY  
CAMPAIGN FUND, NOV/1976  
FC 69252 Reports -  
30-Day Post General Election  
of November, 1976 - and -  
January 31, 1977 Year End-  
Termination  
Your Reference #DG-3

Gentlemen:

(a) In response to the above inquiry, as to the period covered, the period of the 30-day report would be October 18, 1976 (date of last prior 10-day report) through November 30, 1976, the date of the 30-day report. This was omitted inadvertently.

(b) As to the Year-End and Termination Report, it would cover Nov. 30, 1976, the date of the last prior 30-day report, through January 31, 1977, the date of the year-end termination report, also omitted inadvertently.

(c) As to your inquiry regarding the discrepancy projected by the fact that the Joseph A. LeFante for Congress Committee reports a "receipt" of \$4,342.50 as of November 15, 1976, while our report did not reflect this figure of \$4,342.50, we can advise as follows:

1. We were primarily a multi-candidate committee, operating under New Jersey State Law, and making independent expenditures, within the meaning of Section 109 of the FEC regulations.

2. Naturally, we added up all our expenditures and divided or "allocated" same among the candidates we supported, one of whom was Cong. Joseph A. LeFante.

3. After we made same, we duly reported and "allocated" the possible benefit, under State Law, to the New Jersey Election Law Enforcement Commission, on Schedule G thereof; in the N. J. State 7-day before, and 15-day after, State Reports for the November 2, 1976 General Election (Copies of pertinent Schedule G are attached hereto).

4. These expenditures were not previously known to the LeFante Committee or candidate, of course, but we did inform them of those independent expenditures on our part, after they were made by us.

5. These two reports fell within the period covered by the next report of LeFante (Dec. 1, 1976) and from our independent expenditures on our 7-day State report, allocated as \$2,932.50 for LeFante; and our 15-day State report, allocated to him of \$1,410.00; the LeFante Committee on being so informed, combined same, yielding

79040121463

JOHN TOMASIN, ESQ. (PA)

A PROFESSIONAL CORPORATION

4800 KENNEDY BLVD W.

UNION CITY, N.J. 07087

SP01 643 1821  
MEE

Federal Elec. Commission

- 2 -

January 17, 1978

Ref. IC 69252

[DG-3]

the \$4,342.50 reported by them in their Dec. 1, 1976-30th day Federal report after the November 2, 1976 General Election, to which you made inquiry.

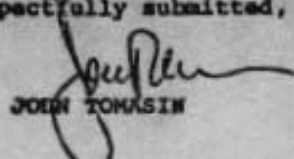
They never actually saw this money, but were informed that we had expended same.

These being independent expenditures by us, reported as such and duly disclosed in the LeFante report as well, we request that this clarification be filed, and the inquiry concluded administratively on the basis of such disclosure and explanation.

This committee has terminated - any balance shall go to lawful State Election political purposes.

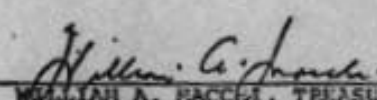
January 17, 1978

Respectfully submitted,

  
JOHN TOMASIN

JT:vk

The above is hereby confirmed and filed.

  
WILLIAM A. MACCOTI, TREASURER  
DEM. HUDSON COUNTY CAMPAIGN  
FUND, NOV/1976

Cert. Mail, Ret. Rec. Req'd.

cc: Mr. David Greevy, Reports Analyst

cc: Joseph LeFante for Congress Comm.

Attn: Ms. Karen Grube

79040121464



FEDERAL ELECTION COMMISSION

1125 K STREET NW  
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MUR # 726

Date Filmed

4/26/79

Camera No. --- 2

Cameraman

BPC