



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2193

DATE FILMED 3/4/87 CAMERA NO. 2

CAMERAMAN AS

07147543015

FEDERAL ELECTION COMMISSION

MNR 2193E

Alfonso Hernandez, Concentration hypothesis. Duplicate copies

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 checked="" 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

FEC 9-21-77

371404.017



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2193

37710040713

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2193
Laborers' District Council Political)
Action Fund)
Samuel Staten, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 8, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 2193:

1. Accept the agreement attached to the General Counsel's Report signed October 2, 1986, and close the file.
2. Send the letter, as recommended in the General Counsel's Report signed October 2, 1986.

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

Attest:

10-9-86
Date

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

Received in Office of Commission Secretary: Fri., 10-3-86, 1:29
Circulated on 48 hour tally basis: Mon., 10-6-86, 11:00
Deadline for vote: Wed., 10-8-86, 11:00

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Laborers' District Council Political)
Action Fund)
Samuel Staten, as treasurer)

RECEIVED
FEDERAL ELECTION COMMISSION
COMMUNICATIONS SECTION

MUR 2193
OCT 3 1977 P 1:29

GENERAL COUNSEL'S REPORT

Background

Attached is a conciliation agreement which has been signed by Counsel for the Laborers' District Council Political Fund and Samuel Staten, as treasurer.

Recommendation

1. The Office of General Counsel recommends accepting this agreement and closing the file.
2. Send attached letter.

Charles N. Steele
General Counsel

3714764
Date

10/2/86

BY:

Lawrence M. Noble (RMF)
Deputy General Counsel

Attachment(s)

Conciliation Agreement
Photocopy of civil penalty check
Letter to Respondent



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 20, 1986

Harvey C. Johnson, Esquire
228 Cooper Street
Camden, New Jersey 08102

RE: MUR 2193
Laborers' District
Council Political
Action Fund
Samuel Staten, as
treasurer

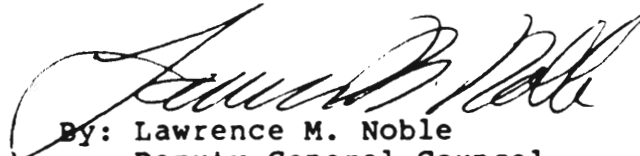
Dear Mr. Johnson:

On October 8, 1986, the Commission accepted the conciliation agreement you signed and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a), 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. 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. 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: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

377774001

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Laborers' District Council)
Political Action Fund) MUR 2193
Samuel Staten, as treasurer)

CONCILIATION AGREEMENT

27047:43022
This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Laborers' District Council Political Action Fund and Samuel Staten, as treasurer, (hereinafter "the Respondents") violated 2 U.S.C. § 434(a).

NOW, THEREFORE, the Commission and the 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 Laborers' District Council Political Action Fund is a political committee registered with the Commission.

2. Respondent Samuel Staten, Sr., is the treasurer of the Respondent Committee.

3. The Respondents were required to file the 1986 April Quarterly Report by April 15, 1986. The report was filed on June 16, 1986, 62 days late.

V. Respondents violated 2 U.S.C. §434(a) by failing to file timely the 1986 April Quarterly Report.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Nine Hundred Fifty Dollars (\$950) pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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.

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

IX. 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.

X. 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:

Lawrence M. Noble
Deputy General Counsel

Date

10/16/86

FOR THE RESPONDENTS:

Harvey C. Johnson
As Attorney for the
Laborers' District Council
Political Action Fund, and
Samuel Staten, as Treasurer

Date

September 17, 1986

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2193
Laborers' District Council)
Political Action Fund)
Samuel Staten, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 20, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 2193:

1. Take no further action against the Laborers' District Council Political Action Fund and Samuel Staten, Sr., as treasurer, for the following violations:
 - a) 2 U.S.C. § 434(b)(1), (2) and (3)
 - b) 11 C.F.R. § 104.12 and;
 - c) 2 U.S.C. § 434(b)(3)(A).
2. Enter into conciliation with the Laborers' District Council Political Action Fund and Samuel Staten, Sr., as treasurer, for a violation of 2 U.S.C. § 434(a)(4)(a)(i), prior to a finding of probable cause to believe.
3. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's Report signed August 15, 1986.

Commissioners Aikens, Elliott, Harris, Josefiak, and McDonald voted affirmatively for this decision. Commissioner McGarry did not vote.

Attest:

8/20/86

Date

Marjorie W. Emmons
Marjorie W. Emmons, Secretary

Received in Office of Commission Secretary: Fri., 8-15-86, 1:11
Circulated on 48 hour tally basis: Mon., 8-18-86, 11:00
Deadline for vote: Wed., 8-20-86, 11:00

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

In the Matter of)
)
Laborers' District Council)
Political Action Fund) MUR 2193
Samuel Staten, as treasurer)

88 AUG 15 P 1:11

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 3, 1986, the Commission found reason to believe that the Laborers' District Council Political Action Fund ("the Fund") and Samuel Staten, as treasurer, violated the following:

- a) 2 U.S.C. § 434(b)(1), (2) and (3) and 11 C.F.R. § 104.12 for failing to provide supporting schedules to itemize the source of initial cash-on-hand;
- b) 2 U.S.C. § 434(b)(3)(A) by failing to itemize contributions from individuals;
- c) 2 U.S.C. § 434(a)(4)(A)(i) by failing to file the 1986 April Quarterly Report in a timely manner.

Respondents were notified of these findings and responded to them in a letter received July 22, 1986. The response argues that no action should be taken against the respondents because, according to the response, all contributions to the Fund are obtained by a voluntary one cent per-hour-worked contribution from union members. The respondents explain that if a member worked 40 hours per week for 60 weeks per year (with two weeks of vacation), the maximum annual contribution would be \$20.00. Respondents state that "there were no additional contributions by members, union officials, or anyone else to the PAC." The Fund submitted copies of the contribution forms used by union members which verified the one cent per hour rate. Respondents add that

their accountant has been instructed to amend the report to reflect that all the cash on hand was unitemized.

As to the report filed 62 days late, the respondents state that the assistant treasurer instructed the accountant to file the report "by the extended deadline of June 6, 1986," and that the report was filed on June 16, 1986. There is no explanation of an "extended deadline." The report was due on April 15, 1986.

The respondents assert that no action should be taken, but also request pre-probable cause conciliation.

II. LEGAL ANALYSIS

Based on the evidence in the response, it appears that although the Fund did not initially note the source of cash-on-hand, neither did the Fund accept contributions which must be disclosed or itemized pursuant to 2 U.S.C. § 434(b)(1), (2) and (3). Therefore, the Office of the General Counsel is recommending that the Commission take no further action against the respondents for violations of 2 U.S.C. §§ 434b(1), (2) and (3), 434(b)(3)(A) and 11 C.F.R. § 104.12.

3774007

9704003

IV. GENERAL COUNSEL RECOMMENDATIONS

1. Take no further action against the Laborers' District Council Political Action Fund and Samuel Staten, Sr., as treasurer, for the following violations:
 - a) 2 U.S.C. § 434(b)(1), (2) and (3);
 - b) 11 C.F.R. § 104.12 and;
 - c) 2 U.S.C. § 434(b)(3)(A).
2. Enter into conciliation with the Laborers' District Council Political Action Fund and Samuel Staten, Sr., as treasurer, for a violation of 2 U.S.C. § 434(a)(4)(a)(i) prior to a finding of probable cause to believe.

3. Approve the attached proposed conciliation agreement and letter.

Charles N. Steele
General Counsel

Date

8/15/86

BY:

Lawrence M. Noble

Deputy General Counsel

Attachments

1. Letter from respondents
2. Proposed agreement and letter

3711734000



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 5, 1986

Harvey C. Johnson, Esquire
228 Cooper Street
Camden, NJ 08102

Re: MUR 2193
Laborers' District Council
Political Action Fund
Samuel Staten, as treasurer

Dear Mr. Johnson:

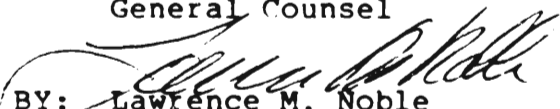
On July 3, 1986, the Commission found reason to believe that your clients violated provisions of the Act and Regulations. On August 20, 1986, the Commission determined to take no further action concerning the violations of 2 U.S.C. § 434(b)(1), (2) and (3), 434(b)(3)(A) and 11 C.F.R. § 104.12.

At your request, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement concerning the violation of 2 U.S.C. § 434(a)(4)(A)(i) prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in this agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Lawrence M. Noble
Deputy General Counsel

Enclosures

HARVEY C. JOHNSON, ESQUIRE
ATTORNEY BUSINESS ACCOUNT
228 COOPER STREET
CAMDEN, NEW JERSEY 08102

REMITTANCE ADVICE			
			Laborers Dept
			Council PAC
			Samuel Staten

55-87
360

2814

PAY Nine Hundred Fifty and 00/100

DOLLARS

DATE	TO THE ORDER OF
9/27/86	Federal Election Commission

CHECK AMOUNT
2814.00

PRINCETON BANK
PRINCETON, N.J. 08540
MEMBER HORIZON BANCORP

Harvey C. Johnson

MEMORANDUM

TO: Debra A. Reed

(TO: Judy Smith)

FROM: Judy Smith

FROM: Debra A. Reed

CHECK NO. 2814 (a copy of which is attached) RELATING

TO MUR 2193 (Hagen) AND NAME Laborers' District Council Political Action Fund, Samuel Staten, as treas.

WAS RECEIVED ON 9/22/86. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

- / ☒ BUDGET CLEARING ACCOUNT (#95F3875.16)
- / / CIVIL PENALTIES ACCOUNT (#95-1099.160)
- / / OTHER _____

SIGNATURE Debra A. Reed

DATE 9/24/86

RECEIVED AT THE REC
06 SEP 19 10:31

HARVEY C. JOHNSON

A PROFESSIONAL CORPORATION

Counsellor at Law

228 COOPER STREET

Camden, New Jersey 08102

609 541 7980

609 966 1930

LAWNSIDE OFFICE
25 WHITE HORSE PIKE

Lawnside, NJ 08045

609 547 7049

PHILADELPHIA OFFICE
1314 CHESTNUT STREET
7TH FLOOR

Philadelphia, PA 19106

215 546 0735

DERECK C. SCOTT
DAVID E. MAPP

MEMBERS OF PA & NJ

BRENDA L. BROGDON

MEMBER OF PA

REPLY TO Camden

Our File #: 85-999.1-HCJ

September 18, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E. Street, Sixth Floor
Washington, D.C. 20463

ATTENTION: Ms. Frances B. Hagen

Re: MUR 2193
Laborers' District Council
Political Action Fund
Samuel Staten, Sr. as Treasurer

Dear Mr. Steele:

Enclosed, please find the executed Conciliation Agreement on behalf of the Laborers' District Council Political Action Fund and Samuel Staten, Sr., as Treasurer. Also enclosed, is this Firm's check in the amount of Nine Hundred Fifty and XX/100 Dollars (\$950.00) to cover the civil penalty.

Mr. Charles N. Steele
General Counsel
ATTENTION: Ms. Frances B. Hagen
September 18, 1986
Page 2 of 2

Please return to me a copy of the fully executed Conciliation Agreement.

Thank you for your expeditious and considerate resolution of this matter.

Yours in humanity,


Harvey C. Johnson, Esq. *cyd*

HCJ/cyd
R.L.: W-S#ON6184
FED. EXP.
A. N.: 659 170 621

cc: LaRoyce C. Burroughs Marsh
Samuel Staten, Sr.
Leroy T. Burroughs

Enclosures

37117062146033

HARVEY C. JOHNSON

A PROFESSIONAL CORPORATION

Counselor at Law

DERECK C. SCOTT
MEMBER OF N.J. & PENNA.

DAVID E. MAPP
MEMBER OF NJ & PA

BRENDA L. BROGDON
MEMBER OF PA

06 JUL 22 AM 11:51

228 COOPER STREET
Camden, New Jersey 08102
609-541-7980
609-966-1930

609-547-7049
215-546-0735

REFER TO
Our File #: UNION

July 15, 1986

Ms. Frances B. Hagan
Staff Member
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2193
Laborers' District Council Political Action Fund
Samuel Staten, Sr. as Treasurer

Dear Ms. Hagan:

This Firm represents the Laborers' District Council Political Action Fund and its Treasurer, Samuel Staten, Sr. Pursuant to our telephone conversation of July 15, 1986, enclosed is a Statement Of Designation Of Counsel.

As I further indicated to you in our conversation, it is my feeling that no action should be taken against the P.A.C. or Mr. Staten because of the following reasons:

(1) All contributions to the P.A.C. are generated by a voluntary One Cent (\$.01) per hour worked contribution from union members working for various contractors. If a member worked forty (40) hours for fifty (50) weeks with two (2) weeks vacation, his maximum contribution to the P.A.C. would be Twenty Dollars (\$20.00) per year. Copies of contribution forms denoting the One Cent (\$.01) per hour worked contributions are enclosed for your review. There were no additional contributions by members, union officials, or anyone else to the P.A.C. Consequently, under 2 U.S.C. §434(b)(3)(A) there was no requirement to itemize the individual contributions. Similarly, the source of cash on hand was the same One Cent (\$.01) per hour worked by union members. The cash on hand had built up from contributions while the Fund was organizing itself.

Ms. Frances B. Hagen
July 15, 1986
Page 2

We agree with you that the reports filed with the Federal Election Commission should have had completed, the blank for unitemized contributions with a note providing the explanations which I have just discussed. I have instructed the P.A.C. to have the Accountant who handles filings, to amend the reports accordingly.

For the reasons stated above I do not think there was a violation of 2 U.S.C. §434(b)(3)(A), 2 U.S.C. §434(b)(1), (2), (3) or 11 C.F.R. §104.12.

(2) With reference to late filing--the P.A.C., through LaRoyce C. Burroughs, the Assistant Treasurer, instructed the Accountant to file the report by the extended deadline of June 6, 1986. The report was filed on June 16, 1986. The P.A.C. will file future reports on a timely basis.

The P.A.C. has requested that this matter be handled through the conciliation process, and that all correspondence and negotiations be handled through this office.

Thank you for your consideration in this matter.

Yours in humanity,


Harvey C. Johnson, Esq.

HCU/cyd

cc: Leroy T. Burroughs
Samuel Staten, Sr.
LaRoyce C. Burroughs

Enclosures

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2193

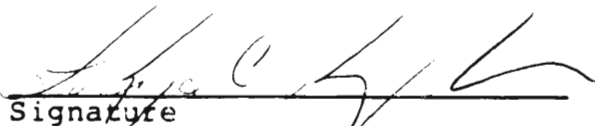
NAME OF COUNSEL: Harvey C. Johnson, Esq.

ADDRESS: 228 Cooper Street
Camden, NJ 08102

TELEPHONE: 609-541-7980

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.

July 15, 1986
Date


Signature

LaRoyce C. Burroughs, Ass't Treasurer
Samuel Staten, Sr., as Treasurer and

RESPONDENT'S NAME: Laborers' District Council Political Action Fund

ADDRESS: 661 N. Broad Street
Phila., PA 19123

HOME PHONE: _____

BUSINESS PHONE: 215-236-2800

3704034

EMPLOYER: MAKE CHECKS PAYABLE TO:

Continental Bank, Depository, Laborers Fund

Make Check No. 1 Payable to Continental Bank, Depository, Laborers Funds

Make Check No. 2 Payable to Continental Bank, Depository, L.D.C. Working Dues

Make Check No. 3 Payable to Continental Bank, Depository, Political Action

When checks due by 10th of month file reports although no work.

MAIL CHECK TO:

Continental Bank, 515 Pennsylvania Ave., Fort Washington, Pa. 19034

COVERING: Health & Welfare • Pension •
Heavy & Highway Industry Advancement Program
Contributions & Working Dues Deduction
L.D.C. Educational Training Fund
Prepaid Legal • Political Action

- Companies IRS Identification No. 23-1425750
- Assigned Pension Fund Serial No. 01
- Pension Fund Identification No. 23-6235338

① Report for the Month of June, 1986 ② Page No. 1 of 1

③ List Employees receiving Disability Payments from Workmen's Compensation on Separate Sheet.

④ Name of Employee (Please Print or Type)			Local Union No.	⑤ Sec. Sec. No. Must be Correct	⑥ Number of Hours Worked During Payroll Periods Ending					⑦ Total No. of Hrs. of Employee
Last Name	First Name	Initial			6/1	6/3	6/15	6/22		
1. Carson	Sison	H.	57	239-48-4052	0	27	40	0		67
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										
⑧ TOTAL NUMBER OF HOURS THIS PAGE										

⑨ Summary of Total Hours reported on all pages (ENTER ON LAST PAGE ONLY) 57 Hrs.

10. EMPLOYER CONTRIBUTION**CHECK NO. 1**

To cover Health & Welfare, Pension, Heavy & Highway Industry Advancement Program, L.D.C. Educational Training Fund, Prepaid Legal.

Total Contribution = \$3.90 times total hrs. \$ 261.30
May 1, 1985

FOR BANK USE ONLY:

Health & Welfare \$1.20
Pension 2.10
I.A.P.15
L.D.C. Education Training Fund25
Working Dues35
Political Action Fund01
Prepaid Legal Fund20

11. The signing of this remittance form and the payment of the amount indicated on line 10 constitutes an acceptance of the terms and conditions of the Trust Agreements under which the above listed Funds operate and the Employer and the Union also hereby agree

that the contributions enclosed with this remittance report constitutes an acceptance of provisions concerning contributions to the Funds which are contained in the collective bargaining agreement between the Laborers' District Council and the Contractor's Association of Eastern Pennsylvania effective as of May 1, 1980.

12. CHECK NO. 2

To cover L.D.C. Working Dues 67 Total amounts .35¢ times total hours \$ 23.45

13. CHECK NO. 3

To cover PAF .01

Signing for the Union Barbara J. Smith President

Leroy T. Burroughs Business Manager

THIS FORM MUST BE SIGNED BY AN OWNER, PARTNER OR COMPANY OFFICER BEFORE MAILING AND IT WILL BE THE BINDING AGREEMENT FOR THE PAYMENT OF FRINGE BENEFIT CONTRIBUTIONS.

(PLEASE REPORT NO WORK WHEN JOB COMPLETED)

Jos. Scoll, Inc.

SIGNATURE & TITLE OF COMPANY OFFICER, OWNER OR PARTNER
Pat Herbert
2712 W. Girard Ave., Phila., PA 19120

NAME OF COMPANY (Print or Type)
765-2125

ADDRESS OF COMPANY

PAYROLL OFFICE PHONE NO.

EMPLOYER: Mail Seven Copies to Continental Bank, retain eighth copy for your records.

88

RECEIVED JUN 1 6 1986

EFFECTIVE 5/1/85		
1. EMPLOYER CONTRIBUTIONS PLUS	\$ 3.85	PER HOUR
2. FIELD DUES CHECK-OFF	\$.35	PER HOUR
3. P. A. F. CHECK-OFF (* DEDUCTED FROM WAGES)	\$.01	PER HOUR
TOTAL REMITTANCE	\$4.21	PER HOUR

CONTRIBUTION REMITTANCE
 Covering LABORERS employed in the
COMMERCIAL, INDUSTRIAL, INSTITUTIONAL
Building & Construction Field
 Make Check payable to the **Girard Bank, Depository**
 Mail check and **ALL copies** (except last) of Report to
P.O. Box 7777-Wi 3280 - Philadelphia, PA 19175
 Not later than the **15th day following the month**
 which the Report covers.

WELFARE FUND COPY

SUBMIT REPORT MONTHLY
 IF NO COVERED EMPLOYEES
 WERE EMPLOYED, SO INDICATE

SEND
 ADDITIONAL
 FORMS

FINAL REPORT

- ① Report for the month ending _____, 19____ Page Number _____ of _____
 ② List Employees Receiving Disability Payments From Workmen's Compensation on Separate Sheet (See Item 3 of Instructions)

	④ Name of Employee (Please Print or Type) Last Name First Name Initial	⑤ Soc. Sec. No. Must be Correct	⑥ Number of Hours Worked During Payroll Periods Ending:				⑦ Total No. of Hrs. for Employee
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
⑧ TOTAL NUMBER OF HOURS THIS PAGE							

⑨ SUMMARY OF TOTAL HOURS REPORTED ON ALL PAGES (Enter on last page only) —

⑩ Remittance Calculations		TOTAL REMITTANCE
Employer's Contributions	@ \$3.85 Per Hr. X Total Hours	\$
Field Dues Deduction from Net Wages	@ \$.35 Per Hr. X Total Hours	\$
Pol. Action Fund Deduction from Net Wages	@ \$.01 Per Hr. X Total Hours	\$
TOTAL REMITTANCE	\$	

The signing of this Remittance Form and the payment of the amount indicated on Line 10 constitutes an acceptance of the terms and conditions of the Trust Agreement under which the above listed Funds operate and the Employer and the Union also hereby agree that the contributions enclosed with this Remittance Report constitutes an acceptance of the provisions concerning contributions to the Funds which are contained in the collective bargaining agreement between the Laborers' District Council and General Building Contractors Association, Inc. effective May 1, 1985. The Employer and the Union also agree that the Parties executing this Form are authorized to do so.

Name of Employer _____ Tel. No. _____ Signed by _____ Title _____
 Company's IRS Identification No. _____

Signing for Union Joe - [Signature] Business Manager, Laborers' District Council of the Metropolitan Area of Philadelphia and Vicinity

Make checks payable to **GIRARD BANK, DEPOSITORY** and **MAIL CHECK & ALL COPIES (except last copy) OF REPORTS TO:**
GIRARD BANK, DEPOSITORY, P.O. BOX 7777 - Wi 3280, PHILADELPHIA, PA. 19175
Not Later than the 15th Day Following End of Month Covered by Report

DEPOSITORY USE ONLY

H. & W. FUND	PENSION FUND	ED. & TR. FUND	GBCA I.A.P.	PREPAID LEGAL	FIELD DUES CHECK-OFF	POL. ACTION FUND
\$1.15 Hr.	\$2.10 Hr.	\$.25 Hr.	\$.15 Hr.	\$.20 Hr.	\$.35 Hr.	\$.01 Hr.

TOTAL REMITTED \$
Date Received
Date Deposited

TOTAL EMPLOYER CONTRIBUTIONS = \$3.85 PER HOUR + PLUS CHECK-OFFS \$.36

EFFECTIVE 5/1/85		
1. EMPLOYER CONTRIBUTIONS PLUS	\$ 3.85	PER HOUR
*2. FIELD DUES CHECK-OFF	\$.35	PER HOUR
*3. P. A. F. CHECK-OFF (*DEDUCTED FROM WAGES)	\$.01	PER HOUR
TOTAL REMITTANCE	\$4.21	PER HOUR

CONTRIBUTION REMITTANCE
 Covering LABORERS employed in the
COMMERCIAL, INDUSTRIAL, INSTITUTIONAL
Building & Construction Field
 Make Check payable to the **Girard Bank, Depository**
 Mail check and **ALL copies** (except last) of Report to
P.O. Box 7777-Wi 3280 - Philadelphia, PA 19175
 Not later than the **15th day following the month**
 which the Report covers.

PENSION FUND COPY	
SUBMIT REPORT MONTHLY IF NO COVERED EMPLOYEES WERE EMPLOYED SINCE LAST	<input type="checkbox"/>
SEND ADDITIONAL FORMS	<input type="checkbox"/>
FINAL REPORT	<input type="checkbox"/>

- ① Report for the month ending _____, 19____. ② Page Number _____ of _____
 ③ List Employees Receiving Disability Payments From Workmen's Compensation on Separate Sheet (See Item 3 of Instructions)

	④ Name of Employee (Please Print or Type)			⑤ Soc. Sec. No. Must be Correct	⑥ Number of Hours Worked During Payroll Periods Ending:					⑦ Total No. of Hrs. for Employee
	Last Name	First Name	Initial							
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⑧ TOTAL NUMBER OF HOURS THIS PAGE										
⑨ SUMMARY OF TOTAL HOURS REPORTED ON ALL PAGES (Enter on last page only) —										

⑩ Remittance Calculations:		TOTAL REMITTANCE
a. Employer's Contributions	@ \$3.85 Per Hr. X Total Hours \$	
b. Field Dues Deduction from Net Wages	@ \$.35 Per Hr. X Total Hours \$	
c. Pol. Action Fund Deduction from Net Wages	@ \$.01 Per Hr. X Total Hours \$	
TOTAL REMITTANCE	\$	

The signing of this Remittance Form and the payment of the amount indicated on Line 10 constitutes an acceptance of the terms and conditions of the Trust Agreement under which the above listed Funds operate and the Employer and the Union also hereby agree that the contributions enclosed with this Remittance Report constitutes an acceptance of the provisions concerning contributions to the Funds which are contained in the collective bargaining agreement between the Laborers' District Council and General Building Contractors Association, Inc., effective May 1, 1985. The Employer and the Union also agree that the Parties executing this Form are authorized to do so.

11. _____	12. _____	13. _____	_____	_____
Name of Employer		Tel. No.	Signed by	Title

Company's IRS Identification No. _____

Signing for Union *Leslie L. Linn* Business Manager, Laborers' District Council of the Metropolitan Area of Philadelphia and Vicinity

Make checks payable to **GIRARD BANK, DEPOSITORY** and **MAIL CHECK & ALL COPIES (except last copy)** OF REPORTS TO:
GIRARD BANK, DEPOSITORY, P.O. BOX 7777 - Wi 3280, PHILADELPHIA, PA. 19175
Not Later than the 15th Day Following End of Month Covered by Report

DEPOSITORY USE ONLY						
H. & W. FUND	PENSION FUND	ED. & TR. FUND	GBCA I.A.P.	PREPAID LEGAL	FIELD DUES CHECK-OFF	POL. ACTION FUND
\$1.15 Hr.	\$2.10 Hr.	\$.25 Hr.	\$.15 Hr.	\$.20 Hr.	\$.35 Hr.	\$.01 Hr.
TOTAL EMPLOYER CONTRIBUTIONS = \$3.85 PER HOUR					+ PLUS CHECK-OFFS \$.36	

TOTAL REMITTED \$	_____
Date Received	_____
Date Deposited	_____

EFFECTIVE 5/1/85		
1. EMPLOYER CONTRIBUTIONS	\$ 3.85	PER HOUR
PLUS		
*2. FIELD DUES CHECK-OFF	\$.35	PER HOUR
*3. P. A. F. CHECK-OFF	\$.01	PER HOUR
(*DEDUCTED FROM WAGES)		
TOTAL REMITTANCE	\$4.21	PER HOUR

CONTRIBUTION REMITTANCE
 Covering LABORERS employed in the
COMMERCIAL, INDUSTRIAL, INSTITUTIONAL
Building & Construction Field
 Make Check payable to the **Girard Bank, Depository**
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P.O. Box 7777-Wi 3280 - Philadelphia, PA 19175
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ED. & TR. FUND COPY	
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	FINAL REPORT <input type="checkbox"/>

- ① Report for the month ending _____, 19____. ② Page Number _____ of _____
 ③ List Employees Receiving Disability Payments From Workmen's Compensation on Separate Sheet (See Item 3 of Instructions)

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⑨ SUMMARY OF TOTAL HOURS REPORTED ON ALL PAGES (Enter on last page only) —

⑩ Remittance Calculations:		TOTAL REMITTANCE
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c. Pol. Action Fund Deduction from Net Wages	@ \$.01 Per Hr. X Total Hours \$	
TOTAL REMITTANCE	\$	

The signing of this Remittance Form and the payment of the amount indicated on Line 10 constitutes an acceptance of the terms and conditions of the Trust Agreement under which the above listed Funds operate and the Employer and the Union also hereby agree that the contributions enclosed with this Remittance Report constitutes an acceptance of the provisions concerning contributions to the Funds which are contained in the collective bargaining agreement between the Laborers' District Council and General Building Contractors Association, Inc., effective May 1, 1985. The Employer and the Union also agree that the Parties executing this Form are authorized to do so.

11. _____ 12. _____ 13. _____
 Name of Employer Tel. No. Signed by Title
 Company's IRS Identification No. _____

Signing for Union Larry T. Linn Business Manager, Laborers' District Council of the Metropolitan Area of Philadelphia and Vicinity

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DEPOSITORY USE ONLY						
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TOTAL EMPLOYER CONTRIBUTIONS = \$3.85 PER HOUR					+ PLUS CHECK-OFFS \$.36	

TOTAL REMITTED \$ _____
Date Received _____
Date Deposited _____

EFFECTIVE 5/1/85		
1. EMPLOYER CONTRIBUTIONS PLUS	\$ 3.85	PER HOUR
*2. FIELD DUES CHECK-OFF	\$.35	PER HOUR
*3. P. A. F. CHECK-OFF (*DEDUCTED FROM WAGES)	\$.01	PER HOUR
TOTAL REMITTANCE	\$4.21	PER HOUR

CONTRIBUTION REMITTANCE
 Covering LABORERS employed in the
COMMERCIAL, INDUSTRIAL, INSTITUTIONAL
Building & Construction Field
 Make Check payable to the Girard Bank, Depository
 Mail check and **ALL** copies (except last) of Report to
P.O. Box 7777-Wi 3280 - Philadelphia, PA 19175
 Not later than the **15th day following the month**
 which the Report covers.

GBCA I.A.P. COPY	
<input type="checkbox"/> SUBMIT REPORT MONTHLY <input type="checkbox"/> CHECK, VERIFY EMPLOYER <input type="checkbox"/> WERE EMPLOYED SEPARATE	<input type="checkbox"/> ADD ADDITIONAL FORMS <input type="checkbox"/> FINAL REPORT

- ① Report for the month ending _____, 19____ ② Page Number _____ of _____
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c. Pol. Action Fund Deduction from Net Wages	@ \$.01 Per Hr. X Total Hours \$	
TOTAL REMITTANCE	\$	

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11. _____	12. _____	13. _____	_____	_____
Name of Employer	Tel. No.	Signed by	Title	

Company's IRS Identification No. _____
 Signing for Union Leroy T. Linn Business Manager, Laborers' District Council of the Metropolitan Area of Philadelphia and Vicinity

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\$1.15 Hr.	\$2.10 Hr.	\$.25 Hr.	\$.15 Hr.	\$.20 Hr.	\$.35 Hr.	\$.01 Hr.
TOTAL EMPLOYER CONTRIBUTIONS = \$3.85 PER HOUR				+ PLUS CHECK-OFFS \$.36		

TOTAL REMITTED \$	_____
Date Received	_____
Date Deposited	_____

EFFECTIVE 5/1/85		
1 EMPLOYER CONTRIBUTIONS PLUS	\$ 3.85	PER HOUR
*2 FIELD DUES CHECK-OFF	\$.35	PER HOUR
3 P. A. F. CHECK-OFF (DEDUCTED FROM WAGES)	\$.01	PER HOUR
TOTAL REMITTANCE	\$4.21	PER HOUR

CONTRIBUTION REMITTANCE Covering LABORERS employed in the **COMMERCIAL, INDUSTRIAL, INSTITUTIONAL** **Building & Construction Field** Make Check payable to the **Girard Bank, Depository** Mail check and **ALL copies** (except last) of Report to **P.O. Box 7777-Wi 3280 - Philadelphia, PA 19175** Not later than the **15th day following the month** which the Report covers.

LEGAL FUND COPY	
SUBMIT REPORT MONTHLY IF NO COVERED EMPLOYEES WERE EMPLOYED SO INDICATE	<input type="checkbox"/>
SEND ADDITIONAL FORMS	<input type="checkbox"/>
FINAL REPORT	<input type="checkbox"/>

- ① Report for the month ending _____, 19____ Page Number _____ of _____
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Pol. Action Fund Deduction from Net Wages	\$.01 Per Hr. x Total Hours	\$ _____
TOTAL REMITTANCE		\$ _____

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11. _____ 12. _____ 13. _____

Name of Employer _____ Tel. No. _____ Signed by _____ Title _____

Company's IRS Identification No. _____

Signing for Union Joe [Signature] Business Manager, Laborers' District Council of the Metropolitan Area of Philadelphia and Vicinity

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DEPOSITORY USE ONLY						
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\$1.15 Hr.	\$2.10 Hr.	\$.25 Hr.	\$.15 Hr.	\$.20 Hr.	\$.35 Hr.	\$.01 Hr.
TOTAL EMPLOYER CONTRIBUTIONS = \$3.85 PER HOUR						PLUS CHECK-OFFS \$.36

TOTAL REMITTED \$
Date Received
Date Deposited

EFFECTIVE 5/1/85		
1 EMPLOYER CONTRIBUTIONS	\$ 3.85	PER HOUR
PLUS		
*2 FIELD DUES CHECK-OFF	\$.35	PER HOUR
*3 P. A. F. CHECK-OFF	\$.01	PER HOUR
(*DEDUCTED FROM WAGES)		
TOTAL REMITTANCE	\$4.21	PER HOUR

CONTRIBUTION REMITTANCE
 Covering **LABORERS** employed in the
COMMERCIAL, INDUSTRIAL, INSTITUTIONAL
Building & Construction Field
 Make Check payable to the **Girard Bank, Depository**
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P.O. Box 7777-Wi 3280 - Philadelphia, PA 19175
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 which the Report covers.

FIELD DUES CHECK-OFF COPY	
SUBMIT REPORT MONTHLY IF NO COVERED EMPLOYEES WERE EMPLOYED, SO INDICATE	<input type="checkbox"/>
SEND ADDITIONAL FORMS	<input type="checkbox"/>
FINAL REPORT	<input type="checkbox"/>

- ① Report for the month ending _____, 19____ ② Page Number _____ of _____
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11. _____ 12. _____ 13. _____
 Name of Employer Tel. No. Signed by Title
 Company's IRS Identification No. _____

Signing for Union *Ray - [Signature]* Business Manager, Laborers' District Council of the Metropolitan Area of Philadelphia and Vicinity

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TOTAL EMPLOYER CONTRIBUTIONS = \$3.85 PER HOUR					PLUS CHECK-OFFS \$.36	

TOTAL REMITTED \$ _____
Date Received _____
Date Deposited _____

EFFECTIVE 5/1/85

1. EMPLOYER CONTRIBUTIONS PLUS	\$ 3.85	PER HOUR
*2. FIELD DUES CHECK-OFF	\$.35	PER HOUR
*3. P. A. F. CHECK-OFF (*DEDUCTED FROM WAGES)	\$.01	PER HOUR
TOTAL REMITTANCE	\$4.21	PER HOUR

CONTRIBUTION REMITTANCE
 Covering LABORERS employed in the
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P.O. Box 7777-Wi 3280 - Philadelphia, PA 19175
 Not later than the **15th day following the month**
 which the Report covers.

EMPLOYER'S COPY
Retain for Your File

SUBMIT REPORT MONTHLY
 IF NO COVERED EMPLOYEES
 WERE EMPLOYED SO INDICATE ☐

SEND
 ADDITIONAL
 FORMS ☐

**FINAL
 REPORT** ☐

- ① Report for the month ending _____, 19_____. ② Page Number _____ of _____
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11. _____ 12. _____ 13. _____
 Name of Employer Tel. No. Signed by Title
 Company's IRS Identification No. _____

Signing for Union Leo J. Cunningham Business Manager, Laborers' District Council of the Metropolitan Area of Philadelphia and Vicinity

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DEPOSITORY USE ONLY

H. & W. FUND	PENSION FUND	ED. & TR. FUND	GBCA I.A.P.	PREPAID LEGAL	FIELD DUES CHECK-OFF	POL. ACTION FUND	TOTAL REMITTED \$ _____ Date Received _____ Date Deposited _____
\$1.15 Hr.	\$2.10 Hr.	\$2.25 Hr.	\$1.15 Hr.	\$2.20 Hr.	\$1.35 Hr.	\$1.01 Hr.	
TOTAL EMPLOYER CONTRIBUTIONS = \$3.85 PER HOUR						PLUS CHECK-OFFS \$3.6	

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Laborers' District Council)
Political Action Fund)
Samuel Staten, Sr., as treasurer)

RAD 86L-4 and
86NF-8

(M 2193)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 3, 1986, the Commission decided by a vote of 6-0 to take the following actions in RAD 86L-4 and 86NF-8:

1. Open a MUR.
2. Find reason to believe that the Laborers' District Council Political Action Fund and Samuel Staten, Sr., as treasurer, violated the following:
 - a) 2 U.S.C. § 434(b)(1), (2) and (3);
 - b) 11 C.F.R. § 104.12;
 - c) 2 U.S.C. § 434(b)(3)(A);
 - d) 2 U.S.C. § 434(a)(4)(A)(i).
3. Approve the letter and General Counsel's Factual and Legal Analysis, as recommended in the First General Counsel's Report signed June 30, 1986.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

7-3-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Tues., 7-1-86,	11:25
Circulated on 48 hour tally basis:	Tues., 7-1-86,	4:00
Deadline for vote:	Thurs., 7-3-86,	4:00

FEDERAL ELECTION COMMISSION
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

DATE AND TIME OF TRANSMITTAL

MUR: RAD Referrals
86L-4 and 86NF-8

TO THE COMMISSION:

STAFF MEMBER:
Frances B. Hagan

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS' NAMES: Laborers' District Council Political Action
Fund
Samuel Staten, Sr., as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(b)(1), (2) and (3)
11 C.F.R. § 104.12
11 C.F.R. § 104.3(a)(2) and (4)
2 U.S.C. § 434(a)(4)(A)(i)
11 C.F.R. § 104.5(c)(1)(i)(A)

INTERNAL REPORTS CHECKED: RAD Referral

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was referred to the Office of General Counsel by
the Reports Analysis Division.

SUMMARY OF ALLEGATIONS

The Laborers' District Council Political Action Fund ("the
Fund") and Samuel Staten, Sr., as treasurer, violated 2 U.S.C.
§ 434(b)(1), (2) and (3) and 11 C.F.R. § 104.12 by failing to
provide supporting schedules to itemize the source of initial
cash-on-hand. The Fund violated 2 U.S.C. § 434(b)(3)(A) by
failing to itemize contributions from individuals. The Fund also

violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file the 1986 April Quarterly Report in a timely manner.

FACTUAL AND LEGAL ANALYSIS

Cash on Hand and Itemization of Receipts

2 U.S.C. § 434(b)(1), (2) and (3) require disclosure of beginning cash-on-hand, disclosure of several categories of receipts, and itemization of certain receipts. 11 C.F.R. § 104.12 states in part that "Political committees which have cash-on-hand at the time of registration shall disclose on their first report the source(s) of such funds. The cash-on-hand balance is assumed to be composed of those contributions most recently received by the committee."

2 U.S.C. § 434(b)(3)(A) requires the identification of each person (other than a political committee) whose contributions aggregate in excess of \$200 within the calendar year, along with the date and amount of such contributions.

On August 5, 1985, the Fund filed its first disclosure report, the 1985 Mid Year Report. The report disclosed beginning cash-on-hand of \$29,597.88 and individual contributions of \$17,343.26. The line denoting unitemized contributions was blank and supporting schedules were omitted. Thus, the Fund did not disclose the source of cash-on-hand shown on its first report nor did it itemize the individual contributions. Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the Fund and its treasurer violated 2 U.S.C. § 434(b)(1), (2) and (3) and 11 C.F.R. § 104.12 for

failing to disclose the source of cash-on-hand. We also recommend a finding of reason to believe that the Fund and its treasurer violated 2 U.S.C. § 434(b)(3)(A) by failing to itemize individual contributions.

Late Filing

2 U.S.C. § 434(a)(4)(A)(i) requires in part that political committees other than authorized candidate committees file quarterly reports in general election years, to be filed by the 15th day after the end of the calendar quarter.

On March 21, 1986, RAD notified the Fund that its 1986 April Quarterly (1/1/86 - 3/31/86) was due on April 15, 1986. On June 16, 1986, The Fund filed the required report.

Because The Fund submitted the report 62 days late, this Office recommends that the Commission find reason to believe that the Fund and its treasurer violated 2 U.S.C. § 434(a)(4)(A)(i).

RECOMMENDATION

1. Open a MUR.
2. Find reason to believe that the Laborers' District Council Political Action Fund and Samuel Staten, Sr., as treasurer, violated the following:
 - a) 2 U.S.C. § 434(b)(1), (2) and (3);
 - b) 11 C.F.R. § 104.12;
 - c) 2 U.S.C. § 434(b)(3)(A);
 - d) 2 U.S.C. § 434(a)(4)(A)(i).

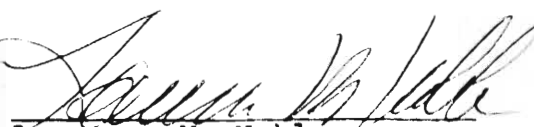
3. Approve the attached letter and General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

Date

6/30/86

By:


Lawrence M. Noble
Deputy General Counsel

Attachments

Letter to Respondents and General Counsel's Factual
and Legal Analysis
Referral from RAD

37030541730

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO.
STAFF MEMBER & TEL. NO.
Frances B. Hagan (202) 376-8200

RESPONDENT: Laborers' District Council Political Action Fund
Samuel Staten, Sr., as treasurer

SUMMARY OF ALLEGATIONS

970404301
The Laborers' District Council Political Action Fund ("the Fund") and Samuel Staten, Sr., as treasurer, violated 2 U.S.C. § 434(b)(1), (2) and (3) and 11 C.F.R. § 104.12 by failing to provide supporting schedules to itemize the source of initial cash-on-hand. The Fund violated 2 U.S.C. § 434(b)(3)(A) by failing to itemize contributions from individuals. The Fund also violated 2 U.S.C. § 434(a)(4)(A)(i) by failing timely to file the 1986 April Quarterly Report.

FACTUAL AND LEGAL ANALYSIS

Cash on Hand and Itemization of Receipts

2 U.S.C. § 434(b)(1), (2) and (3) require disclosure of beginning cash-on-hand, disclosure of several categories of receipts, and itemization of certain receipts. 11 C.F.R. § 104.12 states in part that "Political committees which have cash-on-hand at the time of registration shall disclose on their first report the source(s) of such funds. The cash on hand balance is assumed to be composed of those contributions most recently received by the committee."

4 (3)

2 U.S.C. § 434(b)(3)(A) requires the identification of each person (other than a political committee) whose contributions aggregate in excess of \$200 within the calendar year, along with the date and amount of such contributions.

On August 5, 1985, the Fund filed its first disclosure report, the 1985 Mid Year Report. The report disclosed beginning cash-on-hand of \$29,597.88 and individual contributions of \$17,343.26. The line denoting unitemized contributions was blank and supporting schedules were omitted. Thus, the Fund did not disclose the source of cash-on-hand shown on its first report nor did it itemize the individual contributions. Therefore, the Office of General Counsel recommended that the Commission find reason to believe that the Fund and Samuel Staten, Sr., as treasurer, violated 2 U.S.C. § 434(b)(1), (2) and (3) and 11 C.F.R. § 104.12 for failing to disclose the source of cash-on-hand. We also recommended a finding of reason to believe that the Fund and its treasurer violated 2 U.S.C. § 434(b)(3)(A) by failing to itemize individual contributions.

Late Filing

2 U.S.C. § 434(a)(4)(A)(i) requires in part that political committees other than authorized candidate committees file quarterly reports in general election years, to be filed by the 15th day after the end of the calendar quarter.

On March 21, 1986, RAD notified the Fund that its 1986 April Quarterly (1/1/86 - 3/31/86) was due on April 15, 1986. On June 16, 1986, the Fund filed the required report.

A (4)

Because the Fund submitted the report 62 days late, this Office recommended that the Commission find reason to believe that the Fund and its treasurer violated 2 U.S.C. § 434(a)(4)(A)(i).

37040040030

F. (5)

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 8 May 1986

ANALYST: Christopher L. Nuland

I. COMMITTEE: Laborers' District Council Political
Action Fund (C00197251)
Samuel Staten, Sr., Treasurer
661 North Broad Street
Philadelphia, PA 19123

II. RELEVANT STATUTE: 2 U.S.C. §434(b)
11 CFR 104.3(a)(2) and (4) and 104.12

III. BACKGROUND:

Failure to Provide Supporting Schedules

The Laborers' District Council Political Action Fund (the "Fund") filed its first report, the 1985 Mid-Year Report, on August 5, 1985. The Summary Page of the report disclosed a beginning cash-on-hand figure of \$29,597.88 (Attachment 2). In addition, Line 11(a) of the Detailed Summary Page listed a total of \$17,343.26 in contributions from individuals, the Memo Entry Unitemized line was blank, and no supporting schedules were included (Attachment 3).

A Request for Additional Information ("RFAI") was sent to the Fund on February 19, 1986 (Attachment 4). The RFAI advised the Fund to itemize all contributions from individuals/persons which in the aggregate exceeded \$200 in the calendar year, and/or to provide a figure representing the total amount of unitemized contributions received. Furthermore, the RFAI requested that the Fund provide a memo Schedule A to identify the source of the contributions contained in its beginning cash-on-hand figure. A Second Notice was sent on March 13, 1986, for failure to respond to the initial RFAI (Attachment 5).

On April 1, 1986, the Reports Analysis Division ("RAD") analyst received a telephone call from Ms. LaRoyce C. Burroughs, director of the Fund (Attachment 6). Ms. Burroughs explained that the current treasurer had neglected to respond to the Commission's inquiries and asked that she be sent copies of all correspondence. Ms. Burroughs also requested that the RAD analyst change the records to reflect her name as treasurer of the Fund. The RAD analyst stated that the Fund would have to submit written notification of a change in treasurers. The RAD analyst sent copies of all RFAI's to Ms. Burroughs that day.

3 (2)

On April 4, 1986, the Commission received a letter which named Ms. Burroughs co-treasurer of the Fund (Attachment 7).1/ As of this date, however, the Fund has not responded to the RFAI.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

1/ On April 18, 1986, the Fund filed their Statement of Organization disclosing Samuel Staten, Sr. as treasurer and Ms. Burroughs as assistant treasurer.

37747548055

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
LABORERS' DISTRICT COUNCIL POLITICAL ACTION FUND CONNECTED ORGANIZATION: LABORERS' DISTRICT COUNCIL				NON-PARTY NON-QUALIFIED ID #C00197251		
1985	MID-YEAR REPORT	18,502	2,143	1JAN85 -30JUN85	6	85FEC/383/5396
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -30JUN85	2	86FEC/402/4793
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN85 -30JUN85	3	86FEC/404/5243
	YEAR-END	22,385	5,284	1JAN85 -31DEC85	7	86FEC/401/2289
	REQUEST FOR ADDITIONAL INFORMATION			1JUL85 -31DEC85	1	86FEC/403/4360
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL85 -31DEC85	2	86FEC/405/5354
1986	REQUEST FOR ADDITIONAL INFORMATION				1	86FEC/403/4315
	STATEMENT OF ORGANIZATION - AMENDMENT			4APR86	2	86FEC/407/1391
	STATEMENT OF ORGANIZATION			18APR86	3	86FEC/410/362
	REQUEST FOR ADDITIONAL INFORMATION 2ND				2	86FEC/405/5386
	TOTAL	40,887	0	7,427	0	29 TOTAL PAGES

All reports have been reviewed.

Beginning cash-on-hand on 1/1/85: \$29,597.88

Ending cash-on-hand as of 12/31/85: \$63,057.81

Debts and obligations owed by the Committee as of 12/31/85: \$47,111.40 reported on debt schedule (Schedule D)
(Note: \$10,927.43 reported on Detailed Summary
Page, Line 10)

B
(7)

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

ATTACHMENT #2

(Summary Page)

05 AUG 5. A9:26

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

1 Name of Committee (in Full)

Laborers' District Council
Political Action Committee

Address (Number and Street)

661 North Broad Street

City, State and ZIP Code

Philadelphia, PA 19123

☐ Check here if address is different than previously reported

2 FEC Identification Number

Applied For

☐ This committee qualified as a multicandidate committee during this Reporting Period on _____

4 TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 31 Year End Report

☒ July 31 Mid Year Report (Non Election Year Only)

☐ Monthly Report for

☐ Twelfth day report (including

election on _____ in the State of _____

☐ Twelfth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES

☐ NO

SUMMARY

5 Covering Period 1/1/85 through 6/30/85

6 (a) Cash on hand January 1, 1985

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1b)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7 Total Disbursements (from Line 2b)

8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9 Debts and Obligations Owed TO The Committee

(itemize all on Schedule C or Schedule D)

10 Debts and Obligations Owed BY the Committee

(itemize all on Schedule C or Schedule D)

COLUMN A
This Period

COLUMN B
Calendar Year to Date

\$ 29,597.88

\$ 29,597.88

\$ 18,502.37 \$ 18,502.37

\$ 48,100.25 \$ 48,100.25

\$ 2,145.47 \$ 2,145.47

\$ 45,956.78 \$ 45,956.78

\$ 36,185.97

For further information contact

Federal Election Commission

1100 L Street, N.W.

Washington, D.C. 20543

Samuel Staleno, Sr.

Secretary of the Committee

Signature of Treasurer

Date 07/23/85

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used

FEC FORM 3 (7-85)

B(5)

DECLARED SUMMARY PAGE
of Receipts and Disbursements
(Page 2 FEC FORM 3X)

ATTACHMENT #3

Name of Committee

Labors' District Council-Political Action Committee

Report Covering the Period

From 1/1/85

To 6/30/85

	COLUMN A Total This Period	COLUMN B Calendar Year To Date	
I. RECEIPTS			
11 CONTRIBUTIONS (other than loans) FROM			
(a) Individuals/Persons Other Than Political Committees	17,343.26	17,343.26	11(a)
Name Entry Unitemized \$			
(b) Political Party Committees			11(b)
(c) Other Political Committees			11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	17,343.26	17,343.26	11(d)
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			12
13 ALL LOANS RECEIVED			13
14 LOAN REPAYMENTS RECEIVED			14
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			15
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17 OTHER RECEIPTS (Dividends, Interest, etc.)	1,159.11	1,159.11	17
18 TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	18,502.37	18,502.37	18
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES	2,143.47	2,143.47	19
20 TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			21
22 INDEPENDENT EXPENDITURES (see Schedule E)			22
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 USC 6441 and 11 USC Schedule F)			23
24 LOAN REPAYMENTS MADE			24
25 LOANS MADE			25
26 REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees			26(a)
(b) Political Party Committees			26(b)
(c) Other Political Committees			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			26(d)
27 OTHER DISBURSEMENTS			27
28 TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	2,143.47	2,143.47	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	17,343.26	17,343.26	29
30 TOTAL CONTRIBUTION REFUNDS from Line 26(d)	0.00	0.00	30
31 NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	17,343.26	17,343.26	31
32 TOTAL OPERATING EXPENDITURES from Line 19	2,143.47	2,143.47	32
33 OFFSETS TO OPERATING EXPENDITURES from Line 15	0.00	0.00	33
34 NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	2,143.47	2,143.47	34

B (6)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

ATTACHMENT #4
Page 1 of 2
RQ-2

FEB 19

Samuel Staten, Treasurer
Laborers' District Council
Political Action Committee
661 North Broad Street
Philadelphia, PA 19123

Identification Number: C00197251

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Mr. Staten:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

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-Line 11a of the Detailed Summary Page discloses a figure for the total amount of contributions from individuals/persons other than political committees. In addition, the memo entry portion of the Detailed Summary Page is blank, and no supporting schedules have been provided. Please amend your report by itemizing all contributions from individuals/persons, which aggregate greater than \$200 in the calendar year, and/or provide a figure for the total amount of unitemized contributions from individuals/persons, which have been received during the reporting period. 11 CFR 104.3(a)(2).

-Please clarify the purpose for which the debts on Schedule B were incurred.

-Political committees which have cash on hand at the time of registration must disclose the source of the funds. The balance is assumed to be composed of those contributions most recently received by the committee prior to registration. Please identify the source of these contributions on a memo Schedule A. 11 CFR 104.12.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need

B(7)

assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,



Christopher L. Nuland
Reports Analyst
Reports Analysis Division

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3 7 1 1 0 3 4

B(8)



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20543

EQ-3

March 13, 1986

**Samuel Staten, Treasurer
Laborers' District Council
Political Action Committee
661 North Broad Street
Philadelphia, PA 19123**

Identification Number: C00197251

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Mr. Staten:

This letter is to inform you that as of March 12, 1986, the Commission has not received your response to our request for additional information, dated February 19, 1986. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Christopher Muland on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,

**John D. Gibson
Assistant Staff Director
Reports Analysis Division**

Enclosure

B (9)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

ATTACHMENT #5
Page 2 of 3

RQ-2

FEB 19

Samuel Staten, Treasurer
Laborers' District Council
Political Action Committee
661 North Broad Street
Philadelphia, PA 19123

Identification Number: C00197251

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Mr. Staten:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Line 11a of the Detailed Summary Page discloses a figure for the total amount of contributions from individuals/persons other than political committees. In addition, the memo entry portion of the Detailed Summary Page is blank, and no supporting schedules have been provided. Please amend your report by itemizing all contributions from individuals/persons, which aggregate greater than \$200 in the calendar year, and/or provide a figure for the total amount of unitemized contributions from individuals/persons, which have been received during the reporting period. 11 CFR 104.3(a)(2).

-Please clarify the purpose for which the debts on Schedule B were incurred.

-Political committees which have cash on hand at the time of registration must disclose the source of the funds. The balance is assumed to be composed of those contributions most recently received by the committee prior to registration. Please identify the source of these contributions on a memo Schedule A. 11 CFR 104.12.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need

B (10)

assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,



Christopher L. Nuland
Reports Analyst
Reports Analysis Division

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B(11)

ANALYST: Chris Nuland

CONVERSATION WITH: Ms. LaRoyce Burroughs, Director

COMMITTEE: Laborers' District Council Political Action Committee

DATE: 4/1/86

SUBJECT(S): Unreceived Letters

Ms. Burroughs, the Director of the Committee, said that she had not been receiving our letters and asked that letters be sent to her instead of the treasurer, who resided in another part of the state and obviously was not taking care of the problems. The particular problem to which Ms. Burroughs was referring was the Second Notice RFAI which stated that the Committee had failed to file a Statement of Organization. After checking the folder, I discovered that the Committee had also been sent RFAI's for both the Mid Year and Year End Reports, but that it had responded to neither. Ms. Burroughs explained that she had not seen or heard of the other two letters, and asked if I might send a copy of the two along with a blank Statement of Organization. She also asked if I would change our records to reflect the change of her to treasurer. I said that the Committee would have to submit a written request for this, but that I would send the packet directly to her, which I did on April 1, 1986.

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on file
4/1/86

B (12)

ATTACHMENT #7

BOARD OF TRUSTEES

Chairman
Larry T. Burroughs
President
John R. Smith Jr.
Secretary
Walter P. Palmer

Director
LaRoyce C. Burroughs

**LABORERS' DISTRICT COUNCIL
Political Action
Fund**

661 NORTH BROAD STREET
PHILADELPHIA, PA. 19123 • (215) 236-2800

86 APR 1 1986



April 1, 1986

Mr. Christopher L. Noland
Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Noland:

Please be advised that as of April 1, 1986, I am assuming the position of Co-Treasurer of the Laborers' District Council, Political Action Fund. In the future please send all correspondence to my attention, at 661 North Broad Street, Philadelphia, Pa. 19123.

Thanking you in advance for your cooperation.

Sincerely,

Ms. LaRoyce C. Burroughs
Administrator

LCB/yf

86034071391

B(13)

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 10 June 1986

ANALYST: Christopher L. Nuland

I. COMMITTEE: Laborers' District Council Political
Action Fund (C00197251)
Samuel Staten Sr., Treasurer
661 North Broad Street
Philadelphia, PA 19123

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i)
11 CFR 104.5(c)(1)(i)(A)

III. BACKGROUND:

Failure to File the 1986 April Quarterly Report

The Laborers' District Council Political Action Fund ("the Fund") failed to file the 1986 April Quarterly Report of Receipts and Disbursements covering the period from January 1, 1986 through March 31, 1986. The Fund was notified on March 21, 1986 that the report was due on April 15, 1986 (Attachment 2).

A Non-Filer Notice was sent to the Fund on May 7, 1986 (Attachment 3). On May 28, 1986, the Reports Analysis Division ("RAD") analyst called the Fund and informed Ms. LaRoyce C. Burroughs, the Executive Director, that the 1986 April Quarterly Report had not been filed. The RAD analyst instructed her to file the report as soon as possible. Ms. Burroughs replied that the Fund's Treasurer, Samuel Staten, Sr., resided in another part of the state and therefore the Non-Filer Notice may have been delayed in reaching him. Nevertheless, Ms. Burroughs said that the report would be forthcoming.

As of this date, the Fund has not filed the 1986 April Quarterly Report.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

C (2)

3704034.037

Attachment 1

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (US-86)DATE 4JUN86
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
LABORERS' DISTRICT COUNCIL POLITICAL ACTION FUND CONNECTED ORGANIZATION: LABORERS' DISTRICT COUNCIL						NON-PARTY NON-QUALIFIED ID #C00197251
1985	MID-YEAR REPORT	18,502	2,143	1JAN85 -30JUN85	6	85FEC/383/5396
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -30JUN85	2	86FEC/402/4793
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN85 -30JUN85	3	86FEC/404/5243
	YEAR-END	22,385	5,284	1JAN85 -31DEC85	7	86FEC/401/2289
	REQUEST FOR ADDITIONAL INFORMATION			1JUL85 -31DEC85	1	86FEC/403/4360
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL85 -31DEC85	2	86FEC/405/5354
1986	REQUEST FOR ADDITIONAL INFORMATION				1	86FEC/403/4315
	REQUEST FOR ADDITIONAL INFORMATION				1	86FEC/414/0257
	STATEMENT OF ORGANIZATION - AMENDMENT			4APR86	2	86FEC/407/1391
	STATEMENT OF ORGANIZATION			18APR86	3	86FEC/410/3829
	REQUEST FOR ADDITIONAL INFORMATION 2ND				2	86FEC/405/5386
	NOTICE OF FAILURE TO FILE			1JAN86 -31MAR86	1	86FEC/413/2962
	TOTAL	40,887	0	7,427	0	31 TOTAL PAGES

All reports listed above have been reviewed.

Ending cash-on-hand as of 12/31/86: \$63,057.81

Outstanding Debts as of 12/31/86: \$10,927.43 reported on Detailed Summary Page, Line 10.
(Note: \$47,111.40 reported on debt schedule (Schedule D).)

C (3)

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS**March 21, 1986****WHO MUST FILE**

ALL Party Committees, Non-connected Committees and Separate Segregated Funds, except those filing monthly (see below), must file a quarterly report by April 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for last report filed through March 31, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through March 31, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight April 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business April 15, 1986.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by April 20, 1986, and disclose all financial activity of their committee from March 1 through March 31, 1986. (See the schedule of monthly reports on the reverse side.)

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).

-over-

C (4)

REMINDERS

QUARTERLY FILERS

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, must file a pre-election report if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary election filing requirements.

MONTHLY FILERS

Committees that file monthly must follow the schedule below. Pre-general election reports sent by registered or certified mail must be postmarked no later than midnight October 20, 1986. All other reports sent by registered or certified mail must be postmarked no later than midnight on the filing date in order to be timely. Reports hand delivered or mailed first class must be received by close of business on the filing date.

REPORT	PERIOD COVERED		FILING DATE
February	01/01	- 01/31	02/20/86
March	02/01	- 02/28	03/20/86
April	03/01	- 03/31	04/20/86
May	04/01	- 04/30	05/20/86
June	05/01	- 05/31	06/20/86
July	06/01	- 06/30	07/20/86
August	07/01	- 07/31	08/20/86
September	08/01	- 08/31	09/20/86
October	09/01	- 09/30	10/20/86
Pre-election	10/01	- 10/15	10/23/86
Post-election	10/16	- 11/24	12/04/86
Year-End	11/25	- 12/31	01/31/87

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c) (2) and (3) for information concerning where to file.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

2(5)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

RQ-7

May 7, 1986

Samuel Staten Sr., Treasurer
 Laborers' District Council Political
 Action Fund
 661 North Broad Street
 Philadelphia, PA 19123

Identification Number: C00197251

Reference: April Quarterly Report (1/1/86-3/31/86)

Dear Mr. Staten:

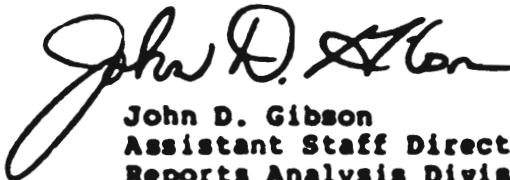
It has come to the attention of the Federal Election Commission ("the Commission") that you may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent state officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Christopher Nuland on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,


 John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

C (6)

136247

ANALYST: Chris Nuland

CONVERSATION WITH: LaRoyce C. Burroughs

COMMITTEE: Laborers' District Council Political Action Fund

DATE: May 28, 1986

SUBJECT(S): Late Filing of the 1986 April Quarterly Report

I telephoned Ms. Burroughs, the Executive Director of the Fund, in order to tell her that the Commission had not yet received her committee's 1986 April Quarterly Report. I stressed the importance of timely filing and added that the report should be filed as soon as possible in order to avoid the possibility of legal action.

Ms. Burroughs responded by declaring that, due to the fact that the Fund's Treasurer, Samuel Staten, resides in another portion of the state, the Non-Filer Notice probably had been delayed in reaching him. Nevertheless, she said that she would ensure that the report was sent quickly.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 11, 1986

Samuel Staten Sr., Treasurer
Laborers' District Council Political
Action Fund
661 N. Broad Street
Philadelphia, Pennsylvania

ATTN: LaRoyce C. Burroughs, Ass't Treasurer

RE: MUR 2193
Laborers' District
Council Political Action
Fund, Samuel Staten Sr.,
as treasurer

Dear Mr. Staten:

On July 8, 1986, the Federal Election Commission determined that there is reason to believe that the Laborers' District Council Political Action Fund and you, as treasurer, violated 2 U.S.C. §§ 434(b) (1), (2) and (3), 434(a) (4) (A) (i), 434(b) (3) (A), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), as well as 11 C.F.R. § 104.12, a provision of the Commission's Regulations. The General Counsel's Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the

General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

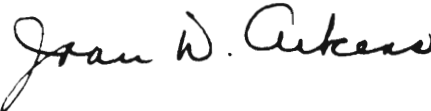
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel is not authorized to give extensions beyond 20 days.

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2193
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