



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2490

DATE FILMED 4/23/88 CAMERA NO. 4

CAMERAMAN GPC

88040700002



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 22, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: QUARTERLY FILERS (UNAUTHORIZED COMMITTEES) WHICH
FAILED TO FILE THE 1986 12 DAY PRE-GENERAL REPORT
BY ELECTION DAY

The attached list of unauthorized committees consists of forty-nine (49) quarterly filers which failed to file a 1986 12 Day Pre-General Report by Election Day, November 4, 1986. In accordance with Standard 3 of the RAD Review and Referral Procedures, further examination is required by your office.

Unlike the mandatory reporting requirement placed upon monthly filers, 2 U.S.C. §434(a)(4)(A)(ii) requires quarterly filers to submit 12 Day Pre-General Reports only if the committees make contributions to or expenditures on behalf of federal candidates involved in the general election. All unauthorized committees were sent prior notification regarding the pre- and post-general filing requirements on September 29, 1986 (Attachment 50).

The Party/Non-Party Branch conducted a thorough examination to identify quarterly filers disclosing contributions or expenditures between October 1 and October 15, 1986. The research revealed committees that submitted:

- a) 12 Day Pre-General Reports in an untimely manner;
- b) 30 Day Post-General Reports indicating that 12 Day Pre-General Reports should have been filed; and
- c) Year End Reports indicating that 12 Day Pre-General Reports should have been filed.

ATTACHMENT 1

3304070004

JOSEPH E. SEAGRAM & SONS, INC. POLITICAL ACTION COMMITTEE

(Attachments 24a - 24h)

3 3 0 4 0 7 0 0 0 0 5

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)DATE 5MAY87
PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
JOSEPH E SEAGRAM & SONS, INC POLITICAL ACTION COMMITTEE				NON-PARTY QUALIFIED	ID #C00141960	
CONNECTED ORGANIZATION: JOSEPH E SEAGRAM & SONS INC						
1985	MID-YEAR REPORT	6,970	19,492	1JAN85 -30JUN85	7	85FEC/381/5141
	YEAR-END	101,157	39,093	1JUL85 -31DEC85	21	86FEC/399/1980
	YEAR-END	101,157	39,093	1JUL85 -31DEC85	3	86FEC/402/1297
	- AMENDMENT	797	12,731	1JAN86 -31MAR86	5	86FEC/498/4122
1986	APRIL QUARTERLY	51,211	35,045	1JAN86 -30JUN86	13	86FEC/421/2413
	JULY QUARTERLY	38,886	47,900	1JAN86 -30SEP86	15	86FEC/437/0187
	OCTOBER QUARTERLY	12,963	24,450	1JAN86 -15OCT86	8	86FEC/443/4098
	PRE-GENERAL	15,161	39,827	16OCT86 -24NOV86	14	86FEC/448/2275
	POST-GENERAL	2,050	34	25NOV86 -31DEC86	4	87FEC/458/2744
	YEAR-END					
TOTAL		229,195	0 218,572	0	90	TOTAL PAGES

All reports have been reviewed.

Ending cash-on-hand as of 12/31/86: \$30,280

Outstanding debts owed by the committee as of 12/31/86: \$0

Joseph E. Seagram & Sons, Inc.



Political Action Committee

Attachment 24b
MAILED 11:11 AM
26 NOV 86 4:25

OVERSIGHT COMMITTEE

Chairman Robert A. Miano
Vice Chairman Kenneth E. Lott
Special A. Falkenberg
Treasurer Edward Falkenberg
Secretary John L. Brady

Marvin Bart
Sam Brumback II
Laurie W. Grier
Stephen E. Hinkle
Joyce S. Johnson
Morris Katz
M. Jacqueline McCarthy
Frank M. Mappert
Bruce L. Smith
Walter E. Thompson
Ronald J. Williams

275 PARK AVENUE
NEW YORK, N.Y. 10022
(212) 675-7000

SUITE 200
1801 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004
(202) 727-6000

VIA FEDERAL EXPRESS

November 5, 1986

Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Attn. Brian Hancock

Dear Sir:

Enclosed please find our pre-general election report which we did not file timely on October 23, 1986 owing to a computer malfunction. We regret any inconvenience this may have caused.

I can be reached at (212) 572-7575 if there are any questions.

Very truly yours,

Edward Falkenberg

Edward Falkenberg
Treasurer

EF/bk
Enc.

REPORT OF DISBURSEMENTS AND ENCUMBRANCES
For a Political Committee Other Than an Authorized Committee

(Summary Page)

Attachment 24c

RECEIVED
NE FEC
86 NOV 6 AM 25

1. Name of Committee (in Full)

**Joseph E. Seagram & Sons, Inc.
Political Action Committee**

Address (Number and Street)

375 Park Avenue

City, State and ZIP Code

New York, N.Y. 10152

☐ Check here if address is different than previously reported.

2. FEC Identification Number

000-141-960

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

4. TYPE OF REPORT (Check appropriate column)

☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☒ Twelfth day report preceding General Month of General

election on Nov. 4, 1986 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

6. Covering Period January 1, 1986 through October 15, 1986

6. (a) Cash on hand January 1, 19 86

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1B)

(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 2B)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 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)**

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

Edward Falkenberg
Type or Print Name of Treasurer

Edward Falkenberg
SIGNATURE OF TREASURER

11/5/86
Date

For further information contact:

Federal Election Commission
800 E Street, N.W.
Washington, D.C. 20543
Toll Free (800) 424-6537
Local 202 526-3120

NOTE: Submitting false or misleading information may subject the person signing this report to the penalties of 2 U.S.C. § 437e

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

FEC FORM 3X (3/80)

33240398037

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee or Fund

Joseph E. Seagram & Sons, Inc. Political Action

Report covering the period

From Oct. 1, 1986 to Oct. 15, 1986

Committee

COLUMN A
Total This PeriodCOLUMN B
Calendar Year-To-Date

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

(Same Entry Unlimited \$ 12,963.70)

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTIONS (other than loans) (Add 11(a), 11(b) and 11(c))

12,963.70

101,401.68

11(a)

12,963.70

101,401.68

11(d)

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. ALL LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES
AND OTHER POLITICAL COMMITTEES

17. OTHER RECEIPTS (Dividends, Interest, etc.)

2,458.45

17

18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)

12,963.70

103,860.13

18

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND
OTHER POLITICAL COMMITTEES

24,450.00

119,600.00

21

22. INDEPENDENT EXPENDITURES (see Schedule E)

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES

(2 U.S.C. 8441 (d)) (Use Schedule F)

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))

26(a)

26(b)

26(c)

26(d)

27. OTHER DISBURSEMENTS

527.20

27

28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)

24,450.00

120,127.20

28

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)

12,963.70

101,401.68

29

30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)

12,963.70

101,401.68

30

31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)

32. TOTAL OPERATING EXPENDITURES from Line 19

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)

32

33

34

2235074014024

SCHEDULE B

ITEMIZED DISBURSEMENTS

Attachment 24e

Use separate schedule for each category of the Detailed Summary Page

Page 1 of 4
FOR LINE NUMBER 1

Any information reported from such Reports and Statements may not be used by any person for the purpose of influencing contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

JOSEPH E. SEAGRAM & SONS, INC. POLITICAL ACTION COMMITTEE

1001

A. Full Name, Mailing Address and ZIP Code Broch Adams for Senate Committee 2124 Fourth Avenue Seattle, Washington 98121	Purpose of Disbursement Mr. Broch Adams (D-Washington) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
B. Full Name, Mailing Address and ZIP Code Senator Dale Bumpers Reelection Committee P. O. Box 2700 Little Rock, Arkansas 72201	Purpose of Disbursement Senator Dale Bumpers (D-Arkansas) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/8/86	Amount of Each Disbursement This Period \$1,000
C. Full Name, Mailing Address and ZIP Code A Lot of People Supporting Tom Daschle Six "E" Street, S.E. Washington, D.C. 20003	Purpose of Disbursement Rep. Thomas A. Daschle (D-South Dakota) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
D. Full Name, Mailing Address and ZIP Code Bob Edgar for U.S. Senate Penn State Building 24 Veterans Square Media, Pennsylvania 19063	Purpose of Disbursement Rep. Robert W. Edgar (D-Pennsylvania) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
E. Full Name, Mailing Address and ZIP Code Citizens Committee for Ernest F. Hollings P. O. Box 135 Charlestown, South Carolina 29402	Purpose of Disbursement Sen. Ernest F. Hollings (D-South Carolina) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
F. Full Name, Mailing Address and ZIP Code DKI in '86 20008 South Beretania Street Honolulu, Hawaii 96826	Purpose of Disbursement Sen. Daniel K. Inouye (D-Hawaii) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
G. Full Name, Mailing Address and ZIP Code McCain for Senate Committee P. O. Box 710 Phoenix, Arizona 85001	Purpose of Disbursement Rep. John McCain (R-Arizona) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
H. Full Name, Mailing Address and ZIP Code Mikulski for Senate P. O. Box 13147 Baltimore, Maryland 21203	Purpose of Disbursement Rep. Barbara Mikulski (D-Maryland) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
I. Full Name, Mailing Address and ZIP Code Reelect Frank Murkowski P. O. Box 101199 Anchorage, Alaska 99510	Purpose of Disbursement Sen. Frank Murkowski (R-Alaska) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000

SUBTOTAL of Disbursements This Page (optional)

\$9,000

TOTAL This Period (use this line number only)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Attachment 24f

The figures attached to each category of the Detailed Summary Page

PAGE 2
2 1 4
PER LINE NUMBER 10

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of influencing some election or for commercial purposes, or for using the name and address of a political committee to solicit contributions from such committee.

NAME OF COMMITTEE in Full

JOSEPH E. SEAGRAN & SONS, INC. POLITICAL ACTION COMMITTEE

A. Full Name, Mailing Address and ZIP Code Quayle for Senate P. O. Box 441250 Indianapolis, Indiana 46224	Purpose of Disbursement Sen. Dan Quayle (R-Indiana) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
B. Full Name, Mailing Address and ZIP Code Friends for Harry Reid 900 17th Street, N.W. Suite 300 Washington, D.C. 20006	Purpose of Disbursement Rep. Harry Reid (D-Nevada) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$1,000
C. Full Name, Mailing Address and ZIP Code Friends of Les AuCoin P. O. Box 641 Beaverton, Oregon 97075	Purpose of Disbursement Rep. Les AuCoin (D-Wisconsin, 1st) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500
D. Full Name, Mailing Address and ZIP Code John Bryant Campaign Fund 8035 East R.L. Thornton Suite 520 Dallas, Texas 75228	Purpose of Disbursement Rep. John Bryant (D-Texas, 5th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500
E. Full Name, Mailing Address and ZIP Code Friends of Bob Carr P. O. Box 1552 East Lansing, Michigan 48823	Purpose of Disbursement Rep. Bob Carr (D-Michigan, 6th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500
F. Full Name, Mailing Address and ZIP Code Coleman for Congress P. O. Box 1045 El Paso, Texas 79946	Purpose of Disbursement Rep. Ronald Coleman (D-Texas, 16th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500
G. Full Name, Mailing Address and ZIP Code Citizens for Downey P. O. Box 91P Bay Shore, New York 11706	Purpose of Disbursement Rep. Thomas J. Downey (D-New York, 2nd) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/15/86	Amount of Each Disbursement This Period \$2,000
H. Full Name, Mailing Address and ZIP Code Mike Epy for Congress P. O. Box 1005 Yazoo City, Mississippi 39194	Purpose of Disbursement Mr. Mike Epy (D-Mississippi, 2nd) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/15/86	Amount of Each Disbursement This Period \$500
I. Full Name, Mailing Address and ZIP Code Martin Frost Campaign Committee P. O. Box 4219 Dallas, Texas 75208	Purpose of Disbursement Rep. Martin Frost (D-Texas, 24th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500

SUBTOTAL of Disbursements This Page (optional)

\$7,000

TOTAL This Period (last page this line number only)

MODULE B

ITEMIZED DISBURSEMENTS

Use spaces indicated
for each category of the
Detailed Summary PagePAGE 3 OF 4
FORM LINE NUMBER
1

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

JOSEPH E. SEAGRAM & SONS, INC. POLITICAL ACTION COMMITTEE

A. Full Name, Mailing Address and ZIP Code Geddeson for Congress P. O. Box 1986 Bozrah, Connecticut 06334	Purpose of Disbursement Rep. Samuel Geddeson (D-Connecticut, 2nd) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/1/86	Amount of Each Disbursement This Period \$1,000
B. Full Name, Mailing Address and ZIP Code David Jackson for Congress Committee 2373 West Broad Street Columbus, Ohio 43204	Purpose of Disbursement Mr. David Jackson (D-Ohio, 15th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/15/86	Amount of Each Disbursement This Period \$500
C. Full Name, Mailing Address and ZIP Code People for Kostmayer P. O. Box 1351 Doylestown, Pennsylvania 18961	Purpose of Disbursement Rep. Peter Kostmayer (D-Pennsylvania, 8th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500
D. Full Name, Mailing Address and ZIP Code McCloskey for Congress P. O. Box 70 Bloomington, Indiana 47402	Purpose of Disbursement Rep. Frank McCloskey (D-Indiana, 8th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500
E. Full Name, Mailing Address and ZIP Code Bruce A. Morrison Reelection Committee P. O. Box 303 New Haven, Connecticut 06502	Purpose of Disbursement Rep. Bruce A. Morrison (D-Connecticut, 3rd) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86 10/15/86	Amount of Each Disbursement This Period \$500 \$250
F. Full Name, Mailing Address and ZIP Code People for Hrazek P. O. Box 303 Centerport, New York 11721	Purpose of Disbursement Rep. Robert J. Hrazek (D-New York, 3rd) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/3/86	Amount of Each Disbursement This Period \$500
G. Full Name, Mailing Address and ZIP Code Nagle '86 Committee P. O. Box 792 Waterloo, Iowa 50704	Purpose of Disbursement Mr. Dave Nagle (D-Iowa, 3rd) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/15/86	Amount of Each Disbursement This Period \$500
H. Full Name, Mailing Address and ZIP Code Citizens for David Obey P. O. Box 1322 Wausau, Wisconsin 54401	Purpose of Disbursement Rep. David Obey (D-Wisconsin, 7th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/15/86	Amount of Each Disbursement This Period \$500
I. Full Name, Mailing Address and ZIP Code Friends of Richard Robinson Committee 208 North Broadway Santa Ana, California 92701	Purpose of Disbursement Mr. Richard Robinson (D-California, 38th) Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year) 10/15/86	Amount of Each Disbursement This Period \$500

SUBTOTAL of Disbursements This Page (optional)

\$5,250

TOTAL This Period (last page this line number only)

\$24,450

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

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRALS: 87NF-86-134
STAFF MEMBER: George F. Rishel

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

Joseph E. Seagram and Sons, Inc., Political Action Committee
and Edward Falkenberg, as treasurer

33040700013

27 JAN 11 1972

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

INTERNAL REPORTS
CHECKED: Referral Materials

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

The Report Analysis Division ("RAD") referred the above-listed 49 committees to the Office of the General Counsel on May 22, 1987. The basis of the attached referrals is their failure to either file a 12-day Pre-Election Report or file such report in a timely fashion.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, complete as of October 15, 1986. Quarterly

88040700014

filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report.

The following committees filed a 12-Day Pre-Election Report, but did not file it in a timely fashion:

<u>Committee</u>	<u>Date Filed</u>	<u>Pre-Election Activity</u>
Joseph E. Seagram and Sons, Inc., PAC	11-6-86 (14 days late)	\$24,450 in contributions to 34 candidates

88040700015

The following committees filed a 1986 Post-General Report that disclosed activity indicating a 12-Day Pre-Election Report should have been filed:

<u>Committee</u>	<u>Date Filed</u> ^{1/}	<u>Pre-Election Activity</u>
------------------	---------------------------------	------------------------------

93040700016

^{1/} The date filed is that on which the Post-General Election Report was filed. The number of days late is that for the filing of the 12-Day Pre-Election Report. In some cases, the Post-General Election Report was filed after December 4, 1986. The late filings of such reports, however, were not included as a basis for these referrals. Therefore, no recommendations have been made with respect to the late filing of any Post-General Election Report.

89040700017

The following committees filed a Year End Report disclosing activity indicating that 12-Day Pre-Election Report should have been filed:

COMMITTEE

Date Filed^{4/}

Pre-Election Activity

Accordingly, with regard to 48 of these 49 committees, the Office of the General Counsel recommends that the Commission open Matter Under Review and find reason to believe these committees

^{4/} See footnote 1.

III. RECOMMENDATIONS

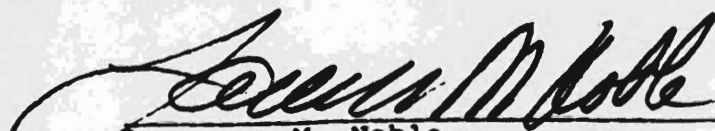
1. Open Matters Under Review with respect to the following committees and find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii):

Joseph E. Seagram and Sons, Inc., Political Action
Committee and Edward Falkenberg, as treasurer

38040700018

2. Approve and send the attached letters and factual and legal analyses to the respective committees listed in recommendation 1.
- 3.

6/10/87
Date


Lawrence M. Noble
Acting General Counsel

Attachments

1. Referral Materials
2. Letters and Factual and Legal Analyses (48)

33040700019

39040700020

[illegible]

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 2

Joseph E. Seagram and Sons, Inc., Political
Action Committee and Edward Falkenberg,
as treasurer

88040700021

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 3

1

CERTIFICATION

I. Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 15, 1987, the Commission decided by a vote of 6-0 to take the following actions in RAD Ref.'s 87NF-86 through 87NF-134:

1. Open Matters Under Review with respect to the following committees and find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii):

(continued)

33040700022

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 4

Joseph E. Seagram and Sons, Inc., Political Action
Committee and Edward Falkenberg, as treasurer

(continued)

38040700023

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15. 1987

Page 5

380400700024

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 6

2. Approve and send the letters and factual and legal analyses to the respective committees listed in recommendation 1.

3

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

Attest:

6-16-87

Date

Margorie W. Emmons

Margorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Thurs., 6-11-87, 12:34
Circulated on 48 hour tally basis: Thurs., 6-11-87, 4:00
Deadline for vote: Mon., 6-15-87, 4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 29, 1987

Edward Falkenberg, Treasurer
Joseph E. Seagram & Sons, Inc.
Political Action Committee
375 Park Avenue
New York, NY 10152

RE: MUR 2490
Joseph E. Seagram & Sons, Inc.
Political Action Committee and
Edward Falkenberg, as
treasurer

Dear Mr. Falkenberg:

On June 15, 1987, the Federal Election Commission found that there is reason to believe Joseph E. Seagram & Sons, Inc. Political Action Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), 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.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time

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File

so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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 will not ordinarily 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.

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 Anthony Marshall, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

38040700027

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Joseph E. Seagram and Sons, MUR: 2490
 Inc. Political Action Committee
 and Edward Falkenberg, as treasurer

38040700028

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, and complete as of October 15, 1986. Quarterly filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report. The committee filed a 12-Day Pre-Election Report on November 6, 1986, (which was 14 days late). Accordingly, the committee and its treasurer failed to file the 12-Day Pre-Election Report in a timely fashion in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

GCC#3862

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

O'CONNOR & HANNAN

ATTORNEYS AT LAW

87 JUL 10 P 2: 33

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1919 PENNSYLVANIA AVENUE N.W.

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LEGISLATIVE CONSULTANT
MARY SCOTT GUEST

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TELEX 23843

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KATHLEEN M. LAMB
SHAWN R. KENNON
IVAN HOLSTON

FREDERICK W. THOMAS 11911-1985
WILLIAM C. KELLY 11918-1970

*NOT MEMBER OF D.C. BAR

July 10, 1987

Ms. Deborah Curry
Federal Election Commission
999 'E' Street, N.W.
Washington, DC 20463

Re: MUR 2490

Dear Ms. Curry:

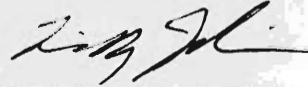
I am writing on behalf of our client, Joseph E. Seagram & Sons, Inc. Political Action Committee to seek an extension in accordance with the notice filed by the FEC on June 29, 1987 to respond to MUR 2490. In addition, please find enclosed the Statement of Designation of Counsel naming this firm as counsel of record.

As I explained to you in our telephone discussions, while our client received this notice of violation on July 1, 1987, this office did not receive it until late yesterday afternoon. The notice was evidently transferred several times within the offices of our client prior to the determination to refer this matter to Washington counsel. The grounds for the extension request are that we were designated as counsel for this matter only yesterday, and the appropriate personnel were not immediately available to us. Since today is the final day for requesting an extension, we are doing so to ensure that we will have an opportunity to review all pertinent factual matters and documents with the appropriate personnel and thus provide our client with adequate representation in this matter. We will submit the response to MUR 2490 immediately after our review is completed.

Ms. Deborah Curr
July 10, 1987
Page 2

On behalf of the client, I wish to underscore our intention to fully cooperate in and not unduly delay this matter. Your assistance is greatly appreciated. If you have any questions or comments, please do not hesitate to contact me at the above number.

Sincerely yours,



Timothy W. Jenkins

TWJ:pck

Enclosure

23040700030

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2490

NAME OF COUNSEL: Timothy W. Jenkins

ADDRESS: O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

TELEPHONE: (202) 887-1400

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.

June 10, 1987
Date


Signature

RESPONDENT'S NAME: Joseph E. Seagram & Sons, Inc. Political Action Comm.

ADDRESS: 375 Park Avenue
New York, NY 10152

HOME PHONE: n/a

BUSINESS PHONE: (212) 572-1231

38040700031



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 1987

Timothy W. Jenkins, Esquire
O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

RE: MUR 2490
Joseph E. Seagram & Sons,
Inc. Political Action
Committee and Edward
Falkenberg, as
treasurer

Dear Mr. Jenkins:

This is in response to your letter dated July 10, 1987, which we received on July 10, 1987, requesting an extension of time to respond to the Commission's notification of reason to believe against Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by close of business on July 24, 1987.

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel


By: Lois G. Lerner
Associate General Counsel

3804070032

O'CONNOR & HANNAN

ATTORNEYS AT LAW

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FREDERICK W. THOMAS (1911-1986)
WILLIAM C. KELLY (1918-1970)

NOT MEMBER OF D.C. BAR

July 23, 1987

Deborah Curry, Esq.
Federal Election Commission
999 'E' Street, N.W.
Washington, DC 20463

Re: MUR 2490

Dear Ms. Curry:

As designated counsel for Joseph E. Seagram & Sons, Inc. Political Action Committee, I am writing to respond to MUR 2490 filed by the FEC on June 29, 1987, and to formally request that the FEC enter into pre-probable cause conciliation on this matter in accordance with 11 C.F.R. § 111.18(d).

Joseph E. Seagram & Sons, Inc. Political Action Committee ("JES/PAC") was organized in 1981. During the six years it has been in existence, all reports required by FEC law and regulation have been filed on a timely basis with the FEC. The sole exception to JES/PAC's unblemished record is the late filing of the 1986 pre-election report at issue in this proceeding. Mr. Edward Falkenberg has been treasurer of JES/PAC since its inception. I was designated counsel to JES/PAC on July 10, 1987, and also on that date filed with the FEC a request for an extension of time to respond. That request was granted and the time to respond extended until July 24.

As was explained briefly in the transmittal letter from JES/PAC of November 5, 1986 accompanying the tardy filing, the reason for the delay was a computer malfunction at the office of JES/PAC. Specifically, the computer which serves as a tickler system for Mr. Falkenberg did not operate properly and thus did

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CLERK OF THE
U.S. HOUSE OF
REPRESENTATIVES

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Deborah Curry, E

July 23, 1987

Page 2

not provide him with the routine notice that the report was due. A preliminary investigation into the cause of the failure has not disclosed whether the computer failure was a result of a systems breakdown, a failure in the computer software, or human error. However, it is clear that the late filing was not an intentional error on the part of JES/PAC personnel.

JES/PAC does not deny that the tardy filing constituted a violation of 2 U.S.C. § 434(a)(4)(A)(ii). Therefore, in accordance with 11 C.F.R. § 111.18(d), JES/PAC respectfully requests that the FEC enter into pre-probable cause conciliation regarding this matter. As we discussed in our telephone conversation yesterday, we will await the preliminary finding from the FEC and thereafter pursue negotiations leading to a final settlement. Thank you for your assistance and cooperation in this matter. Please do not hesitate to call me at the above number if you have questions or comments regarding this response.

Sincerely yours,



Timothy W. Jenkins

TWJ:pck

cc: Edward Falkenberg

0000034

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Joseph E. Seagram & Sons)

Inc. Political Action)

Committee and Edward Falkenberg,)
as treasurer

MUR 2490

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 15, 1987, the Commission found reason to believe Joseph E. Seagram & Sons, Inc. Political Action Committee ("Seagram PAC") and Edward Falkenberg, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file the 1986 Pre-General Election Report in a timely manner. On July 14, 1987, pursuant to a request by Seagram PAC on July 10, 1987, the Office of the General Counsel granted an extension of time until July 24, 1987 to respond to the Commission's notification of reason to believe. On July 24, 1987, the Office of the General Counsel received a response from Respondents requesting settlement of the matter prior to a finding of probable cause to believe.

(Attachment 1) Seagram PAC noted in their response that the committee's failure to file the missed report was not intentional but due to computer malfunction. (Attachment 1)

II. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

93040700035

III. RECOMMENDATIONS

1. Enter into conciliation with Joseph E. Seagram and Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Date

9/28/87

Lawrence M. Noble
Lawrence M. Noble
Acting General Counsel

Attachments

1. Response of Seagram PAC
2. Proposed Conciliation Agreement
3. Letter to Respondents

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Joseph E. Seagram & Sons
Inc. Political Action
Committee and Edward Falkenberg,
as treasurer

MUR 2490

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 2, 1987, the Commission decided by a vote of 5-0 to take the following actions in MUR 2490:

1. Enter into conciliation with Joseph E. Seagram and Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's report signed September 29, 1987.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Aikens did not cast a vote.

Attest:

10-5-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Wed., 9-30-87, 10:34
Circulated on 48 hour tally basis: Wed., 9-30-87, 4:00
Deadline for vote: Fri., 10-02-87, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

8 October 1987

Timothy W. Jenkins
O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20006-3483

RE: MUR 2490
Joseph E. Seagram &
Sons, Inc.
Political Action
Committee and
Edward Falkenberg,
as treasurer

Dear Mr. Jenkins:

On June 15, 1987, the Federal Election Commission found reason to believe that Joseph F. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii). At your request, on October 2, 1987, the Commission determined 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 in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, 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.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

33040700038

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION

28 JAN 19 PM 4:13

In the Matter of)
Joseph E. Seagram & Sons, Inc.) MUR 2490
Political Action Committee and)
Edward Falkenberg, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 15, 1987, the Commission found reason to believe Joseph E. Seagram & Sons, Inc. Political Action Committee ("Seagram PAC") and Edward Falkenberg, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file the 1986 Pre-General Election Report in a timely manner. On October 2, 1987, the Commission entered into conciliation with Seagram PAC and Edward Falkenberg, as treasurer, prior to a finding of probable cause to believe. The Commission also approved the sending of a proposed conciliation agreement to Seagram PAC.

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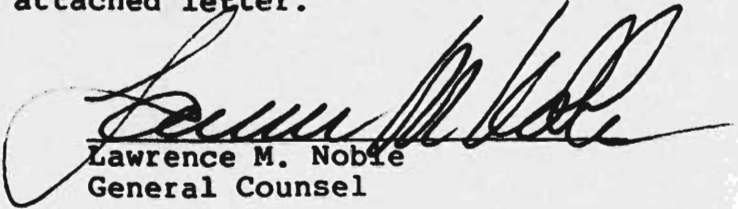
II. RECOMMENDATIONS

1. Accept the counteroffer of Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer.

2. Approve the attached conciliation agreement with a \$600 civil penalty.
3. Approve and send the attached letter.

Date

1/19/88


Lawrence M. Noble
General Counsel

Attachments

1. Respondents counteroffer
2. Supplemental Response
3. Final counteroffer
4. Proposed Conciliation Agreement and Letter

03040700041

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Joseph E. Seagram & Sons, Inc.) MUR 2490
Political Action Committee and)
Edward Falkenberg, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 22, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2490:

1. Accept the counteroffer of Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer, as recommended in the General Counsel's report signed January 19, 1988.
2. Approve the conciliation agreement with a \$600 civil penalty, as recommended in the General Counsel's report signed January 19, 1988.
3. Approve and send the letter, as recommended in the General Counsel's report signed January 19, 1988.

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

Attest:

Jan. 22/1988

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 1-19-88, 4:13
Circulated on 48 hour tally basis: Wed., 1-20-88, 11:00
Deadline for vote: Fri., 1-22-88, 11:00

23040700042



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 27, 1988

Timothy W. Jenkins, Esquire
O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20006-3483

RE: MUR 2490
Joseph E. Seagram and Sons,
Inc. Political Action
Committee and Edward
Falkenberg, as treasurer

Dear Mr. Jenkins:

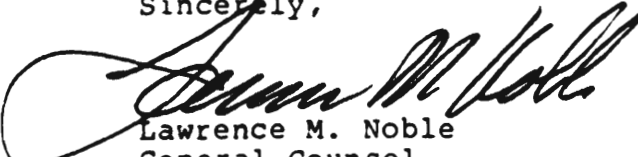
This letter is to confirm the Federal Election Commission's receipt of the counterproposed conciliation agreements submitted on behalf of Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer, on October 15, 1987; November 4, 1987; and December 9, 1987. The Commission has reviewed the final counterproposal and has made the following changes.

Enclosed herewith is a conciliation agreement incorporating these changes which we submit for your signature.

The Commission is still hopeful that this matter can be settled through a conciliation agreement. 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.

Should you have any further questions, please call Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

33040700043

O'CONNOR & HANNAN
ATTORNEYS AT LAW

SUITE 800
1919 PENNSYLVANIA AVENUE N.W.
WASHINGTON, D.C. 20006-3483
(202) 887-1400

TELEX 89-7420
TELECOPIER (202) 466-2198

TIMOTHY W. JENKINS
(202) 887-1400

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 FEB -4 AM 10:29

MINNEAPOLIS OFFICE
3000 IDS CENTER
80 SOUTH EIGHTH STREET
MINNEAPOLIS, MN 55402-2204
(612) 343-2500

DENVER OFFICE
SUITE 4700
ONE UNITED BANK CENTER
1700 LINCOLN STREET
DENVER, CO 80203-4847
(303) 830-1700

MADRID OFFICE
VELAZQUEZ, 21
MADRID I, SPAIN
43-28-00
TELEX 83043

Mon 2490

February 3, 1988

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 'E' Street, N.W.
Washington, D.C. 20463

Dear Mr. Noble:

Enclosed is the conciliation agreement with my signature on behalf of Joseph E. Seagram & Sons, Inc. Political Action Committee. Please forward a copy of the executed agreement to me at the above address. Your assistance in this matter is appreciated.

Sincerely,



Timothy W. Jenkins

TWJ:pck

Enclosure

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
88 FEB -4 PM 2:10

38040700044

6cc # 6470

FEDERAL ELECTION COMMISSION

88 FEB 18 11:00

O'CONNOR & HANNAN
ATTORNEYS AT LAW

SUITE 800
1919 PENNSYLVANIA AVENUE N.W.
WASHINGTON, D.C. 20006-3483
(202) 887-1400

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MINNEAPOLIS OFFICE
1200 100 CENTER
80 SOUTH EIGHTH STREET
MINNEAPOLIS, MN 55402-2254
(612) 343-1200

DENVER OFFICE
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1700 LINCOLN STREET
DENVER, CO 80203-4547
(303) 830-1700

MADRID OFFICE
VELAZQUEZ, 21
MADRID 1, SPAIN
436-34-00
TELEX 83843

February 17, 1988

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
88 FEB 19 AM 10:15

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 'E' Street, N.W.
Washington, D.C. 20463

Re: MUR 2490, Joseph E. Seagram and
Sons, Inc. Political Action Committee

Dear Mr. Noble:

Enclosed is a check for \$600 pursuant to the conciliation agreement in the above-referenced matter. Once the conciliation agreement has been fully executed, please forward a copy to me. Your attention to this matter is appreciated. If you have any questions, please do hesitate to contact me.

Sincerely,



Timothy W. Jenkins

TWJ:pck

Enclosure

8804070045

In the Matter of)
Joseph E. Seagram & Sons, Inc.)
Political Action Committee and)
Edward Falkenberg, as treasurer)

88 FEB 29 PM 1:47
MUR 2490

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Timothy W. Jenkins on behalf of Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer.

The attached agreement contains no changes from the agreement approved by the Commission on January 22, 1988. A check for the civil penalty (\$600) has not been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer.
2. Close the file.
3. Approve the attached letter.

General Counsel
Lawrence M. Noble

Date

2/26/88

BY:

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Letter to Respondent

Staff Member: Deborah Curry

33040700045

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter

Joseph E. Seagram & Sons, Inc.
Political Action Committee and
Edward Falkenberg, as treasurer

MUR 2490

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 3, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2490:

1. Accept the conciliation agreement with Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer, as recommended in the General Counsel's Report signed February 26, 1988.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's Report signed February 26, 1988.

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

Attest:

3/3/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Mon., 2-29-88, 1:47
Circulated on 48 hour tally basis: Tues., 3-01-88, 11:00
Deadline for vote: Thurs., 3-03-88, 11:00

83040700047



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 8, 1988

Timothy W. Jenkins, Esquire
O'Connor & Hannon
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20006-3483

RE: MUR 2490
Joseph E. Seagram &
Sons, Inc. Political
Action Committee and
Edward Falkenberg, as
treasurer

Dear Mr. Jenkins:

On March 3, 1988, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client. 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 Deborah Curry, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

29040700048

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Joseph E. Seagram & Sons, Inc.) MUR 2490
Political Action Committee and)
Edward Falkenberg, as treasurer)

CONCILIATION AGREEMENT

8 9 0 4 0 7 0 0 0 4 9
This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Joseph E. Seagram & Sons, Inc. Political Action Committee and Edward Falkenberg, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file the 1986 Pre-General Election Report in a timely manner.

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. Joseph E. Seagram & Sons, Inc. Political Action Committee is the separate segregated fund of Joseph E. Seagram &

2. Respondents were required by 2 U.S.C. § 434(a)(4)(A)(ii) to file the 1986 Pre-General Election Report on October 23, 1986.

3. Respondents failed to file the 1986 Pre-General Election Report until November 6, 1986. The 1986 Pre-General Election Report was filed 14 days late.

4. Respondents contend that the failure to file the 1986 Pre-General Election Report in a timely manner was not knowingly and willfully made.

V. Respondents failed to file the 1986 Pre-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Six Hundred Dollars (\$600), 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 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 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.

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 (LJ) March 7, 1988
Lawrence M. Noble Date
General Counsel

FOR THE RESPONDENTS:

Timothy W. Jenkins Feb. 5, 1988
Timothy W. Jenkins Date
Counsel For Respondents

83040700051



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2490
DATE FILMED 4/23/88 CAMERA NO. 4
CAMERAMAN GPC

88040700052