



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20061

84040472658

THIS IS THE END OF MUR # 1670

Date Filmed 8/24/84 Camera No. --- 1

Cameraman JRL

FEDERAL ELECTION COMMISSION

12 day report ; Routing cards ; Conciliation

Materials

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act; 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input checked="" type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed

Mama White

date

August 8, 1984

600-4328

Hughes Hubbard & Reed
1201 Pennsylvania Avenue, N.W.
Washington, D. C. 20004

ONE WALL STREET
NEW YORK, NEW YORK 10005
212-709-7000

47, AVENUE GEORGES MANDEL
75010 PARIS, FRANCE
333-19001

TELEPHONE: 202-626-6200
TELEX: 691674

625 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90071
213-488-5140

11 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202
414-271-6627

August 13, 1984

BY HAND

Maura White, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1670 (Pepsi-Cola Bottlers Association
PAC; Gerald F. Brown, Treasurer)

Dear Ms. White:

Enclosed is a check to the Commission for \$250 from the Pepsi-Cola Bottlers Association PAC. The check is in full payment of the civil penalty set forth in Paragraph VI of the Conciliation Agreement.

Please sign the enclosed copy of this letter to acknowledge that you received the check.

Thank you for your courtesy in this matter.

Sincerely,

Peter A. Barnes
Peter A. Barnes

Enclosure

Receipt acknowledged: _____

34040472660

14 AUG 13 P 3:30

84040472661
HUGHES HUBBARD & REED

1201 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20004

BY HAND

Maura White, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

MEMORANDUM

TO: CHERYL THOMAS

TO: JOAN HARRIS

FROM: JOAN HARRIS

FROM: CHERYL THOMAS

CHECK NO. 350 (a copy of which is attached) RELATING

TO MUR 1670 AND NAME Pepsi Cola Bottlers Association
PAC + Gerald F. Brown, Treas.

WAS RECEIVED ON 8-13-84. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

☐ BUDGET CLEARING ACCCOUNT (#95F3875.16)

☒ CIVIL PENALTIES ACCOUNT (#95-1099.160)

☐ OTHER

SIGNATURE

Cheryl R. Thomas

DATE

8/13/84

PCBA PAC /
PEPSI-COLA BOTTLERS ASSOCIATION, INC.
1040 BAYVIEW DRIVE
FORT LAUDERDALE, FL 33304

Nº

350

AUGUST 8, 1984

63-487/660

PAY
TO THE
ORDER OF

FEDERAL ELECTION COMMISSION

\$250.00

TWO HUNDRED FIFTY AND 00/100***DOLLARS



Sun Bank/South Florida, N.A.
P.O. Box 5100
Fort Lauderdale, Florida 33310

PCBA PAC

BY

Gerald F. Brown

AUTH. SIG.

⑆066004875⑆ 290119830⑆01

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Pepsi-Cola Bottlers) MUR 1670
Association PAC;)
Gerald F Brown, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 31, 1984, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions in MUR 1670:

1. Accept the conciliation agreement with Pepsi-Cola Bottlers Association PAC and Gerald F. Brown, as treasurer, as recommended in the General Counsel's report dated July 23, 1984.
2. Close the file.
3. Approve the letter attached to the General Counsel's report dated July 23, 1984.

Commissioners Aikens, Elliott, McDonald, and McGarry voted affirmatively for the motion; Commissioner Harris dissented; Commissioner Reiche did not cast a vote.

Attest:

8/2/84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040472663



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 6, 1984

Peter M. Kreindler
Hughes, Hubbard and Reed
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

RE: MUR 1670

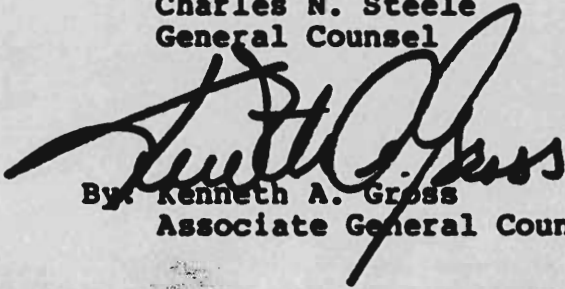
Dear Mr. Kreindler:

On July 31, 1984, the Commission accepted the conciliation agreement signed by your clients, Pepsi-Cola Bottlers Association PAC and Gerald F. Brown, as treasurer, 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, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

34040472664

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Pepsi-Cola Bottlers)
Association PAC;)
Gerald F. Brown,)
as treasurer)

MUR 1670

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Pepsi-Cola Bottlers Association PAC (hereinafter "the PAC") and Gerald F. Brown, as treasurer, 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.

84040472665

IV. The pertinent facts in this matter are as follows:

1. The PAC is a political committee registered with the Commission.
2. Gerald F. Brown is the treasurer of the PAC.
3. The PAC was required to file the 1981 March Monthly Report by March 20, 1981. The report was filed on April 3, 1981.
4. The PAC was required to file the 1981 September Monthly Report by September 20, 1981. The report was filed on September 28, 1981.
5. The PAC was required to file the 1982 February Monthly Report by February 20, 1982. The report was filed on March 1, 1982.
6. The PAC was required to file the 1982 March Monthly Report by March 20, 1982. The report was filed on March 29, 1982.
7. The PAC was required to file the 1982 May Monthly Report by May 20, 1982. The report was filed on May 27, 1982.
8. The PAC was required to file the 1982 June Monthly Report by June 20, 1982. The report was filed on June 30, 1982.
9. The PAC was required to file the 1982 July Monthly Report by July 20, 1982. The report was filed on July 28, 1982.

84040472666

V. Respondents violated 2 U.S.C. § 434(a)(4)(B) by failing to file timely the 1981 March Monthly Report, the 1981 September Monthly Report, the 1982 February Monthly Report, the 1982 March Monthly Report, the 1982 May Monthly Report, the 1982 June Monthly Report, and the 1982 July Monthly Report.

VI. Respondents will pay a civil penalty of Two Hundred and Fifty Dollars (\$250) to the United States Treasurer, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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 the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

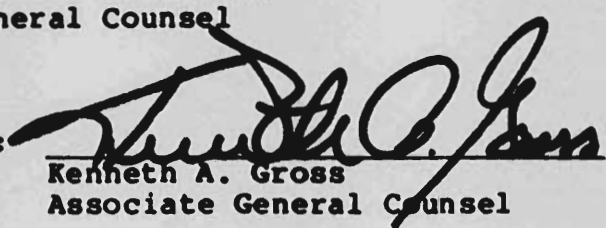
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. 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 valid.

FOR THE COMMISSION:

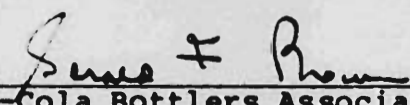
Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel


Date

FOR THE RESPONDENTS:


Pepsi-Cola Bottlers Association PAC
Gerald F. Brown, Treasurer

7-5-84
Date



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/ SUSAN M. TEIR *SMT*
DATE: JULY 24, 1984
SUBJECT: OBJECTION - MUR 1670 - GENERAL COUNSEL'S
REPORT signed July 23, 1984

The above-named document was circulated to the
Commission on Tuesday, July 24, 1984 at 11:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____ X _____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____

This matter will be placed on the Executive Session
agenda for Tuesday, July 31, 1984.

84040472669



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CK*
DATE: July 23, 1984
SUBJECT: MUR 1670 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒]
Sensitive ☒]
Non-Sensitive ☐]

24 Hour No Objection ☐]
Sensitive ☐]
Non-Sensitive ☐]

Information ☐]
Sensitive ☐]
Non-Sensitive ☐]

Other ☐]

DISTRIBUTION

Compliance ☒]

Audit Matters ☐]

Litigation ☐]

Closed MUR Letters ☐]

Status Sheets ☐]

Advisory Opinions ☐]

Other (see distribution
below) ☐]

84040472670

BEFORE THE FEDERAL ELECTION COMMISSION
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of

Pepsi-Cola Bottlers
Association PAC;
Gerald F. Brown, as treasurer

84 JUL 23 1670 52

GENERAL COUNSEL'S REPORT

SENSITIVE

I. Background

Attached is a conciliation agreement which has been signed by the treasurer of the Pepsi-Cola Bottlers Association PAC (Attachment 1).

II. Recommendations

1. Accept the attached conciliation agreement with Pepsi-Cola Bottlers Association PAC and Gerald F. Brown, as treasurer.
2. Close the file.
3. Approve the attached letter.

Charles N. Steele
General Counsel

Date

Attachments

- 1 - Proposed Agreement
- 2 - Letter to Kreindler

By: Kenneth A. Gross
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1670
Pepsi-Cola Bottlers)
Association PAC)
Gerald F. Brown, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 26, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1670:

1. Enter into conciliation with the Pepsi-Cola Bottlers Association PAC and Gerald F. Brown, as treasurer.
2. Approve the proposed conciliation agreement and letter as submitted with the General Counsel's Report signed June 21, 1984.

Commissioners Aikens, Elliott, Harris, McDonald and Reiche voted affirmatively in this matter; Commissioner McGarry did not cast a vote.

Attest:

6-26-84

Date

Judy C. Ransom

for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

6-22-84, 10:46
6-22-84, 2:00

84040472672



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 3, 1984

Peter Kreindler, Esquire
Hughes, Hubbard and Reed
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Re: MUR 1670

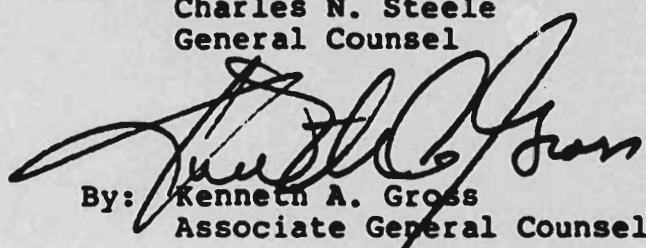
Dear Mr. Kreindler:

This is in response to your letter dated April 23, 1984, in which you request on behalf of your clients, Pepsi-Cola Bottlers Association PAC and Gerald F. Brown, as treasurer, an extension of time until May 11, 1984, to respond to the Commission's finding in this matter. I have reviewed your request and agree to a 15 day extension. The response of your clients is due, therefore, on May 11, 1984.

If you have any questions please contact Maura White at 523-4143.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

84040472673

6-22-51

Hughes Hubbard & Reed
1201 Pennsylvania Avenue, N.W.
Washington, D. C. 20004

ONE WALL STREET
NEW YORK, NEW YORK 10008
212-708-7000

TELEPHONE: 202-626-6200
TELEX: 882674

47, AVENUE GEORGES MANDEL
75110 PARIS, FRANCE
833-8901

525 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90071
213-238-8400
115
11 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202
414-271-8827

April 23, 1984

PETER M. KREINDLER
202-626-6250

MUR 1670
White

BY HAND

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

Re: MUR 1670 (Pepsi-Cola Bottlers Association
PAC; Gerald F. Brown, as treasurer)

Dear Ms. Lerner:

I am writing to confirm our telephone conversation today and to request an extension of time of fifteen days, to Friday, May 11, to submit written comments in response to the Commission's letter to Mr. Brown dated April 13. That letter was received by Mr. Brown on April 16, and thus the 10-day period to respond will end on April 26, unless it is extended.

As I told you on the phone, we would like an opportunity to discuss the matter informally with Maura White, the staff member assigned to this matter, before submitting a written response. We were told that Ms. White will be out of the office until next Monday, April 30, and thus a short delay is necessary.

You indicated in our conversation that an extension of time would be appropriate. Unless I hear from you, I will assume that we will be granted the extension until

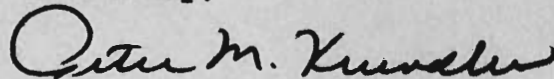
34040472674

Lois Lerner, Esquire
April 23, 1984
Page Two

May 11. I will phone Ms. White on April 30 to arrange a mutually convenient time to discuss this matter.

Thank you for your assistance.

Sincerely,



Peter M. Kreindler

cc: Maura White, Esquire
Mr. Gerald F. Brown

34040472675

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1670

NAME OF COUNSEL: Peter A. Barnes & Peter Kreindler

ADDRESS: Hughes, Hubbard & Reed
1201 Pennsylvania Ave. NW
Washington, DC 20004

TELEPHONE: 202-426-6200

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

4 - 23 - 84
Date

Gerald F. Brown
Signature

RESPONDENT'S NAME: Pepsi-Cola Bottlers Assoc.-PAC; Gerald F. Brown, as Treasurer

ADDRESS: PCBA
1040 Bayview Drive Suite 419
Ft. Lauderdale, Fl. 33304

HOME PHONE: 305-566-0323

BUSINESS PHONE: 305-563-5656

34040472676



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1984

Gerald F. Brown, Treasurer
Pepsi-Cola Bottlers Association-PAC
1040 Bayview Drive, Suite 419
Fort Lauderdale, Florida 33304

Re: MUR 1670
Pepsi-Cola Bottlers Association -
PAC; Gerald F. Brown, as treasurer

Dear Mr. Brown:

On April 11, 1984, the Federal Election Commission determined that there is reason to believe the Pepsi-Cola Bottlers Association-PAC 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 General Counsel's 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 you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter within ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

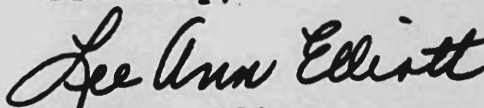
84040472677

Letter to Gerald F. Brown
Page 2

The investigation now being conducted will be 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 Maura White, the staff member assigned to this matter, at (202)523-4143.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

84040472678

**FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS**

MUR No. 1670
Staff Maura White
202-523-4143

RESPONDENTS: Pepsi-Cola Bottlers Association - PAC;
Gerald F. Brown, as treasurer

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

SUMMARY OF ALLEGATIONS

The Pepsi-Cola Bottlers Association - PAC ("PCBA") and Gerald F. Brown, as treasurer, failed to file seven reports in a timely manner during 1981-1982, in violation of 2 U.S.C. § 434(a) (4) (B).

FACTUAL BASIS AND LEGAL ANALYSIS

PCBA failed to file seven reports in a timely manner during the 1981-1982 election cycle. The reports were filed between 7 and 14 days late. */

A chronic late filer notice was mailed to PCBA on December 14, 1983, requesting an explanation concerning the late filing of reports. PCBA responded to the notice on December 27, 1983, by stating that its late submissions were due to a misinterpretation "of how you determine the actual filing date of reports" and to the fact that the receipt of its monthly bank statements was necessary before the monthly reports could be completed.

*/ These reports are the 1981 March and September Monthlys, and the 1982 February, March, May, June, and July Monthlys.

PCBA's response also stated that "[b]oth of these causes have been corrected" and that "late filings will not occur in the future."

Pursuant to 2 U.S.C. § 434(a)(4)(B), all political committees, other than the authorized committees of a candidate, shall file monthly reports in all calendar years no later than the 20th day after the last day of the month and shall be complete as of the last day of the month.

In view of PCBA's repeated failure to file its reports timely during 1981-1982, it is the recommendation of the General Counsel that the Commission find reason to believe PCBA and Gerald F. Brown, as treasurer, violated 2 U.S.C. § 434(a)(4)(B). The explanation offered by PCBA with respect to its continual late filing is not a sufficient defense in light of the number of reports involved in this matter, in the General Counsel's view.

34040472680



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 APR 12 P 4: 46

April 12, 1984

SENSITIVE

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: RAD Referral 84NF-23

On April 11, 1984 the Commission approved the recommendation that the subject RAD Referral be made a MUR. Therefore, all documents which had previously been identified as RAD Referral 84NF-23 should now become MUR 1670.

Attachment
Copy of Certification

94040472631

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Pepsi-Cola Bottlers Association-) RAD Referral 84NF-23
PAC)
Gerald F. Brown, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission ,
do hereby certify that on April 11, 1984, the Commission decided by a
vote of 6-0 to take the following actions with respect to the
above-captioned referral:

1. Open a Matter Under Review.
2. Find reason to believe the Pepsi-Cola Bottlers Association-
PAC and Gerald F. Brown, as treasurer, violated 2 U.S.C. §
434(a) (4) (B).
3. Approve and authorize the sending of the legal and factual
analysis and letter attached to the General Counsel's
report dated April 6, 1984.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche
voted affirmatively for the decision.

Attest:

4-11-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary - Friday, April 6, 1984 at 2:15 p.m.
Circulated to the Commissioners - Monday, April 9, 1984 at 11:00 a.m.
Vote Deadline - Wednesday, April 11, 1984 at 11:00 a.m.

84040472682



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CK*
DATE: April 6, 1984
SUBJECT: RAD Referral 84NF-23: First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote	[X]
Sensitive	[X]
Non-Sensitive	[]
24 Hour No Objection	[]
Sensitive	[]
Non-Sensitive	[]
Information	[]
Sensitive	[]
Non-Sensitive	[]
Other	[]

DISTRIBUTION

Compliance	[X]
Audit Matters	[]
Litigation	[]
Closed MUR Letters	[]
Status Sheets	[]
Advisory Opinions	[]
Other (see distribution below)	[]

3
8
6
2
7
4
0
4
0
4
3

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 APR 6 P2: 15

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 4/6/84 - 2:15

RAD # 84NF-23
STAFF MEMBER
Maura White

SENSITIVE

OF MUR: INTERNALLY GENERATED

RESPONDENTS' NAMES: Pepsi-Cola Bottlers Association-PAC;
Gerald F. Brown, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(B)

INTERNAL REPORTS CHECKED: Public Records

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

On March 2, 1984, the Reports Analysis Division referred the Pepsi-Cola Bottlers Association-PAC ("PCBA") to the Office of General Counsel (Attachment 1).

FACTUAL AND LEGAL ANALYSIS

(a) The Facts

PCBA failed to file seven reports in a timely manner during the 1981-1982 election cycle. The reports were filed between 7 and 14 days late (see Attachment 1). 1/

A chronic late filer notice was mailed to PCBA on December 14, 1983, requesting an explanation concerning the late filing of reports. PCBA responded to the notice on December 27, 1983, by stating that its late submissions were due to a misinterpretation

1/ These reports are the 1981 March and September Monthlys, and the 1982 February, March, May, June, and July Monthlys.

84040472684

"of how you determine the actual filing date of reports" and to the fact that the receipt of its monthly bank statements was necessary before the monthly reports could be completed. PCBA's response also stated that "[b]oth of these causes have been corrected" and that "late filings will not occur in the future." 2/

(b) The applicable law

Pursuant to 2 U.S.C. § 434(a)(4)(B), all political committees, other than the authorized committees of a candidate, shall file monthly reports in all calendar years no later than the 20th day after the last day of the month and shall be complete as of the last day of the month.

(c) Application of the law to the facts

In view of PCBA's repeated failure to file its reports timely during 1981-1982, it is the recommendation of the General Counsel that the Commission open a Matter Under Review and find reason to believe PCBA and Gerald F. Brown, as treasurer, violated 2 U.S.C. § 434(a)(4)(B). The explanation offered by PCBA with respect to its continual late filing is not a sufficient defense in light of the number of reports involved in this matter, in the General Counsel's view.

2/ For the Commission's information, during 1983 PCBA filed six monthly reports between three and eight days late. To date during 1984, PCBA has filed one monthly report a day late.

5
8
6
2
7
4
0
4
0
4
8

RECOMMENDATIONS

1. Open a Matter Under Review.
2. Find reason to believe the Pepsi-Cola Bottlers Association-PAC and Gerald F. Brown, as treasurer, violated 2 U.S.C. § 434(a) (4) (B).
3. Approve the attached letter and analysis.

Charles N. Steele
General Counsel

April 6, 1954
Date

By: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments:

- 1 - RAD Referral
- 2 - Proposed letter and analysis

84040472686

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: March 2, 1984ANALYST: Tony Raymond

I. COMMITTEE: Pepsi-Cola Bottlers Association - PAC
(C00122671)
Gerald F. Brown, Treasurer
1040 Bayview Drive, Suite 419
Ft. Lauderdale, FL 33304

II. RELEVANT STATUTE: 2 U.S.C. 434(a)(4)(B);
11 CFR 104.5(c)(3)

III. BACKGROUND:

Failure To Timely File Reports - 2 U.S.C. 434(a)(4)(B);
11 CFR 104.5(c)(3)

The Pepsi-Cola Bottlers Association - PAC ("PCBA") failed to timely file seven (7) Reports of Receipts and Disbursements for the 1981-82 election cycle (Attachment 2a-g). The filings were between 7 and 14 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
March Monthly (2/1/81-2/28/81)	3/20/81	4/3/81
September Monthly (8/1/81-8/31/81)	9/20/81	9/28/81
February Monthly (1/1/82-1/31/82)	2/20/82	3/1/82
March Monthly (2/1/82-2/28/82)	3/20/82	3/29/82
May Monthly (4/1/82-4/30/82)	5/20/82	5/27/82
June Monthly (5/1/82-5/31/82)	6/20/82	6/30/82
July Monthly (6/1/82-6/30/82)	7/20/82	7/28/82

Attachment 1 (1)

84040472687

**PEPSI-COLA BOTTLERS ASSOCIATION-PAC
REPORTS ANALYSIS OGC REFERRAL
PAGE 2**

A chronic late filing notice requesting reasons for the tardiness was sent to PCBA on December 14, 1983 (Attachment 3).

On December 27, 1983, PCBA filed a response with the Commission citing two reasons for past late submissions: 1) a misinterpretation of "how you determine the actual filing date," and 2) failure to receive bank statements in time to allow for the completion of the monthly reports. The treasurer stated that these problems have been corrected and that late filing will not occur in the future (Attachment 4).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

84040472688

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (81-82)
8 4 0 4 0 4 7 2 6 8 9
NON-PARTY RELATED

DATE 20FE804
PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	0 OF PAGES	MICROFILM LOCATION
PEPSI-COLA BOTTLERS ASSOCIATION-PAC				NON-PARTY QUALIFIED		15 0000132671
CONNECTED ORGANIZATION:	PEPSI-COLA BOTTLERS ASSOCIATION INC					
1981	FEBRUARY MONTHLY	6,100	0	1JAN81 -31JAN81	0	01FEC/191/0511
	MARCH MONTHLY	3,916	4	1FEB81 -20FEB81	0	01FEC/193/2594
	MARCH MONTHLY - AMENDMENT	-	-	1FEB81 -20FEB81	2	03FEC/209/4369
	REQUEST FOR ADDITIONAL INFORMATION			1FEB81 -20FEB81	1	04FEC/290/0016
	APRIL MONTHLY	5,993	1,932	1MAR81 -31MAR81	0	01FEC/194/5272
	1'ST LETTER INFORMATIONAL NOTICE			1MAR81 -31MAR81	1	02FEC/232/0329
	MAY MONTHLY	4,016	251	1APR81 -30APR81	0	01FEC/196/1275
	JUNE MONTHLY	3,517	501	1MAY81 -31MAY81	0	01FEC/197/2260
	JULY MONTHLY	158	551	1JUN81 -30JUN81	0	01FEC/201/3151
	AUGUST MONTHLY	5,488	602	1JUL81 -31JUL81	0	01FEC/204/1600
	SEPTEMBER MONTHLY	487	1	1AUG81 -31AUG81	0	01FEC/206/2944
	SEPTEMBER MONTHLY - AMENDMENT	-	-	1AUG81 -31AUG81	1	03FEC/209/5014
	REQUEST FOR ADDITIONAL INFORMATION			1AUG81 -31AUG81	1	04FEC/290/0015
	OCTOBER MONTHLY	848	1	1SEP81 -30SEP81	0	01FEC/208/0084
	NOVEMBER MONTHLY	4,369	1	1OCT81 -31OCT81	0	01FEC/209/4906
	NOVEMBER MONTHLY - AMENDMENT	-	-	1OCT81 -31OCT81	3	02FEC/232/2702
	NOVEMBER MONTHLY - AMENDMENT	-	-	1OCT81 -31OCT81	3	02FEC/234/1649
	REQUEST FOR ADDITIONAL INFORMATION			1OCT81 -31OCT81	1	02FEC/232/1240
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT81 -31OCT81	1	02FEC/234/5257
	DECEMBER MONTHLY	1,751	1,751	1NOV81 -30NOV81	0	01FEC/211/5230
	YEAR-END	4,859	4	1DEC81 -31DEC81	0	02FEC/222/2200
	YEAR-END - AMENDMENT	-	-	1DEC81 -31DEC81	3	02FEC/232/2699
	YEAR-END - AMENDMENT	-	-	1DEC81 -31DEC81	2	02FEC/234/1652
	REQUEST FOR ADDITIONAL INFORMATION			1DEC81 -31DEC81	1	02FEC/232/0466
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1DEC81 -31DEC81	2	02FEC/233/2432
1982	FEBRUARY MONTHLY	5,602	1	1JAN82 -31JAN82	9	02FEC/224/3730
	FEBRUARY MONTHLY - AMENDMENT	-	-	1JAN82 -31JAN82	1	03FEC/209/5015
	REQUEST FOR ADDITIONAL INFORMATION			1JAN82 -31JAN82	1	04FEC/290/0014
	MARCH MONTHLY	5,306	3	1FEB82 -20FEB82	0	02FEC/225/4790
	MARCH MONTHLY - AMENDMENT	-	-	1FEB82 -20FEB82	1	03FEC/209/5016
	REQUEST FOR ADDITIONAL INFORMATION			1FEB82 -20FEB82	1	04FEC/290/0013
	APRIL MONTHLY	2,706	3,651	1MAR82 -31MAR82	9	02FEC/229/4005
	MAY MONTHLY	4,307	3	1APR82 -30APR82	0	02FEC/232/0196
	MAY MONTHLY - AMENDMENT	-	-	1APR82 -30APR82	1	03FEC/209/5017
	REQUEST FOR ADDITIONAL INFORMATION			1APR82 -30APR82	1	04FEC/290/0012
	JUNE MONTHLY	3,906	2,695	1MAY82 -31MAY82	9	02FEC/234/2450
	JUNE MONTHLY - AMENDMENT	-	-	1MAY82 -31MAY82	1	03FEC/209/5018
	REQUEST FOR ADDITIONAL INFORMATION			1MAY82 -31MAY82	1	04FEC/290/0011
	JULY MONTHLY	5,524	235-	1JUN82 -30JUN82	0	02FEC/229/3731
	JULY MONTHLY - AMENDMENT	-	-	1JUN82 -30JUN82	1	03FEC/209/5019
	REQUEST FOR ADDITIONAL INFORMATION			1JUN82 -30JUN82	2	03FEC/209/0392
	AUGUST MONTHLY	5,684	1	1JUL82 -31JUL82	0	02FEC/241/2166
	SEPTEMBER MONTHLY	9,893	3,553	1AUG82 -31AUG82	9	02FEC/244/2522
	OCTOBER MONTHLY	3,513	1,502	1SEP82 -30SEP82	0	03FEC/255/4924

1(3)

Attachment 1 (204105)

FEDERAL ELECTION COMMISSION
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (81-82)
 8 4 0 4 0 4 7 2 6 9 0
 NON-PARTY RELATED

DATE 207X904
 PAGE 2

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
PRE-GENERAL		0	12,250	10CT02 - 130CT02	11	82FEC/252/3788
PRE-GENERAL	- AMENDMENT	0	12,250	10CT02 - 130CT02	12	82FEC/267/0984
1 ST LETTER	INFORMATIONAL NOTICE			10CT02 - 130CT02	1	82FEC/266/2965
POST-GENERAL		1,811	6,003	140CT02 - 22NOV02	8	82FEC/256/3159
YEAR-END		2,019	4	22NOV02 - 31DEC02	8	82FEC/262/4722
TOTAL		91,763	0	35,030	0	243 TOTAL PAGES

All Reports Reviewed.

ENDING CASH (12-31-02) : \$ 91,695
DEBTS (12-31-02) : \$ -0-

(7)

Amended: (Nov 2002)

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS 9(C)1 (83-84)

DATE 20FEB84
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
PEPSI-COLA BOTTLERS ASSOCIATION-PAC				NON-PARTY QUALIFIED		ID 0C00122671
CONNECTED ORGANIZATION:	PEPSI-COLA BOTTLERS ASSOCIATION INC					
1983	STATEMENT OF ORGANIZATION - AMENDMENT			13JAN83	2	84FEC/290/3232
	STATEMENT OF ORGANIZATION - AMENDMENT			26OCT83	2	83FEC/286/1304
	STATEMENT OF ORGANIZATION - AMENDMENT			25NOV83	2	83FEC/288/0849
	STATEMENT OF ORGANIZATION - AMENDMENT			20DEC83	2	83FEC/289/4251
	STATEMENT OF ORGANIZATION - AMENDMENT			20DEC83	2	83FEC/289/4253
	FEBRUARY MONTHLY	188	0	1JAN83 -31JAN83	8	83FEC/287/0976
	MARCH MONTHLY	691	0	1FEB83 -28FEB83	8	83FEC/288/4522
	APRIL MONTHLY	6,704	1,700	1MAR83 -31MAR83	10	83FEC/270/0452
	MAY MONTHLY	6,419	200	1APR83 -30APR83	11	83FEC/272/0210
	JUNE MONTHLY	2,905	500	1MAY83 -31MAY83	11	83FEC/273/3458
	JULY MONTHLY	2,150	500	1JUN83 -30JUN83	9	83FEC/276/0438
	AUGUST MONTHLY	1,206	0	1JUL83 -31JUL83	10	83FEC/281/3793
	SEPTEMBER MONTHLY	1,236	0	1AUG83 -31AUG83	10	83FEC/283/4305
	OCTOBER MONTHLY	1,671	250	1SEP83 -30SEP83	10	83FEC/286/1306
	NOVEMBER MONTHLY	708	0	1OCT83 -31OCT83	10	83FEC/288/0851
	NOVEMBER MONTHLY - AMENDMENT	958	0	1OCT83 -31OCT83	10	83FEC/289/4255
	DECEMBER MONTHLY	4,336	7,000	1NOV83 -30NOV83	11	83FEC/289/4240
	YEAR-END	3,423	0	1DEC83 -31DEC83	5	84FEC/290/3234
1984	STATEMENT OF ORGANIZATION - AMENDMENT			16FEB84	2	84FEC/297/0864
	FEBRUARY MONTHLY	4,226	1,000	1JAN84 -31JAN84	10	84FEC/297/0866
	TOTAL	36,113	0	11,150	0	145 TOTAL PAGES

NO REPORT REVIEWED.

ENDING CASH (1-31-84): \$ 116,662

DEBTS (1-31-84) : \$ -0-

1(3)

Answer 1 (see 303)

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

01 APR 3 P12: 21

(Summary Page)

1. Name of Committee (in Full)
 Criminal Offenders Association-
 Political Action Committee

Address (Number and Street)
 3100 E. Oakland Park Blvd.

City, State and ZIP Code
 : Lauderdale, FL 33308

☐ Check if address is different than previously reported.

2. FEC Identification Number
 000122 71

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

(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 for FEBRUARY, 1981
☐ 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		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	2/1/81 Through 2/28/81		
6 (a) Cash on Hand January 1, 19__	1		\$ 34,001.
(b) Cash on Hand at Beginning of Reporting Period		\$ 41,061.00	
(c) Total Receipts (from Line 18)		\$ 2,916.00	\$ 10,100.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 44,977.00	\$ 44,101.00
7 Total Disbursements (from Line 28)		\$ 4.00	\$
8 Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 44,973.00	\$ 44,101.00
9 Debts and Obligations Owed TO the Committee (itemize all on Schedule C or Schedule D)		\$ -0-	
10 Debts and Obligations Owed BY the Committee (itemize all on Schedule C or Schedule D)		\$ -0-	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 05-11-2010 BY 60322 UCBAW/STP

For further information contact:

Federal Bureau of Investigation
 U. S. Department of Justice
 Washington, D. C. 20535

— — — — —

STATE OF TEXAS, DEER

9-27-9

NOTE: See also the report of the Committee on the Status of the Nation's Forests, 1970, and the report of the Committee on the Status of the Nation's Forests, 1971.

החלטת הוועדה להעביר את המסמך למשרד המשפטים, להחליט על הפיקוח והאחריות על המסמך, ולקבוע את התנאים להעברת המסמך למשרד המשפטים.

1111

1(6)

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

1. Name of Committee (in Full)
**Pepsi-Cola Bottlers Association-
 Political Action Committee**

Address (Number and Street)
3100 E. Oakland Park Blvd.

City, State and ZIP Code
Ft Lauderdale, FL 33308

☐ Check if address is different than previously reported.

2. FEC Identification Number
C00122671

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

- (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 for August, 1981
☐ 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

	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>8/1/81</u> Through <u>8/31/81</u>		
6. (a) Cash on Hand January 1, 19____		\$ 34,961.00
(b) Cash on Hand at Beginning of Reporting Period	\$ 60,307.52	
(c) Total Receipts (from Line 18)	\$ 487.36	\$ 29,677.72
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 60,794.88	\$ 64,638.72
7. Total Disbursements (from Line 28)	\$ 1.08	\$ 3,844.92
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	\$ 60,793.80	\$ 60,793.80
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C 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.

Gerald F. Brown

 Title or Print Name of Treasurer

SIGNATURE OF TREASURER

9-24-81

Date

For further information, contact:

Federal Election Commission
 Toll Free 800-424-9530
 Local 202-433-4068

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

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

--	--	--	--	--	--	--	--	--	--

FEC FORM 3X (3-81)

117

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

Attachment 2c

02 FEB 29 12:00

(Summary Page)

1. Name of Committee (in Full)
Pepsi-Cola Bottlers Association PAC

Address (Number and Street)
3100 E. Oakland Park Blvd.
Ft. Lauderdale, Fla. 33308

City, State and ZIP Code

☐ Check if address is different than previously reported.

2. FEC Identification Number
C00 122671

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

(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 for January 1982
☐ 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		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	_____ Through _____		
6. (a) Cash on Hand January 1, 19____	.....		\$ 70,863.56
(b) Cash on Hand at Beginning of Reporting Period	.....	\$ 70,863.56	
(c) Total Receipts (from Line 18)	.....	\$ 5,602.04	\$ 5,602.04
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	.....	\$ 76,465.60	\$ 76,465.60
7. Total Disbursements (from Line 28)	.....	\$ 1.10	\$ 1.10
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	.....	\$ 76,464.50	\$ 76,464.50
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ 0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C 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
Toll Free 800-424-9530
Local 202-523-4088

Gerald F. Brown

Signature of Treasurer

2/26/82

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 5437c

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

--	--	--	--	--	--	--	--	--	--

FEC FORM 3X (3-80)

1(8)

84040472694381032113738

(Summary Page)

6. TYPE OF REPORT (check appropriate boxes)

(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 for FEBRUARY, 1982

☐ 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		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>2/1/82</u> Through <u>2/28/82</u>		
6. (a) Cash on Hand January 1, 1982	.....		\$ 70,863.56
(b) Cash on Hand at Beginning of Reporting Period	.....	\$ 76,464.50	
(c) Total Receipts (from Line 1B)	.....	\$ 5,306.56	\$ 10,008.60
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	.....	\$ 81,771.06	\$ 81,772.16
7. Total Disbursements (from Line 2B)	.....	\$ 3.00	\$ 5.00
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	.....	\$ 81,767.16	\$ 81,767.16
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	.....	\$ -0-	

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 4370.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

[illegible]

F E C F C F : 3 3 3 B 3

1(9)

SEC FORM 31 (2-80)

 $1(10)$

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

JUN 30 12:46

1. Name of Committee (in Full)
Pepsi-Cola Bottlers Association-
Political Action Committee

Address (Number and Street)
1040 Bayview Drive
Suite 419

City, State and ZIP Code
Ft Lauderdale, FL 33304

☐ Check if address is different than previously reported.

2. FEC Identification Number
C00122671

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

- (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 for MAY 1982
☐ 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 5/1/82 Through 5/31/82

6. (a) Cash on Hand January 1, 1982

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

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

7. Total Disbursements (from Line 20)

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

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

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

Column A
This Period

Column B
Calendar Year-to-Date

\$ 70,863.56

\$ 85,126.21

\$ 3,906.62

\$ 21,828.67

\$ 89,032.83

\$ 92,692.23

\$ 2,695.10

\$ 6,354.50

\$ 86,337.73

\$ 86,337.73

\$ -0-

\$ -0-

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

Ronald E. Brown

Signature of Treasurer

Signature of Treasurer

6/20/82

Date

For further information, contact:

Federal Election Commission
Toll Free 800-474-9530
Local 202-573-4068

NOTE: Submission of false or misleading information may subject the person signing this Report to the penalties of 18 U.S.C. 1001.

All previous versions of FEC FD-103 and FEC FORM 3a are obsolete and should no longer be used.

1(11)

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

2 JUL 28 All: 13

(Summary Page)

1. Name of Committee (in Full)
Pepsi-Cola Bottlers Assoc. PAC

Address (Number and Street)
**1040 Bayview Drive
Suite 419-400
Ft. Lauderdale, Fl. 33304**

City, State and ZIP Code
Ft. Lauderdale, Fl. 33304

☐ Check if address is different than previously reported.

2. FEC Identification Number
COO 122671

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

(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 for **JUNE 1982**
☐ 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

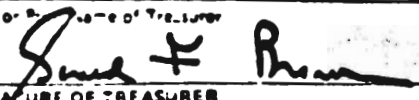
(b) Is this Report an Amendment?
☐ YES ☐ NO

	SUMMARY	
	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period 6/1/82 Through 6/30/82		
6. (a) Cash on Hand January 1, 19 82		\$ 70,863.56
(b) Cash on Hand at Beginning of Reporting Period	\$ 86,337.73	
(c) Total Receipts (from Line 18)	\$ 5,524.05	\$ 27,352.72
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 91,861.78	\$ 98,216.28
7. Total Disbursements (from Line 28)	\$ (235.90)	\$ 6,118.60
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	\$ 92,097.68	\$ 92,097.68
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ 0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C 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
Toll Free 800-424-9530
Local 202-523-4068

Gerald F. Brown
Name of Treasurer

SIGNATURE OF TREASURER

7/20/82
Date

NOTE: Submission of false, erroneous or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 5437.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

--	--	--	--	--	--	--	--	--	--

FEC FORM 3a OF

1(12)

**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

RQ-2

14 December 1983

Gerald F. Brown, Treasurer
Pepsi-Cola Bottlers Association
- PAC

1040 Bayview Drive, Suite 419
Ft. Lauderdale, FL 33304

Identification Number: C00122671

Reference: 1981-82 Election Cycle Reports

Dear Mr. Brown:

This letter is prompted by the Commission's review of the reports filed by your committee for the 1981-82 election cycle. A review of the reports listed below indicates that your committee repeatedly failed to file reports in a timely manner. Timely filing is a specific requirement of the Federal Election Campaign Act and essential to fulfilling the public disclosure concept embodied in the law. The Commission views late filing as a serious violation of the Act.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
March Monthly (2/1/81-2/28/81)	3/20/81	4/3/81
September Monthly (8/1/81-8/31/81)	9/20/81	9/28/81
February Monthly (1/1/82-1/31/82)	2/20/82	2/28/82
March Monthly (2/1/82-2/28/82)	3/20/82	3/29/82
May Monthly (4/1/82-4/30/82)	5/20/82	5/27/82
June Monthly (5/1/82-5/31/82)	6/20/82	6/30/82
July Monthly (6/1/82-6/30/82)	7/20/82	7/28/82

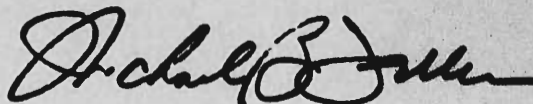
This communication affords you the opportunity to present the reasons behind the late tenders noted above. Your response should be filed with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 within fifteen (15) days of the date of this letter. The Commission will consider your response

1(13)

84040472699

to this notice before taking action in this matter. If you need assistance or have any questions regarding this matter, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,



Michael B. Filler
Chief
Party/Non-Party Branch
Reports Analysis Division

84040472700

1(14)

GERALD F. BROWN
EXECUTIVE SECRETARY



RECEIVED AT THE FFC
Attachment 4
83 DEC 27 P 1: 25

December 21, 1983

Mr. Michael B. Filler
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: Inquiry #RQ-2
I.D. #C00122671
Subject: 1981-1982 Election Cycle Reports

Dear Mr. Filler:

The following is in response to your letter dated December 14, 1983.

Upon discussions with the person responsible for preparation of the monthly required reports to your organization I find that:


1. A misinterpretation on our part of how you determine the actual filing date of reports has prevailed.
2. Delay in filing on occasion has occurred because of the necessity of receiving our monthly bank statement in time to allow the completion of the financial data required in the monthly reports.

Both of these causes have been corrected.

You have my assurance that late filings will not occur in the future.

Thank you for bringing this matter to my attention.

Very truly yours,


Gerald F. Brown
10

8 84 D 043024970 21730 10



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Gerald F. Brown, Treasurer
Pepsi-Cola Bottlers Association-PAC
1040-Bayview Drive, Suite 419
Fort Lauderdale, Florida 33304

Re: MUR
Pepsi-Cola Bottlers Association -
PAC; Gerald F. Brown, as treasurer

Dear Mr. Brown:

On , 1984, the Federal Election Commission determined that there is reason to believe the Pepsi-Cola Bottlers Association-PAC 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 General Counsel's 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 you and the committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter within ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Attachment 2 (1)

84040472702

Letter to Gerald F. Brown
Page 2

The investigation now being conducted will be 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 Maura White, the staff member assigned to this matter, at (202)523-4143.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

84040472703

2(2)

**FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS**

MUR No. _____
Staff Maura White
202-523-4143

RESPONDENTS: Pepsi-Cola Bottlers Association - PAC;
Gerald F. Brown, as treasurer

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

SUMMARY OF ALLEGATIONS

The Pepsi-Cola Bottlers Association - PAC ("PCBA") and Gerald F. Brown, as treasurer, failed to file seven reports in a timely manner during 1981-1982, in violation of 2 U.S.C. § 434(a) (4) (B).

FACTUAL BASIS AND LEGAL ANALYSIS

PCBA failed to file seven reports in a timely manner during the 1981-1982 election cycle. The reports were filed between 7 and 14 days late. */

A chronic late filer notice was mailed to PCBA on December 14, 1983, requesting an explanation concerning the late filing of reports. PCBA responded to the notice on December 27, 1983, by stating that its late submissions were due to a misinterpretation "of how you determine the actual filing date of reports" and to the fact that the receipt of its monthly bank statements was necessary before the monthly reports could be completed.

*/ These reports are the 1981 March and September Monthlys, and the 1982 February, March, May, June, and July Monthlys.

840472704

PCBA's response also stated that "[b]oth of these causes have been corrected" and that "late filings will not occur in the future."

Pursuant to 2 U.S.C. § 434(a)(4)(B), all political committees, other than the authorized committees of a candidate, shall file monthly reports in all calendar years no later than the 20th day after the last day of the month and shall be complete as of the last day of the month.

In view of PCBA's repeated failure to file its reports timely during 1981-1982, it is the recommendation of the General Counsel that the Commission find reason to believe PCBA and Gerald F. Brown, as treasurer, violated 2 U.S.C. § 434(a)(4)(B). The explanation offered by PCBA with respect to its continual late filing is not a sufficient defense in light of the number of reports involved in this matter, in the General Counsel's view.

84040472705

2(4)

84040472706



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR #

1670

Date Filmed 8/24/84 Camera No. --- 1

Cameraman

JRL