

# LABORERS' LOCAL UNION NO. 309

of Laborers' International Union of North America, affiliated with AFL-CIO

**BUSINESS OFFICE:**

2835 - 7TH AVENUE  
ROCK ISLAND, IL 61201  
AREA 309 PHONE: 786-5479  
FAX: 786-5486

DAN ADAMS, Business Manager

JOHN HINRICHS, President/Organizer

BUTCH DOWNS, Secretary Treasurer/  
Field Representative



**AFFILIATED WITH:**

TRI-CITY BLDG. TRADES COUNCIL  
ILLINOIS STATE FED. OF LABOR  
NORTH CENTRAL IL. LABORERS'  
DISTRICT COUNCIL  
Q.C. FEDERATION OF LABOR

## CERTIFIED - RETURN RECEIPT

October 16, 1998

General Counsel's Office  
Federal Election Commission  
999 E. Street, N.W.  
Washington, D.C. 20463

Attn: F. Andrew Turley,  
Supervisory Attorney  
Central Enforcement Docket

RE: MUR 4817

Dear Sir:

This letter is in response to an October 8, 1998 letter received by me from the Federal Election Commission relating to a complaint filed by Gregory A. Hasty against North Central Illinois Laborers' District Council Political Action Committee. The following is my position relating to the above-referenced case:

- A. Laborers' Local Union #309 is an affiliate of the North Central Illinois Laborers' District Council and participates in the North Central Illinois Laborers' District Council Political Action Committee.
- B. Enclosed is Laborers' Local Union #309 report dated 9/8/98 on members that have authorized contributions to the North Central Illinois Laborers' District Council Political Action Committee.
- C. Enclosed is numerous letters between John F. Penn, Business Manager, of the North Central Illinois Laborers' District Council, and Dan Adams, Business Manager, Laborers' Local Union #309, relating to the North Central Illinois Laborers' District Council policy for participation in the North Central Illinois Laborers' District Council Political Action Committee.

D. Enclosed is a facsimile sheet dated October 15, 1998 to all NCILDC Affiliated Local Unions.

E. Laborers' Local Union #309 is not in violation of the Federal Election Campaign Act of 1971. The enclosed complaint filed by Gregory A. Hasty wasn't filed against Laborers' Local Union #309.

If any additional information or clarification is needed, please contact me at the above address.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Adams".

Dan Adams  
Business Manager

NCILDC PAC REPORT  
LABORERS' LOCAL UNION 309  
REPORT DATE 09/08/1998

PAGE 1

HOURS RECEIVED 08/01/1998 THRU 08/31/1998

MEMBER NAME	HOURS
ACKERLAND, GERALD J.	185.00
AHLF, ANTHONY J.	227.50
ALBERT, TERRY L.	137.50
ALVIN, TERRY L.	279.50
ANDERSON, CHARLES J.	192.00
ANDERSON, CHARLES K.	167.00
ANDERSON, HERCHEL E.	187.50
ANDERSON, TAMMY A.	144.50
BACKEN, BUD A.	189.50
BAKER, DAVID L.	157.00
BARR, RANDY L.	152.00
BEACH, BRIAN L.	200.00
BEASTON, PAUL W.	160.00
BILLUPS, ELBERT L.	170.00
BLACKWELL, SHANE L.	84.50
BOPES, TY T.	41.00
BORKGREN, WADE W.	13.50
BOTKIN, JACKIE W.	184.00
BRASMER, MICHAEL	37.50
BRICKER, COREY D.	64.00
BRIDGEWATER, JEFFREY L.	246.00
BRIZZOLARA, JAMES A.	266.50
BROOKS, KEVIN W.	118.00
BROWN, DANNY L.	23.00
BRUNS, GREG L.	155.00
BULLOCK, CHARLES W.	78.00
BURWELL, GERI	154.50
CAIN, DAVID E.	192.00
CARLSON, DAVID L.	235.00
CAROTHERS, JEFFREY H.	150.50
CLEMONS, BRIAN L.	217.50
CLIFTON, MELINDA S.	190.00
CLOUSE, RYAN T.	174.50
COAKLEY, MARK S.	207.00
CORNISH, ALBERT	211.50
COX JR, ROBERT L.	239.00
CRAFTON, STEVEN G.	177.00
CROSS, VINCE P.	227.50
DAVIS, LAWRENCE A.	170.50
DE MARLIE, MARCUS J.	75.25
DETERS, SHAWN A.	182.50
DIEHL, MICHAEL L.	188.00
DONNELLY, TIM P.	165.00
DONOVAN, MARK A.	152.00
DOPLER, CHRISTINA M.	192.50
EASLEY, BRIAN S.	235.50
EBBERSON, GREG A.	16.40
EBERHART, SCOTT A.	170.50

NCILDC PAC REPORT  
LABORERS' LOCAL UNION 309  
REPORT DATE 09/08/1998

PAGE 2

HOURS RECEIVED 08/01/1998 THRU 08/31/1998

MEMBER NAME	HOURS
ENTSMINGER, HAL E.	175.00
ERNAT, ADAM J.	142.00
ERWIN, CHRISTOPHER L.	167.00
ESPINOZA, DAVID R.	193.50
EVANS, MARK P.	155.00
EVANS, MARTIN E.	187.00
FALEY, GARY H.	230.00
FAUDREE, ROY T.	168.50
FINLEY, JEROME L.	16.00
FOX, JASON F.	181.00
FOX, NANCY K.	131.00
FRAZIER, THOMAS L.	221.00
FREETLY, RONALD E.	213.00
FRITZ, GREG D.	176.00
FULLER, ROBIN J.	74.50
GANNON, SHAWN L.	103.00
GILBERT, HARRY F.	192.50
GILL, PATRICK T.	221.50
GOETSCH, MICHAEL T.	216.50
GORDON, DANIELLE R.	47.50
GRIFFIN, RALPH A.	197.50
HAMILTON, GARY L.	24.50
HAND, DAVID S.	163.00
HARMON, WILLIAM L.	40.00
HARPER, SHELLY M.	143.00
HARRAH, KATHERINE M.	212.50
HAYES, BRIAN D.	276.50
HEBERER, WILLIAM A.	215.50
HENRY, PAMELA R.	90.25
HINRICHS, ADAM P.	175.75
HOFMANN, CHAD	149.00
HUFF, MATTHEW S.	196.50
HUGHES, CHRISTOPHER P.	197.50
HUSTON, CHESTER M.	124.50
IVERSON, DENNIS E.	18.50
JACKSON, CHAD L.	162.00
JOHNSON, CHARLES M.	186.00
JOHNSON, FRED F.	78.00
JOHNSON, SHANE	190.00
KINCAID, MICHAEL C.	194.00
KING, ROBERT F.	180.00
KLAVON, DALE R.	334.00
KOESTER, KEVIN J.	160.00
KROEGER, PETER V.	219.50
LA BOTTE, MICHAEL S.	108.75
LARSON, RICHARD E.	12.00
LAUGHEAD, DONALD A.	135.00
LAWSON, GILBERT E.	48.50

NCILDC PAC REPORT  
LABORERS' LOCAL UNION 309  
REPORT DATE 09/08/1998

PAGE 3

HOURS RECEIVED 08/01/1998 THRU 08/31/1998

MEMBER NAME	HOURS
LOGSTON, LARRY W.	16.50
MADDEN, JOHN A.	185.75
MALONE, ROBERT P.	200.50
MC CALL, DWIGHT T.	182.50
MC CARTHY III, TOM	167.00
MC KENZIE, CALVIN A.	176.00
MILLER, JOYCE	221.00
MORRISON, RON R.	189.00
MURPHY, BENJAMIN L.	168.00
NEWBERRY, STEPHANIE L.	81.00
OLLAR, CURT R.	17.00
ORTBERG, KEITH A.	233.00
OVIEDO, SALVADOR	209.00
OWENS, NATHANIEL	154.00
PAUL, JEFFREY A.	231.00
PAVANO, ALBERTO L.	72.00
PAVANO, GERARDO S.	146.00
PAYNE, ISAAC	145.50
PITMAN, KEVIN	116.00
PRATT, JOSEPH N.	169.00
PRESCOTT, MARK A.	200.50
PULLEN, DAVID G.	227.00
RAPP, ROBERT B.	78.00
READ, DAVID G.	182.00
RECKERS, WENDY L.	177.50
REDDISH, BENJAMIN R.	106.00
REYES, SAMUEL	181.00
RIDDELL, TRAVIS J.	236.00
ROBERTS, TERRY E.	40.00
ROSENOW, ROBERT L.	203.50
RUBALCAVA, ALPHONSO P.	65.50
RUPP, TROY A.	226.00
RUSSELL JR, MICHAEL A.	120.00
RYAN, LESA	80.00
SANCHEZ, TIMOTHY D.	340.00
SANDBERG, BRUCE A.	352.00
SCALF, DONALD W.	93.50
SCHARER, DENNIS L.	87.25
SCOTT, RICKY J.	164.00
SEYBOLD, STEPHEN A.	204.50
SHANER, SIMON N.	116.50
SHETLER, ELI S.	100.50
SLEISTER, GARY S.	162.00
SMITH, ANGELA	183.50
SMITH, JAMES R.	205.50
STARK, ROBERT A.	174.50
STEVENSON, KENNETH W.	71.00
STONEKING, DEREK E.	174.50

NCILDC PAC REPORT  
LABORERS' LOCAL UNION 309  
REPORT DATE 09/08/1998

PAGE 4

HOURS RECEIVED 08/01/1998 THRU 08/31/1998

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MEMBER NAME	HOURS
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SWISHER, GARY A.	208.00
SYMONS, SCOTT W.	87.50
TEGELER, BRIAN E.	397.00
THOMPSON, LEON R.	148.00
TRICE, JACQUELINE	216.50
TURNMIRE, TIMOTHY E.	183.00
VERHELST, JOHN E.	264.50
VILLANUEVA, MIGUEL	82.00
VIREN, RYAN O.	9.00
VISSER, PHILLIP A.	206.50
VOSS, JOHN D.	194.50
WALL, WILLIAM S.	211.00
WARDLOW, STEVEN M.	171.00
WEIR, ANDREW J.	173.00
WELLS, WILLIAM M.	229.50
WEST, JACKIE L.	228.50
WESTERHOF, DAN J.	61.50
WESTERHOF, MATTHEW J.	326.50
WHEATLEY, JOSHUA T.	121.00
WICKERSHAM, JOHN	264.00
WILLIAMS, LONNY L.	219.75
WILLIAMSON, KEVIN L.	190.50
WILSON, LONNY P.	136.50
WILSON, TERRIE J.	71.00
WINDISCH, KELLY E.	81.50
WISNIEWSKI, STELLA M.	193.50
WORLEY, LYNN M.	173.50
ZIMMERMAN, CLINTON R.	185.50

JR W.

=====

TOTAL HOURS:	27894.15
NCILDC PAC:	.01
AMOUNT PAID:	278.94

-- END OF REPORT --

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA  
NORTH CENTRAL ILLINOIS LABORERS' DISTRICT COUNCIL

6714 N. Frostwood Parkway • Peoria, Illinois 61615 • (309) 692-8750 • Fax: (309) 692-2698

September 4, 1998

Mr. Dan Adams  
Laborers' Local 309  
2835 7th Avenue  
Rock Island, IL 61201

Re: PAC Contributions

Please refer to the attached policy recommendation dated February 25, 1993 in reference to the \$.01 per hour worked.

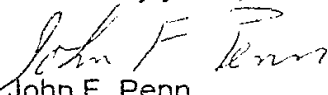
It is our understanding you were living up to this policy before the election at the North Central IL Laborers' District Council in August of 1994.

Currently you are the only Local Union that is not living up to this policy.

If you do not agree to this policy, in which you feel your Local Union should not have to pay the \$.01, the PAC Committee would appreciate it if you would attend the next scheduled PAC meeting on September 24, 1998 at 10:00 a.m. at the North Central IL Laborers' District Council office and explain your position.

If you have any questions, please call.

Fraternally yours,

  
John F. Penn  
Business Manager

lb

Enclosure

## RECOMMENDATIONS:

Hold November and December 1993 meetings on December 2, 1993 due to the Holidays.

2. Waive any liabilities that the Laborers' of Illinois Vacation Fund owes the North Central Illinois Laborers' District Council (Vacation Fund owes the District Council \$3,643.53).
3. Increase the North Central Illinois Laborers' District Council Labor Management Cooperation Trust contribution from \$.05 per hour to \$.10 per hour effective with the next hourly increase. This recommendation is a policy recommendation for the North Central Illinois Laborers' District Council.
4. The North Central Illinois Laborers' District Council Political Action Committee contribution policy of the North Central Illinois Laborers' District Council that all affiliated local unions, on behalf of their members shall contribute \$.01 per hour worked on or before January 1, 1994 - Policy recommendation.
5. North Central Illinois Laborers' District Council - New Building -  
Authorize the Executive Board of the North Central Illinois Laborers' District Council the authority to approve any cost changes not to exceed 10% of the prior approved \$200,000.00 (\$20,000.00 additional).

Steve Evans questioned the Political Action Committee policy in regard to contributions made by full-time people.

Greg Hasty stated that the full-time people will pay in as they have been doing.

Eric Menssen stated that Local 996 makes a contribution to the North Central Illinois Laborers' District Council Political Action Committee twice a year and if that totals \$.01 per hour he would continue paying in this matter.

Greg Hasty stated the Local Unions should stay on the same system as they have been on and the recommendation is being made to keep the contributions uniform.

Larry Lambert made a motion to accept the reports and recommendations of the Special Executive Board. Howard Parmenter seconded the motion. Motion was voted on and passed unanimously.

## REPORT OF THE DELEGATES OF AFFILIATED LOCAL UNIONS

The reports of the Delegates of Affiliated Local Unions were omitted this month due to the motion to shorten the meeting due to inclement weather.



# LABORERS' LOCAL UNION NO. 309

of Laborers' International Union of North America, affiliated with AFL-CIO

**BUSINESS OFFICE:**

1512 - 4TH AVENUE  
ROCK ISLAND, IL 61201  
AREA 309 PHONE: 786-5479  
FAX: 786-5486



**AFFILIATED WITH:**

TRI-CITY BLDG. TRADES COUNCIL  
ILLINOIS STATE FED. OF LABOR  
NORTH CENTRAL ILL. LABORERS'  
DISTRICT COUNCIL  
Q.C. FEDERATION OF LABOR

DAN ADAMS, Business Manager  
JOHN HINRICHS, President/Organizer  
BUTCH DOWNS, Secretary Treasurer/  
Field Representative

January 5, 1998

John F. Penn  
Business Manager  
North Central Illinois Laborers'  
District Council  
6714 N. Frostwood Parkway  
Peoria, IL 61615

Re: \$.01 per hour PAC Check-off

Dear John:

Enclosed is a copy of your letter dated December 23, 1997 where you allege in the first paragraph that our Local Union is not paying the PAC Check-off Contributions to the North Central Illinois Laborers' District Council Political Action Committee.

We are contributing to the North Central Illinois Laborers' District Council Political Action Committee on the basis of the enclosed Checkoff Authorization and Assignment Form when said Voluntary Contribution Authorization is given to our Local Union in written form.

If any additional information is needed to clarify this situation, please contact me at Laborers' Local #309's office.

Fraternally,

Dan Adams  
Business Manager

DA/lm  
encl

NCILDC-PAC

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA  
NORTH CENTRAL ILLINOIS LABORERS' DISTRICT COUNCIL

6714 N. Frostwood Parkway • Peoria, Illinois 61615 • (309) 692-8750 • Fax: (309) 692-2698

December 23, 1997

Mr. Dan Adams, Business Manager  
Laborers' Local 309  
1512 Fourth Ave.  
Rock Island, IL 61201

*Re: \$.01 per hour PAC Check-off*

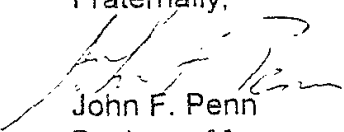
Dear Dan:

After reviewing the records of the sixteen Affiliated Local Unions it has been found that Local 309 is the only Local Union not paying PAC Check-off Contribution in accordance with all hours worked.

Laborers' Local 231 has the PAC contribution negotiated in their Building and Highway Agreements and are contributing based on those hours.

We would appreciate your assistance in bringing Local 309's contribution up to date. If you have any questions, please don't hesitate to call.

Fraternally,

  
John F. Penn  
Business Manager

jl



## CHECKOFF AUTHORIZATION AND ASSIGNMENT

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO.

Local Union No. \_\_\_\_\_

Affiliated with \_\_\_\_\_

(print name) do hereby assign to Local Union No. \_\_\_\_\_

LABORERS' International Union of North America, ATL-CIO, such amounts from my wages as shall be required to pay an amount equivalent to the initiation fees, readmission fees, membership dues, and assessments of the Local Union as may be established for its members from time to time. My employer, including my present employer and any future employer, is hereby authorized to deduct amounts from my wages and pay the same to Local Union and/or its authorized representatives. In accordance with the collective bargaining agreement in existence between the Union and my employer. This authorization shall become operative upon the effective date of each collective bargaining agreement entered into between my employer and the Union. This authorization shall be irrevocable for a period of one year or until termination of the collective bargaining agreement in existence between my employer and the Union, whichever occurs sooner, and I agree and direct that this Authorization shall be automatically renewed and shall be irrevocable for successive periods of one year each, or for the period of any subsequent agreement between my employer and the Union, whichever shall be shorter, unless written notice is given by me in my employer and the Local Union not more than twenty (20) days and not less than ten (10) days prior to the expiration of each period of one (1) year, or of each applicable collective bargaining agreement between my employer and the Union, whichever occurs sooner. For the effective period of this Checkoff Authorization and Assignment, I hereby waive any right I may have to resign my union membership. Furthermore, this Checkoff Authorization shall continue in accordance with the above renewal and revocation provisions irrespective of my membership in the Union.

Union dues and fees are not deductible as charitable contributions for federal income tax purposes. Local dues may qualify as business expenses, however, and may be deductible in limited circumstances subject to various restrictions imposed by the Internal Revenue Service.

Birth Date \_\_\_\_\_

Social Security Number \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

### VOLUNTARY CONTRIBUTION TO NORTH CENTRAL ILLINOIS LABORERS' DISTRICT COUNCIL POLITICAL ACTION COMMITTEE

#### PAYROLL CHECKOFF AUTHORIZATION

I hereby authorize and direct Local Union No. \_\_\_\_\_ to contribute the sum of one cent (\$.01) for each hour I work to be deducted from the uniform working dues withheld by my employer to the North Central Illinois Laborers' District Council Political Action Committee (NCLIDCPAC). Any sum so contributed shall be considered a personal donation by me for political purposes and may be used in the manner provided by the NCLIDCPAC by law. This authorization is voluntarily made and I understand that the signing of this Authorization and the making of payments to NCLIDCPAC are not conditions of membership in the Union or of employment with any employer and that I have a right to refuse to sign this Authorization without fear of any reprisal from the Union and that the Union cannot favor or disadvantage me because of the amount of my contribution or my decision not to contribute. This Authorization shall be effective until I revoke it in writing.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Social Security Number \_\_\_\_\_

# LABORERS' LOCAL UNION NO. 309

of Laborers' International Union of North America, affiliated with AFL-CIO

## BUSINESS OFFICE:

2835 - 7TH AVENUE  
ROCK ISLAND, IL 61201  
AREA 309 PHONE: 786-5479  
FAX: 786-5486

DAN ADAMS, Business Manager  
JOHN HINRICHS, President/Organizer  
BUTCH DOWNS, Secretary Treasurer/  
Field Representative



## AFFILIATED WITH:

TRI-CITY BLDG. TRADES COUNCIL  
ILLINOIS STATE FED. OF LABOR  
NORTH CENTRAL IL. LABORERS'  
DISTRICT COUNCIL  
Q.C. FEDERATION OF LABOR

September 21, 1998

John Penn  
Business Manager  
North Central Illinois Laborers'  
District Council  
6714 N. Frostwood Parkway  
Peoria, IL 61615

Ref: PAC Contributions

Dear Mr. Penn

Enclosed is a September 14, 1998 letter addressed to you from me and a September 21, 1998 letter from you to me relating to PAC Contributions. If you would please reread my September 14, 1998 letter where I indicated that I feel Laborers' Local Union #309 is complying with the policy of the North Central Illinois Laborers' District Council relating to PAC Contributions and not violating State and/or Federal Election laws.

In your letter of September 21, 1998 you ask the following question "The main question is, do the Local Unions of the North Central Illinois Laborers' District Council have the authority to adopt their own policies that would supersede the District Council policies?" I would refer you to the Laborers' International Union of North America Constitutions as amended by the 21<sup>st</sup> convention September 23-26, 1996 and by the membership referendum of 1996, for the answer.

Fraternally yours

Dan Adams  
Business Manager

cc: Ed Smith  
LIUNA, Vice President and Regional Manager

Encl.

## LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

NORTH CENTRAL ILLINOIS LABORERS' DISTRICT COUNCIL

6714 N. Frostwood Parkway • Peoria, Illinois 61615 • (309) 692-8750 • Fax: (309) 692-2698

September 21, 1998

JOHN S. EVANS  
PresidentFRANK HOWAR  
Vice PresidentMIKE J. LATOON  
Secretary-TreasurerJOHN F. PENN  
Business ManagerMr. Dan Adams, Business Manager  
Laborers' Local 309  
2835 - 7th Avenue  
Rock Island, IL 61201

Re: PAC Contributions

Dear Dan:

We are in receipt of your letter dated September 14, 1998.

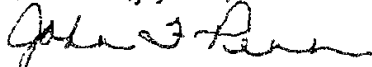
The North Central Illinois Laborers' District Council has adopted numerous policies, one being the increase in NCILDC-LECET from \$.05 to \$.10 and another one was the \$.01 contribution to PAC. Both of these policies were recommended by the NCILDC Executive Board, that you were a member of, at the February 23, 1993 meeting. These recommendations were brought to the Delegates and a motion was voted on and passed to accept these recommendations as policy of the District Council.

All of the programs that have been implemented as policies of the North Central Illinois Laborers' District Council are very important to the Labor movement.

The main question is, do the Local Unions of the North Central Illinois Laborers' District Council have the authority to adopt their own policies that would supersede the District Council policies?

If it is your position not to follow the policy of the North Central Illinois District Council, we would like you to explain your position at the PAC meeting scheduled for September 24, 1998 at 10:00 at the District Council office.

Fraternally yours,


John F. Penn  
Business Manager

lb

cc: Ed Smith  
LIUNA Vice President & Regional Manager

LIUNA  
INNOVATION  
AT WORK

# LABORERS' LOCAL UNION NO. 309

of Laborers' International Union of North America, affiliated with AFL-CIO

## BUSINESS OFFICE:

2835 - 7TH AVENUE  
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Field Representative



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ILLINOIS STATE FED. OF LABOR  
NORTH CENTRAL IL. LABORERS'  
DISTRICT COUNCIL  
Q.C. FEDERATION OF LABOR

September 14, 1998

John Penn  
Business Manager  
North Central Illinois Laborers'  
District Council  
6714 N. Frostwood Parkway  
Peoria, IL 61615

Ref: PAC Contributions

Dear Mr. Penn

Enclosed is the following information relating to the contributions from Laborers' Local Union #309 to the North Central Illinois Laborers' District Council Political Action Committee:

- A. September 4, 1998 letter to Dan Adams from John Penn with February 25, 1993 policy recommendation.
- B. January 5, 1998 letter to John Penn from Dan Adams with a copy of CHECKOFF AUTHORIZATION AND ASSIGNMENT AND VOLUNTARY CONTRIBUTION TO NORTH CENTRAL ILLINOIS LABORERS' DISTRICT COUNCIL POLITICAL ACTION COMMITTEE
- C. December 23, 1997 letter to Dan Adams from John Penn relating to \$.01 per hour PAC checkoff
- D. NCLIDC PAC report dated 8/1/98 thru 8/31/98 with 172 members on said list that have signed VOLUNTARY CONTRIBUTION TO NORTH CENTRAL ILLINOIS LABORERS' DISTRICT COUNCIL POLITICAL ACTION COMMITTEE

We feel that we are complying with the policy of the North Central Laborers' Illinois District Council relating to PAC Contributions as referred to in your September 4, 1998 letter. The Local Union is contributing to the District Council's Political Action Committee as authorized by the voluntary contribution forms signed by our laborers'. We are concerned about violating state and/or

federal election laws so any assistance that you can provide us in this area would be greatly appreciated.

Fraternally yours



Dan Adams  
Business Manager

cc: Ed Smith  
LIUNA Vice President & Regional Manager

Encl.

00-114-797-1257