



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20543

THIS IS THE BEGINNING OF MUR # 3224

DATE FILMED 8-13-91 CAMERA NO. 4

CAMERAMAN AS

91040853942



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

4 February 1991

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: REFERRAL OF MONTHLY UNAUTHORIZED COMMITTEES
FOR FAILING TO FILE THE 1990 12 DAY PRE-GENERAL
REPORT BY ELECTION DAY

Attached is a listing of thirty-five (35) monthly unauthorized committees which failed to file the 1990 12 Day Pre-General Report by Election Day, November 6, 1990.

For your information, each committee was sent Prior Notice of the due date of the report on October 1, 1990 (Attachment 36). Twenty-nine (29) of the committees were sent Non-Filer Notices on November 15, 1990 (Attachment 37). Six (6) of the committees

were not sent Non-Filer Notices because their 12 Day Pre-General Reports were filed by November 15, 1990.

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

Attachment

91040353943

C00163535

Local 401 Iron Workers Political Action
Fund

91NF-36

91040853944

91040853945

LOCAL 401 IRON WORKERS POLITICAL ACTION FUND

(Attachment 20a - 20f)

DATE	AMOUNT	REMARKS	DATE	AMOUNT	REMARKS
LOCAL 401 IRON WORKERS POLITICAL ACTION FUND					
CONNECTED ORGANIZATION: IRON WORKERS; INT'L ASS'N OF BRIDGE...					
1990 FEBRUARY MONTHLY	7,157		1990 FEBRUARY MONTHLY	7,157	
MARCH MONTHLY	7,157	1,052	MARCH MONTHLY	7,157	1,052
APRIL MONTHLY	9,479	10,906	APRIL MONTHLY	9,479	10,906
MAY MONTHLY	7,262	5,753	MAY MONTHLY	7,262	5,753
JUNE MONTHLY	6,584	250	JUNE MONTHLY	6,584	250
JULY MONTHLY	7,830	11,083	JULY MONTHLY	7,830	11,083
AUGUST MONTHLY	7,850	7,535	AUGUST MONTHLY	7,850	7,535
SEPTEMBER MONTHLY	7,452	0	SEPTEMBER MONTHLY	7,452	0
OCTOBER MONTHLY	7,552	5,035	OCTOBER MONTHLY	7,552	5,035
NOVEMBER MONTHLY	8,205	9,657	NOVEMBER MONTHLY	8,205	9,657
DECEMBER MONTHLY	8,205	9,657	DECEMBER MONTHLY	8,205	9,657
1991 JANUARY MONTHLY	8,205	9,657	1991 JANUARY MONTHLY	8,205	9,657
REQUEST FOR ADDITIONAL INFORMATION					
NOVEMBER MONTHLY	7,512	4,654	NOVEMBER MONTHLY	7,512	4,654
DECEMBER MONTHLY	7,512	1,112	DECEMBER MONTHLY	7,512	1,112
1992 JANUARY MONTHLY	5,017	1,032	1992 JANUARY MONTHLY	5,017	1,032
1993 FEBRUARY MONTHLY					
1993 FEBRUARY MONTHLY	1,101	1,245	1993 FEBRUARY MONTHLY	1,101	1,245
MARCH MONTHLY	50	452	MARCH MONTHLY	50	452
APRIL MONTHLY	1,041	3,513	APRIL MONTHLY	1,041	3,513
MAY MONTHLY	512	1,032	MAY MONTHLY	512	1,032
JUNE MONTHLY	720	1,010	JUNE MONTHLY	720	1,010
JULY MONTHLY	722	501	JULY MONTHLY	722	501
AUGUST MONTHLY	507	0	AUGUST MONTHLY	507	0
SEPTEMBER MONTHLY	717	1,750	SEPTEMBER MONTHLY	717	1,750
OCTOBER MONTHLY	717	1,750	OCTOBER MONTHLY	717	1,750
REQUEST FOR ADDITIONAL INFORMATION					
NOVEMBER MONTHLY	305	14,510	NOVEMBER MONTHLY	305	14,510
DECEMBER MONTHLY	530	7,125	DECEMBER MONTHLY	530	7,125
1994 JANUARY MONTHLY	510	415	1994 JANUARY MONTHLY	510	415
1994 FEBRUARY MONTHLY	510	1,000	1994 FEBRUARY MONTHLY	510	1,000
TOTAL					
35,032	0	75,634	35,032	0	75,634

ALL REPORTS HAVE BEEN REVIEWED
ENDING CASH ON HAND AS OF 12/31/90: 86,224.00
OUTSTANDING DEBTS OWED BY THE COMMITTEE AS OF 12/31/90: 0.00

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

90 NOV 15 11:11:03

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) Ironworkers Local No. 401 - Political Action Fund		2. FEC IDENTIFICATION NUMBER C 00163535
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 1924 Spring Garden Street		
CITY, STATE and ZIP CODE Philadelphia, Pennsylvania 19130		
3. <input type="checkbox"/> The committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date)		

4. TYPE OF REPORT

(a) ☐ April 15 Quarterly Report☐ July 15 Quarterly Report☐ October 15 Quarterly Report☐ January 31 Year End Report☐ July 31 Mid Year Report (Non-election Year Only)

Monthly Report Due On:

☐ February 20☐ June 20☐ October 20☐ March 20☐ July 20☒ November 20☐ April 20☐ August 20☐ December 20☐ May 20☐ September 20☐ January 31☐ Twelfth day report preceding _____

(Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election on _____

in the State of _____

Termination Report

(b) Is this Report an Amendment?

☐ YES☒ NO

SUMMARY

5 Covering Period 10/1/90 through 10/31/90COLUMN A
This PeriodCOLUMN B
Calendar Year-to-Date6 (a) Cash on Hand January 1, 19 90 \$ 110,058.20

(b) Cash on Hand at Beginning of Reporting Period

\$ 93,058.79

(c) Total Receipts (from Line 18)

\$ 583.56 \$ 7,851.33

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

\$ 93,642.35 \$ 117,909.53

(e) Total Disbursements (from Line 20)

\$ 7,029.00 \$ 31,296.18

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

\$ 86,613.35 \$ 86,613.35

9 Debts and Obligations Owed TO the Committee
(itemize all on Schedule C and/or Schedule D)

\$ 0

10 Debts and Obligations Owed BY the Committee
(itemize all on Schedule C and/or Schedule D)

\$ 0

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete

For further information
contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800 424-9530
Local 202 376-3120

Type or Print Name of Treasurer

Joseph J. Dougherty

Signature of Treasurer

Joseph J. Dougherty

Date

11/12/90

Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

FEC FORM 3X
(revised 4/87)

NATIONAL ASSOCIATION OF BRIDGE
STRUCTURAL & ORNAMENTAL IRON
WORKERS

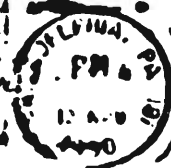
LOCAL 401

22 SPRING GARDEN STREET
PHILADELPHIA, PA. 19106

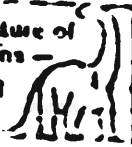
CERTIFIED

P 424 606 804

MAIL



Uglin's Adventure of
Giant Proportions
Collect Stamps!



FEDERAL ELECTION COMMISSION
999 'E' Street
Washington, DC 20463

RETURN RECEIPT REQUESTED

MEMORANDUM TO THE FILES:

COMMITTEE: Local 401 Iron Workers PACI.D. NUMBER: C00163535CONTACT: Susan ShepherdsonDATE: December 11, 1990ANALYST: Robert B. DiNardoSUBJECT: 12 Day Pre-General Report

Ms. Shepherdson called at 3:00 regarding a notice the committee received for failure to file the 12 Day Pre-General Election Report. Ms. Shepherdson said she was confused with the deadlines and dates for this election year. She assumed that only monthly reports were due for the months of October and November. I told her that during election years all monthly filing committees are required to file a 12 Day Pre-General and a 30 Day Post-General Election Reports. She said the committee would file a separate 12 Day Pre-General Election Report.

91040353949

NEIL B. BROWN
BUSINESS AGENT

GEORGE R. SHEPHERDSON
BUSINESS REPRESENTATIVE

JOSEPH A. DOUGHERTY
FINANCIAL SECRETARY/TREASURER
BUSINESS REPRESENTATIVE

International Association of Bridge, Structural and Ornamental Workers

1024 SPRING GARDEN STREET
PHILADELPHIA, PA 19120
PHONE: (215) 544-0400

APPLAINTS UNIT
LOCAL 401
BUILDING AND CONSTRUCTION TRADES
COUNCIL OF PHILADELPHIA AND VICINITY

December 11, 1990

Federal Election Commission
999 'E' Street
Washington, DC 20463

Attention: Mr. John D. Gibson, Assistant Staff Director
Reports Analysis Division

Mr. Gibson:

On Tuesday, December 11, 1990, I spoke with Mr. Robert DiNardo regarding the late filing of the enclosed. I indicated my confusion with the filing dates and deadlines; the reason being that the person who completed the reports in the past retired and, prior to her retirement, advised me to note the filing deadlines on my calendar. Unfortunately, they were for the Monthly Filing Reports and I was not aware of Pre and Post Election Reports. However, I have since discovered that information advising of changes in filing dates and additional reports were received by this officer and inadvertently given to the wrong department.

Mr. DiNardo has been most helpful in instructing me through this process. He advised that attach a letter of explanation to this report so that you may be made aware that I am not being deliberately negligent in filing the reports.

Sincerely,

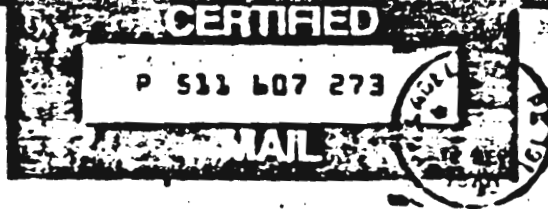
Susan Shepherdson
Susan Shepherdson
Iron Workers Local No. 401

90 DEC 17 PM 2:22

SS/
encl/Post Election Report

90036784374

NATIONAL ASSOCIATION OF BRIDGE
STRUCTURAL & ORNAMENTAL IRON
WORKERS
LOCAL 401
822 SPRING GARDEN STREET
PHILADELPHIA, PA 19106



Split into an Ocean
of Fun?
Collect Stamps!

90 DEC 17 FRI 12:22

Federal Election Commission
999 'E' Street
Washington, DC 20463

Attn: Mr. John D. Gibson
Assistant Staff Director
Report Analysis Division

URN RECEIPT REQUESTED

GENERAL ELECTION
REPORT NOTICE

ATTACHMENT 36
(Page 1 of 2)

FEDERAL ELECTION COMMISSION

PARTIES AND PACs

October 1, 1990

I. ALL MONTHLY FILERS

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-General	10/01/90**-10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

II. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17***

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-General	10/01/90**-10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

III. QUARTERLY FILERS WHICH DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17***

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Post-General	10/01/90**-11/26/90	12/06/90	12/06/90

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) must follow the above charts in order to determine whether they must file the pre-general election report. All party committees and PACs, regardless of financial activity, must file the post-general election report.

WHAT MUST BE REPORTED

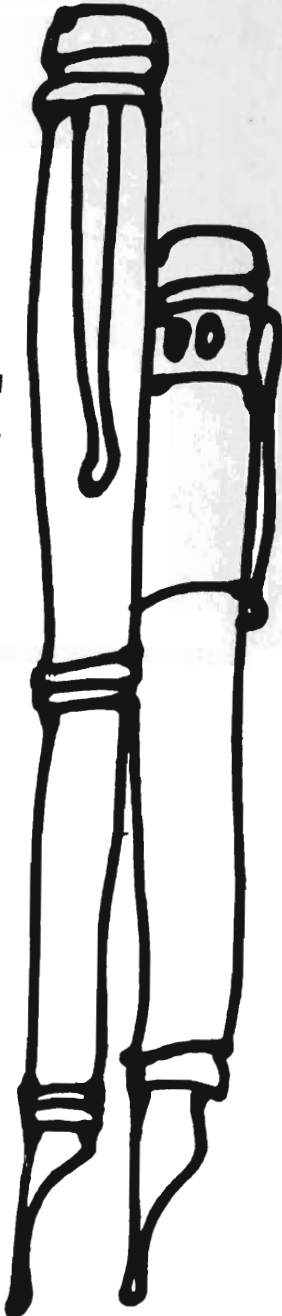
All financial activity (not previously reported) that occurred during the reporting period.

*Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

**The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

***Committees that made general election contributions or expenditures prior to October 1 which have not been previously reported must also follow the Chart II reporting requirements.

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PARTIES AND PACs

GENERAL ELECTION

REPORTING FORMS

Party committees and PACs use Form 3X (enclosed).

WHERE TO FILE

Consult the instructions on the back of the Form 3X Summary Page. Note State filing requirements also.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC which makes any independent expenditures aggregating \$1,000 or more during the period beginning October 18 and ending November 4 must report them within 24 hours. Call the FEC for more information.

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

FOR INFORMATION, Call: 202/376-3120 or 800/424-9530

91040353953



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

November 15, 1990

**TREASURER
COMMITTEE
STREET
CITY, STATE ZIP**

Identification Number: ID NUMBER

Reference: 12 Day Pre-General Report (10/1/90-10/17/90)

Dear **TREASURER**:

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

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

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

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

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

91040353954

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

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral: 91NF 17 - 51
Staff Member: Noriega E. James

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

RESPONDENTS:

91040853955

Local 401 Iron Workers Political Action Fund
and Joseph J. Dougherty, as treasurer (91NF-36)

91040853956

91040853957

RELEVANT STATUTES: 434(a)(4)(B)
INTERNAL REPORTS CHECKED: Referral Materials
FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the above thirty-five (35) committees and their treasurers to the Office of the General Counsel on February 5, 1991. The basis of the attached RAD referral is the committees' failure to file the

1990 12 Day Pre-General Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(B).

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(B). According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

With regard to the 1990 general election, unauthorized committees were required to file a 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. The committees referred by RAD failed to file the 1990 Pre-General Report or a report covering the pre-election period by the required deadline. However, seven of the committees filed 1990 November Monthly Reports with coverage dates of October 1 through 31, 1990.¹ These reports

1.

were received after the due date for the 12 Day Pre-General Report.

On October 1, 1990, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 25, 1990 (Attachment 1, pages 177 - 178). Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 15, 1990 (Attachment 1, page 179).

Accordingly, the Office of the General Counsel recommends that the Commission open Matters Under Review and find reason to believe that 34 of the 35 previously referenced committees and their treasurers (See Recommendation I) violated 2 U.S.C. § 434(a)(4)(B) by failing to file timely the 1990 12 Day Pre-General Report.

91040853959

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

This Office also recommends that the Commission offer to enter into conciliation with the respondents prior to a finding of probable cause to believe.

91040853960

PAGES 7 THROUGH 27 DO NOT PERTAIN TO THESE RESPONDENTS.

91040853961

91040353962

IV. RECOMMENDATIONS

1. Open Matters Under Review, find reason to believe that the following committees and their treasurer violated 2 U.S.C. § 434(a)(4)(B) and enter into conciliation prior to a finding of probable cause to believe:

A.

B.

C.

D.

E.

F.

G.

H.

I.

J.

K.

L.

M.

N.

O.

P.

91040853963

Q.

R.

S.

T. Local 401 Iron Workers Political Action Fund and
Joseph J. Dougherty, as treasurer (91NF-36)

U.

V.

W.

X.

Y.

Z.

AA.

BB.

CC.

DD.

EE.

910403353964

FF.

GG.

HH.

2.

3. Approve the attached Factual and Legal Analyses and proposed conciliation agreements and the appropriate letters.

Lawrence M. Noble
General Counsel

Date 5/2/91

BY:

Lois G. Lerner
Associate General Counsel

Attachments:

1. RAD Referral
2. Factual and Legal Analysis (34)
3. Conciliation Agreement (34)

91040853965

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Thirty-five (35) Committees and
their treasurers

)
)
)
)

RAD Referrals
#91NF 17-51

CERTIFICATION

I, Marjorie W. Emmons, do hereby certify that
the Commission took the following actions with respect
to the above-captioned referrals:

1. Decided by a vote of 6-0 to

- a) Open Matters Under Review, find reason
to believe that the following committees
and their treasurer violated 2 U.S.C.
§ 434(a)(4)(B) and enter into concili-
ation prior to a finding of probable
cause to believe:

A.

B.

C.

(continued)

91040353966

Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 2

D.

E.

F.

G.

H.

I.

J.

K.

(continued)

91040853967

Federation Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 3

L.

M.

N.

O.

P.

Q.

R.

S. Local 401 Iron Workers Political
Action Fund and Joseph J.
Dougherty, as treasurer (91NF-36)

(continued)

91040853968

Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 4

T.

U.

V.

W.

X.

Y.

Z.

AA.

(continued)

91040353969

BB.

CC.

DD.

EE.

FF.

GG.

b)

- c) Approve the Factual and Legal Analyses
and proposed conciliation agreements
and the appropriate letters as
recommended in the General Counsel's
Report dated May 2, 1991.

(continued)

91040853970

Federal Election Commission
Certification: RAD 91NF 17-51
May 14, 1991

Page 6

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

Attest:

5-17-91
Date

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

91040853971



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 28, 1991

Joseph J. Dougherty, Treasurer
Local 401 Iron Workers Political Action Fund
11600 Norcom Road
Philadelphia, PA 19154

RE: MUR 3294
Local 401 Iron Workers Political
Action Fund and
Joseph J. Dougherty, as treasurer

Dear Mr. Dougherty:

On May 14, 1991, the Federal Election Commission found that there is reason to believe Local 401 Iron Workers Political Action Fund ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), 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.

In order to expedite the resolution of this matter, the Commission has also decided to offer 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.

91040353972

Joseph J. Dougherty, Treasurer
Page 2

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, 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.

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 ordinarily will not 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.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Vice Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

91040353973

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 3294

RESPONDENTS: Local 401 Iron Workers Political Action Fund and Joseph J. Dougherty, as treasurer

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(B). According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

With regard to the 1990 general election, unauthorized committees were required to file a 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. The above referenced committee failed to file the 1990 Pre-General Report or a report covering the pre-election period by the required deadline. Therefore, there is reason to believe the Local 401 Iron Workers Political Action Fund and Joseph J. Dougherty, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file the 1990 12 Day Pre-General Report.

21040353974

NEIL McCROSSEN
BUSINESS AGENT

OGC#1605
JOSEPH J. DOUGHERTY
FINANCIAL SECRETARY-TREASURER
BUSINESS REPRESENTATIVE

International Association of Bridge, Structural
and Ornamental Iron Workers

GEORGE R. SHEPHERDSON
BUSINESS REPRESENTATIVE

AFFILIATED WITH
AFL-CIO
BUILDING AND CONSTRUCTION TRADES
COUNCIL OF PHILADELPHIA AND VICINITY

PHONE: (215) 676-3000

11600 NORCOM ROAD
PHILADELPHIA, PA 19154

FAX: (215) 676-3001

June 14, 1991

Federal Election Commission
999 'E' Street
Washington, DC 20463

Attention: Joan D. Aikens, Vice Chairman

Re: MUR3294
Local 401 Iron Workers Political Action Fund

Dear Madam Vice Chairman:

I respond to your letter of May 28, 1991, addressed to me as Treasurer of the above-captioned political committee. In your letter you assert that the commission believes that a violation of the Federal Election Campaign Act was committed and this letter constitutes response thereto.

The alleged violation is the failure to file a timely pre-general election report in November 1990. This report would cover the period September 23 - October 22, 1990. Although it is true that a report labeled a pre-general election report was not filed, my office did, in fact, file a regular monthly report for the month of October 1990. This report contained the same information which would have been included in a report labeled a pre-general election report.

The report was filed in a timely manner as a monthly report, but was eighteen (18) days late if considered a pre-general election report.

Enclosed is a copy of your office's letter to me dated November 15, 1990 concerning this matter. Upon receipt of this letter, my secretary, Susan Shepherdson, called Robert DiNardo, as suggested by the letter. Mrs. Shepherdson advised Mr. DiNardo that the monthly report had been filed and that she was unaware that a pre-general election report should have been filed, as she had only recently been assigned the task of filing these reports following the retirement of an office employee who formerly performed this function.

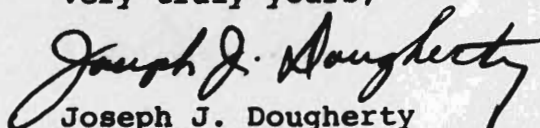
91 JUN 18 PM 4:11
FEDERAL ELECTION COMMISSION
SECRETARIAT

Joan D. Aikens
Vice Chairman
Federal Election Commission
Page -2-

Mr. DiNardo advised that since the monthly report contained the same information that would have been in the pre-general election report, the political committee did not have to file the pre-general election report. However, he did remind Mrs. Shepherdson that the post-general election report must be filed and this was done under date of December 11, 1990. I enclose herewith copies of relevant correspondence.

Under the circumstances, I suggest that no purpose would be served by fining the committee and I await your response in that regard.

Very truly yours,



Joseph J. Dougherty
Financial Secretary-Treasurer

JJD/ss
encl/2

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-7

November 15, 1990

Joseph J. Dougherty, Treasurer
Local 401 Iron Workers
Political Action Fund
1924 Spring Garden Street
Philadelphia, PA 19130

Identification Number: C00163535

Reference: 12 Day Pre-General Report (10/1/90-10/17/90)

Dear Mr. Dougherty:

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

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

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

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

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Spoke with R. DiNardo on
11/19/90 - Report O.K.

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NEIL McCROSSEN
BUSINESS AGENT

JOSEPH J. DOUGHERTY
FINANCIAL SECRETARY-TREASURER
BUSINESS REPRESENTATIVE

GEORGE R. SHEPHERDSON
BUSINESS REPRESENTATIVE

International Association of Bridge, Structural and Ornamental Iron Workers

AFFILIATED WITH
AFL-CIO
BUILDING AND CONSTRUCTION TRADES
COUNCIL OF PHILADELPHIA AND VICINITY



December 11, 1990

Federal Election Commission
999 'E' Street
Washington, DC 20463


Attention: Mr. John D. Gibson, Assistant Staff Director
Reports Analysis Division

Mr. Gibson:

On Tuesday, December 11, 1990, I spoke with Mr. Robert DiNardo regarding the late filing of the enclosed. I indicated my confusion with the filing dates and deadlines; the reason being that the person who completed the reports in the past retired and, prior to her retirement, advised me to note the filing deadlines on my calendar. Unfortunately, they were for the Monthly Filing Reports and I was not aware of Pre and Post Election Reports. However, I have since discovered that information advising of changes in filing dates and additional reports were received by this office and inadvertently given to the wrong department.

Mr. DiNardo has been most helpful in instructing me through this process. He advised that I attach a letter of explanation to this report so that you may be made aware that I am not being deliberately negligent in filing the reports.

Sincerely,


Susan Shepherdson
Iron Workers Local No. 401

SS/
encl/Post Election Report

BEFORE THE FEDERAL ELECTION COMMISSION 91 11 22 3:06

In the Matter of)

Local 401 Iron Workers)

Political Action Committee and)

Joseph J. Dougherty, as treasurer)

MUR 3294

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by the treasurer of the Local 401 Iron Workers Political Action Committee.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Local 401 Iron Workers Political Action Committee and Joseph J. Dougherty, as treasurer.

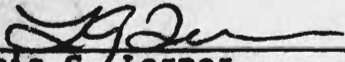
2. Close the file.

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3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date 7/23/91

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

- A. Conciliation Agreement
- B. Committee's Response
- C. Copy of the civil penalty check

Staff Assigned: Craig Douglas Reffner

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Local 401 Iron Workers)
Political Action Committee and)
Joseph J. Dougherty, as treasurer.)

MUR 3294

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 26, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3294:

1. Accept the conciliation agreement with the Local 401 Iron Workers Political Action Committee and Joseph J. Dougherty, as treasurer.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated July 23, 1991.

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

Attest:

7-29-91
Date

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

Received in the Secretariat: Tues., July 23, 1991 3:06 p.m.
Circulated to the Commission: Wed., July 24, 1991 11:00 a.m.
Deadline for vote: Fri., July 26, 1991 11:00 a.m..

dr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 31, 1991

CLOSED

Joseph J. Dougherty, Treasurer
Local 401 Iron Workers Political
Action Committee
11600 Norcom Road
Philadelphia, Pennsylvania 19154

RE: MUR 3294
Local 401 Iron Workers Political
Action Committee and
Joseph J. Dougherty, as treasurer

Dear Mr. Dougherty:


On July 26, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), 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 Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

91 JUL 12 AM 9:48

In the Matter of)

MUR: 3294

Local 401 Iron Workers Political)
Action Fund and Joseph J. Dougherty,)
as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Local 401 Iron Workers Political Action Fund and Joseph J. Dougherty, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(B).

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. Local 401 Iron Workers Political Action Fund is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Joseph J. Dougherty is the treasurer of Local 401 Iron

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OFFICE SERVICES BRANCH
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Workers Political Action Fund.

3. Section 434(a)(4)(B) of the Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all unauthorized political committees, that file monthly reports, shall file a pre-general election report in lieu of filing the report otherwise due in November of any year in which a regularly scheduled general election is held. According to Section 434(a)(2)(A)(i) the pre-election report must be filed no later than the 12th day before any election, and should be complete as of the 20th day before the election.

4. Respondents were required to file the 12 Day Pre-General Election Report, covering the pre-election period of October 1 through October 17, by October 25, 1990. Respondents failed to file the 1990 12 Day Pre-General Report or a report covering the pre-election period until November 12, 1990, 18 days late, disclosing \$321 in receipts and \$2,929 in disbursements for the relevant reporting period.

V. Respondents failed to file the 1990 12 Day Pre-General Report in a timely fashion in violation of 2 U.S.C. § 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Four Hundred Dollars (\$400), 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

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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 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
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Date 7/31/91

FOR THE RESPONDENTS:


(Name) Joseph J. Dougherty
(Position) Financial Secretary-Treasurer

Date July 8, 1991

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3297

DATE FILMED 8-13-91 CAMERA NO. 7

CAMERAMAN AS

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