



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2895

DATE FILMED 9-12-89 CAMERA NO. 4

CAMERAMAN AS

33040703420

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: _____ April 10, 1989

ANALYST: Robert B. DiNardo

I. COMMITTEE: Pacific PAC
(C00199851)
Carl Rheuban, Treasurer
10100 Santa Monica Boulevard
Los Angeles, CA 90067

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

III. BACKGROUND:

Failure to File the 1988 Year End Report

The Pacific PAC ("the PAC") has failed to file the 1988 Year End Report of Receipts and Disbursements covering the period from November 29, 1988 to December 31, 1988. The PAC was notified on December 27, 1988 that the report was due on January 31, 1989 (Attachment 2). A Non-Filer Notice was sent to the PAC on February 24, 1989 (Attachment 3).

On March 20, 1989, the Reports Analysis Division ("RAD") analyst called the treasurer of the PAC, Mr. Carl Rheuban. Mr. Rheuban was not available so the RAD analyst left a message that the Commission had not received the PAC's 1988 Year End Report (Attachment 4).

As of this date, the 1988 Year End Report has not been filed.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

11 0 4 0 7 0 3 4 2 1

FEDERAL ELECTION COMMISSION
1987-1988
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 30MAR89

PAGE 1

| COMMITTEE | DOCUMENT | RECEIPTS | DISBURSEMENTS | COVERAGE DATES | # OF PAGES | MICROFILM LOCATION |
|-------------------------|--|----------|---------------|------------------|---------------------|--------------------|
| | | | | TYPE OF FILER | | |
| PACIFIC PAC | | | | ID #C00199851 | NON-PARTY QUALIFIED | |
| CONNECTED ORGANIZATION: | NONE | | | | | |
| 1987 | MID-YEAR REPORT | 20,000 | 20,023 | 1JAN87 -30JUN87 | 5 | 87FEC/480/1248 |
| | MID-YEAR REPORT - AMENDMENT | 20,000 | 20,023 | 1JAN87 -30JUN87 | 5 | 88FEC/497/3711 |
| | REQUEST FOR ADDITIONAL INFORMATION | | | 1JAN87 -30JUN87 | 2 | 87FEC/494/0791 |
| | REQUEST FOR ADDITIONAL INFORMATION 2ND | | | 1JAN87 -30JUN87 | 3 | 87FEC/495/4577 |
| | YEAR-END | 20,000 | 603 | 1JUL87 -31DEC87 | 3 | 88FEC/545/3754 |
| | YEAR-END - AMENDMENT | 20,000 | 603 | 1JUL87 -31DEC87 | 7 | 88FEC/572/5224 |
| | NOTICE OF FAILURE TO FILE | | | 31DEC87 | 1 | 88FEC/510/2950 |
| | REQUEST FOR ADDITIONAL INFORMATION | | | 1JUL87 -31DEC87 | 1 | 88FEC/549/4589 |
| | REQUEST FOR ADDITIONAL INFORMATION 2ND | | | 1JUL87 -31DEC87 | 2 | 88FEC/563/0901 |
| 1988 | MISCELLANEOUS NOTICE FROM FEC | | | 7JUN88 | 1 | 88FEC/528/4385 |
| | APRIL QUARTERLY | 5,000 | 19,000 | 1JAN88 -31MAR88 | 4 | 88FEC/545/3758 |
| | NOTICE OF FAILURE TO FILE | | | 1JAN88 -31MAR88 | 1 | 88FEC/524/4878 |
| | JULY QUARTERLY | 30,000 | 20,000 | 1APR88 -30JUN88 | 4 | 88FEC/545/3763 |
| | NOTICE OF FAILURE TO FILE | | | 1APR88 -30JUN88 | 1 | 88FEC/541/0457 |
| | OCTOBER QUARTERLY | 0 | 0 | 1JUL88 -30SEP88 | 2 | 88FEC/555/3205 |
| | POST-GENERAL | 35,000 | 52,000 | 1OCT88 -29NOV88 | 5 | 88FEC/575/1577 |
| | NOTICE OF FAILURE TO FILE | | | 29NOV88 -31DEC88 | 1 | 88FEC/586/1485 |
| | TOTAL | 110,000 | 0 111,626 | 0 | 48 | TOTAL PAGES |

All reports listed have been reviewed.

Ending cash-on-hand as of 11/28/88: \$1,244.99

Outstanding debts and obligations owed to the committee as of 11/28/88: \$0

Outstanding debts and obligations owed by the committee as of 11/28/88: \$0

YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACs

December 27, 1988

| REPORT | REPORTING PERIOD | REG./CERT. | FILING |
|----------|---------------------|------------------|----------|
| | | MAILING DATE* | DATE |
| Year-End | 11/29/88**-12/31/88 | 01/31/89 | 01/31/89 |

WHO MUST FILE

ALL PARTY COMMITTEES AND PACs (NONCONNECTED COMMITTEES AND SEPARATE SEGREGATED FUNDS) must file a Year-End Report.

WHAT MUST BE REPORTED

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

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.

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: Information Services Division
202/376-3120 or 800/424-9530

(over)

**1989 REPORTING SCHEDULE
PARTIES AND PACS**

I. SEMIANNUAL FILERS*

| REPORT | PERIOD COVERED | REG./CERT. | FILING |
|----------|-------------------|-------------------|----------|
| | | MAILING DATE** | DATE |
| Mid-Year | 01/01/89-06/30/89 | 07/31/89 | 07/31/89 |
| Year-End | 07/01/89-12/31/89 | 01/31/90 | 01/31/90 |

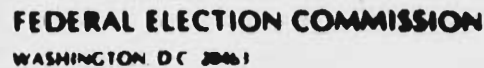
II. MONTHLY FILERS***

| REPORT | PERIOD COVERED | REG./CERT. | FILING |
|-----------|-------------------|-----------------|----------|
| | | MAILING DATE | DATE |
| February | 01/01/89-01/31/89 | 02/20/89 | 02/20/89 |
| March | 02/01/89-02/28/89 | 03/20/89 | 03/20/89 |
| April | 03/01/89-03/31/89 | 04/20/89 | 04/20/89 |
| May | 04/01/89-04/30/89 | 05/20/89 | 05/20/89 |
| June | 05/01/89-05/31/89 | 06/20/89 | 06/20/89 |
| July | 06/01/89-06/30/89 | 07/20/89 | 07/20/89 |
| August | 07/01/89-07/31/89 | 08/20/89 | 08/20/89 |
| September | 08/01/89-08/31/89 | 09/20/89 | 09/20/89 |
| October | 09/01/89-09/30/89 | 10/20/89 | 10/20/89 |
| November | 10/01/89-10/31/89 | 11/20/89 | 11/20/89 |
| December | 11/01/89-11/30/89 | 12/20/89 | 12/20/89 |
| Year-End | 12/01/89-12/31/89 | 01/31/90 | 01/31/90 |

*Committees that filed quarterly reports in 1988 are only required to file semiannually in 1989.

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

***Monthly filers that wish to change their filing status must notify the Commission in writing.



February 24, 1989

John D. Gibson
Assistant Staff Director
Reports Analysis Division

MEMORANDUM TO THE FILES:

COMMITTEE: Pacific PAC
I.D. NUMBER: C00199851
CONTACT: Carl Rheuban, Treasurer
DATE: March 20, 1989
ANALYST: Robert B. DiNardo
SUBJECT: 1988 Year End Report

I called Mr. Rheuban at 12:45 regarding the 1988 Year End Report. Mr. Rheuban was not available, so I left a message that the Commission has not received Pacific PAC's 1988 Year End Report. I left my phone number in case he needed to contact me.

3004070342.0

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

FIRST GENERAL COUNSEL'S REPORT

Pre-MUR 214
RAD Referral 89NF-60
STAFF MEMBER: J. Albert Brown

89 MAY 19 AM 9:55
SENSITIVE
EXECUTIVE SESSION
JUN 01 1989

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

RESPONDENTS: Pacific Political Action Committee and Carl
Rheuban, as treasurer

RELEVANT STATUTES: 2 U.S.C. §§ 434(a)(4)(A)(i),(ii)
& (iii)

INTERNAL REPORTS CHECKED: Disclosure Reports
Referral Materials

FEDERAL AGENCIES CHECKED: NONE

I. GENERATION OF MATTER

On April 11, 1989, the Office of the General Counsel received a memorandum from the Assistant Staff Director for Disclosure concerning Pacific Political Action Committee ("Pacific PAC/the Committee"). Attachment I. That memorandum stated that in the ordinary course of business the staff of the Public Records Office noticed that Pacific PAC failed to timely file a 1988 Pre-General and 1988 Post General Report, and has yet to file a 1988 Year-End Report.

On April 10, 1989, the Reports Analysis Division ("RAD") referred Pacific PAC to this Office in RAD Referral 89NF-60 for the Committee's failure to timely file its 1988 Year End Report. Attachment II. To date no 1988 Year End Report has been filed. Because these matters both involve reporting violations by the same committee, it is appropriate to merge them.

37090760421

II. FACTUAL AND LEGAL ANALYSIS

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The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all political committees other than authorized committees of a candidate shall file a pre-election report, which shall be filed no later than the 12th day before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. 2 U.S.C. § 434(a)(4)(A)(ii). Thus, had Pacific PAC made any contribution to or expenditure on behalf of any federal candidate during the pre-general reporting period, October 1, 1988 through October 19, 1988, the Committee would have been required to file a pre-general report no later than October 27, 1988. Pacific PAC included activity for the pre-general reporting period on its Post-General Report. That report disclosed that the Committee made no contributions or expenditures between October 1, 1988 and November 2, 1988. Accordingly, Pacific PAC was not required to file a 1988 Pre-General Report.

The Act also provides that all unauthorized committees filing quarterly shall file a post-general election report no later than the 30th day after the general election, and that the report shall be inclusive through the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii). The due date for the 1988 Post-General Report was December 8, 1988. Pacific PAC did not file a post-general report until December 20, 1988, 12 days late.

Under the statute, unauthorized committees opting to file quarterly are required to file quarterly reports in a year in

which a regularly scheduled general election is held.

2 U.S.C. § 434(a)(4)(A)(i). Quarterly Reports are to be filed no later than the 15th day after the last day of each calendar quarter, except that the report for the last quarter of the calendar year shall be filed no later than January 31 of the following calendar year. Thus, the due date for the 1988 Year End Report was January 31, 1989. To date, the Committee still has not filed a 1988 Year End Report, which is now 100 days late.

Therefore, the Office of the General Counsel recommends that the Commission merge Pre-MUR 214 with RAD Referral 89NF-60 and open a Matter Under Review. This Office further recommends that the Commission find reason to believe that the Pacific PAC and Carl Rheuban, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iii).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

39040701429

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IV. RECOMMENDATIONS

1. Merge Pre-MUR 214 with RAD Referral 89NF-60.
2. Open a MUR.
3. Find reason to believe the Pacific Political Action Committee and Carl Rheuban, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii), and enter into conciliation prior to a finding of probable cause to believe.
4. Approve the attached letter (1), Factual and Legal Analysis (1), and proposed conciliation agreement.

Lawrence M. Noble
General Counsel

May 18, 1989
Date

BY:

George F. Rishel
George F. Rishel
Acting Associate General Counsel

Attachments:

1. Memorandum from Assistant Staff Director for Disclosure, dated April 11, 1989.
2. RAD Referral Materials
3. Proposed Conciliation Agreement
4. Proposed Letter (1) and Factual and Legal Analysis (1).

89040700431



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JOSHUA MCFADDEN
COMMISSION SECRETARY

DATE: MAY 22, 1989

SUBJECT: OBJECTION TO PreMUR 214 & RAD Ref. 89NF60: FIRST
GENERAL COUNSEL'S REPORT SIGNED MAY 18, 1989

The above-captioned document was circulated to the
Commission on Friday, May 19, 1989 at 12:00 p.m.

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

| | |
|-----------------------|---------------|
| Commissioner Aikens | _____ |
| Commissioner Elliott | _____ X _____ |
| Commissioner Josefiak | _____ |
| Commissioner McDonald | _____ |
| Commissioner McGarry | _____ |
| Commissioner Thomas | _____ |

This matter will be placed on the meeting agenda
for meeting date have not been assigned.

Please notify us who will represent your Division before the
Commission on this matter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Pacific Political Action Committee) Pre-MUR 214 and
and Carl Rheuban, as treasurer) RAD Referral 89NF-60

(MUR
2595)

AMENDED CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 1, 1989, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions with respect to the above-captioned matters:

1. Decline to open a MUR with respect to Pre-MUR 214.
2. Open a Matter Under Review (MUR) with respect to RAD Referral 89NF-60.
3. Find reason to believe the Pacific Political Action Committee and Carl Rheuban, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and enter into conciliation prior to a finding of probable cause to believe.

(continued)

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Federal Election Commission
Certification for Pre-MUR 214
and RAD Referral 89NF-60
June 1, 1989

Page 2

4. Direct the Office of General Counsel to send an appropriate letter, an appropriate Factual and Legal Analysis, and an appropriate conciliation agreement pursuant to the actions noted above.

Commissioners Aikens, Elliott, Josefiak, and Thomas
voted affirmatively for the decision; Commissioner
McGarry dissented; Commissioner McDonald was not present.

Attest:

6/8/89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

199040703434



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 20, 1989

Carl M. Rheuban, Treasurer
Pacific PAC
10100 Santa Monica Boulevard
Los Angeles, CA 90067

RE: MUR 2895
Pacific PAC and Carl Rheuban,
as treasurer

Dear Mr. Rheuban:

On June 1, 1989, the Federal Election Commission found that there is reason to believe Pacific PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), 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.

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

Carl M. Rheuban
Page 2

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.

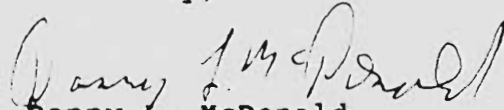
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Jim Brown, 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

3 3 0 4 0 7 6 6 4 3 6



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 19, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carl M. Rheuban, Treasurer
Pacific PAC
10100 Santa Monica Boulevard
Los Angeles, CA 90067

RE: MUR 2895
Pacific PAC and Carl Rheuban,
as treasurer

Dear Mr. Rheuban:

On June 20, 1989, you were notified that the Federal Election Commission had found reason to believe that Pacific PAC ("the Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). At that time the 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.

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

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to read "Lois G. Lerner", is written over the typed name of the Associate General Counsel.

BY: Lois G. Lerner
Associate General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Carl M. Rheuban, Treasurer
Pacific PAC
211 Alma Real
Pacific Palisades, CA
90272

August 4, 1989

RE: MUR 2895
Pacific PAC and Carl Rheuban,
as treasurer

Dear Mr. Rheuban:

Pursuant to our telephone discussions, I am enclosing a revised conciliation agreement for your review in the above-referenced matter. The new agreement takes into consideration the fact that the Year-End report has now been filed with the Commission. It also provides for a \$500 civil penalty.

I am still hopeful that this matter can be settled through the pre-probable cause conciliation process. Insofar as the 30 day period for pre-probable cause conciliation has elapsed, you should review the enclosed proposed agreement and return it, signed, to me within five days of your receipt of this letter. Upon receipt of the signed agreement the Office of the General Counsel will then submit it to the Commission for its consideration. If a response is not received within this period, this matter will proceed to the next stage of the enforcement process.

Should you have any further questions, please feel free to contact me at (202) 376-8200.

Sincerely,

James A. Brown
James A. Brown

Enclosure
Conciliation Agreement

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 AUG -9 PM 3:15

89 AUG 21 PM 1:18

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
) MUR 2895
Pacific PAC)
and Carl Rheuban,)
as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Carl Rheuban, treasurer of Pacific Political Action Committee ("the Committee"). See Attachment I. A check in the amount of \$500 for the civil penalty accompanied this conciliation agreement.

II. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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III. RECOMMENDATIONS

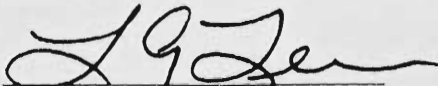
1. Accept the attached conciliation agreement with the Pacific Political Action Committee and Carl Rheuban, as treasurer.
2. Close the file.

3. Approve the attached letter.

Lawrence M. Noble
General Counsel

8-18-89
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement.
2. Photocopy of civil penalty check.
3. July 19, 1989 fax of 1988 Year End Report.
4. Letter to Respondent.

Staff Assigned: J. Albert Brown

8904076341

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Pacific PAC and Carl)
Rheuban, as treasurer)

MUR 2895

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 23, 1989, the Commission decided by a vote of 5-0 to take the following actions in MUR 2895:

1. Accept the conciliation agreement with the Pacific Political Action Committee and Carl Rheuban, as treasurer, as recommended in the General Counsel's Report to the Commission dated August 18, 1989.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's Report to the Commission dated August 18, 1989.

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

Attest:

8-24-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Monday, August 21, 1989 at 1:18 p.m.
Circulated to the Commission: Monday, August 21, 1989 at 4:00 p.m.
Deadline for vote: Wednesday, August 23, 1989 at 4:00 p.m.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 30, 1989

Carl Rheuban, Treasurer
Pacific Political Action Committee
211 Alma Real Drive
Pacific Palisades, CA
90272

RE: MUR 2895
Pacific Political Action
Committee and Carl Rheuban,
as treasurer

Dear Mr. Rheuban:

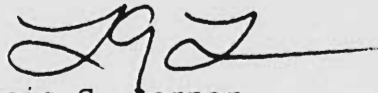
On August 23, 1989, the Federal Election Commission accepted the signed conciliation agreement submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. 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 Jim Brown, 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

89 AUG 18 AM 11:14

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2895
Pacific PAC and Carl Rheuban, as)
treasurer)

CONCILIATION AGREEMENT

8 9 0 9 0 7
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 Pacific PAC and Carl Rheuban, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i).

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. Pacific PAC is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Carl Rheuban is the treasurer of Pacific PAC.

3. Section 434(a)(4)(A)(i) of Title 2 provides that unauthorized committees filing quarterly shall file quarterly reports in a calendar year in which a regularly scheduled election is held. That section provides that the report for the quarter ending on December 31 of such calendar year, the year end report, shall be filed no later than January 31 of the following calendar year.

4. Respondents were required to file the 1988 Year End Report no later than January 31, 1989. The Commission received the 1988 Year End Report on July 19, 1989. That report disclosed no new receipts or disbursements during that reporting period.

V. Respondents failed to file the 1988 Year-End 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 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 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

8-25-89
Date

FOR THE RESPONDENTS:

Carl S. [Signature]
(Name)
(Position)

8-25-89
Date



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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