



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 31, 2000

Gerald Deneau, Treasurer
Graphic Communications International Union
Political Contributions Committee
1900 L Street, N.W.
Washington, DC 20036

RE: MUR 4990
Graphic Communications
International Union Political
Contributions Committee
Gerald Deneau, as treasurer

Dear Mr. Deneau:

On March 27, 2000, the Federal Election Commission found that there is reason to believe Graphic Communications International Union Political Contributions Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iii), provisions 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 findings, is attached for your information.

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 additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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

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

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

4:58:00 PM 3/31/2000

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

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Graphic Communications International
 Union Political Contributions Committee
 Gerald Deneau, as treasurer

MUR: 4990

I. GENERATION OF MATTER

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

II. FACTUAL AND LEGAL ANALYSIS

A. The Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires treasurers of political committees, other than authorized committees of a candidate, to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). Such committees may choose to file reports either on a monthly or a quarterly basis. 2 U.S.C. § 434(a)(4).

In a calendar year in which a regularly scheduled general election is held, committees that choose to file on a quarterly basis shall file quarterly 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.

2 U.S.C. § 434(a)(4)(A)(i).

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The Act also requires such committees to file a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in 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 Act further requires such committees to 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 before the election. 2 U.S.C. § 434(a)(4)(A)(iii).

B. The Facts

The Graphic Communications International Union Political Contributions Committee ("the Committee") is a political committee that is not an authorized committee of a candidate, and has elected to file disclosure reports on a quarterly basis. Gerald Deneau is the treasurer of the Graphic Communications International Union Political Contributions Committee.

The Committee failed to file timely five (5) reports for the 1997-98 election cycle. The Committee was required to file its 1998 April Quarterly Report no later than April 15, 1998. See 2 U.S.C. § 434(a)(4)(A)(i). The 1998 April Quarterly Report, which disclosed \$25,409.00 in receipts and \$3,825.00 in disbursements was not filed until April 30, 1998, fifteen (15) days late.

The Committee was required to file its 1998 October Quarterly Report no later than October 15, 1998. See 2 U.S.C. § 434(a)(4)(A)(i). The 1998 October Quarterly Report, which disclosed \$2,722.00 in receipts and \$8,400.00 in disbursements was not filed until November 1, 1998, seventeen (17) days late.

The Information Division notified the Committee of the filing dates for the 1998 April Quarterly and October Quarterly Reports with Prior Notices mailed to the Committee,

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respectively, on March 20, 1998 and September 18, 1998. Additionally, on November 27, 1998, the Reports Analysis Division ("RAD") sent a Late Filer Notice to the Committee for failing to file the 1998 April Quarterly and October Quarterly Reports. The Notice advised the Committee that any additional late filing of reports may result in legal enforcement action.

Subsequently, the Committee filed its 1998, 30 Day Post-General Report on December 21, 1998—eighteen (18) days past the December 3, 1998 due date. The 30 Day Post-General Report disclosed \$1,995.00 in receipts and \$13,500.00 in disbursements for the period October 1, 1998 through November 23, 1998. Because the Committee reported making \$2,800.00 in contributions to three federal candidates on October 5, 1998, it was required to file the 1998, 12 Day Pre-General Report due on October 22, 1998. *See* 2 U.S.C. § 434(a)(4)(A)(ii). Although the Committee eventually disclosed activity on the 30 Day Post-General Report that should have been reported on a 12 Day Pre-General Report, it did so sixty (60) days late.

The Committee also failed to file timely its 1998 Year-End Report, which was due on January 31, 1999. The 1998 Year-End Report, which disclosed \$1,696.00 in receipts and \$0.00 in disbursements was not filed until February 11, 1999, eleven (11) days late.

Therefore, there is reason to believe Graphic Communications International Union Political Contributions Committee and Gerald Deneau, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iii).