



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MJR # 2654

DATE FILMED 11-18-88 CAMERA NO. 3

CAMERAMAN PC

88040723509



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

May 27, 1988

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: REFERRAL OF THE FRIENDS OF THE EARTH POLITICAL
ACTION COMMITTEE

This is a referral of the Friends of the Earth Political Action Committee ("the Committee"). The Committee has failed to file three (3) reports in a timely manner during the 1987-1988 election cycle. According to the RAD Review and Referral Procedures for Unauthorized Committees further examination is required by your office.

Please note that the Committee was referred to your office on April 7, 1988, for failure to file the 1987 Year End Report on a timely basis (see RAD Referral 88NF-6).

If you have any questions concerning this matter, please contact Donald Averett at 376-2480.

Attachment

98040723510

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 27, 1988ANALYST: Donald L. Averett

I. COMMITTEE: Friends of the Earth Political Action
Committee (C00141044)
L. Geoffrey Webb, Treasurer
530 7th Street, S.E.
Washington, DC 20003

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

III. BACKGROUND:

Failure to Timely File Reports

The Friends of the Earth Political Action Committee ("the Committee") failed to file three (3) Reports of Receipts and Disbursements in a timely manner for the 1987-1988 election cycle (see Chart). The reports were filed between ten (10) and fifty-one (51) calendar days late.

On March 11, 1988, the treasurer returned the Reports Analysis Division ("RAD") analyst's call made earlier that day. Mr. Webb stated that he believed that the Year End Report had already been filed, but, to be certain, he would consult Mr. Hank Hall, who prepares the Committee's reports. The RAD analyst advised Mr. Webb to submit the report by the end of the following week, and to have Mr. Hall phone the RAD analyst upon his return to the office (Attachments 6 and 7).

On March 22, Mr. Hall phoned the RAD analyst, indicating that the Year End Report would be hand-delivered by the end of the day (Attachment 8).^{1/}

^{1/} The Committee notes in their letter dated May 11, 1988, that these conversations occurred in February, although Commission records show them to have taken place on March 11 and 22, 1988 (Attachment 14).

88040723511

FRIENDS OF THE EARTH POLITICAL
ACTION COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

On March 30, 1988, a Chronic Late Filing Notice was sent to the Committee for failing to file the 1987 Mid-Year and 1987 Year End Reports in a timely manner (Attachment 11). The Notice advised the Committee that any additional late filing of reports may result in legal enforcement action.

On May 6, 1988, a Non-Filer Notice was sent to the Committee for failure to file the April Quarterly Report (Attachment 12). On May 9, 1988, Mr. Hall called the RAD analyst (Attachment 13). Mr. Hall indicated that he had been unaware of the requirement to file reports on a quarterly basis and had incorrectly believed that the Committee could continue to file semi-annually during 1988. Mr. Hall requested a blank FEC FORM 3X, which the RAD analyst sent to the Committee on May 9, 1988.

On May 13, 1988, the Committee filed the April Quarterly Report (Attachment 14). Accompanying the report was a cover letter which stated the following:

- The 1987 Year End Report was mailed to the Federal Election Commission on December 29, 1987. Apparently the report was lost in the mail.
- In the future the Committee intends to file all reports by certified mail or hand delivery.
- The Committee did not receive a prior notice informing them of the requirement to file a quarterly report.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

8 9 0 4 0 7 2 3 5 1 2

8 3 0 4 0 7 2 3 5 1 3

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1987 Mid-Year Report (1/1/87-6/30/87)	7/07/87 (Attachment 2)	7/31/87	N/A	8/10/87 (Attachment 3)
1987 Year End Report (7/1/87-12/31/87)	12/18/87 (Attachment 4)	1/31/88	2/19/88 (Attachment 5)	3/22/88 (Attachment 9)
1988 April Quarterly (1/1/88-3/31/88)	3/22/88 (Attachment 10)	4/15/88	5/06/88 (Attachment 12)	5/13/88 (Attachment 14)

FRIENDS OF THE EARTH POLITICAL
ACTION COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
FRIENDS OF THE EARTH POLITICAL ACTION COMMITTEE						
CONNECTED ORGANIZATION: FRIENDS OF THE EARTH INC						
1987	MID-YEAR REPORT	0	84	1JAN87 -30JUN87	3	87FEC/482/4645
	YEAR-END	12,848	2,090	1JUL87 -31DEC87	7	88FEC/515/1136
	NOTICE OF FAILURE TO FILE			31DEC87	1	88FEC/510/2954
1988	MISCELLANEOUS NOTICE FROM FEC			30MAR88	1	88FEC/515/3122
	APRIL QUARTERLY	13,858	5,437	1JAN88 -31MAR88	8	88FEC/525/2108
	NOTICE OF FAILURE TO FILE			1JAN88 -31MAR88	1	88FEC/524/4887
	TOTAL	22,706	0	7,611	0	21 TOTAL PAGES

All reports listed above have been reviewed.
Cash on Hand balance as of 3/31/88-- \$26,049.80
Debts owed by/to the committee as of 3/31/88-- \$0.00

ATTACHMENT 1

SEMI-ANNUAL REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

July 7, 1987

WHO MUST FILE

ALL PARTY COMMITTEES AND PACS (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) must file a report in July.

REPORTING DATES

Semiannual. The Mid-Year Report is due July 31 and must disclose financial activity that occurred from January 1 through June 30, 1987. Committees which have previously filed 1987 reports should only report activity from the closing date of the last report filed.

Monthly. If the committee chooses to file on a monthly basis, the next monthly report is due July 20 and must disclose financial activity from June 1 through June 30, 1987. Monthly reports are due by the 20th of each month and cover all financial activity of the previous month.

WHAT MUST BE REPORTED

A report must disclose all receipts and disbursements (not previously reported) that occurred during the reporting period. A newly registered political committee filing its first report should also include all amounts received and expended before the committee registered. See 11 CFR 104.3. For more detailed information on reporting instructions, consult your Campaign Guide.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC FORM 3X for details. Affix the peel-off label from the envelope to line 1 of the report. Any corrections should be made directly on the label.

CHANGE IN FILING FREQUENCY

Committees that wish to change their reporting schedule (for example, from monthly to semiannual) must notify the Commission by sending a letter with the next report due under their current reporting schedule. Committees may change their filing frequency only once a year.

COMPLIANCE

Political committees are responsible for filing all reports required under the Act in a timely fashion. Committees and treasurers who file late reports, or fail to file reports, are subject to enforcement action. Illegible reports and reports submitted on non-FEC forms will not be accepted; committees filing such documents will be required to refile.

(over)

**1987 UPCOMING FILING SCHEDULE
PARTIES AND PACS**

Retain this report notice for future reference. The next notice will be sent December 18, 1987. Also, see the January 1987 issue of the FEC Record, which lists 1987 reporting dates.

SEMIANNUAL FILERS

Report	Period Covered 1/	Reg./Cert.	Filing
		Mailing Date 2/	Date 2/
Mid-Year	01/01 - 06/30	07/31/87	07/31/87
Year-End	07/01 - 12/31	01/31/88	01/31/88

MONTHLY FILERS

Report	Period Covered 1/	Reg./Cert.	Filing
		Mailing Date 2/	Date 2/
July	06/01 - 06/30	07/20/87	07/20/87
August	07/01 - 07/31	08/20/87	08/20/87
September	08/01 - 08/31	09/20/87	09/20/87
October	09/01 - 09/30	10/20/87	10/20/87
November	10/01 - 10/31	11/20/87	11/20/87
December	11/01 - 11/30	12/20/87	12/20/87
Year-End	12/01 - 12/31	01/31/88	01/31/88

1/ A newly registered committee should refer to "WHAT MUST BE REPORTED," on the reverse side.

2/ Reports sent by certified or registered mail must be postmarked by the mailing date. Reports mailed first class or hand delivered must be received by the filing date.

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

8 9 0 4 0 7 2 3 5 1 6

REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

December 18, 1987

WHO MUST FILE

ALL PARTY COMMITTEES and PACs (NON-CONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) must file a Year End Report in January.

REPORTING DATES

Semiannual. The Year End Report is due January 31, 1988, and must disclose financial activity that occurred from July 1 through December 31, 1987. Committees which have previously filed 1987 reports should only report activity from the closing date of the last report filed.

Monthly. Committees that choose to file on a monthly basis must file the Year End Report due January 31, 1988. The report must disclose financial activity from December 1 through December 31, 1987. All other monthly reports are due by the 20th of each month and cover all financial activity of the previous month.

WHAT MUST BE REPORTED

A report must disclose all receipts and disbursements that occurred during the reporting period. A newly registered political committee filing its first report should also include all amounts received and expended before the committee registered. See 11 CFR 104.3. For more detailed information on reporting instructions, consult your Campaign Guide.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details. Affix the peel-off label from the envelope to line 1 of the report. Any corrections in the information should be made directly on the label.

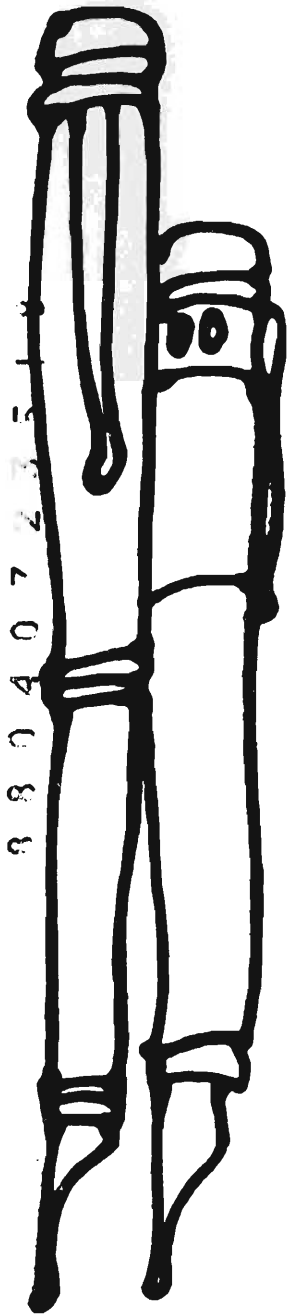
CHANGE IN FILING FREQUENCY

Committees that wish to change their reporting schedule (for example, from semiannual to monthly) must notify the Commission by sending a letter with the next report due under their current reporting schedule. Committees may change their filing frequency only once a year.

COMPLIANCE

Political committees are responsible for filing all reports required under the Act in a timely fashion. Committees and treasurers who file late reports, or fail to file reports, are subject to enforcement action. Illegible reports and reports submitted on non-FEC forms will not be accepted; committees filing such documents will be required to refile.

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





RO-7

FEB 19 1998

**Robert A. Chlopak, Treasurer
Friends of the Earth Political
Action Committee
530 7th Street, S.E.
Washington, DC 20003**

Identification Number: C00141044

Reference: Year End Report (through 12/31/07)

Dear Mr. Chlopak:


It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Donald Averett on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

Sincerely,

John D. Gibson
Assistant Staff Director

John D. Gibson
Assistant Staff Director
Reports Analysis Division

TELECON

ANALYST: Donald L. Averett

CONVERSATION WITH: Secretary

COMMITTEE: Friends of the Earth Political Action Committee (C00141044)

DATE: 3/11/88

SUBJECT(S): Year End Report due 1/31/88- not filed

I attempted to call Robert Chlopak, the treasurer. The Secretary advised me that Mr. Chlopak was no longer the treasurer and that the current treasurer, Geoffrey Webb was in a meeting. I left a message for him to call back as soon as possible.

8 9 0 4 0 7 2 3 5 2 0

TELECON

ANALYST: Donald L. Averett

CONVERSATION WITH: L. Geoffrey Webb, treasurer

COMMITTEE: Friends of the Earth Political Action Committee (C00141044)

DATE: 3/11/88)

SUBJECT(S): Year End Report due 1/31/88- not filed

Mr. Webb called. He informed me that he would be out of the country on business from 3/12/88 to 3/21/88. He stated that Mr. Hall actually prepares the committee's forms but that he would not be in the office until 3/14/88. Mr. Webb indicated that he believed the Year End Report had already been filed, but that he would contact Mr. Hall to make sure.

I advised Mr. Webb to ensure that the report was filed before the end of the following week. I also advised him to submit the report by certified mail or hand delivery. I asked him to have Mr. Hall phone me Monday, 3/14/88.

88040723521

TELECON

ANALYST: Donald L. Averett

CONVERSATION WITH: Mr. Hall

COMMITTEE: Friends of the Earth Political Action Committee (C00141044)

DATE: 3/22/88

SUBJECT(S): Year End Report due 1/31/88- not filed

Mr. Hall phoned. He said that he had just returned from out of town.

He also stated that the non-filer notice signed by John Gibson had been misfiled.

Mr. Hall indicated that the Year End Report would be hand delivered by the end of the day (3/22/88).

88040723522

HAND DELIVERED

RECEIVED
FEDERAL ELECTION COMMISSION
REPORTS ANALYSIS DIVISION

88 MAR 22 PM 4:30

8. FIG IDENTIFICATION NUMBER

C - 00141044

3. ☐ This committee qualified as a multicandidate committee DURING THIS Reporting Period on 12/15/12.

4. TYPE OF REPORT

- ☐ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☒ January 31 Year End Report
☐ July 31 Mid Year Report (Non-election Year Only)

- Monthly Report Due On**
- | | | |
|--------------------------------------|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> February 20 | <input type="checkbox"/> June 20 | <input type="checkbox"/> October 20 |
| <input type="checkbox"/> March 20 | <input type="checkbox"/> July 20 | <input type="checkbox"/> November 20 |
| <input type="checkbox"/> April 20 | <input type="checkbox"/> August 20 | <input type="checkbox"/> December 20 |
| <input type="checkbox"/> May 20 | <input type="checkbox"/> September 20 | <input type="checkbox"/> January 31 |

- ☐ Twelfth day report preceding _____
(Type of Election)
election on _____ in the State of _____
- ☐ Thirtieth day report following the General Election on _____
in the State of _____

- (b) Is this Report an Amendment? ☐ YES ☒ NO

SUMMARY		COLUMN A Title Period	COLUMN B Calendar Year-to-Date
5.	Covering Period <u>JULY 1, 1957</u> through <u>DECEMBER 2, 1957</u>		
6.	(a) Cash on Hand January 1, 19 <u>57</u>		\$ 954.92
	(b) Cash on Hand at Beginning of Reporting Period	\$ 870.92	
	(c) Total Receipts (from Line 18)	\$ 13,848.00	\$ 13,848.00
	(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 14,718.92	\$ 14,802.92
7.	Total Disbursements (from Line 28)	\$ 2,393.51	\$ 2,194.51
8.	Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 12,325.41	\$ 12,608.41
9.	Debts and Obligations Owed TO the Committee (Summize all on Schedule C and/or Schedule D)	\$ N/A	
10.	Debts and Obligations Owed BY the Committee (Summize all on Schedule C and/or Schedule D)	\$ N/A	

For further information
contact:
Federal Election Commission
990 E Street, NW
Washington, DC 20003

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Transmitter

L. G. G. 11222

Approved: _____

D

1/29/58

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

FEC FORM 3X
(prevised 4-87)

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1988

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
April Quarterly	01/01/88**-03/31/88	04/15/88	04/15/88

WHO MUST FILE

PARTY COMMITTEES AND PACs (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) filing on a quarterly basis must file their next report in April.

WHAT MUST BE REPORTED

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

REPORTING FORMS

Party committees and PACs use Form 3X (enclosed).

WHERE TO FILE

Consult the instructions on the back of the Form 3X Summary Page. Note state filing requirements also.

LABEL

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

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with a candidate's primary election, must also file a 12-day Pre-Election Report if the activity was not previously reported. See the January Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Committees which make an independent expenditure of \$1,000 or more, after the 20th day, but more than 24 hours before an election, must report it within 24 hours.

COMPLIANCE

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

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

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

MS-L

MAR 30 1988

L. Geoffrey Webb, Treasurer
Friends of the Earth Political
Action Committee
530 7th Street, SE
Washington, DC 20003

Identification Number: C00141044

Reference: 1987-1988 Election Cycle Reports

Dear Mr. Webb:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may have violated 2 U.S.C. §434(a), by failing to timely file Reports of Receipts and Disbursements. The following is a list of the reports in question.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Mid-Year Report (1/1/87-6/30/87)	07/31/87	08/10/87
Year End Report (7/1/87-12/31/87)	01/31/88	03/22/88

Timely filing is a specific requirement of the Federal Election Campaign Act ("the Act") and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views the untimely filing of reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending before the Commission, any additional report which is not submitted in a timely manner by your committee may result in the Commission initiating legal enforcement or audit action.

You may submit a letter of explanation in response to this notification. If, however, you have any questions, please feel free to contact Donald Averett on our toll-free number, (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

Lisa J. Stolar
Chief, Party and Political
Reports Analysis Division

4304032351222



FEDERAL ELECTION COMMISSION

RC-7

May 6, 1983

L. Geoffrey Webb, Treasurer
Friends of the Earth Political
Action Committee
930 7th Street, S.E.
Washington, DC 20003

Identification Number: C00141044

Reference: April Quarterly Report (1/1/88-3/31/88)

Dear Mr. Webb:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Donald L. Averett on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

DIALYST: Donald L. Aven

TELECON

ATTACHMENT 13

CONVERSATION WITH: Hank Hall (Bookkeeper)

COMMITTEE: Friends of the Earth Political Action Committee (C00141044)

DATE: 5/9/88

SUBJECT(S): April Quarterly Report due 4/15/88- not filed

Mr. Hall phoned in response to the non-filer notice sent 5/6/88. He stated that he was unaware of the requirement to file reports on a quarterly basis and had incorrectly assumed that the Committee could continue to file on a semi-annual basis during 1988.

Mr. Hall also requested that I mail the Committee a blank FEC Form 3X which I sent later that day.

88040743527

FOE
PAC

Friends of the Earth Political Action Committee
530 Seventh St., SE, Washington, D.C. 20003 (202) 543-4312

ATTACHMENT 14
PAGES
RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION
00 MAY 13 PM 12:07

May 11, 1988

Mr. John D. Gibson
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463
Re: ID #C00141044

Dear Mr. Gibson,

We received your letter dated May 6 this past Monday, May 9 and are responding with the attached 1st Quarter 1988 report as quickly as we are able. We hope that we can convince you of our continuing good faith efforts to file our reports by the time specified even though there have been a few problems of late.

In February, Donald Averett called to inform us that you had not received the December 31, 1987 report. We had mailed this report on December 29th assuming that it would arrive to you in time by the 1st of February since the 31st of January was a Sunday. I seldom have the experience of reports and returns being lost in the mail, but now that it has happened with you I will require all reports to you to be hand-delivered or certified mailed. We have since sent you a copy.

I was not aware that quarterly reports had to be filed not only because I personally have had no FEC reporting experience prior to my coming to this position but also because I never received your notice about the quarterly filings. My understanding now, after speaking with Donald Averett again when he called to inform us that we had not yet filed our report is that in an election year we must file quarterly. Attached is the first quarter report. We are sorry for the miscommunications.

In addition to putting the quarterly filings on our calendar, you should know that we are undergoing an administrative review to ensure that FEC reporting problems such as these do not again occur in the future.

(Sincerely,


Patricia A. Antonisse
Controller

FEDERAL ELECTION COMMISSION

For Candidates for Federal Office

(Summary Page)

NAME OF COMMITTEE
Friends of the Earth Political Action Committee
 (Check number and check ☐ Check if reported previously reported)
400 14th St. SE
Washington, DC 20003

FEC IDENTIFICATION NUMBER
C-00141044
 3 ☐ This committee qualified as a multicandidate committee DURING THIS Reporting Period on (date)

4. TYPE OF REPORT

☒ **April 15 Quarterly Report**
☐ **July 15 Quarterly Report**
☐ **October 15 Quarterly Report**
☐ **January 31 Year End Report**
☐ **July 31 Mid Year Report (Non election Year Only)**
☐ **Termination Report**

Monthly Report Due On
☐ February 20 ☐ June 20 ☐ October 20
☐ March 20 ☐ July 20 ☐ November 20
☐ April 20 ☐ August 20 ☐ December 20
☐ May 20 ☐ September 20 ☐ January 31

☐ **Twelfth day report preceding** _____
 (Type of Election)
 election on _____ in the State of _____

☐ **Thirtieth day report following the General Election on** _____
 in the State of _____

Is this Report an Amendment? YES ☒ NO ☐

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>January 1, 1988 through March 31, 1988</u>		
6. (a) Cash on Hand January 1, 1988		\$17,628.41
(b) Cash on Hand at Beginning of Reporting Period	\$17,628.41	
(c) Total Receipts (from Line 18)	\$1,456.11	\$1,456.11
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$19,084.52	\$1,456.11
7. Total Disbursements (from Line 28)	\$15,427.11	\$15,427.11
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$3,657.41	\$3,657.41
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ — —	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/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.

Type or Print Name of Treasurer
L. Gifford
 Signature of Treasurer
[Signature]

Date 5/12/88

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 4370c.

9373232109

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

FEDERAL ELECTION COMMISSION
88 JUL 20 PM 3:41

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral: 88NF-17
Staff Member: Colleen Miller

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Friends of the Earth Political Action
Committee, and L. Geoffrey Webb as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(i) and (iv)
11 C.F.R. § 104.5(c)(1) and (2)

INTERNAL REPORTS
CHECKED: None

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred Friends of the Earth Political Action Committee, and L. Geoffrey Webb as treasurer ("Respondents") for failure to file three reports in a timely fashion to the Office of the General Counsel on May 31, 1988. The late filed reports are 1987 Mid-Year Report, 1987 Year End Report and the April 1988 Quarterly Report.

It should be noted that on June 7, 1988, the Commission found reason to believe that the Committee had violated 2 U.S.C. § 434(a)(4)(A)(iv) for failure to file the 1987 Year End Report, and approved a proposed conciliation agreement in MUR 2625.

II. FACTUAL AND LEGAL ANALYSIS

A. Filing of Reports

The Federal Election Campaign Act of 1971, as amended ("the Act"), establishes specific filing deadlines for unauthorized

88040723530

committees filing quarterly reports. 2 U.S.C. § 434(a)(4). In 1987, the Mid-year report was due on July 31, and the Year End report was January 31, 1988. The first quarterly report of 1988 was due April 15, 1988. Friends of the Earth Political Action Committee failed to meet each deadline as follows:

1987 Mid Year	Filed August 10, 1987
1987 Year End	Filed March 22, 1988
1988 Quarterly	Filed May 13, 1988

Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Friends of the Earth Political Action Committee and L. Geoffrey Webb, treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv) for its failure to file reports in a timely manner.

B. Merger

As stated above, respondents are the subject of MUR 2625 pertaining to the late filed 1987 Year End Report. MUR 2625 is currently in preprobable cause conciliation, thus making merger appropriate. Therefore, this Office recommends merger of the referred committee with the current open MUR 2625.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Friends of the Earth Political Action Committee and L. Geoffrey Webb, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv).
3. Merge RAD Referral 88NF-17 with MUR 2625.
4. Enter into conciliation with Friends of the Earth Political Action Committee and L. Geoffrey Webb, as treasurer, prior to a finding of probable cause to believe.
5. Approve the attached letter and factual and legal analysis to the referred committee.

6. Approve the attached proposed conciliation agreement to the referred committee.

Lawrence M. Noble
General Counsel

July 20, 1988
Date

BY:

Lois G. Lerner
Associate General Counsel

Attachments:

- (1) Referral materials
- (2) Letter from FOE PAC
- (3) Letter to Respondent
- (4) Factual and legal analysis
- (5) Proposed conciliation agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of the Earth Political Action
Committee, and L. Geoffrey Webb as
treasurer

RAD Ref. 88NF-17

(MUR 2654)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal
Election Commission, do hereby certify that on July 25,
1988, the Commission decided by a vote of 6-0 to take
the following actions in RAD Ref. 88NF-17:

1. Open a MUR.
2. Find reason to believe that Friends of the
Earth Political Action Committee and
L. Geoffrey Webb, as treasurer, violated
2 U.S.C. § 434(a)(4)(A)(i) and (iv).
3. Merge RAD Referral 88NF-17 with MUR 2625.
4. Enter into conciliation with Friends of the
Earth Political Action Committee and L.
Geoffrey Webb, as treasurer, prior to a
finding of probable cause to believe.
5. Approve the letter and factual and legal
analysis to the referred committee, as
recommended in the First General Counsel's
report signed July 20, 1988.

(Continued)

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6. Approve the proposed conciliation agreement to the referred committee, as recommended in the First General Counsel's report signed July 20, 1988.

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

Attest:

7/26/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Wed., 7-20-88, 3:41
Circulated on 48 hour tally basis: Thurs., 7-21-88, 11:00
Deadline for vote: Mon., 7-25-88, 11:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Thomas J. Josefiak, Chairman

FROM: Lois G. Lerner
Associate General Counsel

SUBJECT: Informational Notice Concerning a Change of
Treasurer in 88NF-17, now MUR 2654

On July 25, 1988, the Commission decided, by a vote of 6-0, to open a MUR in RAD referral 88-NF-17, find reason to believe, and enter into conciliation with Friends of the Earth Political Action Committee.

The proposed letter, factual and legal analysis and conciliation agreement in 88NF-17, now MUR 2654, listed the treasurer of Friends of the Earth PAC as L. Geoffrey Webb. Because FOE-PAC has amended its Statement of Organization, listing David K. Baker as treasurer, this Office has substituted David K. Baker as treasurer in the letter, factual and legal analysis and conciliation agreement.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 18, 1988

David K. Baker, Treasurer
Friends of the Earth Political
Action Committee
530 Seventh Street, S.E.
Washington, D.C. 20003

RE: MUR 2654
Friends of the Earth
Political Action
Committee and
David K. Baker, as
treasurer

Dear Mr. Baker:

On July 25, 1988, the Federal Election Commission found that there is reason to believe Friends of the Earth Political Action Committee ("Committee") and its treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv), 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 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.

On July 25, 1988, the Commission also determined to merge this matter with MUR 2625. Both matters will now be known as MUR 2654. In order to expedite the resolution of this matter, the Commission has also decided to extend its offer to enter into negotiations directed towards reaching a conciliation agreement that includes both findings that the Commission has approved. The attached proposed agreement includes the factual and legal findings concerning the Committee's failure to file 1987 Mid-Year, 1987 Year End and April Quarterly Reports. This agreement

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supersedes the proposed conciliation agreement sent to Mr. Webb on June 15, 1988.

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

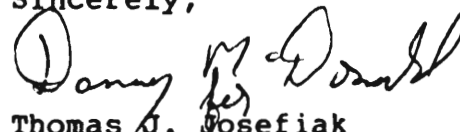
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

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

Sincerely,



Thomas J. Josefiak
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 19, 1988

David K. Baker, Treasurer
Friends of the Earth Political
Action Committee
530 Seventh Street, S.E.
Washington, D.C. 20003

RE: MUR 2654
Friends of the Earth
Political Action
Committee and David K.
Baker, as treasurer

Dear Mr. Baker:


Enclosed is a proposed conciliation agreement which reflects the changes suggested by you during your meeting with Anne Weissenborn and Colleen Miller on September 14, 1988 and which has been typed by this Office as a courtesy to you. Please be advised that the Commission has not reviewed or approved this revised agreement. However, the Office of the General Counsel will inform the Commission of the proposed changes in this agreement which are based upon representations made by you during the meeting.

If you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission as soon as possible.

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

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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RECEIVED
FEDERAL ELECTION COMMISSION

88 SEP 26 PM 2:56

FOE
PAC

RECEIVED
FEDERAL ELECTION COMMISSION

88 SEP 26 PM 1:12

Friends of the Earth Political Action Committee
530 Seventh St., S.E., Washington, D.C. 20003 (202) 543-4312

Federal Election Commission
999 E St. NW
Washington, DC 20463

The Commission:

Please find enclosed a signed conciliation agreement from Friends of the Earth Political Action Committee and a payment of \$800.00 in closure of complaint MUR 2654.

David K. Baker

David K. Baker
Treasurer

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88 SEP 27 AM 11:59

RECEIVED
FEDERAL ELECTION COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends of the Earth Political) MUR 2654
Action Committee and David K.)
as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 25, 1988, the Commission found reason to believe that Friends of the Earth Political Action Committee ("FOE-PAC") and L. Geoffrey Webb, as treasurer^{1/} violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv). The finding was based on FOE-PAC's failure to file three reports in a timely fashion: the 1987 Mid-Year Report, the 1987 Year End Report and the April 1988 Quarterly Report.

II. STATUS OF THE CASE

^{1/} At the time of the First General Counsel's Report, FOE-PAC's treasurer was L. Geoffrey Webb. The Committee has since amended its Statement of Organization to include its new treasurer, David K. Baker. The letter to the Committee notifying of the Commission's finding, the proposed conciliation agreement, and the factual and legal analysis were modified to reflect the change.

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III. RECOMMENDATIONS

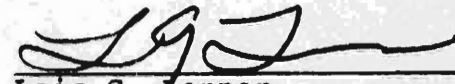
1. Approve the attached modified conciliation agreement.
2. Close the file.

Lawrence M. Noble
General Counsel

Date

10-24-88

By:



Lois G. Lerner
Associate General Counsel

Attachments

1. Memorandum from FOE-PAC
2. Modified conciliation agreement
3. Check for \$800.00

Staff Person: Colleen Miller

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends of the Earth Political) MUR 2654
Action Committee and David K.)
Baker, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 26, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2654:

1. Approve the modified conciliation agreement, as recommended in the General Counsel's report signed October 21, 1988.
2. Close the file.

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

Attest:

Oct. 26, 1988

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Fri.,	10-21-88,	2:34
Circulated on 48 hour tally basis:	Mon.,	10-24-88,	11:00
Deadline for vote:	Wed.,	10-26-88,	11:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 2, 1988

David K. Baker, Treasurer
Friends of the Earth
Political Action Committee
530 Seventy Street, S.E.
Washington, D.C. 20003

RE: MUR 2654
Friends of the Earth Political
Action Committee and David K.
Baker, as treasurer

Dear Mr. Baker:

On October 26, 1988, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a), 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 Colleen Miller, the attorney 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)
)
Friends of the Earth Political) MUR 2654
Action Committee and David K.)
Baker, 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 Friends of the Earth Political Action Committee and its treasurer, ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv).

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

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2. Respondent, David K. Baker, is the current treasurer of Friends of the Earth Political Action Committee; L. Geoffrey Webb was the treasurer at the time of the violations.

3. Section 434(a)(4)(A)(iv) of Title 2 provides that unauthorized committees filing quarterly shall file a Mid-Year Report for years in which no regularly scheduled elections are held, no later than July 31 of that year.

4. Respondents were required to file the 1987 Mid-Year Report no later than July 31, 1987. Respondents filed the 1987 Mid-Year Report on August 10, 1987.

5. Section 434(a)(4)(A)(iv) of Title 2 provides that unauthorized committees filing quarterly shall file a Year End Report for years in which no regularly scheduled elections are held no later than January 31, of the following calendar year.

6. Respondents were required to file the 1987 Year End Report no later than January 31, 1988. Respondents filed the 1987 Year End Report on March 22, 1988.

7. Section 434(a)(4)(A)(i) of Title 2 provides that unauthorized committees filing quarterly shall file quarterly reports for years in which an election is held, by the 15th day after the close of the quarter.

8. Respondents were required to file the 1988 First Quarterly Report no later than April 15, 1988. Respondents filed that report on May 13, 1988.

9. Respondents contend that they have implemented new procedures to ensure timely filing of reports. The July 1988 Quarterly Report was filed in a timely manner.

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V. 1. Respondents failed to file the 1987 Mid-Year Report in a timely fashion in violation of 2 U.S.C.

§ 434(a)(4)(A)(iv).

2. Respondents failed to file the 1987 Year End Report in a timely fashion in violation of 2 U.S.C.

§ 434(a)(4)(A)(iv).

3. Respondents failed to file the 1988 First Quarterly Report in a timely fashion in violation of 2 U.S.C.

§ 434(a)(4)(A)(i).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Eight Hundred Dollars (\$800.00), 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.

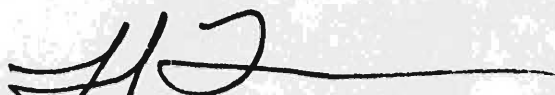
IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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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:  11/1/88
Lois G. Lerner Date
Associate General Counsel

FOR THE RESPONDENTS:

 09/22/88
David K. Baker Date
Treasurer

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MJR # 2654

DATE FILMED 11-18-88 CAMERA NO. 3

CAMERAMAN PC

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