



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 2829

DATE FILMED 8-16-89 CAMERA NO. 2

CAMERAMAN AS

89040761147

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 3 February 1989

ANALYST: Linda Tangney

I. COMMITTEE: Friends of Jim Fenlason for Congress
(C00218354)
Shirley Warehime, Treasurer
P.O. Box 1988
Belgrade, MT 59714

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

III. BACKGROUND:

Failure to File a Required Report of Receipts and Disbursements

Friends of Jim Fenlason for Congress ("the Committee") has failed to file the 1988 30 Day Post-General Report of Receipts and Disbursements. Prior Notice was sent October 3, 1988, informing the Committee that the report was due on December 8, 1988 (Attachment 2). A Non-Filer Notice was sent to the Committee on December 28, 1988, for failure to file the report (Attachment 3). The Non-Filer Notice informed the Committee that failure to file this report might result in audit or legal enforcement action.

On January 18, 1989, a Reports Analysis Division analyst attempted to telephone the treasurer, but was told by the long distance operator that there was no listing for Shirley Warehime. The analyst attempted to telephone the candidate, Jim Fenlason, on January 18, January 19, and January 27, 1989; but was unable to reach him (Attachment 4).

As of this date, the 1988 30 Day Post-General Report has not been filed.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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FEDERAL ELECTION COMMISSION
1987-1988
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 27JAN89

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
			PRIMARY	GENERAL	PRIMARY	GENERAL			
FENLASON, JAMES J	HOUSE 01	REPUBLICAN PARTY			MONTANA		1988 ELECTION	ID# H8MT01133	
1. STATEMENT OF CANDIDATE									
1987 STATEMENT OF CANDIDATE							50CT87	1	87HSE/338/2394
2. PRINCIPAL CAMPAIGN COMMITTEE									
FRIENDS OF JIM FENLASON FOR CONGRESS							ID #C02218354	HOUSE	
1987 STATEMENT OF ORGANIZATION							10OCT87	1	87HSE/338/2722
YEAR-END			11.249		9.014		31DEC87	7	88HSE/344/0365
1988 48 HOUR CONTRIBUTION NOTICE							25OCT88	1	88HSE/368/2704
APRIL QUARTERLY			2.750		4.542		1JAN88 -31MAR88	6	88HSE/349/1261
APRIL QUARTERLY - AMENDMENT			-		-		1JAN88 -31MAR88	1	88HSE/356/0676
1ST LETTER INFORMATIONAL NOTICE							1JAN88 -31MAR88	1	88FEC/526/0366
PRE-PRIMARY			3.445		3.636		1APR88 -18MAY88	5	88HSE/351/1261
1ST LETTER INFORMATIONAL NOTICE							1APR88 -18MAY88	1	88FEC/530/5874
JULY QUARTERLY				5.577		5.531	19MAY88 -30JUN88	12	88HSE/356/1716
OCTOBER QUARTERLY				23.289		18.036	1JUL88 -30SEP88	22	88HSE/363/0277
PRE-GENERAL				17.991		17.445	1OCT88 -19OCT88	16	88HSE/367/5168
1ST LETTER INFORMATIONAL NOTICE							1OCT88 -19OCT88	1	88FEC/566/2713
NOTICE OF FAILURE TO FILE							20OCT88 -28NOV88	1	88FEC/575/4221
TOTAL			17.444	46.857	17.132	41.012		75	TOTAL PAGES
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

ALL REPORTS HAVE BEEN REVIEWED.

ENDING CASH-ON-HAND AS OF 10/19/88: \$6095.36

OUTSTANDING DEBTS OWED BY THE COMMITTEE AS OF 10/19/88: \$39,275.54

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GENERAL ELECTION REPORT NOTICE

ATTACHMENT 2

FEDERAL ELECTION COMMISSION

CONGRESSIONAL CANDIDATES

October 3, 1988

Report	Reporting Period	Reg./Cert. Mailing Date*	Filing Date
Pre-General	10/01/88** - 10/19/88	10/24/88	10/27/88
Post-General	10/20/88 - 11/28/88	12/08/88	12/08/88

LT

WHO MUST FILE

All 1988 general election principal campaign committees must file the pre- and post-general election reports.

WHO NEED NOT FILE

Principal campaign committees of candidates not active in the 1988 elections (i.e., committees active in past or future elections) and 1988 campaign committees not participating in the general election do not file the pre- and post-general reports.

WHAT MUST BE REPORTED

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

REPORTING FORMS

Candidate committees use FORM 3 (enclosed). If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on FORM 32.

WHERE TO FILE

Consult the instructions on the back of the FORM 3 Summary Page. Note State filing requirements also.

LAST-MINUTE CONTRIBUTIONS

A Congressional committee that receives a contribution of \$1,000 or more during the period beginning October 20 and ending November 5 must provide notice of it to the appropriate filing offices within 48 hours of its receipt. Call the FEC for more information.

LABEL

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

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.

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

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

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FEDERAL ELECTION COMMISSION

WASHINGTON DC 20543

89-7

December 30, 1988

Shirley Warehime, Treasurer
Friends of Jim Penlason for
Congress
P.O. Box 1988
Belgrade, MT 59714

Identification Number: C00218354

Reference: 30 Day Post-General Report (10/20/88-11/28/88)

Dear Ms. Warehime:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the Secretary of State or equivalent state officer of your state.

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Linda Tangney on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

3003575421

MEMORANDUM FOR FILES: TELECON

SUBJECT: 1988 30 DAY POST GENERAL REPORT

FROM: LINDA TANGNEY

TO: SHIRLEY WAREHIME OR JIM FENLASON

NAME OF COMMITTEE: JIM FENLASON FOR CONGRESS (MT)

DATE: 1/18/89, 1/19/89, and 1/27/89
Candidate phone number (406)586-7860

I attempted to contact Shirley Warehime to inquire about the Committee's failure to file the 30 Day Post General report, but the long distance operator had no listing for her. I was able to get a telephone number for the candidate, but was unable to reach him on 1/18/89, 1/19/89, and 1/27/89. I telephoned him at various times of the day in hopes of getting someone to answer the telephone, but I was unsuccessful on every occasion.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 FEB 21 AM 9:25

- 89NF-19

February 13, 1989

POSTMASTER
Belgrade, MT 59714

RE: MUR
Friends of Jim Fenlason
for Congress and Shirley
Warehime, as treasurer

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of the Friends of Jim Fenlason for Congress ("Committee") and Shirley Warehime, as treasurer. According to our records, the address of the Committee and Shirley Warehime, as treasurer was P.O. Box 1988, Belgrade, Montana 59714 as of December 28, 1988.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,

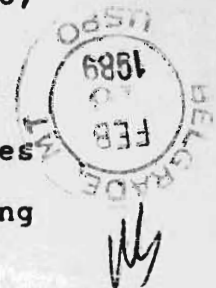
Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Envelope

RECEIVED
FEDERAL ELECTION COMMISSION
89 FEB 21 PM 1:56

STILL THE
SAME



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89 FEB 23 PM 12:02

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral # 89NF-19
Staff Member Kenneth Kellner

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

RESPONDENTS: Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer

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

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On February 3, 1989, the Reports Analysis Division ("RAD") made a referral of alleged violations to the Office of the General Counsel. (Attachment I). The referral alleges that the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer (the "Committee"), failed to file as required the Committee's 1988 30 Day Post-General Report of Receipts and Disbursements. Jim Fenlason (the "Candidate") sought election to the House of Representatives in the First Congressional District of Montana. The Candidate received 39% of the vote in the 1988 general election. The Committee, the Candidate's principal campaign committee, had reported receipts of \$46,857 and reported disbursements of \$41,012 for the general election through October 19, 1988.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the "Act"), at Section 434(a)(2)(A)(ii) requires the principal

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campaign committee of a candidate for the House of Representatives to file a post-general election report no later than the 30th day after any general election in which that candidate has sought election delineating the committee's receipts and disbursements as of the 20th day after the general election.

The Committee was required to file its 1988 30 Day Post-General Report of Receipts and Disbursements on December 8, 1988. (Attachment I, page 4). As of February 22, 1989, the report has not been filed.

Therefore, the Office of the General Counsel recommends that the Commission open a Matter Under Review and find reason to believe the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii).
3. Enter into conciliation with the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer, prior to a finding of probable cause to believe.
4. Approve the attached letter, Factual and Legal Analysis, and proposed conciliation agreement.

Lawrence M. Noble
General Counsel

Date

2-22-89

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Proposed agreement
3. Letter and Factual and Legal Analysis

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2829)

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RAD Ref. 89NF-19

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1. Open a MUR.
2. Find reason to believe the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(ii).
3. Enter into conciliation with the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer, prior to a finding of probable cause to believe.

(Continued)

4. Approve the letter, Factual and Legal Analysis, and proposed conciliation agreement, as recommended in the First General Counsel's report signed February 22, 1989.

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

Attest:

2/28/89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Thurs.,	2-23-89,	12:02
Circulated on 48 hour tally basis:	Fri.,	2-24-89,	12:00
Deadline for vote:	Tues.,	2-28-89,	4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 3, 1989

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Shirley Warehime, Treasurer
Friends of Jim Fenlason
for Congress
P.O. Box 1988
Belgrade, MT 59714

RE: MUR 2829
Friends of Jim Fenlason for
Congress and Shirley Warehime,
as treasurer

Dear Ms. Warehime:

On February 28, 1989, the Federal Election Commission found that there is reason to believe the Friends of Jim Fenlason for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(2)(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.

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.

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Shirley Warehime
Page 2

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.

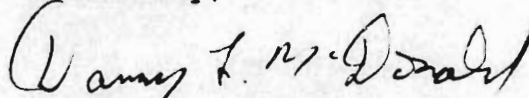
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Danny L. McDonald
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

cc: James J. Fenlason

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

March 15, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Shirley Warehime, Treasurer
Friends of Jim Fenlason
for Congress
P.O. Box 1988
Belgrade, MT 59714

RE: MUR 2829
Friends of Jim
Fenlason for Congress
and Shirley Warehime,
as treasurer

Dear Ms. Warehime:

On March 3, 1989, you were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

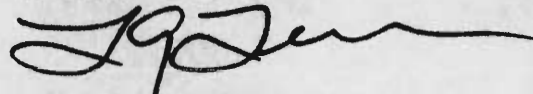
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Shirley Warehime
Page 2

Should you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 3, 1989

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Shirley Warehime, Treasurer
Friends of Jim Fenlason
for Congress
P.O. Box 1988
Belgrade, MT 59714

Re: MUR 2829
Friends of Jim Fenlason
for Congress and Shirley
Warehime, as treasurer

Dear Ms. Warehime:

Enclosed please find a conciliation agreement for the respondents in the above-captioned matter reflecting changes that take into consideration the filing of the 1988 30 Day Post-General Report. Please note that the Commission has not approved this draft agreement.

If you agree with the provisions of the enclosed agreement, please sign and return it along with the civil penalty, to the Commission. You are reminded that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

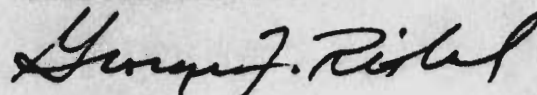
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Shirley Warehime
Page 2

If you have any questions regarding the enclosed conciliation agreement, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



George F. Rishel
Acting Associate General
Counsel

Enclosure
Conciliation Agreement

89040761164

**JIM
FENLASON**
CONGRESS '88

P.O. Box 1988 Belgrade, MT 59714

June 29, 1989

Kenneth Kellner
Federal Election Commission
999 E. NW.
Washington, D. C. 20463

FEC Identification # - 123668

Dear Kenneth,

Enclosed please find a check in the amount of \$500, which should bring our matter under review to an end per our agreement. Also you will find the letter I spoke to you about from Larry Akey who was to have sent the forms in.

Please send me a copy of the revised agreement for my files.

Thank you

Sincerely


James J. Fenlason

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION
JUL -3 AM 11:11

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89 JUL 19 AM 11:15

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter

Friends of Jim Fenlason for Congress
and Shirley Warehime, as treasurer

MUR 2829

GENERAL COUNSEL'S REPORT

I. BACKGROUND AND DISCUSSION OF CONCILIATION PROVISIONS

Attached is a conciliation agreement (Attachment 1) which has been signed by James J. Fenlason (the "Candidate") on behalf of his authorized committee, the Friends of Jim Fenlason for Congress (the "Committee"). The treasurer of the Committee is Shirley Warehime.

On February 28, 1989, the Commission found reason to believe that the Committee had violated 2 U.S.C. § 434(a)(2)(A)(ii) by failing to file its 1988 30 Day Post-General Report.

On March 29, 1989 the Committee filed the 1988 30 Day Post-General Report. The report disclosed \$32,744 in receipts and \$37,450 in disbursements during the reporting period.

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Accordingly, this Office recommends that the Commission accept the attached conciliation agreement with the Friends of Jim

Fenlason for Congress and Shirley Warehime, as treasurer, and close the file.

II. RECOMMENDATIONS


1. Accept the attached conciliation agreement with the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

Date

7/17/89

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Committee response of May 12, 1989
3. Committee response of May 30, 1989
4. Committee response of July 3, 1989
5. Copy of civil penalty check
6. Letter to Respondents

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Jim Fenlason for Congress
and Shirley Warehime, as treasurer

MUR 2829

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 21, 1989, the Commission decided by a vote of 6-0 to take the following actions in MUR 2829:

1. Accept the conciliation agreement with the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer, as recommended in the General Counsel's Report signed July 17, 1989.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's Report signed July 17, 1989.

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

Attest:

7-24-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Wed., 7-19-89	11:15
Circulated on 48 hour tally basis:	Wed., 7-19-89	4:00
Deadline for vote:	Fri., 7-21-89	4:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

July 28, 1989

Shirley Warehime, Treasurer
Friends of Jim Fenlason
for Congress
P.O. Box 1988
Belgrade, MT 59714

RE: MUR 2829
Friends of Jim Fenlason
for Congress and Shirley
Warehime, as treasurer

Dear Ms. Warehime:

On July 21, 1989, 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)(2)(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.

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Shirley Warehime
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Kenneth E. Kellner, 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

89040761172

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Friends of Jim Fenlason for
Congress and Shirley Warehime,
as treasurer

)
)
) MUR 2829
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)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Friends of Jim Fenlason for Congress and Shirley Warehime, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(2)(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. The Friends of Jim Fenlason for Congress is a political committee within the meaning of 2 U.S.C. § 431(4), and is the principal campaign committee of Jim Fenlason, a candidate for the United States House of Representatives in the First

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Congressional District of Montana in the 1988 general election.

2. Shirley Warehime is the treasurer of the Friends of Jim Fenlason for Congress.

3. 2 U.S.C. § 434(a)(2)(A)(ii) provides that the principal campaign committee of a candidate for the House of Representatives shall file a post-general election report no later than the 30th day after any general election in which that candidate has sought election delineating the committee's receipts and disbursements as of the 20th day after the general election.

4. Respondents were required to file the 1988 30 Day Post-General Report of Receipts and Disbursements on December 8, 1988. Respondents filed the 1988 30 Day Post-General Report on March 29, 1989, 111 days late, disclosing \$32,744 in receipts and \$37,450 in disbursements.

V. Respondents failed to file the 1988 30 Day Post-General Election Report of Receipts and Disbursements in a timely fashion in violation of 2 U.S.C. § 434(a)(2)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of five hundred dollars (\$500), 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

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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 executed same and the Commission has approved the entire agreement.


IX. Respondents shall have no more than 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

7/27/89
Date

FOR THE RESPONDENTS:


(Name)
(Position) Candidate

5/31/89
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2029

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