



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2497

DATE FILMED 4/25/87 CAMERA NO. 3

CAMERAMAN AS

87040563925

Public Record Index - MUR 2437

1. Memo, 10 Feb 87, John D. Gibson (Reports Analysis Division) to Charles N. Steele (General Counsel), subj: Referral of Grumman Political Action Committee, w/atch (RAD Referral Package).
2. First General Counsel's Report, 18 May 87.
3. Certification of Commission Action, 22 May 87.
4. Ltr, 8 Jun 87, Scott E. Thomas (Chairman, FEC) to William Wachino, Jr., (Treas., Grumman PAC).
5. Ltr, 23 Jun 87, John N. Mullan (counsel, Grumman PAC) to FEC, w/atch (Statement of Designation of Counsel).
6. Ltr, 2 Jul 87, J.H. Mullan to FEC.
7. General Counsel's Report, 22 Jul 87.
8. Certification of Commission Action, 24 Jul 87.
9. Ltr, 29 Jul 87, Lawrence M. Noble (Acting General Counsel) to J.H. Mullan.
10. Ltr, 5 Aug 87, J.H. Mullan to FEC, w/atch (copy of Civil Penalty payment check).
11. General Counsel's Report, 25 Aug 87.
12. Certification of Commission Action, 28 Aug 87.
13. Ltr, 1 Sep 87, L.M. Noble to J.H. Mullan, w/atch. *(Council agrmt)*.

- End -

NOTE: In preparing its file for the public record, O.G.C. routinely removes those documents in which it perceives little or no public interest, and those documents, or portions thereof, which are exempt from disclosure under the Freedom of Information Act.

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Attachment 1



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 10, 1987

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: NON-FILER REFERRALS OF MONTHLY UNAUTHORIZED COMMITTEES

Attached is a listing of thirty-four (34) monthly filers which failed to file a report covering the pre-election period by Election Day, November 4, 1986. In accordance with Standard 3 of the 1985-1986 RAD Review and Referral Procedures, further examination is required by your office.

On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 23, 1986 (Attachment 35). Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 14, 1986 (Attachment 36). The following six (6) committees were not sent Non-Filer Notices because a report covering the pre-election period was indexed by November 14, 1986:

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- Grumman Political Action Committee (C00042184)

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2

The attached printout lists the name, address and treasurer for each committee being referred. Any telephone conversations are referenced under Contacts with Filers. The Summary Pages of the late-filed reports and/or letters of explanation are included under Reports Filed/Response(s).

In addition, a "C" index has been included for each committee. Please note that the aggregate receipt and disbursement figures may be inflated in some cases because a) reports were submitted covering portions of the same period (e.g., a 12 Day Pre-General Report covering October 1, 1986 through October 15, 1986 and a November Monthly Report covering October 1, 1986 through October 31, 1986), or b) 1987 February Monthly Reports have been filed.

If you have any questions, please contact Lisa Stolaruk at 376-2480.

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Attachments

(3)

87040563929

GRUNMAN POLITICAL ACTION COMMITTEE

(Attachments 19a - 19c)

87040463930

8 7 0 4 0 5 6 3 9 3 1
 FEDERAL ELECTION COMMISSION
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)

DATE 4FEB87
 PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
GRUMMAN POLITICAL ACTION COMMITTEE CONNECTED ORGANIZATION: GRUMMAN CORPORATION				NON-PARTY QUALIFIED		ID #C00042184
1985	MISCELLANEOUS REPORT			19JUL85 TO FEC	2	85FEC/380/0821
	FEBRUARY MONTHLY	13,800	7,100	1JAN85 -31JAN85	6	85FEC/366/4580
	MARCH MONTHLY	15,580	1,500	1FEB85 -28FEB85	7	85FEC/366/4875
	APRIL MONTHLY	13,900	30,210	1MAR85 -31MAR85	7	85FEC/371/4632
	MAY MONTHLY	13,574	20,900	1APR85 -30APR85	8	85FEC/374/1934
	JUNE MONTHLY	19,775	15,850	1MAY85 -31MAY85	10	85FEC/379/2102
	JUNE MONTHLY - AMENDMENT	19,575	15,650	1MAY85 -31MAY85	5	86FEC/402/1403
	NOTICE OF FAILURE TO FILE REQUEST FOR ADDITIONAL INFORMATION			1MAY85 -31MAY85	1	85FEC/378/3182
	JULY MONTHLY	13,508	19,250	1MAY85 -31MAY85	1	86FEC/396/1772
	JULY MONTHLY - AMENDMENT	13,508	19,250	1JUN85 -30JUN85	12	85FEC/380/5481
	JULY MONTHLY - AMENDMENT	13,508	19,250	1JUN85 -30JUN85	7	85FEC/388/1894
	AUGUST MONTHLY	13,461	6,350	1JUN85 -30JUN85	3	86FEC/402/1411
	AUGUST MONTHLY - AMENDMENT	13,461	6,350	1JUL85 -31JUL85	10	85FEC/386/0541
	AUGUST MONTHLY - AMENDMENT	13,461	6,350	1JUL85 -31JUL85	4	85FEC/388/1901
	SEPTEMBER MONTHLY	13,487	16,600	1JUL85 -31JUL85	3	86FEC/402/1414
	SEPTEMBER MONTHLY - AMENDMENT	13,487	16,600	1AUG85 -31AUG85	11	85FEC/388/1905
	OCTOBER MONTHLY	13,905	13,000	1AUG85 -31AUG85	3	86FEC/402/1417
	OCTOBER MONTHLY - AMENDMENT	13,905	13,000	1SEP85 -30SEP85	11	85FEC/388/3742
	NOVEMBER MONTHLY	20,975	23,200	1SEP85 -30SEP85	3	86FEC/402/1420
	NOVEMBER MONTHLY - AMENDMENT	20,975	23,200	1OCT85 -30OCT85	18	85FEC/391/5607
	DECEMBER MONTHLY	16,148	13,733	1OCT85 -31OCT85	3	86FEC/402/1423
	DECEMBER MONTHLY - AMENDMENT	16,148	13,733	1NOV85 -30NOV85	14	85FEC/393/0323
	YEAR-END	15,494	18,199	1NOV85 -30NOV85	5	86FEC/402/1426
	YEAR-END - AMENDMENT	15,494	18,199	1DEC85 -31DEC85	18	86FEC/395/4716
1986	FEBRUARY MONTHLY	14,624	3,500	1DEC85 -31DEC85	3	86FEC/402/1429
	MARCH MONTHLY	16,786	27,233	1JAN86 -31JAN86	6	86FEC/403/2148
	APRIL MONTHLY	16,167	18,000	1FEB86 -28FEB86	7	86FEC/405/3801
	MAY MONTHLY	15,356	16,500	1MAR86 -31MAR86	6	86FEC/412/5444
	MAY MONTHLY - AMENDMENT	15,356	16,500	1APR86 -30APR86	5	86FEC/415/2597
	JUNE MONTHLY	20,542	12,250	1APR86 -30APR86	5	86FEC/415/3373
	JULY MONTHLY	10,213	16,604	1MAY86 -31MAY86	6	86FEC/418/2750
	AUGUST MONTHLY	21,893	21,539	1JUN86 -30JUN86	8	86FEC/423/5188
	AUGUST MONTHLY - AMENDMENT	21,893	21,539	1JUL86 -31JUL86	10	86FEC/429/0491
	AUGUST MONTHLY - AMENDMENT	21,893	21,539	1JUL86 -31JUL86	11	86FEC/429/3783
	SEPTEMBER MONTHLY	14,875	17,750	1JUL86 -31JUL86	10	86FEC/431/5300
	SEPTEMBER MONTHLY - AMENDMENT	14,875	17,750	1AUG86 -31AUG86	9	86FEC/431/5291
	1'ST LETTER INFORMATIONAL NOTICE			1AUG86 -31AUG86	10	86FEC/450/4682
	OCTOBER MONTHLY	15,701	16,275	1AUG86 -31AUG86	1	86FEC/446/0816
	PRE-GENERAL	7,928	6,200	1SEP86 -30SEP86	9	86FEC/434/4156
	POST-GENERAL	22,514	23,350	1OCT86 -15OCT86	13	86FEC/444/0394
	YEAR-END	24,751	12,450	16OCT86 -24NOV86	15	86FEC/449/2485
				25NOV86 -31DEC86	18	87FEC/457/5085
	TOTAL	384,757	0 377,343		0	319 TOTAL PAGES

Ending cash-on-hand as of 12/31/86: \$13,521

Debts: \$0

All reports have been reviewed except the 1986 Year End Report,

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

(Summary Page)

NOV 12 12:15

07040563932
0000110391

1. Name of Committee (in Full)
GRUBMAN POLITICAL ACTION COMMITTEE

Address (Number and Street)
1111 STEWART AVE

City, State and ZIP Code
BETHPAGE, NY 11714

Check here if address is different than previously reported.

2. PEC Identification Number

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

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report
 July 15 Quarterly Report January 31 Year End Report
 July 31 Mid Year Report (Non-Election Year Only)
 Monthly Report for _____
 Twelfth day report preceding GENERAL election on NOV. 4 in the State of NEW YORK
 Thirtieth day report following the General Election on _____ in the State of _____
 Termination Report

(b) Is this Report an Amendment?
 YES NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Covering Period <u>10-1-86</u> through <u>10-15-86</u>			
6. (a) Cash on hand January 1, 19 <u>86</u>			\$ 3,818.74
(b) Cash on Hand at Beginning of Reporting Period <u>10-1-86</u>	\$ 327.48		
(c) Total Receipts (from Line 1B)	\$ 7,928.80	\$ 154,088.86	
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 8,256.28	\$ 157,907.60	
7. Total Disbursements (from Line 2B)	\$ 6,200.00	\$ 155,851.32	
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 2,056.28	\$ 2,056.28	
9. Debts and Obligations Owed TO The Committee (itemize all on Schedule C or Schedule D)	\$		
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C or Schedule D)	\$		

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

William Waching, Jr.
Type or Print Name of Treasurer

[Signature]
SIGNATURE OF TREASURER

November 6, 1986

For further information contact:
Federal Election Commission
1117 Constitution Avenue, N.W.
Washington, D.C. 20543
Tel: 202-453-3000
Telex: 202-504-3000

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

All previous versions of PEC FORM 3 and PEC FORM 2b are obsolete and should no longer be used.

Grumman Political Action Committee and
William Wachino, Jr., as treasurer

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RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(B) and
11 C.F.R. 104.5(c)(3)(ii)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by the Reports Analysis Division ("RAD") after a review of the disclosure reports of the above-named committees. The RAD referral reveals that the above mentioned committees and their treasurers, may have violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1986 Pre-General Election Report in a timely manner.

II. FACTUAL AND LEGAL ANALYSIS

Attached is a listing of thirty-four (34) monthly filers which failed to file a report covering the pre-election period by Election Day, November 4, 1986. (Attachment 1) On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 23, 1986. (Attachment 1, page 137) Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 14, 1986. (Attachment 1, page 139) The following six (6) committees were not sent Non-Filer Notices because a report covering the pre-election period was indexed by November 14, 1986:

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-
-
- Grumman Political Action Committee
-
-
-

The attached printout lists the name, address and treasurer for each committee being referred. (Attachment 1, pages 5-10) Any telephone conversations are referenced under Contacts with Filers. The Summary Pages of the late-filed reports and/or letters of explanation are included under Reports Filed/Response(s).

In addition, a "C" index has been included for each committee. (Attachment 1) Please note that the aggregate receipt and disbursement figures may be inflated in some cases because (a) reports were submitted covering portions of the same period (e.g., a 12 Day Pre-General report covering October 1, 1986 through October 15, 1986 and a November Monthly Report covering October 1, 1986 through October 31, 1986), or (b) 1987 February Monthly Reports have been filed.

2 U.S.C. § 434(a)(4)(B) requires that monthly filers file a Pre-General Election Report, covering financial activity from October 1 through October 15, by October 23, 1986. The above

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referenced committees failed to file the 1986 Pre-General Election Report by the required deadline. Therefore, though the Commission is in receipt of report(s) disclosing financial activity covering the pre-general election period, such report(s) were not filed in a timely manner.

With regard to thirty-two non-filers listed below, the Office of General Counsel recommends that the Commission open MURs and find reason to believe these committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B).

8 7 0 4 0 5 1 6 3 9 3 3 7

III. RECOMMENDATIONS

1. Open MURs with respect to those committees listed in Recommendation 2.
2. Find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B):

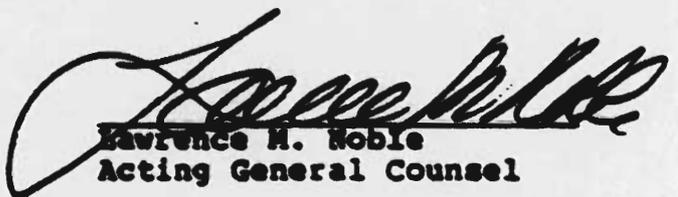
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Grumman Political Action Committee and
William Wachino Jr., as treasurer

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- 3. Approve the attached sample letter and sample Factual and Legal Analysis to be sent to each committee listed in Recommendation 2.

Date 5/18/87


 Lawrence M. Noble
 Acting General Counsel

Attachments

- 1. Referral Materials
- 2. Sample Letter (1)
- 3. Sample Factual and Legal Analysis (1)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

RAD Ref. 87NF-08 to 41

87040563940

(continued)

Federal Election Commission
Certification for RAD Ref. 87NF-08 to 41
May 21, 1987

Page 2.

Grumman Political Action Committee and
William Wachine Jr., as treasurer

87040563941



(continued)

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 21, 1987, the Commission decided by a vote of 6-0 to take the following actions in RAD Ref. 87NF-08 to 41:

1. Open MURs with respect to those committees listed in Recommendation 2.
2. Find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a) (4) (B):

87040563942

Federal Election Commission
Certification for RAD Ref. 87NF-08 to 41
May 21, 1987

Page 4

87040563943

Grumman Political Action Committee and
William Wachino Jr., as treasurer

3

(continued)

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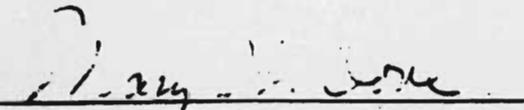
3. Approve the sample letter and sample Factual and Legal Analysis to be sent to each committee listed in Recommendation 2, as recommended in the First General Counsel's Report signed May 18, 1987.
- 4.

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

Attest:

5-22-87

Date



Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 5-19-87, 9:22
Circulated on 48 hour tally basis: Tues., 5-19-87, 4:00
Deadline for vote: Thurs., 5-21-87, 4:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1987

William Wachino, Jr., Treasurer
Grumman Political Action Committee
C/O Grumman Corporation
Bethpage, NY 11714

RE: MUR 2437
Grumman Political Action
Committee and William
Wachino, Jr., as
treasurer

Dear Mr. Wachino:

On May 21, 1987, the Federal Election Commission determined there is reason to believe Grumman Political Action 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 ("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 you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or

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recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to 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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Phillip Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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87 JUN 29 P12:20

Grumman Corporation

Bethpage, New York 11714-3580

Executive Offices

June 23, 1987

07 JUN 29 P 12:40

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Federal Election Commission
Washington, D.C. 20463

Attn: Phillip Wise, Esq.
Office of the General Counsel

Re: MUR 2437
Federal Election Commission letter dated June 8, 1987

Gentlemen:

The Commission, in the above-captioned letter received by the Grumman Political Action Committee on June 15, 1987, indicated that it had determined "reason to believe Grumman Political Action Committee and [William Wachino, Jr.], as Treasurer violated 2USC §434 (a)(4)(B)...."

I have been asked to represent the Grumman Political Action Committee and Mr. Wachino in this matter, and the completed Statement of Designation of Counsel form is enclosed.

I have conducted a review of the facts and circumstances involved in the matter described in the Factual and Legal Analysis enclosed with the above letter. In such review I examined such documents or copies of documents and interviewed such personnel, as I deemed relevant and appropriate to form the basis for the following explanation, which it is respectfully submitted should demonstrate that no further action need be taken by the Commission in this matter.

I.

The Grumman Political Action Committee ("PAC") is a "separate segregated fund" under the Federal Election Campaign Act of 1971, as amended (the "Act"). The PAC files reports on a monthly basis and to the best of our information has filed on a timely basis, with the exception of the aberration referred to in connection with the Pre-General Election Report due October 23, 1986.

II.

The PAC receives contributions from participating eligible employees through payroll withholdings from salary checks, as well as by direct one-time contributions. Since 1985, Grumman's manufacturing and marketing activities have been conducted through operating "divisions" that in most, but not all, cases are distinct corporate subsidiaries. Prior to the conversion to operating "divisions," the corporate subsidiaries were the operating entities, with separate payrolls and checking accounts. PAC participants'

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salary withholdings were paid to the PAC by check on a regular periodic basis by each subsidiary other than those with employees represented by collective bargaining units.

III.

During 1984, before divisionalization had been implemented and payrolls were rearranged, the PAC accounting system was placed on a fully computerized basis. Assistants to Mr. Wachino worked with a systems analyst-programmer from Grumman Data Systems Corporation to design and implement a computerized system to audit the raw data on contribution amounts and accumulate information. This system was designed to produce all reports on a timely basis. The system worked flawlessly from mid-1984 through the date on which the 1986 Pre-General Election Report should have been delivered to Mr. Wachino for signature and submission to the Commission. When Mr. Wachino's staff (the person to whom the responsibility for monitoring the flow of PAC reports was on her honeymoon during the mid-October 1986 period) realized the 12-day Pre-Election Report report was late, calls were made to the computer center where the data were accumulated. At that point, an additional pay cycle had passed, and the system had a cumulative figure exceeding the figure for the fifteen day period October 1-15. Those persons interviewed have indicated that additional delay was encountered in re-tracking the system to the previous pay cycle in order to assure that the report would cover the period October 1-15 as literally required by the Form. Under the series of instructions directed to the system during this period, the receipts information required by section 11(a) was not forthcoming until a day or two before the November 6, 1986 mailing of the 1986 Pre-Election Report for the period October 1-15. Because of this series of miscues and a literal reading of the reporting period requirement by his staff, Mr. Wachino was unable to sign the Certification on the Summary Page of the report that "to the best of [his] knowledge and belief [the Report] is true and complete" until the supporting schedule for line 11(a) was produced and printed by the system.

It is respectfully submitted that the late filing of the 1986 Pre-General Election Report was not the result of a willful or negligent disregard of the filing time requirements of the Act, but was the result of problems encountered with the system instituted in a good faith attempt to comply with those requirements. The problem of cueing the system to produce special reports such as the Pre-Election Report has been corrected, and steps have been taken to assure that more than one member of Mr. Wachino's staff will be monitoring the preparation of the reports to the Commission at all times in the future. No similar difficulties are anticipated

R 7 0 4 0 6 6 3 9 4 8

Federal Election Commission

June 23, 1987

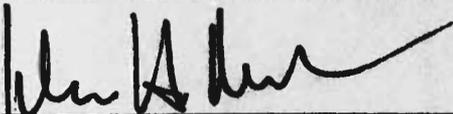
in the future.

If there is any additional information required, or if there are any questions, please call me at (516)575-7897.

Very truly yours,

GRUMMAN CORPORATION
POLITICAL ACTION COMMITTEE

By



John H. Mullan
Counsel

6614c

87040663949

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2437

NAME OF COUNSEL: John H. Mullan

ADDRESS: Grumman Corporation

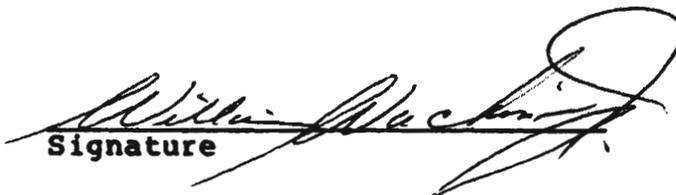
1111 Stewart Avenue

Bethpage, N. Y. 11714

TELEPHONE: (516)575-7897

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

June 23, 1987
Date


Signature

RESPONDENT'S NAME: Grumman Political Action Committee and
William Wachino, Jr.

ADDRESS: c/o Grumman Corporation

1111 Stewart Avenue

Bethpage, N. Y. 11714

HOME PHONE: _____

BUSINESS PHONE: (516)575-3687

87040363950

87 JUL 6 PM: 55

Grumman Corporation
Bethpage, New York 11714-3580

Executive Offices

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
87 JUL 6 PM 3:39

Certified Mail

July 2, 1987

Federal Election Commission
Washington, D.C. 20463

Attn: Phillip Wise, Esq.
Office of the General Counsel

Re: MUR 2437
Federal Election Commission letter dated June 8, 1987

Gentlemen:

In accordance with our telephone discussion on July 2, 1987 with Phillip Wise, Esq. of the Office of the General Counsel, I hereby advise you that Grumman Corporation Political Action Committee ("PAC") and Mr. William Wachino, Jr., Treasurer of the PAC have authorized me to enter into probable cause conciliation with the Federal Election Commission.

We await the proposed settlement package that Mr. Wise described in the telephone discussion.

Very truly yours,

GRUMMAN CORPORATION
POLITICAL ACTION COMMITTEE

By John H. Mullan (per fm ch)
John H. Mullan
Deputy General Counsel

6749c

87040663951

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Grumman Political Action Committee)
and William Wachino, Jr., as treasurer)

MUR 2437

31
MUR
2437

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 21, 1987, the Commission found reason to believe that Grumman Political Action Committee and William Wachino, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1986 Pre-General Election Report in a timely manner. By letter dated July 2, 1987, respondents requested to settle this matter prior to a finding of probable cause to believe (Attachment 1).

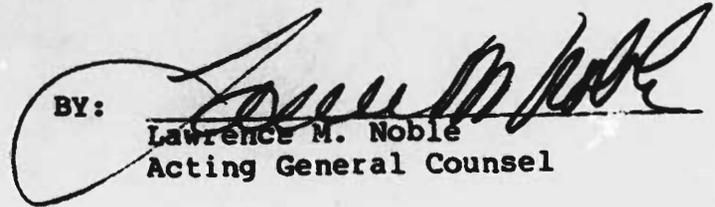
II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

87040563952

III. RECOMMENDATIONS

1. Enter into conciliation with Grumman Political Action Committee and William Wachino, Jr., as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

7/22/87
Date

BY: 
Lawrence M. Noble
Acting General Counsel

Attachments

1. Request for conciliation
2. Proposed agreement and letter

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87040663954

Attachments to General
Counsel's Report

have been removed from this position in the Public Record File either because they duplicate documents located elsewhere in this file, or because they reflect exempt information.

For Attachment	<u>1</u>	see	<u>6</u>
	<u>2</u>		<u>9</u>
	—		—
	—		—
	—		—

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Grumman Political Action Committee) MUR 2437
and William Wachino, Jr., as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 24, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2437:

1. Enter into conciliation with Grumman Political Action Committee and William Wachino, Jr., as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's Report signed July 22, 1987.

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

Attest:

7-24-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Wed., 7-22-87, 11:37
Circulated on 48 hour tally basis: Wed., 7-22-87, 4:00
Deadline for vote: Fri., 7-24-87, 4:00

87040563955



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1987

John H. Mullan, Esquire
Grumman Corporation
1111 Stewart Avenue
Bethpage, N.Y. 11714

RE: MUR 2437
Grumman Political Action
Committee and William
Wachino, Jr., as treasurer

Dear Mr. Mullan:

On May 21, 1987, the Federal Election Commission found reason to believe that the Grumman Political Action Committee and William Wachino, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(B). At your request, on July 24, 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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

Sincerely,

Lawrence M. Noble (FLZ)
Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

CC # 4143
RECEIVED AT THE FEC.

Grumman Corporation
Bethpage, New York 11714-3580

87 AUG 10 AM: 10

Executive Offices

REGISTERED MAIL
RETURN RECEIPT REQUESTED

August 5, 1987

Federal Election Commission
Washington, D.C. 20463

Attn: Phillip L. Wise, Esq.
Office of the General Counsel

Re: MUR 2437
Federal Election Commission letter dated July 29, 1987

87 AUG 12 AM: 06

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Gentlemen:

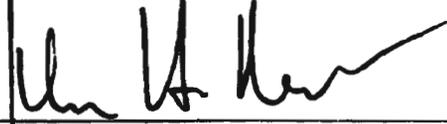
Pursuant to the Federal Election Commission's above-captioned letter and a telephone conversation with Phillip L. Wise, Esq. on August 4, I enclose the executed original of the Conciliation Agreement forwarded with such letter.

Also enclosed is Grumman Corporation's check payable to the Federal Election Commission in the amount of Six Hundred Twenty-Five Dollars (\$625.00) in payment of the civil penalty assessed pursuant to 2 USC §437g(a)(5)(A).

Grumman Corporation has paid this directly to the Commission as an expense incurred in running the Grumman Political Action Committee in accordance with 2 USC §441b(2)(C) and 11 CFR §114.1 (a)(2)(iii) and §114.1 (b).

Very truly yours,

GRUMMAN CORPORATION
POLITICAL ACTION COMMITTEE

By 

John H. Mullan
Attorney

6989c

Enc.

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GRUMMAN CORPORATION
1111 STEWART AVENUE
BETHPAGE, N.Y. 11714

No. **10** 2697

FREEDOM NATIONAL BANK OF NEW YORK
275 WEST 125th STREET, NEW YORK, N.Y.

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MO. DAY YR.
08 05 87

EXACTLY **625 00 CTS**
E8239

PAY EXACTLY

DOLLARS CENTS
***\$625 00

PAY TO THE ORDER OF

00 Federal Election Commission
05 Washington, D.C. 20463
09
03
06
05

AUTHORIZED SIGNATURE
[Signature]
SECOND SIGNATURE REQUIRED IF \$25,000 OR MORE

⑈ 102697⑈ ⑆ 026004349⑆ 105 8215⑈

GCC # 4143

MEMORANDUM

TO: DEBRA A. TRIMIEW TO: CECILIA LIEBER
FROM: CECILIA LIEBER FROM: DEBRA A. TRIMIEW

8 CHECK NO. 10-2697 { A COPY OF WHICH IS ATTACHED } RELATING TO
PUR 2437 (Wis.) AND NAME Crumman Political Action Committee and William Washino, Jr., as treasurer

9 WAS RECEIVED ON 8/12/87. PLEASE INDICATE THE ACCOUNT INTO
WHICH IT SHOULD BE DEPOSITED:

- / BUDGET CLEARING ACCOUNT { 95F3875.16 }
- / / CIVIL PENALTIES ACCOUNT { 95-1099.160 }
- / / OTHER _____

SIGNATURE Debra A. Trimiew DATE 8/12/87

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

07 AUG 25 1987 P 4: 42

In the Matter of)
)
Grumman Political Action Committee) MUR 2437
and William Wachino, Jr., as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by John H. Mullan, the attorney for the Grumman Political Action Committee and William Wachino, Jr., as treasurer (Attachment 1). The agreement contains no changes from the agreement approved by the Commission on July 24, 1987.

Also attached is a copy of a check for \$625.00 representing payment of the civil penalty.

II. RECOMMENDATION

The Office of General Counsel recommends that the Commission accept the agreement in settlement of this matter and close the file.

8/25/87
Date

Lawrence M. Noble (L.M.N.)
Lawrence M. Noble
Acting General Counsel

- Attachments:
1) Conciliation agreement
2) Proposed letter

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Attachments to General
Counsel's Report

have been removed from this position in the Public Record File either because they duplicate documents located elsewhere in this file, or because they reflect exempt information.

For Attachment 1 } see 13
2 } _____

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Grumman Political Action Committee) MUR 2437
and William Wachino, Jr., as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 28, 1987, the Commission decided by a vote of 4-0 to accept the agreement in settlement of this matter and close the file, as recommended in the General Counsel's report signed August 25, 1987.

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

Attest:

8-28-87

Date

Marjorie W. Emmons for

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 8-25-87, 4:42
Circulated on 48 hour tally basis: Wed., 8-26-87, 11:00
Deadline for vote: Fri., 8-28-87, 11:00

87040563951



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 1, 1987

John H. Mullan, Esquire
Grumman Corporation
1111 Stewart Avenue
Bethpage, N.Y. 11714

RE: MUR 2437
Grumman Political Action
Committee and William
Wachino, Jr., as treasurer

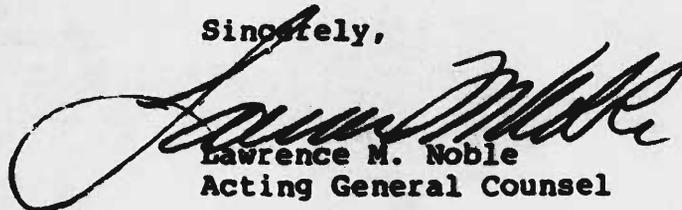
Dear Mr. Mullan:

On August 28 , 1987, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you on behalf of the Grumman Political Action Committee and William Wachino, Jr., as treasurer, in settlement of a violation of 2 U.S.C. § 434(a)(4)(B) a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

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

Sincerely,


Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

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Mullan

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Grumman Political Action Committee) MUR 2437
and William Wachino, Jr., as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Grumman Political Action Committee and William Wachino, Jr., as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(B).

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

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

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

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

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

1. Respondent, Grumman Political Action Committee, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent, William Wachino, Jr., is the treasurer of Grumman Political Action Committee.

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3. Respondents were required to file their 1986 12 Day Pre-General Election Report by October 23, 1986. This report was filed on November 12, 1986, 19 days late.

V. Respondents failed to file their 1986 12 Day Pre-General Election Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Six Hundred Twenty-Five dollars (\$625.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

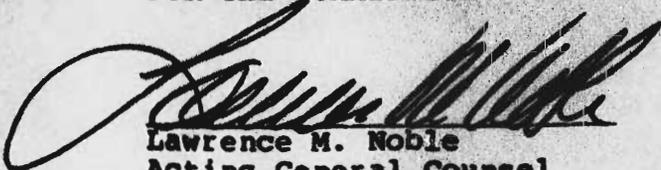
X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and

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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.

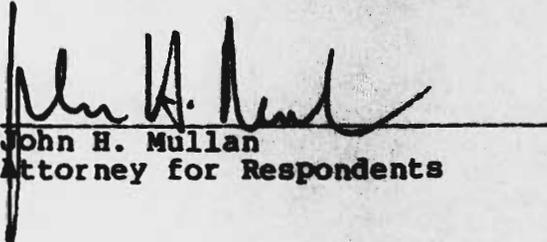
FOR THE COMMISSION:



Lawrence M. Noble
Acting General Counsel

Date 7/1/87

FOR THE RESPONDENTS:



John H. Mullan
Attorney for Respondents

Date August 5, 1987

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2437

DATE FILMED 11/25/87 CAMERA NO. 3

CAMERAMAN AS

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