



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 782

DATE 2/27/79

CAMERAMAN SPC





FEDERAL ELECTION COMMISSION

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

January 19, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert M. Tobias
General Counsel
National Treasury Employees Union
Suite 1101 - 1730 K Street, N. W.
Washington, D. C. 20006

Re: MUR 782

Dear Mr. Tobias:

The Commission reviewed your letter dated December 26, 1978, and determined to find no reasonable cause to believe that NTEU violated 2 U.S.C. §441b(a) in connection with a possible \$500 contribution to the Committee to Re-Elect Robert N. C. Nix to Congress. Accordingly, the Commission has closed its file in this matter.

For your information, the May 10, 1978, replacement check which the NTEU issued to Congressman Nix for the honorarium was also deposited in the account of the Committee to Re-Elect Nix and reported by them as a contribution from your Union. When the Commission questioned the Committee about the contribution, they refunded this amount to the NTEU, by a check dated September 15, 1978.

Should you have any questions, please contact Susan Donaldson at 523-4073.

Sincerely, .

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over the word "Sincerely,".

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert M. Tobias
General Counsel
National Treasury Employees Union
Suite 1101 - 1730 K Street, N. W.
Washington, D. C. 20006

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Should you have any questions, please contact Susan Donaldson at 523-4073.

Sincerely,

William C. Oldaker
General Counsel

SD
1-19-79

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Treasury Employees)
Union)

MUR 782

CERTIFICATION

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

1. Find no reasonable cause to believe that NTEU violated 2 U.S.C. §441b(a) in connection with a \$500 contribution to the Committee to Re-Elect Robert N.C. Nix to Congress.
2. Send the letter attached to the above-named report.
3. Close the file.

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

Attest:

1-18-79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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

January 12, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 782

Please have the attached General Counsel's Report on MUR 782 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040103232

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION
January 4, 1979

79 JAN 12 P 3: 19

In the Matter of the)
) MUR 782
National Treasury Employees)
Union)

GENERAL COUNSEL'S REPORT

ALLEGATIONS

A review of the 30 day post primary report filed by the Committee to Re-Elect Robert N.C. Nix to Congress ("the Committee") revealed a \$500 contribution from the National Treasury Employees Union ("NTEU") made on May 15, 1978, which appeared to violate 2 U.S.C. §441b(a). After the Commission notified the Committee of the surface violation on September 7, 1978, the Committee refunded the contribution (Attachment I). Although the contribution was refunded, it appeared that NTEU violated the Act by making the contribution; the Commission on November 29, 1978, found reason to believe that NTEU violated 2 U.S.C. §441b(a).

EVIDENCE

Robert Tobias, General Counsel for NTEU, responded to the Commission's reason to believe notification in a letter dated December 26, 1978 (Attachment II). Mr. Tobias stated that NTEU paid a \$500 honorarium to Robert N.C. Nix on April 25, 1978, for an editorial which Congressman Nix wrote for the Union newspaper. Congressman Nix returned the \$500 on May 2, 1978, because it had inadvertently been deposited in the Robert N.C. Nix for Congress bank account. NTEU, on May 10, 1978, issued a \$500 replacement check for the honorarium made payable to Congressman Nix.

Mr. Tobias did not comment on the replacement check which was also deposited in the campaign account, and which was subsequently refunded by the Committee to NTEU on September 21, 1978 (as explained in the Committee's letter to Clerk of the House, Mr. Henshaw, dated October 6, 1978 - Attachment I).

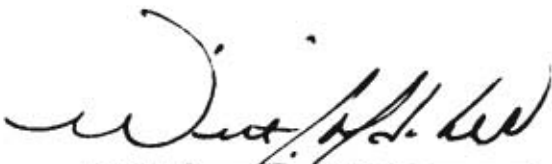
ANALYSIS

2 U.S.C. §431(e)(5)(I) states that the definition of a contribution does not include any honorarium (within the meaning of Section 441i) ... NTEU has stated that the \$500 paid to Robert N.C. Nix was an honorarium and not a political contribution. It therefore does not appear that NTEU violated 2 U.S.C. §441b(a) by making a union contribution to the Committee to Re-Elect Robert N.C. Nix to Congress.

RECOMMENDATION

Find no reasonable cause to believe that NTEU violated 2 U.S.C. §441b(a) in connection with a \$500 contribution to the Committee to Re-Elect Robert N.C. Nix to Congress. Send attached letter. Close the file.

1/12/79
Date


William C. Oldaker
General Counsel

ATTACHMENTS

1. Letter from Committee to Henshaw dated 10/6/78
2. Response from NTEU dated 12/26/78
3. Proposed letter to Respondent

CERTIFIED

OCT 9 1978

LAW OFFICES
FRANK M. JACKSON
SUITE 2118
FARM LITE BUILDING
BRIDGE AND HENRIETTE STREETS
PHILADELPHIA, PA 19106
215-571-1100

MINISTERS COUNTY OFFICE
600 BATHWAY LANE
WILMINGTON, PA 19800

1515-1100
M 8 2100

October 6, 1978

Hon. Edmund L. Henshaw, Jr.,
Clerk
U.S. House of Representatives
Washington, D. C. 20515

075773

Re: Committee to Re-elect Robert N. D. Nix
to Congress - Albert A. Stewart, Treasurer

Dear Mr. Henshaw:

I am writing this letter on behalf of Albert A. Stewart, Treasurer of the above Committee, in reply to your letter of June 28, 1978.

When the check of the National Treasury Employees Union, in the amount of \$500.00 was received on May 15, 1978, it was erroneously believed to be a contribution by the political committee of the union and deposited along with other contributions of union political committees. A similar check was received from the same union and was returned on May 4, 1978, by the Candidate.

With my letter of September 21, 1978, a check of the Committee, made payable to the National Treasury Employees Union in the sum of Five Hundred (\$500.00) was sent by certified mail. A copy of the letter, check and return receipt card is enclosed.

Very truly yours,

Frank M. Jackson
FRANK M. JACKSON

FHJ/£

Encl.

79040103233

LAW OFFICES
FRANK M. JACKSON
SUITE 2110
LAND TITLE BUILDING
BROAD AND CHESTNUT STREETS
PHILADELPHIA, PA. 19110
12151 LO-0-0601

MONTGOMERY COUNTY OFFICE
284 HATHAWAY LANE
WYNNWOOD, PA. 19086
TELEPHONE
MI. 9-6454

September 21, 1978

National Treasury Employees Union
Suite 1101 1730 K. Street, N. W.
Washington, D.C.

Re: Committee to Re-Elect
Congressmen Robert H. C. Nix

Gentlemen:

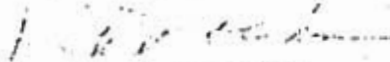
On behalf of the above Committee, I am forwarding herewith their check made payable to your order, in the sum of Five Hundred (\$500.00) Dollars.

When your check was received, it was erroneously believed to be a contribution by a political committee of fund. It was erroneously included with the checks of political committees and funds and deposited.

We are of course grateful for your support, but Federal Statute prohibits the acceptance of contributions from Labor Unions.

A similar contribution was made by your Union directly to Congressman Robert H. C. Nix, Candidate, but was discovered and returned on May 4, 1978.

Very truly yours,


FRANK M. JACKSON

FMJ/f

Encl.

Return of Campaign
Contribution
made May 15, 1978

COMMITTEE TO RE-ELECT
CONGRESSMAN ROBERT N. C. M.

P.O. BOX 7800
PHILADELPHIA, PA. 19101

September 15

1017

78 10-11-78
210

PAID
TO THE
ORDER OF

National Treasury Employees Union

\$500.00

Five Hundred-----00/100

DOLLARS



CONTINENTAL
BANK
PHILADELPHIA, PENNSYLVANIA

Albert R. Lattin
Chairman

⑆0310⑆0117⑆ ⑆34⑆7⑆468⑆10⑆

79040103237

1978
 Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20003

ITEMIZED EXPENDITURES (Operating, Transfers Out, Contributions In-Kind, Loans, Loan Repayments and Refunds Made) Supporting Lines 20a, 21a, and 22a, 22b, and 22c of FEC FORM 3

Page 1 of 1 for
 Line Number 21(a)
 (Use Separate Schedules for
 each numbered line)

Name of Candidate or Committee in Full			
Robert N.C. Nix (Candidate Report)			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
National Treasury Employees Union 1730 K Street, N.W. Washington, D.C. 20006	Contribution Refund	5/4	500.00
	Expenditure for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
SUBTOTAL of expenditures this page (optional).			\$ 500.00
TOTAL this period (last page this line number only).			\$ 500.00



NATIONAL TREASURY EMPLOYEES UNION

Suite 1101 — 1730 K Street, N. W.
Washington, D. C. 20006 (202) 784-4415

December 26, 1978

806666

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Oldaker:

In a letter dated December 4, 1978 you indicated that NTEU may have violated the Federal Election Campaign Act "by contributing \$500.00 to the Committee to Re-Elect Robert N. C. Nix to Congress and \$500.00 to Robert N. C. Nix." NTEU made no political contribution to the Committee to Re-Elect Robert N. C. Nix nor to Robert N. C. Nix at any time.

NTEU did, in April, 1978, solicit an editorial from Mr. Nix for inclusion in the "NTEU Bulletin," the Union newspaper. Mr. Nix agreed and in appreciation NTEU sent Mr. Nix a check for \$500.00. (See letter and checks dated April 25, 1978 attached for your information). Attachments 1 and 2.

In a letter dated May 2, 1978, Mr. Nix informed NTEU that representatives of his campaign staff had inadvertently placed the honorarium in the Nix for Congress bank account. (Attachment 3). Mr. Nix returned the \$500.00, (Attachment 4) and requested that a new check be issued to him personally as was NTEU's original intent. NTEU complied with a check dated May 10, 1978. (Attachment 5).

The \$500.00 check from NTEU to Mr. Nix was an honorarium for the effort necessary to develop an article which appeared in a Union newspaper. The check was not a political contribution to Mr. Nix's campaign Committee nor to him personally.

National Headquarters, Washington, D.C.

If you have any further questions concerning the transaction,
please let me know.

Sincerely yours,

Robert M. Tobias
CB

Robert M. Tobias
General Counsel

RMT/cg

Attachment

70010103210



NATIONAL TREASURY EMPLOYEES UNION

Suite 1101 — 1730 K Street, N.W.
Washington, D.C. 20006 (202) 785-4411

April 25, 1978

The Honorable Robert N.C. Nix
Chairman
Committee on Post Office and
Civil Service
United States House of Representatives
309 Cannon House Office Building
Washington, D.C. 20515

Dear Chairman Nix:

I want to thank you for the guest editorial you wrote for the NTEU Bulletin. It will be extremely informative and helpful to our membership's understanding of the serious ramifications of President Carter's Civil Service Reform Act of 1978.

To demonstrate our appreciation for the time you took from your busy schedule to provide this service to NTEU members, I am forwarding to you an honorarium.

Sincerely yours,

A handwritten signature in cursive script, reading "Vincent L. Connery".

Vincent L. Connery
National President

ATTACHMENT 1

kh

National Headquarters, Washington, D.C.



NATIONAL TREASURY EMPLOYEES UNION

Suite 1101 • 1730 K Street N.W. • Washington, D.C. 20006

No. 43189

13-123 M
840

April 25 19 78

THE
SER OF ROBERT N. C. NIX

\$ 500.00

VOID AFTER 90 DAYS

500.00

NON NEGOTIABLE

OK

adison NATIONAL BANK
1730 K STREET N.W.
WASHINGTON, D.C. 20006

NATIONAL PRESIDENT

ADMINISTRATIVE CONTROLLER

Detach and Retain this Statement

The attached check is in payment of items described below

DATE	DESCRIPTION				AMOUNT
	BOOKKEEPING CODE	DIST. CODE	CREDIT CODE	DIST. CODE	AMOUNTS
	513				500.00

NATIONAL TREASURY EMPLOYEES UNION
WASHINGTON, D. C.

ATTACHMENT 2



ROBERT N. C. NIX
28 DISTRICT, PENNSYLVANIA

OFFICES:
2201 RAYBURN BUILDING
WASHINGTON, D.C. 20515

2138 NORTH 22D STREET
PHILADELPHIA, PENNSYLVANIA

6325 STENTON AVENUE
PHILADELPHIA, PENNSYLVANIA

POST OFFICE AND CIVIL SERVICE

COMMITTEE ON
INTERNATIONAL RELATIONS

SUBCOMMITTEE ON AFRICA

SUBCOMMITTEE ON
INTERNATIONAL DEVELOPMENT

Congress of the United States
House of Representatives
Washington, D.C. 20515

May 2, 1978

Mr. Vincent L. Connery
National President
National Treasury Employees Union
Suite 1101
1730 K Street, N.W.
Washington, D.C. 20006

Dear Mr. Connery:

I am most appreciative of the honorarium you sent for the guest editorial for the fine bulletin that goes to your membership. I hope it will prove to be informative and you can be assured that I will study the serious ramifications of President Carter's Civil Service Reform Act to insure there are no provisions damaging to the members of your fine union.

Unfortunately, we made the mistake of depositing the honorarium in the Robert N.C. Nix For Congress bank account, which is a violation of the Federal Election Commission provisions. Therefore, I am returning the \$500.00 to you and would like to ask that you issue me personally a check in the same amount which I will then handle as an honorarium.

I sincerely look forward to working with you on mutual goals over the years.

Sincerely,

Robert N.C. Nix
ROBERT N.C. NIX
Member of Congress

RNCN:ma

RECEIVED
MAY 8 1978
N. T. E. U.

ATTACHMENT 3

7 2 3 4 0 1 0 3 2

ATTACHMENT 4

ROBERT N. C. NIX FOR CONGRESS

337

May 4, 1978 $\frac{15.5}{540}$

PAY TO THE ORDER OF VINCENT L. CONNERY \$ 500.00

-----Five Hundred and No/100----- DOLLARS

THE NATIONAL CAPITAL BANK

OF WASHINGTON

WASHINGTON, D.C. 20003

FOR

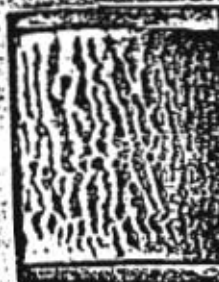
Robert N. C. Nix for Congress

⑈0540⑈0005⑈ 01⑈002 157 1⑈

Pay to the order of
NTEU.

Vincent L. Conway

70710103201





NATIONAL TREASURY EMPLOYEES UNION

Suite 1101 • 1730 K Street N.W. • Washington, D.C. 20006

No. 43278

15-125 M
840

May 10 1978

THE
ORDER OF

ROBERT H. C. NIX ***

\$500.00

VOID AFTER 90 DAYS

500000

NON NEGOTIABLE

W

WADSWORTH NATIONAL BANK

1730 K STREET N.W.
WASHINGTON, D.C. 20006

NATIONAL PRESIDENT

ADMINISTRATIVE CONTROLLER

Detach and Retain this Statement

The attached check is in payment of items described below

DATE	DESCRIPTION				AMOUNT
	BOOKKEEPING CODE	DIST. CODE	CREDIT CODE	DIST. CODE	AMOUNTS
	513				500.00

NATIONAL TREASURY EMPLOYEES UNION
WASHINGTON, D. C.



ATTACHMENT 5



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert M. Tobias
General Counsel
National Treasury Employees Union
Suite 1101 - 1730 K Street, N. W.
Washington, D. C. 20006

Re: MUR 782

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Should you have any questions, please contact Susan Donaldson at 523-4073.

Sincerely,

William C. Oldaker
General Counsel



887 800866 5991
RECEIVED
COMMISSION

NATIONAL TREASURY EMPLOYEES UNION

Suite 1101 — 1730 K Street, N. W.
Washington, D.C. 20006 (202) 784-4411 54

December 26, 1978

800866

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

Dear Mr. Oldaker:

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Sincerely yours,

Robert M. Thomas
CH

Robert M. Tobias
General Counsel

RMT/cg

Attachment



NATIONAL TREASURY EMPLOYEES UNION

Suite 1101 — 1730 K Street, N. W.
Washington, D.C. 20006 (202) 785-4411

April 25, 1978

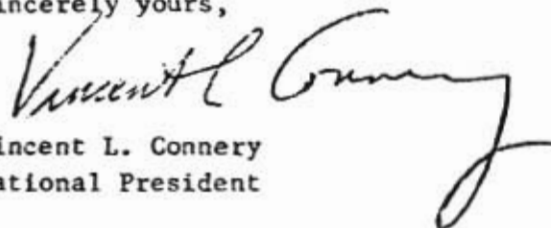
The Honorable Robert N.C. Nix
Chairman
Committee on Post Office and
Civil Service
United States House of Representatives
309 Cannon House Office Building
Washington, D.C. 20515

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Vincent L. Connery
National President

ATTACHMENT 1

kh

National Headquarters, Washington, D.C.



NATIONAL TREASURY EMPLOYEES UNION
Suite 1101 • 1730 K Street N.W. • Washington, D.C. 20006

No. 43189
13-125 M
540

April 25 19 78

THE
JER OF ROBERT N. C. NIX ***

\$ 500.00
VOID AFTER 90 DAYS

500000

Edison NATIONAL BANK
1730 K STREET N.W.
WASHINGTON, D.C. 20006

~~NON NEGOTIABLE~~

NATIONAL PRESIDENT

ADMINISTRATIVE CONTROLLER

Detach and Retain this Statement

The attached check is in payment of items described below

DATE	DESCRIPTION				AMOUNT
	BOOKKEEPING CODE	DIST CODE	CREDIT CODE	DIST CODE	AMOUNTS
	513				500.00

NATIONAL TREASURY EMPLOYEES UNION
WASHINGTON, D. C.

ATTACHMENT 2



ROBERT N. C. NIX
2D DISTRICT, PENNSYLVANIA

OFFICES:
2201 RAYBURN BUILDING
WASHINGTON, D.C. 20515

2139 NORTH 22D STREET
PHILADELPHIA, PENNSYLVANIA

6325 STENTON AVENUE
PHILADELPHIA, PENNSYLVANIA

CHAIRMAN: COMMITTEE ON
POST OFFICE AND CIVIL SERVICE

COMMITTEE ON
INTERNATIONAL RELATIONS

SUBCOMMITTEE ON AFRICA

SUBCOMMITTEE ON
INTERNATIONAL DEVELOPMENT

Congress of the United States
House of Representatives
Washington, D.C. 20515

May 2, 1978

Mr. Vincent L. Connery
National President
National Treasury Employees Union
Suite 1101
1730 K Street, N.W.
Washington, D.C. 20006

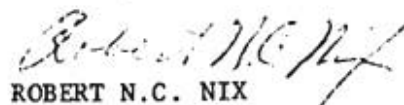
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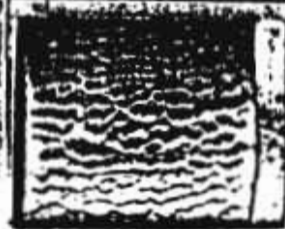
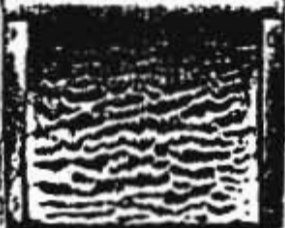
Sincerely,


ROBERT N.C. NIX
Member of Congress

RNCN:ma



ATTACHMENT 3



7 0 1 0 1 2 5

ATTACHMENT 4

ROBERT N. C. NIX FOR CONGRESS

337

May 4, 1978

$\frac{15.5}{540}$

PAY TO THE
ORDER OF

VINCENT L. CONNERY-----

\$ 500.00

-----Five Hundred and No/100-----

DOLLARS

THE NATIONAL CAPITAL BANK

OF WASHINGTON
WASHINGTON, D.C. 20003

FOR

Robert N. C. Nix for Congress

⑆0540⑆0005⑆ 01⑆002 157 1⑆

Pay to the order of
NTEU.
Vincent L. Conway

7004010321



NATIONAL TREASURY EMPLOYEES UNION
Suite 1101 • 1730 K Street N.W. • Washington, D.C. 20006

No. 43278
15-125 M
540

May 10 19 78

THE
ORDER OF

ROBERT W. C. WIX ***

\$500.00

VOID AFTER 90 DAYS

500.00

NON NEGOTIABLE

NATIONAL PRESIDENT

ADMINISTRATIVE CONTROLLER

OK

adison NATIONAL BANK
1730 K STREET N.W.
WASHINGTON D.C. 20006

Detach and Retain this Statement

The attached check is in payment of items described below

DATE	DESCRIPTION				AMOUNT
5/10/78					
	BOOKKEEPING CODE	DIST. CODE	CREDIT CODE	DIST. CODE	AMOUNTS
5/10/78	513				500.00

NATIONAL TREASURY EMPLOYEES UNION
WASHINGTON, D. C.



ATTACHMENT 5



NATIONAL TREASURY EMPLOYEES UNION

National Headquarters
Suite 11-1 1730 K Street N.W.
Washington, D.C. 20006

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

79 DEC 28 10 32 030 61



FEDERAL ELECTION COMMISSION

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

December 4, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Vincent L. Connery, President
National Treasury Employees Union
1730 K Street, N.W.
Washington, D.C. 20006

Re: MUR 782

Dear Mr. Connery:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that the National Treasury Employees Union may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically it appears that your organization violated 2 U.S.C. §441b(a) by contributing \$500 to the Committee to Re-Elect Robert N.C. Nix to Congress and \$500 to Robert N.C. Nix. Although we note that the Committee and candidate returned these contributions to you, the Act was violated when the contributions were originally made. We have numbered this matter MUR 782.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

In addition, please submit answers to the following questions.

1. (a) What was the date that the contribution to Congressman Robert N.C. Nix was made?
- (b) Please submit copies of the front and back of the check by which this contribution was made.
- (c) Was a cover letter or memo sent with the check? If so, please supply a copy.

(d) Was this contribution refunded to the union? If so, on what date did the union receive the refund?

(e) Who was responsible for authorizing such union contributions at the time this contribution was made? Did this individual also know when such contributions were refunded?

2. (a) What was the date that the contribution to the Committee to Re-Elect Robert N.C. Nix to Congress was made.
- (b) Please submit copies of the front and back of the check by which this contribution was made?
- (c) Was a cover letter and memo sent with this check? If so, please supply a copy.
- (d) Was this contribution refunded to the union? If so, on what date did the union receive the refund?
3. (a) Did any one on the NTEU staff speak to the Congressman or one of his staff or committee members concerning either of these contributions?
- (b) If so, identify the NTEU staff member, the person on the Congressman's or Committee's staff and supply the date and substance of such conversation.
- (c) Supply copies of any memoranda concerning such conversations.

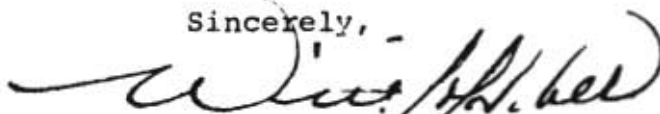
The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Susan Donaldson, the staff member assigned to this matter, at 202-523-4026.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,



William C. Oldaker
General Counsel

MUR 782^r Donaldson

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED & 10 CERTIFIED MAIL		
● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse		
1. The following service is requested (check one).		
<input type="checkbox"/> Show to whom and date delivered c		
<input checked="" type="checkbox"/> Show to whom, date, and address of delivery c		
<input type="checkbox"/> RESTRICTED DELIVERY		
Show to whom and date delivered c		
<input type="checkbox"/> RESTRICTED DELIVERY		
Show to whom, date, and address of delivery \$		
(CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO:		
Vincent L. Congery, President 1730 K St. N.W. Wash., D.C. 20006		
3. ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	94352	
(Always obtain signature of addressee or agent)		
I have received the article described above.		
SIGNATURE <input type="checkbox"/> Addressee <input checked="" type="checkbox"/> Authorized agent		
4. DATE OF DELIVERY		
POSTMARK		
5. ADDRESS (Complete only if requested)		
6. UNABLE TO DELIVER BECAUSE:		
CLERK'S INITIALS		

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Committee to Re-Elect Robert)
N. C. Nix to Congress)

MUR 782

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 29, 1978, the Commission, meeting in an Executive Session at which a quorum was present, determined by a vote of 4-0 to take the following actions in MUR 782:

1. Take no action with regard to recommendation number (1) in the General Counsel's First Report in this matter.
2. Adopt the General Counsel's recommendation to find reason to believe that the National Treasury Employees Union violated 2 U.S.C. §441b(a) in connection with contributions to Robert N. C. Nix and the Committee to Re-Elect Robert N. C. Nix to Congress, and send the letter with questions attached to the First General Counsel's Report in this matter.

Commissioners Aikens, Harris, McGarry, and Tiernan voted affirmatively for the above determinations. Commissioners Springer and Thomson were not present at the time of the vote.

Attest:

12/1/78
Date

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

79010103260



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mw & lypc*
DATE: NOVEMBER 20, 1978
SUBJECT: OBJECTION - MUR 782 - First General
Counsel's Report dated 11-16-78
Received in OCS: 11-16-78, 11:07

The above-named document was circulated on a 48
hour vote basis at 10:30. November 17, 1978.

Commissioners McGarry and Tiernan have submitted
objections to MUR 782 thereby placing the matter on
the Executive Session Agenda for November 29, 1978.

Attached are copies of the Commissioners' vote
sheets.

ATTACHMENTS:
Copies of vote sheets

79910101251



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON D.C. 20463RECEIVED
OFFICE OF THE
COMMISSIONER

78 NOV 17 P 4: 24

Date and Time Transmitted: Nov. 17, 1978 - 10:30

Commissioner SPRINGER AIKENS, TIERNAN, McGARRY, THOMSON, HARRISRETURN TO OFFICE OF COMMISSION SECRETARY BY: NOVEMBER 20, 1978 - 10:30MUR No. 732 - First General Counsel's Report dated 11-16-78

() I approve the recommendation

(✓) I object to the recommendation

COMMENTS:

Objection noted for purpose of
FEC discussionDate: 11/17/78Signature: Robert C. Tiernan

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





FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

78 NOV 17 P 5: 00

Date and Time Transmitted: Nov. 16, 1978 - 10:3

Commissioner SPRINGER AIKENS, TIERNAN, McGARRY, THOMSON, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: NOVEMBER 21, 1978 - 10:3

MUR No. 732 - First General Counsel's Report dated 11-16-78

() I approve the recommendation

(✓) I object to the recommendation

COMMENTS:

For discussion

Date:

11/17/78

Signature:

John W. McGarry

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



November 16, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 782

Please have the attached First General Counsel's
Report on MUR 782 distributed to the Commission on a
48 hour tally basis.

Thank you.

79040103264

FEDERAL ELECTION COMMISSION

RECEIVED

OFFICE OF THE

COMMISSIONER

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO COMMISSION NOV 16 1978MUR NO. 782 NOV 16 11:07
STAFF MEMBER(S)

Donaldson

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Committee to Re-Elect Robert N.C. Nix to Congress

RELEVANT STATUTE: 2 U.S.C. §441b(a)

INTERNAL REPORTS CHECKED: Committee to Re-Elect Robert N.C. Nix to Congress - Robert N.C. Nix

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

A review of the 30 day post primary report filed by the Committee to Re-Elect Robert N.C. Nix to Congress ("the Committee") revealed a \$500 contribution from the National Treasury Employees Union made on May 15, 1978, which appeared to violate 2 U.S.C. §441b(a). The Committee was notified of the violation by the Reports Analysis Division on September 7, 1978, and on September 21, 1978 the Committee refunded the contribution. The matter was referred to the Office of General Counsel from the Reports Analysis Division on October 26, 1978 (Attachment I).

EVIDENCE

The Committee, in their October 6, 1978, letter, stated that the subject contribution was accepted because it was thought to be from a political committee of the union. A copy of the refund check and the letter to the National Treasury Employees Union was attached. The National Treasury Employees Union has not yet been notified by the Commission of the violation.

In addition, the Committee informed the Commission that the same union made a similar contribution to the candidate, Robert N.C. Nix, but it was discovered and returned on May 4, 1978.

PRELIMINARY ANALYSIS

Based on the fact that the Committee refunded the illegal May 15, 1978, contribution immediately after receiving the notification from the Reports Analysis Division, it appears that no further action should be taken against the Committee; however since the candidate himself reportedly returned a similar contribution from the same union on May 4, 1978, we propose to obtain further information from the Committee before making a recommendation to close the file in connection with the Committee.

As stated previously, the union allegedly made a contribution to the Committee which was refunded in October, 1978, and a contribution to the candidate which was refunded in May, 1978. Since the union has not been notified of the violation, we think the Commission should find reason to believe that the union violated 2 U.S.C. §441b(a) and question the union in connection with the violation.

RECOMMENDATION

(1) Send the attached letter with questions to the Committee to Re-Elect Robert N.C. Nix to Congress.

(2) Find reason to believe that the National Treasury Employees Union violated 2 U.S.C. §441b(a) in connection with contributions to Robert N.C. Nix and the Committee to Re-Elect Robert N.C. Nix to Congress. Send attached letter with questions.

ATTACHMENTS

1. Referral from Reports Analysis Division
2. Proposed letter to the Committee to Re-Elect Robert N.C. Nix to Congress
3. Proposed letter to the National Treasury Employees Union

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

RAID

BL-164

D

REPORTS ANALYSIS REFERRAL SHEET

MUR 782

DATE October 26, 1978

ANALYST Susan Owen 50

TO: Office of General Counsel

TEAM CHIEF Peter Kell, Jr. JPK

THROUGH: STAFF DIRECTOR W.P.

COMPLIANCE REVIEW C. Bowen

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS Ee for T.H.

CANDIDATE/COMMITTEE: COMMITTEE TO RE-ELECT ROBERT N.C. NIX TO CONGRESS PA/02

TREASURER: Albert A. Stewart

ADDRESS: P.O. Box 7890
Philadelphia, PA 19101

AFFILIATE(S):

ALLEGATION(S):
receipt of labor contribution

CITE: 2 U.S.C. 441b

ATTACHMENT(S)
2

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE: 9/7/78

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1. 2 3 4 5 6 7

PERIOD COVERED FROM 5/1/78 TO 6/5/78

TOTAL RECEIPTS \$ 20,549.86 TOTAL EXPENDITURES \$ 19,986.15

CASH ON HAND \$ omitted from report DEBTS \$ omitted from report

HISTORY:

RESULTS OF REVIEW:

Surface violation sent 9/7/78. (See Attachment 3) Response received ATTACHMENT 3 and 4
on 10/9/78 stating that the treasurer believed that the contribution was from a political committee of the union. The \$500 contribution was refunded. (See Attachment 4)

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

NONE

ATTACHMENT

REASON(S) FOR REFERRAL:

Meets Commission threshold for review by the General Counsel

ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

None

OTHER RELEVANT INFORMATION:

According to the response to the surface violation, the candidate had received a similar contribution that was returned on 5/4/78. (See Attachments 4 and 5)
This contribution was not itemized on any of the candidate's 1978 reports.

Previous Referrals:

None

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution in Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Page 1 of 1 for
Line Number 15B

Use Separate Schedules for
each numbered line

Name of Candidate or Committee in Full
COMMITTEE TO RE-ELECT ROBERT N. C. NIX TO CONGRESS

Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt for this Period
United Steel Workers of America Political Action Fund Washington, D. C.	Washington, D.C. C00003590	5/4/78	\$2,000.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation: None Amount of each Receipt for this Period: \$2,000.00		
Mesa Political Action Fund 44 N. Capitol St., Rm 800 Washington, D. C.	Washington, D.C. C00002222	5/4/78	2,500.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation: None Amount of each Receipt for this Period: \$2,500.00		
Federation of State, County and Municipal Employees Union Political Fund 1113 L St., N.W. Washington	Washington, D.C. C00000000	5/22/78	\$1,000.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation: None Amount of each Receipt for this Period: \$1,000.00		
Committee on Letter Carriers Political Ed. Fund Washington, D.C.	Washington, D.C. C00002350	5/15/78	250.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation: None Amount of each Receipt for this Period: \$250.00		
National Treasury Employees Union Suite 1101 1730 K.St., N.W. Washington, D.	Washington, D.C. C00000000	5/15/78	500.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation: None Amount of each Receipt for this Period: \$500.00		
Subtotal: \$6,250.00			\$6,250.00
TOTAL: \$6,250.00			\$6,250.00



FEDERAL ELECTION COMMISSION

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

7 September 1978

 Albert A. Stewart, Treasurer
 Committee to Re-Elect Robert
 N. C. Nix to Congress
 P.O. Box 7890
 Philadelphia, Pennsylvania 19101

Dear Mr. Stewart:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the 30 Day Post-Election Report of Receipts and Expenditures, we noticed an entry indicating that you may have accepted a contribution from a union. Union contributions are prohibited by the Act, unless the contribution is made to a segregated fund established by the union. A copy of the report is attached for your review and clarification.

The Commission recommends that if you have a contribution that you return the full amount to the donor. If the contribution should be reported immediately, it should be reflected as a contribution refund on your next report of receipts and expenditures. If the identification of the donor is incomplete or incorrect on the original statement which would clarify this particular matter, you may do so by amending your original statement.

Please notify the Commission within fifteen days of this letter of the determination made on this matter. If you have questions concerning this matter, please do not hesitate to call Bruce Shelton (300)424-9530, our Reports Analyst. His local telephone number is 523-4048.

Sincerely,

 Orlando B. Potter
 Staff Director

 Enclosure
 Certified Mail:
 Return Receipt Requested


PS Form 3811, Apr. 1977

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

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. 943136 CERTIFIED NO. INSURED NO.
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☒ Addressee ☐ Authorized agent
 X - Harry Wellman

DATE OF DELIVERY 9-14-78 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

Stewart

 5/1/11
 8/9/12

LAW OFFICES
FRANK M. JACKSON
SUITE 2118
LAND TITLE BUILDING
BROAD AND CHESTNUT STREETS
PHILADELPHIA, PA. 19110
1215 LO-6-0801

MONTGOMERY COUNTY OFFICE
204 HATHAWAY LANE
WYNEWOOD, PA. 19086
TELEPHONE
MI-9-6454

September 21, 1978

National Treasury Employees Union
Suite 1101 1730 K. Street, N. W.
Washington, D.C.

Re: Committee to Re-Elect
Congressmen Robert H. C. Nix

Gentlemen:

On behalf of the above Committee, I am forwarding herewith their check made payable to your order, in the sum of Five Hundred (\$500.00) Dollars.

When your check was received, it was erroneously believed to be a contribution by a political committee of fund. It was erroneously included with the checks of political committees and funds and deposited.

We are of course grateful for your support, but Federal Statute prohibits the acceptance of contributions from Labor Unions.

A similar contribution was made by your Union directly to Congressman Robert H. C. Nix, Candidate, but was discovered and returned on May 4, 1978.

Very truly yours,


FRANK M. JACKSON

FMJ/f

Encl.

Return of Campaign
contribution
made May 15, 1978

TOTAL OF CONTRIBUTION
LESS: CAMPAIGN
LESS: FEES
TOTAL DEBIT TO
AMOUNT OF CASH

COMMITTEE TO RE-ELECT
CONGRESSMAN ROBERT N. C. MIA

P.O. BOX 7800
PHILADELPHIA, PA. 19101

September 15

1017

78

\$500.00

PAID
TO THE
TREASURER

National Treasury Employees Union

Five Hundred-----00/100

DOLLARS



CONTINENTAL
BANK
BOSTON, MASSACHUSETTS

Robert N. C. Mia
Chairman

⑆0310⑉0187⑆ ⑈34⑈7⑈458⑈6⑈

7001010127

CERTIFIED

OCT 9 1978

LAW OFFICES
FRANK M. JACKSON
SUITE 2110
LAND TITLE BUILDING
BRISTOL AND CHESTER STS
PHILADELPHIA, PA. 19106
1215-1000

MINISTERS COUNTY OFFICE
600 INDEPENDENCE LANE
WILMINGTON, PA. 19800
TELEPHONE
318-6404

October 6, 1978

Hon. Edmund L. Henshaw, Jr.,
Clerk
U.S. House of Representatives
Washington, D. C. 20515

C/5773

Re: Committee to Re-elect Robert N. C. Nix
To Congress - Albert A. Stewart, Treasurer

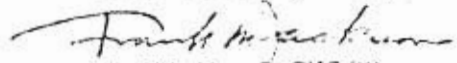
Dear Mr. Henshaw:

I am writing this letter on behalf of Albert A. Stewart, Treasurer of the above Committee, in reply to your letter of June 28, 1978.

When the check of the National Treasury Employees Union, in the amount of \$500.00 was received on May 15, 1978, it was erroneously believed to be a contribution by the political committee of the union and deposited along with other contributions of union political committees. A similar check was received from the same union and was returned on May 4, 1978, by the Candidate.

With my letter of September 21, 1978, a check of the Committee, made payable to the National Treasury Employees Union in the sum of Five hundred (\$500.00) was sent by certified mail. A copy of the letter, check and return receipt card is enclosed.

Very truly yours,


FRANK M. JACKSON

FMJ/E

Encl.

7001010327.1

ITEMIZED EXPENDITURES

(Operating, Transfers Out, Contributions In-Kind,
Loans, Loan Repayments and Refunds Made)
Supporting Lines 20a, 21a, and 22a, 22b, and 22c
of FEC FORM 3

Page 1 of 1 for
Line Number 21(n)

(Use Separate Schedules for
each numbered line)

Name of Candidate or Committee in Full

Robert N.C. Nix (Candidate Report)

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
National Treasury Employees Union 1730 K Street, N.W. Washington, D.C. 20006	Contribution Refund Expenditure for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/4	500.00
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Date (month, day, year)	Amount of each expenditure this period
SUBTOTAL of expenditures this page (optional)			\$ 500.00
TOTAL this period (last page this line number only)			\$ 500.00



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Albert A. Stewart, Treasurer
Committee to Re-Elect Robert N.C.
Nix to Congress
P.O. Box 7890
Philadelphia, PA 19101

Re: MUR 782

Dear Mr. Stewart:

On , 1978, the Commission directed the Office of General Counsel to question your Committee further in connection with your acceptance of a contribution(s) from the National Treasury Employees Union, which may have violated 2 U.S.C. §441b(a).

On September 21, 1978, Mr. Frank M. Jackson of your Committee wrote to the NTEU returning the May 15, 1978 contribution. In that letter, Mr. Jackson stated that "a similar contribution was made by your union directly to Congressman Nix... but was discovered and returned on May 4, 1978."

Please submit answers to the following questions regarding that contribution.

1. (a) On what date was this contribution received?
(b) Was the check accompanied by a letter or memo? If so, attach a copy of such.
2. (a) Was the union's check returned or was a different check issued and returned to the union for this amount?
(b) If a different check was issued, please supply a copy of the front and back of this check.
3. (a) Was a cover letter sent to the union along with the check?
(b) If so, please supply a copy of such letter.

4. (a) Did Congressman Nix, or anyone on his staff speak to anyone on the union's staff concerning this contribution?
 - (b) If so, identify the person on the Congressman's staff, the person on the union's staff, and supply the date and substance of such conversation(s).
 - (c) Supply copies of any memoranda concerning such conversations.
5. Who was responsible for receiving contributions to Congressman Nix and his Committee during the time of the contribution?
 6. Who was responsible for refunding inappropriate contributions during the time of the contribution?

Please submit your answers to these questions under oath within ten days of your receipt of this letter.

Should you have any questions regarding this matter, please call Susan Donaldson at (202) 523-4026.

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Vincent L. Connery, President
National Treasury Employees Union
1730 K Street, N.W.
Washington, D.C. 20006

Re: MUR 782

Dear Mr. Connery:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that the National Treasury Employees Union may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically it appears that your organization violated 2 U.S.C. §441b(a) by contributing \$500 to the Committee to Re-Elect Robert N.C. Nix to Congress and \$500 to Robert N.C. Nix. Although we note that the Committee and candidate returned these contributions to you, the Act was violated when the contributions were originally made. We have numbered this matter MUR 782.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

In addition, please submit answers to the following questions.

1. (a) What was the date that the contribution to Congressman Robert N.C. Nix was made?
- (b) Please submit copies of the front and back of the check by which this contribution was made.
- (c) Was a cover letter or memo sent with the check? If so, please supply a copy.

(d) Was this contribution refunded to the union? If so, on what date did the union receive the refund?

(e) Who was responsible for authorizing such union contributions at the time this contribution was made? Did this individual also know when such contributions were refunded?

2. (a) What was the date that the contribution to the Committee to Re-Elect Robert N.C. Nix to Congress was made.

(b) Please submit copies of the front and back of the check by which this contribution was made?

(c) Was a cover letter and memo sent with this check? If so, please supply a copy.

(d) Was this contribution refunded to the union? If so, on what date did the union receive the refund?

3. (a) Did any one on the NTEU staff speak to the Congressman or one of his staff or committee members concerning either of these contributions?

(b) If so, identify the NTEU staff member, the person on the Congressman's or Committee's staff and supply the date and substance of such conversation.

(c) Supply copies of any memoranda concerning such conversations.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Susan Donaldson, the staff member assigned to this matter, at 202-523-4026.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

- 3 -

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

RAD 81-164 D 2rel

REPORTS ANALYSIS REFERRAL SHEET

MUR 782

DATE October 26, 1978

ANALYST Susan Owen 50

TO: Office of General Counsel

TEAM CHIEF Peter Kell, Jr. [Signature]

THROUGH: STAFF DIRECTOR [Signature]

COMPLIANCE REVIEW C. Bowen

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS [Signature]

CANDIDATE/COMMITTEE: COMMITTEE TO RE-ELECT ROBERT N.C. NIX TO CONGRESS PA/02

TREASURER: Albert A. Stewart

ADDRESS: P.O. Box 7890
Philadelphia, PA 19101

AFFILIATE(S):

ALLEGATION(S):
receipt of labor contribution

CITE: 2 U.S.C. 441b

ATTACHMENT(S)
2

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE: 9/7/78

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

PERIOD COVERED FROM 5/1/78 TO 6/5/78

TOTAL RECEIPTS \$ 20,549.86 TOTAL EXPENDITURES \$ 19,986.15

CASH ON HAND \$ omitted from report DEBTS \$ omitted from report

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

Surface violation sent 9/7/78. (See Attachment 3) Response received 3 and 4 on 10/9/78 stating that the treasurer believed that the contribution was from a political committee of the union. The \$500 contribution was refunded. (See Attachment 4)

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

NONE

REASON(S) FOR REFERRAL:

ATTACHMENT

Meets Commission threshold for review by the General Counsel

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

None

OTHER RELEVANT INFORMATION:

According to the response to the surface violation, the candidate had received a similar contribution that was returned on 5/4/78. (See Attachments 4 and 5) This contribution was not itemized on any of the candidate's 1978 reports.

Previous Referrals:

None

FEDERAL ELECTION COMMISSION

1977-1978

CANDIDATE INDEX 4 SUPPORTING DOCUMENTS - 2-7

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT

OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	RECORD FILE LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			

NIX, ROBERT H. C. HOUSE 02 DEMOCRATIC PARTY

PENNSYLVANIA

1978 ELECTION

ID# H6PA02031

1. STATEMENT OF CANDIDATE

1977 STATEMENT OF CANDIDATE

12MAR77

1 77HSE/122/4094

1978 CANDIDATE AUTHORIZATION

16MAR78

1 78HSE/131/1338

STATEMENT OF CANDIDATE - AMENDMENT

21MAR78

1 78HSE/131/1984

MISCELLANEOUS REPORT

14APR78 TO FEC

1 78HSE/134/0984

MISCELLANEOUS REPORT

2JUN78 TO FEC

1 78HSE/137/1914

2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES

1977 APRIL 10 QUARTERLY

0

58

1JAN77 - 31MAR77

3 77HSE/121/2661

JULY 10 QUARTERLY

3A - POSTCARD

1APR77 - 30JUN77

1 77HSE/123/2864

OCTOBER 10 QUARTERLY

1,500

3,191

1APR77 - 30SEP77

5 77HSE/125/2521

REQUEST FOR ADDITIONAL INFORMATION

1APR77 - 30SEP77

3 78FEC/065/3660

DECEMBER 10 QUARTERLY

- AMENDMENT

1APR77 - 30SEP77

1 78HSE/131/2109

YEAR END REPORT

19,391

2,300

1OCT77 - 31DEC77

5 78HSE/130/1414

REQUEST FOR ADDITIONAL INFORMATION

1OCT77 - 31DEC77

3 78FEC/059/0173

YEAR END REPORT

- AMENDMENT

19,391

2,300

1OCT77 - 31DEC77

5 78HSE/131/4336

1978 APRIL 10 QUARTERLY

300

1JAN78 - 31MAR78

6 78HSE/133/4494

10 DAY PRE-PRIMARY

10,575

16,443

1APR78 - 1MAY78

10 78HSE/135/3312

REQUEST FOR ADDITIONAL INFORMATION

1APR78 - 1MAY78

3 78FEC/077/2103

10 DAY PRE-PRIMARY

- AMENDMENT

10,575

20,473

1APR78 - 1MAY78

4 78HSE/136/0621

10 DAY PRE-PRIMARY

- AMENDMENT

10,575

16,443

1APR78 - 1MAY78

9 78HSE/137/3598

10 DAY PRE-PRIMARY

- AMENDMENT

10,575

20,473

1APR78 - 1MAY78

2 78HSE/138/0560

30 DAY POST-PRIMARY

7,530

13,995

2MAY78 - 3JUN78

12 76HSE/138/0820

JULY 10 QUARTERLY

0

0

3JUN78 - 30JUN78

1 78HSE/139/5121

REQUEST FOR ADDITIONAL INFO. 2ND

1 78FEC/069/2630

TOTAL

38,296

1,500

33,370

3,249

74 TOTAL PAGES

3. PRINCIPAL CAMPAIGN COMMITTEE

COMMITTEE TO RE-ELECT CONGRESSMAN ROBERT H.C. NIX

ID# C00090365

1978 STATEMENT OF ORGANIZATION

21MAR78

3 78HSE/131/2075

STATEMENT OF ORGANIZATION - AMENDMENT

12APR78

1 78HSE/134/1692

APRIL 10 QUARTERLY

0

0

21MAR78 - 31MAR78

2 78HSE/135/3346

10 DAY PRE-PRIMARY

29,530

29,484

1APR78 - 1MAY78

8 78HSE/135/3336

REQUEST FOR ADDITIONAL INFORMATION

1APR78 - 1MAY78

3 78FEC/077/2014

REQUEST FOR ADDITIONAL INFO. 2ND

1 78FEC/064/2652

30 DAY POST-PRIMARY

20,549

19,986

1MAY78 - 3JUN78

11 78HSE/136/1424

TOTAL

50,679

0

49,470

0

29 TOTAL PAGES

4. AUTHORIZED COMMITTEES

ROBERT H.C. NIX CAMPAIGN COMMITTEE

ID# C00017334

1977 STATEMENT OF ORGANIZATION - AMENDMENT

11MAY77

3 77HSE/122/4091

STATEMENT OF ORGANIZATION - AMENDMENT

11JUL77

1 77HSE/123/3534

1978 MISCELLANEOUS REPORT

11APR78 TO FEC

1 78HSE/132/4219

1977 APRIL 10 QUARTERLY

0

0

1JAN77 - 31MAR77

2 77HSE/121/2667

JULY 10 QUARTERLY

1APR77 - 30JUN77

2 77HSE/123/2865

OCTOBER 10 QUARTERLY

24,402

2,800

1JUL77 - 30SEP77

25 77HSE/125/2527

REQUEST FOR ADDITIONAL INFORMATION

1JUL77 - 30SEP77

6 78FEC/065/3664

OCTOBER 10 QUARTERLY

- AMENDMENT

24,302

2,800

1JUL77 - 30SEP77

28 78HSE/132/4122

OCTOBER 10 QUARTERLY

- AMENDMENT

1APR77 - 30SEP77

1 78HSE/135/0841

TERMINATION REPORT

0

21,491

1OCT77 - 3NOV77

4 77HSE/127/0118

REQUEST FOR ADDITIONAL INFORMATION

1OCT77 - 3NOV77

3 78FEC/066/4520

1978 APRIL 10 QUARTERLY

3A - POSTCARD

1JAN78 - 31MAR78

1 78HSE/135/3521

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
 Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
 of FEC FORM 3

Page 1 of 1 for

Line Number 15B

(Use Separate Schedules for each numbered line)

Name of Candidate or Committee in Full

COMMITTEE TO RE-ELECT ROBERT N. C. NIX TO CONGRESS

Full Name, Mailing Address and ZIP Code

United Steel Workers of
 America Political Action Fund
 Washington, D. C.

Principal Place of Business

Washington, D.C.

C00003590

Occupation

None

Date (month, day, year)

5/4/78

Amount of each Receipt
this Period

\$2,000.00

Receipt for

☒ Primary ☐ General ☐ Other

☐ Check ☐ Contribution in Kind

Amount Year To Date \$ 2,000.00

Full Name, Mailing Address and ZIP Code

Meba Political Action Fund
 44 N. Capitol St., Rm 800
 Washington, D. C.

Washington, D.C.

C00002022

Occupation

None

Date (month, day, year)

5/4/78

Amount of each Receipt
this Period

2,500.00

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check ☐ Contribution in Kind

Amount Year To Date \$ 4,500.00

Full Name, Mailing Address and ZIP Code

Federation of State, County
 and Municipal Employees Union
 Political Fundo.
 1625 L St., N.W. Washington

Washington, D.C.

C00000243

Occupation

None

Date (month, day, year)

5/22/78

Amount of each Receipt
this Period

\$1,000.00

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check ☐ Contribution in Kind

Amount Year To Date \$ 1,000.00

Full Name, Mailing Address and ZIP Code

Committee on Letter Carriers
 Political Ed. Fund
 Washington, D.C.

Washington, D.C.

C000023580

Occupation

None

Date (month, day, year)

5/15/78

Amount of each Receipt
this Period

250.00

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check ☐ Contribution in Kind

Amount Year To Date \$ 250.00

Full Name, Mailing Address and ZIP Code

National Treasury Employees
 Union
 Suite 1101 1730 K.St., N.W.
 Washington, D. C.

Washington, D.C.

C00000000

Occupation

None

Date (month, day, year)

5/15/78

Amount of each Receipt
this Period

500.00

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check ☐ Contribution in Kind

Amount Year To Date \$ 500.00

Full Name, Mailing Address and ZIP Code

Date (month, day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check ☐ Contribution in Kind

Amount Year To Date \$

Full Name, Mailing Address and ZIP Code

Date (month, day, year)

Amount of each Receipt
this Period

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check ☐ Contribution in Kind

Amount Year To Date \$

Full Name, Mailing Address and ZIP Code

Date (month, day, year)

Amount of each Receipt
this Period

SUBTOTAL (check or compute)

\$ 6,250.00

TOTAL (check or compute)

\$ 6,250.00



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20543

7 September 1978

29.002
C00090865

Albert A. Stewart, Treasurer
Committee to Re-Elect Robert
N. C. Nix to Congress
P.O. Box 7890
Philadelphia, Pennsylvania 19101

Dear Mr. Stewart:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the 30 Day Post-Election Report of Receipts and Expenditures, we noticed an entry indicating that you may have accepted a contribution from a union. Union contributions are prohibited by the Act, unless the contribution is made by a separate segregated fund established by the union. A copy of that portion of your report is attached for your review and clarification.

The Commission recommends that if you have accepted a prohibited contribution that you return the full amount to the donor. The return of the contribution should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If the identification of the source of this contribution is incomplete or incorrect on the original report, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on this matter. If you have any questions concerning this matter, please do not hesitate to contact Bruce Shelton (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is 523-4048.

Sincerely,

45V1/78-98 BS Nix SENDER: Complete items 1, 2, and 3. All other address in the "RETURN TO" space on reverse.		1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. (CONSULT POSTMASTER FOR FEES)		2. ARTICLE ADDRESSED TO:	
3. ARTICLE DESCRIPTION: REGISTERED NO. 944136 INSURED NO.		(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <input type="checkbox"/> Address <input checked="" type="checkbox"/> Authorized agent X: Mary Williams DATE OF DELIVERY 9-14-78 POSTMARK			
4. ADDRESS (Complete only if requested)		5. UNABLE TO DELIVER BECAUSE:			
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS			

 BR/11
 89/12

LAW OFFICES
FRANK M. JACKSON
SUITE 2118
LAND TITLE BUILDING
BROAD AND CHESTNUT STREETS
PHILADELPHIA, PA. 19110
—
(215) LO-8-0881

MONTGOMERY COUNTY OFFICE
284 HATHAWAY LANE
WYNNWOOD, PA. 19098
—
TELEPHONE
MI-9-8484

September 21, 1978

National Treasury Employees Union
Suite 1101 1730 K. Street, N. W.
Washington, D.C.

Re: Committee to Re-Elect
Congressmen Robert W. C. Nix

Gentlemen:

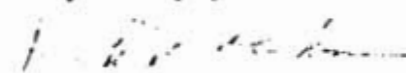
On behalf of the above Committee, I am forwarding herewith their check made payable to your order, in the sum of Five Hundred (\$500.00) Dollars.

When your check was received, it was erroneously believed to be a contribution by a political committee of fund. It was erroneously included with the checks of political committees and funds and deposited.

We are of course grateful for your support, but Federal Statute prohibits the acceptance of contributions from Labor Unions.

A similar contribution was made by your Union directly to Congressman Robert W. C. Nix, Candidate, but was discovered and returned on May 4, 1978.

Very truly yours,


FRANK M. JACKSON

FMJ/f

Encl.

7001010323

Return of Campaign
Contribution
made May 15, 1978

COMMITTEE TO RE-ELECT
CONGRESSMAN ROBERT N. C. S.
P.O. BOX 7800
PHILADELPHIA, PA. 19101

September 15

1017

78 20-1117
316

PAY
TO THE
ORDER OF

National Treasury Employees Union

\$500.00

Five Hundred-----00/100

DOLLARS



CONTINENTAL
BANK
PHILADELPHIA, PENNSYLVANIA

Albert H. Stuenkel
Secy

⑆0310⑉0117⑆ ⑈34⑈7⑈468⑈1⑈

70740103207

CERTIFIED

OCT 9 1978

LAW OFFICES
FRANK M. JACKSON
SUITE 2110
LANE TOWER BUILDING
PHILADELPHIA, PA 19106
(215) 591-1001

MINISTERS COUNTY OFFICE
200 N. 10TH STREET
WILMINGTON, PA 19801
TELEPHONE
WIL 2-6804

October 6, 1978

Hon. Edmund L. Henshaw, Jr.,
Clerk
U.S. House of Representatives
Washington, D. C. 20515

075973

Re: Committee to Re-elect Robert N. C. Nix
to Congress - Albert A. Stewart, Treasurer

Dear Mr. Henshaw:

I am writing this letter on behalf of Albert A. Stewart, Treasurer of the above Committee, in reply to your letter of June 28, 1978.

When the check of the National Treasury Employees Union, in the amount of \$500.00 was received on May 15, 1978, it was erroneously believed to be a contribution by the political committee of the union and deposited along with other contributions of union political committees. A similar check was received from the same union and was returned on May 4, 1978, by the Candidate.

With my letter of September 21, 1978, a check of the Committee, made payable to the National Treasury Employees Union in the sum of Five Hundred (\$500.00) was sent by certified mail. A copy of the letter, check and return receipt card is enclosed.

Very truly yours,


FRANK M. JACKSON

FMJ/E

Encl.

RULE 8
 1978
 Election Commission
 1325 R Street, N.W.
 Washington, D.C. 20463

ITEM D EXPENDITURES
 (Operating, Transfers Out, Contributions in-Kind,
 Loans, Loan Repayments and Refunds Made)
 Supporting Lines 20a, 21a, and 22a, 22b, and 22c
 of FEC FORM 3

Page 1 of 1 for
 Number 21(a)
 (Use Separate Schedules for
 each numbered line)

Name of Candidate or Committee in Full			
Robert N.C. Nix (Candidate Report)			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
National Treasury Employees Union 1730 K Street, N.W. Washington, D.C. 20006	Contribution Refund	5/4	500.00
	Expenditure for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
	Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		
SUBTOTAL of expenditures this page (optional)			\$ 500.00
TOTAL this period (last page this line number only)			\$ 500.00



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 782

DATE FILMED 2/27/79

CAMERAMAN GPC

