Cement Masons' Local No. 404

"of O. P. & C. M. I. A."

1417 EAST 25th STREET CLEVELAND, OHIO 44114

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Fee (218) 771-1578

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July 18, 1994

CERTIFIED MAIL

Ms. Brica Holder Reports Analyst Federal Election Commission Washington, DC 20463

Dear Ms. Holder:

cc.

Per the conversation with you regarding letters we received dated June 17, 1994 and July 14, 1994, please accept this letter as our response concerning monies mailed to our International's Pac Mac Fund.

Cement Masons Local 404 is one of the many locals under the O. P. & C. M. I. A. We collect COPE money that is a result of a payroll deduction from our members pay checks. We act as a Collecting Agent and transfer some of this money to our International Pac Mac.

If you may need more information or have any further questions, please contact my office.

Sincerely,

Herman Panigutti

Business Manager/Financial Secretary

HP/jlp

Enclosures



FEDERAL ELECTION COMMISSION

WASHINGTON, O.C. 20463.

RQ-3 July 14, 1994

Treasurer Cement Masons COPE 1414 E 26th Street Cleveland, OH 44114

Dear Treasurer:

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This letter is to inform you that as of July 13, 1994, the Commission has not received your response to our request for additional information, dated June 17, 1994. That notice requested information essential to full public disclosure of your federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Brica Holder on our toll-free number (800) 424-9530 or our local number (202) 219-3580.

Sincerely,

John D. Gibson

Assistant Staff Director Reports Analysis Division

Enclosure



FEDERAL ELECTION COMMISSION

WASHINGTON, O.C. 20463

Treasurer Cement Masons COPE 1414 E 26th Street Cleveland, OH 44114

JUN 17 1994

Dear Treasurer:

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This letter is prompted by the Commission's interest in assisting committees which may be subject to the registration and reporting requirements of the Federal Election Campaign Act ("the Act") but are not registered with the Commission.

The Act defines a "political committee" to include any separate segregated fund established by a corporation, labor organization, membership organization (to include trade associations), cooperative, or corporation without capital stock which solicits contributions or makes expenditures for the purpose of influencing federal elections, 2 U.S.C. \$5431(4) and 441b. The term "expenditure" includes contributions to political committees supporting federal candidates, 2 U.S.C. \$431(9).

In addition, the Act precludes a political committee from making a contribution to any other political committee which exceeds \$5,000 in a calendar year. 2 U.S.C. \$5441a(a)(1)(C) and (2)(C)

A review of the receipts reported by the Plasterers' and Cement Rasons' Action Committee indicates that your organization may have made an excessive contribution to a political committee during the calendar year 1993. This activity may qualify your organization as a "political committee" subject to the registration, reporting and other requirements, of the Act. A copy of the receipt schedule(s) which list your organization's contribution(s) is enclosed for your review.

In order to be in compliance with the Act, your organization must either:

 submit a Statement of Organization, file disclosure reports on FEC FORM 3X, and obtain a contribution refund of the amount in excess of the limitations (relevant informational materials and forms are enclosed); or receive a full contribution refund or direct the recipient committee(s) to transfer the funds to an account not used to influence federal elections.

The second alternative noted above should be followed if your organization does not wish to register and file disclosure reports, or if the contributions or expenditures by your organization were from an account containing corporate or union funds.

If you believe that your organization is not a political committee, has not made excessive contributions to a federal candidate, or the Commission is otherwise in error, please submit documentation which will clarify this matter. Although the Commission may take further legal steps concerning this matter, your prompt action will be taken into consideration.

please notify the Commission within fifteen (15) days from the date of this letter of your decision on this matter. If you have any questions, please contact me on the agency's toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,

Grica D. Holder

Erica Holder Reports Analyst Reports Analysis Division

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Federal Election Commission

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