



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2469

DATE FILMED 5/9/88 CAMERA NO. 2

CAMERAMAN GPC

38040702814



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 22, 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: QUARTERLY FILERS (UNAUTHORIZED COMMITTEES) WHICH
FAILED TO FILE THE 1986 12 DAY PRE-GENERAL REPORT
BY ELECTION DAY

The attached list of unauthorized committees consists of forty-nine (49) quarterly filers which failed to file a 1986 12 Day Pre-General Report by Election Day, November 4, 1986. In accordance with Standard 3 of the RAD Review and Referral Procedures, further examination is required by your office.

Unlike the mandatory reporting requirement placed upon monthly filers, 2 U.S.C. §434(a)(4)(A)(ii) requires quarterly filers to submit 12 Day Pre-General Reports only if the committees make contributions to or expenditures on behalf of federal candidates involved in the general election. All unauthorized committees were sent prior notification regarding the pre- and post-general filing requirements on September 29, 1986 (Attachment 50).

The Party/Non-Party Branch conducted a thorough examination to identify quarterly filers disclosing contributions or expenditures between October 1 and October 15, 1986. The research revealed committees that submitted:

- a) 12 Day Pre-General Reports in an untimely manner;
- b) 30 Day Post-General Reports indicating that 12 Day Pre-General Reports should have been filed; and
- c) Year End Reports indicating that 12 Day Pre-General Reports should have been filed.

ATTACHMENT 1

For your information, the pertinent supporting documentation on each committee has been arranged in alphabetical order. Statistics on all C indices only reflect activity through December 31, 1986. Any reports disclosing activity in 1987 have not been reviewed.

The following committees were previously referred either to your office or to the Audit Division for a possible 2 U.S.C. §438(b) audit.

83040702816

Attachments

C00038604

American Financial Services Ass'n
FAC (Formerly-National Consumer
Finance Ass'n FAC)

87MF-88

38040702817

93040702818

83040702819

83040702820

**AMERICAN FINANCIAL SERVICES ASS'N PAC
(FORMERLY -- NATIONAL CONSUMER FINANCE ASS'N PAC)**

(Attachments 3a - 3e)

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
AMERICAN FINANCIAL SERVICES ASS'N PAC (FORMERLY- NATIONAL CONSUMER FINANCE ASS'N PAC) CONNECTED ORGANIZATION: FINANCIAL SERVICES ASSN; AMERICAN				NON-PARTY QUALIFIED	ID #C00038604	
1985	STATEMENT OF ORGANIZATION - AMENDMENT			1JUL85	1	85FEC/377/0992
	STATEMENT OF ORGANIZATION - AMENDMENT			6SEP85	2	85FEC/387/2489
	MID-YEAR REPORT	36,940	24,657	1JAN85 -30JUN85	12	85FEC/383/0885
	MID-YEAR REPORT - AMENDMENT	37,190	24,657	1JAN85 -30JUN85	12	86FEC/398/4312
	YEAR-END	8,812	19,586	1JUL85 -31DEC85	10	86FEC/398/4301
1986	APRIL QUARTERLY	8,290	18,049	1JAN86 -31MAR86	8	86FEC/409/3063
	JULY QUARTERLY	40,420	16,650	1APR86 -30JUN86	21	86FEC/420/4612
	OCTOBER QUARTERLY	5,575	22,025	1JUL86 -30SEP86	8	86FEC/435/1264
	OCTOBER QUARTERLY - AMENDMENT	5,575	22,025	1JUL86 -30SEP86	9	86FEC/444/2306
	REQUEST FOR ADDITIONAL INFORMATION			1JUL86 -30SEP86	1	86FEC/443/4509
	NOTICE OF FAILURE TO FILE			24NOV86	1	86FEC/452/1503
	POST-GENERAL	2,075	5,250	1OCT86 - 6DEC86	6	87FEC/452/4009
	YEAR-END	1,360	0	7DEC86 -31DEC86	5	87FEC/454/1198
TOTAL		103,722	0 106,217	0	96	TOTAL PAGES

All reports have been reviewed.

Ending cash-on hand as of 12/31/86: \$9,317

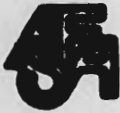
Debts as of 12/31/86: \$0

1101 Pennsylvania St. N.W.
Washington, DC
20004

Attachment 3b
RECEIVED 2 17 1967

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American Financial Services Association

December 30, 1966

**Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463**

Re: 30 Day Post-General Report (I.D. #C00038604)

Dear Mr. Gibson:

Please find attached the above referenced Report of Receipts and Disbursements. This report is being filed late due to a misinterpretation of the filing requirements. We were under the apparent misconception that the American Financial Services Association P.A.C. was exempt from such filing.

You may be assured that this oversight was unintentional and will not be repeated.

Sincerely,

**Samuel J. Baptista
Treasurer
A.F.S.A. P.A.C.**

Enclosure

27031514000

FEC FORM 3X (3-80)

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 281)**

Attachment 3d

NAME OF COMMITTEE OR CANDIDATE American Financial Services Assn., P.A.C.		REPORTING PERIOD From 10-1-86 to 12-6-86	
		COLUMN A Total This Period	COLUMN B Calendar Year To-Date
I. RECEIPTS			
11. CONTRIBUTIONS (other than loaned FROM:			
(b) Individuals/Persons Other Than Political Committees	.....	75.00	36,385.00
(Schedule Entry Unreported \$ <u>75.00</u>)			
(c) Political Party Committees	.....	2,000.00	19,775.00
(d) Other Political Committees	.....		
(e) TOTAL CONTRIBUTIONS (other than loaned (add 11(b), 11(c) and 11(d))	.....	2,075.00	56,160.00
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.)	.....		200.34
18. TOTAL RECEIPTS (Add 11(e), 12, 13, 14, 15, 16 and 17)	.....	2,075.00	56,360.34
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	.....	-0-	3,391.13
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	.....		
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	.....	5,250.00	58,583.32
22. INDEPENDENT EXPENDITURES (see Schedule E)	.....		
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441 old) (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	.....		
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	.....	5,250.00	61,974.45
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loaned from Line 11(d))	.....	2,075.00	56,160.00
30. TOTAL CONTRIBUTION REFUNDS (from Line 26(d))	.....		
31. NET CONTRIBUTIONS (other than loaned) (Subtract Line 30 from Line 29)	.....	2,075.00	56,160.00
32. TOTAL OPERATING EXPENDITURES (from Line 19)	.....	-0-	3,391.13
33. OFFSETS TO OPERATING EXPENDITURES (from Line 15)	.....		
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	.....	-0-	3,391.13

SCHEDULE B

ITEMIZED DISBURSEMENTS

Attachment 3e

Use separate schedule(s) for each category of the Budgeted Summary Page

PAGE 1 OF 1
FOR LINE NUMBER 21

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)

American Financial Services Association, Political Action Committee

A. Full Name, Mailing Address and ZIP Code Committee to Re-elect La Falce P.O. Box 383 Niagara Falls, NY 14302	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☒ General ☐ Other (specify)	Date (month, day, year) 10-15-86	Amount of Each Disbursement This Period 500.00
B. Full Name, Mailing Address and ZIP Code Senator Gorton '86 Committee 500 Wall Street, #421 Seattle, WA 98121	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☒ General ☐ Other (specify)	Date (month, day, year) 10-15-86	Amount of Each Disbursement This Period 500.00
C. Full Name, Mailing Address and ZIP Code Bill Bradley for Senate 3702 Military Road, N.W. Washington, D.C. 20015	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☒ General ☐ Other (specify)	Date (month, day, year) 11-13-86	Amount of Each Disbursement This Period 1,000.00
D. Full Name, Mailing Address and ZIP Code Committee to Elect S.B. McKinney P.O. Box 338 Fairfield, CT 06430	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☐ General ☒ Other (specify) 1986 Debt Reduction	Date (month, day, year) 11-18-86	Amount of Each Disbursement This Period 500.00
E. Full Name, Mailing Address and ZIP Code Hiler Recount Fund P.O. Box 639 Laporte, IN 46350	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☒ General ☐ Other (specify)	Date (month, day, year) 11-18-86	Amount of Each Disbursement This Period 500.00
F. Full Name, Mailing Address and ZIP Code Shelby for Senate P.O. Box 1091 Tuscaloosa, AL 35403	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☐ General ☒ Other (specify) 1986 Debt Reduction	Date (month, day, year) 12-3-86	Amount of Each Disbursement This Period 1,000.00
G. Full Name, Mailing Address and ZIP Code Terry Sanford Committee The Reception Committee P.O. Box 65553 Washington, D.C. 20035	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☒ General ☐ Other (specify)	Date (month, day, year) 12-3-86	Amount of Each Disbursement This Period 1,000.00
H. Full Name, Mailing Address and ZIP Code Democratic Congressional Comm. P.O. Box 2884 Washington, DC 20013	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☒ General ☐ Other (specify)	Date (month, day, year) 12-5-86	Amount of Each Disbursement This Period 250.00
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

5,250.00

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

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRALS: 87NF-862134
STAFF MEMBER: George F. Rishel

SOURCE OF MUR: INTERNALLY GENERATED

American Financial Services Ass'n PAC and Samuel J.
Baptista, as treasurer

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38040702827

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

INTERNAL REPORTS
CHECKED: Referral Materials

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

The Report Analysis Division ("RAD") referred the above-listed 49 committees to the Office of the General Counsel on May 22, 1987. The basis of the attached referrals is their failure to either file a 12-day Pre-Election Report or file such report in a timely fashion.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, complete as of October 15, 1986. Quarterly

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filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report.

The following committees filed a 12-Day Pre-Election Report, but did not file it in a timely fashion:

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The following committees filed a 1986 Post-General Report that disclosed activity indicating a 12-Day Pre-Election Report should have been filed:

<u>Committee</u>	<u>Date Filed</u> 1/	<u>Pre-Election Activity</u>
American Financial Services Association PAC	1-2-87 (71 days late)	\$1,000 in contributions to two candidates

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The following committees filed a Year End Report disclosing activity indicating that 12-Day Pre-Election Report should have been filed:

COMMITTEE

Date Filed^{4/}

Pre-Election Activity

Accordingly, with regard to 48 of these 49 committees, the Office of the General Counsel recommends that the Commission open Matter Under Review and find reason to believe these committees

^{4/} See footnote 1.

III. RECOMMENDATIONS

1. Open Matters Under Review with respect to the following committees and find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii):

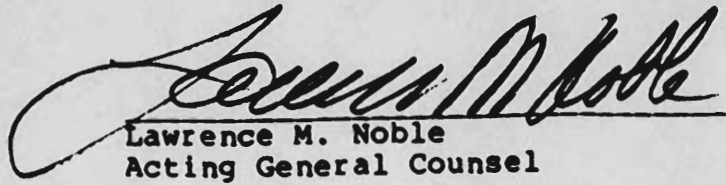
American Financial Services Ass'n PAC and Samuel J. Baptista,
as treasurer

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33040702835

2. Approve and send the attached letters and factual and legal analyses to the respective committees listed in recommendation 1.
- 3.

6/10/87
Date


Lawrence M. Noble
Acting General Counsel

Attachments

1. Referral Materials
2. Letters and Factual and Legal Analyses (48)

88040702836

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 2

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Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 4

American Financial Services Ass'n PAC and Samuel J.
Baptista, as treasurer

33040702840

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15. 1987

Page 5

83040702841

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 6

2. Approve and send the letters and factual and legal analyses to the respective committees listed in recommendation 1.

3

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

Attest:

6-16-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Thurs., 6-11-87, 12:34
Circulated on 48 hour tally basis: Thurs., 6-11-87, 4:00
Deadline for vote: Mon., 6-15-87, 4:00

83040702842



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 29, 1987

**Samuel J. Baptista, Treasurer
American Financial Services
Association PAC
1101 14th Street, N.W.
Washington, D.C. 20005**

**RE: MUR 2469
American Financial Services
Association PAC and Samuel J.
Baptista, as treasurer**

Dear Mr. Baptista:

On June 15, 1987, the Federal Election Commission found that there is reason to believe American Financial Services Association PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), 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 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.

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Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

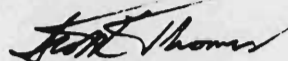
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel will not ordinarily give extensions beyond 20 days.

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 John Drury, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

8 3 0 4 0 7 0 2 8 4 4

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: American Financial Services
Association PAC and
Samuel J. Baptista,
as treasurer

MUR: 2469

28040702845
The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, and complete as of October 15, 1986. Quarterly filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report. The committee filed a 1986 Post-General Election Report that disclosed \$1,000 in contributions to two candidates between October 1, 1986, and October 15, 1986. Thus, the committee was required to file a 12-Day Pre-Election Report by October 23, 1986, and complete as of October 15, 1986. The Committee did not file a report disclosing this activity until it filed its 1986 Post-General Election Report on January 2, 1987. Accordingly, the committee and its treasurer have violated 2 U.S.C. § 434(a)(4)(A)(ii).

DC 3872

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

American
Financial
Services
Association

1101 Fourteenth St., N.W.
Washington, D.C.
20005
(202) 289-0400



87 JUL 18 P5: 18

Political
Action
Committee

John Drury, Esquire
Enforcement Division
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2469

Dear Mr. Drury:

The American Financial Services Association Political Action Committee (AFSA PAC) hereby requests that pre-probable cause conciliation procedures be initiated in the above referenced Matter Under Review.

Please be assured that AFSA PAC seeks to resolve this matter and has taken steps to insure continued compliance with the Federal Election Campaign Act of 1971.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank Salinger', is written over a horizontal line.

Frank Salinger
General Counsel
American Financial Service
Association

23040702345

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
American Financial Services)
Association PAC and)
Thomas L. Thomas, as treasurer)

MUR 2469

87 SEP 23 AM 9:34

RECEIVED
FEDERAL ELECTION COMMISSION
SECRET 10/1

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 15, 1987, the Commission found reason to believe that the American Financial Services Association PAC (the "Committee") and Thomas L. Thomas, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file a 1986 12-Day Pre-Election Report. Respondents have since requested to settle this matter prior to a finding of probable cause to believe (Attachment I).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

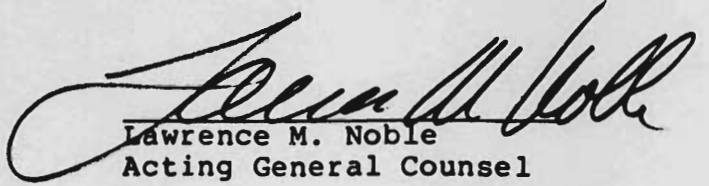
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III. RECOMMENDATIONS

1. Enter into conciliation with American Financial Services Association Political Action Committee and Thomas L. Thomas, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Date

9/22/87


Lawrence M. Noble
Acting General Counsel

Attachments

- I. Request for conciliation
- II. Proposed agreement and letter

3 3 0 4 0 7 0 2 8 4 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
American Financial Services) MUR 2469
Association PAC and)
Thomas L. Thomas, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 25, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2469:

1. Enter into conciliation with American Financial Services Association Political Action Committee and Thomas L. Thomas, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's report signed September 22, 1987.

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

Attest:

9-25-87

Date

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

Received in the Office of Commission Secretary:	Wed.,	9-23-87,	9:34
Circulated on 48 hour tally basis:	Wed.,	9-23-87,	4:00
Deadline for vote:	Fri.,	9-25-87,	4:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

1 October 1987

Frank Salinger
General Counsel
American Financial Services Association
1101 Fourteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 2469
American Financial
Services Association
Political Action
Committee and Thomas L.
Thomas, as treasurer

Dear Mr. Salinger:

On June 15, 1987, the Federal Election Commission found reason to believe that the American Financial Services Association Political Action Committee and Thomas L. Thomas, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii). At your request, on , the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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

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

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

33040702850

RECEIVED
FEDERAL ELECTION COMMISSION

SENSITIVE

88 MAR 22 PM 12:14

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
American Financial Services	)	MUR 2469
Political Action Committee	)	
and Thomas L. Thomas, as	)	
treasurer	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

As there are no changes to the agreement approved by the Commission on February 24, 1988, this Office recommends the acceptance of the conciliation agreement and the closing of the file.

II. RECOMMENDATIONS

1. Accept the conciliation agreement for the American Financial Services Political Action Committee and Thomas L. Thomas, as treasurer.

83040702851

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

Lawrence M. Noble
General Counsel

Date 3/21/88

By: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Proposed Letter

Staff Member: Beverly Kramer

39040702852

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

American Financial Services
Political Action Committee
and Thomas L. Thomas, as
treasurer

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MUR 2469

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal
Election Commission, do hereby certify that on March 24,
1988, the Commission decided by a vote of 6-0 to take
the following actions in MUR 2469:

1. Accept the conciliation agreement for the
American Financial Services Political Action
Committee and Thomas L. Thomas, as treasurer,
as recommended in the General Counsel's report
signed March 21, 1988.
2. Close the file.
3. Approve and send the letter, as recommended
in the General Counsel's report signed
March 21, 1988.

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

Attest:

3/24/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Tues.,	3-22-88,	12:14
Circulated on 48 hour tally basis:	Tues.,	3-22-88,	4:00
Deadline for vote:	Thurs.,	3-24-88,	4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 30, 1988

Frank Salinger, General Counsel
American Financial Services Political
Action Committee
1101 Fourteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 2469
American Financial
Services Association
Political Action
Committee and Thomas L.
Thomas, as treasurer

Dear Mr. Salinger:

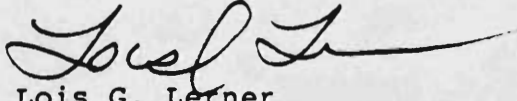
On March 24, 1988, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

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

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

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
American Financial Services
Association Political Action
Committee and Thomas L. Thomas,
as treasurer

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MUR 2469

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 American Financial Services Association Political Action Committee and Thomas L. Thomas, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii).

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

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§437g(a)(4)(A)(i).

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

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

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

1. Respondent, American Financial Services

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

2. Respondent, Thomas L. Thomas, is the treasurer of the Committee.

3. Respondents were obligated to file a 1986 12-Day Pre-Election Report by October 23, 1986.

4. Respondents failed to disclose the information required by the 12 Day Pre-Election Report until it filed its 1986 Post-Election Report on January 2, 1987, seventy days after the Pre-Election Report was due.

V. The respondents' failure to timely disclose the information required to be filed in the 1986 12 Day Pre-Election Report was in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of two hundred and fifty dollars (\$250.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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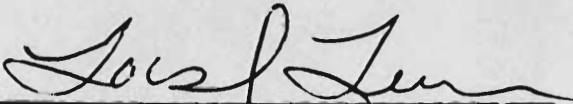
IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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
General Counsel

By:


Lois G. Lerner
Associate General Counsel

Date 3/30/88

FOR THE RESPONDENTS:


Frank Salinger
General Counsel
American Financial Services
Association

Date 3/31/88

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2469

DATE FILMED 5/9/88 CAMERA NO. 2

CAMERAMAN GPC

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