



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

9-21-87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2402

87040654322

87 JUL 23 AM: 20

"PEOPLE BEFORE POLITICS"

-Morrison 2402

87 JUL 23 P 3: 34

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

513 Cannon Building
Washington, D.C. 20515
July 22, 1987

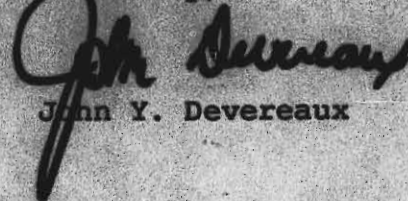
Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Robert:

As we discussed on the telephone, I am enclosing the signed Conciliation Agreement, specifying a penalty of \$600 because of the "People Before Politics" Committee's late filing of its 1986 post-election FEC report. I have talked with Congressman Bedell, and he is sending a check for that amount to me, which I will be able to send over to you shortly.

I hope this will be agreeable to the Commission. If you have other questions or need further information, please don't hesitate to give me a call at 225-2801. Thank you again for your help.

Sincerely,


John Y. Devereaux

Enclosure

87040654323

John Devereaux
513 Cannon Building
Washington, D.C. 20515



Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

87 JUL 23 411:20



87040548

87 JUL 20 40:21

513 Cannon Building
Washington, D.C. 20515
July 16, 1987

RE: MUR 2402

Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Raich:

Enclosed is a letter of response to the July 6 letter and proposed Conciliation Agreement from Acting General Counsel Lawrence Noble.

I would appreciate whatever you can do to see that this is moved into the right channels for consideration. If it is possible to hear back on this within a week or ten days, that would be very helpful. I will be out of town from August 3 through August 23, and I'm hoping to have this on its way to completion before I leave.

Thank you very much. If you see anything here that should be done differently, please let me know.

Sincerely,



John Y. Devereaux

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

87 JUL 20 11:56

87040654325

"PEOPLE BEFORE POLITICS"

July 16, 1987

RE: MUR 2402

Mr. Lawrence M. Noble
Acting General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Noble:

Thank you for your letter of July 6 and the enclosed Conciliation Agreement proposal.

On behalf of the People Before Politics Committee, we basically agree with the statement of facts as presented in the proposed Conciliation Agreement. However, we were dismayed by the amount proposed as a penalty (\$1,100) and would propose instead that the sum of \$300 would be a fairer and more appropriate penalty.

In support of our position, we ask you to consider the following points of information, which we believe justify consideration of a more modest penalty.

[1] When the 1986 post-election FEC report was filed, we acknowledged its lateness and included a letter explaining the problems that had led to the delay. A copy of that letter is enclosed for your review.

Briefly, those problems initially resulted from a failure by persons associated with People Before Politics to realize that the FEC report was overdue, largely because of the hectic press of duties associated with the closing of the offices of Congressman Berkley Bedell, duties which involved literally days of extra work under severe time constraints.

[2] A second, and unavoidable, cause for seriously lengthening the delay was action by the U.S. House of Representatives post office, where mail addressed to the office of Mr. Bedell (with directions that it be held for pick-up) was misplaced within the post office and thus not available until several weeks late. Included among this misplaced and delayed mail were packages containing the documentation necessary for completing the FEC report.

[3] An added factor in the delay has been the deteriorated health of Mr. Bedell. His decision, early in 1986, not to be

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a candidate for re-election caused a disruption in the normal procedures followed by his committee (then People to Re-elect Bedell, later reorganized as People Before Politics). Concerns regarding his health continued to be a factor throughout 1986 and into this year. In fact, Mr. Bedell is now a patient in Methodist Hospital at the Mayo Clinic complex in Rochester, Minnesota, where he underwent cancer surgery on July 14.

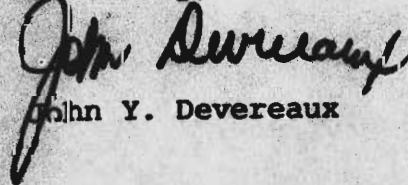
While not an immediate cause for the Committee's late filing of its FEC report, Mr. Bedell's health difficulties contributed significantly to the already confused and changing conditions faced by the people on his staff and with the Committee who were responsible for assembling the data necessary for the report.

[4] Until 1986, the People to Re-Elect Bedell Committee (predecessor to People Before Politics) had maintained an excellent record of timely filings, demonstrating a longstanding respect for and a good faith commitment to FEC deadlines over the years.

In summary, we believe these facts show that the late filing of the 1986 post-election report by the People Before Politics Committee resulted from a combination of conditions and mistakes -- some of which admittedly should have been avoided, but which were unintentional and would be fairly penalized by a fine of \$300.

We appreciate your interest in reaching a timely and equitable resolution of this matter, and we are grateful for your thoughtful consideration of the points raised in this letter. If you or your staff have additional questions during your further review of these circumstances, please do not hesitate to contact me at 225-2801.

Sincerely,


John Y. Devereaux

513 Cannon Building
Washington, D.C. 20515

COPY

February 23, 1987

Federal Election Commission
999 E Street NW
Washington, DC 20463

RE: People Before Politics
FEC Identification Number C00054205

Enclosed are two FEC reports for the People Before Politics committee, formerly known as People to Re-Elect Bedell. These two reports, as well as the 1986 mid-year report, were filed late. Following are explanations for the delayed filing of these reports, as requested in the FEC letter of January 23, 1987.

Mid-Year Report (1986): A person in Congressman Bedell's office had traditionally coordinated the filing of FEC reports. She overlooked the deadline date for this report. As soon as this deadline was brought to her attention, she took care to see that the report was filed immediately.

Post-Election Report (1986): Because Mr. Bedell's staff was involved in the work required for closing down his congressional offices in Iowa and Washington, no one was checking the People Before Politics box at the Sioux City post office. FEC notices about this report therefore went unobserved for several weeks. When someone from Mr. Bedell's Iowa staff did remove mail from the box in late December, she mailed the material (including FEC correspondence and the bank records necessary for completing FEC reports) to the Bedell office in Washington so the FEC report could be prepared. However, this material -- together with approximately a dozen other bundles of mail addressed to the Bedell Washington office -- was misplaced by the House of Representatives post office and not found until mid-February. According to employees at the post office, this mail was placed on lower storage shelves where it was overlooked for a number of weeks.

Year-End Report (1986): Like the post-election report, the material necessary to complete the Year-End Report was in the mail that was missing for several weeks, as explained above.

After the missing material was located, it was possible to complete the Post-Election and Year-End Reports, which are enclosed herewith. I believe they will bring the People Before Politics committee up-to-date in its FEC reports due. We regret the delays experienced in getting the 1986 reports filed. As a former member of Mr. Bedell's staff, I will try to help if you have questions or need further information. I can be reached at 202/225-2801. Thank you.


John Y. Devereaux

cc: Iowa Finance Disclosure Commission

87040554328

John Devereaux
513 Cannon Building
Washington, D.C. 20515



Mr. Lawrence M. Noble
Acting General Counsel
Federal Election Commission
Washington, D.C. 20463

ATTN. ROBERT RAICH

87 JUL 20 A10:21

RECEIVED AT THE FEC



ELINOR BEDELL
BERKLEY BEDELL
435 NEW JERSEY AVE., S.E. 543-3257
WASHINGTON, DC 20003

392

July 22 1987

65-7196/2550

Pay to the
Order of Federal Election Commission \$ 600.00
Six hundred and 00/100 Dollars

CHEVY CHASE®
A FEDERAL SAVINGS BANK
CHEVY CHASE, MD 20815

For MUR 2402

Elinor Bedell

⑆255071981⑆

194000061⑆ 0392

GCC # 4115

MEMORANDUM

TO: DEBRA A. TRIMIEW

TO: CECILIA LIEBER

FROM: CECILIA LIEBER

FROM: DEBRA A. TRIMIEW

CHECK NO. 392 { A COPY OF WHICH IS ATTACHED } RELATING

MUR 2402 (Raich) AND NAME People Before Politics and James Walsh as treasurer

WAS RECEIVED ON 8/7/87. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

/ / BUDGET CLEARING ACCOUNT { 95F3875.16 }
/ ✓ / CIVIL PENALTIES ACCOUNT { 95-1077.160 }
/ / OTHER _____

SIGNATURE Debra A. Trimiew DATE 8/10/87

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

87 AUG 7 12:25

87 AUG 5 10:46

"PEOPLE BEFORE POLITICS"

513 Cannon Building
Washington, D.C. 20515
August 2, 1987

RE: MUR 2402

Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Robert:

Enclosed is a check for \$600 to pay the anticipated FEC penalty against the "People Before Politics" Committee because of its late filing of the 1986 post-election report.

I will be out of town from tomorrow through August 24, but I will check back with you when I return to see if there is anything else we need to do get this matter settled.

Thank you very much for your help in getting everything resolved. With best wishes, I am

Sincerely,

John Y. Devereaux
John Y. Devereaux

Enclosure

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

87 AUG 7 12:25

8704065431

87 JUL 23 411:20

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 People Before Politics) MUR 2402
 and James Walsh, 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 People Before Politics and James Walsh, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(iii).

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

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

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

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

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

1. People Before Politics is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. James Walsh is the treasurer of People Before Politics.

3. Respondents' 1986 Post-General Election Report was due on December 4, 1986. Respondents filed that report on March 3, 1987, 89 days late.

V. 1. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iii), all political committees other than authorized committees of candidates must file either monthly reports or a series of reports, including a Post-General Election Report in a calendar year in which there is a regularly scheduled general election. That report must be filed no later than the 30th day after the general election.

2. Respondents failed to file their 1986 Post-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(iii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of six hundred dollars (\$600), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

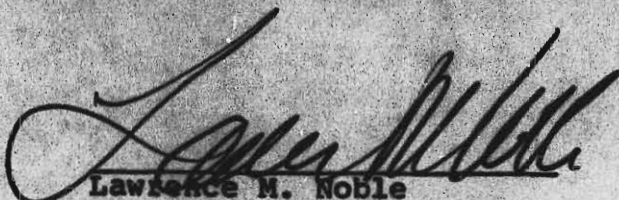
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VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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

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

FOR THE COMMISSION:


Lawrence M. Noble
Acting General Counsel

8/6/87
Date

FOR THE RESPONDENTS:


John Y. Duvany

July 23, 1987
Date

87040654334

John Y. Devereaux
513 Cannon Building
Washington, D.C. 20515



22^{USA}



Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

87 AUG 5 18:45



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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

THIS IS THE BEGINNING OF MUR # 2402

DATE FILMED 11/25/12 CAMERA NO. 3

CAMERAMAN A.S.

87040661601

PUBLIC RECORD INDEX - MUR 2402

1. Memo, 17 May 87, John D. Gibson (Reports Analysis Division) to Lawrence M. Noble (Acting General Counsel), subj: Referral of People Before Politics (AKA People to Re-select Bedell), w/atch (RAD Referral Package)
2. First General Counsel's Report, 20 Apr 87
3. Certification of Commission Action, 23 Apr 87
4. Ltr, 4 May 87, Scott E. Thomas (Chairman, FEC) to James Walsh (treas, People Before Politics)
5. Ltr, 27 May 87, J.C. Walsh to FEC w/atch (Statement of Designation of Counsel)
6. Ltr, 4 Jun 87, John Devereaux to FEC, subj; request for pre-probable cause conciliation
7. General Counsel's Report, 24 Jun 87
8. Certification of Cmsn Vote dtd 29 Jun 87.
9. Ltr, 6 Jul 87, L.M. Noble to John Y. Devereaux
10. General Counsel's Report, 31 Jul 87.
11. Certification of Commission Action, 5 Aug 87.
12. Ltr, 7 Aug 87, L.M. Noble to John Y. Devereaux, w/atch (executed conciliation agreement).

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

87040661602



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 17, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: 30 DAY POST-GENERAL REPORT NON-FILER REFERRALS OF
UNAUTHORIZED COMMITTEES

Attached is a listing of fifteen (15) unauthorized committees which failed to file the 1986 30 Day Post-General Report within thirty (30) days of the date of the Non-Filer Notice. In accordance with Standard 3 of the 1985-1986 RAD Review and Referral Procedures for Unauthorized Committees, further examination is required by your office.

On September 29, 1986, prior notification was sent to all unauthorized committees informing them that all committees, regardless of election activity, must file the 30 Day Post-General Report by December 4, 1986 (Attachment 16). Each committee which failed to submit a report covering the post-election reporting period was sent a Non-Filer Notice on December 23, 1986 (Attachment 17).

The attached printout lists the name, address and treasurer for each committee being referred. Any telephone conversations are referenced under Contacts with Filers. The Summary Pages of late-filed reports and/or letters of explanation are included under Reports Filed/Response(s). In addition, a "C" index accompanies each committee. In a few instances, the aggregate receipt and disbursement figures may be inflated because reports were submitted covering portions of the same reporting period.

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

Attachments

1

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87040361604

C00054205

People Before Politics (FKA People to
Re-Elect Bedell)

87NF-72

87040661605

PEOPLE BEFORE POLITICS (FKA PEOPLE TO RE-ELECT BEDELL)

(Attachments 12a - 12c)



87040661606

FEDERAL ELECTION COMMISSION
1985-1986
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 16MAR87

PAGE 5

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	OF PAGES	MICROFILM LOCATION
PEOPLE BEFORE POLITICS (FKA PEOPLE TO RE-ELECT DEDELL)						
CONNECTED ORGANIZATION:						
1985	MID-YEAR REPORT	40,148	13,624	1JAN85 - 30JUN85	25	85HSE/288/3017
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN85 - 30JUN85	1	85HSE/291/2450
	YEAR-END	52,921	26,564	1JUL85 - 31DEC85	17	86HSE/297/5168
1986	STATEMENT OF ORGANIZATION - AMENDMENT			2JUN86	2	86FEC/416/0893
	MISCELLANEOUS REPORT TO FEC			3JUN86	1	86HSE/305/0951
	REQUEST FOR ADDITIONAL INFORMATION			18JUN86	1	86FEC/417/1109
	STATEMENT OF ORGANIZATION - AMENDMENT			26JUN86	3	86FEC/418/3172
	APRIL QUARTERLY	7,970	13,626	1JAN86 - 31MAR86	9	86HSE/306/1124
	JULY QUARTERLY	716	13,440	1APR86 - 30JUN86	7	86HSE/311/4979
	1ST LETTER INFORMATIONAL NOTICE			1APR86 - 30JUN86	1	87FEC/458/0388
	NOTICE OF FAILURE TO FILE			1APR86 - 30JUN86	1	86FEC/426/2472
	OCTOBER QUARTERLY	1,075	14,496	1JUL86 - 30SEP86	7	86FEC/436/0435
	1ST LETTER INFORMATIONAL NOTICE			1JUL86 - 30SEP86	1	86FEC/442/1056
	POST-GENERAL	238	15,895	1OCT86 - 24NOV86	9	87FEC/462/0451
	NOTICE OF FAILURE TO FILE			24NOV86	1	86FEC/452/1660
	YEAR-END	482	6,108	25NOV86 - 31DEC86	5	87FEC/462/0460
	NOTICE OF FAILURE TO FILE			31DEC86	1	87FEC/462/0089
1987	MISCELLANEOUS NOTICE FROM FEC			23JAN87	1	87FEC/455/2902
TOTAL		103,550	0 103,750		93	TOTAL PAGES

All reports have been reviewed.

Debts and Obligations owed to and by the Committee: \$0

Ending Cash-on-Hand as of 12/31/86: \$ 481

1st FEC

February 23, 1987 MAR 3 411:45

Federal Election Commission
999 E Street NW
Washington, DC 20463

RE: People Before Politics
FEC Identification Number C00054205

Enclosed are two FEC reports for the People Before Politics committee, formerly known as People to Re-Elect Bedell. These two reports, as well as the 1986 mid-year report, were filed late. Following are explanations for the delayed filing of these reports, as requested in the FEC letter of January 23, 1987.

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After the missing material was located, it was possible to complete the Post-Election and Year-End Reports, which are enclosed herewith. I believe they will bring the People Before Politics committee up-to-date in its FEC reports due. We regret the delays experienced in getting the 1986 reports filed. As a former member of Mr. Bedell's staff, I will try to help if you have questions or need further information. I can be reached at 202/225-2801. Thank you.

John V. Devereaux
John V. Devereaux

cc: Iowa Finance Disclosure Commission

A704056160Z

41:45

37040561508

TOP SECRET

Form 6-A-1 (Rev. 1-1-60)

2/20/87

For Further Information:

Robert Clinton Corporation
2224 Street NW
Washington DC 20037
Tel: 202 462 2222
Fax: 202 462 2222

NOTE: Submission of this document to the Freedom of Information Act does not constitute a request for review of the document. 2025-01-01

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

[illegible]

SENSITIVE

**FEDERAL ELECTION COMMISSION
FIRST GENERAL COUNSEL'S REPORT**

**RAD Referrals 87NF-61
through 87NF-76
STAFF: A. Weissenborn**

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENTS':

**People Before Politics and James Walsh, as
treasurer;**

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

**INTERNAL REPORTS
CHECKED: Public Records**

**FEDERAL AGENCIES
CHECKED: None**

87040361609

I. GENERATION OF MATTER

On March 17, 1987, the Reports Analysis Division ("RAD") referred the following 15 unauthorized political committees to the Office of the General Counsel for failure to file the 1986 Post-General Election Report timely:^{1/}

People Before Politics;

2/

II. FACTUAL AND LEGAL ANALYSIS

(A) The Facts

On September 29, 1986, notification was sent to all unauthorized political committee advising that regardless of

^{1/} The 1986 Post-General Election Report must disclose all financial activity from the close of books of the last report, or the date of registration (whichever is later), through November 24, 1986.

^{2/} The fifteen committees discussed in this report were referred to this Office as a group by the Reports Analysis Division. Each referral in which the Commission decides to open a MUR will be assigned a separate MUR number and handled by the staff person indicated in the attached notification letters.

87040661610

12. People Before Politics

On March 3, 1987, the 1986 Post-General Election Report was filed disclosing receipts of \$238 and disbursements of \$15,895. The report was filed 89 days late.

87040661611

(B) The Applicable Law

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iii), all political committees other than the authorized committees of a candidate shall file a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election.

(C) Application of the Law to the Facts

The record in this matter demonstrates that the 15 political committees discussed on pages 3 - 7 above were required to file the 1986 Post-General Election Report by December 4, 1986. The above committees, however, failed to file the report in a timely manner. In consideration of this circumstance it is the recommendation of this office that the Commission open a Matter Under Review and find reason to believe that a violation of 2 U.S.C. § 434(a)(4)(A)(iii) occurred with respect to the late filing of the 1986 Post-General Election Report by:

8704061612

People

Before Politics and James Walsh, as treasurer;

8704061613

III. RECOMMENDATIONS

1. Open Matters Under Review with respect to each of the following:
 - a)
 - b)
 - c)
 - d)
 - e)
 - f)
 - g)
 - h)
 - i)
 - j)
 - k) People Before Politics and James Walsh, as treasurer;
 - l)
 - m)
2. Find reason to believe those political committees and individuals listed in recommendation one above violated 2 U.S.C. § 434(a)(4)(A)(iii).
- 3.

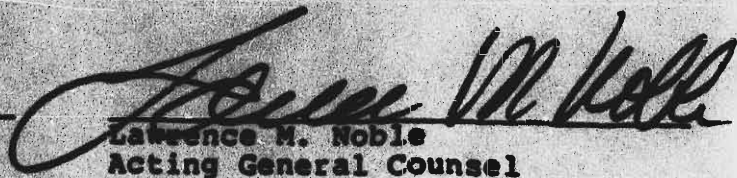
87040361614

4.

5. Approve the attached letters and Factual and Legal Analyses.

Date

4/20/87


Lawrence M. Noble
Acting General Counsel

Attachments

1. RAD Referral
2. Letters (14) and Analyses (14)

87040361615

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

RAD Ref. 87NF-61
through 87NF-75

People Before Politics and James Walsh, as
treasurer;

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal
Election Commission, do hereby certify that on April 23,
1987, the Commission decided by a vote of 6-0 to take
the following actions in RAD Ref. 87NF-61 through 87NF-75:

(continued)

87040561616

**Federal Election Commission
Certification for RAD Ref. 87NF-61
through 87NF-75
April 23, 1987**

Page 2

**1. Open Matters Under Review with respect to each
of the following:**

a)

b)

c)

d)

e)

f)

g)

h)

i)

j)

**k) People Before Politics and James Walsh, as
treasurer.**

l)

m)

(continued)

87040561617

2. Find reason to believe those political committees and individuals listed above violated 2 U.S.C. § 434(a)(4)(A)(iii).

3.

4.

5. Approve the letters and Factual and Legal Analyses, as recommended in the First General Counsel's Report signed April 20, 1987.

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

Attest:

4-23-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Mon., 4-20-87, 4:57
Circulated on 48 hour tally basis: Tues., 4-21-87, 11:00
Deadline for vote: Thurs., 4-23-87, 11:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 4, 1987

James Walsh, Treasurer
People Before Politics
P.O. Box 1204
Sioux City, Iowa 51102

Re: MUR- 2402
People Before Politics; James
Walsh, as treasurer

Dear Mr. Walsh:

On April 23, 1987, the Federal Election Commission found that there is reason to believe People Before Politics ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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 the 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

*Plum
Walsh*

97040561619

Letter to James Walsh
Page 2

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

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the 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 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 Robert Raich, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: People Before Politics
and James Walsh, as treasurer

MUR 2402

On September 29, 1986, notification was sent to all unauthorized political committees advising that regardless of election activity, the 1986 Post-General Election Report was required to be filed by December 4, 1986. The 1986 Post-General Report is required to disclose all financial activity from the close of books of the last report, or the date of registration (whichever is later), through November 24, 1986. Each political committee which failed to submit a report covering the post-general election reporting period was sent a Non-Filer Notice on December 23, 1986.

On March 3, 1987, the 1986 Post-General Election Report was filed disclosing receipts of \$238 and disbursements of \$15,895. The report was filed 89 days late.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iii), all political committees other than the authorized committees of a candidate shall file a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election.

The record in this matter demonstrates that respondents were required to file the 1986 Post-General Election Report by December 4, 1986. The respondents, however, failed to file the report in a timely manner. In consideration of this circumstance it is the recommendation of the Office of the General Counsel

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plm

- 2 -

that the Commission find reason to believe People Before Politics
and James Walsh, as treasurer, violated 2 U.S.C.
§ 434(a) (4) (A) (iii).

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87 JUN 4 49:06

"PEOPLE BEFORE POLITICS"Post Office Box 1204
Sioux City, Iowa 51102

May 27, 1987

Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2402

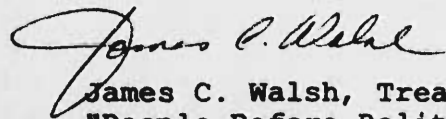
Dear Mr. Raich:

I am writing to request that the FEC pursue pre-probable cause conciliation with respect to the late filing of the 1986 post-election report by the "People Before Politics" Committee (formerly known as "People to Re-Elect Bedell.")

Enclosed with this letter is an FEC "Statement of Designation" Form, by which the Committee wishes to designate John Devereaux, who now works in the Washington office of Congressman Tim Johnson, as its representative in dealing with the FEC regarding this matter. Mr. Devereaux was formerly the administrative assistant to Congressman Berkley Bedell and is acquainted with the circumstances which resulted in the late filing of the report.

With appreciation for your interest and attention to this request, I am

Sincerely,



James C. Walsh, Treasurer
"People Before Politics"

Enclosures

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OFFICE OF THE
GENERAL COUNSEL

87 JUN 4 41:34

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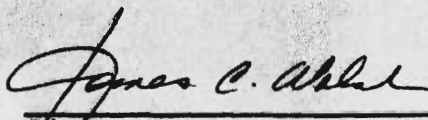
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STATEMENT OF DESIGNATION OF COUNSEL*

HUR 2402
NAME OF COUNSEL: * John Y. Devereaux
ADDRESS: 513 Cannon Building
Washington, D.C. 20515
TELEPHONE: 202/225-2801

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.

May 29, 1987
Date


Signature

RESPONDENT'S NAME: James C. Walsh, Treasurer
ADDRESS: "People Before Politics" Committee
Post Office Box 1204
Sioux City, Iowa 51102
HOME PHONE: 712/277-2970
BUSINESS PHONE: 712/252-4271

* "Counsel" herein meaning a representative of the "People Before Politics" Committee, not an attorney.

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GCC 3537

513 Cannon Building
Washington, D.C. 20515
June 1, 1987

Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2402

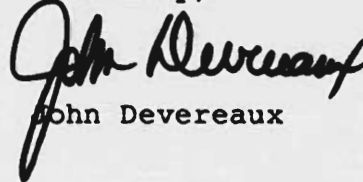
Dear Rob:

As a follow-up to our telephone conversation of several days ago, I am writing to confirm that the "People Before Politics" Committee does want to ask for pre-probable cause conciliation with respect to the late filing of its 1986 post-election FEC report.

Within the next several days, you will receive a formal request for pre-probable cause conciliation from the committee's treasurer, James Walsh of Sioux City, Iowa.

Should you have further questions or need additional information in the meantime, please do not hesitate to contact me at 225-2801. Thank you very much for your assistance in helping resolve this matter.

Sincerely,


John Devereaux

87 JUN 4 9:00

RECEIVED AT THE FEC

87 JUN 4 11:34

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

People Before Politics and)
James Walsh, as treasurer)

MUR 2402

GENERAL COUNSEL'S REPORT

A. Background

On April 23, 1987, the Commission found reason to believe the respondents violated 2 U.S.C. § 434(a)(4)(A)(iii) by filing the 1986 Post-General Election Report late. The respondents have now requested conciliation prior to a finding of probable cause. (See Attachment I.)

B. Discussion of Conciliation Provisions

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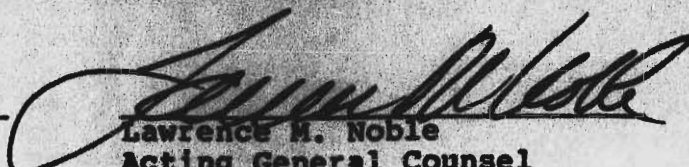
even before the records were misplaced. (See Attachment II.)

C. Recommendations

1. Approve the attached conciliation agreement.
2. Approve and send the attached letter.

Date

6/27/57


Lawrence M. Noble
Acting General Counsel

Enclosures

- I. Conciliation requests
- II. Respondents' letter explaining delay
- III. Proposed Conciliation Agreement
- IV. Letter

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

People Before Politics and
James Walsh, as treasurer

)
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MUR 2402

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 29, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2402:

1. Approve the conciliation agreement as, recommended in the General Counsel's Report signed June 24, 1987.
2. Approve and send the letter, as recommended in the General Counsel's Report signed June 24, 1987.

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

Attest:

6/29/87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Wed., 6-24-87, 4:06
Circulated on 48 hour tally basis: Thurs., 6-25-87, 11:00
Deadline for vote: Mon., 6-30-87, 11:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1987

Mr. John Y. Devereaux
513 Cannon Building
Washington, D.C. 20515

RE: MUR 2402
People Before Politics
and James Walsh,
as treasurer

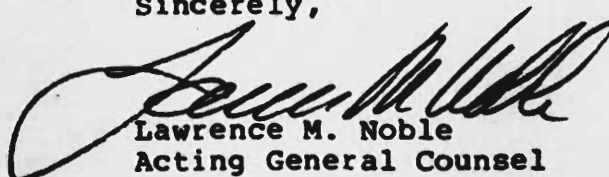
Dear Mr. Devereaux:

On April 23, 1987, the Federal Election Commission found reason to believe People Before Politics and James Walsh, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iii). At your request, on June 29, 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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

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

Sincerely,


Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

People Before Politics and
James Walsh, as treasurer

MUR 2402

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 6, 1987, the Commission mailed the respondents a proposed conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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10:03:07

2. Approve and send the attached letter.
3. Close the file.

Date

7/31/87

Lawrence M. Noble (S/2)
Lawrence M. Noble
Acting General Counsel

Attachments

- I. Letter from respondents
- II. Counterproposal Conciliation Agreement
- III. Letter

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REC'D: THE FEL

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"PEOPLE BEFORE POLITICS"

17 JUL 23 P 3: 34

513 Cannon Building
Washington, D.C. 20515
July 22, 1987

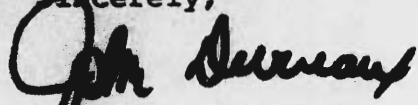
Mr. Robert Raich
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Robert:

As we discussed on the telephone, I am enclosing the signed Conciliation Agreement, specifying a penalty of \$600 because of the "People Before Politics" Committee's late filing of its 1986 post-election FEC report. I have talked with Congressman Bedell, and he is sending a check for that amount to me, which I will be able to send over to you shortly.

I hope this will be agreeable to the Commission. If you have other questions or need further information, please don't hesitate to give me a call at 225-2801. Thank you again for your help.

Sincerely,


John Y. Devereaux

Enclosure

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Attachments to General
Counsel's Report

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

For Attachment _____ see _____

<u>3</u>	<u>10</u>
_____	_____
_____	_____
_____	_____

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

People Before Politics and)
James Walsh, as treasurer)

MUR 2402

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 5, 1987, the Commission decided by a vote of 5-0 to take the following actions in MUR 2402:

1. Accept the counterproposal conciliation agreement, as recommended in the General Counsel's Report signed July 31, 1987.
2. Approve and send the letter, as recommended in the General Counsel's Report signed July 31, 1987.
3. Close the file.

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

Attest:

8-5-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Fri., 7-31-87, 3:07
Circulated on 48 hour tally basis: Mon., 8-03-87, 11:00
Deadline for vote: Wed., 8-05-87, 11:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 7, 1987

Mr. John Y. Devereaux
513 Cannon Building
Washington, D.C. 20515

RE: MUR 2402
People Before
Politics and
James Walsh, as
treasurer

Dear Mr. Devereaux:

On August 5, 1987, the Federal Election Commission accepted the signed conciliation agreement submitted on the respondents' behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(iii), a provision 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 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

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

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

87 JUL 23 AM : 20

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 People Before Politics) MUR 2402
 and James Walsh, 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 People Before Politics and James Walsh, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(iii).

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

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

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

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

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

1. People Before Politics is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. James Walsh is the treasurer of People Before Politics.

3. Respondents' 1986 Post-General Election Report was due on December 4, 1986. Respondents filed that report on March 3, 1987, 89 days late.

V. 1. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iii), all political committees other than authorized committees of candidates must file either monthly reports or a series of reports, including a Post-General Election Report in a calendar year in which there is a regularly scheduled general election. That report must be filed no later than the 30th day after the general election.

2. Respondents failed to file their 1986 Post-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(iii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of six hundred dollars (\$600), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

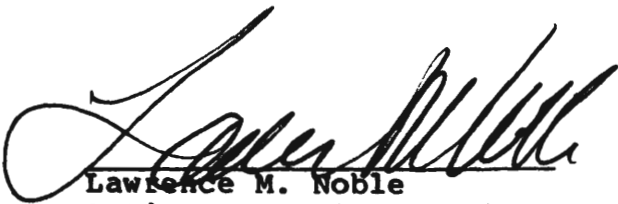
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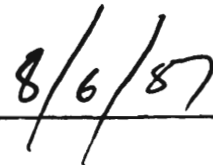
VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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

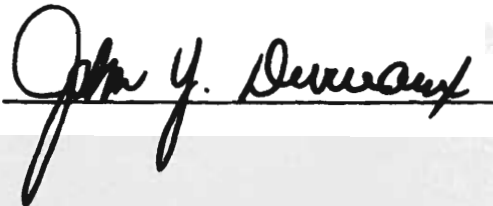
X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

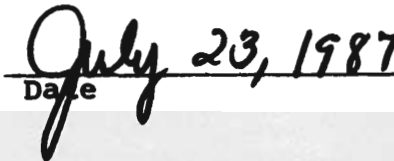
FOR THE COMMISSION:


Lawrence M. Noble
Acting General Counsel


Date

FOR THE RESPONDENTS:


John Y. Duvany


Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2402

DATE FILMED 11/25/87 CAMERA NO. 3
CAMERAMAN AS

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