



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1635

Date Filmed 3/26/86 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Routing cards, inter-Commissioner memos re: Circulation
corresp. re: circulation, RAD info, Pre Brief comment sheets
Duplicates, GC reports, corresp. re: circulation

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

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

Signed J. Barr
 date 2/24/86 13/86

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Settlement Offer in Federal Election)
Commission v. Congressional Majority)
Committee (Pre-Litigation))

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 10, 1985, the Commission decided by a vote of 4-0 to take the following actions in the above-captioned matter:

1. Accept the signed conciliation agreement submitted by respondents in Federal Election Commission v. Congressional Majority Committee attached to the General Counsel's Memorandum to the Commission dated May 7, 1985.
2. Approve the notification letter attached to the General Counsel's May 7, 1985 Memorandum to the Commission.

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

Attest:

5-13-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

5-7-85, 5:10
5-8-85, 11:00

86040372585



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 15, 1985

Ralph J. Galliano, Treasurer
Congressional Majority Committee
2030 North 16th Street, Suite 305
Arlington, VA 22201

Re: Federal Election Commission v.
Congressional Majority Committee
(Pre-Litigation) (formerly MUR
1635).

Dear Mr. Galliano:

This is to notify you that on May 10, 1985, the Commission voted to accept the signed conciliation agreement you previously had submitted as an offer of settlement in the above-captioned matter. A copy of the conciliation agreement, which has been executed on behalf of the Commission, is enclosed for your files.

Thank you again for your cooperation in resolving this matter.

Sincerely,

Robert W. Bonham, III
Attorney

Enclosure

86040572586

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Congressional Majority)
Committee) MUR 1635
Ralph J. Galliano, Treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James Schoener. An investigation has been conducted, and the Commission has found probable cause to believe that the Congressional Majority Committee and Ralph J. Galliano, as treasurer, ("Respondent") violated 2 U.S.C. § 434(a)(4)(B) by failing to file in a timely manner the 1983 February, March, April, July, August, October, November and December Monthly Reports; the 1983 Year End Report; and the 1984 February Monthly Report.

NOW THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over Respondent, and the subject matter of this proceeding.

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

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Congressional Majority Committee, is a political committee registered with the Federal Election Commission.

2. Ralph J. Galliano is the treasurer of the Congressional Majority Committee.

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3. Respondent was required to file its February 1983 Monthly Report on February 20, 1983.

4. Respondent filed its February 1983 Monthly Report on March 11, 1983, 19 days late.

5. Respondent was required to file its March 1983 Monthly Report on March 20, 1983.

6. Respondent filed its March, 1983 Monthly Report on April 11, 1983, 22 days late.

7. Respondent was required to file its April 1983 Monthly Report on April 20, 1983.

8. Respondent filed its April 1983 Monthly Report on May 3, 1983, 13 days late.

9. Respondent was required to file its July 1983 Monthly Report on July 20, 1983.

10. Respondent filed its July 1983 Monthly Report on August 9, 1983, 20 days late.

11. Respondent was required to file its August 1983 Monthly Report on August 20, 1983.

12. Respondent filed its August 1983 Monthly Report on September 1, 1983, 12 days late.

13. Respondent was required to file its October 1983 Report on October 20, 1983.

14. Respondent filed its October 1983 Monthly Report on November 22, 1983, 33 days late.

15. Respondent was required to file its November 1983 Monthly Report on November 20, 1983.

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16. Respondent filed its November 1983 Monthly Report on December 23, 1983, 33 days late.

17. Respondent was required to file its December 1983 Monthly Report on December 20, 1983.

18. Respondent filed its December 1983 Monthly Report on January 26, 1984, 37 days late.

19. Respondent was required to file the 1983 Year End Report on January 31, 1984.

20. Respondent filed the 1983 Year End Report on February 13, 1984, 13 days late.

21. Respondent was required to file its February 1984 Monthly Report on February 20, 1984.

22. Respondent filed its February 1984 Monthly Report on February 27, 1984, 7 days late.

V. Pursuant to 2 U.S.C. § 434(a)(4)(B) all political committees other than authorized committees of a candidate are required to file monthly reports in all calendar years no later than the 20th day after the last of the month and are to be complete as of the last day of the month, and a year-end report which shall be filed no later than January 31 of the following calendar year.

VI. Respondent violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file nine monthly reports due for 1983, the 1983 Year End Report, and the February 1984 Monthly Report.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of five hundred seventy five dollars (\$575) dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

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VIII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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

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

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

May 14, 1985
Date

FOR THE RESPONDENT:

Ralph F. Galliano
Ralph F. Galliano, Treasurer
Congressional Majority Committee

April 25, 1985
Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Congressional Majority Committee) MUR 1635
Ralph J. Galliano, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of February 5, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1635:

1. Reject the counter offer as proposed by the Congressional Majority Committee and Ralph J. Galliano, as treasurer.
2. Authorize the filing of a civil suit against the Congressional Majority Committee and Ralph J. Galliano, as treasurer.
3. Approve the letter attached to the General Counsel's report dated January 30, 1985.

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

Attest:

2-5-85

Date

Marjorie W Emmons

Marjorie W. Emmons
Secretary of the Commission

36040372592



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 11, 1985

Ralph J. Galliano
Congressional Majority Committee
2030 North 16th Street
Suite 305
Arlington, Virginia 22201

RE: MUR 1635
Congressional Majority
Committee

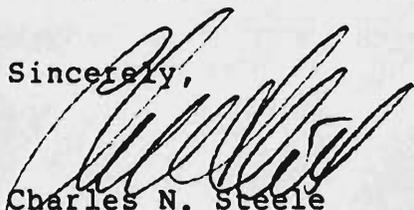
Dear Mr. Galliano:

You were previously notified that on December 3, 1984, the Federal Election Commission found probable cause to believe that the Congressional Majority Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended, 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 Richard Bader, the attorney handling this case, at (202) 523-4143 within five days of your receipt of this letter.

Sincerely,


Charles N. Steele
General Counsel

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Congressional Majority)
Committee,)
Ralph J. Galliano, Treasurer)

MUR 1635

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT FEB 05 1985

I. BACKGROUND

On November 27, 1984, the Commission found probable cause to believe that the Congressional Majority Committee ("CMC") and Ralph J. Galliano, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) for failing to file in a timely manner ten reports during the 1984 election cycle. The reports were filed between 7 and 37 days late.

On December 18, 1984, Mr. Galliano responded to the Commission's probable cause to believe notification and proposed conciliation agreement (Attachment I).

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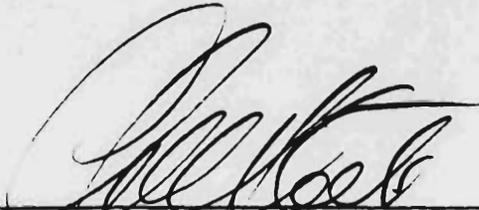
II. RECOMMENDATION

1. Reject the counter offer as proposed by the Congressional Majority Committee and Ralph J. Galliano, as treasurer.

2. Authorize the filing of a civil suit against the Congressional Majority Committee and Ralph J. Galliano, as treasurer.

3. Approve the attached letter.

30 January 1985
Date



Charles N. Steele
General Counsel

Attachments

1. CMC response to proposed conciliation agreement
2. Proposed letter

86040572595



FEC
GCC#6026
04 DEC 18 12:26

Congressional Majority Committee 2030 North 16th St., Suite 305, Arl., Va. 22201 (703) 522-2104

Ralph J. Gallano
National Chairman

December 14, 1984

Mr. Charles N. Steele
Federal Election Commission
1325 K Street, Northwest
Washington, D.C. 20463

Re: MUR 1635

Dear Mr. Steele:

This letter is in response to your letter dated December 3, 1984 regarding the Commission's determination that there is probable cause to believe the Congressional Majority Committee (CMC) violated 2 U.S.C. Section 434(a)(4)(B).

Although not in a timely manner, our reports were filed prior to the filing of Mr. Schoener's complaint and therefore prior to the notification. In fact, CMC's February 1984 Monthly Report was filed on February 23, 1984 not on February 27, 1984 as alleged in your December 3, 1984 letter. (See attached). The complaint which precipitated MUR 1635 was filed on February 24, 1984. Moreover, substantial compliance has been achieved.

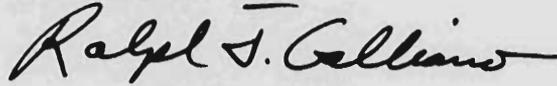
In MUR 1483 the Commission found reason to believe yet took no further action and closed the file. The First General Counsel's Report dated November 18, 1984 clearly stated:

"Although not in a timely fashion, the contributions were reported prior to the filing of the complaint or notification by the Commission and substantial compliance has been achieved. Therefore, it is recommended that the Commission find reason to believe, take no further action and close the file."

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However, the violations were inadvertant due to serious staff problems with respect to bookkeeping assistance.

Sincerely,



Ralph J. Galliano

enclosures

RJG/jld

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16. Respondent filed its November 1983 Monthly Report on December 23, 1983, 33 days late.

17. Respondent was required to file its December 1983 Monthly Report on December 20, 1983.

18. Respondent filed its December 1983 Monthly Report on January 26, 1984, 37 days late.

19. Respondent was required to file the 1983 Year End Report on January 31, 1984.

20. Respondent filed the 1983 Year End Report on February 13, 1984, 13 days late.

21. Respondent was required to file its February 1984 Monthly Report on February 20, 1984.

22. Respondent filed its February 1984 Monthly Report on February 27, 1984, 7 days late.

V. Pursuant to 2 U.S.C. § 434(a)(4)(B) all political committees other than authorized committees of a candidate are required to file monthly reports in all calendar years no later than the 20th day after the last of the month and are to be complete as of the last day of the month, and a year-end report which shall be filed no later than January 31 of the following calendar year.

VI. Respondent violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file nine monthly reports due for 1983, the 1983 Year End Report, and the February 1984 Monthly Report.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of six hundred seventy five dollars (\$675) dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

86040371599

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Congressional Majority Committee) MUR 1635
Ralph J. Galliano, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 27, 1984, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1635:

1. Find probable cause to believe that the Congressional Majority Committee and Ralph Galliano, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
2. Approve the letter attached to the General Counsel's report dated November 15, 1984.
3. Approve the proposed conciliation agreement attached to the General Counsel's report dated November 15, 1984.

Commsisioners Aikens, Elliott, Harris, McDonald, and McGarry voted affirmatively for the decision; Commsisioner Reiche dissented.

Attest:

11-29-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 3, 1984

Ralph J. Galliano, Treasurer
Congressional Majority Committee
2030 North 16th Street
Suite 305
Arlington, Virginia 22201

RE: MUR 1635

Dear Mr. Galliano:

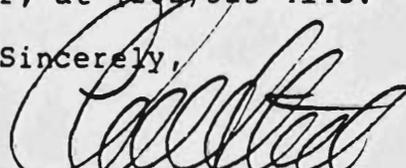
On November 27, 1984, the Commission determined that there is probable cause to believe the Congressional Majority Committee and you, as treasurer, committed a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended in connection with the Committee's failure to file in a timely manner ten reports during the 1984 election cycle.

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.

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

2097150402

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Congressional Majority)
Committee) MUR 1635
Ralph J. Galliano, Treasurer)

CONCILIATION AGREEMENT

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This matter was initiated by a signed, sworn, and notarized complaint by James Schoener. An investigation has been conducted, and the Commission has found probable cause to believe that the Congressional Majority Committee and Ralph J. Galliano, as treasurer, ("Respondent") violated 2 U.S.C. § 434(a)(4)(B) by failing to file in a timely manner the 1983 February, March, April, July, August, October, November and December Monthly Reports; the 1983 Year End Report; and the 1984 February Monthly Report.

NOW THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over Respondent, and the subject matter of this proceeding.

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

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Congressional Majority Committee, is a political committee registered with the Federal Election Commission.

2. Ralph J. Galliano is the treasurer of the Congressional Majority Committee.

3. Respondent was required to file its February 1983 Monthly Report on February 20, 1983.

4. Respondent filed its February 1983 Monthly Report on March 11, 1983, 19 days late.

5. Respondent was required to file its March 1983 Monthly Report on March 20, 1983.

6. Respondent filed its March, 1983 Monthly Report on April 11, 1983, 22 days late.

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8. Respondent filed its April 1983 Monthly Report on May 3, 1983, 13 days late.

9. Respondent was required to file its July 1983 Monthly Report on July 20, 1983.

10. Respondent filed its July 1983 Monthly Report on August 9, 1983, 20 days late.

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15. Respondent was required to file its November 1983 Monthly Report on November 20, 1983.

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16. Respondent filed its November 1983 Monthly Report on December 23, 1983, 33 days late.

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V. Pursuant to 2 U.S.C. § 434(a)(4)(B) all political committees other than authorized committees of a candidate are required to file monthly reports in all calendar years no later than the 20th day after the last of the month and are to be complete as of the last day of the month, and a year-end report which shall be filed no later than January 31 of the following calendar year.

VI. Respondent violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file nine monthly reports due for 1983, the 1983 Year End Report, and the February 1984 Monthly Report.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of dollars (\$675) dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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

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

86040372600

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

Date

FOR THE RESPONDENT:

Ralph J. Galliano, Treasurer
Congressional Majority Committee

Date

86040374607



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

November 15, 1984

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

SUBJECT: MUR 1635 - General Counsel's Report

On November 15, 1984 a General Counsel's Report was circulated to the Commission which contained a recommendation for finding probable cause to believe in connection with the Congressional Majority Committee and Ralph Galliano, Treasurer. This report was mistakenly circulated on a 48-Hour Tally Vote Basis and should have been circulated on blue paper for the Commission meeting of November 27, 1984. Therefore, the attached report replaces the report which was previously circulated. The contents of the report has not been changed.

860403/4608

SENSITIVE

RECEIVED
FEDERAL ELECTION COMMISSION
NOV 15 1984



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 15 12:44

November 15, 1984

EXECUTIVE SESSION

27 NOV 1984

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *[Signature]*

SUBJECT: MUR 1635 - General Counsel's Report

35040572509

On November 15, 1984 a General Counsel's Report was circulated to the Commission which contained a recommendation for finding probable cause to believe in connection with the Congressional Majority Committee and Ralph Galliano, Treasurer. This report was mistakenly circulated on a 48-Hour Tally Vote Basis and should have been circulated on blue paper for the Commission meeting of November 27, 1984. Therefore, the attached report replaces the report which was previously circulated. The contents of the report has not been changed.

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

(Summary Page)

<p>ALIGN AREA</p> <p>1. Name of Committee (In Full) <i>CONGRESSIONAL MAJORITY COMMITTEE</i></p> <hr/> <p>Address (Number and Street) <i>2030 N. 16TH STREET, # 305</i></p> <hr/> <p>City, State and ZIP Code <i>ARLINGTON, VIRGINIA, 22201</i></p> <p><input type="checkbox"/> Check here if address is different than previously reported.</p> <p>2. FEC Identification Number <i>C-00139097</i></p> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)</p>	<p>ALIGN AREA</p> <p>4. TYPE OF REPORT (Check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-Election Year Only) <input checked="" type="checkbox"/> Monthly Report for <i>JANUARY, 1984</i> <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
--	--

01672605040372610

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <i>1-1-84</i> through <i>1-31-84</i>		
6. (a) Cash on hand January 1, 19 <i>84</i>		\$ <i>10,512.98</i>
(b) Cash on Hand at Beginning of Reporting Period	\$ <i>10,812.98</i>	
(c) Total Receipts (from Line 18)	\$ <i>9,054.06</i>	\$ <i>9,054.06</i>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ <i>19,867.04</i>	\$ <i>19,567.04</i>
7. Total Disbursements (from Line 28)	\$ <i>9,776.61</i>	\$ <i>9,776.61</i>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ <i>10,090.43</i>	\$ <i>10,090.43</i>
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	\$ <i>- 0 -</i>	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ <i>33,261.05</i>	

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

RALPH J GALLAN
Type or Print Name of Treasurer (Ass. Signer)

Ralph J. Gallan
SIGNATURE OF TREASURER (Ass. Signer)

2/23/84
Date

For further information contact:
 Federal Election Commission
 Toll Free 800-424-9530
 Local 202-523-4063

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

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

	FEC FORM 3X (3/80)
--	--------------------

16. Respondent filed its November 1983 Monthly Report on December 23, 1983, 33 days late.

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35040572611
V. Pursuant to 2 U.S.C. § 434(a)(4)(B) all political committees other than authorized committees of a candidate are required to file monthly reports in all calendar years no later than the 20th day after the last of the month and are to be complete as of the last day of the month, and a year-end report which shall be filed no later than January 31 of the following calendar year.

VI. Respondent violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file nine monthly reports due for 1983, the 1983 Year End Report, and the February 1984 Monthly Report.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of dollars (\$675) dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
 Congressional Majority) MUR 1635
 Committee,)
 Ralph J. Galliano, Treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

A complaint was filed against the Congressional Majority Committee ("CMC") by James Schoener on February 23, 1984, alleging CMC's violation of 2 U.S.C. § 434(a)(4)(B) by failing to file its February 1984 Monthly Report.

Upon review of CMC's disclosure documents for the current election cycle, the Office of General Counsel has determined that in addition to the 1984 February Monthly Report, CMC failed to file in a timely manner nine additional reports. On April 11, 1984, the Commission determined there was reason to believe that CMC and its treasurer, John Gizzi, violated 2 U.S.C. § 434(a)(4)(B) by failing to file in a timely manner the following reports:

<u>Report</u>	<u>Receipts</u>	<u>Disbursements</u>	<u>Due Date</u>	<u>Date Filed</u>	<u>Days Late</u>
February					
1983 Monthly	\$5,490	1,386	2/20/83	3/11/83	19
March	5,424	4,602	3/20/83	4/11/83	22
April	12,077	9,814	4/20/83	5/3/83	13
July	4,222	7,239	7/20/83	8/9/83	20
August	1,875	3,447	8/20/83	9/1/83	12
October	2,052	2,993	10/20/83	11/22/83	33
November	5,723	6,678	11/20/83	12/23/83	33
December	17,197	3,504	12/20/83	1/26/84	37
Year End	0	0	1/31/84	2/13/84	13
February					
1984 Monthly	9,054	9,376	2/20/84	2/27/84	7

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II. LEGAL ANALYSIS

On August 2, 1984, the Office of General Counsel forwarded to CMC a copy of its Brief recommending probable cause to believe that CMC violated 2 U.S.C. § 434(a)(4)(B). Mr. Galliano responded on August 16, 1984, by requesting a 20-day extension of time in which to reply to the Brief.

In his reply to the Brief, Mr. Galliano cited staff problems with respect to bookkeeping assistance for causing CMC's delays in filing its reports.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

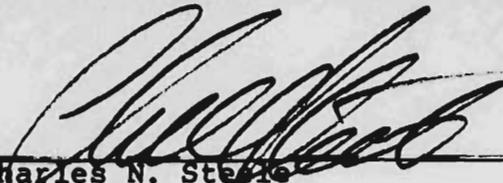
Attached for the Commission's approval is a conciliation agreement which the Office of General Counsel recommends be sent to CMC.

35040572613

IV. RECOMMENDATION

1. Find probable cause to believe that the Congressional Majority Committee and Ralph Galliano, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
2. Approve the attached letter.
3. Approve the attached proposed conciliation agreement.

15 Nov 1944
Date


Charles N. Steele
General Counsel

Attachments

1. Proposed letter
2. Proposed Conciliation Agreement

36040372614

SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ralph J. Galliano, Treasurer
Congressional Majority Committee
2030 North 16th Street
Suite 305
Arlington, Virginia 22201

RE: MUR 1635

Dear Mr. Galliano:

On , 1984, the Commission determined that there is probable cause to believe the Congressional Majority Committee and you, as treasurer, committed a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended in connection with the Committee's failure to file in a timely manner ten reports during the 1984 election cycle.

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.

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

Attachment I - page 1

26040372615

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Congressional Majority)
Committee) MUR 1635
Ralph J. Galliano, Treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James Schoener. An investigation has been conducted, and the Commission has found probable cause to believe that the Congressional Majority Committee and Ralph J. Galliano, as treasurer, ("Respondent") violated 2 U.S.C. § 434(a)(4)(B) by failing to file in a timely manner the 1983 February, March, April, July, August, October, November and December Monthly Reports; the 1983 Year End Report; and the 1984 February Monthly Report.

NOW THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over Respondent, and the subject matter of this proceeding.

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

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent, Congressional Majority Committee, is a political committee registered with the Federal Election Commission.

2. Ralph J. Galliano is the treasurer of the Congressional Majority Committee.

Attachment II - page 2

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3. Respondent was required to file its February 1983 Monthly Report on February 20, 1983.

4. Respondent filed its February 1983 Monthly Report on March 11, 1983, 19 days late.

5. Respondent was required to file its March 1983 Monthly Report on March 20, 1983.

6. Respondent filed its March, 1983 Monthly Report on April 11, 1983, 22 days late.

7. Respondent was required to file its April 1983 Monthly Report on April 20, 1983.

8. Respondent filed its April 1983 Monthly Report on May 3, 1983, 13 days late.

9. Respondent was required to file its July 1983 Monthly Report on July 20, 1983.

10. Respondent filed its July 1983 Monthly Report on August 9, 1983, 20 days late.

11. Respondent was required to file its August 1983 Monthly Report on August 20, 1983.

12. Respondent filed its August 1983 Monthly Report on September 1, 1983, 12 days late.

13. Respondent was required to file its October 1983 Report on October 20, 1983.

14. Respondent filed its October 1983 Monthly Report on November 22, 1983, 33 days late.

15. Respondent was required to file its November 1983 Monthly Report on November 20, 1983.

Attachment II - page 3

86040372617

16. Respondent filed its November 1983 Monthly Report on December 23, 1983, 33 days late.

17. Respondent was required to file its December 1983 Monthly Report on December 20, 1983.

18. Respondent filed its December 1983 Monthly Report on January 26, 1984, 37 days late.

19. Respondent was required to file the 1983 Year End Report on January 31, 1984.

20. Respondent filed the 1983 Year End Report on February 13, 1984, 13 days late.

21. Respondent was required to file its February 1984 Monthly Report on February 20, 1984.

22. Respondent filed its February 1984 Monthly Report on February 27, 1984, 7 days late.

350403 / 618
V. Pursuant to 2 U.S.C. § 434(a)(4)(B) all political committees other than authorized committees of a candidate are required to file monthly reports in all calendar years no later than the 20th day after the last of the month and are to be complete as of the last day of the month, and a year-end report which shall be filed no later than January 31 of the following calendar year.

VI. Respondent violated 2 U.S.C. § 434(a)(4)(B) by failing to timely file nine monthly reports due for 1983, the 1983 Year End Report, and the February 1984 Monthly Report.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of dollars (\$675) dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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

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

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

260403 / 2619

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

Date

FOR THE RESPONDENT:

Ralph J. Galliano, Treasurer
Congressional Majority Committee

Date

350403/2620

GCC# 4585



RECEIVED
OFFICE OF THE REC
COMMISSION SECRETARY

Congressional Majority Committee 2030 North 16th St., Suite 305, Arl., Va. 22201 (703) 522-2104

31 AUG 30 P 3:31

Ralph J. Gallano
National Chairman

August 29, 1984

Ms. Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1635

Dear Ms. Elliott:

This letter hereby constitutes the Congressional Majority Committee's (CMC) brief as requested by your letter dated August 2, 1984 alleging a violation of 2 U.S.C. 434(a)(4)(B) for failing to file monthly reports in a timely manner.

In as much as several complaints have been filed by the same source, CMC would like to to clarify the filing of this particular complaint.

In the General Council's brief accompanying the August 2, 1984 letter, it is stated that a complaint was filed in March 6, 1984 against the Congressional Majority Committee by James Schoener. CMC's records show that this complaint was filed on February 24, 1984 rather than March 6th. Please clarify.

Furthermore, it is important to point out that James Schoener in the course of his complaint while appearing to act independently at the time was actually acting on behalf of the "Friends of Phil Gramm" (FPG) campaign committee against the Congressional Majority Committee. This came as a result of a campaign dispute between CMC and FPG due to CMC's independent expenditure campaign called "Americans for Phil Gramm in '84". Clearly, James Schoener was not simply acting in his capacity as a good citizen informing the FEC of a possible violation. Instead, he acted in a manner meant to punish and harass CMC.

This dispute between CMC and FPG has since been settled. See attached letter.

31 AUG 29 9:29

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OFFICE OF THE
GENERAL COUNSEL

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Surely, there are numerous uncounted violations of 2 U.S.C. 434(a)(4)(B) which the Commission has bypassed for one reason or another as was the case with CMC until Mr. Schoener filed his complaint. Perhaps in certain instances violations are not brought not to the Commission's attention and therefore are never acted upon. In this particular case, (MUR 1635) the General Council's Brief lists alleged violations of 2 U.S.C. 434(a)(4)(B) spanning one entire year from February 1983 through February 1984 before the matter prompted by James Schoener was acted upon in this manner by the Commission.

Surely, the public interest has not been harmed by these minor delays in as much as CMC is not a candidate committee from which the voters have a right to expect timely disclosures to see where the candidate's money is coming from.

For the most part, these late filings were in 1983 which was not an election year. Since it was a non-election year a number of late filings CMC elected to file was as a monthly filer. If CMC had not done so, it would have been required to file quarterly and therefore delays would have not occurred.

As indicated in my letter to you dated April 30, 1984, CMC had experienced serious staff problems with respect to bookkeeping assistance. This led to CMC's inability to file its monthly reports in a timely manner. Yet, it should be pointed out that CMC did not attempt to shirk its responsibility but always filed a complete monthly report as required.

In view of the above arguments, it is hereby requested that the Commission take no further action in this case.

Sincerely,



Ralph J. Galliano

enclosure

RJG/jld

August 1, 1984

Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

Re: MUR 1603 and MUR 1672

Dear Commissioners:

Please be advised that the undersigned have resolved and settled all issues and controversies between the undersigned and Congressional Majority Committee, Inc. ("CMC"), Ralph J. Galliano, Chairman of CMC, and CMC's independent project, "Americans for Phil Gramm in '84".

Please be advised that we have no objection to the termination and dismissal of all proceedings relating to the referenced Matters Under Review.

Respectfully submitted,

FRIENDS OF PHIL GRAMM

By: *Ruth Cymber*
Ruth Cymber
Secretary

CONGRESSIONAL MAJORITY COMMITTEE

By: *Ralph J. Galliano*
Title: *Chairman*

36040372623



Congressional Majority Committee

2030 North 16th St., Suite 305, Arlington, Virginia 22201

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84 AUG 30 P 2 21

Ms. Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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GCC# 4530

RECEIVED
OFFICE OF THE FEC
COMM. SECRETARY

Congressional Majority Committee 2030 North 16th St., Suite 305, Arl., Va. 22201 (703) 522-2104

31 AUG 31 AIC: 55

Ralph J. Galliano
National Chairman

August 30, 1984

Ms. Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Identification Number: C00139097
Re: May Monthly Report (4/1/84 - 4/30/84)

Dear Ms. Elliott:

Your letter dated August 29, 1984 was received by our office on August 30, 1984.

As per your letter, we hereby request a 15 day extension of time in addition to the already allocated 15 days. This will enable CMC to respond on or before September 28, 1984.

Thank you very much.

Sincerely,

Ralph J. Galliano (JLD)

Ralph J. Galliano

RJG/jld

Mark 11635

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GENERAL COUNSEL

860403/2625



Congressional Majority Committee

2030 North 16th St., Suite 305, Arlington, Virginia 22201



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Ms. Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

GCC # 4518



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OFFICE OF THE FEC
SECRETARY
CO

Congressional Majority Committee 2030 North 16th St, Suite 305, Arlington, Va. 22201 (703) 522-2104

24 AUG 21 P 2:15

Ralph J. Galliano
National Chairman

August 16, 1984

Ms. Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1635

Dear Ms. Elliott:

Your letter dated August 2, 1984 was received by our office on August 6, 1984.

As per your letter we hereby request a 20 day extension of time in addition to the already allocated 15 days. This will allow CMC to respond on or before September 8, 1984.

Thank you very much.

Sincerely,

Ralph J. Galliano

Ralph J. Galliano

RJG/jld

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 29, 1984

Ralph J. Galliano
National Chairman
Congressional Majority Committee
2030 North 16th Street, Suite 305
Arlington, Virginia

Re: MUR 1635
Congressional Majority Committee

Dear Mr. Galliano:

This is in reference to your letter of August 16, 1984, in which you requested a 20-day extension of time in which to respond to the General Counsel's brief.

After considering the circumstances presented in your letter, the Commission has determined to grant you your requested extension. Accordingly, your response to the General Counsel's brief and any materials which you wish to submit should be received by the Office of General Counsel by September 8, 1984.

Should you have any questions, please contact Shelly Garr, the staff member assigned to this matter at 523-4143.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross
by *[Signature]*

By: Kenneth A. Gross
Associate General Counsel

36040371628

GCC # 4398



RECEIVED
OFFICE OF THE FEC
SECRETARY

Congressional Majority Committee 2030 North 16th St., Suite 305, Arl., Va. 22201 (703) 522-2104

PA AUG 21 P 2:15

Ralph J. Galliano
National Chairman

August 16, 1984

Ms. Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1635

Dear Ms. Elliott:

Your letter dated August 2, 1984 was received by our office on August 6, 1984.

As per your letter we hereby request a 20 day extension of time in addition to the already allocated 15 days. This will allow CMC to respond on or before September 8, 1984.

Thank you very much.

Sincerely,

Ralph J. Galliano

Ralph J. Galliano

RJG/jld

360403/2629



850407120

Congressional Majority Committee

2030 North 16th St., Suite 305, Arlington, Virginia 22201



Ms. Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OFFICE OF THE
COMMISSION SECRETARY

84 AUG 2 AIO: 23

August 2, 1984

MEMORANDUM TO: The Commission

FROM: Charles N. Steele *CNS*
General Counsel

SUBJECT: MUR 1635
Congressional Majority Committee
Ralph Galliano, Treasurer

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on August 2, 1984. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

86040572631

Attachment 1
①

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Congressional Majority) MUR 1635
Committee,)
Ralph J. Galliano, Treasurer)

GENERAL COUNSEL'S BRIEF

STATEMENT OF CASE

On March 6, 1984, a complaint was filed against the Congressional Majority Committee ("CMC") by James Schoener alleging CMC's violation of 2 U.S.C. § 434(a)(4)(B) by failing to file its February, 1984 Monthly Report of Receipts and Disbursements due on February 20, 1984. Notification of the complaint was sent to CMC on February 29, 1984.

The Congressional Majority Committee filed its February Monthly report on February 27, 1984. In its response to the complaint received by the Commission on March 16, 1984, CMC stated that it believed the February report was filed as required on February 23, 1984.

On April 30, 1984, CMC sent a letter to the Commission. In that letter CMC cited staff problems with respect to bookkeeping assistance for causing its delay in filing. In addition, CMC filed an amended statement of organization naming Ralph J. Galliano as treasurer.

Upon review of the Committee's disclosure documents for the current election cycle, it has been determined that the following reports were filed late:

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<u>Report</u>	<u>Due Date</u>	<u>Date Filed</u>	<u>Days Late</u>
February 1983 Monthly	2/20/83	3/11/83	19
March	3/20/83	4/11/83	22
April	4/20/83	5/3/83	13
July	7/20/83	8/9/83	20
August	8/20/83	9/1/83	12
October	10/20/83	11/22/83	33
November	11/20/83	12/23/83	33
December	12/20/83	1/26/84	37
Year End	1/31/84	2/13/84	13
February 1984 Monthly	2/20/84	2/27/84	7

On April 11, 1984, the Commission determined that there was reason to believe that the Congressional Majority Committee and its treasurer, John Gizzi, violated 2 U.S.C. § 434(a)(4)(B) for failing to file in a timely manner the 1983 February, March, April, July, August, October, November, and December Monthly Reports; the 1983 Year End Report; and the 1984 February Monthly Report. The reason to believe notification was mailed on April 13, 1984.

LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(B) all political committees other than authorized committees of a candidate shall file monthly reports in all calendar years no later than the 20th day after the last of the month and shall be complete as of the last day of the month, and a year end report which shall be filed no later than January 31 of the following calendar year.

CMC was required to file its monthly reports no later than the 20th day of each month. Nine Monthly Reports and a Year End Report were filed by CMC between 7 and 37 days late. CMC's failure to comply with the reporting requirements is a violation of 2 U.S.C. § 434(a)(4)(B). Thus, it is the recommendation of

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the General Counsel that the Commission find probable cause to believe that CMC violated 2 U.S.C. § 434(a)(4)(B).

RECOMMENDATION

The Office of General Counsel recommends that the Commission find probable cause to believe that the Congressional Majority Committee and Ralph Galliano, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

86040372634

1 August 1984
Date



Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1984

Congressional Majority Committee
Ralph J. Galliano, Treasurer
2030 North 16th Street
Suite 305
Arlington, Virginia 22201

RE: MUR 1635
Congressional Majority
Committee

Dear Mr. Galliano:

Based on a complaint filed with the Commission on March 6, 1984, the Commission determined on April 11, 1984, that there was reason to believe that the Congressional Majority Committee and you, as treasurer, had violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and instituted an investigation in this matter.

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.

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.

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5

Congressional Majority Committee
Page 2

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

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OFFICE OF THE
COMPTROLLER GENERAL

BEFORE THE FEDERAL ELECTION COMMISSION

84 MAY 31 A 8: 51

In the Matter of)
)
)
Congressional Majority Committee)
Ralph J. Galliano, treasurer)

MUR 1635

COMPREHENSIVE INVESTIGATIVE REPORT #1

On April 11, 1984 the Commission determined that there is reason to believe that the Congressional Majority Committee ("CMC") and John Gizzi, as treasurer, violated 2 U.S.C. § 434(a)(4)(B) for failing to file in a timely manner nine monthly disclosure reports for the 1983-1984 election cycle and its 1983 Year End Report of Receipts and Expenditures. Notification of the Commission's findings was mailed to CMC on April 13, 1984.

On May 25, 1984, the Reports Analysis Division forwarded to the Office of General Counsel a letter from CMC. In that letter CMC cited staff problems with respect to bookkeeping assistance for causing its delays in filing. In addition, CMC filed an amended statement of organization naming Ralph J. Galliano as treasurer.*

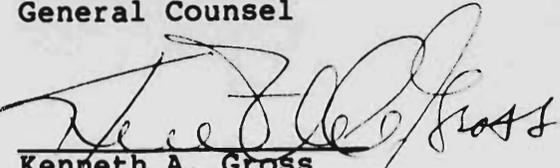
*/ Although the reason to believe finding was made against John Gizzi, as treasurer, all subsequent Commission actions will refer to Ralph J. Galliano as treasurer.

3504072637

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

May 30, 1984
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments:

- Memo from RAD
- Letter from CMC

8 5 0 4 0 3 7 2 6 3 8



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

25 May 1984

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

ATTENTION: SHELLEY GARR

THROUGH: JOHN C. SURINA 151
STAFF DIRECTOR

FROM: JOHN D. GIBSON *gd*
ASSISTANT STAFF DIRECTOR, RAD

SUBJECT: UPDATE TO MUR 1635 - CONGRESSIONAL MAJORITY COMMITTEE

The following information is provided concerning MUR 1635.

For your information, copies of the CMC's response to a letter sent by your office and an amended Statement of Organization designating a new treasurer, Ralph J. Galliano, are attached. (Attachments 1 and 2)

If you have any questions regarding this matter, please contact Carol Caldwell or Michael Filler at 523-4048.

Attachments

Attachment I - page 1

3504057269



REC OFFICE CONGRESSOR

RECEIVED AT THE FEC HAND DELIVERED 84 APR 30 11:02

Congressional Majority Committee, 7030 North 16th St., Suite 305, Arlington, Va. 22201 (703) 522-2104

April 30, 1984

Ralph J. Galliano
National Chairman

Lee Ann Elliott
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: C00139097

Dear Ms. Elliott;

This letter is in response to yours dated April 13, 1984 regarding the filing of late reports.

CMC has experienced staff problems with respect to book-keeping assistance in the past. As a result, it has also been necessary for Ralph Galliano to act as assistant treasurer. Additionally, the Committee has been involved in other activities which have occupied a great deal of time.

In light of these difficulties, CMC has now brought on an experienced bookkeeper to assist in the filing of our reports in a timely manner.

Accordingly, CMC will make every effort to file its reports on schedule.

Sincerely,

John Gizzi
John Gizzi

84033131795

Attachment II - page 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1635
Congressional Majority Committee,)
John Gizzi, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 11, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1635:

1. Find reason to believe that the Congressional Majority Committee and John Gizzi, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
2. Approve the letters attached to the General Counsel's report dated April 6, 1984.

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

Attest:

4-11-84

Date

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

Received in Commission Secretary's office at 2:15 p.m. on April 6, 1984 (Friday).
Circulated to the Commissioners at 11:00 a.m. on April 9, 1984 (Monday).
Vote deadline 11:00 a.m. on April 11, 1984.

26040172642



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1984

Mr. John Gizzi, Treasurer
Congressional Majority Committee
2030 North 16th Street
Suite 305
Arlington, Virginia 22201

Re: MUR 1635
Congressional Majority
Committee

Dear Mr. Gizzi:

The Federal Election Commission notified you on February 29, 1984, of a complaint alleging a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time. We acknowledge receipt of your explanation of this matter which was dated March 12, 1984.

Upon further review of the Committee's disclosure documents for the current election cycle, it has been determined that the following 1983-1984 reports were filed late:

<u>Time Period Covered in Report</u>	<u>Due Date</u>	<u>Date Filed</u>	<u>Days Late</u>
January 1983	2/20/83	3/11/83	19
February	3/20/83	4/11/83	22
March	4/20/83	5/3/83	13
June	7/20/83	8/9/83	20
July	8/20/83	9/1/83	12
September	10/20/83	11/22/83	33
October	11/20/83	12/23/83	33
November	12/20/83	1/26/83	37
Year End	1/31/84	2/13/84	13
January 1984	2/20/84	2/27/84	7

The Commission, on April 11, 1984, determined that there is reason to believe that the Congressional Majority Committee and you, as treasurer, have violated 2 U.S.C. § 434(a)(4)(B), a provision of the Act by failing to file reports in a timely manner. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

36040571543

Mr. John Gizzi, Treasurer
Page 2

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against the committee and you, as treasurer, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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 matter to be made public. 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
Procedures

35040572644

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

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

84 APR 6 P 2: 15

FIRST GENERAL COUNSEL'S REPORT

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

MUR 1635
DATE COMPLAINT RECEIVED
BY OGC 3/6/84
DATE OF NOTIFICATION TO
RESPONDENT 2/29/84
STAFF MEMBER Garr

COMPLAINANT'S NAME: James Schoener

RESPONDENT'S NAME: Congressional Majority Committee,
John Gizzi, Treasurer

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

INTERNAL REPORTS CHECKED: Congressional Majority Committee's
January, 1984 Monthly

FEDERAL AGENCIES CHECKED: N/A

SUMMARY OF ALLEGATIONS

On March 6, 1984, a complaint was filed against the Congressional Majority Committee ("CMC") by James Schoener alleging CMC's violation of 2 U.S.C. § 434(a) (4) (B) by failing to file its January, 1984 Monthly Report of Receipts and Disbursements due on February 20, 1984. Notification of the complaint was sent to CMC on February 29, 1984.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

The Congressional Majority Committee filed its January Monthly report on February 27, 1984.*/ In their response

*/ During the period covered by the January 1984 Monthly report, CMC listed receipts totalling \$9,054 and expenditures totalling \$6,376.

85040372545

to the complaint received by the Commission on March 16, 1984, CMC stated that they believe their report was filed as required on February 23, 1984. (Attachment 1.)

A review of the Committee's disclosure documents for the current election cycle reveals that the following 1983 reports were also filed late:

<u>Report</u>	<u>Due Date</u>	<u>Date Filed</u>	<u>Days Late</u>
January 1983 Monthly	2/20/83	3/11/83	19
February	3/20/83	4/11/83	22
March	4/20/83	5/3/83	13
June	7/20/83	8/9/83	20
July	8/20/83	9/1/83	12
September	10/20/83	11/22/83	33
October	11/20/83	12/23/83	33
November	12/20/83	1/26/83	37
Year End	1/31/84	2/13/84	13

2. The law applicable.

Pursuant to 2 U.S.C. § 434(a)(4)(B) all political committees other than authorized committees of a candidate shall file monthly reports in all calendar years no later than the 20th day after the last of the month and shall be complete as of the last day of the month, and a year end report shall be filed no later than January 31 of the following calendar year.

3. Application of the law to the facts.

CMC was required to file its monthly reports no later than the 20th day of each month. The January Monthly report was filed on February 27, 1984, seven days late. Nine additional Monthly Reports and a Year End Report were filed by CMC between 12 and 37

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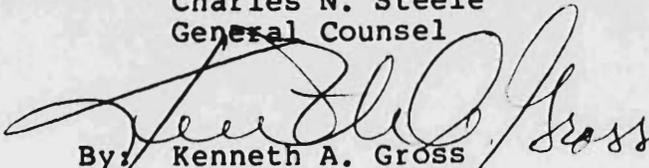
days late. CMC's failure to comply with the reporting requirements is a violation of 2 U.S.C. § 434(a)(4)(B). Thus, it is the recommendation of the General Counsel that the Commission find reason to believe that CMC violated 2 U.S.C. § 434(a)(4)(B).

RECOMMENDATION

1. Find reason to believe that the Congressional Majority Committee and John Gizzi, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).
3. Approve the attached letter.

Charles N. Steele
General Counsel

April 6, 1984
Date


By: Kenneth A. Gross
Associate General Counsel

Attachments

- I. Committee's response
- II. Proposed letter

86040:1:547

CCC# 1890

RECEIVED AT THE FEC

84 MAR 16 P 1: 82



Congressional Majority Committee 2030 North 16th St., Suite 305, Arl., Va. 22201 (703) 522-2104

MUR 1635
Jan

Ralph J. Galliano
National Chairman

March 12, 1984

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

Dear Sirs,

RE: MUR 1635

This letter is in response to your dated February 29, 1984, notifying me that a complaint has been filed by James F. Schoener, attorney for Phil Gramm alleging violations of certain yet unspecified sections of the Federal Election Campaign Act of 1971, as amended.

While your letter to me is dated February 29, 1984, it was not received by our office until March 5, 1984 due to it being incorrectly addressed. An address correction was submitted to the FEC in December.

This complaint is moot because CMC's January 1984 report was filed as required on February 23, 1984.

Further, CMC considers this complaint another example of unnecessary and unwarranted harrassment of our organization by James Schoener.

We regret that such acts of harrassment have the tendency of crowding the FEC docket thereby causing unnecessary and additional paperwork within the Commission.

Respectfully submitted,

John Gizzi
John Gizzi
On behalf of himself and
the Congressional Majority
Committee

[Signature]
Notary Public

Attachment I-1

JG:jld

EXP. 12-17-85

EXECUTED IN ARLINGTON CO., VA.

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MAR 16 P 3: 55

MAR 16 P 3: 55



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. John Gizzi, Treasurer
Congressional Majority Committee
2030 North 16th Street
Suite 305
Arlington, Virginia 22201

Re: MUR 1635
Congressional Majority
Committee

Dear Mr. Gizzi:

The Federal Election Commission notified you on February 29, 1984, of a complaint alleging a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time. We acknowledge receipt of your explanation of this matter which was dated March 12, 1984.

Upon further review of the Committee's disclosure documents for the current election cycle, it has been determined that the following 1983 reports were also filed late:

<u>Report</u>	<u>Due Date</u>	<u>Date Filed</u>	<u>Days Late</u>
January 1983 Monthly	2/20/83	3/11/83	19
February	3/20/83	4/11/83	22
March	4/20/83	5/3/83	13
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November	12/20/83	1/26/83	37
Year End	1/31/84	2/13/84	13

The Commission, on _____, 1984, determined that there is reason to believe that the Congressional Majority Committee and you, as treasurer, have violated 2 U.S.C. § 434(a)(4)(B), a provision of the Act by failing to file reports in a timely manner. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please submit any such response within ten days of your receipt of this notification.

Attachment II-1

86040172649

Mr. John Gizzi, Treasurer
Page 2

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against the committee and you, as treasurer, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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

Sincerely,

Enclosures
Procedures

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COC# 1890

RECEIVED AT THE FEC

84 MAR 16 P 1: 08



Congressional Majority Committee 2030 North 16th St., Suite 305, Arl., Va. 22201 (703) 522-2104

MUR 1635
Jan

Ralph J. Galliano
National Chairman

March 12, 1984

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

Dear Sirs,

RE: MUR 1635

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This complaint is moot because CMC's January 1984 report was filed as required on February 23, 1984.

Further, CMC considers this complaint another example of unnecessary and unwarranted harrassment of our organization by James Schoener.

We regret that such acts of harrassment have the tendency of crowding the FEC docket thereby causing unnecessary and additional paperwork within the Commission.

Respectfully submitted,

John Gizzi
John Gizzi
On behalf of himself and
the Congressional Majority
Committee

[Signature]
Notary Public

JG:jld

EXP. 12-17-85
EXECUTED IN ARLINGTON CO., VA.

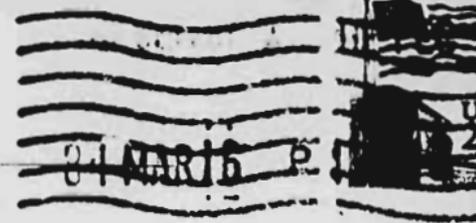
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MAR 16 09:55



Congressional Majority Committee

2030 North 16th St., Suite 305, Arlington, Virginia 22201



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



1737
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LAW OFFICES OF
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WASHINGTON, D. C. 20037

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SUSAN E. PALETTZ
PATRICIA T. OUMNH
KEVIN L. SMITH

* ADMITTED IN MICHIGAN & DISTRICT OF COLUMBIA
* ALSO ADMITTED IN VIRGINIA

February 23, 1984

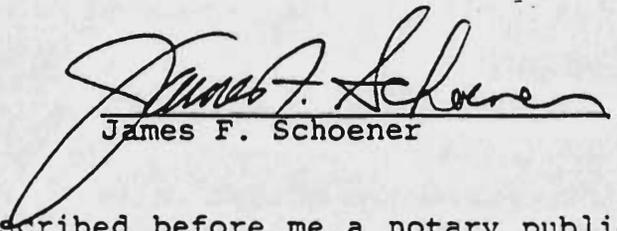
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Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

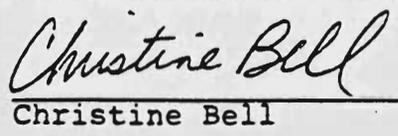
Re: Complaint Against Congressional Majority Committee
ID No. C00139097

Dear Ladies and Gentlemen:

I wish to file a complaint against Congressional Majority Committee, for failure to file its January 1984 report as required. I have checked the public records at this Commission at 2:00 p.m. on February 23, 1984 and such report is not filed as yet.


James F. Schoener

Sworn to and subscribed before me a notary public in and for the District of Columbia this 23rd day of February, 1984, by James F. Schoener who stated the above to be based upon his personal examination of files at the Federal Election Commission.


Christine Bell

My Commission Expires January 1, 1986

35040372654

MUR ASSIGNMENT FORM

MUR # 1635

Date Received 2/24/84

COMPLAINANT James F Schoener

RESPONDENT Congressional Majority
Committee

TRACK ASSIGNED _____

FINAL REVIEW BY: A.G.C. G.C.

STAFF ASSIGNED Shelley Garr

DATE 2/27/84

DUE DATE OF FIRST G.C. REPORT 12 day
10 day

ASAD - shldnt
take the
full time

[Signature]
Signature of G.C.

2/27/84
date

Please return to Docket after assignment.

Please review in anticipation of your
assignment -

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MUR # 1635

DATE 2-24-84

PLEASE PROVIDE THE NAMES AND ADDRESSES OF ALL RESPONDENTS WHICH ARE TO BE SENT A COPY OF THE COMPLAINT. IF A PRINCIPAL CAMPAIGN COMMITTEE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE CANDIDATE AND PUT A "CC" BESIDE THE CANDIDATE'S NAME. IF A CANDIDATE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE PRINCIPAL CAMPAIGN COMMITTEE AND PUT A "CC" BESIDE THE COMMITTEE'S NAME. PLEASE PROVIDE THIS INFORMATION, ON THIS SHEET, WITHIN 24 HOURS OF RECEIPT OF THIS NOTICE. THANK YOU.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 28, 1984

James F. Schoener, Esquire
Miller, Canfield, Paddock and Stone
Suite 300
2555 M Street, N.W.
Washington, D.C. 20037

Dear Mr. Schoener:

This letter is to acknowledge receipt of your complaint which we received on February 24, 1984 against the Congressional Majority Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Cheryl Thomas at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure

86040:72557

FILED
11-26

Good 1737
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KEVIN L. SMITH

* ADMITTED IN MICHIGAN & DISTRICT OF COLUMBIA
** ALSO ADMITTED IN VIRGINIA

February 23, 1984

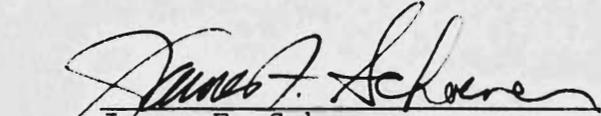
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Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

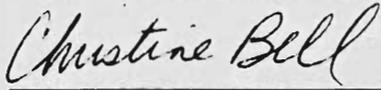
Re: Complaint Against Congressional Majority Committee
ID No. C00139097

Dear Ladies and Gentlemen:

I wish to file a complaint against Congressional Majority Committee, for failure to file its January 1984 report as required. I have checked the public records at this Commission at 2:00 p.m. on February 23, 1984 and such report is not filed as yet.


James F. Schoener

Sworn to and subscribed before me a notary public in and for the District of Columbia this 23rd day of February, 1984, by James F. Schoener who stated the above to be based upon his personal examination of files at the Federal Election Commission.


Christine Bell

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LAW OFFICES OF
MILLER, CANFIELD, PADDOCK AND STONE

SUITE 300

2555 M STREET, N.W.

WASHINGTON, D. C. 20037

86040572659

Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

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FEB 24 10:18



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
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