



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2048

Date Filmed 5-7-84 Camera No. --- 2

Cameraman GPC

95040:01597

CCC# 9771

CABLE CLINEY
TELEX 248556 CLEY

TELEPHONE
(202) 828-4200

Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006

DAVID I. GRANGER

DIRECT LINE (202) 828-4218

February 19, 1986

BY HAND

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20001

Re: MUR 2048 (Good Government Committee
of J. P. Stevens & Co., Inc.)

Dear Mr. Steele:

Thank you for your letter of February 6, 1986, informing me that the Federal Election Commission accepted the conciliation agreement signed by the Good Government Committee of J. P. Stevens & Co., Inc. and Gavin P. Murphy, as treasurer, including a civil penalty of \$275.00. In accordance with your letter, I hereby request that this letter be made part of the public record in MUR 2048 under 11 C.F.R. § 11.20 (1985).

The Committee and Mr. Murphy have agreed to the terms of the referenced conciliation agreement, including the civil penalty, solely to effect a voluntary settlement of MUR 2048 and to avoid further time consumption, as well as legal and administrative costs related to this matter. As pointed out in earlier discussions with your office, during the period that is the subject of MUR 2048 J. P. Stevens & Co., Inc. was beset with an increasingly difficult economic situation, necessitating the disposition or termination of portions of the Company's business operations and the termination of the employment, or relocation, of large numbers of Company employees. Moreover, the chairman of the Committee was incapacitated for extended periods of time and thus was unable to perform his duties, which included the compiling of the information required to be filed with the FEC. The resulting delay in filing the required reports was a one-time occurrence in an otherwise flawless nine-year reporting record by the

16 FEB 19 14:03

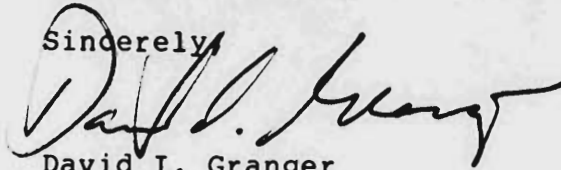
GENERAL COUNSEL

33040101533

Charles N. Steele, Esq.
February 19, 1986
Page Two

Committee since its formation in 1976, as reflected as well by its timely filing to date since the occurrence. The Committee, moreover, has taken every reasonable step to ensure that no delays will occur in the future. In view of these mitigating circumstances, the Committee and Mr. Murphy believe that the FEC's imposition of a civil penalty against the Committee and Mr. Murphy is completely unwarranted.

Sincerely,



David I. Granger

Counsel for the Good Government
Committee of J. P. Stevens & Co.,
Inc., and Gavin P. Murphy,
Treasurer

26040161589



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

David I. Granger, Esquire
Clifford & Warnke
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

RE: MUR 2048
Good Government Committee
of J.P. Stevens & Co., Inc.
and Gavin P. Murphy, as
treasurer

Dear Mr. Granger:

On February 4, 1986, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i) and (ii), provisions of the Federal Election Campaign Act of 1971, as amended.

Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

ED
2/5/86



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 6, 1986

David I. Granger, Esquire
Clifford & Warnke
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

RE: MUR 2048
Good Government Committee
of J.P. Stevens & Co., Inc.
and Gavin P. Murphy, as
treasurer

Dear Mr. Granger:

On February 4, 1986, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i) and (ii), provisions of the Federal Election Campaign Act of 1971, as amended.

Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (LJZ)

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Good Government Committee of)
J.P. Stevens & Co., Inc.)
Gavin P. Murphy, 'as treasurer)

CONCILIATION AGREEMENT

9 5 3 4 0 5 0 1 5 9 2
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 Good Government Committee of J.P. Stevens & Co., Inc. and Gavin P. Murphy, as treasurer, ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i) 434(a)(4)(A)(ii) by failing to file their 1984 October Quarterly and 1984 Pre-General Election Reports in a timely manner.

NOW, THEREFORE, the Commission and 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 Good Government Committee of J.P.

Stevens & Co., Inc. ("the Stevens Committee") is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. Gavin P. Murphy is the treasurer of the Stevens Committee.

3. Section 434(a)(4)(A)(i) of Title 2, United States Code, requires a political committee filing quarterly reports in a calendar year in which a regularly scheduled general election is held, through its treasurer, to file such reports no later than the 15th day after the last day of each calendar quarter; except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year.

4. Section 434(a)(4)(A)(ii) of Title 2, United States Code, requires, in a calendar year in which a regularly scheduled general election is held, that a pre-general election report be filed no later than the 12th day before any election in which the committee makes a contribution to or an expenditure on behalf of a candidate.

5. Respondents' 1984 October Quarterly Report was required to be filed on October 15, 1984. Respondents filed the 1984 October Quarterly Report on December 4, 1984, which was 50 days late.

6. Respondents' 1984 12 Day Pre-General Report was required to be filed on October 25, 1984. Respondent filed the 1984 12 Day Pre-General Report on December 4, 1984; which was 40 days late.

V. Respondents violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file their 1984 October Quarterly Report in a timely manner.

VI. Respondents violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file their 1984 12 Day Pre-General Election Report in a timely manner.

VII. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of two hundred, seventy-five dollars \$275.00, pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

XI. Respondents shall have no more than thirty (30) days from the date of this agreement becomes effective to comply with

and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Date

2/6/86

FOR THE RESPONDENTS:

Garin Murphy

Treasurer / Secretary

950401595

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Good Government Committee of) MUR 2048
J.P. Stevens & Co., Inc.)
Gavin P. Murphy, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 4, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 2048:

1. Accept the conciliation agreement with the Good Government Committee of J.P. Stevens & Co., Inc. and Gavin P. Murphy, as treasurer attached to the General Counsel's Report signed January 30, 1986.
2. Approve the proposed letter attached to the General Counsel's Report signed January 30, 1986.
3. Close the file.

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

Attest:

2/4/86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Fri., 1-31-86, 11:17
Circulated on 48 hour tally basis: Fri., 1-31-86, 2:00
Deadline for vote: Tues., 2-4-86, 4:00

CCC# 9224

MEMORANDUM

TO: RETHA DIXON

TO: JOAN HARRIS

FROM: JOAN HARRIS

FROM: RETHA DIXON

CHECK NO. 2426 (a copy of which is attached) **REBATING**
TO MUR 2048 AND NAME Good Government
Committee of J. P. Stivers
& Co, Inc & Gavin P. Murphy, Treasurer
WAS RECEIVED ON 12-17-85. PLEASE INDICATE THE ACCOUNT INTO
WHICH IT SHOULD BE DEPOSITED:

/ ~~*~~ BUDGET CLEARING ACCOUNT (#95F3875.16)

/ / CIVIL PENALTIES ACCOUNT (#95-1099.160)

/ / OTHER _____

SIGNATURE Robyn M. Bishop DATE 12-17-85

8 5 0 4 0 5 0 1 5 2 7

GOOD GOVERNMENT COMMITTEE OF

J.P. STEVENS & CO., INC.

1185 AVE. OF THE AMERICAS NEW YORK, NY 10036

2426

1-2/218
228

December 12, 1985

PAY TO THE ORDER OF Federal Election Commission

\$ 175.00

One Hundred and Seventy-Five and no/100

DOLLARS



The Chase Manhattan Bank, N.A.
1211 Ave. of the Americas at 47th St., N.Y. 10036

FOR

#002426# ⑆021000021⑆ 225 2 400308#

Gavin P. Murphy, Secretary
Treasurer

James P. Frankfort, Chairman

86519204092

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Good Government Committee of) MUR 2048
J.P. Stevens & Co., Inc.)
Gavin P. Murphy, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 7, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 2048:

1. Enter into conciliation with the Stevens Committee and Gavin P. Murphy, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's Report signed November 4, 1985.

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

Attest:

11-7-85
Date

Cheryl A. Fleming
for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Tues.,	11-5-85,	12:40
Circulated on 48 hour tally basis:	Tues.,	11-5-85,	4:00
Deadline for vote:	Thurs.,	11-7-85,	4:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Good Government Committee of) MUR 2048
J.P. Stevens & Co., Inc.)
Gavin P. Murphy, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 7, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 2048:

1. Enter into conciliation with the Stevens Committee and Gavin P. Murphy, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's Report signed November 4, 1985.

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

Attest:

11-7-85

Date

Cheryl A. Fleming
for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Tues.,	11-5-85,	12:40
Circulated on 48 hour tally basis:	Tues.,	11-5-85,	4:00
Deadline for vote:	Thurs.,	11-7-85,	4:00

85 AUG 9 18:24
GCH 82.52
TELEPHONE
(202) 828-4200

Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006

DAVID I. GRANGER

DIRECT LINE (202) 828-4218

August 8, 1985

BY HAND

CONFIDENTIAL

The Honorable Joan D. Aikens
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2048 (Good Government Committee
of J. P. Stevens & Co., Inc.)

Dear Madam Vice-Chairman:

This letter is submitted on behalf of the Good Government Committee of J. P. Stevens & Co., Inc. and the Committee's treasurer, Gavin P. Murphy, in response to the Federal Election Commission's letter of July 1, 1985, regarding MUR 2048.*

The Federal Election Commission letter of July 1, 1985 and the accompanying General Counsel's Factual and Legal Analysis allege that the Good Government Committee of J. P. Stevens & Co., Inc., and Mr. Murphy as Treasurer, violated the Federal Election Campaign Act by reporting on December 4, 1984 information which should have been reported on October 15, 1984 and October 25, 1984.

The purpose of this submission is to demonstrate that no action should be taken against the Good Government Committee

*/ By letter dated July 24, 1985, I transmitted to the FEC a Statement of Designation of Counsel executed by Mr. Murphy, and requested an additional twenty days, until August 13, to submit factual and legal materials (this submission) that are relevant to the Commission's consideration of MUR 2048. I conferred by telephone on that date with Mr. George Demougeot regarding the requested extension.

The Honorable Joan D. Aikens
August 8, 1985
Page 2

of J. P. Stevens & Co., Inc., or against Mr. Murphy as Treasurer. As explained below, J. P. Stevens & Co. has been going through great turmoil during the past year, and in the fall of 1984 was beset by a number of events which caused a one-time delay of approximately one and one half months for one report and approximately one month for another report. That one-time situation was preceded by eight years of flawless timely reporting by the Committee and has been followed by continuous timely reporting to the present time. The Committee and those responsible for it assure the Commission that there will be no repetition of delayed filings and are in position to see that that is the case. Accordingly, I hereby respectfully request that the FEC take no further action against the Committee or Mr. Murphy and that the file in MUR 2048 be closed. However, if the FEC concludes that further consideration is warranted, I request that the Commission consent to pre-probable cause conciliation pursuant to 11 C.F.R. § 111.18(d). The facts and arguments in support of this request are detailed below.

The Good Government Committee was established in 1976 by its current Treasurer, Gavin P. Murphy. Since 1976, the Committee has remained small in terms of the number of contributors, the total amount of contributions received and disbursed, and the amounts of financial contributions made to individual candidates or authorized political committees. In a conscious effort to minimize the unnecessary disclosure of individual employees' contributions to other J. P. Stevens employees, the Committee has always strictly limited the number of Company employees who have access to the Committee's records. The Committee has no full-time officers or employees. The persons who are responsible for the Committee's activities hold full-time positions of responsibility and authority within the Company. The Chairman of the Committee, James R. Franklin, is Director of Corporate Public Relations of J. P. Stevens and Administrator of the J. P. Stevens & Co., Inc. Foundation. Mr. Murphy, the Treasurer, is Senior Legal Counsel of J. P. Stevens. The third person discharging Committee functions, including the preparation of reports, is Mr. Franklin's secretary, Mrs. Aixa Lima; she not only assists Mr. Franklin in his three positions, but also fills in for other corporate executive secretaries when they are on sick leave or vacation.

The Honorable Joan D. Aikens
August 8, 1985
Page 3

including the filing of timely reports with the FEC. The FEC has never identified any potential violations of any kind in the Committee's operations prior to its July 1, 1985, letter. Significantly, when the Committee -- as a result of its own internal review -- discovered a minor error in a report submitted to the FEC, the Committee promptly filed a corrected report. The history of the Committee has been one of strict adherence to and compliance with the FEC's reporting requirements as set forth in 2 U.S.C. § 434(a)(4)(A)(1982) and 11 C.F.R. § 104.5 (1985).

The Circumstances of the Late Filing in 1984

Over the past several years, J. P. Stevens, a domestic textile producer and distributor, has experienced increasing pressure from foreign textile and apparel imports which has adversely affected the Company's sales and earnings and has resulted in smaller market segments in many of its product lines. J. P. Stevens has been forced to terminate large numbers of employees, increasingly in 1984, and is having to eliminate portions of the Company's business activities.

The Good Government Committee of J. P. Stevens & Co., Inc. was affected by the turmoil which J. P. Stevens was going through. For example, immediately after the major political conventions in the summer of 1984, the Committee planned a fund-raising appeal among eligible J. P. Stevens employees, but was delayed in sending out written materials regarding the appeal because termination notices were being sent to hundreds of Company employees, and the Committee's employee lists had to be revised constantly.

In the midst of this turmoil in mid-to-end 1984 Mr. Franklin himself was incapacitated for quite extended periods of time. He was hospitalized in June for major surgery, and was hospitalized again for further surgery in July. Following each hospitalization he was forced to recuperate at home. A relapse occurred and he was out of the office again from mid-to-end August. He was again forced to be out of the office because of these medical problems from the first of October through the 12th. During these periods Mr. Franklin was unable to perform his duties as Chairman of the Committee which included gathering and compiling, with Mrs. Lima, the information required for the FEC's October 1984 Quarterly Report and the 12 Day Pre-General Election Report.

The delay of a month to a month and one half in the filing of the October 1984 reports was a one-time occurrence in an otherwise flawless timely reporting by the Committee since its formation in 1976. The delay in the filing of the October reports has made the Committee and its officers acutely aware of the fact that a late filing must not occur again. The Committee and its officers are in position to see to it that there is no repetition of the delayed filing.

Analysis Under The Federal Election Campaign Act and The Commission's Decisions

Because the delayed filing of a month to a month and a half was a one-time occurrence in a period of great turmoil and physical incapacity of one of the individuals involved in preparing the reports, no enforcement action such as a civil penalty is necessary or warranted. This has been a self-corrective experience for the Committee and its officers and is not a situation requiring or justifying Commission action to ensure compliance in the future.

The FEC is afforded enforcement discretion by the Federal Election Campaign Act of 1971, as amended ("the Act"), 2 U.S.C. § 437(g)(1982). But it is well-recognized that this discretion must be carefully exercised. "When the delegation of legislative authority to an administrative agency is broad in scope, the courts have a greater role to play to prevent or correct disparate treatment of those subjected to regulation." Frank Irey, Jr., Inc. v. Occupational Safety and Health Review Comm'n, 519 F.2d 1200, 1206 (3d Cir. 1975), aff'd sub nom., Atlas Roofing Co. v. Occupational Safety and Health Review Comm'n, 430 U.S. 442 (1977). Particularly when an agency is authorized to impose civil penalties, as the FEC is empowered to do under the Act, decisions to impose the penalties are subject to careful judicial review and they must be "guided by sound legal principles." American Fed'n of Labor v. Federal Election Comm'n, 628 F.2d 97, 100 (D.C. Cir.), cert. denied, 449 U.S. 982 (1980), quoting Albermarle Paper Co. v. Moody, 422 U.S. 405, 416 (1975). In the case of the J. P. Stevens Good Government Committee, "sound legal principles" suggest that the imposition of a civil penalty would not advance the FEC's regulatory objectives. A civil penalty is not needed in this situation to ensure better compliance in the future. The Committee has reported in a timely fashion for nine years and thus has a sterling compliance record to attest to its future performance.

The Honorable Joan D. Aikens
August 8, 1985
Page 5

It should be emphasized that the Committee does not seek special treatment from the Commission in requesting that no further action be taken in MUR 2048. In two recent cases involving the filing by political committees of late reports with the FEC, the Commission clearly recognized that the objectives of the Act could be satisfied without recourse to enforcement action. In MUR 1907 (Norfolk Southern Corporation Tax Eligible Good Government Fund), the committee mailed its 12 Day Pre-General Election Report to the Commission five days before the deadline, but the Commission did not receive it until twelve days after the deadline. In declining to impose civil penalties, the FEC noted that the treasurer for the committee agreed to send all future reports by hand or registered mail. See Attachment A hereto. Evidently the Commission was satisfied that future compliance would occur without the necessity for enforcement action. Again, in MUR 1858 (Pan National Group Political Action Committee), the committee filed a quarterly report three months late, but notified the FEC during the three-month period that its treasurer had been hospitalized and that the report would be filed late. The committee's treasurer indicated that he had not had responsibility for filing reports with the Commission before 1984, and was not aware of the quarterly filing requirements. The FEC agreed to take no further action, again evidently on the basis that future compliance would occur without the necessity for enforcement action. See Attachment B hereto. Such is also the case as to the Stevens Committee; future compliance is assured without the necessity for enforcement action.

Conclusion

The instant case should be addressed in the same manner that the FEC addressed MUR's 1907 and 1858. The J. P. Stevens Good Government Committee has established a model compliance record with the FEC since its establishment in 1976. In regard to the October reports in 1984, the Committee was caught up in the turmoil that adversely affected the entire Company, and in addition was affected by Mr. Franklin's illness. The Committee has adjusted to the debilitating effects of J. P. Stevens' problems, and will not permit such problems to affect its obligations under the Act and FEC regulations in the future. This has been a self-corrective experience. The Committee and its officers will provide the Commission with whatever appropriate assurance of this the Commission might desire. In view of these facts, enforcement action by the FEC is unnecessary and unwarranted to accomplish the FEC's regulatory objectives.

The Honorable Joan D. Aikens
August 8, 1985
Page 6

Accordingly, the Committee and its Treasurer, Gavin P. Murphy, hereby respectfully request that no action be taken and that the FEC vote to close the file in MUR 2048. If the Commission believes that further consideration is warranted, it is respectfully requested that the FEC consent to pre-probable cause conciliation in this matter.

Sincerely,



David I. Granger

Counsel for the Good Government
Committee of J. P. Stevens & Co.,
Inc. and Gavin P. Murphy, Treasurer

Attachments

cc: Mr. George Demougeot

000040751600

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of.)
) MUR 1907
 Norfolk Southern Corporation)
 Tax Eligible Good Government)
 Fund)
 Frank A. Lockett, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 10, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1907:

1. Take no further action against the Norfolk Southern Corporation Tax Eligible Good Government Fund and Frank A. Lockett, as treasurer.
2. Close the file.
3. Approve the letters attached to the General Counsel's Report signed April 5, 1985.

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

Attest:

4-10-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
 Secretary of the Commission

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

4-5-85, 12:08
 4-8-85, 11:00

363407607



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

April 17, 1985

George A. Aspatore, Esquire
Norfolk Southern Corporation
Law Department
1050 Connecticut Avenue, N.W.
Suite 740
Washington, D.C. 20036

RE: MUR 1907
Norfolk Southern Corporation Tax
Eligible Good Government Fund
Frank A. Lockett, as treasurer

Dear Mr. Aspatore:

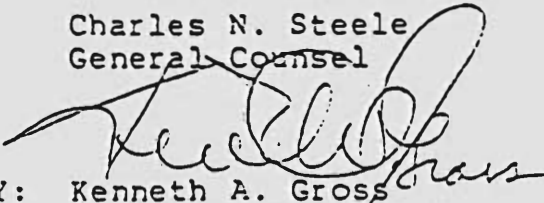
On March 1, 1985, the Commission found reason to believe that the Norfolk Southern Corporation Tax Eligible Good Government Fund and Frank A. Lockett, as treasurer, had violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission, on April 10, 1985, determined to take no further action and close its file. The file in this matter will be made part of the public record within 30 days.

The Commission reminds your clients that the late filing of a report is a violation of the Act and immediate steps should be taken to insure that this activity does not occur in the future.

If you have any questions, please direct them to Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Norfolk Southern Corporation) MUR 1907
Tax Eligible Good Government)
Fund)
Frank A. Lockett, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). On March 1, 1985, the Commission opened a MUR and found reason to believe that the Norfolk Southern Corporation Tax Eligible Good Government Fund ("Committee") and Frank A. Lockett, as treasurer, violated 2 U.S.C. § 434(a)(4)(B). On March 25, 1985, this Office received a response from Mr. Lockett. See Attachment 1.

II. ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(B), a political committee filing monthly reports is required, through its treasurer, to file, in any year in which a regularly scheduled general election is held, a pre-general election report no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) the general election.

On October 1, 1984, the Committee was sent prior notice that the 1984 12 Day Pre-General Election Report was due by October 25, 1984. On November 7, 1984, the report was received at the Commission. See Attachment 2. According to Mr. Lockett, the report was mailed via first class mail the day it was signed, October 20, 1984. Mr. Lockett added that he has no idea why the report was not received by the Commission until November 7, 1984,

but stated that in the future all of the Committee's reports would either be hand-delivered or sent registered or certified mail. Further, Mr. Lockett claimed that he had been treasurer since 1972 and that this was the Committee's first late filing.* / Mr. Lockett asked that no further action be taken by the Commission but requested pre-probable cause conciliation should a decision be made to pursue this matter further.

In light of Mr. Lockett's response, the fact that the report was only 13 days late and the fact that the Committee made no disbursements during the reporting period in question (October 1 -October 17, 1984), the Office of General Counsel recommends that the Commission take no further action against the Respondents and close the file.

III. RECOMMENDATIONS

1. Take no further action against the Norfolk Southern Corporation Tax Eligible Good Government Fund and Frank A. Lockett, as treasurer.
2. Close the file.
3. Approve the attached letter.

Charles N. Steele
General Counsel

April 5, 1985
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Response
2. Report
3. Proposed letter

* / In checking with RAD, it appears that this is the first time the Committee has been referred to this Office for the late filing of a report.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 6, 1984

Roland J. Scott, Treasurer
Pan National Group Political Action Committee
One State National Plaza
El Paso, Texas 79901

RE: MUR 1858
Pan National Group Political
Action Committee

Dear Mr. Scott:

On November 27, 1984, the Commission found reason to believe that the Pan National Group Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 104.5(c)(1)(i)(A) by failing to file a July 1984 Quarterly Report of Receipts and Expenditures in a timely manner. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close the file. The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

A copy of the final General Counsel's Report in this matter is enclosed for your information.

The Commission reminds you that failing to file disclosure reports in a timely manner nevertheless appears to be a violation of 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i)(A) and you should take immediate steps to insure that this activity does not occur in the future.

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

Sincerely,

Lee Ann Elliott
Lee Ann Elliott
Chairman

Enclosure
General Counsel's Report

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR 1858
STAFF MEMBER(S) & TELEPHONE NO.
GARR 523 4143

RESPONDENT: Pan National Group PAC and Roland J. Scott,
as treasurer

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

SUMMARY OF ALLEGATIONS

On June 21, 1984, PANPAC was notified that the July Quarterly Report was due on July 15, 1984. On August 8, 1984, a non-filer notice was sent to PANPAC.

In response to the non-filer notice, a committee spokesman contacted the Commission on August 16, 1984, to report that because PANPAC's treasurer had been ill, he was unable to complete the report. After being advised that the Commission does not grant extensions for filing dates, the spokesman indicated the reports would be filed soon.

On September 14, 1984, PANPAC's July Quarterly Report was received at the Commission with an attached cover letter from Hector R. Gonzalez. In his letter, Mr. Gonzalez indicated that PANPAC's July Quarterly Report was filed late because he was unaware that reports had to be filed on a quarterly basis during an election year. In addition, he reported he had been hospitalized during the month of August.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i)(A), all political committees other than authorized committees of a candidate are required to file, in a

calendar year in which a regularly scheduled election is held, a quarterly report which shall be filed no later than the 15th day after the last day of each calendar quarter.

The Office of General Counsel recommends that the Commission find reason to believe that PANPAC's failure to file its July, 1984 Quarterly Report of Receipts and Disbursements in a timely manner is a violation of 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i)(A).

95040301615

FROM: T. Raymond

DATE : 8/16/84

TO:

TELEPHONE:

NAME OF COMMITTEE: PANPAC

A committee spokesman called to say that the committee had received the July Quarterly Report Non-Filer Notice. He stated that the report had not been filed because the treasurer was in the hospital. I explained to the spokesman that the Commission did not grant extensions for filing dates and that the committee should get the report in as soon as possible. The gentleman said that there was not very much activity to report, and they would file the report soon.

1
9
1
0
5
0
6
0
9
8

Attachment T - Pg 5

State National
A Momentum Bank

RECEIVED AT THE FEC

ATTACHMENT 6

84 SEP 14 18:21

September 10, 1984

Public Records Division
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

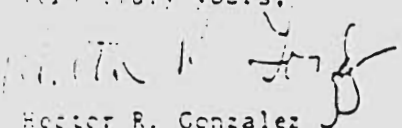
Dear Sir:

The reason for the delay in filing the second quarter report is twofold:

1. This has been my first year compiling the report and I did not know that it had to be filed on a quarterly basis on an election year, and
2. I was hospitalized during the month of August, when I realized that the report had to be filed.

Thank you for your understanding. If there is a fine or penalty, please let me know.

Sincerely yours,


Hector R. Gonzalez
Vice President & Senior Trust Officer
Manager, Trust Operations Department

Attachment I-897

Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006

DAVID I. GRANGER

August 8, 1985

AUG 9 11:24
DIRECT LINE (202) 828-4218

BY HAND

CONFIDENTIAL

The Honorable Joan D. Aikens
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2048 (Good Government Committee
of J. P. Stevens & Co., Inc.)

Dear Madam Vice-Chairman:

This letter is submitted on behalf of the Good Government Committee of J. P. Stevens & Co., Inc. and the Committee's treasurer, Gavin P. Murphy, in response to the Federal Election Commission's letter of July 1, 1985, regarding MUR 2048.*

The Federal Election Commission letter of July 1, 1985 and the accompanying General Counsel's Factual and Legal Analysis allege that the Good Government Committee of J. P. Stevens & Co., Inc., and Mr. Murphy as Treasurer, violated the Federal Election Campaign Act by reporting on December 4, 1984 information which should have been reported on October 15, 1984 and October 25, 1984.

The purpose of this submission is to demonstrate that no action should be taken against the Good Government Committee

*/ By letter dated July 24, 1985, I transmitted to the FEC a Statement of Designation of Counsel executed by Mr. Murphy, and requested an additional twenty days, until August 13, to submit factual and legal materials (this submission) that are relevant to the Commission's consideration of MUR 2048. I conferred by telephone on that date with Mr. George Demougeot regarding the requested extension.

of J. P. Stevens & Co., Inc., or against Mr. Murphy as Treasurer. As explained below, J. P. Stevens & Co. has been going through great turmoil during the past year, and in the fall of 1984 was beset by a number of events which caused a one-time delay of approximately one and one half months for one report and approximately one month for another report. That one-time situation was preceded by eight years of flawless timely reporting by the Committee and has been followed by continuous timely reporting to the present time. The Committee and those responsible for it assure the Commission that there will be no repetition of delayed filings and are in position to see that that is the case. Accordingly, I hereby respectfully request that the FEC take no further action against the Committee or Mr. Murphy and that the file in MUR 2048 be closed. However, if the FEC concludes that further consideration is warranted, I request that the Commission consent to pre-probable cause conciliation pursuant to 11 C.F.R. § 111.18(d). The facts and arguments in support of this request are detailed below.

The J. P. Stevens Good Government Committee

The Good Government Committee was established in 1976 by its current Treasurer, Gavin P. Murphy. Since 1976, the Committee has remained small in terms of the number of contributors, the total amount of contributions received and disbursed, and the amounts of financial contributions made to individual candidates or authorized political committees. In a conscious effort to minimize the unnecessary disclosure of individual employees' contributions to other J. P. Stevens employees, the Committee has always strictly limited the number of Company employees who have access to the Committee's records. The Committee has no full-time officers or employees. The persons who are responsible for the Committee's activities hold full-time positions of responsibility and authority within the Company. The Chairman of the Committee, James R. Franklin, is Director of Corporate Public Relations of J. P. Stevens and Administrator of the J. P. Stevens & Co., Inc. Foundation. Mr. Murphy, the Treasurer, is Senior Legal Counsel of J. P. Stevens. The third person discharging Committee functions, including the preparation of reports, is Mr. Franklin's secretary, Mrs. Aixa Lima; she not only assists Mr. Franklin in his three positions, but also fills in for other corporate executive secretaries when they are on sick leave or vacation.

Since its formation in 1976, the Committee has consistently operated in a responsible and prudent manner,

including the filing of timely reports with the FEC. The FEC has never identified any potential violations of any kind in the Committee's operations prior to its July 1, 1985, letter. Significantly, when the Committee -- as a result of its own internal review -- discovered a minor error in a report submitted to the FEC, the Committee promptly filed a corrected report. The history of the Committee has been one of strict adherence to and compliance with the FEC's reporting requirements as set forth in 2 U.S.C. § 434(a)(4)(A)(1982) and 11 C.F.R. § 104.5 (1985).

The Circumstances of the Late Filing in 1984

Over the past several years, J. P. Stevens, a domestic textile producer and distributor, has experienced increasing pressure from foreign textile and apparel imports which has adversely affected the Company's sales and earnings and has resulted in smaller market segments in many of its product lines. J. P. Stevens has been forced to terminate large numbers of employees, increasingly in 1984, and is having to eliminate portions of the Company's business activities.

The Good Government Committee of J. P. Stevens & Co., Inc. was affected by the turmoil which J. P. Stevens was going through. For example, immediately after the major political conventions in the summer of 1984, the Committee planned a fund-raising appeal among eligible J. P. Stevens employees, but was delayed in sending out written materials regarding the appeal because termination notices were being sent to hundreds of Company employees, and the Committee's employee lists had to be revised constantly.

In the midst of this turmoil in mid-to-end 1984 Mr. Franklin himself was incapacitated for quite extended periods of time. He was hospitalized in June for major surgery, and was hospitalized again for further surgery in July. Following each hospitalization he was forced to recuperate at home. A relapse occurred and he was out of the office again from mid-to-end August. He was again forced to be out of the office because of these medical problems from the first of October through the 12th. During these periods Mr. Franklin was unable to perform his duties as Chairman of the Committee which included gathering and compiling, with Mrs. Lima, the information required for the FEC's October 1984 Quarterly Report and the 12 Day Pre-General Election Report.

The delay of a month to a month and one half in the filing of the October 1984 reports was a one-time occurrence in an otherwise flawless timely reporting by the Committee since its formation in 1976. The delay in the filing of the October reports has made the Committee and its officers acutely aware of the fact that a late filing must not occur again. The Committee and its officers are in position to see to it that there is no repetition of the delayed filing.

Analysis Under The Federal Election Campaign Act and The
Commission's Decisions

Because the delayed filing of a month to a month and a half was a one-time occurrence in a period of great turmoil and physical incapacity of one of the individuals involved in preparing the reports, no enforcement action such as a civil penalty is necessary or warranted. This has been a self-corrective experience for the Committee and its officers and is not a situation requiring or justifying Commission action to ensure compliance in the future.

The FEC is afforded enforcement discretion by the Federal Election Campaign Act of 1971, as amended ("the Act"), 2 U.S.C. § 437(g)(1982). But it is well-recognized that this discretion must be carefully exercised. "When the delegation of legislative authority to an administrative agency is broad in scope, the courts have a greater role to play to prevent or correct disparate treatment of those subjected to regulation." Frank Irey, Jr., Inc. v. Occupational Safety and Health Review Comm'n, 519 F.2d 1200, 1206 (3d Cir. 1975), aff'd sub nom., Atlas Roofing Co. v. Occupational Safety and Health Review Comm'n, 430 U.S. 442 (1977). Particularly when an agency is authorized to impose civil penalties, as the FEC is empowered to do under the Act, decisions to impose the penalties are subject to careful judicial review and they must be "guided by sound legal principles." American Fed'n of Labor v. Federal Election Comm'n, 628 F.2d 97, 100 (D.C. Cir.), cert. denied, 449 U.S. 982 (1980), quoting Albermarle Paper Co. v. Moody, 422 U.S. 405, 416 (1975). In the case of the J. P. Stevens Good Government Committee, "sound legal principles" suggest that the imposition of a civil penalty would not advance the FEC's regulatory objectives. A civil penalty is not needed in this situation to ensure better compliance in the future. The Committee has reported in a timely fashion for nine years and thus has a sterling compliance record to attest to its future performance.

It should be emphasized that the Committee does not seek special treatment from the Commission in requesting that no further action be taken in MUR 2048. In two recent cases involving the filing by political committees of late reports with the FEC, the Commission clearly recognized that the objectives of the Act could be satisfied without recourse to enforcement action. In MUR 1907 (Norfolk Southern Corporation Tax Eligible Good Government Fund), the committee mailed its 12 Day Pre-General Election Report to the Commission five days before the deadline, but the Commission did not receive it until twelve days after the deadline. In declining to impose civil penalties, the FEC noted that the treasurer for the committee agreed to send all future reports by hand or registered mail. See Attachment A hereto. Evidently the Commission was satisfied that future compliance would occur without the necessity for enforcement action. Again, in MUR 1858 (Pan National Group Political Action Committee), the committee filed a quarterly report three months late, but notified the FEC during the three-month period that its treasurer had been hospitalized and that the report would be filed late. The committee's treasurer indicated that he had not had responsibility for filing reports with the Commission before 1984, and was not aware of the quarterly filing requirements. The FEC agreed to take no further action, again evidently on the basis that future compliance would occur without the necessity for enforcement action. See Attachment B hereto. Such is also the case as to the Stevens Committee; future compliance is assured without the necessity for enforcement action.

Conclusion

The instant case should be addressed in the same manner that the FEC addressed MUR's 1907 and 1858. The J. P. Stevens Good Government Committee has established a model compliance record with the FEC since its establishment in 1976. In regard to the October reports in 1984, the Committee was caught up in the turmoil that adversely affected the entire Company, and in addition was affected by Mr. Franklin's illness. The Committee has adjusted to the debilitating effects of J. P. Stevens' problems, and will not permit such problems to affect its obligations under the Act and FEC regulations in the future. This has been a self-corrective experience. The Committee and its officers will provide the Commission with whatever appropriate assurance of this the Commission might desire. In view of these facts, enforcement action by the FEC is unnecessary and unwarranted to accomplish the FEC's regulatory objectives.

The Honorable Joan D. Aikens
August 8, 1985
Page 6

Accordingly, the Committee and its Treasurer, Gavin P. Murphy, hereby respectfully request that no action be taken and that the FEC vote to close the file in MUR 2048. If the Commission believes that further consideration is warranted, it is respectfully requested that the FEC consent to pre-probable cause conciliation in this matter.

Sincerely,



David T. Granger

Counsel for the Good Government
Committee of J. P. Stevens & Co.,
Inc. and Gavin P. Murphy, Treasurer

Attachments

cc: Mr. George Demougeot ✓

36040301621

ABLE CLINEY
EX 248588 CLEY
COMMISSION SECRETARY

TELEPHONE
(202) 828-4200

05 JUL 24 P 1:21

*Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006*

DAVID I. GRANGER

DIRECT LINE (202) 828-4218

July 24, 1985

BY HAND

CONFIDENTIAL

The Honorable Joan D. Aikens
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

JUL 24
P 5:07

Re: MUR 2048 (Good Government Committee
of J.P. Stevens & Co., Inc.)

Dear Madam Vice-Chairman:

On behalf of the Good Government Committee of J.P. Stevens & Co., Inc. and the Committee's treasurer, Gavin P. Murphy, I am responding to the Federal Election Commission's letter of July 1, 1985, regarding MUR 2048, which was received by Mr. Murphy's office on July 9, 1985.

In accordance with your letter, I enclose a Statement of Designation of Counsel designating me and my associate, Philip H. Hecht, as counsel for the Committee and Mr. Murphy in this matter. Also in accordance with your letter, I request an extension of twenty days from today's date, until August 13, 1985, to submit factual and legal materials that are relevant to the Commission's consideration of MUR 2048.

The reasons for this request were stated in a letter to you from James R. Franklin, Chairman of the Committee, dated July 11, 1985. A copy of Mr. Franklin's letter is attached hereto for your convenience. Mr. Murphy, to whom your July 1 letter was addressed, has only recently been released from the hospital after a major operation, and has not yet returned to work. In his absence from the office, he has directed that information bearing on MUR 2048 be assembled and forwarded to us so that we may submit relevant materials to the Commission pursuant to your letter. This will be done in a timely fashion and we will submit such materials to the Commission by August 13.

The Honorable Joan D. Aikens
July 24, 1985
Page 2

I therefore request that a twenty day extension be granted to the Committee and Mr. Murphy to respond to the Commission's actions in MUR 2048.

I will be pleased to answer any questions regarding this letter and request.

Sincerely,



David I. Granger

DIG/klc

Enclosures

cc: Mr. George Demougeot

85040301623

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2048

NAME OF COUNSEL: David I. Granger, Esquire
Philip H. Hecht, Esquire
ADDRESS: Clifford & Warnke
815 Connecticut Avenue, N.W.
Washington, D.C. 20006
TELEPHONE: (202) 828-4218

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.

7.23.85
Date

Gavin P. Murphy
Signature

RESPONDENT'S NAME: Gavin P. Murphy, Esquire
ADDRESS: Good Government Committee of
J. P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, New York 10036
HOME PHONE: (212) 249-8244
BUSINESS PHONE: (212) 930-3502

35040:01824

Rec'd 7/11/85

STEVENS

Good Government Committee
J.P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, N.Y. 10036

James R. Franklin
Chairman

J. Marshall Beck, Jr.
Vice Chairman

Gavin P. Murphy ✓
Secretary-Treasurer

James A. Childers
Assistant Treasurer

REGISTERED MAIL -- RETURN RECEIPT REQUESTED

11 July 1985

The Honorable Joan D. Aikens
Vice Chairman
Federal Election Commission
Washington, D.C. 20463

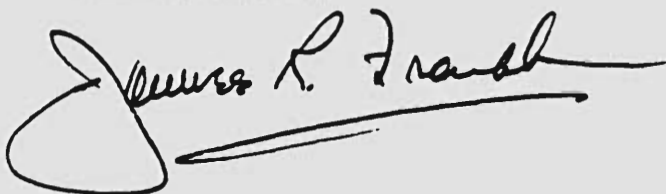
Dear Madam Vice Chairman:

Your letter, MUR 2048, dated July 1, 1985, addressed to Gavin P. Murphy, Treasurer of the Good Government Committee of J.P. Stevens & Co., Inc., was received on July 9th, in his absence from the office.

Mr. Murphy is recovering from a major medical procedure and upon his return to the office, he will respond, in detail, to your letter and I respectfully request that any further proceedings regarding this matter be held in abeyance until he is sufficiently recovered to do so.

With best wishes,

Sincerely yours,

James R. Franklin

35040101525

Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006

DAVID I. GRANGER

DIRECT LINE (202) 628-4216

July 24, 1985

BY HAND

CONFIDENTIAL

The Honorable Joan D. Aikens
Vice-Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2048 (Good Government Committee
of J.P. Stevens & Co., Inc.)

Dear Madam Vice-Chairman:

On behalf of the Good Government Committee of J.P. Stevens & Co., Inc. and the Committee's treasurer, Gavin P. Murphy, I am responding to the Federal Election Commission's letter of July 1, 1985, regarding MUR 2048, which was received by Mr. Murphy's office on July 9, 1985.

In accordance with your letter, I enclose a Statement of Designation of Counsel designating me and my associate, Philip H. Hecht, as counsel for the Committee and Mr. Murphy in this matter. Also in accordance with your letter, I request an extension of twenty days from today's date, until August 13, 1985, to submit factual and legal materials that are relevant to the Commission's consideration of MUR 2048.

The reasons for this request were stated in a letter to you from James R. Franklin, Chairman of the Committee, dated July 11, 1985. A copy of Mr. Franklin's letter is attached hereto for your convenience. Mr. Murphy, to whom your July 1 letter was addressed, has only recently been released from the hospital after a major operation, and has not yet returned to work. In his absence from the office, he has directed that information bearing on MUR 2048 be assembled and forwarded to us so that we may submit relevant materials to the Commission pursuant to your letter. This will be done in a timely fashion and we will submit such materials to the Commission by August 13.

JUL 24 1985
P 1:33

35040:01626

The Honorable Joan D. Aikens
July 24, 1985
Page 2

I therefore request that a twenty day extension be granted to the Committee and Mr. Murphy to respond to the Commission's actions in MUR 2048.

I will be pleased to answer any questions regarding this letter and request.

Sincerely,



David I. Granger

DIG/klc

Enclosures

cc: Mr. George Demougeot

36040361627

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2048

NAME OF COUNSEL: David I. Granger, Esquire
Philip H. Hecht, Esquire
ADDRESS: Clifford & Warnke

815 Connecticut Avenue, N.W.
Washington, D.C. 20006

TELEPHONE: (202) 828-4218

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.

7-1-68
Date

Ann P. Murphy
Signature

RESPONDENT'S NAME: Gavin P. Murphy, Esquire
ADDRESS: Good Government Committee of
J. P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, New York 10036

HOME PHONE: (212) 249-8244

BUSINESS PHONE: (212) 930-3502

Rec'd 7/11/85

STEVENS

Good Government Committee
J.P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, N.Y. 10036

James R. Franklin
Chairman

J. Marshall Beck, Jr.
Vice Chairman

Gavin P. Murphy ✓
Secretary-Treasurer

James A. Childers
Assistant Treasurer

REGISTERED MAIL -- RETURN RECEIPT REQUESTED

11 July 1985

The Honorable Joan D. Aikens
Vice Chairman
Federal Election Commission
Washington, D.C. 20463

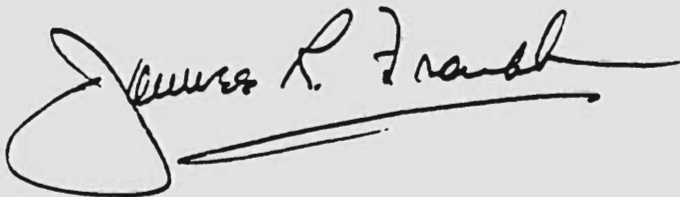
Dear Madam Vice Chairman:

Your letter, MUR 2048, dated July 1, 1985, addressed to Gavin P. Murphy, Treasurer of the Good Government Committee of J.P. Stevens & Co., Inc., was received on July 9th, in his absence from the office.

Mr. Murphy is recovering from a major medical procedure and upon his return to the office, he will respond, in detail, to your letter and I respectfully request that any further proceedings regarding this matter be held in abeyance until he is sufficiently recovered to do so.

With best wishes,

Sincerely yours,

James R. Franklin

*Newsgest***STEVENS**

Good Government Committee
J.P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, N.Y. 10036

James R. Franklin
Chairman

J. Marshall Beck, Jr.
Vice Chairman

Gavin P. Murphy
Secretary-Treasurer

James A. Childers
Assistant Treasurer

REGISTERED MAIL -- RETURN RECEIPT REQUESTED

11 July 1985

The Honorable Joan D. Aikens
Vice Chairman
Federal Election Commission
Washington, D.C. 20463

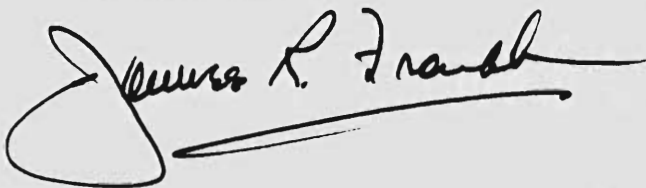
Dear Madam Vice Chairman:

Your letter, MUR 2048, dated July 1, 1985, addressed to Gavin P. Murphy, Treasurer of the Good Government Committee of J.P. Stevens & Co., Inc., was received on July 9th, in his absence from the office.

Mr. Murphy is recovering from a major medical procedure and upon his return to the office, he will respond, in detail, to your letter and I respectfully request that any further proceedings regarding this matter be held in abeyance until he is sufficiently recovered to do so.

With best wishes,

Sincerely yours,



05 JUL 16 A 9: 27

OFFICE OF THE
COMMISSIONER
FEDERAL ELECTION
COMMISSION

REGISTERED MAIL --
RETURN RECEIPT REQUESTED

The Honorable Joan D. Aikens
Vice Chairman
Federal Election Commission
Washington, D.C. 20463

F 126 604 026

85 JUL 15 PZ: 45



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 1, 1985

Gavin P. Murphy, Treasurer
Good Government Committee of
J.P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, NY 10036

RE: MUR 2048

Dear Mr. Murphy:

On June 25, 1985, the Federal Election Commission determined that there is reason to believe the Good Government Committee of J.P. Stevens & Co., Inc. and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(ii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against 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 ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, 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 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 it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on

Letter to Gavin P. Murphy, Treasurer
Page 2

probable cause have been mailed to the respondent will not be entertained.

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 George Demougeot, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,



JOAN D. AIKENS
Vice-Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

36040581633

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2048

RESPONDENTS: Good Government Committee of
J.P. Stevens & Co., Inc. and
Gavin P. Murphy, as treasurer

SUMMARY OF ALLEGATIONS

The Good Government Committee of J.P. Stevens & Co., Inc. ("the Stevens Committee") failed to file the 1984 October Quarterly and the 12 Day Pre-General Election Reports of Receipts and Disbursements.

The Stevens Committee was notified on September 21, 1984 that the October Quarterly Report was due on October 15, 1984. On October 1, 1984, the Stevens Committee was notified that the 12 Day Pre-General Report was due on October 25, 1984 if contributions and expenditures, which had not previously been reported, were made in connection with the general election during the period ending October 17, 1984.

On December 4, 1984, the Stevens committee filed a report marked as a 12 Day Pre-General Report and disclosing activity from July 1, 1984 through October 18, 1984. As indicated on the supporting disbursement schedules, the Stevens Committee made \$14,150 in contributions to Federal candidates during the 1984 12 Day Pre-General reporting period (October 1 through October 17, 1984).

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(A)(i) provides that all political committees other than the authorized committee of a candidate shall file quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be no later than the 15th day after the last day of each calendar quarter, except that the report for the final calendar quarter of the year shall be filed on January 31 of the following calendar year.

2 U.S.C. § 434(a)(4)(A)(ii) in a calendar year in which a regularly scheduled general election is held, that a pre-general election report be filed no later than the 12th day before any election in which the committee makes a contribution to or an expenditure on behalf of a candidate.

Since the Stevens Committee was required to file the 1984 October Quarterly report on October 15, 1985 and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). Also, since the Stevens Committee was required to file a 12 Day Pre-General Election report on October 25, 1984 and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that the Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Gavin P. Murphy, Treasurer
Good Government Committee of
J.P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, NY 10036

RE: MUR

Dear Mr. Murphy:

On , 1985, the Federal Election Commission determined that there is reason to believe the Good Government Committee of J.P. Stevens & Co., Inc. and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(ii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against 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 ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, 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 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 it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on

Letter to Gavin P. Murphy, Treasurer
Page 2

probable cause have been mailed to the respondent will not be entertained.

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 George Demougeot, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENTS: Good Government Committee of
J.P. Stevens & Co., Inc. and
Gavin P. Murphy, as treasurer

SUMMARY OF ALLEGATIONS

The Good Government Committee of J.P. Stevens & Co., Inc. ("the Stevens Committee") failed to file the 1984 October Quarterly and the 12 Day Pre-General Election Reports of Receipts and Disbursements.

The Stevens Committee was notified on September 21, 1984 that the October Quarterly Report was due on October 15, 1984. On October 1, 1984, the Stevens Committee was notified that the 12 Day Pre-General Report was due on October 25, 1984 if contributions and expenditures, which had not previously been reported, were made in connection with the general election during the period ending October 17, 1984.

On December 4, 1984, the Stevens committee filed a report marked as a 12 Day Pre-General Report and disclosing activity from July 1, 1984 through October 18, 1984. As indicated on the supporting disbursement schedules, the Stevens Committee made \$14,150 in contributions to Federal candidates during the 1984 12 Day Pre-General reporting period (October 1 through October 17, 1984).

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(A)(i) provides that all political committees other than the authorized committee of a candidate shall file quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be no later than the 15th day after the last day of each calendar quarter, except that the report for the final calendar quarter of the year shall be filed on January 31 of the following calendar year.

2 U.S.C. § 434(a)(4)(A)(ii) in a calendar year in which a regularly scheduled general election is held, that a pre-general election report be filed no later than the 12th day before any election in which the committee makes a contribution to or an expenditure on behalf of a candidate.

Since the Stevens Committee was required to file the 1984 October Quarterly report on October 15, 1985 and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). Also, since the Stevens Committee was required to file a 12 Day Pre-General Election report on October 25, 1984 and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that the Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral 85NF-118
Good Government Committee of)
J.P. Stevens & Co., Inc.)
Gavin P. Murphy, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 25, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85NF-118:

1. Open a MUR.
2. Find reason to believe that the Good Government Committee of J.P. Stevens & Co., Inc. and Gavin P. Murphy, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(ii).
3. Approve and send the letter and Factual and Legal Analysis attached to the First General Counsel's Report signed June 20, 1985.

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

Attest:

6-26-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

6-20-85, 3:15
6-21-85, 2:00

850403640



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel
DATE: June 20, 1985
SUBJECT: RAD Ref. 85NF-118: First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]
Audit Matters []

Litigation []
Closed MUR Letters []

Status Sheets []
Advisory Opinions []

Other (see distribution below) []

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

RECEIVED
OFFICE OF THE
COMMISSIONER
SECRETARY

FIRST GENERAL COUNSEL'S REPORT

28 JUN 85 13:15

DATE AND TIME OF TRANSMITTAL BY
OGC TO THE COMMISSION _____

RAD REFERRAL: 85NF-118
STAFF MEMBER:
George Demougeot

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

RESPONDENTS' NAMES: Good Government Committee of J.P.
Stevens & Co., Inc.
Gavin P. Murphy, as treasurer

SENSITIVE

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

INTERNAL REPORTS

CHECKED: Committee Reports

FEDERAL AGENCIES

CHECKED: None

GENERATION OF MATTER

Based on information obtained in the normal course of its supervisory duties under the Federal Election Campaign Act of 1971, as amended (the "Act"), the Reports Analysis Division ("RAD") referred this matter to the Office of General Counsel on May 29, 1985.

SUMMARY OF ALLEGATIONS

The Good Government Committee of J.P. Stevens & Co., Inc. ("the Stevens Committee") failed to file the 1984 October Quarterly and the 12 Day Pre-General Election Reports of Receipts and Disbursements.

The Stevens Committee was notified on September 21, 1984, that the October Quarterly Report was due on October 15, 1984. On October 1, 1984, the Stevens Committee was notified that the

95040301642

Day Pre-General Report was due on October 25, 1984, if contributions and expenditures, which had not previously been reported, were made in connection with the general election during the period ending October 17, 1984.

On December 4, 1984, the Stevens committee filed a report marked as a 12 Day Pre-General Report and disclosing activity from July 1, 1984 through October 18, 1984. As indicated on the supporting disbursement schedules, the Stevens Committee made \$14,150 in contributions to Federal candidates during the 1984 12 Day Pre-General reporting period (October 1 through October 17, 1984).

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(A)(i) provides that all political committees other than the authorized committee of a candidate shall file quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be no later than the 15th day after the last day of each calendar quarter, except that the report for the final calendar quarter of the year shall be filed on January 31 of the following calendar year.

2 U.S.C. § 434(a)(4)(A)(ii) in a calendar year in which a regularly scheduled general election is held, that a pre-general election report be filed no later than the 12th day before any election in which the committee makes a contribution to or an expenditure on behalf of a candidate.

Since the Stevens Committee was required to file the 1984 October Quarterly report on October 15, 1985, and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). Also, since the Stevens Committee was required to file a 12 Day Pre-General Election report on October 25, 1984, and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that the Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Good Government Committee of J.P. Stevens & Co., Inc. and Gavin P. Murphy, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(ii).
3. Approve and send the attached letter and factual and legal analysis.

Charles N. Steele
General Counsel

Jan 20, 1985
Date

BY: Kenneth A. Gross

Kenneth A. Gross
Associate General Counsel

Attachments

1. Referral
2. Proposed letter
3. General Counsel's Factual and Legal Analysis

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 29, 1985ANALYST: J. Hunter Bryan

I. COMMITTEE: Good Government Committee of J.P. Stevens & Co., Inc. (C00075093)
Gavin P. Murphy, Treasurer
1185 Avenue of the Americas
New York, NY 10036

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

III. BACKGROUND:

Failure to Timely File the 1984 October Quarterly and 12 Day Pre-General Reports

The Good Government Committee of J.P. Stevens & Co., Inc. ("the Stevens Committee") failed to file the 1984 October Quarterly and the 12 Day Pre-General Reports of Receipts and Disbursements by Election Day, November 6, 1984.

The Stevens Committee was notified on September 21, 1984 that the October Quarterly Report was due on October 15, 1984 (Attachment 2). On October 1, 1984, the Stevens Committee was notified that the 12 Day Pre-General Report was due on October 25, 1984 if contributions and expenditures, which had not previously been reported, were made in connection with the general election during the period ending October 17, 1984 (Attachment 3).

On December 4, 1984, the Stevens Committee filed a report marked as a 12 Day Pre-General Report and disclosing activity from July 1, 1984 through October 18, 1984 (Attachment 4). As indicated on the supporting disbursement schedules, the Stevens Committee made \$14,150 in contributions to Federal candidates during the 1984 12 Day Pre-General reporting period (October 1 through October 17, 1984).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

Attachment I

(2)

35040501645

3 5 0 4 0 3 3 1 6 4 5

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

DATE 24MAY85
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
GOOD GOVERNMENT COMMITTEE OF J.P. STEVENS & CO., INC. CONNECTED ORGANIZATION: J P STEVENS & CO INC				NON-PARTY QUALIFIED		ID #C00075093
1983	JULY QUARTERLY	9,199	3,108	1JAN83 -30JUN83	6	83FEC/276/2
	YEAR-END	18,973	5,800	1JUL83 -31DEC83	10	84FEC/296/353
	YEAR-END - AMENDMENT	18,973	5,800	1JUL83 -31DEC83	9	85FEC/367/1089
	REQUEST FOR ADDITIONAL INFORMATION			1JUL83 -31DEC83	1	85FEC/365/2160
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL83 -31DEC83	2	85FEC/367/1670
1984	APRIL QUARTERLY	6,521	2,601	1JAN84 -31MAR84	6	84FEC/310/0930
	JULY QUARTERLY	7,246	6,200	1APR84 -30JUN84	7	84FEC/326/0172
	PRE-GENERAL	14,995	27,800	1JUL84 -18OCT84	11	84FEC/351/2925
	POST-GENERAL	7,634	5,150	19OCT84 -30NOV84	10	85FEC/360/0902
	YEAR-END	5,003	-	1DEC84 -31DEC84	8	85FEC/364/0052
1985	MISCELLANEOUS NOTICE FROM FEC			17JAN85	1	85FEC/360/1948
	TOTAL	69,571	0	50,659	0	71 TOTAL PAGES

All Reports Reviewed

Ending cash on Hand as of 12/31/84= \$22,791.53
Outstanding Debts as of 12/31/84= \$-0-

Attachment I
(3)

Attachment 1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 1984

OCTOBER REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE

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

WHAT MUST BE REPORTED

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

WHEN TO FILE

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

WHERE AND HOW TO FILE

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

MONTHLY FILERS

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

COMPLIANCE

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

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

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

Attachment I
(4)

A R E M I N D E R

All committees that have made contributions or expenditures (including independent expenditures) in connection with an election, which have not previously been disclosed, must file a pre-election report for that election. (Although some committees may not be required to file pre-election reports, all committees, are required to file a post-general election report.)

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

86040381648

Attachment I
(5)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

October 1, 1984

GENERAL ELECTION FILING NOTICE
FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT

All committees that file monthly reports must file the pre-general election report due October 25, 1984.

In addition all quarterly filing committees that have made contributions or expenditures (including independent expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

WHAT MUST BE REPORTED

The report must disclose all financial activity of the committee from the later of, the last report filed or the date of registration* through October 17, 1984. (Monthly filers must disclose all financial activity from the later of October 1 or the date of registration* through October 17, 1984.)

WHEN TO FILE

Pre-general election reports sent registered or certified mail must be postmarked no later than October 22, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 25, 1984.

WHO MUST FILE THE POST-GENERAL ELECTION REPORT

All committees must file the post-general election report due December 6, 1984, regardless of election activity.

WHAT MUST BE REPORTED

The post-general election report must cover all financial activity of the committee from either the date of the last report filed or the date of registration, whichever is later* through November 26, 1984.

WHEN TO FILE

Post-general election reports sent by registered or certified mail must be postmarked no later than December 6, 1984. Reports hand delivered or mailed first class must be received no later than close of business December 6, 1984.

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

-over-

Attachment I

(6)

WHERE AND HOW TO FILE

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

QUARTERLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
3rd Q-Report	07/01* - 09/30	10/15/84	10/15/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General**	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

*Or from date of registration, or the close of books of the last report filed, whichever is later.

**Reports filed by committees that did not file the pre-General report should cover all financial activity from the last report filed through November 26, 1984.

* * *

MONTHLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
Oct. Monthly	09/01 - 09/30	10/20/84	10/20/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

COMPLIANCE

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

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

Attachment I

⑦

RECEIVED AT THE FEC

STEVENS

Good Government Committee
J.P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, N.Y. 10036

04 DEC 84 12:00

James R. Franklin
Chairman

J. Marshall Beck, Jr.
Vice Chairman

Gavin P. Murphy
Secretary-Treasurer

James A. Childers
Assistant Treasurer

4 December 1984

REGISTERED MAIL
RETURN RECEIPT REQUESTED

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

Gentlemen:

Transmitted herewith is the Pre-election Report of Receipts and Disbursements for the Good Government Committee of J.P. Stevens & Co., Inc. covering the period of July 1, 1984 through October 18, 1984.

Very truly yours,

James R. Franklin

Attachment I

8

30040501651
04033:1:023

Attachment 4
REPORT OF RECEIPTS AND DISBURSEMENTS
 For a Political Committee Other Than an Authorized Committee
 (Page 2 of 8)
 (Summary Page)

RECEIVED BY THE FEC

84 DEC 6 PM 2: 06

ALIGN AREA ALIGN AREA

1. Name of Committee (In Full) *

**GOOD GOVERNMENT COMMITTEE OF
J.P. STEVENS & CO., INC.**

Address (Number and Street)

1185 Avenue of the Americas

City, State and ZIP Code

New York, New York 10036

☐ Check here if address is different than previously reported

2. FEC Identification Number

C000-75-093

3. ☐ This committee qualified as a multicandidate committee during the 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 (Type of Election)

election on 11/6/84 in the State of _____

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES ☒ NO

SUMMARY

5. Covering Period July 1, 1984 through October 18, 1984

6 (a) Cash on hand January 1, 19 _____

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7 Total Disbursements (from Line 28)

8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

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.

Gavin P. Murphy

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date

12/4/84

For further information contact:

Federal Election Commission

Tel. Free 800 424 9530

Local 202 523 4088

NOTE: Submitting false or misleading or incomplete information may subject the person signing this report to the penalties of 18 U.S.C. § 437.

All previous versions of PSC FORM 2 and PSC FORM 2a are obsolete and should no longer be used.

FEC FORM 2a, 3/80

Attachment I
9

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

Attachment 4
(Page 3 of 8)

Name of Committee for Which		Report Covering the Period	
GOOD GOVERNMENT COMMITTEE OF J.P. STEVENS & CO., INC.		From July 1, 1984 To Oct. 18, 1984	
		COLUMN A Total This Period	COLUMN B Calendar Year To-Date
I. RECEIPTS			
11. CONTRIBUTIONS (other than loaned FROM:			
(a) Individuals/Persons Other Than Political Committees		14,219.50	27,676.50
(b) Political Party Committees			
(c) Other Political Committees			
(d) TOTAL CONTRIBUTIONS (other than loaned (add 11(a), 11(b) and 11(c))			
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			
13. ALL LOANS RECEIVED			
14. LOAN REPAYMENTS RECEIVED			
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			
17. OTHER RECEIPTS (Dividends, Interest, etc.)		776.40	1,087.89
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)		14,995.90	28,764.39
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES			
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		27,800.00	36,400.00
22. INDEPENDENT EXPENDITURES (Use Schedule E)			
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 USC § 441 b(1)) (Use Schedule F)			
24. LOAN REPAYMENTS MADE			
25. LOANS MADE			
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees			
(b) Political Party Committees			
(c) Other Political Committees			
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			
27. OTHER DISBURSEMENTS ('83 Tax Return)			201.00
28. TOTAL DISBURSEMENTS (Add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)		27,800.00	36,601.00
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loaned from Line 11(d))		14,219.50	27,676.50
30. TOTAL CONTRIBUTION REFUNDS (from Line 26(d))			
31. NET CONTRIBUTIONS (other than loaned) (Subtract Line 30 from Line 29)		14,219.50	27,676.50
32. TOTAL OPERATING EXPENDITURES (from Line 19)			
33. OFFSETS TO OPERATING EXPENDITURES (from Line 15)			
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			

Attachment I
10

SCHEDULE B

ITEMIZED DISBURSEMENTS

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)

GOOD GOVERNMENT COMMITTEE OF J.P. STEVENS & CO., INC.

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Judge George Garrett Election Committee 1224 Radcliffe Ave. Kingsport, Tenn. 37664	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	7/24/84	\$ 250.00
B. Full Name, Mailing Address and ZIP Code Wasson For Senate 100 Farley Avenue Laurens, S.C. 29360	Purpose of Disbursement Robert E. Wasson Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	7/24/84	300.00
C. Full Name, Mailing Address and ZIP Code Richardson for Senate 712 East McBee Avenue Greenville, S.C. 29601	Purpose of Disbursement Jeff Richardson Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	9/21/84	250.00
D. Full Name, Mailing Address and ZIP Code Helms for Senate P.O. Box 177000 Raleigh, N.C. 27619	Purpose of Disbursement Jesse Helms Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	9/21/84	5,000.00
E. Full Name, Mailing Address and ZIP Code Campbell for Congress P.O. Box 533 Greenville, S.C. 29602	Purpose of Disbursement Carroll Campbell Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	9/21/84	2,500.00
F. Full Name, Mailing Address and ZIP Code TON (Truck Operators Non-Partisan Committee) 430 First Street, S.E. Washington, D.C. 20003	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	9/26/84	300.00
G. Full Name, Mailing Address and ZIP Code Lawless for the House Rt. #5 -- Box 367 Piedmont, S.C. 29673	Purpose of Disbursement Randy Lawless Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/3/84	200.00
H. Full Name, Mailing Address and ZIP Code McLeod for Senate Re-Election Committee P.O. Box 230 Walterboro, S.C. 29488	Purpose of Disbursement Peden McLeod Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/3/84	250.00
I. Full Name, Mailing Address and ZIP Code B111 Cobey for Congress Committee P.O. Box 1984 Apex, N.C. 27502	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/3/84	500.00
SUBTOTAL of Disbursements This Page (optional)			\$9,550.00
TOTAL This Period (last page this line number only)			\$27,800.00

Attachment I

(11)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Attachment 4

Page 2 of 5 for
LINE NUMBER 1(Use separate schedule for each
category of the Detailed
Summary Page)

(Page 5 of 8)

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)			
GOOD GOVERNMENT COMMITTEE OF J.P. STEVENS & CO., INC.			
A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Coble for Congress P.O. Box 177 222 Commerce Place Greensboro, N.C. 27402	Howard Coble Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/3/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
The Committee for Congressman Bill Green P.O. Box 1505 - Murray Hill Station New York, N.Y. 10156	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/12/84	500.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Victor Ashe for U.S. Senate 111 Northshore Drive Knoxville, Tenn. 37919	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	250.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Carney for Congress Committee P.O. Box 80 Farmingville, N.Y. 11738	William Carney Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	1,000.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Wm. Harnsberger, Sr., Treasurer for Sue Terry Terry, Rogers & Wood-Blue Ridge St. Stuart, Va. 24171-0360	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	800.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Jill Emery for Congress 91 Washington Street Hornell, New York 14843	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	400.00
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Bill Hendon for Congress Committee P.O. Box 123 Asheville, N.C. 28802	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	500.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Tim Valentine for Congress Committee P.O. Box 353 Rocky Mt., N.C. 27801	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	400.00
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Jim Hunt for U.S. Senate P.O. Box 25937 Raleigh, N.C. 27611	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	1,000.00
SUBTOTAL of Disbursements This Page (optional)			\$ 5,350.00
TOTAL This Period (last page this line number only)			\$ 27,800.00

Attachment I
(12)

(Page 6 of 8)

Page 3 of 5 for
LINE NUMBER(Use separate schedule(s) for each
category of the Detailed
Summary Page)

SCHEDULE B

ITEMIZED DISBURSEMENTS

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)

GOOD GOVERNMENT COMMITTEE OF J.P. STEVENS & CO., INC.

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Dornan in '84 Committee P.O. Box 5046 Buena Park, California 90622	Robert K. Dornan Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	\$ 1,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Elise duPont '84 Committee P.O. Box 1977 Wilmington, Delaware 19899	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	400.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Aniboli for Congress '84 100 Fire Island Avenue Babylon, New York 11702	Paul Aniboli Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	500.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Bob Quinn for Congress Committee 233 Main Street Huntington, New York 11743	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	500.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Swindall for Congress P.O. Box 467519 Atlanta, Ga. 303-46-9990	Pat Swindall Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	400.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Dean Gallo for Congress Committee 21 Route - 10 East East Hanover, N.J. 07936	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	500.00
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Keating for Congress Committee P.O. Box 3206 Tulsa, Oklahoma	Martin Keating Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	500.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Friends of Phil Gramm 555 North Lamar - Suite J-113 Austin, Texas 78751	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	1,000.00
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Raese for Senate 150 High Street Morgantown, W. Va. 26505	John Raese Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	500.00

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

\$ 5,300.00

Attachment
\$ 27,800.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Attachment 4

Page 4 of 5 for
LINE NUMBER
(Use separate schedule(s) for each
category of the Detailed
Summary Page)

(Page 7 of 8)

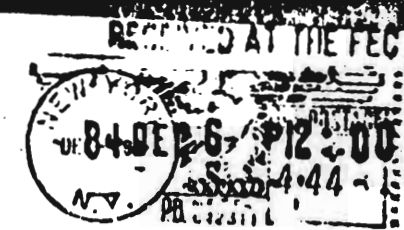
Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
GOOD GOVERNMENT COMMITTEE OF J.P. STEVENS & CO., INC.

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Fields for Congress P.O. Box 2406 Humble, Texas 77347	Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Bill Hefner for Congress P.O. Box 1503 Rockingham, N.C. 28379	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	400.00
C. Full Name, Mailing Address and ZIP Code Re-Elect Vern Smith for Senate Box 528 Greer, S.C. 29651	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Judy Petty for Congress Campaign P.O. Box 55174 Hillcrest Station Little Rock, Arkansas 72225	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/15/84	400.00
E. Full Name, Mailing Address and ZIP Code Campbell for Congress P.O. Box 533 Greenville, S.C. 29602	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/17/84	2,500.00
F. Full Name, Mailing Address and ZIP Code McLeod for Senate Re-Election P.O. Box 230 Walterboro, S.C. 29488	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/18/84	300.00
G. Full Name, Mailing Address and ZIP Code Curt Weldon for Congress Committee 321 Front Street Media, Penn. 19063	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/18/84	500.00
H. Full Name, Mailing Address and ZIP Code Smith for Senate P.O. Box 59309 Birmingham, Alabama 35259	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/18/84	500.00
I. Full Name, Mailing Address and ZIP Code People for DioGuardi 498 Main Street New Rochelle, New York 10801	Purpose of Disbursement Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	10/18/84	500.00
SUBTOTAL of Disbursements This Page (optional)			\$ 6,600.00
TOTAL This Period (last page this line number only)			\$27,800.00

Attachment I
14

*Registered Mail
Return Receipt Requested*



STEVENS

*J. P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, NY 10036*

The Federal Election Commission
1325 K Street
Washington, D.C. 20465

REGISTERED MAIL
R 007 093 966

REGISTERED MAIL
RETURN RECEIPT REQUESTED

*Attachment I
(15)*



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Gavin P. Murphy, Treasurer
Good Government Committee of
J.P. Stevens & Co., Inc.
1185 Avenue of the Americas
New York, NY 10036

RE: MUR

Dear Mr. Murphy:

On , 1985, the Federal Election Commission determined that there is reason to believe the Good Government Committee of J.P. Stevens & Co., Inc. and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and 434(a)(4)(A)(ii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against 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 ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, 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 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 it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on

Attachment II

16

Letter to Gavin P. Murphy, Treasurer
Page 2

probable cause have been mailed to the respondent will not be entertained.

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 George Demougeot, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

Attachment II
17

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENTS: Good Government Committee of
J.P. Stevens & Co., Inc. and
Gavin P. Murphy, as treasurer

SUMMARY OF ALLEGATIONS

The Good Government Committee of J.P. Stevens & Co., Inc. ("the Stevens Committee") failed to file the 1984 October Quarterly and the 12 Day Pre-General Election Reports of Receipts and Disbursements.

The Stevens Committee was notified on September 21, 1984 that the October Quarterly Report was due on October 15, 1984. On October 1, 1984, the Stevens Committee was notified that the 12 Day Pre-General Report was due on October 25, 1984 if contributions and expenditures, which had not previously been reported, were made in connection with the general election during the period ending October 17, 1984.

On December 4, 1984, the Stevens committee filed a report marked as a 12 Day Pre-General Report and disclosing activity from July 1, 1984 through October 18, 1984. As indicated on the supporting disbursement schedules, the Stevens Committee made \$14,150 in contributions to Federal candidates during the 1984 12 Day Pre-General reporting period (October 1 through October 17, 1984).

Attachment III
18

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(A)(i) provides that all political committees other than the authorized committee of a candidate shall file quarterly reports, in a calendar year in which a regularly scheduled general election is held, which shall be no later than the 15th day after the last day of each calendar quarter, except that the report for the final calendar quarter of the year shall be filed on January 31 of the following calendar year.

2 U.S.C. § 434(a)(4)(A)(ii) in a calendar year in which a regularly scheduled general election is held, that a pre-general election report be filed no later than the 12th day before any election in which the committee makes a contribution to or an expenditure on behalf of a candidate.

Since the Stevens Committee was required to file the 1984 October Quarterly report on October 15, 1985 and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). Also, since the Stevens Committee was required to file a 12 Day Pre-General Election report on October 25, 1984 and filed a report covering this period on December 4, 1984, the Office of General Counsel recommends that the Commission find reason to believe that the Stevens Committee and Gavin P. Murphy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

Attachment III

19



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, DC 20463

THIS IS THE BEGINNING OF MUR # 2048

Date Filmed 5-7-86 Camera No. --- 2

Cameraman GPC

86040581663



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 2048.

90040703866

*Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006*

CLOSED

DAVID I. GRANGER

DIRECT LINE (202) 828-4218

February 1, 1990

Ms. Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20001

Attn: Mr. Noriega E. James

Dear Ms. Lerner:

This is in response to your letter of January 19, 1990 stating that the civil penalty of \$275 in connection with the Conciliation Agreement regarding the Good Government Committee of J. P. Stevens & Co., Inc. had not been paid in full, the amount of \$175 having been paid and allegedly \$100 unpaid.

Your letter identifies me as the Treasurer of the Good Government Committee of J. P. Stevens & Co., Inc. This is incorrect. Gavin P. Murphy was the Treasurer.

The full \$275 civil penalty was timely paid to the Federal Election Commission. Enclosed is a copy of my letter of December 16, 1985 with its attached copy of the December 12, 1985 check in the amount of \$175 to the Federal Election Commission. Also enclosed is a copy of my letter of January 30, 1986 with the enclosure which accompanied it, and a copy of the check for \$100 to the Federal Election Commission which accompanied the letter. Thus you will see that the full \$275 has been paid.

If you have any further question about this, please let me know.

Sincerely,


David I. Granger

DIG/klc

Enclosures

90 FEB -1 PM 1:28

RECEIVED
FEDERAL ELECTION COMMISSION

MUR 2042

*Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006*

DAVID I. GRANGER

DIRECT LINE (202) 828-4218

December 16, 1985

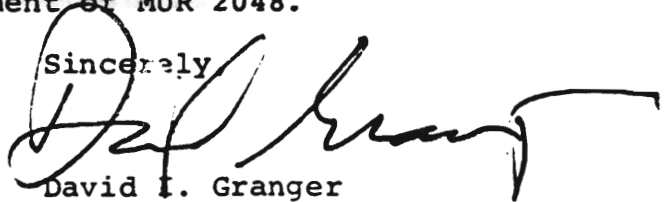
George Demougeot, Esquire
Federal Election Commission
999 E Street, N.W.
Sixth Floor
Washington, D.C. 20001

Re: MUR 2048; Good Government Committee of
J. P. Stevens & Co., Inc.

Dear Mr. Demougeot:

This is in further reference to the proposed conciliation agreement between the Federal Election Commission and the Good Government Committee of J. P. Stevens & Co., Inc. and Gavin P. Murphy, Treasurer. On December 13th I delivered to you the Committee's and Mr. Murphy's proposed counterproposal conciliation agreement. That agreement includes a civil penalty in the amount of \$175.00. Enclosed is the Committee's check in that amount. As stated in my December 13th letter to you, we respectfully urge that the Commission accept the proposed conciliation agreement in settlement of MUR 2048.

Sincerely,



David I. Granger

DIG/klc

Enclosure

90040703868

GOOD GOVERNMENT COMMITTEE OF

J.P. STEVENS & CO., INC.

1185 AVE. OF THE AMERICAS NEW YORK, NY 10036

2426

1-2210
225

December 12, 1985

PAY
TO THE
ORDER OF

Federal Election Commission

\$ 175.00

One Hundred and Seventy-Five and no/100

DOLLARS



The Chase Manhattan Bank, N.A.
1211 Ave. of the Americas at 47th St., N.Y. 10036

FOR

James R. Franklin, Chairman

Gavin P. Murphy, Secretary/
Treasurer

⑈002426⑈ ⑆021000021⑆ 226 2 400308⑈

0004070886

*Clifford & Warnke
Attorneys and Counsellors at Law
815 Connecticut Avenue
Washington, D.C. 20006*

DAVID I. GRANGER

DIRECT LINE (202) 628-4218

January 30, 1986

George Demougeot, Esquire
Federal Election Commission
999 E Street, N.W.
Sixth Floor
Washington, D.C. 20001

Re: MUR 2048; Good Government Committee of
J. P. Stevens & Co., Inc.

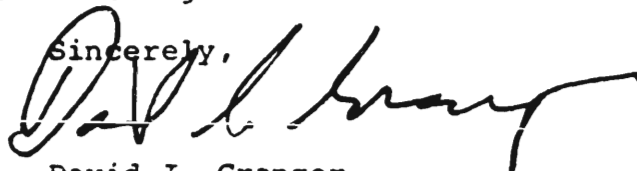
Dear Mr. Demougeot:

Enclosed is a newly-executed proposed conciliation agreement regarding the J. P. Stevens & Co., Inc. Good Government Committee, and the Committee's check for an additional \$100.

As the FEC records reflect, we had earlier submitted this same proposed conciliation agreement together with the payment of \$175 on the premise that the conciliation agreement and that amount of civil penalty would receive the support of the FEC Office of General Counsel and thus hopefully conclude this matter at this stage. As you have reported to me, the Office of General Counsel has concluded that it is not in support of the acceptance of the \$175 civil penalty. This submission of the civil penalty in the amount of \$275 is made with the understanding that the Office of General Counsel supports such an amount in conclusion of this matter at this time. As I have explained in our discussions, it is the desire of the J. P. Stevens & Co., Inc. Good Government Committee to conclude this matter at this present stage.

I will appreciate your including this letter with the submission to the Commission, so that the Commission will know the context in which this submission is being made.

Sincerely,



David I. Granger

DIG/klc

Enclosure

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Good Government Committee of)
J.P. Stevens & Co., Inc.)
Gavin P. Murphy, '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 Good Government Committee of J.P. Stevens & Co., Inc. and Gavin P. Murphy, as treasurer, ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i) 434(a)(4)(A)(ii) by failing to file their 1984 October Quarterly and 1984 Pre-General Election Reports in a timely manner.

NOW, THEREFORE, the Commission and 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 Good Government Committee of J.P.

Stevens & Co., Inc. ("the Stevens Committee") is a political committee within the meaning of 2 U.S.C. § 431(4)(B).

2. Gavin P. Murphy is the treasurer of the Stevens Committee.

3. Section 434(a)(4)(A)(i) of Title 2, United States Code, requires a political committee filing quarterly reports in a calendar year in which a regularly scheduled general election is held, through its treasurer, to file such reports no later than the 15th day after the last day of each calendar quarter; except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year.

4. Section 434(a)(4)(A)(ii) of Title 2, United States Code, requires, in a calendar year in which a regularly scheduled general election is held, that a pre-general election report be filed no later than the 12th day before any election in which the committee makes a contribution to or an expenditure on behalf of a candidate.

5. Respondents' 1984 October Quarterly Report was required to be filed on October 15, 1984. Respondents filed the 1984 October Quarterly Report on December 4, 1984, which was 50 days late.

6. Respondents' 1984 12 Day Pre-General Report was required to be filed on October 25, 1984. Respondent filed the 1984 12 Day Pre-General Report on December 4, 1984; which was 40 days late.

V. Respondents violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file their 1984 October Quarterly Report in a timely manner.

VI. Respondents violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file their 1984 12 Day Pre-General Election Report in a timely manner.

VII. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of two hundred, seventy-five dollars \$275.00, pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

XI. Respondents shall have no more than thirty (30) days from the date of this agreement becomes effective to comply with

and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

Date

FOR THE RESPONDENTS:

Garin Murphy

Treasurer / Secretary

00040703874

GOOD GOVERNMENT COMMITTEE OF
J.P. STEVENS & CO., INC.
1185 AVE. OF THE AMERICAS NEW YORK, NY 10036

2432

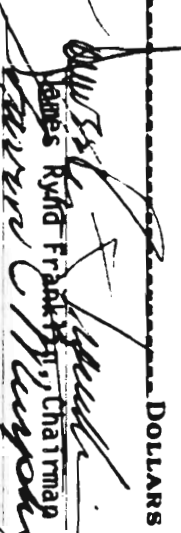
1 2/218
225

January 23, 1986

PAY TO THE ORDER OF Federal Election Commission \$ 100.00

One Hundred and no/100 DOLLARS


The Chase Manhattan Bank, N.A.
1211 Ave. of the Americas at 47th St., N.Y. 10020

FOR  James Ryan, Chairman

#002432# :021000021: 225 2 400308# Gavin P. Murphy, Secretary
Treasurer

6005070000