



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1647

Date Filmed 1/7/85 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Routing Cards & Slips ; Portions of 1st C.C. Report & Letters;

12 Day Report ; Comments to 12 Day Report

Conciliation Correspondence

Conciliation Reports

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act; 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed

date

George L. ...
12/27/84

Friends of Bob Carr
P.O. Box 1552
East Lansing, MI 48823
Dennis Ritter, Treasurer

IN PAYMENT FOR

74-992
724

3806

PAY Two hundred fifty ^{xx}/₁₀₀ DOLLARS

CHECK NO.	TO THE ORDER OF	DATE	GROSS AMOUNT	DISCOUNT	CHECK AMOUNT
3806	Treasurer of The United States	12-7-84			2500

EAST LANSING STATE BANK
EAST LANSING, MICHIGAN 48823

Carol Carr
JOHN D. BURICH, TREASURER

⑈003806⑈ ⑆072409927⑆ 0040949 0⑈

8.501051000

12-7-84

CHRISTOPHER R. O'NEILL
BARRY L. HAASE
REX H. WHITE, JR.*
ANDREW ATHY, JR.
ROBERT B. GIESE
JAMES P. GROVE IV
J. CURTIS MOFFATT
BLAINE YAMAGATA
JULIE A. NAUMAN
DAVID W. HUNT
CARLA S. DOYNE*
SUSAN M. DUJACK

TENO RONCALIO
WILLIAM M. SMITH†
JEROME E. MURPHY†
OF COUNSEL

* ADMITTED ONLY IN TEXAS
† ADMITTED ONLY IN ILLINOIS

LAW OFFICES
O'NEILL AND HAASE
A PROFESSIONAL CORPORATION
SUITE 1110
1333 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, D.C. 20036-1586
(202) 466-6555

RECEIVED AT THE FEC

84 DEC 17 AIO: 01
AUSTIN OFFICE
780 LITTLEFIELD BUILDING
AUSTIN, TEXAS 78701
(512) 474-8806

December 14, 1984

Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1647
Friends of Bob Carr
Dennis M. Ritter
Treasurer

Dear Mr. Steele:

As provided for in the conciliation agreement signed by the respondent and accepted by the Commission, the respondent is making payment of the agreed upon \$250 penalty. I would appreciate it if you would forward a receipt to me.

Thank you for your cooperation in this matter.

Sincerely,

Andrew Athy, Jr.
Andrew Athy

AA:aat

Enclosure

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Friends of Bob Carr) MUR 1647
Dennis M. Ritter, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 29, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1647:

1. Accept the conciliation agreement with Friends of Bob Carr and Dennis M. Ritter, as treasurer attached to the General Counsel's Report signed November 26, 1984.
2. Approve the letters attached to the General Counsel's Report signed November 26, 1984.
3. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

11-29-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

11-27-84, 10:02
11-27-84, 4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 3, 1984

Andrew Athy, Jr., Esquire
O'Neill and Haase
Suite 1110
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036-1586

RE: MUR 1647
Friends of Bob Carr
Dennis M. Ritter, Treasurer

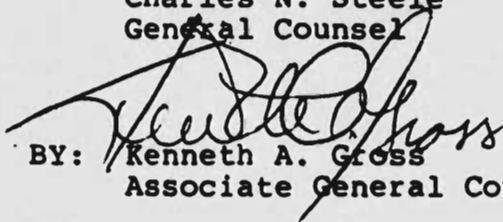
Dear Mr. Athy:

On November 29, 1984, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040510007

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends of Bob Carr) MUR 1647
Dennis M. Ritter, Treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that the Friends of Bob Carr and Dennis M. Ritter, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f) in 1982 by accepting contributions which exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent Friends of Bob Carr was the principal campaign committee of Robert Carr in 1981-82.

2. Respondent Dennis M. Ritter is the treasurer of the Friends of Bob Carr.

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3. AFL-CIO Committee on Political Education Political Contributions Committee ("AFL-CIO COPE-PCC") is a separate segregated fund of a labor organization, the AFL-CIO.

4. The Political Education Fund Building and Construction Trades Department ("P.E.F.-B.C.T.D."), is the separate segregated fund of the department of a labor organization, the AFL-CIO.

5. The Michigan State AFL-CIO COPE Voluntary Fund is the separate segregated fund of a local unit of the AFL-CIO.

6. In 1982 the AFL-CIO COPE-PCC made contributions totalling \$3,750 to Friends of Bob Carr for use in the general election campaign.

7. In 1982 the P.E.F.-B.C.T.D. made a contribution of \$750 to the Friends of Bob Carr for use in the general election campaign.

8. In 1982 the Michigan State AFL-CIO COPE Voluntary Fund made a contribution of \$1,250 to the Friends of Bob Carr for use in the general election campaign.

9. The aggregated contributions made in 1982 by the AFL-CIO COPE-PCC, the Political Education Fund and the Michigan State AFL-CIO COPE Voluntary Fund to the Friends of Bob Carr for the general election totalled \$5,750.

10. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a candidate for federal office with respect to any election.

11. 2 U.S.C. § 441a(a)(5) provides that all contributions made by political committees established or

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financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit of such labor organization, are to be considered to have been made by a single committee.

12. 2 U.S.C. § 441a(f) prohibits knowing acceptance by a political committee or an officer of a political committee of contributions which exceed the limitations established by 2 U.S.C. § 441a(2) (A).

13. AFL-CIO COPE-PCC, the Political Education Fund, and the Michigan State AFL-CIO COPE Voluntary Fund in 1982, as affiliated multicandidate committees, shared a \$5,000 contribution limitation per recipient with respect to any election.

V. Although the respondents, Friends of Bob Carr and Dennis M. Ritter, as Treasurer of the Friends of Bob Carr, admit receiving a \$750 contribution from the Political Education Fund Building and Construction Trades Department (P.E.F.-B.C.T.D.), they contend that at the time the contribution was received or at any time up to the receipt by respondent of the complaint MUR 1647, that they had no knowledge that the P.E.F.-B.C.T.D. was, pursuant to 2 U.S.C. § 441a(a) (5), affiliated with AFL-CIO COPE-PCC and the Michigan State AFL-CIO COPE Voluntary Fund (from which it had already received \$5,000) and accordingly respondents Friends of Bob Carr and Dennis M. Ritter as Treasurer of the Friends of Bob Carr contend that they were not previously aware

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that contributions from these three committees would be subject to the contribution limits of a single committee.

VI. The Respondents have since returned the \$750 contribution to the P.E.F.-B.C.T.D.

VII. Respondents Friends of Bob Carr and Dennis M. Ritter admit that whereas the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary PAC, and P.E.F.-B.C.T.D. are affiliated under 2 U.S.C. § 441a(a)(5) contributions by them which aggregate in excess of \$5,000 when made in connection with a general election would be contributions in excess of the limitations established by 2 U.S.C. § 441a(2)(A), and thus when received by the Respondents was a violation of 2 U.S.C. § 441a(f).

VIII. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Hundred and Fifty (\$250) Dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

IX. Respondents agree that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

X. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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XI. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

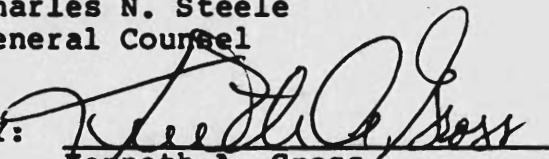
XII. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XIII. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:


Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel


Date

FOR THE RESPONDENTS:


Christopher R. O'Neill
Andrew Athy, Jr.
Attorneys for Respondents
Friends of Bob Carr and
Dennis M. Ritter


Date

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 3, 1984

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006.

RE: MUR 1647
AFL-CIO COPE-PCC
Thomas R. Donahue, Treasurer
Michigan State AFL-CIO COPE
Voluntary Fund
Walter Oliver, Treasurer

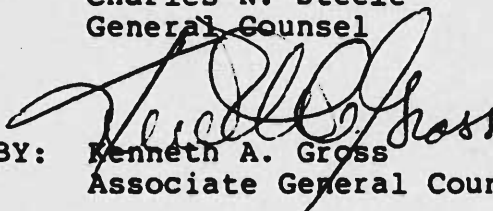
Dear Ms. McCormick:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact George Demougeot the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 3, 1984

Robert D. Kurndick, Esquire
Sherman, Dunn, Cohen, Leifer
& Counts, P.C.
1125 Fifteenth Street, N.W.
Suite 801
Washington, D.C. 20005

RE: MUR 1647
Political Education Fund and
Building and Construction
Trades Department
Joseph F. Maloney, Treasurer

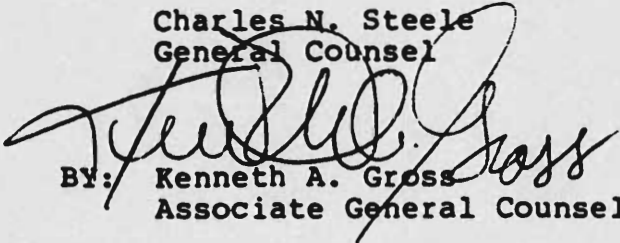
Dear Mr. Kurndick:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact George Demougeot, the staff member assigned to this matter at, (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 3, 1984

Michael Ernest Avakian, Esquire
Martha M. Poindexter, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

RE: MUR 1647

Dear Mr. Avakian and Ms. Poindexter:

This is in reference to the complaint you filed with the Commission on March 16, 1984, concerning the Friends of Bob Carr and others.

The Commission determined there was reason to believe that the Friends of Bob Carr had violated 2 U.S.C. § 441a(f), and the AFL-CIO Committee on Political Education and Political Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department had violated 2 U.S.C. § 441a(a)(2)(A), provisions of the Federal Election Campaign Act of 1971, as amended. On November 29, 1984, a conciliation agreement signed by the Friends of Bob Carr was accepted by the Commission, thereby concluding the matter. Copies of these agreements are enclosed for your information.

The file number of this matter is MUR 1647. If you have any questions, please contact George Demougeot, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Andrew Athy, Jr., Esquire
O'Neill and Haase
Suite 1110
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036-1586

RE: MUR 1647
Friends of Bob Carr
Dennis M. Ritter, Treasurer

Dear Mr. Athy:

On , 1984, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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11/29/84

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

RE: MUR 1647
AFL-CIO COPE-PCC
Thomas R. Donahue, Treasurer
Michigan State AFL-CIO COPE
Voluntary Fund
Walter Oliver, Treasurer

Dear Ms. McCormick:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact George Demougeot the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

GD
11/29/84

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Robert D. Kurndick, Esquire
Sherman, Dunn, Cohen, Leifer
& Counts, P.C.
1125 Fifteenth Street, N.W.
Suite 801
Washington, D.C. 20005

RE: MUR 1647
Political Education Fund and
Building and Construction
Trades Department
Joseph F. Maloney, Treasurer

Dear Mr. Kurndick:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact George Demougeot, the staff member assigned to this matter at, (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

63
11/29/84

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Michael Ernest Avakian, Esquire
Martha M. Poindexter, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

RE: MUR 16⁴⁷~~98~~

Dear Mr. Avakian and Ms. Poindexter:

This is in reference to the complaint you filed with the Commission on March 16, 1984, concerning the Friends of Bob Carr and others.

The Commission determined there was reason to believe that the Friends of Bob Carr had violated 2 U.S.C. § 441a(f), and the AFL-CIO Committee on Political Education and Political Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department had violated 2 U.S.C. § 441a(a)(2)(A), provisions of the Federal Election Campaign Act of 1971, as amended. On , 1984, a conciliation agreement signed by the Friends of Bob Carr was accepted by the Commission, thereby concluding the matter. Copies of these agreements are enclosed for your information.

The file number of this matter is MUR 1647. If you have any questions, please contact George Demongeot, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

GD
11/29/84

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: November 27, 1984
SUBJECT: MUR 1647 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 1, 1984

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

Re: MUR 1647
AFL-CIO COPE-PCC
Thomas R. Donahue, Treasurer
Michigan State AFL-CIO COPE
Voluntary Fund
Walter Oliver; Treasurer

Dear Ms. McCormick:

On September 26, 1984, the Commission accepted the conciliation agreements signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreements

35040510021

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
AFL-CIO Committee on Political) MUR 1647
Education Political Contributions)
Committee)
Thomas R. Donahue, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that the AFL-CIO Committee on Political Education Political Contributions Committee ("AFL-CIO COPE-PCC") and Thomas R. Donahue as treasurer of the AFL-CIO COPE-PCC ("Respondents") violated 2 U.S.C. § 441a(a)(2)(A) by making contributions to the Friends of Bob Carr which, when aggregated with contributions to the same committee by committees affiliated with Respondent AFL-CIO COPE-PCC, exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent AFL-CIO COPE-PCC is a separate segregated fund of a labor organization, the AFL-CIO.

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2. Respondent Thomas R. Donahue is the treasurer of the AFL-CIO COPE-PCC.

3. The Michigan State AFL-CIO COPE Voluntary Fund is the separate segregated fund of a local unit of the AFL-CIO.

4. The Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") is the separate segregated fund of a department of the AFL-CIO.

5. In 1982 Respondent AFL-CIO COPE-PCC made contributions of \$3,750 to Friends of Bob Carr for use in the general election campaign.

6. In 1982 the Michigan State AFL-CIO COPE Voluntary Fund made a contribution of \$1,250 to Friends of Bob Carr for use in the general election campaign.

7. In 1982 the P.E.F.-B.C.T.D. made a contribution of \$750 to the Friends of Bob Carr for use in the general election campaign.

8. The aggregated contributions made in 1982 by the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund, and the P.E.F.-B.C.T.D. to the Friends of Bob Carr for the general election totalled \$5,750.

9. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a candidate for federal office with respect to any election.

10. 2 U.S.C. § 441a(a)(5) provides that all contributions made by the political committees established or financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit of such labor organization, are to be considered to have been made by a single committee.

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11. As affiliated multicandidate committees, the AFL-CIO COPE-CC, the Michigan State AFL-CIO Voluntary Fund, and the P.E.F.-B.C.T.D. 1982 shared a \$5,000 contribution limitation with respect to any election.

By making contributions in 1982 to the Friends of Bob Carr for the election which, when aggregated with contributions to the same committee P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund, \$5,750, the AFL-CIO COPE-PCC and Thomas R. Donahue as treasurer of L-CIO COPE-PCC, violated 2 U.S.C. § 441a(a)(2)(A).

I. The AFL-CIO COPE-PCC, the P.E.F.-B.C.T.D., and the Michigan State IO COPE Voluntary Fund will pay in the aggregate a civil penalty of Two and Fifty Dollars (\$250.00) to the Treasurer of the United States, pursuant S.C. § 437g(a)(5)(A).

II. Respondents agree that they shall not undertake any activity which is in on of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431,

III. The Commission, on request of anyone filing a complaint under 2 U.S.C. (a)(1) concerning the matters at issue herein or on its own motion, may compliance with this agreement. If the Commission believes that this ment or any requirement thereof has been violated, it may institute a civil for relief in the United States District Court for the District of Columbia.

II. As affiliated multicandidate committees, the AFL-CIO COPE-PCC, the Michigan State AFL-CIO Voluntary Fund, and the P.E.F.-B.C.T.D. in 1982 shared a \$5,000 contribution limitation with respect to any election.

V. By making contributions in 1982 to the Friends of Bob Carr for the general election which, when aggregated with contributions to the same committee by the P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund, totalled \$5,750, the AFL-CIO COPE-PCC and Thomas R. Donahue as treasurer of the AFL-CIO COPE-PCC, violated 2 U.S.C. § 441a(a)(2)(A).

VI. The AFL-CIO COPE-PCC, the P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund will pay in the aggregate a civil penalty of Two Hundred and Fifty Dollars (\$250.00) to the Treasurer of the United States, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

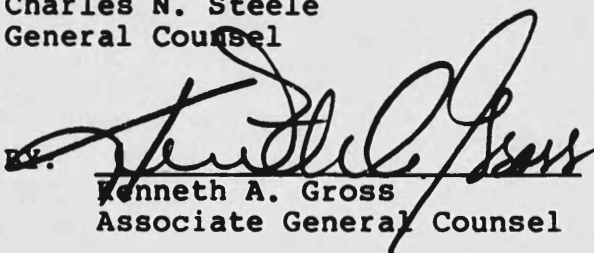
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

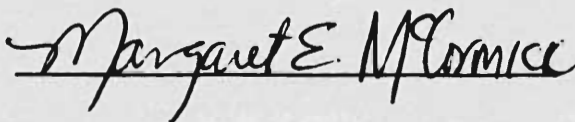
By:


Kenneth A. Gross
Associate General Counsel

Date

September 28, 1984

FOR THE RESPONDENTS:



Date

July 18, 1984

85040510025

EXC-4090
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan State AFL-CIO)
COPE Voluntary Fund) MUR 1647
Walter L. Oliver, Treasurer)

14 JUL 19 P12:19

CONCILIATION AGREEMENT

85040510026
This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and Walter L. Oliver, as treasurer ("Respondents") violated 2 U.S.C. § 441a(a)(2)(A) by making contributions to the Friends of Bob Carr which, when aggregated with contributions to the same committee by committees affiliated with Respondent Michigan State AFL-CIO COPE Voluntary Fund, exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent Michigan State AFL-CIO COPE Voluntary Fund is a separate segregated fund of a local unit of the AFL-CIO.

2. Respondent Walter L. Oliver is the treasurer of the Michigan State AFL-CIO COPE Voluntary Fund.

3. The Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") is the separate segregated fund of a department of the AFL-CIO.

4. The AFL-CIO Committee on Political Education Political Contributions Committee ("AFL-CIO COPE-PCC") is a separate segregated fund of the AFL-CIO.

5. In 1982 Respondent Michigan State AFL-CIO COPE Voluntary Fund made a contribution of \$1,250 to the Friends of Bob Carr for use in the general election campaign.

6. In 1982 the P.E.F.-B.C.T.D. made a contribution of \$750 to the Friends of Bob Carr for use in the general election campaign.

7. In 1982 the AFL-CIO COPE-PCC made contributions of \$3,750 to the Friends of Bob Carr for use in the general election campaign.

8. The aggregated contributions made in 1982 by the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund, and the P.E.F.-B.C.T.D. to the Friends of Bob Carr for the general election totalled \$5,750.

9. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a candidate for federal office with respect to any election.

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10. 2 U.S.C. § 441a(a)(5) provides that all contributions made by the political committees established or financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit of such labor organization, are to be considered to have been made by a single committee.

11. As affiliated multicandidate committees, the AFL-CIO COPE-PCC, the Michigan State AFL-CIO Voluntary Fund, and the P.E.F.-B.C.T.D. in 1982 shared a \$5,000 contribution limitation with respect to any election.

V. By making contributions in 1982 to the Friends of Bob Carr for the general election which, when aggregated with contributions to the same committee by the AFL-CIO COPE-PCC and the P.E.F.-B.C.T.D., totalled \$5,750, the Michigan State AFL-CIO COPE Voluntary Fund, and Walter L. Oliver as treasurer of the Michigan State AFL-CIO COPE Voluntary Fund, violated 2 U.S.C. § 441a(a)(2)(A).

VI. The AFL-CIO COPE-PCC, the P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund will pay in the aggregate a civil penalty of Two Hundred and Fifty Dollars (\$250.00) to the Treasurer of the United States, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at

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issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

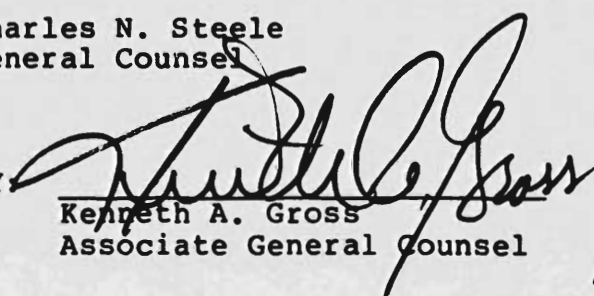
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY


Kenneth A. Gross
Associate General Counsel

Date

September 28, 1984

FOR THE RESPONDENTS:

Margaret E. McLornica

Date

July 18, 1984

85040510022



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 1, 1984

Robert D. Kurndick, Esquire
Sherman, Dunn, Cohen, Leifer & Counts, P.C.
1125 Fifteenth Street, N.W., Suite 801
Washington, D.C. 20005

RE: MUR 1647
Political Education Fund and
Building and Construction
Trades Department
Joseph F. Maloney, Treasurer

Dear Mr. Kurndick;

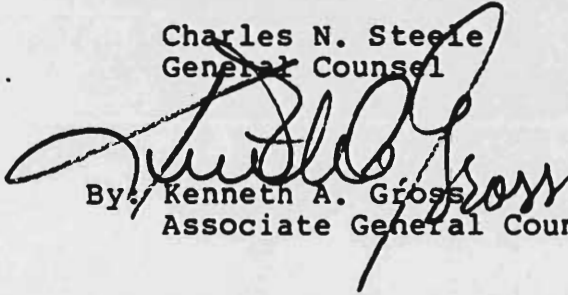
On September 26, 1984, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040510030

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Political Education Fund)
of the Building and) MUR 1647
Construction Trades)
Department)
Joseph F. Maloney, Treasurer)

CONCILIATION AGREEMENT

85040510031
This matter was initiated by a signed, sworn, and notarized complaint by James E. Antosh. The Commission found reason to believe that the Political Education Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") and Joseph F. Maloney as treasurer ("Respondents") violated 2 U.S.C. § 441a(a)(2)(A) by making contributions to the Friends of Bob Carr which, when aggregated with contributions to the same committee by committees affiliated with Respondent P.E.F.-B.C.T.D., exceeded \$5,000 for a single election.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent P.E.F.-B.C.T.D. is the separate segregated fund of the department of a labor organization, the AFL-CIO.

2. Respondent Joseph F. Maloney is the treasurer of the P.E.F.-B.C.T.D.

3. Michigan State AFL-CIO COPE Voluntary Fund is a separate segregated fund of a local unit of the AFL-CIO.

4. AFL-CIO Committee on Political Education Political Contributions Committee ("AFL-CIO COPE-PCC") is a separate segregated fund of the AFL-CIO.

5. In 1982 Respondent P.E.F.-B.C.T.D. made a contribution of \$750 to the Friends of Bob Carr for use in the general election campaign.

6. In 1982 the Michigan State AFL-CIO COPE Voluntary Fund made a contribution of \$1,250 to Friends of Bob Carr for use in the general election campaign.

7. In 1982 the AFL-CIO COPE-PCC made contributions totalling \$3,750 to the Friends of Bob Carr for use in the general election campaign.

8. The aggregated contributions made in 1982 by the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund, and the P.E.F.-B.C.T.D. to the Friends of Bob Carr for the general election totalled \$5,750.

9. 2 U.S.C. § 441a(a)(2)(A) limits to \$5,000 the contributions which a multicandidate committee may make to a

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candidate for federal office with respect to any election.

10. 2 U.S.C. § 441a(a) (5) provides that all contributions made by political committees established or financed or maintained or controlled by a labor organization, including any parent, subsidiary, branch, division, department, or local unit of such labor organization, are to be considered to have been made by a single committee.

11. As affiliated multicandidate committees, the AFL-CIO COPE PCC, the Michigan State AFL-CIO COPE Voluntary Fund, and the P.E.F.-B.C.T.D. in 1982 shared a \$5,000 contribution limitation.

V. By making contributions in 1982 to the Friends of Bob Carr for the general election which, when aggregated with contributions to the same committee by the AFL-CIO COPE-PCC and the Michigan State AFL-CIO COPE Voluntary Fund, totalled \$5,750, the P.E.F.-B.C.T.D., and Joseph F. Maloney as treasurer of the P.E.F.-B.C.T.D., violated 2 U.S.C. § 441a(a) (2) (A).

VI. The AFL-CIO COPE-PCC, the P.E.F.-B.C.T.D., and the Michigan State AFL-CIO COPE Voluntary Fund will pay in the aggregate a civil penalty of Two Hundred and Fifty Dollars (\$250.00) to the Treasurer of the United States, pursuant to 2 U.S.C. § 437g(a) (5) (A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

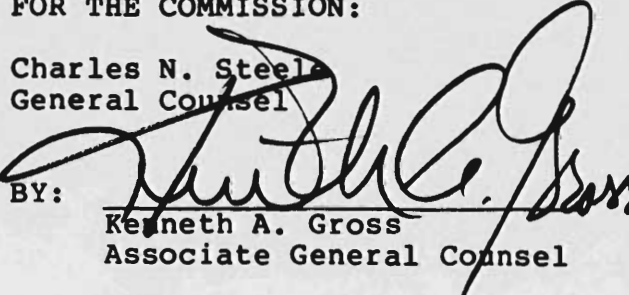
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

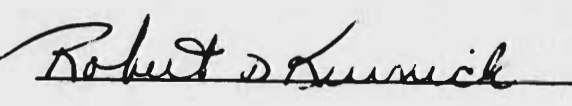
Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

 September 28, 1984
Date

FOR THE RESPONDENTS:



 8/7/84
Date

85040510034



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Margaret E. McCormick, Esquire
AFL-CIO
815 Sixteenth Street, N.W.
Washington, D.C. 20006

Re: MUR 1647
AFL-CIO COPE-PCC
Thomas R. Donahue, Treasurer
Michigan State AFL-CIO COPE
Voluntary Fund
Walter Oliver; Treasurer

Dear Ms. McCormick:

On September 26, 1984, the Commission accepted the conciliation agreements signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreements

GD
9/27/84

85040510035



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Robert D. Kurndick, Esquire
Sherman, Dunn, Cohen, Leifer & Counts, P.C.
1125 Fifteenth Street, N.W., Suite 801
Washington, D.C. 20005

RE: MUR 1647
Political Education Fund and
Building and Construction
Trades Department
Joseph F. Maloney, Treasurer

Dear Mr. Kurndick:

On September 26, 1984, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

9/27/84
GD

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: September 24, 1984
SUBJECT: MUR 1647 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒
Sensitive ☒
Non-Sensitive ☐

24 Hour No Objection ☐
Sensitive ☐
Non-Sensitive ☐

Information ☐
Sensitive ☐
Non-Sensitive ☐

Other ☐

DISTRIBUTION

Compliance ☒

Audit Matters ☐

Litigation ☐

Closed MUR Letters ☐

Status Sheets ☐

Advisory Opinions ☐

Other (see distribution below) ☐

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MUR 1647

CERTIFICATION

1. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Oliver, violated 2 U.S.C. § 441a(a)(2)(A).
3. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A).
4. Find reason to believe that the Friends of Bob Carr and its treasurer, Dennis M. Ritter, violated 2 U.S.C. § 441a(f).
5. Approve the requests for the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund, the Political Education Fund of the Building and Construction Trades Department, and the Friends of Bob Carr to enter into pre-probable cause conciliation.

(Continued)

6. Approve the letters and proposed conciliation agreements attached to the First General Counsel's Report signed June 8, 1984.

Commissioners Aikens, Elliott, Harris and Reiche voted affirmatively in this matter; Commissioners McDonald and McGarry did not cast a vote.

Attest:

6-13-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

6-8-84, 3:49
6-11-84, 11:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *WJ*
DATE: June 8, 1984
SUBJECT: MUR 1647 - First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote	[X]
Sensitive	[X]
Non-Sensitive	[]
24 Hour No Objection	[]
Sensitive	[]
Non-Sensitive	[]
Information	[]
Sensitive	[]
Non-Sensitive	[]

Other []

DISTRIBUTION

Compliance	[X]
Audit Matters	[]
Litigation	[]
Closed MUR Letters	[]
Status Sheets	[]
Advisory Opinions	[]

Other (see distribution below) []

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SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT JUN 8 P 3: 49

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 6/8/84 - 3:50

MUR # 1647
DATE COMPLAINT RECEIVED
BY OGC 3/16/84
DATE OF NOTIFICATION TO
RESPONDENT 3/20/84
STAFF MEMBER
GEORGE DEMOUGEOT

COMPLAINANT NAME: James Edward Antosh

RESPONDENTS' NAME: Robert M. Carr
Friends of Bob Carr and its
treasurers, Dennis M. Ritter and
John D. Pirch
AFL-CIO Committee on Political
Education and Political Contributions
Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
Political Education Fund of the Building and
Construction Trades Department and its
treasurer, Joseph F. Maloney

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(f)
11 C.F.R. § 104.14(d)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant, James Edward Antosh, alleges that the American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC"), the Michigan State AFL-CIO COPE Voluntary Fund, and Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D.") violated 2 U.S.C. § 441a(a)(2)(A) by making excessive contributions to the Friends of Bob Carr during the 1982 general election.

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Complainant alleges that Congressman Robert M. Carr, the Friends of Bob Carr and its treasurers violated 2 U.S.C. § 441a(f) for receipt of contributions in excess of limitations at 2 U.S.C. § 441a(a)(2)(A) from the above-named committees.

According to the complaint the Friends of Bob Carr received the following contributions for the 1982 general election totalling \$750 in excess of limitations at 2 U.S.C.

§ 441a(a)(2)(A):

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>
8/23/82	\$ 250	AFL-CIO COPE-PCC
10/1/82	\$1,000	AFL-CIO COPE-PCC
10/13/82	\$2,500	AFL-CIO COPE-PCC
10/13/82	\$1,250	Michigan State AFL-CIO COPE Voluntary Fund
10/25/82	<u>\$ 750</u>	P.E.F.-B.C.T.D.
Total =	\$5,750	

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(2)(A), no multicandidate political committee shall make any contribution to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed \$5,000. In addition, pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept or make any expenditure in violation of the \$5,000 aggregate limitation imposed on contributions under this section.

In their response to notification, the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund, and the

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P.E.F.-B.C.T.D. acknowledge that they contributed \$750 in excess of statutory limits. In addition, the Friends of Bob Carr acknowledge the receipt of the \$750 contribution in excess of statutory limits. While the violations are apparent, the responses indicate that the violations were due to administrative oversights. Counsel for the political action committees and counsel for the Friends of Bob Carr note that upon learning of the excessive contribution, the Friends of Bob Carr voluntarily returned the \$750 contribution.

Accordingly, this office recommends that the Commission find reason to believe that the AFL-CIO COPE-PCC, the Michigan State AFL-CIO COPE Voluntary Fund, and P.E.F.-B.C.T.D. violated 2 U.S.C. § 441a(a)(2)(A) and that the Friends of Bob Carr violated 2 U.S.C. § 441a(f).

RECOMMENDATION

1. Find reason to believe that the AFL-CIO Committee on Political Education and Political Contributions Committee and its treasurer, Thomas R. Donahue, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, Walter L. Oliver, violated 2 U.S.C. § 441a(a)(2)(A).
3. Find reason to believe that the Political Education Fund of the Building and Construction Trades Department and its treasurer, Joseph F. Maloney, violated 2 U.S.C. § 441a(a)(2)(A).

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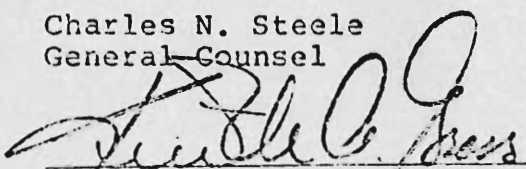
4. Find reason to believe that the Friends of Bob Carr and its treasurer, Dennis M. Ritter, violated 2 U.S.C. § 441a(f).

5.

6. Approve the attached letters

Charles N. Steele
General Counsel

June 8, 1984
Date

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Proposed letters (2)
- II. Response from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund, P.E.F.-B.C.T.D.
- III. Response from Friends of Bob Carr

85040510044

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000

EXECUTIVE COUNCIL

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THOMAS R. DONAHUE SECRETARY-TREASURER

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Charles H. Pillard
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Robert F. Goss
Frank Drazak
Richard I. Kilroy
William H. Bywater
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Alvin E. Heaps
John DeConcini
Joyce D. Miller
James E. Hatfield
Vincent A. Sombrotto
Marvin J. Seede
Owen Sieber

Attachment II
Page 21

April 3, 1984

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: FEC MUR 1647

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Walter Oliver, the Michigan State AFL-CIO COPE Voluntary Fund ("Michigan COPE"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letter dated March 20, 1984, stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered MUR 1647, alleges that respondent political committees and their treasurers violated §441a(a)(2)(A) of the Act by making contributions which in the aggregate totalled \$5,750.00 to the Friends of Bob Carr committee for the 1982 general election.

Respondents' 1982 contribution records reflect the following contributions to the Friends of Bob Carr committee for the 1982 general election: COPE-PCC contributed \$250 on 7/28/82; COPE-PCC contributed \$1000 on 9/14/82; Michigan COPE contributed \$1,250 on 10/1/82; COPE-PCC contributed \$2,500 on 10/5/82; and PEF-BCTD contributed \$750 on 10/14/82.

Respondents acknowledge that they inadvertently contributed \$750 more than the maximum contribution permitted by §441a(a)(2)(A) to the 1982 general election campaign of Congressman Bob Carr. However, because of the mitigating circumstances described below, respondents respectfully request that the Commission take no further action in this matter.

1. Respondents' violation of 2 U.S.C. §441a(a)(2)(A) was totally inadvertent. This fact is demonstrated by the circumstances surrounding the making of the excess contribution: On 7/28/82 and 9/14/82 COPE-PCC contributed \$250 and \$1000 respectively for the general election to the Friends of Bob Carr committee. Each of those contributions was logged as a contribution for the general election in COPE-PCC's internal contribution records under the name of candidate. Thereafter on October 1, 1982 the Michigan COPE contributed \$1,250 for the general election to the Carr campaign. Due to an administrative oversight, however, that contribution was neither cleared with nor reported to COPE-PCC. Neither COPE-PCC nor the PEF-BCTD had any knowledge of the contribution made by Michigan COPE, when those committees made additional contributions in the amount of \$2,500 and \$750 respectively to the Friends of Bob Carr committee for the general election. Thus the committees acted under the mistaken but good faith belief that only \$1,250 had been previously contributed for the general election and that therefore their additional contributions totalling \$3,250 meant the total amount contributed for the general election was \$4,500, \$500 below the \$5,000 limit of 2 U.S.C. §441a(a)(2)(A).

2. The AFL-CIO COPE has used best efforts to ensure that contributions made by affiliated federal political committees sponsored by AFL-CIO state and local bodies do not exceed the statutory limits of the FECA. AFL-CIO state and local bodies have repeatedly been told that federal committees sponsored by those organizations share a single contribution limit with COPE-PCC and that each committee must therefore check with COPE-PCC before making any contribution to a federal candidate. (See, for example, the attached memorandum from John Perkins to all AFL-CIO state and local central bodies, directly affiliated local unions and departments, Attachment A.)

3. The AFL-CIO has already taken action to guarantee that inadvertent violations of the Act's contribution limits will not occur in the future. On February 25, 1983, months before this matter was brought to respondents' attention, the AFL-CIO Executive Council, recognizing the risk that contributions made by federal political committees sponsored by state and local central bodies of the AFL-CIO could lead to violations of the Act's contribution limits despite the best efforts to avoid such inadvertent violations, adopted a resolution (see Attachment B) stating:

1. That no DALU (directly affiliated local union), AFL-CIO state or local central body, or AFL-CIO Department state or local body, shall establish or maintain a separate segregated fund that makes contributions to or expenditures on behalf of candidates for federal office;
2. That existing federal political committees of the DALUs and of the state and local bodies of the AFL-CIO and of its Departments shall terminate their registration with the FEC***;
3. That henceforth all contributions to or expenditures on behalf of federal candidates attributable to the AFL-CIO shall be made at the national level.

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The text of the Council's February 25, 1983 resolution has been communicated to every AFL-CIO state and local body which sponsors a federal political committee. The Michigan State AFL-CIO COPE Voluntary Fund and many other AFL-CIO state and local bodies have already terminated their committees. Those committees which have not yet terminated are in the process of doing so at this time.

As a result of the Executive Council's resolution, the number of AFL-CIO sponsored separate segregated funds will soon be reduced to three — COPE-PCC and the two committees sponsored by AFL-CIO Departments, PEF-BCTD and the Industrial Union Department AFL-CIO Voluntary Fund. These committees already operate under a closely monitored system designed to preclude contribution limitation violations. The risk that contributions made by these committees will exceed the contribution limits of the Act is therefore minimal.

4. Until they were notified of the complaint in this matter, respondents had no knowledge that they had inadvertently contributed \$750.00 in excess of the Act's contribution limits to Congressman Bob Carr's 1982 general election campaign. As soon as respondents confirmed, based on their 1982 contribution records, that such an excess contribution had in fact been made, respondents requested a refund of that contribution. The Friends of Bob Carr committee refunded the entire \$750 on April 4, 1984. A copy of the refund check is attached hereto. (See Attachment C).

In light of the inadvertent nature of respondents' violation, respondents' previous best efforts to avoid the occurrence of such violations, the negligible risk that similar violations will occur in the future in view of the elimination of state and local affiliated committees, and respondents' voluntary efforts to comply with the Act by seeking a refund of their excess contribution, respondents believe that the Commission should take no further action in connection with this matter.

Should the Commission decide to proceed further, respondents respectfully request that this matter be handled through voluntary informal conciliation at this stage in the Commission's proceedings.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for Respondents
Thomas R. Donahue, AFL-CIO COPE
Political Contributions Committee,
Walter Oliver and Michigan State AFL-
CIO COPE Voluntary Fund

Richard M. Resnick

Richard M. Resnick
Counsel for Respondents
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosures

85040510047



Attachment II
Page 24

Committee on Political Education

LANE KIRKLAND, Chairman

THOMAS R. DONAHUE, Secretary-Treasurer

JOHN PERKINS, Director

815 16TH STREET, N.W. ★ WASHINGTON, D.C. 20006 ★ (202) 637-5101

March 3, 1982

MEMORANDUM

TO: All State and Central Bodies, Directly Affiliated Unions and AFL-CIO Departments

FROM: John Perkins, Director *John*

SUBJECT: Contributions to Candidates for Federal Office;
New "Limited Endorsement" Policy; Coalition Policy

As I am certain you remember, the Federal Election Commission informed us that in several instances during the 1980 campaign year, the contributions of National COPE combined with those of its affiliates exceeded the limitations on contributions to the federal candidates. We, therefore, remind you that the limitation for a qualified multicandidate committee, including its affiliated committees, is \$5,000.00 for each federal candidate per election. Any contribution made by a department, state, central body, congressional or directly affiliated union COPE is attributed, for limitation purposes, to National COPE.

In the instances where National COPE was cited for exceeding the limits, it was the result of an affiliated committee making a contribution and National COPE not being aware of it. As you can well understand; it is impossible for National COPE to know in all cases the amounts of contributions made by the department, state, central body, congressional or directly affiliated union COPE funds.

It is, therefore, necessary that you first clear with National COPE any contributions you contemplate making to a federal candidate. Alternately, you can send us your voluntary funds and we will draw the check here and send it to you for presentation.

Again I must stress, it is necessary to clear all your federal candidate contributions with this office. Thank you for your consideration.

(To State and Local Councils: Please forward copy of this to Cong. District COPEs where they exist.)

In addition, I want to call your attention to actions concerning two matters taken by the COPE Administrative Committee and approved by the AFL-CIO Executive Council at the council's recent meeting. One permits COPE bodies to make "limited" endorsements of candidates. The other clarifies federation policy on political coalition. Copies of both are attached. I plan to discuss these at the forthcoming AFL-CIO regional conferences.

AFL-CIO Political Committees

The Federal Election Campaign Act (FECA) provides that if a Directly Affiliated Local Union (DALU), a state or local central body of the AFL-CIO, or a state or local body of a Department of the AFL-CIO, sets up a voluntary political contributions fund and makes contributions from that fund to a federal candidate, the fund is a "political committee." As a political committee, each such fund is required to register with the Federal Election Commission and to file comprehensive periodic financial reports with the Commission. Meeting these requirements is costly, both in the time it takes to meet the FEC's reporting requirements and in the money paid to lawyers and accountants.

The FECA also provides that the political committees of DALUs and of state and local bodies are "affiliated" with the AFL-CIO Political Contributions Committee (COPE-PCC). For the purposes of the FECA's contributions limits, political committees that are "affiliated" are treated as a single committee. This means that contributions by a state or local political committee count toward the \$5,000 per candidate per election limit of the national committee with which the state or local committee is affiliated. Consequently, if the combined contributions of affiliated committees to the same candidate for the same election total more than \$5,000, the national committee violates the Act.

Because of the burden and expense of maintaining and operating federal political committees at the state and local levels, and because experience has shown that there is a substantial risk that the contributions made by such committees may lead to violations of the contribution limits of the FECA despite the best efforts to avoid such inadvertent violations, the AFL-CIO Executive Council has concluded:

1. That no DALU, AFL-CIO state or local central body, or AFL-CIO Department state or local body, shall establish or maintain a separate segregated fund that makes contributions to or expenditures on behalf of candidates for federal office;
2. That existing federal political committees of the DALUs and of the state and local bodies of the AFL-CIO and of its Departments shall terminate their registration with the FEC and shall transfer the voluntary funds in their accounts to AFL-CIO COPE-PCC or to their respective AFL-CIO Department's political committee;
3. That henceforth all contributions to or expenditures on behalf of federal candidates attributable to the AFL-CIO shall be made at the national level;
4. That National AFL-CIO COPE shall work in close cooperation with the DALUs and the state and local bodies of the AFL-CIO and of its Departments to assure that those organizations will continue to play an active and visible role in the making of contributions to and expenditures on behalf of federal candidates.

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Attachment II
Page 28

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FRIENDS OF BOB CARR
P. O. BOX 1620+ 1552
E. LANSING, MICH. 4890149823

IN PAYMENT FOR

74-092
724

2802

PAY *Seven hundred fifty ^{xx}/₁₀₀*

DOLLARS

CHECK NO	TO THE ORDER OF	DATE	GROSS AMOUNT	DISCOUNT	CHECK AMOUNT
2802	AFL-CIO COPE PCC	4-4-84			750.00

EAST LANSING STATE BANK
EAST LANSING, MICHIGAN 48823

Carol Conn

TREASURER
DEAN'S LITTEL

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Attachment

MUR Page 27

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Democrat

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74801,)
Complainant,)

v.)

Friends of Bob Carr, et al.,)
Respondents.)

Complaint
MUR No. 1647

RESPONDENTS REPLY

Pursuant to 2 U.S.C. 4376(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 CFR 111.6 of the Federal Election Commission regulations, respondents M. Robert Carr, Friends of Bob Carr, and its officers seek to demonstrate as set forth more fully below that no action should be taken in this matter or, alternatively, that negotiations should be entered into immediately between the Federal Election Commission ("the Commission") and the respondents so as to preclude the need for further action in this matter by the Commission.

STATEMENT OF FACTS

1) In the 1982 General Election period, respondent M. Robert Carr was the Democratic nominee for the office of Representative to the U.S. House for the 6th Congressional District of Michigan.

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2) During this same general election and during the preceding primary election, respondent Friends of Bob Carr ("the Committee") served as the authorized campaign committee for M. Robert Carr. Respondents John D. Pirch and Dennis Ritter served as officers of the Committee.

3) During this general election period, the Committee received among its contributions the particular contributions enumerated in the complaint. These are:

<u>Date Deposited</u>	<u>Amount</u>	<u>Contribution</u>
8/23/82	\$ 250.00	AFL-CIO COPE-PCC
10/1/82	\$1,000.00	AFL-CIO COPE PCC
10/13/82	\$2,500.00	AFL-CIO COPE PCC
10/13/82	\$1,250.00	AFL-CIO COPE Voluntary Fund Michigan State
10/25/82	\$ 750.00	P.E.F.-B.C.T.D.

4) During the two year period covering both the primary and general election period, the Committee received approximately \$332,000 in campaign contributions, all lawful and properly reported. During the approximate period from October 10, 1982 to November 22, 1984, the Committee received approximately \$114,000 in contributions, which is more than one-third of the entire amount of contributions received by the Committee. It was during this busy period that the challenged contribution from the P.E.F.-B.C.T.D. of \$750.00 was received.

5) At the time of the contribution and up and until the receipt of the Complaint, neither candidate Carr, his authorized Committee nor its agents had any knowledge nor did they have any reason to have any knowledge of any affiliation between P.E.F.-B.C.T.D. and the federal or state AFL-CIO COPE-PCC. Section §441a(a)(5) of the Act treats contributions from these committees as contributions from a single committee. Furthermore, there was no indication on the face of the check received from P.E.F.-B.C.T.D. that P.E.F.-B.C.T.D. was affiliated with the federal or state AFL-CIO COPE-PCC.

6) Upon learning that these committees were affiliated committees pursuant to §441a(a)(5) of the Act and that their aggregate contributions were in excess of the limits of §441a(f), the Friends of Bob Carr Committee immediately and voluntarily returned to the contributors the excess amount, which constituted the \$750 from the P.E.F.-B.C.T.D.

ARGUMENT

No further action should be taken by the Commission in this matter for the following reasons:

1. Respondent Committee, despite diligent and careful review of all of the contributions which it received, had no knowledge and no reason to believe that the \$750 contribution from P.E.F.-B.C.T.D. was a contribution from a committee affiliated with the

state and federal AFL-CIO COPE committees. During the period in which the challenged contribution was received, respondent Committee received such an unusually large number of contributions from both individuals and committees that even with the careful review with which contributions were being handled, the detection of affiliation would be unlikely.

2. Even assuming that the Committee violated the Act by accepting the contribution from P.E.F.-B.C.T.D., under the circumstances such violation was de minimus. The Committee received a total of approximately \$332,000 in contributions and the contribution from the P.E.F.-B.C.T.D. was a small percentage of the total amount.

3. Respondent Committee has voluntarily returned the contribution and thus no harm has been done by acceptance of the contribution and there is no existing violation of the Act. Furthermore, the Committee is in full compliance with §441(a)(f) and all other sections of the Act and corresponding Commission regulations.

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Alternatively, respondents respectfully request that negotiations be entered into prior to Committee action as permitted by 11 CFR §111.18 so that a conciliation agreement can be reached between the Commission and the respondents.

Respectfully Submitted for M. Robert Carr, Friends of Bob Carr, John D. Pirch and Dennis Ritter

By: Christopher R. O'Neill
Christopher R. O'Neill
Andrew Athy, Jr.
O'Neill and Haase, P.C.
1333 New Hampshire Avenue, N.W.
Suite 1110
Washington, D.C. 20036
(202) 466-6555

Attorneys for M. Robert Carr,
Friends of Bob Carr, John D.
Pirch and Dennis Ritter

Dated: April 6, 1984

85040510055



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cat*
DATE: June 8, 1984
SUBJECT: MUR 1647 - Memorandum to The Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information [X]
Sensitive [X]
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []
Other (see distribution below) []

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1984

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: Withdrawal of First General Counsel's Report
MUR 1647
RESPONDENTS' NAME: Robert M. Carr
Friends of Bob Carr and its
treasurers, Dennis M. Ritter and
John D. Pirch
AFL-CIO Committee on Political
Education and Political Contributions
Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
Political Education Fund of the Building and
Construction Trades Department and its
treasurer, Joseph F. Maloney

This matter concerns a complaint filed by James Edward Antosh in which it is alleged that the AFL-CIO Committee on Political Education and Political Contributions Committee, the Michigan State AFL-CIO COPE Voluntary Fund, and the Political Education Fund of the Building and Construction Trades Department made contributions in excess of 2 U.S.C. § 441a(a)(2)(A) to the Friends of Bob Carr Committee. A First General Counsel's Report was circulated to the Commission on June 5, 1984. The Office of General Counsel is withdrawing the report. A new report will be circulated to the Commission within the next few days.

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SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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OFFICE OF THE
COMMISSION SECRETARY

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June 8, 1984

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: Withdrawal of First General Counsel's Report
MUR 1647
RESPONDENTS' NAME: Robert M. Carr
Friends of Bob Carr and its
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AFL-CIO Committee on Political
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Committee and its treasurer, Thomas R.
Donahue
Michigan State AFL-CIO COPE Voluntary
Fund and its treasurer, Walter L. Oliver
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SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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June 8, 1984

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: Withdrawal of First General Counsel's Report
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RESPONDENTS' NAME: Robert M. Carr
Friends of Bob Carr and its
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CHRISTOPHER R. O'NEILL
BARRY L. HAASE
REX H. WHITE, JR.*
ANDREW ATHY, JR.
ROBERT B. GIESE
JAMES P. GROVE IV
J. CURTIS MOFFATT
BLAINE YAMAGATA
JULIE A. NAUMAN
DAVID W. HUNT
CARLA S. DOYNE†
SUSAN M. DUJACK

TENO RONCALIO
WILLIAM M. SMITH†
JEROME E. MURPHY
OF COUNSEL

* ADMITTED ONLY IN TEXAS
† ADMITTED ONLY IN ILLINOIS

LAW OFFICES
O'NEILL AND HAASE
A PROFESSIONAL CORPORATION

SUITE 1110
1333 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, D.C. 20036-1586
(202) 466-6555

April 3, 1984

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AUSTIN OFFICE
730 LITTLEFIELD BUILDING
AUSTIN, TEXAS 78701
(512) 474-8906

MUR 1647
Demougeant

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Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 1647

Dear Mr. Steele:

Enclosed please find a copy of the Statement of Designation of Counsel endorsed by M. Robert Carr for the Friends of Bob Carr Committee of East Lansing, Michigan. We will be submitting a response to the above-enumerated matter shortly.

Sincerely,

Christopher R. O'Neill

Christopher R. O'Neill
Andrew Athy, Jr.

Enclosure
AA:vgp

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL:

Christopher R. O'Neill
O'Neill and Haase, P.C.

ADDRESS:

1333 New Hampshire Avenue, N.W.
Suite 1110
Washington, DC 20036

TELEPHONE:

(202) 466-6555

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

4-2-84

Date


Signature

NAME: Friends of Bob Carr Committee, M. Robert Carr
303 C St. S.E.
ADDRESS: P.O. Box 1552 Washington D.C. 20003
East Lansing, Michigan 48823

HOME PHONE:

BUSINESS PHONE:

85040510061

LAW OFFICES
MILL AND HAASE

PROFESSIONAL CORPORATION

SUITE 1110

HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20036



Charles N. Steele
General Counsel
Federal Election Commission
Washington, DC 20463

0040



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

UPH 06C 2004
MOR 1647
Democrat

ACKNOWLEDGEMENT OF RECEIPT

This is to acknowledge receipt of a letter from the Federal
Election Commission addressed to:

The Honorable Robert M. Carr
2439 Rayburn House Office
Bldg.
Washington, D.C. 20515

3/20/84
Date of receipt

F. Daniel Atkins
Signature of recipient

On behalf of:

Bob Carr

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UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

James Edward Antosh)	
13 Gilpin)	
Shawnee, Oklahoma 74801,)	
Complainant,)	
v.)	Complaint
)	MUR No. 1647
Friends of Bob Carr, <u>et al.</u> ,)	
Respondents.)	

APR 6 PM 4:40

RESPONDENTS REPLY

Pursuant to 2 U.S.C. 4376(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 CFR 111.6 of the Federal Election Commission regulations, respondents M. Robert Carr, Friends of Bob Carr, and its officers seek to demonstrate as set forth more fully below that no action should be taken in this matter or, alternatively, that negotiations should be entered into immediately between the Federal Election Commission ("the Commission") and the respondents so as to preclude the need for further action in this matter by the Commission.

STATEMENT OF FACTS

1) In the 1982 General Election period, respondent M. Robert Carr was the Democratic nominee for the office of Representative to the U.S. House for the 6th Congressional District of Michigan.

85040510061

2) During this same general election and during the preceding primary election, respondent Friends of Bob Carr ("the Committee") served as the authorized campaign committee for M. Robert Carr. Respondents John D. Pirch and Dennis Ritter served as officers of the Committee.

3) During this general election period, the Committee received among its contributions the particular contributions enumerated in the complaint. These are:

<u>Date Deposited</u>	<u>Amount</u>	<u>Contribution</u>
8/23/82	\$ 250.00	AFL-CIO COPE-PCC
10/1/82	\$1,000.00	AFL-CIO COPE PCC
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10/13/82	\$1,250.00	AFL-CIO COPE Voluntary Fund Michigan State
10/25/82	\$ 750.00	P.E.F.-B.C.T.D.

4) During the two year period covering both the primary and general election period, the Committee received approximately \$332,000 in campaign contributions, all lawful and properly reported. During the approximate period from October 10, 1982 to November 22, 1984, the Committee received approximately \$114,000 in contributions, which is more than one-third of the entire amount of contributions received by the Committee. It was during this busy period that the challenged contribution from the P.E.F.-B.C.T.D. of \$750.00 was received.

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5) At the time of the contribution and up and until the receipt of the Complaint, neither candidate Carr, his authorized Committee nor its agents had any knowledge nor did they have any reason to have any knowledge of any affiliation between P.E.F.-B.C.T.D. and the federal or state AFL-CIO COPE-PCC. Section §441a(a)(5) of the Act treats contributions from these committees as contributions from a single committee. Furthermore, there was no indication on the face of the check received from P.E.F.-B.C.T.D. that P.E.F.-B.C.T.D. was affiliated with the federal or state AFL-CIO COPE-PCC.

6) Upon learning that these committees were affiliated committees pursuant to §441a(a)(5) of the Act and that their aggregate contributions were in excess of the limits of §441a(f), the Friends of Bob Carr Committee immediately and voluntarily returned to the contributors the excess amount, which constituted the \$750 from the P.E.F.-B.C.T.D.

ARGUMENT

No further action should be taken by the Commission in this matter for the following reasons:

1. Respondent Committee, despite diligent and careful review of all of the contributions which it received, had no knowledge and no reason to believe that the \$750 contribution from P.E.F.-B.C.T.D. was a contribution from a committee affiliated with the

state and federal AFL-CIO COPE committees. During the period in which the challenged contribution was received, respondent Committee received such an unusually large number of contributions from both individuals and committees that even with the careful review with which contributions were being handled, the detection of affiliation would be unlikely.

2. Even assuming that the Committee violated the Act by accepting the contribution from P.E.F.-B.C.T.D., under the circumstances such violation was de minimus. The Committee received a total of approximately \$332,000 in contributions and the contribution from the P.E.F.-B.C.T.D. was a small percentage of the total amount.

3. Respondent Committee has voluntarily returned the contribution and thus no harm has been done by acceptance of the contribution and there is no existing violation of the Act. Furthermore, the Committee is in full compliance with §441(a)(f) and all other sections of the Act and corresponding Commission regulations.

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Alternatively, respondents respectfully request that negotiations be entered into prior to Committee action as permitted by 11 CFR §111.18 so that a conciliation agreement can be reached between the Commission and the respondents.

Respectfully Submitted for M. Robert Carr, Friends of Bob Carr, John D. Pirch and Dennis Ritter

By: Christopher R. O'Neill
Christopher R. O'Neill
Andrew Athy, Jr.
O'Neill and Haase, P.C.
1333 New Hampshire Avenue, N.W.
Suite 1110
Washington, D.C. 20036
(202) 466-6555

Attorneys for M. Robert Carr,
Friends of Bob Carr, John D.
Pirch and Dennis Ritter

Dated: April 6, 1984

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UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

James Edward Antosh
13 Gilpin
Shawnee, Oklahoma 74801,

Complainant,

v.

Friends of Bob Carr, et al.,

Respondents.

Complaint
MUR No. 1647

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RESPONDENTS REPLY

Pursuant to 2 U.S.C. 4376(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 CFR 111.6 of the Federal Election Commission regulations, respondents M. Robert Carr, Friends of Bob Carr, and its officers seek to demonstrate as set forth more fully below that no action should be taken in this matter or, alternatively, that negotiations should be entered into immediately between the Federal Election Commission ("the Commission") and the respondents so as to preclude the need for further action in this matter by the Commission.

STATEMENT OF FACTS

1) In the 1982 General Election period, respondent M. Robert Carr was the Democratic nominee for the office of Representative to the U.S. House for the 6th Congressional District of Michigan.

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2) During this same general election and during the preceding primary election, respondent Friends of Bob Carr ("the Committee") served as the authorized campaign committee for M. Robert Carr. Respondents John D. Pirch and Dennis Ritter served as officers of the Committee.

3) During this general election period, the Committee received among its contributions the particular contributions enumerated in the complaint. These are:

<u>Date Deposited</u>	<u>Amount</u>	<u>Contribution</u>
8/23/82	\$ 250.00	AFL-CIO COPE-PCC
10/1/82	\$1,000.00	AFL-CIO COPE PCC
10/13/82	\$2,500.00	AFL-CIO COPE PCC
10/13/82	\$1,250.00	AFL-CIO COPE Voluntary Fund Michigan State
10/25/82	\$ 750.00	P.E.F.-B.C.T.D.

4) During the two year period covering both the primary and general election period, the Committee received approximately \$332,000 in campaign contributions, all lawful and properly reported. During the approximate period from October 10, 1982 to November 22, 1984, the Committee received approximately \$114,000 in contributions, which is more than one-third of the entire amount of contributions received by the Committee. It was during this busy period that the challenged contribution from the P.E.F.-B.C.T.D. of \$750.00 was received.

85040510071

5) At the time of the contribution and up and until the receipt of the Complaint, neither candidate Carr, his authorized Committee nor its agents had any knowledge nor did they have any reason to have any knowledge of any affiliation between P.E.F.-B.C.T.D. and the federal or state AFL-CIO COPE-PCC. Section §441a(a)(5) of the Act treats contributions from these committees as contributions from a single committee. Furthermore, there was no indication on the face of the check received from P.E.F.-B.C.T.D. that P.E.F.-B.C.T.D. was affiliated with the federal or state AFL-CIO COPE-PCC.

6) Upon learning that these committees were affiliated committees pursuant to §441a(a)(5) of the Act and that their aggregate contributions were in excess of the limits of §441a(f), the Friends of Bob Carr Committee immediately and voluntarily returned to the contributors the excess amount, which constituted the \$750 from the P.E.F.-B.C.T.D.

ARGUMENT

No further action should be taken by the Commission in this matter for the following reasons:

1. Respondent Committee, despite diligent and careful review of all of the contributions which it received, had no knowledge and no reason to believe that the \$750 contribution from P.E.F.-B.C.T.D. was a contribution from a committee affiliated with the

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state and federal AFL-CIO COPE committees. During the period in which the challenged contribution was received, respondent Committee received such an unusually large number of contributions from both individuals and committees that even with the careful review with which contributions were being handled, the detection of affiliation would be unlikely.

2. Even assuming that the Committee violated the Act by accepting the contribution from P.E.F.-B.C.T.D., under the circumstances such violation was de minimus. The Committee received a total of approximately \$332,000 in contributions and the contribution from the P.E.F.-B.C.T.D. was a small percentage of the total amount.

3. Respondent Committee has voluntarily returned the contribution and thus no harm has been done by acceptance of the contribution and there is no existing violation of the Act. Furthermore, the Committee is in full compliance with §441(a)(f) and all other sections of the Act and corresponding Commission regulations.

Alternatively, respondents respectfully request that negotiations be entered into prior to Committee action as permitted by 11 CFR §111.18 so that a conciliation agreement can be reached between the Commission and the respondents.

Respectfully Submitted for M. Robert Carr, Friends of Bob Carr, John D. Pirch and Dennis Ritter

By: Christopher R. O'Neill
Christopher R. O'Neill
Andrew Athy, Jr.
O'Neill and Haase, P.C.
1333 New Hampshire Avenue, N.W.
Suite 1110
Washington, D.C. 20036
(202) 466-6555

Attorneys for M. Robert Carr,
Friends of Bob Carr, John D.
Pirch and Dennis Ritter

Dated: April 6, 1984

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UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74801,)
Complainant,)

v.)

Friends of Bob Carr, et al.,)
Respondents.)

Complaint
MUR No. 1647

RESPONDENTS REPLY

Pursuant to 2 U.S.C. 4376(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 CFR 111.6 of the Federal Election Commission regulations, respondents M. Robert Carr, Friends of Bob Carr, and its officers seek to demonstrate as set forth more fully below that no action should be taken in this matter or, alternatively, that negotiations should be entered into immediately between the Federal Election Commission ("the Commission") and the respondents so as to preclude the need for further action in this matter by the Commission.

STATEMENT OF FACTS

1) In the 1982 General Election period, respondent M. Robert Carr was the Democratic nominee for the office of Representative to the U.S. House for the 6th Congressional District of Michigan.

85040510071

2) During this same general election and during the preceding primary election, respondent Friends of Bob Carr ("the Committee") served as the authorized campaign committee for M. Robert Carr. Respondents John D. Pirch and Dennis Ritter served as officers of the Committee.

3) During this general election period, the Committee received among its contributions the particular contributions enumerated in the complaint. These are:

<u>Date Deposited</u>	<u>Amount</u>	<u>Contribution</u>
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10/1/82	\$1,000.00	AFL-CIO COPE PCC
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10/13/82	\$1,250.00	AFL-CIO COPE Voluntary Fund Michigan State
10/25/82	\$ 750.00	P.E.F.-B.C.T.D.

4) During the two year period covering both the primary and general election period, the Committee received approximately \$332,000 in campaign contributions, all lawful and properly reported. During the approximate period from October 10, 1982 to November 22, 1984, the Committee received approximately \$114,000 in contributions, which is more than one-third of the entire amount of contributions received by the Committee. It was during this busy period that the challenged contribution from the P.E.F.-B.C.T.D. of \$750.00 was received.

85040510075

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5) At the time of the contribution and up and until the receipt of the Complaint, neither candidate Carr, his authorized Committee nor its agents had any knowledge nor did they have any reason to have any knowledge of any affiliation between P.E.F.-B.C.T.D. and the federal or state AFL-CIO COPE-PCC. Section §441a(a)(5) of the Act treats contributions from these committees as contributions from a single committee. Furthermore, there was no indication on the face of the check received from P.E.F.-B.C.T.D. that P.E.F.-B.C.T.D. was affiliated with the federal or state AFL-CIO COPE-PCC.

6) Upon learning that these committees were affiliated committees pursuant to §441a(a)(5) of the Act and that their aggregate contributions were in excess of the limits of §441a(f), the Friends of Bob Carr Committee immediately and voluntarily returned to the contributors the excess amount, which constituted the \$750 from the P.E.F.-B.C.T.D.

ARGUMENT

No further action should be taken by the Commission in this matter for the following reasons:

1. Respondent Committee, despite diligent and careful review of all of the contributions which it received, had no knowledge and no reason to believe that the \$750 contribution from P.E.F.-B.C.T.D. was a contribution from a committee affiliated with the

8 5 0 4 0 5 1 0 0 7 7

state and federal AFL-CIO COPE committees. During the period in which the challenged contribution was received, respondent Committee received such an unusually large number of contributions from both individuals and committees that even with the careful review with which contributions were being handled, the detection of affiliation would be unlikely.

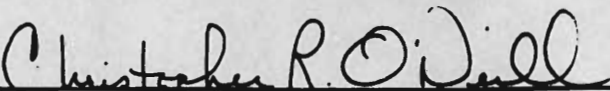
2. Even assuming that the Committee violated the Act by accepting the contribution from P.E.F.-B.C.T.D., under the circumstances such violation was de minimus. The Committee received a total of approximately \$332,000 in contributions and the contribution from the P.E.F.-B.C.T.D. was a small percentage of the total amount.

3. Respondent Committee has voluntarily returned the contribution and thus no harm has been done by acceptance of the contribution and there is no existing violation of the Act. Furthermore, the Committee is in full compliance with §441(a)(f) and all other sections of the Act and corresponding Commission regulations.

Alternatively, respondents respectfully request that negotiations be entered into prior to Committee action as permitted by 11 CFR §111.18 so that a conciliation agreement can be reached between the Commission and the respondents.

Respectfully Submitted for M. Robert Carr, Friends of Bob Carr, John D. Pirch and Dennis Ritter

By:



Christopher R. O'Neill
Andrew Athy, Jr.
O'Neill and Haase, P.C.
1333 New Hampshire Avenue, N.W.
Suite 1110
Washington, D.C. 20036
(202) 466-6555

Attorneys for M. Robert Carr,
Friends of Bob Carr, John D.
Pirch and Dennis Ritter

Dated: April 6, 1984

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RECEIVED AT THE FEC

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FIRST CLASS MAIL

LAW OFFICES

O'NEILL AND HAASE

A PROFESSIONAL CORPORATION

SUITE 1110

1333 NEW HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20036

TO:

Charles N. Steele

General Counsel

Federal Election Commission

1325 K Street, N.W.

7th Floor

Washington, DC 20463

6c4 2050

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000

EXECUTIVE COUNCIL

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Joyce D. Miller
James E. Hatfield
Vincent R. Sombrotto
Marvin J. Boede
Owen Sieber

March 26, 1984

*MUR 1647
Demougeat*

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23:14

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: FEC MUR 1647

Dear Mr. Steele:

Pursuant to 11 CFR §111.23, the Michigan State AFL-CIO COPE Voluntary Fund, its treasurer Walter L. Oliver, the AFL-CIO Committee on Political Education Political Contributions Committee, and I hereby designate Margaret E. McCormick as our counsel with respect to the above referenced matter.

Ms. McCormick is authorized to receive any notifications and other communications from the Commission in connection with this matter and to act on our behalf before the Federal Election Commission.

Ms. McCormick's address is: AFL-CIO Legal Department, 815 16th Street, N.W., Washington, D.C. 20006. Her telephone numbers are: (office) 202/637-5397; (home) 301/656-9612.

Sincerely,

Thomas R. Donahue
Secretary-Treasurer

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000

EXECUTIVE COUNCIL

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Barbara Hutchinson	Richard I. Kilroy	Vincent R. Sombrotto	
Gerald W. McEntee	William H. Bywater	Marvin J. Boede	
Patrick J. Campbell	Kenneth J. Brown	Owen Bieber	

April 3, 1984

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: FEC MUR 1647

Dear Mr. Steele:

This letter constitutes the response of Thomas R. Donahue, the AFL-CIO Committee on Political Education Political Contributions Committee ("COPE-PCC"), Walter Oliver, the Michigan State AFL-CIO COPE Voluntary Fund ("Michigan COPE"), Joseph F. Maloney, and the Political Educational Fund of the Building and Construction Trades Department ("PEF-BCTD") (hereinafter "respondents") to your letter dated March 20, 1984, stating that the Commission has received a complaint alleging that respondents may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The complaint, which the Commission has numbered MUR 1647, alleges that respondent political committees and their treasurers violated §441a(a)(2)(A) of the Act by making contributions which in the aggregate totalled \$5,750.00 to the Friends of Bob Carr committee for the 1982 general election.

Respondents' 1982 contribution records reflect the following contributions to the Friends of Bob Carr committee for the 1982 general election: COPE-PCC contributed \$250 on 7/28/82; COPE-PCC contributed \$1000 on 9/14/82; Michigan COPE contributed \$1,250 on 10/1/82; COPE-PCC contributed \$2,500 on 10/5/82; and PEF-BCTD contributed \$750 on 10/14/82.

Respondents acknowledge that they inadvertently contributed \$750 more than the maximum contribution permitted by §441a(a)(2)(A) to the 1982 general election campaign of Congressman Bob Carr. However, because of the mitigating circumstances described below, respondents respectfully request that the Commission take no further action in this matter.

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1. Respondents' violation of 2 U.S.C. §441a(a)(2)(A) was totally inadvertent. This fact is demonstrated by the circumstances surrounding the making of the excess contribution: On 7/28/82 and 9/14/82 COPE-PCC contributed \$250 and \$1000 respectively for the general election to the Friends of Bob Carr committee. Each of those contributions was logged as a contribution for the general election in COPE-PCC's internal contribution records under the name of candidate. Thereafter on October 1, 1982 the Michigan COPE contributed \$1,250 for the general election to the Carr campaign. Due to an administrative oversight, however, that contribution was neither cleared with nor reported to COPE-PCC. Neither COPE-PCC nor the PEF-BCTD had any knowledge of the contribution made by Michigan COPE, when those committees made additional contributions in the amount of \$2,500 and \$750 respectively to the Friends of Bob Carr committee for the general election. Thus the committees acted under the mistaken but good faith belief that only \$1,250 had been previously contributed for the general election and that therefore their additional contributions totalling \$3,250 meant the total amount contributed for the general election was \$4,500, \$500 below the \$5,000 limit of 2 U.S.C. §441a(a)(2)(A).

2. The AFL-CIO COPE has used best efforts to ensure that contributions made by affiliated federal political committees sponsored by AFL-CIO state and local bodies do not exceed the statutory limits of the FECA. AFL-CIO state and local bodies have repeatedly been told that federal committees sponsored by those organizations share a single contribution limit with COPE-PCC and that each committee must therefore check with COPE-PCC before making any contribution to a federal candidate. (See, for example, the attached memorandum from John Perkins to all AFL-CIO state and local central bodies, directly affiliated local unions and departments, Attachment A.)

3. The AFL-CIO has already taken action to guarantee that inadvertent violations of the Act's contribution limits will not occur in the future. On February 25, 1983, months before this matter was brought to respondents' attention, the AFL-CIO Executive Council, recognizing the risk that contributions made by federal political committees sponsored by state and local central bodies of the AFL-CIO could lead to violations of the Act's contribution limits despite the best efforts to avoid such inadvertent violations, adopted a resolution (see Attachment B) stating:

1. That no DALU (directly affiliated local union), AFL-CIO state or local central body, or AFL-CIO Department state or local body, shall establish or maintain a separate segregated fund that makes contributions to or expenditures on behalf of candidates for federal office;
2. That existing federal political committees of the DALUs and of the state and local bodies of the AFL-CIO and of its Departments shall terminate their registration with the FEC***;
3. That henceforth all contributions to or expenditures on behalf of federal candidates attributable to the AFL-CIO shall be made at the national level.

The text of the Council's February 25, 1983 resolution has been communicated to every AFL-CIO state and local body which sponsors a federal political committee. The Michigan State AFL-CIO COPE Voluntary Fund and many other AFL-CIO state and local bodies have already terminated their committees. Those committees which have not yet terminated are in the process of doing so at this time.

As a result of the Executive Council's resolution, the number of AFL-CIO sponsored separate segregated funds will soon be reduced to three — COPE-PCC and the two committees sponsored by AFL-CIO Departments, PEF-BCTD and the Industrial Union Department AFL-CIO Voluntary Fund. These committees already operate under a closely monitored system designed to preclude contribution limitation violations. The risk that contributions made by these committees will exceed the contribution limits of the Act is therefore minimal.

4. Until they were notified of the complaint in this matter, respondents had no knowledge that they had inadvertently contributed \$750.00 in excess of the Act's contribution limits to Congressman Bob Carr's 1982 general election campaign. As soon as respondents confirmed, based on their 1982 contribution records, that such an excess contribution had in fact been made, respondents requested a refund of that contribution. The Friends of Bob Carr committee refunded the entire \$750 on April 4, 1984. A copy of the refund check is attached hereto. (See Attachment C).

In light of the inadvertent nature of respondents' violation, respondents' previous best efforts to avoid the occurrence of such violations, the negligible risk that similar violations will occur in the future in view of the elimination of state and local affiliated committees, and respondents' voluntary efforts to comply with the Act by seeking a refund of their excess contribution, respondents believe that the Commission should take no further action in connection with this matter.

Should the Commission decide to proceed further, respondents respectfully request that this matter be handled through voluntary informal conciliation at this stage in the Commission's proceedings.

Sincerely,

Margaret E. McCormick

Margaret E. McCormick
Counsel for Respondents
Thomas R. Donahue, AFL-CIO COPE
Political Contributions Committee,
Walter Oliver and Michigan State AFL-
CIO COPE Voluntary Fund

Richard M. Resnick

Richard M. Resnick
Counsel for Respondents
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosures

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Margaret E. McCormick

Margaret E. McCormick
Counsel for Respondents
Thomas R. Donahue, AFL-CIO COPE
Political Contributions Committee,
Walter Oliver and Michigan State AFL-
CIO COPE Voluntary Fund

Richard M. Resnick

Richard M. Resnick
Counsel for Respondents
Joseph F. Maloney and the Political
Educational Fund of the Building and
Construction Trades Department

Enclosures



Committee on Political Education

LANE KIRKLAND, Chairman

THOMAS R. DONAHUE, Secretary-Treasurer

JOHN PERKINS, Director

815 16TH STREET, N.W. ★ WASHINGTON, D.C. 20006 ★ (202) 637-5101

March 3, 1982

MEMORANDUM

TO: All State and Central Bodies, Directly Affiliated Unions and AFL-CIO Departments

FROM: John Perkins, Director *John*

SUBJECT: Contributions to Candidates for Federal Office;
New "Limited Endorsement" Policy; Coalition Policy

As I am certain you remember, the Federal Election Commission informed us that in several instances during the 1980 campaign year, the contributions of National COPE combined with those of its affiliates exceeded the limitations on contributions to the federal candidates. We, therefore, remind you that the limitation for a qualified multicandidate committee, including its affiliated committees, is \$5,000.00 for each federal candidate per election. Any contribution made by a department, state, central body, congressional or directly affiliated union COPE is attributed, for limitation purposes, to National COPE.

In the instances where National COPE was cited for exceeding the limits, it was the result of an affiliated committee making a contribution and National COPE not being aware of it. As you can well understand, it is impossible for National COPE to know in all cases the amounts of contributions made by the department, state, central body, congressional or directly affiliated union COPE funds.

It is, therefore, necessary that you first clear with National COPE any contributions you contemplate making to a federal candidate. Alternately, you can send us your voluntary funds and we will draw the check here and send it to you for presentation.

Again I must stress, it is necessary to clear all your federal candidate contributions with this office. Thank you for your consideration.

(To State and Local Councils: Please forward copy of this to Cong. District COPEs where they exist.)

In addition, I want to call your attention to actions concerning two matters taken by the COPE Administrative Committee and approved by the AFL-CIO Executive Council at the council's recent meeting. One permits COPE bodies to make "limited" endorsements of candidates. The other clarifies federation policy on political coalition. Copies of both are attached. I plan to discuss these at the forthcoming AFL-CIO regional conferences.

AFL-CIO Political Committees

The Federal Election Campaign Act (FECA) provides that if a Directly Affiliated Local Union (DALU), a state or local central body of the AFL-CIO, or a state or local body of a Department of the AFL-CIO, sets up a voluntary political contributions fund and makes contributions from that fund to a federal candidate, the fund is a "political committee." As a political committee, each such fund is required to register with the Federal Election Commission and to file comprehensive periodic financial reports with the Commission. Meeting these requirements is costly, both in the time it takes to meet the FEC's reporting requirements and in the money paid to lawyers and accountants.

The FECA also provides that the political committees of DALUs and of state and local bodies are "affiliated" with the AFL-CIO Political Contributions Committee (COPE-PCC). For the purposes of the FECA's contributions limits, political committees that are "affiliated" are treated as a single committee. This means that contributions by a state or local political committee count toward the \$5,000 per candidate per election limit of the national committee with which the state or local committee is affiliated. Consequently, if the combined contributions of affiliated committees to the same candidate for the same election total more than \$5,000, the national committee violates the Act.

Because of the burden and expense of maintaining and operating federal political committees at the state and local levels, and because experience has shown that there is a substantial risk that the contributions made by such committees may lead to violations of the contribution limits of the FECA despite the best efforts to avoid such inadvertent violations, the AFL-CIO Executive Council has concluded:

1. That no DALU, AFL-CIO state or local central body, or AFL-CIO Department state or local body, shall establish or maintain a separate segregated fund that makes contributions to or expenditures on behalf of candidates for federal office;
2. That existing federal political committees of the DALUs and of the state and local bodies of the AFL-CIO and of its Departments shall terminate their registration with the FEC and shall transfer the voluntary funds in their accounts to AFL-CIO COPE-PCC or to their respective AFL-CIO Department's political committee;
3. That henceforth all contributions to or expenditures on behalf of federal candidates attributable to the AFL-CIO shall be made at the national level;
4. That National AFL-CIO COPE shall work in close cooperation with the DALUs and the state and local bodies of the AFL-CIO and of its Departments to assure that those organizations will continue to play an active and visible role in the making of contributions to and expenditures on behalf of federal candidates.

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ATTACHMENT C

FRIENDS OF BOB CARR
P. O. BOX 16204 1552
E LANSING, MICH. 48901-4523

IN PAYMENT FOR

74-992
724

2802

PAY *Seven hundred fifty ^{xx}/₁₀₀*

DOLLARS

CHECK NO.	TO THE ORDER OF	DATE	GROSS AMOUNT	DISCOUNT	CHECK AMOUNT
2802	AFL-CIO COPE PCC	4-4-84			750.00

EAST LANSING STATE BANK
EAST LANSING, MICHIGAN 48823

Carol Conn
TREASURER
DENNIS RITTER

⑈002802⑈ ⑆072409927⑆ 0040949 0⑈

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STATEMENT OF DESIGNATION OF COUNSEL

MUR: 1647

NAME OF COUNSEL: Richard M. Resnick, Esq.
Sherman, Dunn, Cohen, Leifer & Counts
1125 15th Street, N.W., Ste. 801
Washington, DC 20005

ADDRESS:

TELEPHONE: 202/785-9300

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

3/22/84
Date

Joseph F. Maloney
Signature

NAME: Joseph F. Maloney

ADDRESS: Building & Construction Trades Department, AFL-CIO
815 16th Street, N.W., Room 603
Washington, DC 20006

HOME PHONE: (301) 881-1662

BUSINESS PHONE: (202) 342-1462

85040510087



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Robert M. Carr
2439 Rayburn House Office
Building
Washington, DC 20515

Re: MUR 1647

Dear Congressman Carr:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1647. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

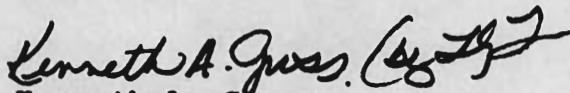
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosures

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

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross
By Kenneth A. Gross
Associate General Counsel

Enclosures

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

85040510032



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

Michael Ernest Avakian
Martha M. Poindexter
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, VA 22151

Dear Mr. Avakian & Ms. Poindexter:

This letter is to acknowledge receipt of your client's complaint which we received on March 16, 1984, against Congressman Robert M. Carr, Dennis M. Ritter, John D. Pirch, Friends of Bob Carr, Thomas R. Donahue, American Federation of Labor - Congress of Industrial Organizations Committee on Political Education & Political Contributions Committee, Walter L. Oliver, Michigan State AFL-CIO COPE Voluntary Fund, Joseph F. Maloney and Political Educational Fund of the Building & Construction Trades Department which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your client's complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Cheryl Thomas at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (by *KG*)
By Kenneth A. Gross
Associate General Counsel

Enclosure

85040510090

85040510091

PS Form 3811, July 1962

RETURN RECEIPT

NOV 16 47 D. J. S. S. C. O. T.

• **NOTE:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):

☒ Show to whom and date delivered

☒ Show to whom, date, and address of delivery

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**
Michael Ernest Avakian
c/o Mr. J. J. S. S. C. O. T.
211 First St. S. E. Atlanta 400
Georgia 30301

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ REGISTERED MAIL
☒ CERTIFIED ☐ CERTIFIED MAIL
☐ REGISTERED MAIL

ARTICLE NUMBER
943108

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent
J. J. S. S. C. O. T.

5. **DATE OF DELIVERY**
3/23/84

6. **ADDRESSEE'S ADDRESS (only if requested)**

7. **UNABLE TO DELIVER BECAUSE:**

POSTAGE
PAID
NOV 16 47
D. J. S. S. C. O. T.

3-80-84

U.S. POSTAL SERVICE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dennis M. Ritter, Treasurer
Friends of Bob Carr
P.O. Box 16204
Lansing, Michigan 48901

Re: MUR 1647

Dear Mr. Ritter:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1647. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040510092

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

Enclosures

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

85740510093

MUR 1647 Demougeot

PS Form 3811, July 1982

• **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered \$
☒ Show to whom, date, and address of delivery .. \$
2. ☐ RESTRICTED DELIVERY \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO: Dennis M. Ritter, Jr.
Friends of Bob Carr
P.O. Box 16204 Lansing, Michigan

4. TYPE OF SERVICE: 48901 ARTICLE NUMBER
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD 943112
☐ EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
5. DATE OF DELIVERY
MAR 28 1984
6. ADDRESSEE'S ADDRESS (Only if requested)
7. UNABLE TO DELIVER BECAUSE: EMPLOYEE'S INITIALS

RETURN RECEIPT

3/20/84

• GPO: 1982-379-503



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John D. Pirch, Treasurer
Friends of Bob Carr
P.O. Box 16204
Lansing, Michigan 48901

Re: MUR 1647

Dear Mr. Pirch:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1647. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040510094

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

Enclosures

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

MIAR 1647 Demougeot

PS Form 3811, July 1982

• **GENERAL:** Complete Steps 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.
(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery

2. ☐ RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO: John D. Pirch, tr.
Friends of Bob Carr
P. O. Box 16204 Lansing, MI 48901

4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☐ CERTIFIED ☐ COD ☐ EXPRESS MAIL

ARTICLE NUMBER
943113

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent
Eric A. [Signature]

5. DATE OF DELIVERY
MAR 28 1984

6. ADDRESSEE'S ADDRESS (day reported)

7. UNABLE TO DELIVER BECAUSE

3/20/84

© GPO: 1982-570-003



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Walter L. Oliver, Treasurer
Michigan State AFL-CIO COPE
Voluntary Fund
419 S. Washington Avenue
Lansing, Michigan 48933

Re: MUR 1647

Dear Mr. Oliver:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1647. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross* (by *KG*)
Kenneth A. Gross
Associate General Counsel

Enclosures

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

mur 11647 Demougeot

PS Form 3811, July 1982

• **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):

☐ Show to whom and date delivered

☒ Show to whom, date, and address of delivery

2. ☐ RESTRICTED DELIVERY.....
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$.....

3. ARTICLE ADDRESSED TO: Walter Oliver, Tr.
MI St. AFL-CIO COPE Vol. Fund
419 S. Wash. Ave. Lansing, MI 48933

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER
943111

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

D. Arthur

5. DATE OF DELIVERY
3/23/84

POSTMARK
(only to be on reverse side)

6. ADDRESSEE'S ADDRESS (only if requested)

7. UNABLE TO DELIVER BECAUSE:

8. EMPLOYEE'S INITIALS
RT

RETURN RECEIPT

3/20/84

* GPO: 1982-370-585



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph F. Maloney, Treasurer
Political Educational Fund of the
Building & Construction Trades
Department
815 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1647

Dear Mr. Maloney:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1647. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross* (by *LG*)
Kenneth A. Gross
Associate General Counsel

Enclosures

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

PS Form 3811, July 1982

MUR 1147 20006

• SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery ..
2. ☐ RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO: Joseph F. Maloney, Jr.
Col. Ed. Fund of the Bldg. & Const.
Trades Dept. 815 16th st. N.W.

4. MAIL SERVICE: 20006
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COO
☐ EXPRESS MAIL

ARTICLE NUMBER
943110

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY
3-22-84

POSTMARK
(may be on reverse side)

6. ADDRESSEE'S ADDRESS FOR RETURN
815 - 16th St. N.W.
Wash. D.C. 20006

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

3/20/84

* GPO: 1982-379-683



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas R. Donahue, Treasurer
American Federation of Labor -
Congress of Industrial Organizations
Committee on Political Education &
Political Contributions Committee
815 16th Street, N.W.
Washington, D.C. 20006

Re: MUR 1647

Dear Mr. Donahue:

This letter is to notify you that on March 16, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1647. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against the committee and you, individually and as treasurer, in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040510100

If you have any questions, please contact George Demougeot the staff member assigned to this matter at (202) 523-4060. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By *Kenneth A. Gross* (6/8/89)
Kenneth A. Gross
Associate General Counsel

Enclosures

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

PS Form 3811, July 1982

MMR 11-47 Demougeot

• SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery
 2. ☐ RESTRICTED DELIVERY
 (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO: Thomas Donahue, Tr.
 Am. Fed. of Labor- Congress of Indus.
 Comm on Pol. Ed. & Pol. Contri. Comm
 815 Mich. St. Wash, D.C. 20001

4. ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

943109

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY 3-22-89 POSTMARK (may be on reverse side)

6. ADDRESSEE'S ADDRESS (may be on reverse side)
 815 Mich. St. Wash. D.C. 20001

7. UNABLE TO DELIVER BECAUSE: 7a. EMPLOYEE'S INITIALS
APC

3/30/89

• GPO: 1982-370-593

85040510101

GCC#1881

4 MAR 16 AM 10

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74801,)
Complainant,)

v.)

Complaint
MUR No. 1647

Robert M. Carr; Friends of Bob)
Carr; American Federation of)
Labor-Congress of Industrial)
Organizations Committee on)
Political Education and Political)
Contributions Committee and its)
affiliated separate segregated)
funds, Michigan State AFL-CIO)
COPE Voluntary Fund and Political)
Educational Fund of the Building)
and Construction Trades)
Department; and all the)
Committees' treasurers,)

Respondents.)

85040510102

I. INTRODUCTION

1. Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against candidate for federal public office, Robert M. Carr, Friends of Bob Carr, American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC") and its affiliated separate segregated funds ("SSFs"), Michigan State AFL-CIO COPE Voluntary Fund and Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D."), and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. §441a(f) and 2 U.S.C. §441a(a)(2)(A).

II. PARTIES

2. Complainant is James Edward Antosh who resides at 13 Gilpin, Shawnee, Oklahoma 74801. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

Respondents are:

- a. Robert M. Carr, Post Office Box 16204, Lansing, Michigan 48901.
- b. John D. Pirch, individually and in his capacity as treasurer of Friends of Bob Carr, Post Office Box 16204,

Lansing, Michigan 48901.

- c. Dennis M. Ritter, individually and in his capacity as treasurer of Friends of Bob Carr, Post Office Box 16204, Lansing, Michigan 48901.
- d. Friends of Bob Carr, Post Office Box 16204, Lansing, Michigan 48901.
- e. Thomas R. Donahue, individually and in his capacity as treasurer of American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- f. American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- g. Walter L. Oliver, individually and in his capacity as treasurer of Michigan State AFL-CIO COPE Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- h. Michigan State AFL-CIO COPE Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- i. Joseph F. Maloney, individually and in his capacity as treasurer of Political Educational Fund of the Building and Construction Trades Department, 815 16th Street,

N.W., Suite 603, Washington, D.C. 20006.

- j. Political Educational Fund of the Building and Construction Trades Department, 815 16th Street, N.W., Suite 603, Washington, D.C. 20006.

III. LIABILITY

3. Liability may be imposed upon the candidate, Robert M. Carr, Friends of Bob Carr, AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D., pursuant to 2 U.S.C. §441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum contribution ceiling and 2 U.S.C. §441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. §104.14(d).

5. For purposes of this complaint, contributions made by AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D., are treated as contributions made from a single committee in accordance with 2 U.S.C. §441a(a)(5) as implemented through 11 C.F.R. §100.5(g)(i)(B).

IV. OVERVIEW

6. Based on complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1982 federal general election in which Robert M. Carr was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which Robert M. Carr; Friends of Bob Carr and its treasurer; AFL-CIO COPE-PCC and its treasurer; Michigan State AFL-CIO COPE Voluntary Fund and its treasurer; and P.E.F.-B.C.T.D. and its treasurer filed for the 1982 federal general election.

7. For the 1982 federal general election, excessive funds were contributed to Robert M. Carr, Friends of Bob Carr and its treasurer by AFL-CIO COPE-PCC and its treasurer, Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, and P.E.F.-B.C.T.D. and its treasurer.

8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. §441a(a)(2)(A) which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate and his authorized political committee with respect to any election for federal office and §441a(f) which prohibits a candidate from receiving illegal contributions.

V. VIOLATIONS OF THE F.E.C.A.
BY
FRIENDS OF BOB CARR
IN THE
1982 FEDERAL GENERAL ELECTION

9. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, Robert M. Carr, Friends of Bob Carr and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal general election from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. in the amount of \$5,750.00 (FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS).

10. Candidate Robert M. Carr, Friends of Bob Carr and its treasurer, for the 1982 federal general election, accepted contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
8/23/82	\$ 250.00	AFL-CIO COPE-PCC	#82012320029
10/1/82	\$1,000.00	AFL-CIO COPE-PCC	#82012342141
10/13/82	\$2,500.00	AFL-CIO COPE-PCC	#82012342141
10/13/82	\$1,250.00	Michigan State AFL-CIO COPE Voluntary Fund	#82012342141
10/25/82	\$ 750.00	P.E.F.-B.C.T.D.	#82012380741
Total =	\$5,750.00		

11. A running total of contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. would have put on notice Robert M. Carr, Friends of Bob Carr and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) by October 13, 1982. On that date, Robert M. Carr, Friends of Bob Carr and its treasurer could no longer lawfully accept any contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D.. In violation of 2 U.S.C. §441(f), Robert M. Carr, Friends of Bob Carr and its treasurer accepted a contribution from this contributor in the amount of \$750.00 (SEVEN HUNDRED FIFTY DOLLARS). This amount exceeded the statutory monetary ceiling by \$750.00 (SEVEN HUNDRED FIFTY DOLLARS).

VI. VIOLATIONS OF THE F.E.C.A.
BY
AFL-CIO COPE-PCC,
MICHIGAN STATE AFL-CIO COPE VOLUNTARY FUND,
AND P.E.F.-B.C.T.D.
IN THE
1982 FEDERAL GENERAL ELECTION

12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D., for the 1982 federal general election contributed to candidate Robert M. Carr, Friends of Bob Carr and its

treasurer a total of \$5,750.00 (FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS).

13. AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. contributed the following amounts:

- a. On July 23, 1982, AFL-CIO COPE-PCC contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032450100.)
- b. On September 15, 1982, AFL-CIO COPE-PCC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032495326.)
- c. On October 5, 1982, AFL-CIO COPE-PCC contributed \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032505299.)
- d. On October 1, 1982, Michigan State AFL-CIO COPE Voluntary Fund contributed \$1,250.00 (ONE THOUSAND TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032520027.)
- e. On October 14, 1982, P.E.F.-B.C.T.D. contributed \$750.00 (SEVEN HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032544396.)

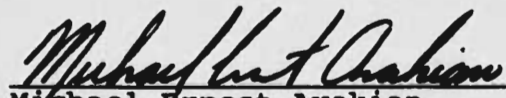
14. A running total of contributions made to Robert M. Carr, Friends of Bob Carr and its treasurer by AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE Voluntary Fund

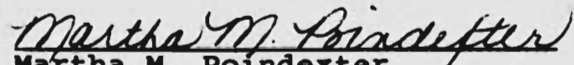
and P.E.F.-B.C.T.D., would have put them on notice that as of October 5, 1982, they had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), P.E.F.-B.C.T.D. made a \$750.00 (SEVEN HUNDRED FIFTY DOLLARS) contribution on October 14, 1982 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$750.00 (SEVEN HUNDRED FIFTY DOLLARS).

I. CONCLUSION

15. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

16. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions and that civil sanctions be imposed on the Respondents.


Michael Ernest Avakian
Center on National Labor Policy


Martha M. Poindexter
Center on National Labor Policy
5211 Port Royal Road, Suite 400
North Springfield, VA 22151
(703) 321-9180

Attorneys for Complainant

March 16, 1984

VERIFICATION OF CITIZEN COMPLAINANT

Shawnee)

State of Oklahoma)

ss.

Pursuant to 2 U.S.C. §437g(a)(1), I, James Edward Antosh, being first duly sworn, say that I have read the foregoing complaint and know the contents thereof, and that the same is true on information and belief. This complaint was not filed at the request or suggestion of any candidate. I am a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

James Edward Antosh

Subscribed and sworn to before me this 29th day of February 1984.

Denise K. Almon
Notary Public

My Commission expires:

Sept. 17, 1986

85040510111

DESIGNATION OF COUNSEL

I, James Edward Antosh, a complainant to the attached complaint designate the attorney(s) identified below as complainant's attorney(s) of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

Feb. 29, 1984
Date

James Edward Antosh
Complainant

DESIGNATED COUNSEL

Michael Ernest Avakian
Martha M. Poindexter
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

85040510112

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

James Edward Antosh)
13 Gilpin)
Shawnee, Oklahoma 74801,)
Complainant,)
v.)
Robert M. Carr; Friends of Bob)
Carr; American Federation of)
Labor-Congress of Industrial)
Organizations Committee on)
Political Education and Political)
Contributions Committee and its)
affiliated separate segregated)
funds, Michigan State AFL-CIO)
COPE Voluntary Fund and Political)
Educational Fund of the Building)
and Construction Trades)
Department; and all the)
Committees' treasurers,)
Respondents.)

Complaint
MUR No.

1647

85040510113

I. INTRODUCTION

1. Pursuant to 2 U.S.C. §437g(a)(1) James Edward Antosh brings this complaint against candidate for federal public office, Robert M. Carr, Friends of Bob Carr, American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee ("AFL-CIO COPE-PCC") and its affiliated separate segregated funds ("SSFs"), Michigan State AFL-CIO COPE Voluntary Fund and Political Educational Fund of the Building and Construction Trades Department ("P.E.F.-B.C.T.D."), and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. §441a(f) and 2 U.S.C. §441a(a)(2)(A).

II. PARTIES

2. Complainant is James Edward Antosh who resides at 13 Gilpin, Shawnee, Oklahoma 74801. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

Respondents are:

- a. Robert M. Carr, Post Office Box 16204, Lansing, Michigan 48901.
- b. John D. Pirch, individually and in his capacity as treasurer of Friends of Bob Carr, Post Office Box 16204,

Lansing, Michigan 48901.

- c. Dennis M. Ritter, individually and in his capacity as treasurer of Friends of Bob Carr, Post Office Box 16204, Lansing, Michigan 48901.
- d. Friends of Bob Carr, Post Office Box 16204, Lansing, Michigan 48901.
- e. Thomas R. Donahue, individually and in his capacity as treasurer of American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- f. American Federation of Labor-Congress of Industrial Organizations Committee on Political Education and Political Contributions Committee, 815 16th Street, N.W., Washington, D.C. 20006.
- g. Walter L. Oliver, individually and in his capacity as treasurer of Michigan State AFL-CIO COPE Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- h. Michigan State AFL-CIO COPE Voluntary Fund, 419 S. Washington Avenue, Lansing, Michigan 48933.
- i. Joseph F. Maloney, individually and in his capacity as treasurer of Political Educational Fund of the Building and Construction Trades Department, 815 16th Street,

N.W., Suite 603, Washington, D.C. 20006.

- j. Political Educational Fund of the Building and Construction Trades Department, 815 16th Street, N.W., Suite 603, Washington, D.C. 20006.

III. LIABILITY

3. Liability may be imposed upon the candidate, Robert M. Carr, Friends of Bob Carr, AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D., pursuant to 2 U.S.C. §441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum contribution ceiling and 2 U.S.C. §441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. §104.14(d).

5. For purposes of this complaint, contributions made by AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D., are treated as contributions made from a single committee in accordance with 2 U.S.C. §441a(a)(5) as implemented through 11 C.F.R. §100.5(g)(i)(B).

IV. OVERVIEW

6. Based on complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1982 federal general election in which Robert M. Carr was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which Robert M. Carr; Friends of Bob Carr and its treasurer; AFL-CIO COPE-PCC and its treasurer; Michigan State AFL-CIO COPE Voluntary Fund and its treasurer; and P.E.F.-B.C.T.D. and its treasurer filed for the 1982 federal general election.

7. For the 1982 federal general election, excessive funds were contributed to Robert M. Carr, Friends of Bob Carr and its treasurer by AFL-CIO COPE-PCC and its treasurer, Michigan State AFL-CIO COPE Voluntary Fund and its treasurer, and P.E.F.-B.C.T.D. and its treasurer.

8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. §441a(a)(2)(A) which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate and his authorized political committee with respect to any election for federal office and §441a(f) which prohibits a candidate from receiving illegal contributions.

V. VIOLATIONS OF THE F.E.C.A.
BY
FRIENDS OF BOB CARR
IN THE
1982 FEDERAL GENERAL ELECTION

9. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, Robert M. Carr, Friends of Bob Carr and its treasurer, in violation of 2 U.S.C. §441a(f), knowingly accepted contributions for the 1982 federal general election from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. in the amount of \$5,750.00 (FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS).

10. Candidate Robert M. Carr, Friends of Bob Carr and its treasurer, for the 1982 federal general election, accepted contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
8/23/82	\$ 250.00	AFL-CIO COPE-PCC	#82012320029
10/1/82	\$1,000.00	AFL-CIO COPE-PCC	#82012342141
10/13/82	\$2,500.00	AFL-CIO COPE-PCC	#82012342141
10/13/82	\$1,250.00	Michigan State AFL-CIO COPE Voluntary Fund	#82012342141
10/25/82	\$ 750.00	P.E.F.-B.C.T.D.	#82012380741
Total =	\$5,750.00		

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11. A running total of contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. would have put on notice Robert M. Carr, Friends of Bob Carr and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) by October 13, 1982. On that date, Robert M. Carr, Friends of Bob Carr and its treasurer could no longer lawfully accept any contributions from AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D.. In violation of 2 U.S.C. §441(f), Robert M. Carr, Friends of Bob Carr and its treasurer accepted a contribution from this contributor in the amount of \$750.00 (SEVEN HUNDRED FIFTY DOLLARS). This amount exceeded the statutory monetary ceiling by \$750.00 (SEVEN HUNDRED FIFTY DOLLARS).

**VI. VIOLATIONS OF THE F.E.C.A.
BY
AFL-CIO COPE-PCC,
MICHIGAN STATE AFL-CIO COPE VOLUNTARY FUND,
AND P.E.F.-B.C.T.D.
IN THE
1982 FEDERAL GENERAL ELECTION**

12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that AFL-CIO COPE-PCC and its affiliated SSFs, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D., for the 1982 federal general election contributed to candidate Robert M. Carr, Friends of Bob Carr and its

treasurer a total of \$5,750.00 (FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS).

13. AFL-CIO COPE-PCC, Michigan State AFL-CIO COPE Voluntary Fund and P.E.F.-B.C.T.D. contributed the following amounts:

- a. On July 23, 1982, AFL-CIO COPE-PCC contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032450100.)
- b. On September 15, 1982, AFL-CIO COPE-PCC contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #82032495326.)
- c. On October 5, 1982, AFL-CIO COPE-PCC contributed \$2,500.00 (TWO THOUSAND FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #82032505299.)
- d. On October 1, 1982, Michigan State AFL-CIO COPE Voluntary Fund contributed \$1,250.00 (ONE THOUSAND TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032520027.)
- e. On October 14, 1982, P.E.F.-B.C.T.D. contributed \$750.00 (SEVEN HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #82032544396.)

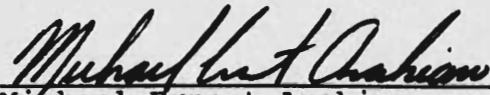
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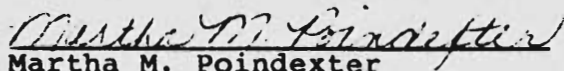
and P.E.F.-B.C.T.D., would have put them on notice that as of October 5, 1982, they had contributed \$5,000.00 (FIVE THOUSAND DOLLARS). In violation of 2 U.S.C. §441a(a)(2)(A), P.E.F.-B.C.T.D. made a \$750.00 (SEVEN HUNDRED FIFTY DOLLARS) contribution on October 14, 1982 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$750.00 (SEVEN HUNDRED FIFTY DOLLARS).

I. CONCLUSION

15. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

16. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions and that civil sanctions be imposed on the Respondents.


Michael Ernest Avakian
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5211 Port Royal Road, Suite 400
North Springfield, VA 22151
(703) 321-9180

Attorneys for Complainant

March 16, 1984

VERIFICATION OF CITIZEN COMPLAINANT

Shawnee

State of Oklahoma

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)
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ss.

Pursuant to 2 U.S.C. §437g(a)(1), I, James Edward Antosh, being first duly sworn, say that I have read the foregoing complaint and know the contents thereof, and that the same is true on information and belief. This complaint was not filed at the request or suggestion of any candidate. I am a citizen of the United States, over the age of 18 years and a registered voter of the State of Oklahoma.

James Edward Antosh

Subscribed and sworn to before me this 29th day of February 1984.

Denise K. Almon
Notary Public

My Commission expires:

Sept. 17, 1986

85040510122

DESIGNATION OF COUNSEL

I, James Edward Antosh, a complainant to the attached complaint designate the attorney(s) identified below as complainant's attorney(s) of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

8 5 0 4 0 5 1 0 1 2 3
Feb. 29 1984
Date

James Edward Antosh
Complainant

DESIGNATED COUNSEL

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Martha M. Poindexter
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

85040510124



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR #

1647

Date Filmed 1/7/85 Camera No. --- 2

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