



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1658

DATE FILMED 2/22/93 CAMERA NO. 1

CAMERAMAN E.E.S.

93040931465



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

A83-116

March 30, 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: BOB COSTA *CH An R-J 3/30/84*

SUBJECT: 1982 VICTORY FUND (THE COMMITTEE)
FAILURE TO RESPOND TO THE INTERIM
AUDIT REPORT

On February 15, 1984, the Committee received the interim report of the Audit Division on the 1982 Victory Fund. The Committee's response to the interim report was due on March 16, 1984. No response has been received to date. Several attempts were made to contact the Committee, but our calls were not returned.

On March 28, 1984, the Commission approved the final report of the Audit Division on the 1982 Victory Fund. Attached is a matter noted in the audit report which pursuant to the Commission's vote of March 28, 1984 is being referred to your office for your review and consideration.

Should you have any questions, please contact Steve Goldberg or Thomas Nurthen at 523-4155.

Attachment as stated

93040931466

NRN

A. Allocation of Administrative Expenses

Section 106.1(e) of Title 11 of the Code of Federal Regulations states that party committees and other committees which have established Federal campaign committees pursuant to 11 C.F.R. 102.5 shall allocate administrative expenses on a reasonable basis between their Federal and non-Federal accounts in proportion to the amount of funds expended on Federal and non-Federal elections, or on another reasonable basis.

During the review of the Committee's records, it was noted that the Committee failed to allocate administrative expenses, such as rent, telephone, salaries, etc., for the audit period. According to the Committee, they had a basic misunderstanding concerning the allocation between Federal and non-Federal accounts.

Recommendation

The Audit staff recommends this matter be referred to the Office of General Counsel for MUR consideration.

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SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

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

84 MAY 25 P 3: 08

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/25/84
3:05

MUR 1658
STAFF MEMBER(S)
Garr

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

RESPONDENT'S NAME: 1982 Victory Fund
Vincent G. Downing, Treasurer

RELEVANT STATUTE: 11 C.F.R. § 106.1(e)

INTERNAL REPORTS CHECKED: Audit Referral

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

On March 23, 1984, the Commission approved the final audit report prepared by the Audit Division on the 1982 Victory Fund ("Fund").^{1/} During the initial review of the Fund's records, the Audit Division noted that the Fund failed to allocate administrative expenses such as rent, telephone, salaries, etc. for the audit period covering January 1, 1981, through December 31, 1982.

FACTUAL AND LEGAL ANALYSIS

An audit of the Fund was conducted pursuant to 2 U.S.C. § 438(b). On February 15, 1984, the Commission notified the Fund of the Audit Division's finding and sent an interim report. The Fund, however, failed to respond to the report by March 16, 1984, the date on which its reply was due. The audit covered the

^{1/} The 1982 Victory Fund has also been referred to the Office of General Counsel in 84NF-25 for its failure to file its 1983 Mid Year Report and in 84NF-32 for its failure to file its 1983 Year End Report.

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period January 1, 1981, through December 31, 1982. The Fund reported a cash balance on January 1, 1981, of \$1,839.68; total receipts of \$57,365.05; total disbursements of \$59,155.50^{2/} and a cash balance on December 2, 1982, of \$49.23.

During the review of the Fund's records, it was noted that the Fund failed to allocate administrative expenses, such as rent, telephone, salaries, etc., between its account and a non-federal account.^{3/}

Pursuant to 11 C.F.R. § 106.1(e), all party committees and other committees which have established Federal campaign committees pursuant to 11 C.F.R. § 102.5 shall allocate administrative expenses on a reasonable basis between its federal and non-federal accounts in proportion to the amount of funds expended on federal and non-federal elections, or on another reasonable basis.

Subsequent to referral to the Office of General Counsel, Vincent G. Downing^{4/} responded to the interim audit report (Attachment 1). Mr. Downing outlined two alternatives for

^{2/} Of the total disbursements for this period 35% or \$20,276.42 was spent on the repayment of a bank loan received outside the audit period. Fundraising activities accounted for the remaining amount.

^{3/} The non-federal account is the Conservative Party of New York State.

^{4/} James E. O'Doherty resigned as treasurer in early 1983. On April 9, 1984, the Fund filed an amended Form 1 designating Vincent G. Downing as its new treasurer. Mr. Serf Maltese served as custodian of records during the interim period.

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the allocation of administrative expenses between the federal and non-federal accounts, which were submitted for the Commission's approval. The first method would require that the Conservative Party of New York State charge the Fund for the period covered by the audit report (1981, 1982) as well as 1983 at the rate of \$20/month. If unacceptable to the Commission, the second option would take 5 percent of the following expenses for the entire New York State Conservative Party headquarters: rent, electric, telephone, waste removal, cleaning, and secretary's salary as the figure for 1981 and 1982 and repay that amount to the Conservative Party of New York State.

In conclusion, the Fund did not allocate administrative expenses between its federal and non-federal accounts. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Fund violated 11 C.F.R. § 106.1(e). Included in the reason to believe notification, we are also responsive to the respondent's letter of April 9, 1984, suggesting two options for allocating its administrative expenses. Our letter suggests that the Fund's request to allocate 5 percent of the expenses of the New York Conservative Party as the Fund's administrative expenses (the second option) would be taken into account as a mitigating factor if the Fund allocated along those lines during the period of the audit. The Audit Division has examined this formula and advises that in their opinion it is a reasonable basis for allocation.

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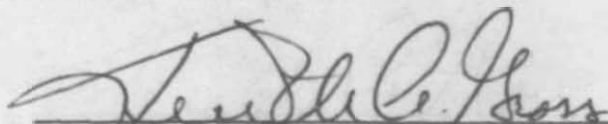
In providing that advice the audit division took into account that the Fund was dormant 30.76 percent of the time in 1981 and 53.46 percent of the time in 1982.

RECOMMENDATION

1. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 11 C.F.R. § 106.1(e).
2. Approve and authorize the sending of the attached letter and General Counsel's Legal and Factual Analysis.

Charles N. Steele
General Counsel

May 24, 1984
Date

By: 
Kenneth A. Gross
Associate General Counsel

Attachments
Proposed letter
Referral material

93040931471

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
1982 Victory Fund) MUR 1658
Vincent G. Downing, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 31, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1658:

1. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 11 C.F.R. § 106.1(e).
2. Approve and authorize the sending of the letter and General Counsel's Legal and Factual Analysis attached to the First General Counsel's Report dated May 25, 1984.

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

Attest:

May 31, 1984

Date

Judy C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

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

5-25-84, 3:08
5-29-84, 11:00

93040931472



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 1, 1984

Mr. Vincent G. Downing, Treasurer
1982 Victory Fund
45 East 29th Street
New York, New York 10016

RE: MUR 1658
1982 Victory Fund,
Vincent G. Downing, as
treasurer

Dear Mr. Downing:

On May 31, 1984, the Federal Election Commission determined that there is reason to believe that the 1982 Victory Fund and you, as treasurer, violated Title 11 of the Code of Federal Regulations Section 106.1(e) by failing to allocate administrative expenses between federal and non-federal accounts. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

In addition, the Commission acknowledges receipt of your letter of April 9, 1984. As it was an untimely response to the Interim Report of the Audit Division, the letter was received after this matter was referred to the Office of General Counsel for compliance action. Your letter sets out two options for allocating administrative expenses during the years covered by the audit report towards correcting and mitigating the apparent violation. We suggest that if your committee allocates the administrative expenses as described in the second option, the Office of General Counsel would take that into account as a mitigating factor in further recommendations to the Commission with regard to this matter. Also, as you requested in your April 9, 1984, letter we are enclosing FEC Form 1 which you can use to change your committee's name.

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 which you believe are relevant to the Commission's consideration of this matter. Please submit any factual or legal materials, within ten days of your receipt of this letter.

93040931473

Mr. Vincent G. Downing, Treasurer
Page 2

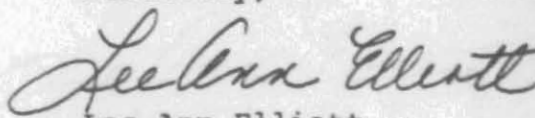
In the absence of any additional information which demonstrates that no further action should be taken against the committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement 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.

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 Shelley Garr, 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
FEC Form 1

93040931474

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1658.

RESPONDENT'S NAME: 1982 Victory Fund
Vincent G. Downing, Treasurer

SUMMARY OF ALLEGATIONS

On March 23, 1984, the Commission approved the final audit report prepared by the Audit Division on the 1982 Victory Fund ("Fund").^{1/} During the initial review of the Fund's records, the Audit Division noted that the Fund failed to allocate administrative expenses such as rent, telephone, salaries, etc. for the audit period covering January 1, 1981, through December 31, 1982.

FACTUAL AND LEGAL ANALYSIS

An audit of the Fund was conducted pursuant to 2 U.S.C. § 438(b). On February 15, 1984, the Commission notified the Fund of the Audit Division's finding and sent an interim report. The Fund, however, failed to respond to the report by March 16, 1984, the date on which its reply was due. The audit covered the period January 1, 1981, through December 31, 1982. The Fund reported a cash balance on January 1, 1981, of \$1,839.68; total receipts of \$57,365.05; total disbursements of \$59,155.50^{2/} and a cash balance on December 2, 1982, of \$49.23.

^{1/} The 1982 Victory Fund has also been referred to the Office of General Counsel in 84NF-25 for its failure to file its 1983 Mid Year Report and in 84NF-32 for its failure to file its 1983 Year End Report.

^{2/} Of the total disbursements for this period 35% or \$20,276.42 was spent on the repayment of a bank loan received outside the audit period. Fundraising activities accounted for the remaining amount.

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During the review of the Fund's records, it was noted that the Fund failed to allocate administrative expenses, such as rent, telephone, salaries, etc., between its account and a non-federal account.^{3/}

Pursuant to 11 C.F.R. § 106.1(e), all party committees and other committees which have established Federal campaign committees pursuant to 11 C.F.R. § 102.5 shall allocate administrative expenses on a reasonable basis between its federal and non-federal accounts in proportion to the amount of funds expended on federal and non-federal elections, or on another reasonable basis.

Subsequent to referral to the Office of General Counsel, Vincent G. Downing^{4/} responded to the interim audit report Mr. Downing outlined two alternatives for the allocation of administrative expenses between the federal and non-federal accounts, which were submitted for the Commission's approval. The first method would require that the Conservative Party of New York State charge the Fund for the period covered by the audit report (1981, 1982) as well as 1983 at the rate of \$20/month. If unacceptable to the Commission, the second option would take 5

^{3/} The non-federal account is the Conservative Party of New York State.

^{4/} James E. O'Doherty resigned as treasurer in early 1983. On April 9, 1984, the Fund filed an amended Form 1 designating Vincent G. Downing as its new treasurer. Mr. Serf Maltese served as custodian of records during the interim period.

percent of the following expenses for the entire New York State Conservative Party headquarters: rent, electric, telephone, waste removal, cleaning, and secretary's salary as the figure for 1981 and 1982 and repay that amount to the Conservative Party of New York State.

In conclusion, the Fund did not allocate administrative expenses between its federal and non-federal accounts. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Fund violated 11 C.F.R. § 106.1(e). Included in the reason to believe notification, we are also responsive to the respondent's letter of April 9, 1984, suggesting two options for allocating its administrative expenses. Our letter suggests that the Fund's request to allocate 5 percent of the expenses of the New York Conservative Party as the Fund's administrative expenses (the second option) would be taken into account as a mitigating factor if the Fund allocated along those lines during the period of the audit. The Audit Division has examined this formula and advises that in their opinion it is a reasonable basis for allocation. In providing that advice the audit division took into account that the Fund was dormant 30.76 percent of the time in 1981 and 53.46 percent of the time in 1982.

93040931477

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 6 March 1984ANALYST: Tony Raymond

I. COMMITTEE: 1982 Victory Fund
(C00132308)
James E. O'Doherty, Treasurer*/
45 East 29th Street
New York, NY 10016

II. RELEVANT STATUTE: 2 U.S.C. 434(a)(4)(A)(iv)
11 CFR 104.5(c)(2)(i)(A)

III. BACKGROUND:

Non-Filing of the 1983 Mid-Year Report

The 1982 Victory Fund (the "Fund") did not file a 1983 Mid-Year Report of Receipts and Disbursements covering from January 1, 1983 through June 30, 1983. The Fund was notified on July 7, 1983 that the report was due on July 31, 1983 (Attachment 2).

A non-filer notice was sent to the Fund on November 23, 1983 (Attachment 3). On January 5, 1984, the Reports Analysis Division (RAD) analyst called the Fund to inquire about the Mid-Year Report because no response had been received. The current custodian of records, Mr. Serf Maltese, informed the RAD Analyst that the treasurer resigned in early 1983 and there has not been much activity since the treasurer's resignation. Mr. Maltese said that the Fund would file the Mid-Year Report as soon as he received copies of previously submitted filings from the FEC. The RAD Analyst advised Mr. Maltese to contact the Public Records Division for copies of past reports (Attachment 4).

As of this date, the 1983 Mid-Year Report has not been filed.

*/ According to the Fund's custodian, Mr. O'Doherty resigned as treasurer in early 1983. An amended Form 1 has not been received designating a new treasurer.

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1982 VICTORY FUND
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

IV. OTHER PENDING MATTERS INITIATED BY RAD:

On February 28, 1984, a non-filer notice was sent for the 1983 Year End Report (Attachment 5).

93040931479

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
1981 VICTORY FUND				PARTY NON-QUALIFIED		ID #C00132368
1981	MID-YEAR REPORT	26,237	27,361	1JAN81 - 30JUN81	15	81FEC/202/3770
	REQUEST FOR ADDITIONAL INFORMATION			1JAN81 - 30JUN81	2	82FEC/239/0043
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN81 - 30JUN81	5	82FEC/240/3960
	YEAR-END	17,250	17,671	1JUL81 - 31DEC81	10	82FEC/223/4820
	YEAR-END - AMENDMENT	17,250	17,671	1JUL81 - 31DEC81	15	82FEC/241/1005
	REQUEST FOR ADDITIONAL INFORMATION			1JUL81 - 31DEC81	2	82FEC/239/0046
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL81 - 31DEC81	1	82FEC/240/5405
1982	STATEMENT OF ORGANIZATION - AMENDMENT			4JUN82	2	82FEC/232/5167
	APRIL QUARTERLY			1JAN82 - 31MAR82	1	82FEC/245/0675
	JULY QUARTERLY	6,000	6,000	1APR82 - 30JUN82	8	82FEC/241/1693
	REQUEST FOR ADDITIONAL INFORMATION			1APR82 - 30JUN82	2	82FEC/245/2400
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR82 - 30JUN82	3	82FEC/253/2100
	OCTOBER QUARTERLY			1JUL82 - 30SEP82	1	83FEC/261/3022
	PRE-GENERAL	2,450	2,300	1JUL82 - 21OCT82	8	82FEC/259/2415
	REQUEST FOR ADDITIONAL INFORMATION			1JUL82 - 21OCT82	2	83FEC/262/0503
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL82 - 21OCT82	3	83FEC/266/1104
	POST-GENERAL	5,427	5,822	23OCT82 - 31DEC82	9	83FEC/259/5005
	POST-GENERAL - AMENDMENT			23OCT82 - 31DEC82	1	84FEC/290/0489
	REQUEST FOR ADDITIONAL INFORMATION			23OCT82 - 31DEC82	1	83FEC/266/0259
	REQUEST FOR ADDITIONAL INFORMATION 2ND			23OCT82 - 31DEC82	2	83FEC/267/2003
	YEAR-END			3DEC82 - 31DEC82	1	84FEC/297/3847
	TOTAL	57,364	59,154		94	TOTAL PAGES

All reports have received basic review.

Ending cash-on-hand as of 12/31/82: \$ 49

Outstanding debts owed to the committee as of 12/31/82: \$ 4,000

Outstanding debts owed by the committee as of 12/31/82: 15,774

9 3 0 4 0 9 3 1 4 8 1

FEDERAL ELECTION COMM

SSION

DATE 29FEB84
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)

PAGE 1

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
1982 VICTORY FUND				PARTY NON-QUALIFIED		ID #C00132308
	1983 NOTICE OF FAILURE TO FILE			1JAN83 -30JUN83	1	83FEC/288/1588
	TOTAL	0	0	0	1	TOTAL PAGES



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

July 7, 1983

SEMIANNUAL REPORT FILING REQUIREMENTS

WHO MUST FILE

ALL POLITICAL COMMITTEES currently registered with the Commission (except committees filing monthly) must file a semiannual report by July 31, 1983.

WHAT MUST BE REPORTED

Committees must disclose all financial activity of the committee from the later of, the last report filed or the date of registration,* through June 30, 1983.

FILING DATE

Reports sent by registered or certified mail must be postmarked no later than midnight July 31, 1983. Reports hand delivered or mailed first class must be received no later than close of business July 31, 1983.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed form for details.

FAILURE TO FILE

According to Commission policy, political committees will not necessarily receive notification of their failure to file reports. However, they remain fully liable for failure to file any report required under the Act. In addition, failure to file required reports may result in compliance proceedings. Committees must submit legible reports which can be reproduced clearly. Illegible documents will not be accepted as reports, and committees filing such documents will be required to refile.

MONTHLY FILERS

Committees filing on a monthly schedule need not file a semiannual report. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month. The next monthly report must be filed by July 20, 1983, and disclose all financial activity of the committee from June 1 through June 30, 1983.

- * The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

FOR INFORMATION CALL: Office of Public Communications
202/523-4068
800/424-9530

93040931482



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

23 November 1983

RQ-7

James E. O'Doherty, Treasurer
1982 Victory Fund
45 E. 29th Street
New York, NY 10016

Identification Number: C00132308

Reference: Mid-Year Report (1/1/83-6/30/83)

Dear Mr. O'Doherty:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Alva Smith on our toll-free number (800) 424-9530. Our local number is (202) 357-0026.

Sincerely,

A handwritten signature in dark ink, reading "John D. Gibson", is written over a rectangular stamp area.

John D. Gibson
Assistant Staff Director
Reports Analysis Division

93040931483

TELECONANALYST Tony Raymond
initiated call? XXXTELECON WITH: Serf Maltese
initiated call? _____

Candidate/Committee: 1982 Victory Fund

DATE: 1-5-84

SUBJECT(S): 1983 Mid-Year Non-Filer

I called the 1982 Victory Fund to speak to the treasurer Mr. O'Doherty. Mr. Serf Maltese answered the phone and informed me that the treasurer no longer worked for the committee. Mr. Maltese said that he was currently the custodian of the committee.

When I asked Mr. Maltese about his committee's failure to file the 1983 Mid-Year Report, he said that nothing had happened with the committee since Mr. O'Doherty left. Mr. Maltese then said that an FEC auditor had just audited the committee over the last week of December 1983, two weeks ago. Mr. Maltese said that the auditor had instructed him to file an amended Form 1. Mr. Maltese informed me that committee records had passed the auditor's test but that committee filings had been misplaced. He asked where he could get copies of reports which had been filed. I told Mr. Maltese to get in touch with the Public Records Division. I then asked Mr. Maltese if he would be able to get the report to us soon. He said he would work on them as soon as he received copies of past reports.

93040931484



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

FEB 28 1984

RQ-7

James E. O'Doherty, Treasurer
1982 Victory Fund
45 East 29th Street
New York, NY 10016

Identification Number: C00132308

Reference: 1983 Year End Report (7/1/83-12/31/83)

Dear Mr. O'Doherty:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Anthony Raymond on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

93040931485

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/25/84
3:05

84 MAY 25 3:07
RAD Referral 84NF-25
STAFF MEMBER(S)
Garr

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: 1982 Victory Fund
Vincent G. Downing, Treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(iv)
11 C.F.R. § 104.5(c)(2)(i)(A)

INTERNAL REPORTS CHECKED: RAD Referral

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

The 1982 Victory Fund ("Fund") was referred to the Office of General Counsel by the Reports Analysis Division for failing to file its 1983 Mid Year Report of Receipts and Disbursements due on July 31, 1983.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

The Fund was notified on July 7, 1983, that its 1983 Mid Year Report was due on July 31, 1983. On November 23, 1983, a non-filer notice was issued to the Fund. On January 5, 1984, the Fund was again contacted to determine the status of its Mid Year Report. The custodian of records, Mr. Serf Maltese,^{1/} indicated on January 5, 1984, that the report would be forthcoming after he had an opportunity to review past reports. As of this date, the 1983 Mid Year Report has not been filed.

^{1/} James E. O'Doherty resigned as treasurer in early 1983. On April 9, 1984, the Fund filed an amended Form 1 designating Vincent G. Downing as its new treasurer. Mr. Serf Maltese served as custodian of records during the interim period.

SENSITIVE

93040931486

The Fund has also been referred to the Office of General Counsel for failing to file its 1983 Year End Report.^{2/} In addition, the Fund was referred to the Office of General Counsel when the Commission approved the Audit Division's final audit report which revealed a possible violation of 11 C.F.R. § 106.1(e) for failing to allocate administrative expenses between federal and non-federal accounts.^{3/}

2. The law applicable.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), all political committees other than authorized committees of a candidate shall file, in other than an election year, a report covering the period between January 1 and ending June 30, which shall be filed no later than July 31.

3. Application of the facts to the law.

The Fund was required to file its 1983 Mid Year Report no later than July 31, 1983. As of this date, however, the report has not been filed. The Fund's failure to comply with the reporting requirements is a violation of 2 U.S.C. § 434(a)(4)(A)(iv). Thus, it is the recommendation of the General Counsel that the Commission find reason to believe that the Fund violated 2 U.S.C. § 434(a)(4)(A)(iv). It is also recommended that the Commission merge this matter with MUR 1658.

^{2/} 84 NF-32

^{3/} MUR 1658

93040931487

RECOMMENDATION

1. Merge 84NF-24 with MUR 1658;
2. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv);
3. Approve the attached letter and General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

Date

May 24, 1984

By:

Kenneth A. Gross
Associate General Counsel

Attachments

- I. Proposed letter
- II. General Counsel's Factual and Legal Analysis

93040931488

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
1982 Victory Fund) RAD Referral 84NF-25
Vincent G. Downing, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 31, 1984, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 84NF-25:

1. Merge 84NF-25 with MUR 1658.
2. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).
3. Approve the letter and General Counsel's Factual and Legal Analysis submitted with the First General Counsel's Report dated May 25, 1984.

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

Attest:

May 31, 1984
Date

Jody C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

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

5-25-84, 3:07
5-29-84, 11:00

93040931489



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 1, 1984

Mr. Vincent G. Downing, Treasurer
1982 Victory Fund
45 East 29th Street
New York, New York 10016

RE: MUR 1658
1982 Victory Fund,
Vincent G. Downing, as
treasurer

Dear Mr. Downing:

On May 31, 1984, the Federal Election Commission determined that there is reason to believe that the 1982 Victory Fund and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), 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 the committee and you as treasurer. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, 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 the 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.

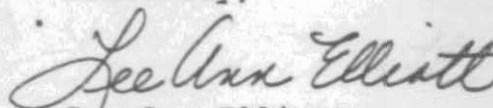
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Mr. Vincent G. Downing, Treasurer
Page 2

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 Shelley Garr, 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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1658

RESPONDENT'S NAME: 1982 Victory Fund
Vincent G. Downing, Treasurer

SUMMARY OF ALLEGATIONS

The 1982 Victory Fund ("Fund") was referred to the Office of General Counsel by the Reports Analysis Division for failing to file its 1983 Mid Year Report of Receipts and Disbursements due on July 31, 1983.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

The Fund was notified on July 7, 1983, that its 1983 Mid Year Report was due on July 31, 1983. On November 23, 1983, a non-filer notice was issued to the Fund. On January 5, 1984, the Fund was again contacted to determine the status of its Mid Year Report. The custodian of records, Mr. Serf Maltese,^{1/} indicated on January 5, 1984, that the report would be forthcoming after he had an opportunity to review past reports. As of this date, the 1983 Mid Year Report has not been filed.

The Fund has also been referred to the Office of General Counsel for failing to file its 1983 Year End Report.^{2/} In addition, the Fund was referred to the Office of General Counsel

^{1/} James E. O'Doherty resigned as treasurer in early 1983. On April 9, 1984, the Fund filed an amended Form 1 designating Vincent G. Downing as its new treasurer. Mr. Serf Maltese served as custodian of records during the interim period.

^{2/} 84 NF-32

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when the Commission approved the Audit Division's final audit report which revealed a possible violation of 11 C.F.R.

§ 106.1(e) for failing to allocate administrative expenses between federal and non-federal accounts.^{3/}

2. The law applicable.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), all political committees other than authorized committees of a candidate shall file, in other than an election year, a report covering the period between January 1 and ending June 30, which shall be filed no later than July 31.

3. Application of the facts to the law.

The Fund was required to file its 1983 Mid Year Report no later than July 31, 1983. As of this date, however, the report has not been filed. The Fund's failure to comply with the reporting requirements is a violation of 2 U.S.C.

§ 434(a)(4)(A)(iv). Thus, it is the recommendation of the General Counsel that the Commission find reason to believe that the Fund violated 2 U.S.C. § 434(a)(4)(A)(iv). It is also recommended that the Commission merge this matter with MUR 1658.

^{3/} MUR 1658

93040931493

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: April 16, 1984

ANALYST: Anthony Raymond

- I. COMMITTEE: 1982 Victory Fund
C00132308
James E. O'Doherty, Treasurer*/
45 East 29th Street
New York, NY 10016
- II. RELEVANT STATUTE: 2 U.S.C. 434(a)(4)(A)(iv)
11 CFR 104.5(c)(2)(i)(B)
- III. BACKGROUND: Non-Filing of the 1983 Year End Report
2 U.S.C. 434(a)(4)(A)(iv)
11 CFR 104.5(c)(2)(i)(B)

The 1982 Victory Fund ("the Fund") failed to file the 1983 Year End Report of Receipts and Disbursements. The Fund was notified on January 7, 1984 that the report was due on January 31, 1984 (Attachment 2).

On February 28, 1984, a non-filer notice was sent (Attachment 3). No response was received. On March 24, 1984, the Reports Analysis Division (RAD) analyst telephoned the Fund (Attachment 4). The receptionist stated that Mr. Maltese is now responsible for the committee and that he was out. Mr. Maltese returned the call, but was unable to reach the RAD analyst. Mr. Maltese left a message to have the analyst call him. When the RAD analyst tried to reach Mr. Maltese, he was again told that Mr. Maltese was out. Mr. Maltese did not return that subsequent call.

On April 2, 1984, the RAD analyst again tried to contact Mr. Maltese (Attachment 4). The receptionist told the RAD analyst that Mr. Maltese was out, and that she would leave a message for him to call the FEC. Mr. Maltese did not return the call.

*/ According to the Fund's custodian, Mr. O'Doherty resigned as treasurer in early 1983. An amended Form 1 has not been received designating a new treasurer.

93040931494

1982 VICTORY FUND
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

As of this date, the report has not been filed.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (81-82)DATE 3APR84
PAGE 1

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
1982 VICTORY FUND				PARTY NON-QUALIFIED		ID #C00132308
1981	MID-YEAR REPORT	26,237	27,361	1JAN81 -30JUN81	15	81FEC/202/3770
	REQUEST FOR ADDITIONAL INFORMATION			1JAN81 -30JUN81	2	82FEC/239/0043
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN81 -30JUN81	5	82FEC/240/3960
	YEAR-END	17,250	17,671	1JUL81 -31DEC81	10	82FEC/223/4830
	YEAR-END - AMENDMENT	17,250	17,671	1JUL81 -31DEC81	15	82FEC/241/1005
	REQUEST FOR ADDITIONAL INFORMATION			1JUL81 -31DEC81	2	82FEC/239/0040
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL81 -31DEC81	1	82FEC/240/5405
1982	STATEMENT OF ORGANIZATION - AMENDMENT			4JUN82	2	82FEC/232/5167
	APRIL QUARTERLY	-	-	1JAN82 -31MAR82	1	82FEC/245/0673
	JULY QUARTERLY	6,000	6,000	1APR82 -30JUN82	8	82FEC/241/1693
	REQUEST FOR ADDITIONAL INFORMATION			1APR82 -30JUN82	2	82FEC/245/2419
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR82 -30JUN82	3	82FEC/253/2183
	OCTOBER QUARTERLY	-	-	1JUL82 -30SEP82	1	83FEC/261/3022
	PRE-GENERAL	2,450	2,300	1JUL82 -21OCT82	8	82FEC/259/2415
	REQUEST FOR ADDITIONAL INFORMATION			1JUL82 -21OCT82	2	83FEC/262/0502
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL82 -21OCT82	3	83FEC/266/1104
	POST-GENERAL	5,427	5,822	22OCT82 -31DEC82	9	82FEC/259/5005
	POST-GENERAL - AMENDMENT	-	-	22OCT82 -31DEC82	1	84FEC/290/0489
	REQUEST FOR ADDITIONAL INFORMATION			22OCT82 - 2DEC82	1	83FEC/266/0259
	REQUEST FOR ADDITIONAL INFORMATION 2ND			22OCT82 - 2DEC82	2	83FEC/267/2003
	YEAR-END	-	-	3DEC82 -31DEC82	1	84FEC/297/3847
	TOTAL	57,364	0 59,154	0	94	TOTAL PAGES

All reports received Basic Review

Cash on hand as of 12/31/82: \$49.23

Debts owed to the committee as of 12/31/82: \$4,000

Debts owed by the committee as of 12/31/82: \$15,774

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FEDERAL ELECTION COMM

SSION

DATE 3APR84
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)

PAGE 1

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
1982 VICTORY FUND				PARTY NON-QUALIFIED		ID #C00132308
	1983 NOTICE OF FAILURE TO FILE			1JAN83 -30JUN83	1	83FEC/288/1588
	NOTICE OF FAILURE TO FILE			1JUL83 -31DEC83	1	84FEC/297/3883
	TOTAL	0	0	0	2	TOTAL PAGES

No financial reports filed.



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

January 7, 1984

JANUARY 31 YEAR-END REPORT NOTICE

WHO MUST FILE

ALL POLITICAL COMMITTEES currently registered with the Commission must file a year-end report by January 31, 1984.

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through December 31, 1983. Registered committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration* through December 31, 1983.

FILING DATE

Reports sent by registered or certified mail must be postmarked no later than midnight January 31, 1984. Reports hand delivered or mailed first class must be received no later than close of business January 31, 1984.

WHERE TO FILE

Committees should consult the instructions on the enclosed form for details.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Furthermore, failure to file in a timely fashion is a serious violation and an offending committee is subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted and committees filing such documents will be required to refile.

1984 FILING REQUIREMENTS

See the January 1984 issue of the FEC Record for filing requirements during 1984.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

FOR INFORMATION CALL: Office of Public Communications
202/523-4068 or 800/424-9530

93040931498



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

FEB 28 1984

RQ-7

James E. O'Doherty, Treasurer
1982 Victory Fund
45 East 29th Street
New York, NY 10016

Identification Number: C00132308

Reference: 1983 Year End Report (7/1/83-12/31/83)

Dear Mr. O'Doherty:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Anthony Raymond on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

93040931499

TELECON WITH: Serph Maltese (212)689-8400

Candidate/Committee: 1982 Victory Fund

DATE: 3/24/84 and 4/2/84

SUBJECT(S): 1983 Year End Non-Filer Notice

On 3/24/84, I attempted to contact Mr. Maltese, a representative of the committee. The receptionist answered that Mr. Maltese was out, and that she would take a message. Unable to reach this analyst at noon, Mr. Maltese left a message to return his call. I called Mr. Maltese at 1:00, and again the receptionist said he was out. She then took my message to return my call. Mr. Maltese did not return my call.

On 4/2/84, I again attempted to reach Mr. Maltese. The receptionist said he was not in the office and took my message. Mr. Maltese did not return my call.

93040931500

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

81 MAY 25 P 3: 08

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 5/25/84
3:05

RAD Referral 84NF-32
STAFF MEMBER(S)
Garr

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

RESPONDENT'S NAME: 1982 Victory Fund
Vincent G. Downing, Treasurer

SENSITIVE

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(iv)
2 U.S.C. § 434(a)(4)(A)(i)
11 C.F.R. § 104.5(c)(1)(i)(A)
11 C.F.R. § 104.5(c)(2)(i)(B)

INTERNAL REPORTS CHECKED: RAD Referral

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

The 1982 Victory Fund ("Fund") was referred to the Office of General Counsel by the Reports Analysis Division for failing to file its 1983 Year End Report of Receipts and Disbursements due on January 31, 1984.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

The Fund was notified on January 7, 1984, that its 1983 Year End Report was due on January 31, 1984. On February 28, a non-filer notice was issued to the Fund. All attempts to contact Mr. Serf Maltese,^{1/} the custodian of records, failed. As of this date, no response has been received by the Commission with regard to the Fund's failure to file the 1983 Year End Report.

^{1/} James E. O'Doherty resigned as treasurer in early 1983. On April 9, 1984, the Fund filed an amended Form 1 designating Vincent G. Downing as its new treasurer. Mr. Serf Maltese served as a custodian of records during the interim period.

93040931501

The Fund was previously referred to the Office of General Counsel for failing to file its 1983 Mid-Year Report.^{2/} In addition, the Fund was referred to the Office of General Counsel when the Commission approved the Audit Division's final audit report which revealed a possible violation of 11 C.F.R. § 106.1(e) for failure to allocate administrative expenses between federal and non-federal accounts.^{3/}

Upon further review of the Fund's disclosure documents for the current election cycle, it has been determined that the Fund failed to file a 1984 April Quarterly report.

2. The law applicable.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), all political committees other than authorized committees of a candidate shall file in other than an election year, a report covering the period between July 1 and ending December 31, which shall be filed no later than January 31.

Additionally, pursuant to 2 U.S.C. § 434(a)(4)(A)(i), those committees shall file in a calendar year in which a regularly scheduled election is held, a quarterly report to be filed no later than the 15th day after the last day of the calendar quarter.

3. Application of the law to the facts.

The Fund was required to file its 1983 Year End Report of Receipts and Disbursements no later than January 31, 1984 and its

^{2/} 84 NF-25

^{3/} MUR 1658

93040931502

1984 April Quarterly Report of Receipts and Disbursements no later than April 15, 1984. As of this date, however, neither report has been filed. The Fund's failure to comply with the reporting requirements is a violation of 2 U.S.C.

§ 434(a)(4)(A)(iv) and 2 U.S.C. § 434(a)(4)(A)(i). Thus, it is the recommendation of the General Counsel that the Commission find reason to believe that the Fund violated 2 U.S.C.

§ 434(a)(4)(A)(iv) and 2 U.S.C. § 434(a)(4)(A)(i). It is also recommended that the Commission merge this matter with MUR 1658.

RECOMMENDATION

1. Merge 84NF-32 with MUR 1658;
2. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv);
3. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i);
4. Approve the attached letter and General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

May 24, 1984
Date

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

Attachments

- I. Proposed letter
- II. General Counsel's Factual and Legal Analysis

93040931503

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
1982 Victory Fund) RAD Referral 84NF-32
Vincent G. Downing, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 31, 1984, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 84NF-32:

1. Merge 84NF-32 with MUR 1658.
2. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).
3. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
4. Approve the letter and General Counsel's Factual and Legal Analysis submitted with the First General Counsel's Report dated May 25, 1984.

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

Attest:

May 31, 1984

Date

Jeddy C. Larson

for Marjorie W. Emmons
Secretary of the Commission

93040931504



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 1, 1984

Mr. Vincent G. Downing, Treasurer
1982 Victory Fund
45 East 29th Street
New York, New York 10016

RE: MUR 1658
1982 Victory Fund,
Vincent G. Downing, as
treasurer

Dear Mr. Downing:

On May 31, 1984, the Federal Election Commission determined that there is reason to believe that the 1982 Victory Fund and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv) and § 434(a)(4)(A)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") for failure to file the 1983 Year End Report and 1984 April Quarterly Report. 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 the committee and you as treasurer. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any factual or legal materials, 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 the 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.

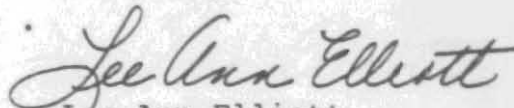
93040931505

Mr. Vincent G. Downing, Treasurer
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 Shelley Garr, 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

93040931506

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1658

RESPONDENT'S NAME: 1982 Victory Fund
Vincent G. Downing, Treasurer

SUMMARY OF ALLEGATIONS

The 1982 Victory Fund ("Fund") was referred to the Office of General Counsel by the Reports Analysis Division for failing to file its 1983 Year End Report of Receipts and Disbursements due on January 31, 1984.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

The Fund was notified on January 7, 1984, that its 1983 Year End Report was due on January 31, 1984. On February 28, a non-filer notice was issued to the Fund. All attempts to contact Mr. Serf Maltese,^{1/} the custodian of records, failed. As of this date, no response has been received by the Commission with regard to the Fund's failure to file the 1983 Year End Report.

The Fund was previously referred to the Office of General Counsel for failing to file its 1983 Mid-Year Report.^{2/} In addition, the Fund was referred to the Office of General Counsel when the Commission approved the Audit Division's final audit report which revealed a possible violation of 11 C.F.R. § 106.1(e) for failure to allocate administrative expenses between federal and non-federal accounts.^{3/}

^{1/} James E. O'Doherty resigned as treasurer in early 1983. On April 9, 1984, the Fund filed an amended Form 1 designating Vincent G. Downing as its new treasurer. Mr. Serf Maltese served as a custodian of records during the interim period.

^{2/} 84 NF-25

^{3/} MUR 1658

93040931507

Upon further review of the Fund's disclosure documents for the current election cycle, it has been determined that the Fund failed to file a 1984 April Quarterly report.

2. The law applicable.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), all political committees other than authorized committees of a candidate shall file in other than an election year, a report covering the period between July 1 and ending December 31, which shall be filed no later than January 31.

Additionally, pursuant to 2 U.S.C. § 434(a)(4)(A)(i), those committees shall file in a calendar year in which a regularly scheduled election is held, a quarterly report to be filed no later than the 15th day after the last day of the calendar quarter.

3. Application of the law to the facts.

The Fund was required to file its 1983 Year End Report of Receipts and Disbursements no later than January 31, 1984 and its 1984 April Quarterly Report of Receipts and Disbursements no later than April 15, 1984. As of this date, however, neither report has been filed. The Fund's failure to comply with the reporting requirements is a violation of 2 U.S.C.

§ 434(a)(4)(A)(iv) and 2 U.S.C. § 434(a)(4)(A)(i). Thus, it is the recommendation of the General Counsel that the Commission find reason to believe that the Fund violated 2 U.S.C.

§ 434(a)(4)(A)(iv) and 2 U.S.C. § 434(a)(4)(A)(i). It is also recommended that the Commission merge this matter with MUR 1658.

93040931508

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of

1982 Victory Fund

MUR 1658

84 JUL 20 12:55

Comprehensive Investigative Report

On May 31, 1984, the Commission found reason to believe that the 1982 Victory Fund ("Fund") and Vincent G. Downing, as treasurer violated:

- 1) 11 C.F.R. § 106.1(e) for failing to allocate administrative expenses between federal and non-federal accounts;^{1/}
- 2) 2 U.S.C. § 434(a)(4)(A)(iv) for failing to file its 1983 Mid Year Report of Receipts and Disbursements ^{2/} and its 1983 Year End Report of Receipts and Disbursements;^{3/} and
- 3) 2 U.S.C. § 434(a)(4)(A)(i) for failing to file its 1984 Quarterly Report.^{3/}

On June 1, 1984 notification of reason to believe was sent to the Fund.

On June 27, 1984, Serf Maltese, attorney for the Fund, contacted the Commission to request an extension of time in which to respond to the reason to believe findings. As of this date, this office has received no formal written request for an extension nor a response to the findings.

^{1/} MUR 1658

^{2/} 84 NF 25 merged with MUR 1658

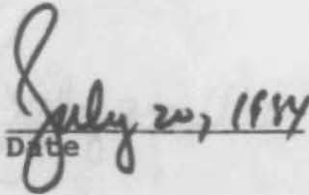
^{3/} 84 NF 32 merged with MUR 1658

93040931509

The Office of General Counsel is currently preparing a brief stating the position of this office on the legal and factual issues of the case.

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel


Date July 20, 1984

93040931510

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: September 19, 1984ANALYST: Anthony Raymond

I. COMMITTEE: 1984 Victory Fund (C00132308)
(Formerly the 1982 Victory Fund)
Vincent G. Downing, Treasurer
45 East 29th Street
New York, NY 10016

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i)
11 CFR 104.5(c)(1)(i)(A)

III. BACKGROUND:

Non-Filing of the 1984 July Quarterly Report

The 1984 Victory Fund ("the Fund") failed to file the 1984 July Quarterly Report of Receipts and Disbursements. The Fund was notified on June 21, 1984 that the report was due on July 15, 1984 (Attachment 2).

On August 8, 1984, a Non-Filer Notice was sent to the Fund for its failure to file the 1984 July Quarterly Report (Attachment 3). No response was received.

On September 11 and 13, 1984, the Reports Analysis Division (RAD) analyst telephoned the Fund (Attachment 4). Messages were left with the Fund's receptionist to have Mr. Downing call RAD. Mr. Downing did not return either call.

As of this date, the report has not been filed.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

93040931511

9 3 0 4 0 9 3 1 5 1 2

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (81-82)DATE 13SEP84
PAGE 1

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
1982 VICTORY FUND				PARTY NON-QUALIFIED		ID #C00132308
1981	MID-YEAR REPORT	26,237	27,361	1JAN81 -30JUN81	15	81FEC/202/3770
	REQUEST FOR ADDITIONAL INFORMATION			1JAN81 -30JUN81	2	82FEC/239/0043
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN81 -30JUN81	5	82FEC/240/3960
	YEAR-END	17,250	17,671	1JUL81 -31DEC81	10	82FEC/223/4830
	YEAR-END - AMENDMENT	17,250	17,671	1JUL81 -31DEC81	15	82FEC/241/1005
	REQUEST FOR ADDITIONAL INFORMATION			1JUL81 -31DEC81	2	82FEC/239/0040
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL81 -31DEC81	1	82FEC/240/5405
1982	STATEMENT OF ORGANIZATION - AMENDMENT			4JUN82	2	82FEC/232/5167
	APRIL QUARTERLY	-	-	1JAN82 -31MAR82	1	82FEC/245/0673
	JULY QUARTERLY	6,000	6,000	1APR82 -30JUN82	8	82FEC/241/1693
	REQUEST FOR ADDITIONAL INFORMATION			1APR82 -30JUN82	2	82FEC/245/2419
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR82 -30JUN82	3	82FEC/253/2183
	OCTOBER QUARTERLY	-	-	1JUL82 -30SEP82	1	83FEC/261/3022
	PRE-GENERAL	2,450	2,300	1JUL82 -21OCT82	8	82FEC/259/2415
	REQUEST FOR ADDITIONAL INFORMATION			1JUL82 -21OCT82	2	83FEC/262/0502
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL82 -21OCT82	3	83FEC/266/1104
	POST-GENERAL	5,427	5,822	22OCT82 -31DEC82	9	82FEC/259/5005
	POST-GENERAL - AMENDMENT	-	-	22OCT82 -31DEC82	1	84FEC/290/0489
	REQUEST FOR ADDITIONAL INFORMATION			22OCT82 - 2DEC82	1	83FEC/266/0259
	REQUEST FOR ADDITIONAL INFORMATION 2ND			22OCT82 - 2DEC82	2	83FEC/267/2003
	YEAR-END	-	-	3DEC82 -31DEC82	1	84FEC/297/3847
	TOTAL	57,364	0 59,154	0	94	TOTAL PAGES

All reports have received review.

Cash on hand as of 12/31/82: \$49.23

Debts owed to the committee as of 12/31/82: \$0.00

Debts owed by the committee as of 12/31/82: \$15,774

9 3 0 4 0 9 3 1 5 1 3

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

DATE 13SEP84
 PAGE 1

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
1984 VICTORY FUND (FORMERLY 1982 VICTORY FUND)						
CONNECTED ORGANIZATION:	NEW YORK STATE CONS PARTY STATE COMM					
1983	NOTICE OF FAILURE TO FILE			1JAN83 -30JUN83	1	83FEC/288/1588
	NOTICE OF FAILURE TO FILE			1JUL83 -31DEC83	1	84FEC/297/3883
1984	STATEMENT OF ORGANIZATION - AMENDMENT			10APR84	4	84FEC/308/4536
	NOTICE OF FAILURE TO FILE			1JAN84 -31MAR84	1	84FEC/313/4705
	NOTICE OF FAILURE TO FILE			1APR84 -30JUN84	1	84FEC/325/0595
TOTAL		0	0	0	8	TOTAL PAGES

No financial reports filed.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 1984

JULY REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE

ALL unauthorized political committees, except those that file monthly, must file a quarterly report by July 15, 1984. (See below.)

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through June 30, 1984. Political committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration,* through June 30, 1984.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight July 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business July 15, 1984.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by July 20, 1984, and disclose all financial activity of their committee from June 1 through June 30, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

RQ-7

AUG 8 1984

Vincent G. Downing, Treasurer
1984 Victory Fund
45 E. 29th Street
New York, NY 10016

Identification Number: C00132308

Reference: July Quarterly Report (4/1/84-6/30/84)

Dear Mr. Downing:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Anthony Raymond on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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34733151505

MEMORANDUM TO FILE:

FROM: T. Raymond

DATE : 9/11/84

TO:

TELEPHONE: 9/13/84

NAME OF COMMITTEE: 1984 Victory Fund

212-689-8400

9/11/84 - Called the committee about the 1984 July Quarterly non-filing.
I left a message for either Mr. Downing or Mr. Maltese to call me.

9/13/84 - I left a message for the treasurer to call me.

93040931516

SENSITIVE

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

84 SEP 28 A 9:43

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 9/28/84-9:45

RAD Referral 84NF-50
STAFF MEMBER(S)
Garr

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

RESPONDENT'S NAME: 1984 Victory Fund (Formerly 1982 Victory Fund)
Vincent G. Downing, Treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i)
11 C.F.R. § 104.5(c)(1)(i)(A)

INTERNAL REPORTS CHECKED: RAD Referral

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

The 1984 Victory Fund ("Fund") was referred to the Office of General Counsel by the Reports Analysis Division for failing to file its 1984 July Quarterly Report of Receipts and Disbursements due on July 15, 1984.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

The Fund was notified on June 21, 1984, that its 1984 July Quarterly Report was due on July 15, 1984. On August 8, 1984, a non-filer notice was issued to the Fund. On September 11 and 13, 1984, a Reports Analysis Division analyst telephoned, but was unable to reach, Vincent G. Downing, treasurer of the Fund, to determine the status of the Fund's Report. As of this date, Mr. Downing has not responded to the Commission's calls, nor has he filed the Fund's 1984 July Quarterly Report.

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The Fund is also the subject of MUR 1658 for failing to file its 1983 Mid Year and Year End Reports and its 1984 April Quarterly Report, and for failing to allocate administrative expenses between federal and non-federal accounts.

2. The law applicable.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), all political committees other than authorized committees of a candidate, are required to file in a calendar year in which a regularly scheduled election is held, a quarterly report to be filed no later than the 15th day after the last day of the calendar quarter.

3. Application of the facts to the law.

The Fund was required to file its 1984 July Quarterly Report no later than July 15, 1984. As of this date, however, the report has not been filed. The Fund's failure to comply with this reporting requirement is a violation of 2 U.S.C.

§ 434(a)(4)(A)(i). Thus, it is the recommendation of the General Counsel that the Commission find reason to believe that the Fund violated 2 U.S.C. § 434(a)(4)(A)(i). It is also recommended that the Commission merge this matter with MUR 1658.

RECOMMENDATION

1. Open a MUR;
2. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i);
3. Merge 84NF-50 with MUR 1658; and

93040931518

4. Approve and authorize the sending of the attached letter and General Counsel's Legal and Factual Analysis.

Charles N. Steele
General Counsel

September 27, 1984
Date

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

Attachments

- I. Proposed letter
II. General Counsel's Factual and Legal Analysis
III. RAD Referral

93040931519

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral 84NF-50
1984 Victory Fund)
(Formerly 1982 Victory)
Fund))
Vincent G. Downing, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 2, 1984, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 84NF-50:

1. Open a MUR.
2. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Merge 84NF-50 with MUR 1658.
4. Approve and authorize the sending of the letter and General Counsel's Legal and Factual Analysis submitted with the First General Counsel's Report dated September 28, 1984.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

10-2-84

Date

Jody C. Ransom

for Marjorie W. Emmons
Secretary of the Commission

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

9-28-84, 9:43
9-28-84, 2:00

93040931520



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 5, 1984

Mr. Vincent G. Downing, Treasurer
1984 Victory Fund
45 East 29th Street
New York, New York 10016

RE: MUR 1658
1984 Victory Fund,
Vincent G. Downing, as
treasurer

Dear Mr. Downing:

On October 2, 1984, the Federal Election Commission determined that there is reason to believe that the 1984 Victory Fund and you, as treasurer, violated § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") for failing to file a 1984 July Quarterly Report. 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 the committee and you as treasurer. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any factual or legal materials, 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 the 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.

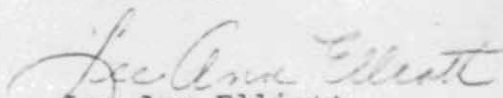
93040931521

Mr. Vincent G. Downing, Treasurer
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 Shelley Garr, 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
FEC Form 1

93040931522

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1658
STAFF MEMBER(S) & TEL. NO.
Garr 523-4000

RESPONDENT'S NAME: 1984 Victory Fund (Formerly 1982 Victory Fund)
Vincent G. Downing, 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 1984 Victory Fund ("Fund") was referred to the Office of General Counsel by the Reports Analysis Division for failing to file its 1984 July Quarterly Report of Receipts and Disbursements due on July 15, 1984.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

The Fund was notified on June 21, 1984, that its 1984 July Quarterly Report was due on July 15, 1984. On August 8, 1984, a non-filer notice was issued to the Fund. On September 11 and 13, 1984, a Reports Analysis Division analyst telephoned, but was unable to reach, Vincent G. Downing, treasurer of the Fund, to determine the status of the Fund's Report. As of this date, Mr. Downing has not responded to the Commission's calls, nor has he filed the Fund's 1984 July Quarterly Report.

The Fund is also the subject of MUR 1658 for failing to file its 1983 Mid Year and Year End Reports and its 1984 April Quarterly Report, and for failing to allocate administrative expenses between federal and non-federal accounts.

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2. The law applicable.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), all political committees other than authorized committees of a candidate, are required to file in a calendar year in which a regularly scheduled election is held, a quarterly report to be filed no later than the 15th day after the last day of the calendar quarter.

3. Application of the facts to the law.

The Fund was required to file its 1984 July Quarterly Report no later than July 15, 1984. As of this date, however, the report has not been filed. The Fund's failure to comply with this reporting requirement is a violation of 2 U.S.C. § 434(a)(4)(A)(i). Thus, it is the recommendation of the General Counsel that the Commission find reason to believe that the Fund violated 2 U.S.C. § 434(a)(4)(A)(i). It is also recommended that the Commission merge this matter with MUR 1658.

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RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

In the Matter of)
)
1982 Victory Fund)
Vincent G. Downing, Treasurer)

MUR 1658

84 OCT 3 A8:31

GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

On May 31, 1984, the Commission found reason to believe that the 1982 Victory Fund ("Fund") and Vincent G. Downing, as treasurer, violated:

- 1) 11 C.F.R. § 106.1(d) for failing to allocate administrative expenses between federal and non-federal accounts;
- 2) 2 U.S.C. § 434(a)(4)(A)(iv) for failing to file its 1983 Mid Year Report and its 1983 Year End Report; and
- 3) 2 U.S.C. § 434(a)(4)(A)(i) for failing to file its 1984 April Quarterly Report.

The Commission's notification of reason to believe was sent to the Fund. Although the Fund telephoned the Office of General Counsel and asked for an extension of time in which to respond, no formal written request for an extension was ever received. The Fund did not respond to the reason to believe finding.*

Upon further review of this matter, a question has arisen as to whether corporate or labor union money was accepted by the Fund's federal account from its non-federal account, thereby constituting a possible 2 U.S.C. § 441b violation. Since the federal account did not pay administrative expenses to the state

*/ The 1982 Victory Fund has now been referred to the Office of General Counsel for failing to file its 1984 July Quarterly Report.

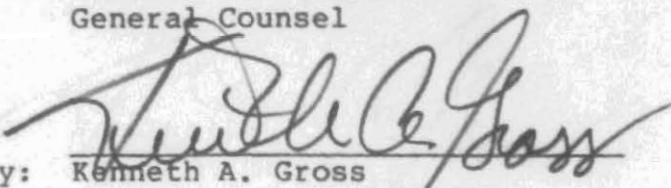
account, the state account has in effect made an in-kind contribution to the federal account. The Office of General Counsel, therefore, recommends that the Commission find reason to believe that the Fund violated 2 U.S.C. § 441b and recommends that the Commission authorize sending interrogatories to the Fund. The attached set of interrogatories is designed to obtain additional information regarding the composition of the Fund's state account. The interrogatories also seek to determine whether the Fund has made repayment to its state account for administrative expenses incurred during the period covered by the audit.

II. RECOMMENDATION

The Office of General Counsel recommends that the Commission:

- 1) find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 441b;
- 2) authorize and approve the sending of the attached General Counsel's Factual and Legal Analysis; and
- 3) authorize and approve the sending of the attached letter and order to answer interrogatories to the 1982 Victory Fund and Vincent G. Downing, as treasurer.

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

and Legal Analysis

Date
Attachme
1. Let
2. Gen.
3. Order

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
1982 Victory Fund) MUR 1658
Vincent G. Downing, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 5, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1658:

1. Find reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 441b.
2. Authorize and approve the sending of the General Counsel's Factual and Legal Analysis attached to the General Counsel's Report signed October 2, 1984.
3. Authorize and approve the sending of the letter and order to answer interrogatories to the 1982 Victory Fund and Vincent G. Downing, as treasurer submitted with the General Counsel's Report signed October 2, 1984.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

10-5-84

Date

Jody C. Ransom

for Marjorie W. Emmons
Secretary of the Commission

93040931527



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 10, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Vincent G. Downing, Treasurer
1984 Victory Fund
45 East 29th Street
New York, New York 10016

RE: MUR 1658
1984 Victory Fund
(formerly 1982 Victory
Fund)

Dear Mr. Downing:

On June 1, 1984, you received notification that the Commission found reason to believe that the 1984 Victory Fund (formerly the 1982 Victory Fund) and you, as treasurer, had violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 106.1(d). On October 2, 1984, the Commission found reason to believe that the 1984 Victory Fund violated 2 U.S.C. § 434(a)(4)(A)(i). On October 5, 1984, the Commission found reason to believe that the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 441b. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

An investigation of this matter is being conducted and it has been determined that additional information from you is necessary. Consequently, the Federal Election Commission has issued the attached order to answer questions which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

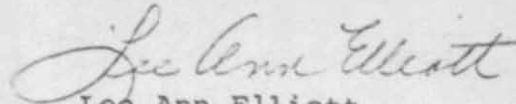
You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this order.

93040931528

Vincent G. Downing, Treasurer
Page 2

If you have any questions, please direct them to
Shelley Garr, the staff member handling this matter, at
(202) 523-4143.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Order
Interrogatories

93040931529

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
1982 Victory Fund) MUR 1658
Vincent G. Downing, Tresurer)

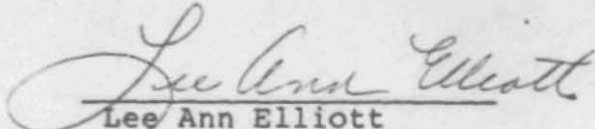
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Vincent G. Downing, Treasurer
45 East 29th Street
New York, New York 10016

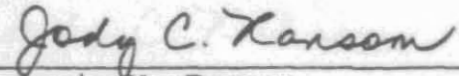
Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand at Washington, D.C., this 10th day of October, 1984.


Lee Ann Elliott
Chairman

ATTEST:


for Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories (1 page)

93040931530

Interrogatories for the 1982 Victory Fund

1. Does the 1982 Victory Fund's state account, the New York State Conservative Party, accept corporate and/or labor union contributions? If so, please explain.

2. Has the 1982 Victory Fund made reimbursements for administrative expenses for the period covered by the Commission audit (January 1, 1981, through December 31, 1982)? If so, how much and at what rate has the 1982 Victory Fund made reimbursement to its state account, the New York State Conservative Party? How much and at what rate is the 1982 Victory Fund continuing to reimburse its state account for administrative expenses?

93040931531

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT 1982 Victory Fund
Vincent G. Downing, Treasurer)

MUR 1658
STAFF MEMBER(S) & TELE. NO.
Garr 523-4000

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

SUMMARY OF ALLEGATIONS

On May 31, 1984, the Commission found reason to believe that the 1982 Victory Fund ("Fund") and Vincent G. Downing, as treasurer, violated:

- 1) 11 C.F.R. § 106.1(d) for failing to allocate administrative expenses between federal and non-federal accounts;
- 2) 2 U.S.C. § 434(a)(4)(A)(iv) for failing to file its 1983 Mid Year Report and its 1983 Year End Report; and
- 3) 2 U.S.C. § 434(a)(4)(A)(i) for failing to file its 1984 April Quarterly Report.

The Commission's notification of reason to believe was sent to the Fund. Although the Fund telephoned the Office of General Counsel and asked for an extension of time in which to respond, no formal written request for an extension was ever received. The Fund did not respond to the reason to believe finding.

Upon further review of this matter, a question has arisen as to whether corporate or labor union money was accepted by the Fund's federal account from its non-federal account, thereby constituting a possible 2 U.S.C. § 441b violation. Since the federal account did not pay administrative expenses to the state

93040931532

account, the state account has in effect made an in-kind contribution to the federal account. The Office of General Counsel, therefore, recommends that the Commission find reason to believe that the Fund violated 2 U.S.C. § 441b.

93040931533



The Conservative Party of New York State

STATE HEADQUARTERS: 45 EAST 29th STREET, NEW YORK, N.Y. 10016 (212) 688-8400

RECEIVED AT THE FEC
GCC # S398
OCT 30 1984

October 24, 1984

Chairman
J. Daniel Mahoney
Executive Vice-Chairman
Serphin R. Maltese

Vice-Chairmen
Stuart J. Avrick
Kenneth C. Jones
Leo J. Kesseling
Michael R. Long
James P. Molinaro
Henry Paolucci
Wilson G. Price
George A. Vossler

Executive Director
Serphin R. Maltese

Regional Vice-Chairmen
Thomas D. Cook
David C. Easton
Daniel F. Fitzgerald
Russell E. Norris, Jr.
Donald Powers
Anthony M. Rudmann
Nicholas A. Schmitt

Treasurer
James E. O'Doherty
Secretary
A. Terry Anderson

National Affairs
Co-Chairmen
Barbara A. Keating - Edh
Allen H. Roth

Law Chairmen
Thomas A. Bolan
Counsel
John P. Dellera

Financial Coordinator
Vincent G. Downing

Executive Committee
Anthony Andracko
Sondra Bauernfiend
Ernest D. Blumer
Anthony M. Castiglia
Frank Culla
Anthony P. DiPerna

Terrence J. Dwyer
James M. Gay
Carmelina R. Grieco
Rosemary R. Gunning
William A. Jackson
Marcia L. Jacobs
John Andrew Kay
Garth P. Lax
Howard Lim, Jr.
George F. McGuinness

Daniel L. Master
Thomas Moore
Arthur Munger
Dale Nicholson
John J. O'Leary
Thomas A. Pakenham
Clifford Riccio
Cy Rockman
Raymond Thek
Raymond Walker
Charles J. Wiese

Advisory Committee

Thomas C. Brvona
Marie Bush
William Carney
John J. Flynn
Raymond Gimmlet
Thomas E. Griffith
Harold Haar
Bruce Hardman
Chester R. Hardt
Alan Hartman
Howard Hurwitz
Henry S. Jorin, Jr.
Elaine Leuter
Edward F. Leonard
Margaret Luckert
John F. McGloine
Michael McSherry
Robert S. Marshall
Edwyn E. Mason
Robert R. Moon
William Newmark
Jane O'Bannon
Patrick O'Keefe
Brenda O'Neill
William A. Ullmark
Ann Wagler

Federal Election Commission
Washington, DC 20463

Attention: Shelley Garr

RE: MUR 1658
1984 Victory Fund

Dear Sirs:

In response to your letter dated October 10 and the questionnaire inclosed with that letter, this will advise you that the 1984 Victory Fund and the undersigned individual does designate John P. Dellera, Esq. 444 Madison Avenue, New York, New York; 10022 (212-754-1300) as their counsel in connection with this matter. We also request an extension of 30 days within which to respond to the questions you have raised. The purpose of this extension request is to enable Serphin R. Maltese, Executive Director of the Conservative Party, and currently a candidate for Congress to direct his attention to the response which must be filed. Mr. Maltese is unable to do so and will after election day because of the demands on his time associated with his candidacy.

Yours truly,

Vincent G. Downing
Treasurer of the 1984 Victory Fund

34 OCT 30 1984
AIO: 05
GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 7, 1984

John P. Dellera, Esquire
444 Madison Avenue
New York, New York 10022

RE: MUR 1658
1984 Victory Fund (formerly
1982 Victory Fund)
Vincent G. Downing, Treasurer

Dear Mr. Dellera:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on May 31, 1984, found reason to believe that your client, the 1984 Victory Fund (formerly 1982 Victory Fund) and Vincent G. Downing, as treasurer, had violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv) of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 106.1(e) and instituted an investigation in this matter. On October 2, 1982, the Commission again found reason to believe that the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and on October 5, 1984, the Commission found reason to believe that the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 441b(a).

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

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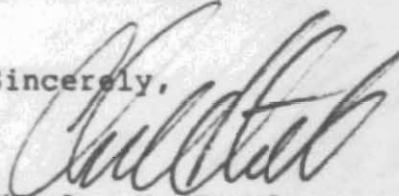
John P. Dellera, Esquire
Page 2

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Shelley Garr, the staff member assigned to handle this matter, at (202) 523-4143.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
1984 Victory Fund) MUR 1658
Vincent G. Downing, Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The 1984 Victory Fund ("Fund") was audited by the Audit Division of the Commission pursuant to 2 U.S.C. § 438(b). During the initial review of the Fund's records, it was noted that the Fund failed to allocate administrative expenses, such as rent, telephone, salaries, etc., between its account and a non-federal account^{1/} for the audit period covering January 1, 1981, through December 31, 1982.^{2/}

On February 15, 1984, the Commission notified the Fund of the Audit Division's findings and sent it an interim audit report. The Fund failed to respond.

On March 28, 1984, the Commission approved the final audit report prepared by the Audit Division. The matter was then referred to the Office of General Counsel.

On April 9, 1984, subsequent to the audit referral to the Office of General Counsel, the Commission received a response from Vincent G. Downing regarding the Fund's failure to allocate administrative expenses. Mr. Downing outlined two options for the Commission's approval toward correcting and mitigating the apparent violation. The first method was to repay the

^{1/} The non-federal account is the Conservative Party of New York State.

^{2/} The Fund reported a cash balance of \$1,839.68 on January 1, 1981; total receipts of \$57,365.05; and total disbursements of \$59,155.50. Of the disbursements for this period, \$20,276.42, or 35% was spent on repayment of a loan obtained outside the audit period. Fundraising activities accounted for the remaining amount. The Fund's cash balance on December 2, 1982, was \$49.23.

Attachment I-page 1

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Conservative Party of New York State (the Fund's non-federal account) at the rate of \$20 per month for the two years covered by the audit. As an alternative, Mr. Downing recommended the allocation of 5% of the expenses of the Conservative Party as the Fund's administrative expenses.^{3/}

On March 7, 1984, and on April 17, 1984, the Fund was also referred to the Office of General Counsel by the Reports Analysis Division for failing to file its 1983 Mid Year and Year End Reports of Receipts and Disbursements. The Fund also had not filed its April 1984 Quarterly Report.

On May 31, 1984, the Commission approved the merger of the referrals from the Audit and Reports Analysis Divisions and found reason to believe that the 1982 Victory Fund and Vincent G. Downing, as treasurer, violated:

- 1) 11 C.F.R. § 106.1(e) for failing to allocate administrative expenses between federal and non-federal accounts;
- 2) 2 U.S.C. § 434(a)(4)(A)(iv) for failing to file its 1983 Mid Year Report of Receipts and Disbursements and its 1983 Year End Report of Receipts and Disbursements; and
- 3) 2 U.S.C. § 434(a)(4)(A)(i) for failing to file its April 1984 Quarterly Report.

^{3/} The reason to believe notification sent to the Fund on June 1, 1984, by the Commission was responsive to the Fund's letter of April 9, 1984. The Commission's letter suggested that the Fund's request to allocate 5 percent of the expenses of the New York State Conservative Party as the Fund's administrative expenses would be taken into account as a mitigating factor if the Fund allocated along those lines during the period of the audit.

On June 1, 1984, the Commission's notification of reason to believe was sent to the Fund.

Serf Maltese, custodian of records for the Fund, contacted the Commission on June 27, 1984, to request an extension of time in which to respond to the reason to believe findings. However, this office received no further formal written request for an extension nor a response to the findings.

On September 19, 1984, the Fund was again referred to the Office of General Counsel by the Reports Analysis Division for failing to file its July Quarterly Report. The referral was merged with MUR 1658. On October 2, 1984, the Commission found reason to believe that the Fund had violated 2 U.S.C. § 434(a)(4)(A)(i) by not filing its July Quarterly Report. The Commission notified the Fund of the reason to believe finding on October 5, 1984.

Further, on October 5, 1984, the Commission found reason to believe the Fund, by not paying administrative expenses to its non-federal account, the Conservative Party of New York State, had violated 2 U.S.C. § 441b. The Fund was notified of the Commission's reason to believe finding on October 10, 1984, and was asked whether it had now made payments for administrative expenses to its non-federal account.

On October 15, 1984, Serf Maltese contacted the Commission to request an extension of time. His call was followed up on October 24, 1984, by a letter from Mr. Downing designating a counsel for the Fund and requesting an extension of time to respond to the reason to believe notice until November 23, 1984. No response was ever submitted, however.

Attachment I - page 3

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II. LEGAL ANALYSIS

Pursuant to 11 C.F.R. § 106.1(e), all party committees and other committees which have established Federal campaign committees pursuant to 11 C.F.R. § 102.5 shall allocate administrative expenses on a reasonable basis between their federal and non-federal accounts in proportion to the amount of funds expended on federal and non-federal elections, or on another reasonable basis. The Fund did not pay for administrative expenses; they were paid for by its non-federal account, the New York State Conservative Party. In effect, this resulted in an in-kind contribution from the non-federal account to the Fund. Pursuant to New York State campaign laws, corporate and labor union funds of \$5,000 or less are permissible contributions to a state candidate or political committee. Any corporate or labor union monies in the non-federal account would, therefore, result in a corporate contribution to the Fund. Accordingly, the Office of General Counsel recommends that the Commission find probable cause to believe the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 441b and 11 C.F.R. § 106.1(e) by not allocating administrative expenses between its federal and non-federal accounts.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), all political committees other than authorized committees of a candidate shall file, in other than an election year, a report covering the period January 1 and ending June 30 which shall be filed no later than July 31 and a report covering the period July 1 and ending December 31, which shall be filed no later than January 31.

Attachment I page 4

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The Fund was required to file its 1983 Mid Year and Year End Reports no later than July 31, 1983, and January 31, 1984, respectively. As of this date, however, the reports have not been filed. The Fund's failure to comply with this reporting requirement is a violation of 2 U.S.C. § 434(a)(4)(A)(iv). Thus, it is the recommendation of the General Counsel that the Commission find probable cause to believe that the Fund violated 2 U.S.C. § 434(a)(4)(A)(iv).

Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), all political committees other than authorized committees of a candidate are required to file, in a calendar year in which a regularly scheduled election is held, a quarterly report to be filed no later than the 15th day after the last day of the calendar quarter.

The Fund was required to file its 1984 April Quarterly Report no later than April 15, 1984 and its 1984 July Quarterly Report no later than July 15, 1984. As of this date, however, the reports have not been filed. The Fund's failure to comply with this requirement is a violation of 2 U.S.C. § 434(a)(4)(A)(i). It is the recommendation of the General Counsel that the Commission find probable cause to believe that the Fund violated 2 U.S.C. § 434(a)(4)(A)(i).

Attachment I - page 5

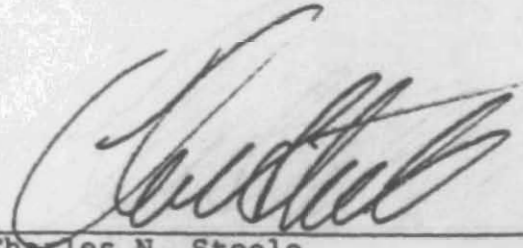
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III. GENERAL COUNSEL'S RECOMMENDATION

The Office of General Counsel recommends that the Commission find probable cause to believe that the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated:

- 1) 2 U.S.C. § 441b and 11 C.F.R. § 106.1(e) by failing to allocate on a reasonable basis and pay for administrative expenses; and
- 2) 2 U.S.C. § 434(a)(4)(A)(i) and 2 U.S.C. § 434(a)(4)(A)(iv) by failing to file reports of receipts and disbursements.

7 December 1984
Date



Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION

In the Matter of)
1982 Victory Fund)
Vincent G. Downing, Treasurer)

MUR 1658

RECEIVED AT THE FEC
G.CC#6027
84 DEC 18 12:31

ANSWERS TO INTERROGATORIES

State of New York, ss.

County of New York

VINCENT G. DOWNING, being duly sworn, deposes and says:

I am Treasurer of the 1984 Victory Fund, formerly known as the 1982 Victory Fund, and make these Answers to Interrogatories in response to the Order of the Federal Election Commission (the "Commission") dated October 10, 1984. My answers are based upon discussions with officers of the Conservative Party of the State of New York having knowledge of the facts described herein and examination of the books and records of the 1984 Victory Fund.

Upon information and belief, the answers to the Commission's questions are as follows:

1. Does the 1982 Victory Fund's state account, the New York State Conservative Party, accept corporate and/or labor union contributions? If so, please explain.

1. The 1982 Victory Fund is a segregated account of the Conservative Party maintained for the purpose of supporting candidates in federal election campaigns. It does not accept corporate and/or labor union contributions. The New York State Conservative Party does accept corporate and/or labor union contributions to the extent authorized by state law to fund activities other than federal election campaigns.

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2. Has the 1982 Victory Fund made reimbursements for administrative expenses for the period covered by the Commission audit (January 1, 1981 through December 31, 1982)? If so, how much and at what rate has the 1982 Victory Fund made reimbursement to its state account, the New York State Conservative Party? How much and at what rate is the 1982 Victory Fund continuing to reimburse its state account for administrative expenses?

2. The 1982 Victory Fund has not made reimbursement for administrative expenses for the period January 1, 1981 through December 31, 1982. During that period, funds expended in federal election campaigns -- which totalled less than \$5,000 -- represented less than 5% of total Conservative Party expenditures. Participation in federal election campaigns did not result in any other expenditures of the Conservative Party which would not have been incurred in the absence of federal campaign activities. Under the circumstances, the Party decided that no allocation of administrative expenses should be made to the 1982 Victory Fund.

The rate of future reimbursement, if any, will depend upon the percentage of party resources devoted to federal election campaigns, the nature of the expenditures, amounts involved and possibly other factors as well. In all cases, the Party will make a reasonable allocation as required by 11 C.F.R., Part 106.

Wm. D. Downing

Sworn to before me the
3rd day of December, 1984

John P. Dellera

JOHN P. DELLERA
NOTARY PUBLIC, State of New York
No. 30-5972225
Qualified in Nassau County
Commission Expires March 30, 1986

0196D

FEC

04 DEC 19 21:31
ALIGN AREA

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

Local 202-523-4068

Dec 3, 1984
Date

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

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

						FEC FORM 3X (3/80)
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DETAILED SUMMARY PAGE
Receipts and Disbursements
 (Page 2, FEC FORM 3X)

Name of Committee (in Full)		Report Covering the Period		
1982 VICTORY FUND		From: 7/1/83	To: 12/31/83	
		COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
I. RECEIPTS				
11. CONTRIBUTIONS (other than loans) FROM:				
(a) Individuals/Persons Other Than Political Committees	535.00	8555.00		11(a)
(Memo Entry Unitemized \$ 35. -)				
(b) Political Party Committees				11(b)
(c) Other Political Committees				11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	535.00	8555.00		11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES				12
13. ALL LOANS RECEIVED				13
14. LOAN REPAYMENTS RECEIVED				14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)				15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES				16
AND OTHER POLITICAL COMMITTEES				
17. OTHER RECEIPTS (Dividends, Interest, etc.)				17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	535.00	8555.00		18
II. DISBURSEMENTS				
19. OPERATING EXPENDITURES	27.97	564.78		19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES				20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND				21
OTHER POLITICAL COMMITTEES				
22. INDEPENDENT EXPENDITURES (use Schedule E)				22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES				23
(2 U.S.C. § 441 a(d)) (Use Schedule F)				
24. LOAN REPAYMENTS MADE	500.00	8,000.00		24
25. LOANS MADE				25
26. REFUNDS OF CONTRIBUTIONS TO				
(a) Individuals/Persons Other Than Political Committees				26(a)
(b) Political Party Committees				26(b)
(c) Other Political Committees				26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))				26(d)
27. OTHER DISBURSEMENTS				27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	527.97	8564.78		28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES				
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)				29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)				30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)				31
32. TOTAL OPERATING EXPENDITURES from Line 19				32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15				33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)				34

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SCHEDULE A

ITEMIZED RECEIPTS

Page _____ of _____ for
 LINE NUMBER _____
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or 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)

1982 VICTORY FUND

A. Full Name, Mailing Address and ZIP Code John B. Walsh 620 Liberty Bank Bldg. Buffalo, N.Y. 14202		Name of Employer Self.	Date (month, day, year) 10/20/83	Amount of Each Receipt this Period 500.-
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation Lawyer	Aggregate Year-to-Date—\$	
B. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Aggregate Year-to-Date—\$	
C. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Aggregate Year-to-Date—\$	
D. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Aggregate Year-to-Date—\$	
E. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Aggregate Year-to-Date—\$	
F. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Aggregate Year-to-Date—\$	
G. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Aggregate Year-to-Date—\$	
SUBTOTAL of Receipts This Page (optional)				
TOTAL This Period (last page this line number only)				500.-

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page _____ of _____ for
 LINE NUMBER _____
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

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)

1982 VICTORY FUND

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Stabbe - Center Press Inc. 33 Bell St. N Babylon NY 11704	Printing Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	12/19/83	500.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			500.-

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LOANS

(OWED TO THE COMMITTEE)

Name of Committee (in Full) 1982 VICTORY FUND				
A. Full Name, Mailing Address and ZIP Code of Loan Source N.Y.S. CONSERVATIVE PARTY 45 E. 29 ST NY NY 10016	Original Amount of Loan 10,000	Cumulative Payment To Date 6,000	Balance Outstanding at Close of This Period 4,000.	
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):				
Terms: Date Incurred 8/80 Date Due DEMAND Interest Rate _____ % (apr) <input type="checkbox"/> Secured				
List All Endorsers or Guarantors (if any) to Item A				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
B. Full Name, Mailing Address and ZIP Code of Loan Source				
		Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):				
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured				
List All Endorsers or Guarantors (if any) to Item B				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
SUBTOTALS This Period This Page (optional)				
TOTALS This Period (last page in this line only) 4,000.				
Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary,				

930409.31549

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page _____ of _____ for
LINE NUMBER _____
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
1982 VICTORY FUND				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor STABBE SENTER PRESS, INC. 33 BELL ST. N. BABYLON, N.Y. 11704	681.- 1481.-	-	500.-	181.- 681.70
Nature of Debt (Purpose): Printing				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor ARTISAN PRINTERS 167 MINEOLA BLVD. MINEOLA, N.Y. 11501	1129.75	-	-	1129.75
Nature of Debt (Purpose): Printing				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor X FALA DIRECT MARKETING 137-30 ROCKAWAY BLVD. JAMAICA	2018.52	-	-	2018.52
Nature of Debt (Purpose): Printing				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor X COLUMBIA ADVERTISING 260 DUFFY AVE. HICKSVILLE, N.Y. 11803	1,000.00	-	-	1000.-
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor DESIGN DISTRIBUTORS 45 E. INDUSTRY CT. DEER PARK, N.Y. 11729	2980.-	-	-	2980.-
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				2809.27

7309.27

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

(Summary Page)

<div style="border: 1px solid black; padding: 5px;"> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid black;"> ALIGN AREA </div> <div style="border-bottom: 1px solid black; padding: 5px;"> 1. Name of Committee (In Full) <div style="font-size: 1.2em; font-family: cursive;">1982 VICTORY FUND</div> </div> <div style="border-bottom: 1px solid black; padding: 5px;"> Address (Number and Street) <div style="font-size: 1.2em; font-family: cursive;">45 EAST 29th ST.</div> </div> <div style="border-bottom: 1px solid black; padding: 5px;"> City, State and ZIP Code <div style="font-size: 1.2em; font-family: cursive;">NEW YORK, N.Y. 10016</div> </div> <div style="border-bottom: 1px solid black; padding: 5px;"> <input type="checkbox"/> Check here if address is different than previously reported. </div> </div> <div style="border: 1px solid black; padding: 5px;"> 2. FEC Identification Number <div style="font-size: 1.2em; font-family: cursive;">CO 0132 308</div> </div> <div style="border: 1px solid black; padding: 5px;"> 3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date) </div>	<div style="border: 1px solid black; padding: 5px;"> 4. TYPE OF REPORT (Check appropriate boxes) <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input checked="" type="checkbox"/> July 31 Mid Year Report (Non-Election Year Only) <input type="checkbox"/> Monthly Report for _____ <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ </div> <div> <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report </div> </div> <div style="border-top: 1px solid black; padding-top: 5px;"> (b) Is this Report an Amendment? <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO </div> </div> </div>
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SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	1/1/83 through 6/30/83		
6. (a) Cash on hand January 1, 1983			\$ 49.23
(b) Cash on Hand at Beginning of Reporting Period		\$ 49.23	
(c) Total Receipts (from Line 18)		\$ 8,020.00	\$ 8,020.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 8,069.23	\$ 8,069.23
7. Total Disbursements (from Line 28)		\$ 8,036.81	\$ 8,036.81
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 32.42	\$ 32.42
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)		\$ 4,000.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ 7,809.27	

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

VINCENT G. DOWNING
Type or Print Name of Treasurer

Vincent G. Downing
SIGNATURE OF TREASURER

Dec. 3, 1984
Date

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 (3/80)
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**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full)

1982 VICTORY FUND

Report Covering the Period

From: **1/1/83**

To: **6/30/83**

**COLUMN A
Total This Period**

**COLUMN B
Calendar Year-To-Date**

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees.
(Memo Entry Unitemized \$ **20.00**)

(b) Political Party Committees

(c) Other Political Committees.

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

8,020.00

8,020.00

11(a)

11(b)

11(c)

11(d)

8,020.00

8,020.00

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES.

12

13. ALL LOANS RECEIVED

13

14. LOAN REPAYMENTS RECEIVED.

14

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

15

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

16

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

17

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

8,020.00

8,020.00

18

II. DISBURSEMENTS

19. OPERATING EXPENDITURES.

536.81

536.81

19

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

20

**21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND
OTHER POLITICAL COMMITTEES**

21

22. INDEPENDENT EXPENDITURES (use Schedule E)

22

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES.
(2 U.S.C. § 441 a(d)) (Use Schedule F)

23

24. LOAN REPAYMENTS MADE.

7,500.00

7,500.00

24

25. LOANS MADE

25

26. REFUNDS OF CONTRIBUTIONS TO

(a) Individuals/Persons Other Than Political Committees.

26(a)

(b) Political Party Committees

26(b)

(c) Other Political Committees.

26(c)

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

26(d)

27. OTHER DISBURSEMENTS

27

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

8,036.81

8,036.81

28

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

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

29

30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)

30

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

31

32. TOTAL OPERATING EXPENDITURES from Line 19

32

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

33

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

34

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SCHEDULE A

ITEMIZED RECEIPTS

Page ____ of ____ for
 LINE NUMBER ____
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or 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)

1982 VICTORY FUND

<p>A. Full Name, Mailing Address and ZIP Code Howard J. Levitz 405 Park Ave. New York, N.Y. 10022</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer SMF</p> <p>Occupation LAWYER</p> <p>Aggregate Year-to-Date—\$</p>	<p>Date (month, day, year) 5/27/83</p>	<p>Amount of Each Receipt this Period 5,000.-</p>
<p>B. Full Name, Mailing Address and ZIP Code Stein, Davidoff, Malito & Teitler 100 East 42nd St New York, N.Y. 10017</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Self</p> <p>Occupation LAWYERS</p> <p>Aggregate Year-to-Date—\$</p>	<p>Date (month, day, year) 5/27/83</p>	<p>Amount of Each Receipt This Period 1,000.-</p>
<p>C. Full Name, Mailing Address and ZIP Code Howard Y. Blaustein 108 North La Salle St Chicago, Ill. 60601</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Intangible Marketing Inc.</p> <p>Occupation Administrator</p> <p>Aggregate Year-to-Date—\$</p>	<p>Date (month, day, year) 5/27/83</p>	<p>Amount of Each Receipt This Period 1,000.-</p>
<p>D. Full Name, Mailing Address and ZIP Code Charles S. Daun One Fairway Dr. Manhasset, N.Y. 11030</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation Auto parts Distrib.</p> <p>Aggregate Year-to-Date—\$</p>	<p>Date (month, day, year) 5/27/83</p>	<p>Amount of Each Receipt This Period 1,000.-</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date—\$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt This Period</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date—\$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt This Period</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date—\$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt This Period</p>
<p>SUBTOTAL of Receipts This Page (optional)</p>			
<p>TOTAL This Period (last page this line number only)</p>			<p>8,000.-</p>

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page _____ of _____ for
 LINE NUMBER _____
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

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)

1982 VICTORY FUND

A. Full Name, Mailing Address and ZIP Code Hudson Valley Nat'l Bank 35 E. Grassy Sprain Road Yonkers, N.Y. 10701	Purpose of Disbursement Loan Repayment Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 5/29/83	Amount of Each Disbursement This Period 7,500.-
B. Full Name, Mailing Address and ZIP Code Stabbe Centre Press Inc. 33 Bell St. N. Babylon, N.Y. 11704	Purpose of Disbursement Printing Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year) 5/29/83	Amount of Each Disbursement This Period 500.-
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			8,000.-

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LOANS

(OWED TO THE COMMITTEE)

Name of Committee (in Full): 1982 VICTORY FUND			
A. Full Name, Mailing Address and ZIP Code of Loan Source N.Y.S. CONSERVATIVE PARTY 45 E. 29 ST NY NY 10016	Original Amount of Loan 10,000	Cumulative Payment To Date 6,000	Balance Outstanding at Close of This Period 4,000.
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred 8/80 Date Due DEMAND Interest Rate _____ % (apr) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
B. Full Name, Mailing Address and ZIP Code of Loan Source			
		Original Amount of Loan	Cumulative Payment To Date
			Balance Outstanding at Close of This Period
Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
2. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
3. Full Name, Mailing Address and ZIP Code	Name of Employer		
	Occupation		
	Amount Guaranteed Outstanding: \$		
SUBTOTALS This Period This Page (optional)			
TOTALS This Period (last page in this line only) 4,000.			
Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.			

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SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page ____ of ____ for
LINE NUMBER ____
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
1982 VICTORY FUND				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor STABBE SENTER PRESS, INC. 33 BELL ST. N. BABYLON, N.Y. 11704	1181.-	-	500.-	681.00
Nature of Debt (Purpose): PRINTING				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor ARTISAN PRINTERS 167 MINEOLA BLVD. MINEOLA, N.Y. 11501	1129.75	-	-	1129.75
Nature of Debt (Purpose): PRINTING				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor *FALA DIRECT MARKETING 137-30 ROCKAWAY BLVD. JAMAICA	2018.52	-	-	2018.52
Nature of Debt (Purpose): PRINTING				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor *COLUMBIA ADVERTISING 260 DUFFY AVE. HICKSVILLE, N.Y. 11803	1,000.00	-	-	1000.-
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor DESIGN DISTRIBUTORS 45 E. INDUSTRY CT. DEER PARK, N.Y. 11729	2980.-	-	-	2980.-
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only).				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				7809.27

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HAROLD W. BAKER
CLIFFORD LEFEBVRE
NEAL A. BROWN
JOHN R. DELLERA

BAKER, NELSON & WILLIAMS
COUNSELLORS AT LAW
444 MADISON AVENUE
NEW YORK, N. Y. 10022

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O. TAFT NELSON
C. DICKERMAN WILLIAMS
OF COUNSEL

TELEPHONE: (212) 754-1300
CABLE ADDRESS: CHOBAY
TELEX: 422809

Garr

December 26, 1984

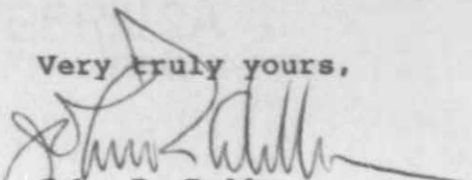
Secretary
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1658
1984 Victory Fund
Vincent G. Downing, Treasurer

Dear Sir:

I am counsel for the 1984 Victory Fund and its treasurer named above and am writing to request an extension of 20 days -- until January 16, 1985 -- within which to file a brief in answer to that of the General Counsel. I have not been able to review the General Counsel's brief and our response adequately with the principals which is the reason for my request. The General Counsel's brief was received in my office on December 12, 1984, and the response is therefore now due by December 27, 1984.

Very truly yours,


John P. Dellera

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OFFICE OF THE
COMMISSIONER SECRETARY

93040931557

HAROLD W. BAKER
CLIFFORD LEBEVRE
NEAL A. BROWN
JOHN P. DELLERA

BAKER, NELSON & WILLIAMS
COUNSELLORS AT LAW
444 MADISON AVENUE
NEW YORK, N. Y. 10022

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O. TAFT NELSON
C. DICKERMAN WILLIAMS
OF COUNSEL

TELEPHONE: (212) 754-1300
CABLE ADDRESS: CHOBAY
TELEX: 422609

January 2, 1985

Secretary
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1658
1984 Victory Fund
Vincent G. Downing, Treasurer

Dear Sir:

I am enclosing on behalf of the respondents to the above Matter Under Review the original plus 9 copies of their brief in answer to that of the General Counsel. I am serving 3 additional copies on the General Counsel with copy of this letter.

Very truly yours,

John P. Dellera
Counsel for Respondents

0281D

cc: Charles N. Steele, Esq.
General Counsel, F.E.C.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
1984 Victory Fund) MUR 1658
Vincent G. Downing, Treasurer)

BRIEF OF 1984 VICTORY FUND

9 3 0 4 0 9 3 1 5 5 9
This brief is respectfully submitted on behalf of the 1984 Victory Fund (the "Fund") and its treasurer, Vincent G. Downing ("Downing"), in response to the General Counsel's Brief dated December 7, 1984 recommending that the Commission find probable cause to believe that the Fund and Downing, as treasurer, violated the Federal Election Campaign Act and regulations thereunder.

I. STATEMENT OF THE CASE

The letter of October 24, 1984 to the Commission from Mr. Downing (who was not designated treasurer until April 9, 1984) explained that a full response to the Commission's inquiry pertaining to the allocation of administration expenses and the completion of reports of receipts and disbursements which had not been filed required the attention of Serphin Maltese, the Executive Director of the Conservative Party. The letter further explained that Mr. Maltese was then engaged in a campaign for Member of Congress from the 9th Congressional District of New York and could not properly attend to these matters until after the election. For these reasons, Mr. Downing requested an extension of time to file Answers to the Commission's interrogatories.

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The Commission did not, to the knowledge of the undersigned, reply to Mr. Downing's letter and inform the Fund that it must respond by November 23, 1984. Nevertheless, the respondents prepared Answers to Interrogatories which were signed on December 3, 1984 and reports in arrears which, the undersigned has been informed, have now been filed. Additional reports due for 1984, which are expected to show no contributions or expenditures during the periods involved, are to be filed shortly.

II. LEGAL ANALYSIS

The allocation of administrative expenses to what the General Counsel describes as the Fund's "non-federal account" is mandated by 11 C.F.R. sec. 102.5, which requires that allocations be made "on a reasonable basis." The Fund's Answers to Interrogatories show that no allocation was made for the period under audit, calendar years 1981 and 1982, essentially because amounts expended in federal election campaigns represented an insignificant portion of the total expenditures of the Conservative Party during that period. Furthermore, the Answers show that federal election activities resulted in no added administrative costs during that period.

The Commission's regulations and Advisory Opinions (e.g., AO 1978-28 and AO 1978-50) show that allocation of administrative expenses between federal and non-federal accounts may be made upon any number of bases, depending upon the facts and circumstances.

An allocation of Conservative Party administration

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expenses to the Fund may be appropriate where, for example, federal campaign activities result in such things as the hiring of additional staff, the use of utilities for hours during which the Party's offices would normally be closed, added telephone costs or other expenditures which would not have been made in the absence of federal campaign activities. An allocation may also be appropriate where the Fund regularly supports federal candidates and makes use of administrative facilities on a regular basis.

Neither of the foregoing circumstances pertains here. Reports filed by the Fund show that its federal election activities during the audit period were minimal and that any amounts allocated would be, at most, minimal. It is therefore submitted that no allocation for administrative expenses would have been reasonable under the circumstances.

The Commission should take note of the Fund's 1983 reports of receipts and disbursements which show a loan from the Fund to the Conservative Party in the original amount of \$10,000. Even if some allocation of expenses should have been made during the audit period, it is clear that no violation of 2 U.S.C. sec. 441b occurred since the allocation would simply reduce the Conservative Party's indebtedness to the Fund.

III. CONCLUSION


The recommendations of the General Counsel should be rejected by the Commission, and this Matter Under Review should be terminated with no further action taken upon the following grounds:

(1) no allocation of administrative expenses for the period under review is reasonable because federal campaign activity during that period was de minimus;

(2) reports of receipts and disbursements for 1983 have been filed, and reports for 1984, which are expected to show no activity, will shortly be filed; and

(3) no proceedings based upon events occurring before April 9, 1984 should be continued against Vincent G. Downing since he was not acting as treasurer of the Fund prior to that date.

Dated: New York, New York
January 2, 1985


John P. Deller
Counsel for Respondents
444 Madison Avenue
New York, New York 10022
(212) 754-1300

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

In the Matter of)
) MUR 1658
1984 Victory Fund,)
Vincent G. Downing, Treasurer)

25 FEB 4 P2:07

EXECUTIVE SESSION

FEB 12 1985

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 31, 1984, the Commission found reason to believe that the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated:

- 1) 11 C.F.R. § 106.1(e) for failing to allocate administrative expenses between federal and non-federal accounts;
- 2) 2 U.S.C. § 434(a)(4)(A)(iv) for failing to file its 1983 Mid Year Report of Receipts and Disbursements and its 1983 Year End Report of Receipts and Disbursements; and
- 3) 2 U.S.C. § 434(a)(4)(A)(i) for failing to file its April 1984 Quarterly Report.

On September 19, 1984, the Fund was again referred to the Office of General Counsel by the Reports Analysis Division for failing to file its July Quarterly Report. The referral was merged with MUR 1658. On October 2, 1984, the Commission found reason to believe that the Fund had violated 2 U.S.C. § 434(a)(4)(A)(i) by not filing its July Quarterly Report. The Commission notified the Fund of the reason to believe finding on October 5, 1984.

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Further, on October 5, 1984, the Commission found reason to believe the Fund, by not paying administrative expenses to its non-federal account, the Conservative Party of New York State, had violated 2 U.S.C. § 441b. The Fund was notified of the Commission's reason to believe finding on October 10, 1984, and was asked whether it had now made payments for administrative expenses to its non-federal account.

Mr. Downing's response to these questions was received by the Commission on December 18, 1984. (See Attachment I). He explained that the Conservative Party of New York State accepts corporate and/or labor union contributions to the extent authorized by state law to fund activities other than federal activities. Further, the Fund has made no reimbursement for administrative expenses for the period covered by the Commission's audit (January 1, 1981 - December 31, 1982). Mr. Downing explained that reimbursement for administrative expenses were not made, because funds expended in federal campaigns during that period totalled less than \$5,000 and represented less than 5% of the total Conservative Party expenses. Finally, Mr. Downing attached copies of the Fund's 1983 Mid-Year and Year End Reports which were received by the Commission on December 18, 1984, 532 and 322 days late, respectively.

On December 7, 1984, the Office of General Counsel forwarded to the Fund a copy of its brief recommending probable cause to believe that the Fund violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv), 441b, and 11 C.F.R. § 106.1(e). Counsel for the Fund

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responded on January 4, 1985. (See Attachment II). The Fund, he reiterated, made no repayment to the Conservative Party, because the amount of funds expended by the Fund in federal campaigns during the period covered by the audit was "an insignificant portion of the total expenditures of the Conservative Party during that period."*/ Further, "federal election activities resulted in no added administrative costs during that period." Therefore, the response concluded, any allocation for administrative expenses would be inappropriate.

II. LEGAL ANALYSIS

The General Counsel's factual and legal analysis is contained in its brief dated December 7, 1984.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

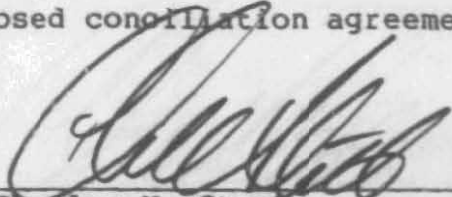
*/ The audit disclosed the Fund reported a cash balance of \$1,839.68 on January 1, 1981; total receipts of \$57,365.05; and total disbursements of \$59,155.50. Of the disbursements for this period, \$20,276.42, or 35% was spent on repayment of a loan obtained outside the audit period. Fundraising activities accounted for the remaining amount. The Fund's cash balance on December 2, 1982, was \$49.23.

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IV. RECOMMENDATIONS

1. Find probable cause to believe that the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv), 44lb, and 11 C.F.R. § 106.1(e).
2. Approve the attached letter.
3. Approve the attached proposed conciliation agreement.

4 February 1985
Date



Charles N. Steele
General Counsel

Attachments

1. Response to questions
2. Response to brief
3. Proposed letter
4. Proposed conciliation agreement

93040931566

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1658
1984 Victory Fund,)
Vincent G. Downing, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of February 12, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1658:

1. Find probable cause to believe that the 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. §§ 434(a) (4) (A) (i) and (iv), 441b, and 11 C.F.R. § 106.1(e).
2. Approve the letter attached to the General Counsel's report dated February 4, 1985.
3. Approve the proposed conciliation agreement attached to the General Counsel's report dated February 4, 1985.

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

Attest:

2-12-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

93040931567



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 26, 1985

John P. Dellera
1144 Madison Avenue
New York, New York 10022

RE: MUR 1658
1984 Victory Fund

Dear Mr. Dellera:

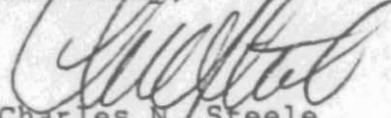
On February 12, 1985, the Commission determined that there is probable cause to believe your clients committed a violation of 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv), and 441b, provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 106.1(e).

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it along with the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Shelley Garr, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

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JUL 09 1985

In the Matter of)

1984 Victory Fund
Vincent G. Downing, treasurer)

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GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

On February 12, 1985, the Commission found probable cause to believe that the 1984 Victory Fund ("Fund") and Vincent G. Downing, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv) by failing to file in a timely manner its 1983 Mid-Year and Year End Reports, failing to file its April and July 1984 Quarterly Reports; 2 U.S.C. § 441b by transferring corporate and labor union funds from its non-federal account to its federal account; and 11 C.F.R. § 105.1(e) for failing to allocate administrative expenses between its federal and non-federal accounts.

Pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), the Commission is required to attempt conciliation for a period of at least 30 days. The Commission's notification of probable cause to believe and proposed conciliation agreement were sent to the Fund on February 26, 1985. */ On May 3, 1985, the Office of General Counsel attempted to contact the Fund but learned that John Dellera, who served as counsel, had resigned. The Commission received a new designation of counsel notice, but as of this

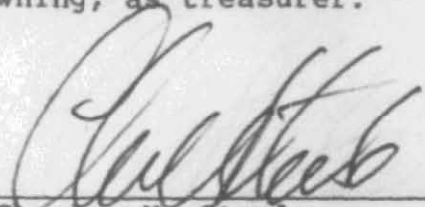
*/ Notification and proposed conciliation agreement were resent to the fund at a corrected address on March 14, 1985.

date, the Commission has received no further correspondence with either the treasurer or new counsel to the 1984 Victory Fund. Because the Commission has received no further response, the Office of General Counsel recommends that the Commission authorize the filing of civil suit against the 1984 Victory Fund.

RECOMMENDATION

1. Authorize the filing of a civil suit against the 1984 Victory Fund and Vincent G. Downing, as treasurer.
2. Approve the attached letter.

21 June 1986
Date


Charles N. Steele
General Counsel

Attachments

1. Proposed letter

93040931570



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO:

CHARLES STEELE
GENERAL COUNSEL

FROM:

mwe MARJORIE W. EMMONS/ CHERYL A. FLEMING *CF*

DATE:

June 26, 1985

SUBJECT:

Objection MUR 1658 - General Counsel's Report
signed June 21, 1985.

The above-named document was circulated to the
Commission on TUESDAY, June 25, 1985, 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 9, 1985.

93040931571

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
1984 Victory Fund) MUR 1658
Vincent G. Downing, treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 9, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1658:

1. Authorize the filing of a civil suit against the 1984 Victory Fund and Vincent G. Downing, as treasurer.
2. Approve the letter attached to the General Counsel's report dated June 21, 1985.

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

Attest:

7-10-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 22, 1985

Christopher T. Ragucci, Esq.
Windels, Marx, Esqs.
51 W. 51st Street
New York, NY 10019

Re: MUR 1658
1984 Victory Fund
Vincent G. Downing, Treasurer

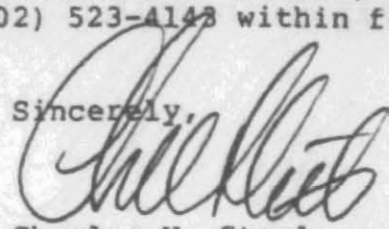
Dear Mr. Ragucci:

You were previously notified that on February 12, 1984, the Federal Election Commission found probable cause to believe that the 1984 Victory Fund violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv), and 441b, provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 105.1(e) in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation, the Commission has authorized the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Ivan Rivera, the attorney handling this case, at (202) 523-4142 within five days of your receipt of this letter.

Sincerely,


Charles N. Steele
General Counsel

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Stanton J.

AC.

77 MAR 16 A 11:43

GENERAL

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

FEDERAL ELECTION COMMISSION,

Plaintiff,

v.

1984 VICTORY FUND

and

VINCENT G. DOWNING, TREASURER

Defendants.

CIVIL ACTION NO.
85 CIV. 8384

Judge Stanton

DEFAULT JUDGMENT



DEFAULT JUDGMENT

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This matter having come before the court on plaintiff Federal Election Commission's motion for judgment by default against the defendants 1984 Victory Fund and Vincent G. Downing, and the court having reviewed the record and it appearing that the defendants were served with the summons and complaint and that the defendants acknowledged receipt of the summons and complaint in filing a joint stipulation with the court extending defendants' time to answer the complaint until December 19, 1985, and more than twenty (20) days having elapsed since December 19, 1985 with no answer, pleading or other papers having been served on the attorneys for the Commission pursuant to the terms of the stipulation, it is hereby

ORDERED that the Motion for Default Judgment is granted and it is further ordered that:

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(1) defendants 1984 Victory Fund (formerly known as the "1982 Victory Fund") and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv) by failing to file the 1984 Victory Fund's Mid-Year 1983 Report with the Federal Election Commission on or before July 13, 1983;

(2) defendants 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv) by failing to file the 1984 Victory Fund's Year-End 1983 Report with the Federal Election Commission on or before January 31, 1984;

(3) defendants 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file the 1984 April Quarterly Report with the Federal Election Commission;

(4) defendants 1984 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file the 1984 July Quarterly Report with the Federal Election Commission;

(5) defendants 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 11 C.F.R. § 106.1(e) by failing to allocate administrative expenses between federal and non-federal accounts in proportion to the amount of funds expended on federal and non-federal elections;

(6) defendants 1982 Victory Fund and Vincent G. Downing, as treasurer, violated 2 U.S.C. § 441b(a) by knowingly accepting a contribution of corporate and labor union funds from the Conservative Party of New York State;

-3-

(7) file the 1984 Victory Fund's 1984 April Quarterly Report, 1984 July Quarterly Report, and all other reports required by 2 U.S.C. § 434 as they become due;

(8) pay to the United States Treasury a civil penalty pursuant to 2 U.S.C. § 437g(a)(6)(A) in the amount of \$5,000; and

(9) defendants 1984 Victory Fund and Vincent G. Downing, as treasurer, are permanently enjoined from further violations of the provisions of the Federal Election Campaign Act giving rise to the instant lawsuit.

DATE

July 30, 1986

Louis L. Stanton
UNITED STATES DISTRICT JUDGE

THIS DOCUMENT IS UNCLASSIFIED
ON THE DATE 11/11/01 BY 60322 UC



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1658

DATE FILMED 2/22/93 CAMERA NO. L

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