



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3337

DATE FILMED 8/13/91 CAMERA NO. 4

CAMERAMAN AS

21040354701

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 16 May 1991

ANALYST: ROBIN KELLY

I. COMMITTEE: Barney Frank for Congress Committee
(C00128868)
Doris Brey, Treasurer
P.O. Box 260
Newtonville, MA 02160

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(6)
11 CFR §104.5(f)

III. BACKGROUND:

Failure to File Forty-Eight Hour Notifications

The Barney Frank for Congress Committee ("the Committee") has failed to file the required Forty-Eight (48) Hour Notifications ("48-Hour Notices") for eighteen (18) contributions totaling \$27,500 received prior to the 1990 General Election.

The candidate was involved in the 1990 General Election held on November 6, 1990. Prior Notice was sent to the Committee on October 1, 1990 (Attachment 2). The Notice includes a section titled "Last-Minute Contributions". This section reads "Committees must also file special notices if contributions of \$1,000 or more are received during the period October 18 through November 3, 1990. The notices must reach the appropriate Federal and State offices within 48 hours of the committee's receipt of the contributions."

Schedule A of the 1990 30 Day Post-General Report indicates that the Committee failed to file eighteen (18) 48-Hour Notices for contributions received during the aforementioned period (Attachment 3). The following is a list of the contributions for which no 48-Hour Notices were filed:

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Max R. Kargman	10/31/90	\$1,000
Douglas Kidd	10/18/90	\$1,000

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<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
William Krupp	10/31/90	\$1,000
Philip Krupp	10/31/90	\$1,000
William C. Lewis	10/18/90	\$1,000
Francis X. Neaney	10/31/90	\$1,000
Francis J. Pelletier	10/29/90	\$1,000
AICPA Effective Legislation Comm. PAC	10/18/90	\$2,000
Amer. Federation of Teachers PAC	10/18/90	\$1,000
Bank of Boston PAC	10/18/90	\$1,000
Carpenters' Legislative Improvement Committee PAC	10/18/90	\$1,000
Century 21 PAC	10/18/90	\$1,000
Committee for Letter Carriers Political Education PAC	10/18/90	\$2,500
Nat'l Committee to Preserve Social Security & Medicaid PAC	10/19/90	\$1,500
IBEW-COPE PAC	10/22/90	\$1,000
N.E.A. PAC	10/26/90	\$3,500
Realtors PAC	10/24/90	\$5,000
United Assoc. of Journeyman & Apprentices PAC	10/18/90	\$1,000

On February 20, 1991, an Informational Notice ("IN") was sent to the Committee (Attachment 4). The IN notes that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more. The notice requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that although the Commission may take legal steps, any response would be taken into consideration.

On April 12, 1991, the Committee responded in a letter (Attachment 5). In the letter, the Committee stated that "In going over our Federal Election Commission report for the period noted above, it does appear that we have not followed that specific regulation. I believe we thought the regulation to mean any contribution received within 48 hours prior to or after an election as being needed to be reported." They went on to say that "Your letter has prompted us to review our procedures for compiling, recording, and reporting contributions. We are now certain that this will not occur again."

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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FEDERAL ELECTION COMMISSION
1989-1990
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/ PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
		PRIMARY	GENERAL	PRIMARY	GENERAL			

FRANK, BARNEY	HOUSE 04 DEMOCRATIC PARTY					MASSACHUSETTS	1992 ELECTION	ID# H0M004006
1. STATEMENT OF CANDIDATE								
1989 STATEMENT OF CANDIDATE						3JAN89		1 89HSE/374/0312
1991 STATEMENT OF CANDIDATE						15JAN91		1 91HSE/423/2185
2. PRINCIPAL CAMPAIGN COMMITTEE								

BARNEY FRANK FOR CONGRESS COMMITTEE							ID #000128868	HOUSE
1989 MID-YEAR REPORT		5,026		34,010		1JAN89 -30JUN89		10 89HSE/392/4704
YEAR-END		107,378		83,294		1JUL89 -31DEC89		34 90HSE/391/4708
1990 48 HOUR CONTRIBUTION NOTICE						2NOV90		1 90HSE/417/1074
APRIL QUARTERLY		109,821		61,456		1JAN90 -31MAR90		27 90HSE/395/1921
APRIL QUARTERLY - AMENDMENT		109,821		61,456		1JAN90 -31MAR90		20 90HSE/403/2649
1 ST LETTER INFORMATIONAL NOTICE						1JAN90 -31MAR90		1 90FEC/641/3147
JULY QUARTERLY		139,763		86,428		1APR90 -30JUN90		22 90HSE/401/1974
JULY QUARTERLY - AMENDMENT		139,763		86,428		1APR90 -30JUN90		22 90HSE/408/3288
1 ST LETTER INFORMATIONAL NOTICE						1APR90 -30JUN90		1 90FEC/654/0576
PRE-PRIMARY		77,711		114,158		1JUL90 -29AUG90		20 90HSE/407/2021
PRE-PRIMARY - AMENDMENT		77,711		114,158		1JUL90 -29AUG90		9 90HSE/416/3528
REQUEST FOR ADDITIONAL INFORMATION						1JUL90 -29AUG90		2 90FEC/657/1291
REQUEST FOR ADDITIONAL INFORMATION 2ND						1JUL90 -29AUG90		1 90FEC/657/5477
OCTOBER QUARTERLY			66,457		81,731	30AUG90 -30SEP90		14 90HSE/411/1478
PRE-GENERAL			19,047		5,782	1OCT90 -17OCT90		9 90HSE/415/1815
POST-GENERAL			92,521		226,024	18OCT90 -26NOV90		24 90HSE/401/3471
POST-GENERAL - AMENDMENT			107,693		226,024	18OCT90 -26NOV90		7 91HSE/421/4711
POST-GENERAL - AMENDMENT						-18OCT90 -26NOV90		1 91HSE/427/2008
1 ST LETTER INFORMATIONAL NOTICE						18OCT90 -26NOV90		1 91FEC/689/2162
YEAR-END			11,024		25,277	27NOV90 -31DEC90		9 91HSE/424/5174
YEAR-END - AMENDMENT			11,024		25,277	27NOV90 -31DEC90		7 91HSE/427/2009
REQUEST FOR ADDITIONAL INFORMATION						27NOV90 -31DEC90		1 91FEC/689/0775
REQUEST FOR ADDITIONAL INFORMATION 2ND						27NOV90 -31DEC90		2 91FEC/691/2915

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TOTAL	439,699	204,221	379,346	338,814	349	TOTAL PAGES
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- 3. AUTHORIZED COMMITTEES
- 4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

-All reports have been reviewed.
 -Debts owed to the Committee as of 12/31/90: \$0
 -Debts owed by the Committee as of 12/31/90: \$4,068
 -Cash-on-hand as of 12/31/90: \$53,329

GENERAL ELECTION

REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL CANDIDATES

October 1, 1990

Report	Reporting Period	Reg./Cert. Mailing Date*	Filing Date
Pre-General	10/01/90** - 10/17/90	10/22/90	10/25/90
Post-General	10/18/90 - 11/26/90	12/06/90	12/06/90

WHO MUST FILE

All 1990 general election principal campaign committees must file the pre- and post-general election reports.

WHO NEED NOT FILE

Principal campaign committees of candidates not active in the 1990 elections (i.e., committees active in past or future elections) and 1990 campaign committees not participating in the general election do not file the pre- and post-general reports.

WHAT MUST BE REPORTED

All financial activity (not previously reported) that occurred during the reporting period.

REPORTING FORMS

Candidate committees use FORM 3 (enclosed). If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on FORM 32.

WHERE TO FILE

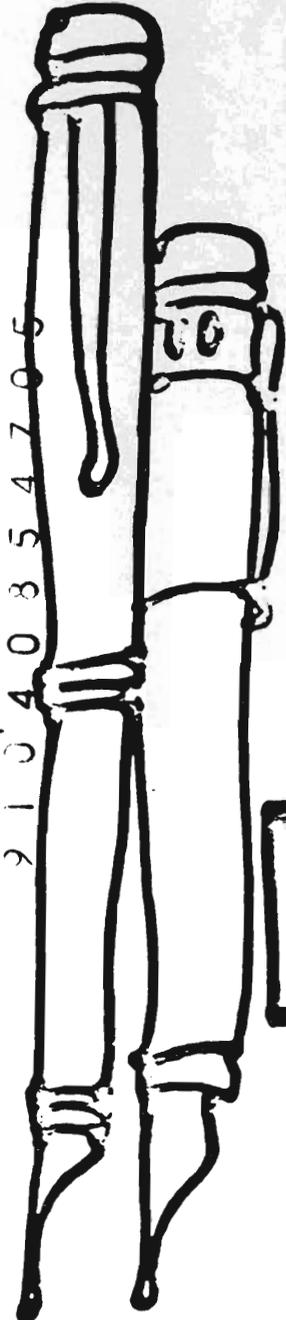
Consult the instructions on the back of the FORM 3 Summary Page. Note State filing requirements also.

LAST-MINUTE CONTRIBUTIONS

Committees must also file special notices if contributions of \$1,000 or more are received during the period of October 18 through November 3, 1990. The notices must reach the appropriate Federal and State offices within 48 hours of the committee's receipt of the contributions.

*Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

**The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.



CONGRESSIONAL CANDIDATES

GENERAL ELECTION

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Correction should be made on the label.

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

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FOR INFORMATION, Call: 202/376-3120 or 800/424-9530

SCHEDULE A

ITEMIZED RECEIPTS

1990 - 30 Day Post-General Report

Use separate sheets for each category of the Detailed Summary Page

FORM NO. 10
FOR LINE NUMBER
11a

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

NAME OF COMMITTEE (in Full)

BARNEY FRANK FOR CONGRESS COMMITTEE

Attachment 3
Page 1 of 10

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Jerome S. Hertz 1 Brookvale Road Framingham MA 01701	self	11/5/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation attorney	Aggregate Year-to-Date > \$ 500	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Harrison Poblitzelle 16 Croy Gardens West Cambridge, MA 02138	retired	11/8/90	\$150
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 250	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Paul Jameson 8 Grove St. Wellesley, MA 02181	self	11/2/90	\$250
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation attorney	Aggregate Year-to-Date > \$ 250	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Dennis Kanin 65 Stuart St. Newton, MA 02159	Foley, Hoag, & Elliot	10/24/90	\$250
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation attorney	Aggregate Year-to-Date > \$ 250	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
William Kargman 221 Mt. Auburn St. Cambridge, MA 02138	self	10/30/90	\$250
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation real estate	Aggregate Year-to-Date > \$ 250	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Max R. Kargman 151 Tremont St. Boston, MA 02111	self	10/31/90	\$1000
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation real estate	Aggregate Year-to-Date > \$ 1000	} RK
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Robert Kargman 246 Dudley St. Brookline, MA 02146	Museum Square Realty	10/30/90	\$250
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Exec. VP	Aggregate Year-to-Date > \$ 250	

SUBTOTAL of Receipts This Page (optional) \$ 2750

TOTAL This Period (last page this line number only)

7 0 4 0 2315 447057

SCHEDULE A

ITEMIZED RECEIPTS

1990 - 30 Day Post-General Report

The appropriate schedule(s) for each category of the Receipt Summary Page

Page 6 of 18
FOR LINE NUMBER 11a

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

NAME OF COMMITTEE (in Full)

BARNEY FRANK FOR CONGRESS COMMITTEE

Attachment 3
Page 3 of 10

977040315-4799

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
William C. Lewis 6036 E. Sage Drive Scottsdale, AZ 85253	self	10/18/90	\$1000 } RK
	Occupation INVESTOR		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 1000	
B. Full Name, Mailing Address and ZIP Code Phillip J. Manzi 10 Burnham Road Methuen, MA 01844	Methuen Realty	10/30/90	\$250
	Occupation President		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 250	
C. Full Name, Mailing Address and ZIP Code Vincent C. Manzi 59 Jackson St. Lawrence, MA 01840	self	10/30/90	\$250
	Occupation attorney		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 250	
D. Full Name, Mailing Address and ZIP Code Charles M. Mason, Jr. PO Box 108 Washington, DC 20044	retired	10/31/90	\$500
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 500	
E. Full Name, Mailing Address and ZIP Code Francis X. Meaney One Financial Center Boston, MA 02111	self	10/31/90	\$1000 } RK
	Occupation attorney		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 1000	
F. Full Name, Mailing Address and ZIP Code Otto Morningstar 1500 S. Ocean Blvd. Boca Raton, FL 33432	retired	11/8/90	\$250
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 250	
G. Full Name, Mailing Address and ZIP Code Claire W. Morse 240 Lee Street Brookline, MA 02146	at home	10/30/90	\$500
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 500	

SUBTOTAL of Receipts This Page (optional)	3750
TOTAL This Period (last page this line number only)	

SCHEDULE A

ITEMIZED RECEIPTS

1990 - 30 Day Post-General Report

Use separate schedules for each category of the General Summary Page

PAGE 7 18
FOR LINE NUMBER

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NAME OF COMMITTEE (in Full)

BAPNEY FRANK FOR CONGRESS COMMITTEE

Attachment 3
Page 4 of 10

644A 33157497190

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Kate Moss 1626 Foxhall Road, NW Washington, DC	Camp, Barsh, Bates & Tate Occupation Leg. Director Aggregate Year-to-Date > \$ 250	10/24/90	\$250
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Robert F. Mulhall 169 Strasser Ave. Westwood, MA 02090	AT & T Occupation Regional Director Aggregate Year-to-Date > \$ 500	10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Patrick M Murphy 1101 Connecticut Ave. Washington, DC	Kutak Rock & Campbell Occupation attorney Aggregate Year-to-Date > \$ 500	10/21/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Francis J. Pelletier 362 Westhill Avenue Somerset, MA 02726	retired XXXXXXXXXXXX Occupation Aggregate Year-to-Date > \$ 1000	10/29/90	\$1000 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Mitchell T. Rabkin, MD 124 Canton Avenue Milton, MA 02146	Beth Israel Hospital Occupation Director Aggregate Year-to-Date > \$ 250	10/18/90	\$250
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Alford P. Rudnick 111 Clinton Road Brookline, MA 02146	Brown, Rudnick Freed & Gesmer Occupation attorney Aggregate Year-to-Date > \$ 250	10/31/90	\$250
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Roslyn Sargent 26 Weybridge Road Brookline, MA 02146	at home Occupation Aggregate Year-to-Date > \$ 500	10/31/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
SUBTOTAL of Receipts This Page (optional)			3250
TOTAL This Period (last page this line number only)			

SCHEDULE A ITEMIZED RECEIPTS
1990 - 30 Day Post-General Report

Use separate receipts for each category of the General Summary Page

Form 116
 FOR LINE NUMBER
11c

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

NAME OF COMMITTEE (in Full) **BAFNEY FRANK FOR CONGRESS COMMITTEE** Attachment 3
 Page 5 of 10

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

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
ACTWU-PAC 15 Union Square New York, NY 10003	Occupation	10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$ 500		
AFSCME- PAC 1625 L. Street NW Washington, DC 20036	Occupation	11/9/90	\$2500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$ 2500		
AICPA Effective Legislation Comm. PAC 1211 Avenue of the Americas New York, NY 10036	Occupation	10/18/90	\$2000
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$ 2000		
Amer. Physical Therapy Assoc. PAC 111 North Fairfax St. Alexandria, VA 22314	Occupation	10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$ 500		
American Express Comm. for Representat Government- PAC 1020 19th St. NW Washington, DC 20036	Occupation	10/31/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$ 500		
Amer. Federation of Teachers PAC 555 New Jersey Avenue NW Washington, DC 20001	Occupation	10/18/90	\$1000
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$ 1000		
Ameripac/Ameritrust PAC 900 Euclid Ave. Cleveland, OH 44101	Occupation	10/18/90	\$300
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$ 300		

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SUBTOTAL of Receipts This Page (optional) **7300**
 TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

1990 - 30 Day Post-General Report

Use separate schedule for each category of the Detailed Summary Page

Page 2 of 16
FOR LINE NUMBER 11c

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

NAME OF COMMITTEE In Full

Attachment 3
Page 6 of 10

BARNEY FRANK FOR CONGRESS COMMITTEE

077040354612

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
ASCAP Legislative Fund for the Arts PAC 1 Lincoln Plaza New York City, NY 10023		10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Assoc. of Bank Holding Cos. PAC 730 15th St. NW Washington, DC		10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Bank of Boston PAC PO Box 2016 Boston, MA 02106		10/18/90	\$1000 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1000	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
BAYPAC PO Box 9155 Waltham, MA 02254		10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Brotherhood of Railroad Signalmen PAC 400 N. Capitol St. NW Washington, DC		10/18/90	\$300
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 300	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Carpenters' Legislative Improvement Committee PAC 101 Constitution Ave. NW Washington, DC		10/18/90	\$1000 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1000	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Century 21 PAC 1825 Eye St. NW Washington, DC		10/18/90	\$1000
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1000	

GRAND TOTAL of Receipts This Page (optional)	4400
TOTAL This Period (last page the line number only)	

SCHEDULE A

ITEMIZED RECEIPTS

Use duplicate of schedule for each category of the Detailed Summary Page

2115
FOR LINE NUMBER
11c

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

NAME OF COMMITTEE (in Full)

Attachment 3
Page 7 of 10

BARNEY FRANK FOR CONGRESS COMMITTEE

0001403174915

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
ASCAP Legislative Fund for the Arts PAC 1 Lincoln Plaza New York City, NY 10023	Occupation	10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 500	
B. Full Name, Mailing Address and ZIP Code Assoc. of Bank Holding Cos. PAC 750 15th St. NW Washington, DC	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Occupation	10/18/90	\$500	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 500	
C. Full Name, Mailing Address and ZIP Code Bank of Boston PAC PO Box 2016 Boston, MA 02106	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Occupation	10/18/90	\$1000	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 1000	
D. Full Name, Mailing Address and ZIP Code BAYPAC PO Box 9155 Waltham, MA 02254	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Occupation	10/18/90	\$500	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 500	
E. Full Name, Mailing Address and ZIP Code Brotherhood of Railroad Signalmen PAC 400 N. Capitol St. NW Washington, DC	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Occupation	10/18/90	\$300	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 300	
F. Full Name, Mailing Address and ZIP Code Carpenters' Legislative Improvement Committee PAC 101 Constitution Ave. NW Washington, DC	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Occupation	10/18/90	\$1000	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 1000	
G. Full Name, Mailing Address and ZIP Code Century 21 PAC 1825 Eye St. NW Washington, DC	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Occupation	10/18/90	\$1000	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Aggregate Year-to-Date > \$ 1000	

SUBTOTAL of Receipts This Page (optional)	9800
TOTAL This Period (last page this line number only)	

SCHEDULE A

ITEMIZED RECEIPTS
1990 - 30 Day Post-General Report

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

NAME OF COMMITTEE (in Full) **BARNEY FRANK FOR CONGRESS COMMITTEE** Attachment 3 page 8 of 10

403157479124

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Chemical Bank Fund for Good Govt. PAC 277 Park Avenue New York, NY Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		10/18/90	\$500 Aggregate Year-to-Date > \$ 500
Committee for Letter Carriers Political Education PAC 100 Indiana Ave. NW Washington, DC Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		10/18/90	\$2500 } RA Aggregate Year-to-Date > \$ 2500
CONPAC 1300 North 17th St. Arlington, VA Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		10/18/90	\$500 Aggregate Year-to-Date > \$ 500
Fannie Mae PAC 3900 Wisconsin Ave. NW Washington, DC Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		10/18/90	\$500 Aggregate Year-to-Date > \$ 500
First Chicago Corp. PAC 1 First National Plaza Chicago, IL Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		10/29/90	\$500 Aggregate Year-to-Date > \$ 500
Fleet/Norstar Federal PAC 11 Westminster St. Providence, RI Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		10/18/90	\$500 Aggregate Year-to-Date > \$ 500
Genentech PAC No. 2 460 Pt. San Bruno Blvd. South San Francisco, CA Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		0/19/90	\$500 Aggregate Year-to-Date > \$ 500

GRAND TOTAL of Receipts This Page (optional) 5500
TOTAL This Period (for page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

1990 - 30 Day Post-General Report

The separate schedule(s) for each category of the Detailed Summary Page

PAGE 4 OF 16
FOR LINE NUMBER 11c

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

NAME OF COMMITTEE (in Full)

BARNEY FRANK FOR CONGRESS COMMITTEE

Attachment 3
Page 9 of 10

8770140, 81524335

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Nat'l Committee to Preserve Social Security & Medicaid PAC 200 K Street NW Washington, DC		10/10/90	\$1500 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1500	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
IBEW-COPE PAC 1125 15th ST. NW Washington, DC		10/22/90	\$1000 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1000	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
John Hancock PAC PO Box 111 Boston, MA		10/29/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Manville Corporation PAC 1625 K Street NW Washington, DC		10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mortgage Bankers PAC 1125 15th St. NW Washington, DC		10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
NAPUS PAC for Postmasters PO Box 16868 Alexandria, VA		11/2/90	\$1000
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1000	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
NARPE-PAC 1533 New Hampshire Ave. NW Washington, DC		11/9/90	\$2000
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 2000	

SUBTOTAL of Receipts This Page (optional) 7000

TOTAL This Period (last page the line number only)

SCHEDULE A

ITEMIZED RECEIPTS

1990 - 30 Day Post-General Report

Use this schedule for each category of the Detailed Summary Page

PAGE 5 OF 16
FOR LINE NUMBERS 11c

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

NAME OF COMMITTEE (in Full)

BARNEY FRANK FOR CONGRESS COMMITTEE

Attachment 3
Page 10 of 10

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
National City PAC 1900 East Ninth St. Cleveland, OH		10/18/90	\$200
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 200	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
N.E.A. PAC 1201 16th St. NW Washington, DC		10/26/90	\$3500 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 3500	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Realtors PAC 256 Second Ave. Waltham, MA		10/24/90	\$5000 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 5000	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Teamsters Union PAC 650 Beacon St. Boston, MA		11/2/90	\$5000
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 5000	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
United Transportation Union PAC 227 Mars Ave. NE Washington, DC		10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
United Assoc. of Journeyman & Apprentices PAC 901 Mass. Ave. NW Washington, DC		10/18/90	\$1000 } RK
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 1000	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
UAW V CAP PAC 1757 N St. NW Washington, DC		10/18/90	\$500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 500	

SUBTOTAL of Receipts This Page (optional) 15,700

TOTAL This Period (last page this line number only)

90404317494



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

RG-5

FEB 20 1991

Doris Breay, Treasurer
Barney Frank for Congress
Committee
P.O. Box 260
Newtonville, MA 02160

Identification Number: C00128868

Reference: 30 Day Post-General Report (10/18/90-11/26/90)

Dear Ms. Breay:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-General report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to make concerning this matter will be taken into consideration. (11 CFR §104.5(f))

Any amendment or clarification should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Robin Kelly
Reports Analyst
Reports Analysis Division

91040354717
313633152

REGULAR MAIL

APR 8 1991

Barney Frank for Congress

RECEIVED
APR 12 AM 8 46
U.S. HOUSE OF REPRESENTATIVES
Attachment 5
Page 1 of 1

April 4, 1991

092231

Clerk of the House of Representatives
1036 Longworth House Office Building
Washington, D. C. 20515

Reference: Identification No. C00128868
30 Day Post-General Report (10/18/90-11/26/90)

This letter is in response to a letter from the Federal Election Commission alerting our campaign committee that we may have failed to follow the Commission's regulation of filing notice of \$1,000 contributions received within 48 hours of their receipt between two and twenty days before an election.

In going over our Federal Election Commission Report for the period noted above, it does appear that we have not followed that specific regulation. I believe we thought the regulation to mean any contribution received within 48 hours prior to or after an election as being needed to be reported.

Your letter has prompted us to review our procedures for compiling, recording, and reporting contributions. We are now certain that this will not occur again.

Sincerely,

Doris Breay

91594497309910

Rec'd FEC Secretariat
1991 June 5 'PM
3:38

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

FIRST GENERAL COUNSEL'S REPORT

RAD Referral #91L-52
Staff Member Richard Tisinger

SOURCE: INTERNALLY GENERATED

RESPONDENT: Barney Frank for Congress and
Doris Brey, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(6)(A)
11 C.F.R. § 104.5(f)

INTERNAL REPORTS CHECKED: Referral Materials

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred this matter to the Office of the General Counsel. The Barney Frank for Congress Committee ("the Committee") has failed to file the required 48 hour Notifications for eighteen (18) contributions prior to the Nov. 6, 1990 General Election. See Attachment 1.

II. FACTUAL AND LEGAL ANALYSIS

For the Factual and Legal Analysis, see Attachment 2.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

21040354719

RECOMMENDATIONS

1. Open a MUR.

2. Find reason to believe that Barney Frank for Congress Committee and Doris Breay, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

3. Enter into conciliation with Barney Frank for Congress Committee and Doris Breay as treasurer, prior to a finding of probable cause to believe.

4. Approve the appropriate letter, the attached Factual and Legal Analysis and conciliation agreement.

Lawrence M. Noble
General Counsel

6/6/91
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

- 1. Referral Materials
- 2. Factual and Legal Analysis
- 3. Proposed Conciliation Agreement

91040854720

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Barney Frank for Congress and) RAD Referral #91L-52
Doris Breay, as treasurer.)

(MUR)
3337

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 10, 1991, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #91L-52:

1. Open a MUR.
2. Find reason to believe that Barney Frank for Congress Committee and Doris Breay, as treasurer, violated 2 U.S.C. § 434(a) (6)(A).
3. Enter into conciliation with Barney Frank for Congress Committee and Doris Breay as treasurer, prior to a finding of probable cause to believe.

(Continued)

21040854721

4. Approve the appropriate letter, the Factual and Legal Analysis and conciliation agreement, as recommended in the General Counsel's Report dated June 6, 1991.

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

Attest:

June 10, 1991
Date

Delores Harris
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., June 5, 1991 3:38 p.m.
Circulated to the Commission: Thurs., June 6, 1991 11:00 a.m.
Deadline for vote: Mon., June 10, 1991 11:00 a.m.

dr

21040354722



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 17, 1991

**Barney Frank for Congress Committee
Doris Breay, Treasurer
P.O. Box 260
Newtonville, MA 02160**

**RE: MUR 3337
Barney Frank for Congress
Committee, and Doris Breay,
as treasurer**

Dear Ms. Breay:

On June 10, 1991, the Federal Election Commission found that there is reason to believe Barney Frank for Congress Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

21040354723

Doris Breay, Treasurer
Page Two

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

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

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

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

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

Sincerely,



John Warren McGarry
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

21040354724

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Barney Frank for Congress Committee MUR: 3337
and Doris Brey, as treasurer

9 1 0 4 0 3 5 4 7 2 5

The Barney Frank for Congress Committee ("Committee") is the principal campaign committee for Barney Frank, the successful 1990 General Election candidate in the Fourth Congressional District of Massachusetts. The Federal Election Campaign Act, as amended, ("the Act") requires a candidate's principal campaign committee to file special notices of contributions of \$1,000 or more received after the 20th day, but more than 48 hours before, an election in which the candidate is running. The 48-hour Notices must reach the appropriate federal office within 48 hours of the committee's receipt of the contributions. These last-minute contributions must also be itemized on the committee's next scheduled report. 2 U.S.C. § 434(a)(6)(A) and 11 C.F.R. § 104.5(f). The Act defines a "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i).

The general election for the Fourth District Congressional seat in Massachusetts was held on November 6, 1990. In this case, pursuant to 2 U.S.C. § 434(a)(6)(A), the Committee was required to file notifications of all contributions of \$1,000 or more received after October 17, 1990 but before November 4, 1990. On October 1, 1990, a Prior Notice was sent to the

Committee informing them of the 48-hour reporting requirement. The Committee's 1990 30 Day Post-General Report indicates that the Committee failed to file 48-hour Notices for eighteen (18) contributions of \$1,000 or more totaling \$27,500 received prior to the 1990 General Election, as follows:

Contributor	Date Received	Aggregate Amount
Douglas Kidd	10/18/90	\$1,000
William C. Lewis	10/18/90	\$1,000
AICPA Effective Legislation Comm. PAC	10/18/90	\$2,000
Amer. Federation of Teachers PAC	10/18/90	\$1,000
Bank of Boston PAC	10/18/90	\$1,000
Carpenters' Legislative Improvement Committee PAC	10/18/90	\$1,000
Century 21 PAC	10/18/90	\$1,000
Committee for Letter Carriers Political Education PAC	10/18/90	\$2,500
United Assoc. of Journeyman & Apprentices PAC	10/18/90	\$1,000
Nat'l Committee to Preserve Social Security & Medicaid PAC	10/19/90	\$1,500
IBEW-COPE PAC	10/22/90	\$1,000
Realtors PAC	10/24/90	\$5,000
N.E.A. PAC	10/26/90	\$3,500
Francis J. Pelletier	10/29/90	\$1,000
Max R. Kargman	10/31/90	\$1,000
William Krupp	10/31/90	\$1,000
Philip Krupp	10/31/90	\$1,000
Francis X. Meaney	10/31/90	\$1,000

Therefore, there is reason to believe that Barney Frank for Congress Committee and Doris Breay, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

91040354726

91 JUL 23 PM 3:06

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of
Barney Frank for Congress Committee
Doris Breay, as treasurer

MUR 3337

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Doris Breay, the treasurer of Barney Frank for Congress Committee.

The attached agreement contains no changes from the agreement previously approved by the Commission. A check for the civil penalty has been received in the amount of \$3,450.00.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Barney Frank for Congress Committee, and Doris Breay, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

7/23/91
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Richard Tisinger

91040854727

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Barney Frank for Congress Committee;) MUR 3337
Doris Breay, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 26, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3337:

1. Accept the conciliation agreement with Barney Frank for Congress Committee, and Doris Breay, as treasurer..
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's Report dated July 23, 1991.

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

Attest:

7-29-91
Date

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

Received in the Secretariat: Tues., July 23, 1991 3:06 p.m.
Circulated to the Commission: Wed., July 24, 1991 11:00 p.m.
Deadline for vote: Fri., July 26, 1991 11:00 p.m.

dr

21040354728



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CLOSED

July 31, 1991

Barney Frank for Congress Committee
Doris Breay, Treasurer
P.O. Box 260
Newtonville, MA 02160

RE: MUR 3337

Dear Ms. Breay:

On July 26, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted in settlement of a violation of 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Barney Frank for Congress Committee and you, as treasurer.

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 Jonathan Bernstein, the attorney assigned to this matter, at (202) 376-3050.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

21040854729

91 JUL -1 AM 11:03

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR: 3337
Barney Frank for Congress Committee)
Doris Breay, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Barney Frank for Congress Committee and Doris Breay, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(6)(A).

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. Barney Frank for Congress Committee is a political committee within the meaning of 2 U.S.C. § 431(4) and is a

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principal campaign committee within the meaning of 2 U.S.C. § 431(5).

2. Doris Breay is the treasurer of Barney Frank for Congress Committee.

3. Pursuant to 2 U.S.C. § 434(a)(6)(A), political committees authorized by a candidate must file special notices identifying contributors who make contributions of \$1,000 or more received after the 20th day, but more than 48 hours before, an election in which the candidate is running, and must file these special notices within 48 hours of the committee's receipt of such contributions.

4. Respondents were required to file special notices identifying contributors who made contributions of \$1,000 or more received after October 17, 1990 but before November 4, 1990. Respondents failed to file special notices for last-minute contributions totaling \$27,500 received prior to the 1990 General Election in the Fourth Congressional District of Massachusetts.

V. Respondents failed to file special notices for \$27,500 in last-minute contributions in violation of 2 U.S.C. § 434(a)(6)(A).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Three Thousand Four Hundred Fifty dollars (\$3,450) 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

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thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

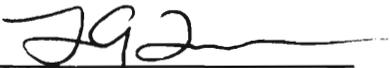
VIII. This agreement shall become effective as of the date that all parties hereto have executed this agreement and the Commission has approved the entire agreement.

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

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

7/31/91
Date

FOR THE RESPONDENTS:


Doris Breay
Treasurer

6-28-91
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3337

DATE FILMED 8/13/91 CAMERA NO. 4

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