ETEXT ATTACHMENT

08/22/2002 17 : 05

May 30, 2002

Ms. Colleen E. Manning
Reports Analyst
Reports Analysis Division
Federal Election Commission 999 E Street, N.W.
Washington, D.C. 20463

Re: IBEW COPE

Amended Year End Report (12/01/01-12/31/01)

Dear Ms. Manning:
I represent the International Brotherhood of Electrical Workers Committee on Political Education ("IBEW COPE"). I am writing in response to your recent undated letter stating that IBEW COPE's amended year-end report "disclosed a category of financial activity that has been reflected on the wrong line."
As I understand it, your contention is that the payment from IBEW COPE to AFL-CIO COPE PCC should be listed on line 22 as a transfer between affiliated political committees, rather than on line 23 as a contribution to another political committee.

I must respectfully disagree that IBEW COPE and AFL-CIO COPE PCC are affiliated committees. As you know, the Commission's Campaign Guide for Corporations and Labor Organizations states, "If a union belongs to a national or international federation of labor organizations, the SSF of the member union is not automatically affiliated with the SSF of the federation and the SSF's of the other member unions." While two committees established, financed, maintained or controlled by the same organization could be deemed affiliated, IBEW COPE and AFL-CIO COPE PCC operate independently and are not established, financed, maintained or controlled by the same organization.

At your suggestion, I have carefully reviewed the General Counsel's Report in MUR 1605. In that MUR the General
Counsel rejected the argument that the facts alleged in the complaint showed that IBEW COPE and AFL-CIO COPE PCC were affiliated. I would be happy to review any other authority, but it does appear that the Commission has not heretofore held that the political committee of the AFL-CIO is affiliated with the political committees of AFL-CIO member unions. Accordingly, IBEW COPE will not be filing a second amended year-end report.

Sincerely,
Sherman, Dunn, Cohen, Leifer & Yellig, P.C.

By:
Robert D. Kurnick