



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2952

DATE FILMED 4/24/89 CAMERA NO. 4

CAMERAMAN AS

89040712776



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1989

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: UNAUTHORIZED QUARTERLY FILERS WHICH FAILED TO FILE
THE 1988 12 DAY PRE-GENERAL REPORT BY ELECTION DAY

The attached list of unauthorized committees consists of thirty-seven (37) quarterly filers which failed to file a 1988 12 Day Pre-General Report by Election Day, November 8, 1988.

Unlike the mandatory reporting requirement placed upon monthly filers, 2 U.S.C. §434(a)(4)(A)(ii) requires quarterly filers to submit 12 Day Pre-General Reports only if the committees make contributions to or expenditures on behalf of federal candidates in the general election. All unauthorized committees were sent prior notification regarding the pre- and post-general filing requirements on October 3, 1988 (Attachment 38).

The Party/Non-Party Branch conducted a thorough examination to identify quarterly filers disclosing contributions or expenditures between October 1 and October 19, 1988. The research revealed committees that submitted:

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

If you have any questions regarding this matter, please contact Lisa J. Stolaruk at 376-2480.

A-000-1

99040712777

14:14 64MIR

List of Committees and Prior Commission Actions

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12. C00104182

First Fidelity Incorporated PAC

39NF-30

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A-00002

89040712778

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PAGES 3 THROUGH 6 DO NOT PERTAIN TO THESE RESPONDENTS.

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99040712779

A-00003

COMMITTEE ID, NAME AND ADDRESS

CONTACTS
WITH FILER ATCH

REPORTS FILED/
RESPONSES

Attachments 12a-12j

C00104182
FIRST FIDELITY INCORPORATED PAC
TREASURER'S NAME: JEROME D GRECO
550 BROAD STREET
NEWARK NJ 07102

Telacon
1/11/89

1988 Year End
Report and
letter filed
1/17/89

9 2 0 4 0 7 1 2 7 8 0

A-00007

39040772781

PAGES 8 THROUGH 12 DO NOT PERTAIN TO THESE RESPONDENTS.

A-00000

First Fidelity Incorporated PAC

(Attachments 12a - 12g)

83040711782

8 2 0 4 0 7 7 2 7 8 5

FEDERAL ELECTION COMMISSION
1987-1988
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 18MAY89

PAGE 5

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
					TYPE OF FILER	
FIRST FIDELITY INCORPORATED PAC				ID #C00104182 NON-PARTY QUALIFIED		
CONNECTED ORGANIZATION: FIRST FIDELITY BANCORPORATION						
1987	APRIL QUARTERLY	1,640	-	1JAN87 -31MAR87	5	87FEC/464/5230
	MID-YEAR REPORT	35,880	12,075	1JAN87 -30JUN87	13	87FEC/474/1377
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN87 -30JUN87	11	87FEC/493/4964
	REQUEST FOR ADDITIONAL INFORMATION			1JAN87 -30JUN87	2	87FEC/492/3551
	YEAR-END	15,506	33,100	1JUL87 -31DEC87	12	88FEC/499/0873
1988	STATEMENT OF ORGANIZATION - AMENDMENT			8JUN88	1	88FEC/528/4237
	APRIL QUARTERLY	2,395	6,120	1JAN88 -31MAR88	6	88FEC/519/1292
	1 ST LETTER INFORMATIONAL NOTICE			1JAN88 -31MAR88	1	88FEC/525/1743
	JULY QUARTERLY	10,635	6,075	1APR88 -30JUN88	7	88FEC/535/1258
	1 ST LETTER INFORMATIONAL NOTICE			1APR88 -30JUN88	1	88FEC/545/0812
	OCTOBER QUARTERLY	18,045	16,330	1JUL88 -30SEP88	10	88FEC/552/4991
	NOTICE OF FAILURE TO FILE			28NOV88	1	89FEC/576/2057
	YEAR-END	7,545	14,570	1OCT88 -31DEC88	10	89FEC/579/1440
	TOTAL	91,646	0	88,270	0	80 TOTAL PAGES

All reports have been reviewed.

Ending cash-on-hand as of 12/31/88: \$4,503

Outstanding debts owed to or by the committee as of 12/31/88: \$0

TYPE 1STFID.;1

TELECON

ANALYST: Donald L. Averett

CONVERSATION WITH: Jerome Greco (Treasurer)

COMMITTEE: First Fidelity Incorporated PAC
(C00104132)

DATE: 1/11/89

SUBJECT: Nonfiling of the 30 Day Post General Election Report due 12/8/88

Mr. Greco phoned the Commission in response to a nonfiler letter and stated that the committee had not received prior notification that the 30 Day Post General Election Report was required.

I advised Mr. Greco to file a report covering the period 10/1/88-11/28/88 as soon as possible. I further advised him that, if it would speed the process, it would be acceptable to file a Year End Report which covered the period 10/1/88-12/31/88.

FEDERAL ELECTION COMMISSION

00 JAN 23 PM 4 21

First Fidelity Bank, New Jersey
 200 Broad Street, Newark, New Jersey 07102
 (201) 596-3367

James D. Grace
 Vice President
 Community Affairs and Governmental Relations

January 13, 1989

Federal Election Commission
 999 E Street, NW
 Washington, DC 20463

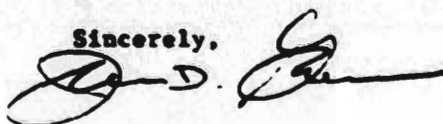
Gentlemen:

Enclosed please find two copies of the First Fidelity Bancorporation PAC report of receipts and disbursements.

One report is for the 30th day following the general election and one is our quarterly report. Please be aware that we had not received notification regarding the 30 day report and I was advised by Mr. Donald Avarrett to file in this manner.

Thank you.

Sincerely,



JDG:rb

Enc.

38 00457 01 11735

REPORT OF RECEIPTS AND DISBURSEMENTSFor Other Than An Authorized Committee
(Summary Page)RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

09 JAN 23 PM 4:21

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1 NAME OF COMMITTEE (in full) First Fidelity Bancorporation		2 FEC IDENTIFICATION NUMBER C00104182
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 550 Broad Street		
CITY, STATE and ZIP CODE Newark, NJ 07102		
3 <input type="checkbox"/> This committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date)		

4. TYPE OF REPORT

- (a) ☐ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☒ January 31 Year End Report

☐ July 31 Mid Year Report (Non-election Year Only)☐ Termination Report

Monthly Report Due On

- | | | |
|--------------------------------------|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> February 20 | <input type="checkbox"/> June 20 | <input type="checkbox"/> October 20 |
| <input type="checkbox"/> March 20 | <input type="checkbox"/> July 20 | <input type="checkbox"/> November 20 |
| <input type="checkbox"/> April 20 | <input type="checkbox"/> August 20 | <input type="checkbox"/> December 20 |
| <input type="checkbox"/> May 20 | <input type="checkbox"/> September 20 | <input type="checkbox"/> January 31 |

☐ Twelfth day report preceding

Type of Election

election on _____ in the State of _____

☐ Thirtieth day report following the General Election or

in the State of _____

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

SUMMARY5 Covering Period 10/1/88 through 12/31/88COLUMN A
This PeriodCOLUMN B
Calendar Year-to-Date

6 (a) Cash on Hand January 1 19 <u>88</u>		\$ 8,978.26
(b) Cash on Hand at Beginning of Reporting Period	\$ 11,528.26	
(c) Total Receipts from Line 18:	\$ 7,545.00	\$ 38,620.00
(d) Subtotal: add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B:	\$ 19,073.26	\$ 47,598.26
7 Total Disbursements (from Line 28)	\$ 14,570.00	\$ 43,095.00
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 4,503.26	\$ 4,503.26
9 Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	\$	
10 Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	\$	

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

Type or Print Name of Treasurer:

Jerome D. Greco

Signature of Treasurer:

Date

1/13/89

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

FEC FORM 3X
(revised 4-87)

DETAILED SUMMARY PAGEof Receipts and Disbursements
(Page 2, FEC FORM 3X)

Name of Committee (in full) First Fidelity Bancorporation, P.A.C.		Report Covering the Period From 10/1/88 to 12/31/88	
		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			
(i) Itemized (use Schedule A)		2,800.00	13,150.00
(ii) Unitemized		4,745.00	25,470.00
(iii) Total of contributions from individuals		7,545.00	38,620.00
(b) Political Party Committees		-	-
(c) Other Political Committees (such as PACs)		-	-
(d) TOTAL CONTRIBUTIONS (add 11(a)(iii), (b), and (c))		7,545.00	38,620.00
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			
13 ALL LOANS RECEIVED			
14 LOAN REPAYMENTS RECEIVED			
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			
17 OTHER RECEIPTS (Dividends, Interest, etc.)			
18 TOTAL RECEIPTS (add 11(d), 12, 13, 14, 15, 16 and 17)		7,545.00	38,620.00
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES			
20 TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		3,000.00	12,125.00
22 INDEPENDENT EXPENDITURES (use Schedule E)			
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. 441(a)(1)) (use Schedule F)			
24 LOAN REPAYMENTS MADE			
25 LOANS MADE			
26 REFUNDS OF CONTRIBUTIONS TO			
a) Individuals/Persons Other Than Political Committees			
b) Political Party Committees			
c) Other Political Committees (such as PACs)			
d) TOTAL CONTRIBUTION REFUNDS (add 26(a), (b), and (c))			
27 OTHER DISBURSEMENTS		11,570.00	30,970.00
28 TOTAL DISBURSEMENTS (add 19, 20, 21, 22, 23, 24, 25, 26(d), and 27)		14,570.00	43,095.00
III. NET CONTRIBUTIONS OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) (from Line 11(d))		7,545.00	38,620.00
30 TOTAL CONTRIBUTION REFUNDS (from Line 26(d))		-	-
31 NET CONTRIBUTIONS (other than loans) (subtract Line 30 from 29)		7,545.00	38,620.00
32 TOTAL OPERATING EXPENDITURES (from Line 19)			
33 OFFSETS TO OPERATING EXPENDITURES (from Line 15)			
34 NET OPERATING EXPENDITURES (subtract Line 33 from 32)			

SCHEDULE B

ITEMIZED DISBURSEMENTS

Use separate sheets for each category of the Detailed Budgetary Page

PAGE	OF
1	1
FOR LINE NUMBER	
21	

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)

First Fidelity Bancorporation, P.A.C.

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
Pete Dawkins for US Senate Camp. P. O. Box 70 West Long Branch, NJ		10/12/88 10/28/88	500.00 500.00
B. Full Name, Mailing Address and ZIP Code The Lautenberg Committee P. O. Box 600 New Brunswick, NJ 08903		10/20/88	1,000.00
C. Full Name, Mailing Address and ZIP Code Azzolina Congress '88 1715 Hwy 35 Suite 104 Middletown, NJ 07748		11/3/88	500.00
D. Full Name, Mailing Address and ZIP Code Frank Pallone for US Congress P.O. Box 3176-540 Broadway Long Branch, NJ 07740		11/3/88	500.00
E. Full Name, Mailing Address and ZIP Code			
F. Full Name, Mailing Address and ZIP Code			
G. Full Name, Mailing Address and ZIP Code			
H. Full Name, Mailing Address and ZIP Code			
I. Full Name, Mailing Address and ZIP Code			

SUBTOTAL

TOTAL



P 405 010 000

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

89 AUG -9 AM 10:03

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRAL: 89NF-69 thru
89NF-105

STAFF MEMBER: Gregory Baker

SOURCE: Internally Generated

RESPONDENTS: a.

b.

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k.

l. First Fidelity Incorporated PAC and Jerome D. Greco, as treasurer (89NF-80)

89040712790

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

INTERNAL REPORTS CHECKED: Disclosure Reports and
Referral Materials

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the above (37) committees to the Office of the General Counsel on June 16, 1989. (Attachment 1). The basis for the attached referral is

830407 / 2792

the committees' failure to file the 12 Day Pre-General Report by October 27, 1988.

II. FACTUAL AND LEGAL ANALYSIS

A. Filing of Reports

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall submit 12 Day Pre-General Reports if the Committees make any contributions to or expenditures on behalf of federal candidates in the general election. 2 U.S.C. § 434(a)(4)(A)(ii). The 12 Day Pre-General Report is due as of the 12th day before the election (October 27, 1988) and should be complete as of the 20th day before the election (October 19, 1988). The Committees were notified on October 3, 1988, that the report was due on October 27, 1988.

The (37) committees fall into three categories;

(1) committees that filed 12 Day Pre-General Reports in an untimely manner, (2) committees that filed 30 Day Post-General Reports indicating that 12 Day Pre-General Reports should have been filed, and (3) committees that filed Year End Reports indicating that 12 Day Pre-General Reports should have been filed. The following Committees did not file the 1988 12 Day Pre-General Report by October 27, 1988:

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- (2) 30 Day Post-General Reports Indicating that 12 Day Pre-General Reports should have been filed.

89040772795

- (3) Year End Reports Indicating that 12 day Pre-General Reports should have been filed.

Name of Committee

Date Report Filed

First Fidelity Incorporated PAC
(89NF-80)

January 17, 1989

83040772796

Accordingly, the Office of the General Counsel recommends that the Commission open Matters Under Review and find reason to believe that the above committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

This Office also recommends that the Commission offer to enter into conciliation prior to a finding of probable cause to believe with respect to the (37) referred committees. Attached for the Commission's approval are proposed conciliation agreements (Attachment 2). The proposed agreements provide for an admission of the violation and civil penalties computed as follows:

890407/2797

PAGES 9 THROUGH 44 DO NOT PERTAIN TO THESE RESPONDENTS.

89040712798

IV. RECOMMENDATIONS

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

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First Fidelity Incorporated PAC and Jerome D. Greco, as treasurer (89NF-80)

89040772800

2. Enter into conciliation with the following committees and their treasurers prior to a finding of probable cause to believe.

839407/2801

First Fidelity Incorporated PAC and Jerome D. Greco, as
treasurer (89NF-80)

89040712802

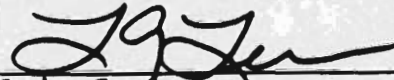
33040712803

3. Approve the attached letters, Factual and Legal Analyses, and proposed conciliation agreements to be sent to the respective respondents listed in Recommendation 2.

Lawrence M. Noble
General Counsel

8/7/89
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

- A. Referral materials
- B. Proposed Conciliation Agreements (37),
Letters and Factual and Legal Analyses (37)

890407/2804

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

RAD REFERRALS

#89NF-69 through

#89NF-105

(continued)

890407/2805

83040772806

[illegible]

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 3

89040772807

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89 NF-105
August 22, 1989

Page 5

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of August 22, 1989, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions with respect to RAD Referrals 89NF-69 through 89NF-105:

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

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 6

89040772810

First Fidelity Incorporated PAC and Jerome D.
Greco, as treasurer (89NF-80)

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 7

83040772811

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 8

33040772812

2. Enter into conciliation with the following committees and their treasurers prior to a finding of probable cause to believe:

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 9

9 3 0 4 0 7 / 2 8 1 3

First Fidelity Incorporated PAC and Jerome D.
Greco, as treasurer (89NF-80)

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 10

890407/2814

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 11

890407/2815

(continued)

Federal Election Commission
Certification for RAD Referrals
89NF-69 through 89NF-105
August 22, 1989

Page 12

3. Approve the letters, Factual and Legal Analyses, and proposed conciliation agreements to be sent to the respective respondents listed in Action 2 above, as recommended in the General Counsel's report dated August 7, 1989, subject to amendment of two of the agreements as agreed in the meeting of August 22, 1989.

Commissioners Aikens, Elliott, Josefiak, and McDonald voted affirmatively for the decision; Commissioners McGarry and Thomas were not present.

Attest:

8-25-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

89040772816



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 6, 1989

Jerome D. Greco, Treasurer
First Fidelity Incorporated PAC
550 Broad Street
Newark, NJ 07192

RE: MUR 2952
First Fidelity Incorporated PAC
and Jerome D. Greco, as treasurer

Dear Mr. Greco:

On August 22, 1989, the Federal Election Commission found that there is reason to believe First Fidelity Incorporated PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

Jerome D. Greco, Treasurer
Page 2

If you are interested in expediting the resolution of this matter by pursuing pre-probable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain 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 Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Danny L. McDonald
Chairman

Enclosures

- A. Factual and Legal Analysis
- B. Procedures
- C. Designation of Counsel Form
- D. Conciliation Agreement

890407/2818



First Fidelity Bank, N.A. New Jersey
550 Broad Street, Newark, New Jersey 07102
855004
201 565-3287

OGC 4093

Jerome D. Greco
Vice President
Community Affairs and Governmental Relations

September 22, 1989

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

RE: MUR 2952
First Fidelity Incorporated PAC and
Jerome D. Greco, as Treasurer

Dear Sir:

I am writing to you in response to your letter dated September 6, 1989 which was received on September 10, 1989 relative to the alleged violation of 2 U.S.C. § 434 (a) (4) (A) (ii) by First Fidelity Incorporated PAC and myself as treasurer ("We", "Our") as provided under the provisions of 11 C.F.R. § 111.16(c). The purpose of this letter is to bring to your attention certain mitigating facts concerning the violation.

On January 6, 1989, We received a letter from John D. Gibson, Assistant Staff Director, Reports Analysis Division indicating that We had not filed the 30 Day Post-General Report (through 11/28/88) and that we should do so immediately. We immediately called Mr. Gibson and explained that Our mail room had delivered the necessary report forms to the wrong individual and that individual had never forwarded them to Our office. This was caused in part by the addressing of the form by you since it did not contain my name. We are a large organization with many parts and our mail room delivered it to the wrong person. After some effort, We did locate it. We indicated that the report would be filed immediately. We were advised that we might as well wait and submit the report with Our report which was due in January which we did on January 17, 1989.

The report in question disclosed a total of \$996.45 in receipts and \$500 in disbursements for the relevant period.

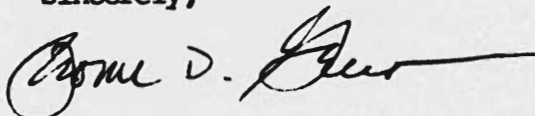
Thank you for your time and understanding in this matter.

HAND DELIVERED
RECEIVED
FEDERAL ELECTION COMMISSION
89 SEP 25 AM 10:45

RECEIVED
FEDERAL ELECTION COMMISSION
SEP 27 1989

Page 2
Commission Secretary
September 22, 1989

Sincerely,



Jerome D. Greco
Treasurer
First Fidelity Incorporated PAC

JDG:nr
Enclosures (10 copies)

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

89040772820



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

January 6, 1989

Jerome D. Greco, Treasurer
First Fidelity Incorporated PAC
550 Broad Street
Newark, NJ 07192

Identification Number: C00104182

Reference: 30 Day Post-General Report (through 11/28/88)

Dear Mr. Greco:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E 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 the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Donald Averett on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson", is written over the typed name.

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 6, 1989

Jerome D. Greco, Treasurer
First Fidelity Incorporated PAC
550 Broad Street
Newark, NJ 07192

RE: MUR 2952
First Fidelity Incorporated PAC
and Jerome D. Greco, as treasurer

Dear Mr. Greco:

On August 22, 1989, the Federal Election Commission found that there is reason to believe First Fidelity Incorporated PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

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Jerome D. Greco, Treasurer
Page 2

If you are interested in expediting the resolution of this matter by pursuing pre-probable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.


Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain 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 Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Danny L. McDonald
Chairman

Enclosures

- A. Factual and Legal Analysis
- B. Procedures
- C. Designation of Counsel Form
- D. Conciliation Agreement

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 2952

RESPONDENTS: First Fidelity Incorporated PAC
and Jerome D. Greco, as treasurer

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The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that unauthorized Committees that file quarterly must submit a 12 Day Pre-General Report if the Committee made contributions to or expenditures on behalf of a federal candidate in the general election. 2 U.S.C. § 434(a)(4)(A)(ii). The pre-election report must be filed no later than the 12th day before the election and should be complete as of the 20th day before the election. Thus, the 1988 12 Day Pre-General Report was due on October 27, 1988. The Committee filed its Year End Report which contained information relevant to the coverage dates for the 12 Day Pre-General Report on January 17, 1989, 82 days late.

Therefore, there is reason to believe that the First Fidelity Incorporated PAC and Jerome D. Greco, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

**DESCRIPTION OF PRELIMINARY PROCEDURES
FOR PROCESSING POSSIBLE VIOLATIONS DISCOVERED BY THE
FEDERAL ELECTION COMMISSION**

Possible violations discovered during the normal course of the Commission's supervisory responsibilities shall be referred to the Enforcement Division of the Office of the General Counsel where they are assigned to a staff member.

Following review of the information which generated the matter, a recommendation on how to proceed, based on a preliminary legal and factual analysis, shall be submitted to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that a possible violation of the Federal Election Campaign Act of 1971, as amended (hereinafter "the Act") may have occurred or is about to occur; or (b) that the Commission find no reason to believe that a possible violation of the Act has occurred or is about to occur, and that the Commission close the file in the matter.

Thereafter, if the Commission decides by an affirmative vote of four Commissioners to open a Matter Under Review (MUR) and finds that there is reason to believe that a violation of the Act has been committed or is about to be committed, the Office of the General Counsel shall conduct an investigation into the matter. Within 15 days of notification of the Commission's finding(s), a respondent(s) may submit any factual or legal materials relevant to the allegations. During its investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for depositions, and to order written answers to interrogatories. The respondent(s) may be contacted more than once by the Commission during its investigation.

If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of the General Counsel may recommend that the Commission enter into conciliation prior to a finding of probable cause to believe a violation has been committed. Conciliation is an attempt to correct or prevent a violation of the Act by informal methods of conference and persuasion. Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

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If the investigation warrants, and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his/her intent to recommend that the Commission proceed to a vote on probable cause to believe that a violation of the Act has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief stating their position on the issues. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four Commissioners that there is probable cause to believe that a violation of the Act has been committed, or is about to be committed, conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the Act through conciliation the Office of the General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Act. Thereafter, the Commission may, upon an affirmative vote of four Commissioners, institute civil action for relief in the United States District Court.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

January 1987



OGC 4365
RECEIVED
First Fidelity Enforcement Commission
550 Broad Street, Newark, New Jersey 07102
201 565-3037

89 OCT 25 AM 10:24

Charles L. Terribile
Vice President and
Deputy General Counsel

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF DEPUTY GENERAL COUNSEL
89 OCT 25 PM 2:46

October 19, 1989

Michael Marinelli, Esq.
Enforcement Attorney
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2952
First Fidelity Incorporated PAC and
Jerome D. Greco, as Treasurer

Dear Mr. Marinelli:

Enclosed please find executed original and nine (9) copies of the Conciliation Agreement referred to above. While we are still disturbed at the amount of the fine under the circumstances surrounding the technical violation, we thought it better to place the matter behind us and make the necessary arrangements to avoid any further similar violations. Again, we clearly had no intent to violate the relevant provisions and feel that the violation was caused in part by the failure of your offices to forward the reporting forms to the proper individual.

Thank you for considering our reply and the prompt attention you have given to the matter.

Very truly yours,

Charles L. Terribile

Charles L. Terribile

CLT:bas
Enclosures

cc: J. Greco

89 OCT 31 AM 11:18

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

First Fidelity Incorporated PAC
and Jerome D. Greco, as treasurer

)
) MUR 2952
)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Jerome D. Greco, the treasurer of First Fidelity Incorporated PAC (the "Committee").

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II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with First Fidelity Incorporated PAC and Jerome D. Greco, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

10/30/89
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Committee response
2. Conciliation Agreement
3. Letter to Respondents

Staff Assigned: Michael Marinelli

890407/2829

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
First Fidelity Incorporated PAC) MUR 2952
and Jerome D. Greco, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 3, 1989, the Commission decided by a vote of 5-0 to take the following actions in MUR 2870:

1. Accept the conciliation agreement with First Fidelity Incorporated PAC and Jerome D. Greco, as treasurer, recommended in the General Counsel's Report dated October 30, 1989.
2. Close the file.
3. Approve the letter recommended in the General Counsel's Report dated October 30, 1989.

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

Attest:

Nov. 3, 1989
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat:	Tuesday, October 31, 1989	11:18
Circulated to the Commission:	Wednesday, November 1, 1989	11:00
Deadline for vote:	Thursday, November 2, 1989	11:00

890407/2830



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 13, 1989

Jerome D. Greco, Treasurer
First Fidelity Incorporated PAC
550 Broad Street
Newark, NJ 07192

CLOSED

RE: MUR 2952
First Fidelity
Incorporated PAC and
Jerome D. Greco, as
treasurer

Dear Mr. Greco:

On November 3, 1989, the Federal Election Commission accepted the signed conciliation agreement you submitted in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The conciliation agreement, however, will become a part of the public record.

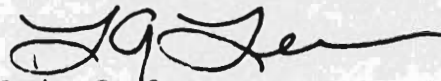
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Jerome D. Greco, Treasurer
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

820407/2832

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
First Fidelity Incorporated PAC) MUR 2952
and Jerome D. Greco, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that First Fidelity Incorporated PAC and Jerome D. Greco, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii).

NOW, THEREFORE, the Commission and the respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

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1. First Fidelity Incorporated PAC is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Jerome D. Greco is the treasurer of First Fidelity Incorporated PAC.

3. Section 434(a)(4)(A)(ii) of Title 2 provides that unauthorized committees filing quarterly shall file 12 Day Pre-General Reports if the committee makes any contribution to or expenditures on behalf of federal candidates in the general election. The pre-election reports are to be filed no later than the 12th day before the election and should be complete as of the 20th day before the election.

4. Respondents were required to file the 1988 12 Day Pre-General Report no later than October 27, 1988. Respondents did not file the 12 Day Pre-General Report until January 17, 1989, 82 days late, disclosing \$996.45 in receipts and \$500.00 in disbursements for the relevant reporting period.

V. Respondents failed to file the 1988 12 Day Pre-General Report in a timely fashion in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Three Hundred Fifty Dollars Dollars (\$350), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil

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action for relief in the United States District Court for the District of Columbia.

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

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

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:


Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

11-9-89
Date

FOR THE RESPONDENTS:


(Name) Jerome D. Greco
(Position) Treasurer

October 20, 1989
Date

92040772835



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2952

DATE FILMED 4/24/89 CAMERA NO. 4

CAMERAMAN AS

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