



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE BEGINNING OF MUR # 2493
DATE FILMED 4/13/88 CAMERA NO. 3
CAMERAMAN AS

88040671270

PUBLIC RECORD INDEX - MUR 2493

1. Memo, 22 May 87, John D. Gibson (Report Analysis Division) to Lawrence M. Noble (Acting General Counsel), subj: Referral of Legislative Education Action Program Campaign Assistance Fund, w/atch (RAD Referral Package).
2. First General Counsell's Report, 10 Jun 87.
3. Certification of Commission Action, 16 Jun 87.
4. Ltr, 29 Jun 87, Scott E. Thomas (Chairman, FEC) to Donald G. Whan (Treasurer, LEAP).
5. Ltr, 9 Jul 87, D.G. Shan to FEC.
6. Ltr, 17 Jul 87, D.G. Whan to Scott E. Thomas, subj: request for pre-probable cause conciliation.
7. Ltr, 3 Sep 87, D.G. Whan to L.M. Noble.
8. General Counsel's Report, 17 Sep 87.
9. Certification of Commission Action, 23 Sep 87.
10. Ltr, 24 Sep 87, L.M. Noble to D.G. Whan, w/atch (executed conciliation agreement).

-END-

NOTE: In preparing its file for the public record, O.G.C. routinely removes those documents in which it perceives little or no public interest, and those documents, or portions thereof, which are exempt from disclosure under the Freedom of Information Act.

88040571271



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 22, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: QUARTERLY FILERS (UNAUTHORIZED COMMITTEES) WHICH
FAILED TO FILE THE 1986 12 DAY PRE-GENERAL REPORT
BY ELECTION DAY

The attached list of unauthorized committees consists of forty-nine (49) quarterly filers which failed to file a 1986 12 Day Pre-General Report by Election Day, November 4, 1986. In accordance with Standard 3 of the RAD Review and Referral Procedures, further examination is required by your office.

Unlike the mandatory reporting requirement placed upon monthly filers, 2 U.S.C. §434(a)(4)(A)(ii) requires quarterly filers to submit 12 Day Pre-General Reports only if the committees make contributions to or expenditures on behalf of federal candidates involved in the general election. All unauthorized committees were sent prior notification regarding the pre- and post-general filing requirements on September 29, 1986 (Attachment 50).

The Party/Non-Party Branch conducted a thorough examination to identify quarterly filers disclosing contributions or expenditures between October 1 and October 15, 1986. The research revealed committees that submitted:

- a) 12 Day Pre-General Reports in an untimely manner;
- b) 30 Day Post-General Reports indicating that 12 Day Pre-General Reports should have been filed; and
- c) Year End Reports indicating that 12 Day Pre-General Reports should have been filed.

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1

For your information, the pertinent supporting documentation on each committee has been arranged in alphabetical order. Statistics on all C indices only reflect activity through December 31, 1986. Any reports disclosing activity in 1987 have not been reviewed.

The following committees were previously referred either to your office or to the Audit Division for a possible 2 U.S.C. §438(b) audit.

38040671273

If you have any questions, please contact Lisa J. Stolaruk at 376-2480.

Attachments

28040371274

C00005157

Legislative Education Action Program
Campaign Assistance Fund

87MF-112

98040671275

**LEGISLATIVE EDUCATION ACTION PROGRAM CAMPAIGN
ASSISTANCE FUND**

(Attachments 27a - 27h)

8 3 0 4 0 6 7 1 2 7 6

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)

DATE 4MAY87
PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
LEGISLATIVE EDUCATION ACTION PROGRAM CAMPAIGN ASSISTANCE FUND				NON-PARTY QUALIFIED		ID #C00005157
CONNECTED ORGANIZATION: BOILERMAKERS-BLAKSMITHS; INT'L BRTHD						
1985	APRIL QUARTERLY	40,627	29,000	1JAN85 -31MAR85	6	85FEC/369/5031
	JULY QUARTERLY	28,828	40,600	1APR85 -30JUN85	23	85FEC/378/1349
	OCTOBER QUARTERLY	25,654	13,350	1JUL85 -30SEP85	23	85FEC/388/4684
	YEAR-END	24,422	12,800	1OCT85 -31DEC85	21	86FEC/395/0473
1986	APRIL QUARTERLY	28,475	27,150	1JAN86 -31MAR86	8	86FEC/407/3419
	JULY QUARTERLY	29,894	76,500	1APR86 -30JUN86	22	86FEC/419/4864
	OCTOBER QUARTERLY	25,285	41,950	1JUL86 -30SEP86	22	86FEC/436/0930
	POST-GENERAL	13,924	15,665	1OCT86 -24NOV86	19	87FEC/453/2508
	POST-GENERAL - AMENDMENT	-	-	1OCT86 -24NOV86	3	87FEC/458/4903
	POST-GENERAL - AMENDMENT	-	-	1OCT86 -24NOV86	2	87FEC/461/2583
	NOTICE OF FAILURE TO FILE			24NOV86	1	86FEC/452/1607
	REQUEST FOR ADDITIONAL INFORMATION			1OCT86 -24NOV86	1	87FEC/455/4146
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT86 -24NOV86	1	87FEC/461/0930
	YEAR-END	12,913	7,000	25NOV86 -31DEC86	17	87FEC/458/4906
	YEAR-END - AMENDMENT	-	-	25NOV86 -31DEC86	3	87FEC/461/2580
	REQUEST FOR ADDITIONAL INFORMATION			25NOV86 -31DEC86	1	87FEC/460/3646
1987	STATEMENT OF ORGANIZATION - AMENDMENT			5JAN87	1	87FEC/453/2507
TOTAL		230,227	0 264,015	0	174	TOTAL PAGES

All reports have been reviewed.

Ending cash-on-hand as of 12/31/86: \$15,454

Outstanding debts owed by the committee as of 12/31/86: \$0

TELECON

ANALYST: Tony Raymond

CONVERSATION WITH: Ms. Jaklevic

COMMITTEE: Legislative Education Action Program Campaign
Assistance Fund

DATE: 12/30/86

SUBJECT(S): 30 Day Post-General Non-Filer

Ms. Jaklevic called in response to a 30 Day Post-General Non-Filer Notice. Ms. Jaklevic stated that the committee had not received prior notice from the Commission about the delinquent report.

I instructed Ms. Jaklevic to put the report together and file it as soon as possible. I also suggested she include a cover letter with an explanation for the tardiness.

83040571277

Mr. John D. Gibson
 Assistant Staff Director
 Reports Analysis Division
 General Staff Room
 900 E. Street, N.W.
 Washington, D.C. 20540

Dear Mr. Gibson:

This will acknowledge your letter of December 22nd, 1968, received on the 29th, advising that we had failed to file the 30 Day Post-General Report of Receipts and Disbursements through November 30th, 1968.

On December 30th, our Mr. Schiavo, who prepares this report, called Anthony Raymond as instructed in your letter, and advised him that we had not received your notice for the report, and that she would have the report prepared and ready for my signature when I returned from vacation on January 5th.

Enclosed you will find the 30 Day Post-General Report of Receipts and Disbursements thru November 30th, 1968.

Further, Charles F. Hagan, former Treasurer of our LEAP Fund, has retired, and the undersigned is now Treasurer of this Fund. Request that in the future, all correspondence be addressed to the undersigned.

Sincerely,



CHARLES F. HAGAN, Treasurer
 Legislative Education Action Program
 Campaign Assistance Fund

SCW:ej
 cc: RE Sec. of State
 GMS:ls

Certified GP 013 084 763

If You Are Going to LEAP - REGISTER - CONTRIBUTE - VOTE

REC FORM 3X (3/60)

LEGISLATIVE EDUCATION ACTORS PROGRAM
CAMPAIGN ASSISTANCE FUND

LEGISLATIVE EDUCATION ACTORS PROGRAM CAMPAIGN ASSISTANCE FUND		From 10-1-1999 To 11-24-05	
		COLUMN A Total With Period	COLUMN B Calendar Year-To-Date
I. RECEIPTS			
11. CONTRIBUTIONS (other than loan) FROM:			
(a) Individuals/Persons Other Than Political Committees	111a	\$13,924.35	\$108,941.33
(Please Enter Unrounded \$ 4,020.00)			
(b) Political Party Committees	111b	0	0
(c) Other Political Committees	111c	0	0
(d) TOTAL CONTRIBUTIONS (other than loan) (Add 111a, 111b and 111c)	111d	\$13,924.35	\$108,941.33
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	12	0	0
13. ALL LOANS RECEIVED	13	0	0
14. LOAN REPAYMENTS RECEIVED	14	0	0
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Retains, etc.)	15	0	0
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	16	0	0
17. OTHER RECEIPTS (Dividends, Interest, etc.)	17	0	0
18. TOTAL RECEIPTS (Add 111d, 12, 13, 14, 15, 16 and 17)	18	\$13,924.35	\$108,941.33
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	19	0	0
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	20	0	0
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	21	15,650	15,650.00
22. INDEPENDENT EXPENDITURES (Use Schedule E)	22	0	0
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (7 U.S.C. § 441 (old)) (Use Schedule F)	23	0	0
24. LOAN REPAYMENTS MADE	24	0	0
25. LOANS MADE	25	0	0
26. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees	26a	0	0
(b) Political Party Committees	26b	0	0
(c) Other Political Committees	26c	0	0
(d) TOTAL CONTRIBUTION REFUNDS (Add 26a, 26b and 26c)	26d	0	0
27. OTHER DISBURSEMENTS (Insufficient Check)	27	15.00	15.00
28. TOTAL DISBURSEMENTS (Add lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)	28	\$15,665.00	\$15,665.00
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loan) from Line 111d	29	\$13,924.35	\$108,941.33
30. TOTAL CONTRIBUTION REFUNDS from Line 26d	30	0	0
31. NET CONTRIBUTIONS (other than loan) (Subtract Line 30 from Line 29)	31	\$13,924.35	\$108,941.33
32. TOTAL OPERATING EXPENDITURES from Line 19	32	0	0
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	33	0	0
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	34	0	0

0-94067109-0

SCHEDULE B

FINANCIAL DISBURSEMENTS

 Schedule B
 Financial Disbursements
 Page 1 of 1

FOR LINE NUMBER

Any information copied from such figures and documents may not be sold or used by any person for the purpose of making contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such sources.

NAME OF COMMITTEE (in Full)

LEGISLATIVE EDUCATION ACTION PROGRAM - CAMPAIGN ASSISTANCE FUND

A. Full Name, Mailing Address and ZIP Code EDGIES FOR CONGRESS COMMITTEE 804 W. Washington Chillicothe, MO 64601	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-6-86	Amount of Each Disbursement This Period \$ 900.00
B. Full Name, Mailing Address and ZIP Code DOUG WALGREN FOR CONGRESS COMM. P. O. Box 8245 Washington, DC 20024	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-6-86	Amount of Each Disbursement This Period 900.00
C. Full Name, Mailing Address and ZIP Code FRIENDS OF CONGRESSMAN BILL CLINGER P. O. Box 631 Warren, PA 16365	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/6/86	Amount of Each Disbursement This Period 500.00
D. Full Name, Mailing Address and ZIP Code WILSON COMMITTEE 4566 Conwell Drive Annandale, VA 22003	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-6-86	Amount of Each Disbursement This Period 500.00
E. Full Name, Mailing Address and ZIP Code BYSON FOR CONGRESS 518 N. Paradise Road Aberdeen, MD 21001	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-6-86	Amount of Each Disbursement This Period 500.00
F. Full Name, Mailing Address and ZIP Code SKAGGS FOR CONGRESS, INC. 1722 14th St., #205 Boulder, CO 80302	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-6-86	Amount of Each Disbursement This Period 500.00
G. Full Name, Mailing Address and ZIP Code RUSSO FOR CONGRESS COMMITTEE 12220 So. Cicero Avenue Alsip, IL	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-13-86	Amount of Each Disbursement This Period 200.00
H. Full Name, Mailing Address and ZIP Code RICHARD KIMBALL FOR U.S. SENATE COMM. P. O. Box 956 Phoenix, AZ 85001	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-15-86	Amount of Each Disbursement This Period 1,000.00
I. Full Name, Mailing Address and ZIP Code FRIENDS FOR HARRY REID 900 - 17th St. NW, Suite #300 Washington, DC 20006	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-15-86	Amount of Each Disbursement This Period 1,000.00

SUBTOTAL of Disbursements This Page (optional)

\$5,200.00

TOTAL This Period (last page this line number only)

SCHEDULE C

FINANCED DISBURSEMENTS

 DISBURSEMENTS
 CONTRIBUTION - CURRENT
 CAMPAIGN

 3
 FOR LINE 2000A

Any information copied from each figure and description may not be added or used by any person for the purpose of making a contribution or for commercial purposes, other than using the name and address of any political committee to obtain contributions from such committee.

NAME OF COMMITTEE (in Full)

LEGISLATIVE EDUCATION ACTION PROGRAM - CAMPAIGN ASSISTANCE FUND

A. Full Name, Mailing Address and ZIP Code PICKETT FOR CONGRESS P. O. Box 2127 Virginia Beach, VA 23452	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-15-86	Amount of Each Disbursement This Period \$ 250.00
B. Full Name, Mailing Address and ZIP Code EDWARD P. BOLAND COMMITTEE 69 Market Street Springfield, MA 01103	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-15-86	Amount of Each Disbursement This Period 500.00
C. Full Name, Mailing Address and ZIP Code YATRON FOR CONGRESS COMMITTEE 1908 Hessian Road Reading, PA 19602	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-15-86	Amount of Each Disbursement This Period 250.00
D. Full Name, Mailing Address and ZIP Code NIKULSKI FOR SENATE P. O. Box 22751 Baltimore, MD 21203	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-22-86	Amount of Each Disbursement This Period 2,000.00
E. Full Name, Mailing Address and ZIP Code GARVEY FOR SENATE Box 3159 Madison, WI 53704	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-22-86	Amount of Each Disbursement This Period 1,000.00
F. Full Name, Mailing Address and ZIP Code FEIGHAN FOR CONGRESS COMMITTEE 15401 Detroit Ave. Lakewood, OH 44107	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-22-86	Amount of Each Disbursement This Period 500.00
G. Full Name, Mailing Address and ZIP Code JOHN LEWIS FOR CONGRESS COMM. P. O. Box 2323 Atlanta, GA 30301	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-22-86	Amount of Each Disbursement This Period 500.00
H. Full Name, Mailing Address and ZIP Code BILBRAY FOR CONGRESS COMM. 953 E. Sahara Ave, Suite 216 Las Vegas, NV 89104	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-22-86	Amount of Each Disbursement This Period 500.00
I. Full Name, Mailing Address and ZIP Code BRITT FOR CONGRESS P. O. Box 222 Greensboro, NC 27402	Purpose of Disbursement Contribution - Current Campaign Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10-29-86	Amount of Each Disbursement This Period 500.00

SUBTOTAL of Disbursements This Page (optional)

\$6,000.00

TOTAL This Period (last page this line number only)

9703452511

/

Attach 27h

CERTIFIED

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MAIL

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**FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463**

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRALS: 87NF-862134
STAFF MEMBER: George F. Rishel

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENTS:

99040371284

07 111111 P12:

Legislative Education Action Program Campaign
Assistance Fund and Donald G. Whan, as
treasurer

93040671295

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(ii)

INTERNAL REPORTS
CHECKED: Referral Materials

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

The Report Analysis Division ("RAD") referred the above-listed 49 committees to the Office of the General Counsel on May 22, 1987. The basis of the attached referrals is their failure to either file a 12-day Pre-Election Report or file such report in a timely fashion.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, complete as of October 15, 1986. Quarter

filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report.

The following committees filed a 12-Day Pre-Election Report, but did not file it in a timely fashion:

88040671297

The following committees filed a 1986 Post-General Report that disclosed activity indicating a 12-Day Pre-Election Report should have been filed:

<u>Committee</u>	<u>Date Filed</u> ^{1/}	<u>Pre-Election Activity</u>
------------------	---------------------------------	------------------------------

^{1/} The date filed is that on which the Post-General Election Report was filed. The number of days late is that for the filing of the 12-Day Pre-Election Report. In some cases, the Post-General Election Report was filed after December 4, 1986. The late filings of such reports, however, were not included as a basis for these referrals. Therefore, no recommendations have been made with respect to the late filing of any Post-General Election Report.

83040371238

23740571289

Legislative
Education Action
Program Campaign
Assistance Fund

1-5-87
(74 days late)

\$6,200 in contributions
to 12 candidates

(p. 7 deleted)

2

33040571200

The following committees filed a Year End Report disclosing activity indicating that 12-Day Pre-Election Report should have been filed:

Accordingly, with regard to 48 of these 49 committees, the Office of the General Counsel recommends that the Commission open Matter Under Review and find reason to believe these committees

III. RECOMMENDATIONS

1. Open Matters Under Review with respect to the following committees and find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii):

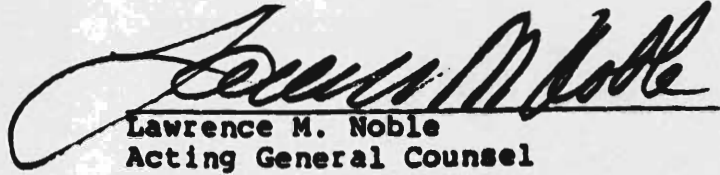
93040371201

Legislative Education Action Program Campaign Assistance Fund
and Donald G. Whan, as treasurer

88040571292

2. Approve and send the attached letters and factual and legal analyses to the respective committees listed in recommendation 1.
- 3.

6/10/57
Date


Lawrence M. Noble
Acting General Counsel

Attachments

1. Referral Materials
2. Letters and Factual and Legal Analyses (48)

33040671293

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

RAD Ref.'s
87NF-86
THROUGH
87NF-134

38040571294

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 2

Legislative Education Action Program Campaign
Assistance Fund and Donald G. Whan, as
treasurer

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 3

CERTIFICATION

I. Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 15, 1987, the Commission decided by a vote of 6-0 to take the following actions in RAD Ref.'s 87NF-86 through 87NF-134:

1. Open Matters Under Review with respect to the following committees and find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii):

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 4

89040571207

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 5

Legislative Education Action Program Campaign Assistance
Fund and Donald G. Whan, as treasurer

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Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 6

2. Approve and send the letters and factual and legal analyses to the respective committees listed in recommendation 1.

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

Attest:

6-16-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Thurs., 6-11-87, 12:34
Circulated on 48 hour tally basis: Thurs., 6-11-87, 4:00
Deadline for vote: Mon., 6-15-87, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

June 29, 1987

Donald G. Whan, Treasurer
Legislative Education Action Program
Campaign Assistance Fund
526 New Brotherhood Building
Kansas City, KS 66101

RE: MUR 2493
Legislative Education Action
Program Campaign Assistance
Fund and Donald G. Whan, as
treasurer

Dear Mr. Whan:

On June 15, 1987, the Federal Election Commission found that there is reason to believe Legislative Education Action Program Campaign Assistance Fund ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the 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, the Commission will not entertain requests for pre-probable cause conciliation 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 will not ordinarily 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 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 Jacqueline Jones-Smith, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

8 9 0 4 0 5 7 1 3 0 1

4

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS: Legislative Education Action MUR:2493
 Program Campaign Assistance
 Fund and Donald G. Whan,
 as treasurer

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The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, and complete as of October 15, 1986. Quarterly filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report. The committee filed a 1986 Post-General Election Report that disclosed \$6,200 in contributions to 12 candidates between October 1, 1986, and October 15, 1986. Thus, the committee was required to file a 12-Day Pre-Election Report by October 23, 1986, and complete as of October 15, 1986. The Committee did not file a report disclosing this activity until it filed its 1986 Post-General Election Report on January 5, 1987. Accordingly, the committee and its treasurer have violated 2 U.S.C. § 434(a)(4)(A)(ii).

4

International Brotherhood of
BOILERMAKERS • IRON SHIP BUILDERS

New Brotherhood Building

CHARLES W. JONES
INTERNATIONAL PRESIDENT
DONALD G. WHAN
INTERNATIONAL SECRETARY-TREASURER



BLACKSMITHS • FORGERS & HELPERS

Kansas City, Kansas 66101

July 9, 1987

Mr. Scott E. Thomas, Chairman
Federal Election Commission
Washington, D. C. 20463

Identification No. C0005157
Reference 1986 Pre-Election Report

Dear Mr. Thomas:

We have received your letter of June 29, 1987 advising that our Legislative Education Action Program, Campaign Assistance Fund ("Committee") and I as Treasurer failed to file the 1986 Pre-Election Report for the 1986 General Election.

A complete review of our file indicates we inadvertently failed to file the required Pre-Election Report, however, the information required in the report was included with and was part of the thirty (30) Day Post-Election Report and the \$6,200. contribution are so listed in that report.

Our file does not indicate we received the notification to Quarterly filers dated September 29, 1986. As a result, and coupled with the fact that because of retirements, we had a completely new staff handling our reporting requirements, including the undersigned, we failed to file.

As a result of the circumstances outlined, we request the Commission's consideration in taking no action against the Committee or I as Treasurer.

Sincerely,



Donald G. Whan
International Secretary-Treasurer

DGW:eah
opeiu 320

6007 3897

7/10/87 2493

87 JUL 13 13:46

RECEIVED
GENERAL COUNCIL

87 JUL 14 11:25

RECEIVED
GENERAL COUNCIL

5

International Brotherhood of
BOILERMAKERS • IRON SHIP BUILDERS

New Brotherhood Building

CHARLES W. JONES
INTERNATIONAL PRESIDENT
DONALD G. WHAN
INTERNATIONAL SECRETARY-TREASURER



BLACKSMITHS • FORGERS & HELPERS

Kansas City, Kansas 66101

QCC# 3974
- Thom 2493

July 17, 1987

Mr. Scott E. Thomas, Chairman
Federal Election Commission
Washington, D. C. 20463

Identification No. C0005157
Reference 1986 Pre-Election Report

Dear Mr. Thomas:

Further to my letter of July 9, 1987 regarding the referenced matter, we are requesting pre-probable cause conciliation.

We would appreciate the Commission's consideration to the circumstances for failure to file the required Pre-Election Report as outlined in my July 9, 1987 letter.

Sincerely,

Donald G. Whan
International Secretary-Treasurer

DGW:eah
opeiu 320

07 JUL 20 P 4: 24

87 JUL 21 11: 48

RECEIVED
GENERAL COUNSEL

88040671304

International Brotherhood of

WILLIAMSON - IRON SHIP WARDEN

New Brotherhood Building



WASHINGTON - FOREMAN & HALL

Kansas City, Kansas 66101

CHARLES W. JONES
INTERNATIONAL PRESIDENT
DONALD G. WHAN
INTERNATIONAL SECRETARY-TREASURER

September 3, 1987

Mr. Lawrence M. Noble
Acting General Counsel
Federal Election Commission
Washington, D. C. 20463

Dear Mr. Noble

Re: MUR 2493

The conciliation agreement approved by the Commission which constitutes the entire agreement in settlement of this matter is accepted.

We are enclosing our check in the amount of Five Hundred Dollars (\$500.) in keeping with the civil penalty assessed and approved by the Commission along with the signed conciliation agreement.

Additionally, we have noted the last paragraph of your covering letter dated August 24, 1987 and have filed an amended report with the name of the connected organization.

Sincerely,

Donald G. Whan
International Secretary-Treasurer

DGW:eah
Enclosure
opeiu 320

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 SEP -9 AM 11:46

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
87 SEP -8 PM 2:42

7

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Legislative Education Action)
Program Campaign Assistance Fund;)
Donald G. Whan, as treasurer)

MUR 2493

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Donald G. Whan, the treasurer of the Legislative Education Action Program Campaign Assistance Fund.

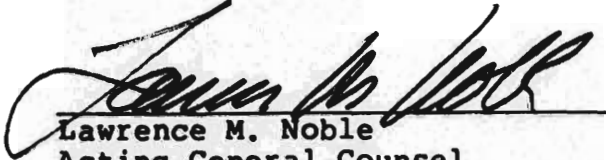
The attached agreement contains no changes from the agreement approved by the Commission on August 18, 1987. A check for the \$500 civil penalty has been received. (Attachment 2) Accordingly, this Office recommends that the Commission accept the conciliation agreement.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Legislative Education Action Program Campaign Assistance Fund and Donald G. Whan, as treasurer.
2. Close the file.
3. Approve the attached letter.

Date

9/17/87


Lawrence M. Noble
Acting General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check
3. Letter

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

87 SEP 17 PM 4:40

99040671306

INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS,
BLACKSMITHS, FORGERS AND HELPERS

42435

18-104
1010

KANSAS CITY, KANSAS

PAY TO THE ORDER OF
Federal Election Commission

DATE
9-3-87

CHECK
NO. 42435
AMOUNT \$ 500.00

INT. BRD. OF 500 dol's 00 cts

BROTHERHOOD
STATE KANSAS CITY
BANK KANSAS

[Signature]
INTERNATIONAL SECRETARY-TREASURER
[Signature]
INTERNATIONAL PRESIDENT

: 10 100 104 21 : 99 06 7 1

DETACH BEFORE DEPOSITING

DATE	MEMO OR INVOICE NO.	AMOUNT	DISCOUNT	BALANCE
9-3-87	Payment in full in settlement of conciliation agreement. RE: MUR 2493	500.00	X X X X X	500.00

2(2)

8

93740671307

Jones - Smith

MEMORANDUM

TO: DEBRA A. TRIMIEW

TO: CECILIA LIEBER

FROM: CECILIA LIEBER

FROM: DEBRA A. TRIMIEW

CHECK NO. 42435 (A COPY OF WHICH IS ATTACHED) RELATING TO

MUR 2493 AND NAME Legislative Education Action Program Campaign Assistance Fund; Donald G. When, as treas.

WAS RECIEVED ON 9/9/87 . PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

8 / ☒ / BUDGET CLEARING ACCOUNT { 95F3875.16 }
C / / CIVIL PENALTIES ACCOUNT { 95-1099.160 }
3 / / OTHER _____
1
1
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C
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SIGNATURE Debra A. Trimiew DATE 9/9/87

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 SEP -9 AM 11:45

ATTACHMENT 2(1)

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99040571309

Attachments to General
Counsel's Report

have been removed from this position in the Public Record File either because they duplicate documents located elsewhere in this file, or because they reflect exempt information.

For Attachment	<u>1</u>	see	<u>10</u>
	<u>3</u>		<u>10</u>
	<u> </u>		<u> </u>
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	<u> </u>		<u> </u>

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Legislative Education Action
Program Campaign Assistance Fund;
Donald G. Whan, as treasurer

MUR 2493

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal
Election Commission, do hereby certify that on September 22,
1987, the Commission decided by a vote of 6-0 to take
the following actions in MUR 2493:

1. Accept the conciliation agreement with
Legislative Education Action Program
Campaign Assistance Fund and Donald G.
Whan, as treasurer, as recommended in
the General Counsel's Report signed
September 17, 1987.
2. Close the file.
3. Approve the letter, as recommended in
the General Counsel's Report signed
September 17, 1987.

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

Attest:

9-23-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 9-17-87, 4:40
Circulated on 48 hour tally basis: Fri., 9-18-87, 12:00
Deadline for vote: Tues., 9-22-87, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 24, 1987

Donald G. Whan, Treasurer
Legislative Education Action Program
Campaign Assistance Fund
526 New Brotherhood Building
Kansas City, KS 66101

Re: MUR 2493
Legislative Education
Action Program Campaign
Assistance Fund and
Donald G. Whan, as
treasurer

Dear Mr. Whan:

On September 22, 1987, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Jacqueline Jones-Smith, the attorney assigned to this matter at (202) 376-5690.

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2493
Legislative Education Action)
Program Campaign Assistance Fund;)
Donald G. Whan, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Legislative Education Action Program Campaign Assistance Fund and Donald G. Whan, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii).

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, Legislative Education Action Program Campaign Assistance Fund, is a political committee within the meaning of 2 U.S.C. § 431(4). The connected organization of Respondent, Legislative Education Action Program Campaign

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Assistance Fund, is International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, AFL-CIO.

2. Respondent, Donald G. Whan, is the treasurer of Legislative Education Action Program Campaign Assistance Fund.

3. Respondents are required to file a 12-Day Pre-Election Report before any election in which they make a contribution to or expenditure on behalf of a candidate.

4. The 12-Day Pre-Election Report for the 1986 General Election was due on October 23, 1986, and complete as of October 15, 1986.

5. Respondents did not file a 12-Day Pre-Election Report prior to the 1986 General Election.

6. Respondents filed a 1986 Post-General Election Report on January 5, 1987, that disclosed \$6,200.00 in contributions to twelve (12) candidates between October 1, 1986, and October 15, 1986. Respondents were required, therefore, to file a 12-Day Pre-Election Report by October 23, 1986.

V. Respondents failed to file the 12-Day Pre-Election Report, in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Five Hundred Dollars (\$500), 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

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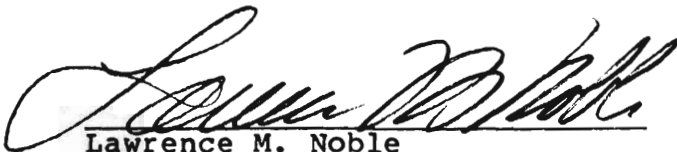
agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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 requirement contained in this agreement and to so notify the Commission.

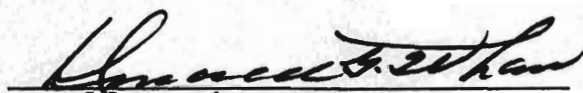
X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:


Lawrence M. Noble
Acting General Counsel

7/24/87
Date

FOR THE RESPONDENTS:


Donald G. Whan
Treasurer

September 3, 1987
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20541

THIS IS THE END OF MUF # 2493

DATE FILMED 1/13/88 CAMERA NO. 3

CAMERAMAN AS

98040671315



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20541

MO3-14-88

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2492

89040580025

GCC # 4335

International Brotherhood of
SHIPMAKERS • IRON SHIP BUILDERS

New Brotherhood Building

CHARLES W. JONES
INTERNATIONAL PRESIDENT
DONALD G. WHAN
INTERNATIONAL SECRETARY-TREASURER



BLACKSMITHS • FORGES & WELDERS

Kansas City, Kansas 66101

September 3, 1987

Mr. Lawrence M. Noble
Acting General Counsel
Federal Election Commission
Washington, D. C. 20463

Dear Mr. Noble

Re: MUR 2493

The conciliation agreement approved by the Commission which constitutes the entire agreement in settlement of this matter is accepted.

We are enclosing our check in the amount of Five Hundred Dollars (\$500.) in keeping with the civil penalty assessed and approved by the Commission along with the signed conciliation agreement.

Additionally, we have noted the last paragraph of your covering letter dated August 24, 1987 and have filed an amended report with the name of the connected organization.

Sincerely,

Donald G. Whan
International Secretary-Treasurer

DGW:eah
Enclosure
opeiu 320

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
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MAIL ROOM
87 SEP -8 PM 2:42

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 24, 1987

Donald G. Whan, Treasurer
Legislative Education Action Program
Campaign Assistance Fund
526 New Brotherhood Building
Kansas City, KS 66101

RE: MUR 2493
Legislative Education
Action Program Campaign
Assistance Fund and
Donald G. Whan, as
treasurer

Dear Mr. Whan:

On June 15, 1987, the Federal Election Commission found reason to believe that Legislative Education Action Program Campaign Assistance Fund and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii). At your request, on August 18, 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter 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 you 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 the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Jacqueline Jones-Smith, the attorney assigned to this matter, at (202) 376-5690.

Additionally, it has come to our attention that the name of your connected organization, International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, AFL-CIO, does not include the name of your political committee, as required by 2 U.S.C. § 432(e)(5). While committees may use commonly recognized abbreviations on daily communications

9904060027

Letter to Donald G. Whan, Treasurer
Page 2

such as letterheads, committee checks, etc., committee filings (Statement of Organization, disclosure reports and amendments) must reflect the official name of the connected organization, as well as any abbreviation, within its title. If you have any questions regarding this requirement, please contact Anthony Raymond, Senior Reports Analyst, Report Analysis Division, at (202) 376-2480.

Sincerely,

Lawrence M. Noble (LZ)
Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

cc: Reports Analysis Division
Anthony Raymond, Senior Reports Analyst

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2493
Legislative Education Action)
Program Campaign Assistance Fund;)
Donald G. Whan, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Legislative Education Action Program Campaign Assistance Fund and Donald G. Whan, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii).

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, Legislative Education Action Program Campaign Assistance Fund, is a political committee within the meaning of 2 U.S.C. § 431(4). The connected organization of Respondent, Legislative Education Action Program Campaign

98040530029

Assistance Fund, is International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, AFL-CIO.

2. Respondent, Donald G. Whan, is the treasurer of Legislative Education Action Program Campaign Assistance Fund.

3. Respondents are required to file a 12-Day Pre-Election Report before any election in which they make a contribution to or expenditure on behalf of a candidate.

4. The 12-Day Pre-Election Report for the 1986 General Election was due on October 23, 1986, and complete as of October 15, 1986.

5. Respondents did not file a 12-Day Pre-Election Report prior to the 1986 General Election.

6. Respondents filed a 1986 Post-General Election Report on January 5, 1987, that disclosed \$6,200.00 in contributions to twelve (12) candidates between October 1, 1986, and October 15, 1986. Respondents were required, therefore, to file a 12-Day Pre-Election Report by October 23, 1986.

V. Respondents failed to file the 12-Day Pre-Election Report, in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Five Hundred Dollars (\$500), 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

8904050030

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 requirement 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 enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
Acting General Counsel

Date

FOR THE RESPONDENTS:

Donald G. Whan
Treasurer

Date

8904020031



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Donald G. Whan, Treasurer
Legislative Education Action Program
Campaign Assistance Fund
526 New Brotherhood Building
Kansas City, KS 66101

RE: MUR 2493
Legislative Education
Action Program Campaign
Assistance Fund and
Donald G. Whan, as
treasurer

Dear Mr. Whan:

On June 15, 1987, the Federal Election Commission found reason to believe that Legislative Education Action Program Campaign Assistance Fund and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii). At your request, on , 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter 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 you 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 the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Jacqueline Jones-Smith, the attorney assigned to this matter, at (202) 376-5690.

Additionally, it has come to our attention that the name of your connected organization, International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, AFL-CIO, does not include the name of your political committee, as required by 2 U.S.C. § 432(e)(5). While committees may use commonly recognized abbreviations on daily communications

WJ 8/21/87

3804060032

Letter to Donald G. Whan, Treasurer
Page 2

such as letterheads, committee checks, etc., committee filings (Statement of Organization, disclosure reports and amendments) must reflect the official name of the connected organization, as well as any abbreviation, within its title. If you have any questions regarding this requirement, please contact Anthony Raymond, Senior Reports Analyst, Report Analysis Division, at (202) 376-2480.

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

cc: Reports Analysis Division
Anthony Raymond, Senior Reports Analyst

3304060033

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Legislative Education Action) MUR 2493
Program Campaign)
Assistance Fund)
Donald G. Whan, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of August 18,
1987, do hereby certify that the Commission decided by a
vote of 6-0 to take the following actions in MUR 2493:

1. Enter into conciliation with Legislative
Education Action Program Campaign Assistance
Fund and Donald G. Whan, as treasurer, prior
to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement
and letter attached to the General Counsel's
report dated August 10, 1987, subject to
amendment of the letter as agreed in the meeting.

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

Attest:

8-19-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

8804060034



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *QJ*
DATE: August 11, 1987
SUBJECT: MUR 2493 - 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) ☐



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JERYL L. WARREN *mw*

DATE: AUGUST 12, 1987

SUBJECT: OBJECTION TO MUR 2493 - GENERAL COUNSEL'S REPORT
SIGNED AUGUST 10, 1987

The above-captioned document was circulated to the Commission on Tuesday, August 11, 1987 at 4:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the Executive Session agenda for Tuesday, August 18, 1987.

3804050030

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2493
Legislative Education Action)
Program Campaign Assistance Fund;)
Donald G. Whan, as treasurer)

SENSITIVE

Aug 11
AIO:34

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 15, 1987, the Commission found reason to believe that the Legislative Education Action Program Campaign Assistance Fund and Donald G. Whan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file the 12-Day Pre-Election Report. By letter dated July 17, 1987, respondents requested to settle this matter prior to a finding of probable cause to believe (Attachment 1).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

Attached for the Commission's approval is a proposed conciliation agreement with Legislative Education Action Program Campaign Assistance Fund and Donald G. Whan, as treasurer (Attachment 2). The proposed agreement provides for an admission of the violation and the payment of a \$500 civil penalty. The amount of the civil penalty is based on the following considerations.

8804060037

12-Day Pre-Election Report

<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>	<u>REPORT DUE</u>	<u>REPORT FILED</u>	<u>DAYS LATE</u>
\$2,692.74 ^{1/}	\$6,200.00	10-23-87	1-5-87 ^{2/}	74
A1. Base: Quarterly Filer			\$250	
A2. Not applicable - Report does not disclose combined receipts and disbursements of more than \$10,000 filed between 31 and 60 days late				
A3. Not applicable - Report does not disclose combined receipts and disbursements of more than \$10,000 for a period of activity during an election year				
A4. Report is a Pre-General Election Report			\$250	
A5. Not Applicable - Report filed late does not disclose receipts or disbursements between \$10,000 and \$20,000				
TOTAL			\$500	

III. RECOMMENDATIONS

1. Enter into conciliation with Legislative Education Action Program Campaign Assistance Fund and Donald G. Whan, as treasurer, prior to a finding of probable cause to believe.

^{1/} The pre-election financial activity was disclosed in a combined Post-General Election Report. Itemized receipts were not received during the reporting period of the Pre-Election Report (October 1 through October 15), thus a respective portion of unitemized receipts yielded this total. All disbursements were itemized and occurred during the pre-election reporting period.

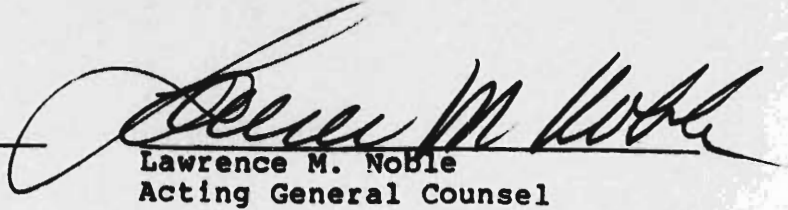
^{2/} The date filed is that on which the Post-General Election Report was filed that disclosed activity indicating a 12-Day Pre-Election Report should have been filed.

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2. Approve the attached proposed conciliation agreement and letter.

Date

8/10/82


Lawrence M. Noble
Acting General Counsel

Attachments

1. Request for conciliation
2. Proposed agreement and letter

93040580039

ATTACHMENT 1 (1)

John Smith
International Brotherhood of

WORKMANS - IRON SHIP BUILDERS

New Brotherhood Building



WORKMANS - IRON SHIP BUILDERS

Kansas City, Kansas 66101

CHARLES W. JONES
INTERNATIONAL PRESIDENT
DONALD G. WHAN
INTERNATIONAL SECRETARY-TREASURER

1000A 3897

1000A 3897

July 9, 1987

37 JUL 13 PM 3:46

Mr. Scott E. Thomas, Chairman
Federal Election Commission
Washington, D. C. 20463

Identification No. C0005157
Reference 1986 Pre-Election Report

Dear Mr. Thomas:

We have received your letter of June 29, 1987 advising that our Legislative Education Action Program, Campaign Assistance Fund ("Committee") and I as Treasurer failed to file the 1986 Pre-Election Report for the 1986 General Election.

A complete review of our file indicates we inadvertently failed to file the required Pre-Election Report, however, the information required in the report was included with and was part of the thirty (30) Day Post-Election Report and the \$6,200. contribution are so listed in that report.

Our file does not indicate we received the notification to Quarterly filers dated September 29, 1986. As a result, and coupled with the fact that because of retirements, we had a completely new staff handling our reporting requirements, including the undersigned, we failed to file.

As a result of the circumstances outlined, we request the Commission's consideration in taking no action against the Committee or I as Treasurer.

Sincerely,

Donald G. Whan
Donald G. Whan
International Secretary-Treasurer

DGW:eah
opeiu 320

37 JUL 14 AM 11:25

1(2)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2493
Legislative Education Action)
Program Campaign Assistance Fund;)
Donald G. Whan, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Legislative Education Action Program Campaign Assistance Fund and Donald G. Whan, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii).

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, Legislative Education Action Program Campaign Assistance Fund, is a political committee within the meaning of 2 U.S.C. § 431(4).

ATTACHMENT 2(1)

3304050042

2. Respondent, Donald G. Whan, is the treasurer of Legislative Education Action Program Campaign Assistance Fund.

3. Respondents are required to file a 12-Day Pre-Election Report before any election in which they make a contribution to or expenditure on behalf of a candidate.

4. The 12-Day Pre-Election Report for the 1986 General Election was due on October 23, 1986, and complete as of October 15, 1986.

5. Respondents did not file a 12-Day Pre-Election Report prior to the 1986 General Election.

6. Respondents filed a 1986 Post-General Election Report on January 5, 1987, that disclosed \$6,200.00 in contributions to twelve (12) candidates between October 1, 1986, and October 15, 1986. Respondents were required, therefore, to file a 12-Day Pre-Election Report by October 23, 1986.

V. Respondents failed to file the 12-Day Pre-Election Report, in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Five Hundred Dollars (\$500), 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 requirement 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 enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
Acting General Counsel

Date

FOR THE RESPONDENTS:

Donald G. Whan
Treasurer

Date



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Donald G. Whan, Treasurer
Legislative Education Action Program
Campaign Assistance Fund
526 New Brotherhood Building
Kansas City, KS 66101

RE: MUR 2493
Legislative Education
Action Program Campaign
Assistance Fund and Donald
G. Whan, as treasurer

Dear Mr. Whan:

On June 15, 1987, the Federal Election Commission found reason to believe that Legislative Education Action Program Campaign Assistance Fund and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii). At your request, on , 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter 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 you 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 the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Jacqueline Jones-Smith, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

2(4)