



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE END OF MUR # 1936

Date Filmed 9/26/85 Camera No. --- 2

Cameraman AS

850405/52605

FEDERAL ELECTION COMMISSION

- 1) Routing slips
- 2) Referral documents
- 3) Correspondence control slips
- 4) Memo to Commission Secretary
- 5) Correspondence ^{documents} pertaining to conciliation

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input checked="" type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input checked="" type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed Jonathan M. Levin
date 9/13/85

FEC 9-21-77

85040552606

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

American Consulting Engineers
PAC

Larry N. Spiller, as treasurer

)
)
)
)

MUR 1936

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 21, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1936:

1. Accept the conciliation agreement signed by the respondents, as submitted with the General Counsel's Report signed June 19, 1985.
2. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

6-24-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

6-19-85, 12:29
6-19-85, 4:00

85040552607



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 28, 1985

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 15th Street, N.W.
Washington, D.C. 20005

RE: MUR 1936
American Consulting Engineers
PAC
Larry N. Spiller, as treasurer

Dear Mr. Spiller:

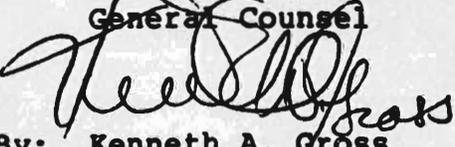
On June 21, 1985, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B), provisions of the Federal Election Campaign Act of 1971, as amended.

Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8504052608



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 15th Street, N.W.
Washington, D.C. 20005

RE: MUR 1936
American Consulting Engineers
PAC
Larry N. Spiller, as treasurer

Dear Mr. Spiller:

On June , 1985, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B), provisions of the Federal Election Campaign Act of 1971, as amended.

Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

Handwritten signature and date: [Signature] 6/26/85

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040552609

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1936
 American Consulting Engineers)
 PAC)
 Larry N. Spiller, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the American Consulting Engineers PAC and Larry N. Spiller, as treasurer ("Respondents") violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B) by failing to file the 12 Day Pre-General Election Report in a timely manner.

NOW, THEREFORE, the Commission and 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.

85040552610

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

1. Respondent PAC is a political committee registered with the Commission.

2. Respondent Larry N. Spiller is the committee's designated treasurer.

3. Respondents were required to file the 12 Day Pre-General Election Report on October 25, 1984.

4. Respondents did not file the report until November 20, 1984.

V. Respondents failed to file the report in a timely manner in violation of 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree not to undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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

85040552611

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

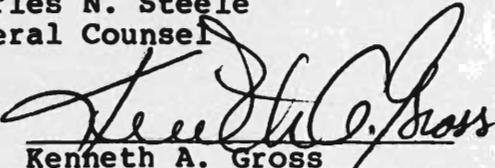
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. 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 valid.

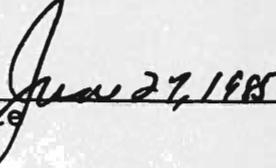
FOR THE COMMISSION:

Charles N. Steele
General Counsel

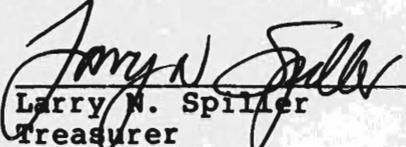
BY:


Kenneth A. Gross
Associate General Counsel

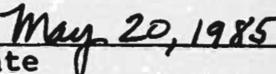
Date


June 27, 1985

FOR THE RESPONDENTS:


Larry N. Spiller
Treasurer

Date


May 20, 1985

85040552612

MEMORANDUM

TO: CHERYL THOMAS

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

1107647

JOAN HARRIS

FROM: JOAN HARRIS

FROM: CHERYL THOMAS

CHECK NO. 25737 (copy of which is attached) RELATING

TO MUR 1936 AND NAME American Consulting Engineers PAC
Larry W. Spiller, Inc.

WAS RECEIVED ON June 3, 1985. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

- BUDGET CLEARING ACCOUNT (#95F3875.16)
- CIVIL PENALTIES ACCOUNT (#95-1099.160)

OTHER _____

SIGNATURE

Cheyl R. Thomas

DATE

6/3/85

JUN 3 12:18

85040552613

american consulting engineers council
 1015 FIFTEENTH STREET, NORTHWEST, SUITE 802
 WASHINGTON, D.C. 20005
 OPERATING ACCOUNT

1st AMERICAN BR. 19
 FIRST AMERICAN BANK, N.A. WASHINGTON, DC
 19TH STREET OFFICE 20005

No. **25737**

PAY TO THE ORDER OF **ACECT 00 DOLS 00 CTS** May 24 19 85

TREASURER OF THE UNITED STATES 100.00 DOLLARS \$

#025737# #054000043# 3 154 18 11

[Signature]



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 13, 1985

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1936
American Consulting Engineers PAC
Larry N. Spiller, as treasurer

Dear Mr. Spiller:

On March 14, 1985, the Commission found reason to believe that you and your committee violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B). At your request, the Commission determined on May 7, 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040552614



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1936
American Consulting Engineers PAC
Larry N. Spiller, as treasurer

Dear Mr. Spiller:

On March 14, 1985, the Commission found reason to believe that you and your committee violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B). At your request, the Commission determined on , 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Handwritten signature and date: 5/9/85

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

85040552615

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
American Consulting Engineers)	MUR 1936
PAC)	
Larry N. Spiller, as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 7, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1936:

1. Enter into conciliation with the American Consulting Engineers PAC and Larry N. Spiller, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement submitted with the General Counsel's Report signed May 2, 1985.
3. Approve the letter attached to the General Counsel's Report signed May 2, 1985.

Commissioners Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter; Commissioner Aikens did not cast a vote.

Attest:

5-8-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	5-2-85, 4:33
Circulated on 48 hour tally basis:	5-3-85, 2:00

85040552616

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

ED
REC
SECRETARY

In the Matter of)
American Consulting Engineers)
PAC)
Larry N. Spiller, as treasurer)

MUR 1936

05 MAY 2 4:33

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was referred by the Reports Analysis Division ("RAD") for the respondents' failure to file the 12 Day Pre-General Election Report in a timely manner.

The respondents are an unauthorized committee registered with the Commission, and its treasurer. All unauthorized committees filing monthly reports were required to file the 12 Day Pre-General Election Report on October 25, 1984. All unauthorized committees were sent prior notification by the Commission on October 1, 1984, specifically informing each of this requirement. The respondents failed to file a 12 Day Pre-General Election Report and were sent a late filer notification letter on November 16, 1984. On November 20, 1984, respondents filed a report.

II. LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(B) states that:

All political committees other than authorized committees of a candidate shall file . . . monthly reports in all calendar years which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December

85040552617

of any year in which a regularly scheduled general election is held, a pre-general election report shall be filed in accordance with paragraph (2) (A) (i). . . .

2 U.S.C. § 434(a) (2) (A) (i) requires a pre-election report to be filed:

[N]o later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election . . . or nomination for election . . .

The respondents' failure to file the 12 Day Pre-General Election Report violates 2 U.S.C. §§ 434(a) (4) (B) and 434(a) (2) (A) (i). By letter dated March 28, 1985, the respondents have requested pre-probable cause conciliation in an effort to settle this matter (Attachment I).

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

85040552618

IV. RECOMMENDATIONS

1. Enter into conciliation with the American Consulting Engineers PAC and Larry N. Spiller, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement.
3. Approve the attached letter.

Charles N. Steele
General Counsel

May 2, 1985
Date

BY:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

- I. Letter from Respondents
- II. Letter to Respondents
- III. Proposed Conciliation Agreement

85040552619

ACE/PAC

American Consulting Engineers Political Action Committee
1015 FIFTEENTH STREET, N.W. • WASHINGTON, D.C. 20005 • (202) 347-7474

ACEC FILE #760

ATTACHMENT I

ACCT 7022
D Brown

PLEASE RESPOND TO:

MAR 23 1985

March 28, 1985

Mr. John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1936
Attention: Duane A. Brown

Dear Commissioner McGarry:

This is to acknowledge and respond to your correspondence dated March 19, 1985, received at ACEC on March 22, 1985.

Enclosed please find a copy of our November 20, 1984 letter to John D. Gibson of your Reports Analysis Division. As you can see, my letter acknowledged our inadvertent non-compliance with the Act in failing to file the twelve-day pre-general election report. We apologized for the oversight and pledged to comply with the special October-December election year reporting schedule in future election cycles. Also enclosed are copies of our November 1-30 and December 1-31, 1984 monthly and year-end (respectively) reports.

The responsibility for generating these reports is held by a staff member who did not understand the significance of the altered election-year reporting deadlines. That understanding has now been emphasized. We not only want to comply with the law but with the spirit of the law and all contributions made to candidates and received from individual contributors are being duly disclosed and reported and will continue to be in the future.

You will note that our 1984 year-end report reflected substantial internal efforts undertaken voluntarily to correct self-discovered omissions. Nearly an entire year's monthly reports were reviewed and amended to achieve complete compliance with the Act, the regulations, and their reporting requirements. You can well imagine our chagrin upon receipt of your letter!

8504052620

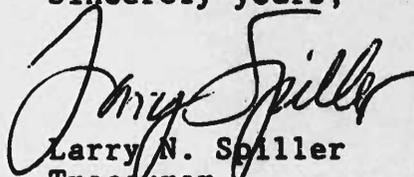
67:10:10:10

/

Mr. John Warren McGarry
March 28, 1985
Page 2

We would like to request a pre-probable cause conciliation agreement to establish the Commission's acceptance of our commitment to full and timely compliance in the future. To work out the details of such an agreement or to schedule a meeting toward one, please contact me, William Birkhofer, or Roberta D. Kimball, our ACE/PAC Coordinator, at 347-7474.

Sincerely yours,


Larry N. Spiller
Treasurer
ACE/PAC

85040552621

2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

November 16, 1984

RECEIVED
NOV 20
1984

Larry N. Spiller, Treasurer
American Consulting Engineers
PAC
1015 - 15th Street, N.W. #802
Washington, DC 20005

Identification Number: C00010868

Reference: 12 Day Pre-General Report (10/1/84-10/17/84)

Dear Mr. Spiller:

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 Federal Election Commission, 1325 K 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 11 CFR 108.2, 108.3, 108.4).

If the report in question was filed, please submit documentation for the public record. Although the Commission may take further legal steps concerning this matter, your prompt response will be taken into consideration.

If you have any questions, please contact Anthony Raymond on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

2
2
2
5
4
0
4
5
0
5
0

3

ACE/PAC

American Consulting Engineers Political Action Committee
1015 FIFTEENTH STREET, N.W. • WASHINGTON, D.C. 20005 • (202) 347-7474

PLEASE RESPOND TO:

November 20, 1984

John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20005

ATTN: Anthony Raymond
FEC Identification No. C00010868

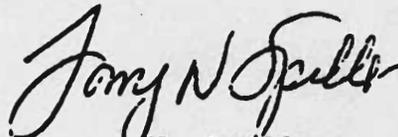
Dear Mr. Gibson:

Thank you for your letter of November 16, pointing out that we had not filed a twelve day pre-general election report.

Enclosed please find a copy of our November monthly report (October 1-31) which includes the period covered in a twelve day pre-general report (October 1-17). Also enclosed is a copy of our receipt for filing the report.

We apologize for the oversight that caused us to continue filing monthly reports instead of complying with the special election-year schedule, and pledge to keep the special schedule firmly in mind for the 1986 election cycle. I hope you will not hesitate to contact me if there is any further information we may provide.

Sincerely,



Larry N. Spiller
Treasurer, ACE/PAC

Enclosures

LNS/jq

bcc: Bill Birkhofer
Robbi Kimball ✓

4

85040552623

ACE/PAC

File 9760

American Consulting Engineers and Political Action Committee
1015 FIFTEENTH STREET, N.W. • WASHINGTON, D.C. 20005 • (202) 347-7474

05 FEB 18 1985
PLEASE RESPOND TO

February 15, 1985

John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Anthony Raymond

Re: FEC Identification Number C00010868

Dear Mr. Gibson:

Enclosed please find ACE/PAC's 1984 Year-End Report, plus amended reports for the months March-December, 1984.

Amendments center around two problems. First, we neglected to aggregate Line 27 on the Detailed Summary Page. Second, we reported a contribution twice. Corrections have been made and corrected totals are reflected in the Year-End Report.

If you have any questions concerning these reports, I hope you will not hesitate to contact William J. Birkhofer or Roberta D. Kimball at 202/347-7474.

Sincerely,

Larry N. Spiller
Larry N. Spiller
Treasurer
ACE/PAC

8 4 3 7 4 3 0 5 5 2 1 6 2 2 4 0

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

RECEIVED AT THE FEC

ALIGN AREA ALIGN AREA

1. Name of Committee (in Full)
American Consulting Political Action Committee

Address (Number and Street)
1015 15th Street, N.W. Suite 802

City, State and ZIP Code
Washington, D.C. 20005

Check here if address is different than previously reported.

2. FEC Identification Number
C-000-10868

3. This committee qualified as a multicandidate committee during the Reporting Period on N/A

4. TYPE OF REPORT (Check appropriate boxes)

Quarterly Report October 15 Quarterly Report

July 15 Quarterly Report January 31 Year End Report

July 31 Mid Year Report (Non-Election Year Only)

Monthly Report for _____

Twelfth day report preceding _____
election on _____ in the State of _____

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

Termination Report

(b) Is this Report an Amendment?
 YES NO

SUMMARY

5. Covering Period 12/01/84 through 12/31/84

6. (a) Cash on hand January 1, 1984.....

(b) Cash on Hand at Beginning of Reporting Period.....

(c) Total Receipts (from Line 1B).....

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and
Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 2B).....

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on hand January 1, 1984.....		\$ 14,493.09
(b) Cash on Hand at Beginning of Reporting Period.....	\$ 16,158.27	
(c) Total Receipts (from Line 1B).....	\$ 450.00	\$ 37,301.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 16,608.27	\$ 51,794.09
7. Total Disbursements (from Line 2B).....	\$ (-0.00)	\$ 35,185.82
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	\$ 16,608.27	\$ 16,608.27
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	---	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C 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.

Jerry N. Spiller
Type or Print Name of Treasurer

Jerry Spiller
Signature of Treasurer

For further information contact:
Federal Election Commission
Tel. Free 800-426-6630
Local 202-623-4650

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

All previous versions of FEC FORM 2 and FEC FORM 2a are obsolete and should no longer be used.

--	--	--	--	--	--	--	--

FEC FORM 2X (3/80)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 for
 LINE NUMBER 1-7
 (Use separate schedule for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full)

American Consulting Engineers Political Action Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Fu Hua Chen 96 South Zuni Street Denver, CO 80223	CHEN & ASSOCIATES	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Engineer Aggregate Year-to-Date-\$ 50.00		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Roberta Knott 2727 W. 2nd Avenue Denver, CO 80219	KNOTT LABORATORY, INC.	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Engineer Aggregate Year-to-Date-\$ 50.00		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Calvin Levis 1650 Manheim Pike P.O. Box 3012 Lancaster, PA 17604	HUTH ENGINEERS, INC.	12/6/84	\$175.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Engineer Aggregate Year-to-Date-\$ 330.00		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Gordon Meurer 950 Wadsworth Boulevard Suite 201 Lakewood, CO 80215	MEURER & ASSOCIATES INC.	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Engineer Aggregate Year-to-Date-\$ 50.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Larry Muller 7000 West Fourteenth Ave. Lakewood, CO 80215-5174	MULLER ENGINEERING, INC.	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Engineer Aggregate Year-to-Date-\$ 150.00		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Dick Sittner P.O. Box 69 Kittredge, CO 80457-0069	DICK SITTNER ENGINEERING, INC.	12/6/84	\$ 25.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Engineer Aggregate Year-to-Date-\$ 25.00		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
William Wheeler 3700 S. Inca Street Englewood, CO 80110	W.W. WHEELER AND ASSOCIATES, INC.	1-16/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Engineer Aggregate Year-to-Date-\$ 50.00		
SUBTOTAL of Receipts This Page (optional)			\$450.00
TOTAL for a Period (last page if a line number only)			\$450.00

8,5,0,4,0,5,2,6,7

8

~~ATTACHMENT II~~



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 Fifteenth Street, N.W.
Washington, D.C. 20005

RE: MUR 1936
American Consulting Engineers PAC
Larry N. Spiller, as treasurer

Dear Mr. Spiller:

On March 14, 1985, the Commission found reason to believe that you and your committee violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B). At your request, the Commission determined on , 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8504052628

ACE/PAC

ACEC File #760

ACCT 7022
D Brown

RECEIVED
American Consulting Engineers Political Action Committee
1015 FIFTEENTH STREET, N.W. • WASHINGTON, D.C. 20005 • (202) 347-7474

25 MAR 29 P 2:06
PLEASE RESPOND TO:

March 28, 1985

Mr. John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1936
Attention: Duane A. Brown

Dear Commissioner McGarry:

This is to acknowledge and respond to your correspondence dated March 19, 1985, received at ACEC on March 22, 1985.

Enclosed please find a copy of our November 20, 1984 letter to John D. Gibson of your Reports Analysis Division. As you can see, my letter acknowledged our inadvertent non-compliance with the Act in failing to file the twelve-day pre-general election report. We apologized for the oversight and pledged to comply with the special October-December election year reporting schedule in future election cycles. Also enclosed are copies of our November 1-30 and December 1-31, 1984 monthly and year-end (respectively) reports.

The responsibility for generating these reports is held by a staff member who did not understand the significance of the altered election-year reporting deadlines. That understanding has now been emphasized. We not only want to comply with the law but with the spirit of the law and all contributions made to candidates and received from individual contributors are being duly disclosed and reported and will continue to be in the future.

You will note that our 1984 year-end report reflected substantial internal efforts undertaken voluntarily to correct self-discovered omissions. Nearly an entire year's monthly reports were reviewed and amended to achieve complete compliance with the Act, the regulations, and their reporting requirements. You can well imagine our chagrin upon receipt of your letter!

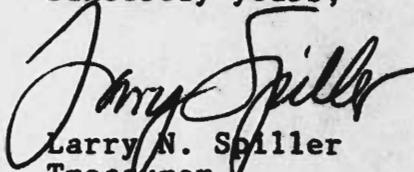
15 MAR 29 P 3:49

85040552629

Mr. John Warren McGarry
March 28, 1985
Page 2

We would like to request a pre-probable cause conciliation agreement to establish the Commission's acceptance of our commitment to full and timely compliance in the future. To work out the details of such an agreement or to schedule a meeting toward one, please contact me, William Birkhofer, or Roberta D. Kimball, our ACE/PAC Coordinator, at 347-7474.

Sincerely yours,


Larry N. Spiller
Treasurer
ACE/PAC

85040552630



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
NOV 20 1984
11:00 AM '84

RQ-7

November 16, 1984

Larry N. Spiller, Treasurer
American Consulting Engineers
PAC
1015 - 15th Street, N.W. #802
Washington, DC 20005

Identification Number: C00010868

Reference: 12 Day Pre-General Report (10/1/84-10/17/84)

Dear Mr. Spiller:

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 Federal Election Commission, 1325 K 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 11 CFR 108.2, 108.3, 108.4).

If the report in question was filed, please submit documentation for the public record. Although the Commission may take further legal steps concerning this matter, your prompt response will be taken into consideration.

If you have any questions, please contact Anthony Raymond on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

1
3
5
7
9
11
13
15
17
19
21
23
25
27
29
31

ACE/PAC

American Consulting Engineers Political Action Committee
1015 FIFTEENTH STREET, N.W. • WASHINGTON, D.C. 20005 • (202) 347-7474

File No. 760.01

PLEASE RESPOND TO:

November 20, 1984

John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20005

ATTN: Anthony Raymond
FEC Identification No. C00010868

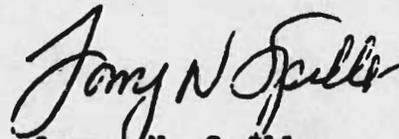
Dear Mr. Gibson:

Thank you for your letter of November 16, pointing out that we had not filed a twelve day pre-general election report.

Enclosed please find a copy of our November monthly report (October 1-31) which includes the period covered in a twelve day pre-general report (October 1-17). Also enclosed is a copy of our receipt for filing the report.

We apologize for the oversight that caused us to continue filing monthly reports instead of complying with the special election-year schedule, and pledge to keep the special schedule firmly in mind for the 1986 election cycle. I hope you will not hesitate to contact me if there is any further information we may provide.

Sincerely,



Larry N. Spiller
Treasurer, ACE/PAC

Enclosures

LNS/jq

bcc: Bill Birkhofer
Robbi Kimball ✓

85040552632

ACE/PAC

File 0760

American Consulting ~~Political~~ Action Committee
1015 FIFTEENTH STREET, N.W. • WASHINGTON, D.C. 20005 • (202) 347-7474

05 FEB 18 1985 P 2: 28 TAKE RESPONSE TO

February 15, 1985

John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Anthony Raymond

Re: FEC Identification Number C00010868

Dear Mr. Gibson:

Enclosed please find ACE/PAC's 1984 Year-End Report, plus amended reports for the months March-December, 1984.

Amendments center around two problems. First, we neglected to aggregate Line 27 on the Detailed Summary Page. Second, we reported a contribution twice. Corrections have been made and corrected totals are reflected in the Year-End Report.

If you have any questions concerning these reports, I hope you will not hesitate to contact William J. Birkhofer or Roberta D. Kimball at 202/347-7474.

Sincerely,

Larry N. Spiller
Larry N. Spiller
Treasurer
ACE/PAC

8 5 3 0 7 A 0 5 5 2 1 6 3 3 3

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 to
LINE NUMBER 111
(Use separate sheets for each
category of the Detailed
Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full)

American Consulting Engineers Political Action Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Fu Hua Chen 96 South Zuni Street Denver, CO 80223	CHEN & ASSOCIATES Occupation Engineer	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year to Date - \$ 50.00		
B. Full Name, Mailing Address and ZIP Code Roberta Knott 2727 W. 2nd Avenue Denver, CO 80219	KNOTT LABORATORY, INC. Occupation Engineer	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year to Date - \$ 50.00		
C. Full Name, Mailing Address and ZIP Code Calvin Levis 1650 Manheim Pike P.O. Box 3012 Lancaster, PA 17604	HUTH ENGINEERS, INC. Occupation Engineer	12/6/84	\$175.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year to Date - \$ 330.00		
D. Full Name, Mailing Address and ZIP Code Gordon Meurer 950 Wadsworth Boulevard Suite 201 Lakewood, CO 80215	MEURER & ASSOCIATES INC. Occupation Engineer	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year to Date - \$ 50.00		
E. Full Name, Mailing Address and ZIP Code Larry Muller 7000 West Fourteenth Ave. Lakewood, CO 80215-5174	MULLER ENGINEERING, INC. Occupation Engineer	12/6/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year to Date - \$ 150.00		
F. Full Name, Mailing Address and ZIP Code Dick Sittner P.O. Box 69 Kittredge, CO 80457-0069	DICK SITTNER ENGINEERING, INC. Occupation Engineer	12/6/84	\$ 25.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year to Date - \$ 25.00		
G. Full Name, Mailing Address and ZIP Code William Wheeler 3700 S. Inca Street Englewood, CO 80110	W.W. WHEELER AND ASSOCIATES, INC. Occupation Engineer	1-16/84	\$ 50.00
Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year to Date - \$ 50.00		
SUBTOTAL of Receipts This Page (optional)			\$450.00
TOTAL To 1st Period (last page if 1st page only)			\$450.00

28504035276



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED

March 19, 1985

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 15th Street, N.W. #602
Washington, D.C. 20005

RE: MUR 1936
Larry N. Spiller, Treasurer
American Consulting Engineers
PAC

Dear Mr. Spiller:

On March 14, 1985, the Federal Election Commission determined that there is reason to believe American Consulting Engineers PAC, and you, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

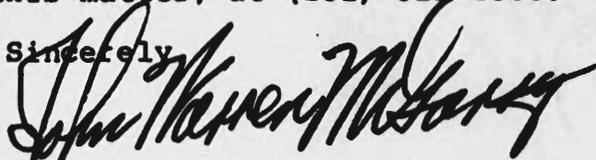
7
3
6
2
5
5
0
8
10/10/85
of Spiller

Larry N. Spiller, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

85040552638

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1936
STAFF MEMBER
Duane A. Brown

RESPONDENTS: American Consulting Engineers PAC
Larry N. Spiller, as treasurer

SUMMARY OF ALLEGATIONS

This matter was referred by the Reports Analysis Division ("RAD") for the respondents' failure to file the 12 Day Pre General Election Report in a timely manner.

The respondents are an unauthorized committee registered with the Commission and its treasurer. All unauthorized committees filing monthly reports were required to file the 12 Day Pre-General Election Report on October 25, 1984. All unauthorized committees were sent prior notification by the Commission on October 1, 1984 specifically informing each of this requirement. The respondents failed to file a 12 Day Pre-General Election Report and were sent a late filer notification letter on November 16, 1984. On November 20, 1984, a November monthly report was filed by respondents.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(B) states that:

All political committees other than authorized committees of a candidate shall file . . . monthly reports in all calendar years which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-general election report shall be filed in accordance with paragraph (2)(A)(i). . . .

85040552639

2 U.S.C. § 434(a)(2)(A)(i) requires a pre-election report to be filed:

[N]o later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election . . . or nomination for election . . .

The respondents' failure to file the 12 Day Pre-General Election Report violates 2 U.S.C. §§ 434(a)(4)(B) and 434(a)(2)(A)(i).

The respondents' November monthly report which covers the 12 Day Pre-General Election period, discloses that the respondents had \$1,300.00 in receipts during this period. The cash on hand at the beginning of the reporting period was \$8,886.32 and total disbursements for the period was \$1,500.00.

Inasmuch as the respondents have failed to file the 12 Day Pre-General Report, this Office recommends that the Commission open a MUR and find reason to believe the respondents violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B).

85040552640



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1985

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 15th Street, N.W. #602
Washington, D.C. 20005

RE: MUR 1936
Larry N. Spiller, Treasurer
American Consulting Engineers
PAC

Dear Mr. Spiller:

On March 14, 1985, the Federal Election Commission determined that there is reason to believe American Consulting Engineers PAC, and you, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

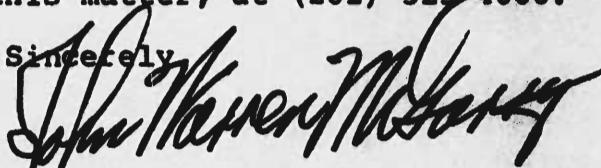
85040552641

Larry N. Spiller, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,



John Warren McGarry
Chairman

Enclosures

- General Counsel's Factual and Legal Analysis Procedures
- Designation of Counsel Statement

85040552642

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1936
STAFF MEMBER
Duane A. Brown

RESPONDENTS: American Consulting Engineers PAC
Larry N. Spiller, as treasurer

SUMMARY OF ALLEGATIONS

This matter was referred by the Reports Analysis Division ("RAD") for the respondents' failure to file the 12 Day Pre General Election Report in a timely manner.

8
5
0
4
0
5
5
2
6
4
3

The respondents are an unauthorized committee registered with the Commission and its treasurer. All unauthorized committees filing monthly reports were required to file the 12 Day Pre-General Election Report on October 25, 1984. All unauthorized committees were sent prior notification by the Commission on October 1, 1984 specifically informing each of this requirement. The respondents failed to file a 12 Day Pre-General Election Report and were sent a late filer notification letter on November 16, 1984. On November 20, 1984, a November monthly report was filed by respondents.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(4)(B) states that:

All political committees other than authorized committees of a candidate shall file . . . monthly reports in all calendar years which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-general election report shall be filed in accordance with paragraph (2)(A)(i)

2 U.S.C. § 434(a) (2) (A) (i) requires a pre-election report to be filed:

[N]o later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election . . . or nomination for election . . .

The respondents' failure to file the 12 Day Pre-General Election Report violates 2 U.S.C. §§ 434(a) (4) (B) and 434(a) (2) (A) (i).

The respondents' November monthly report which covers the 12 Day Pre-General Election period, discloses that the respondents had \$1,300.00 in receipts during this period. The cash on hand at the beginning of the reporting period was \$8,886.32 and total disbursements for the period was \$1,500.00.

Inasmuch as the respondents have failed to file the 12 Day Pre-General Report, this Office recommends that the Commission open a MUR and find reason to believe the respondents violated 2 U.S.C. §§ 434(a) (2) (A) (i) and 434(a) (4) (B).

85040552644

DESCRIPTION OF PRELIMINARY PROCEDURES
FOR PROCESSING POSSIBLE VIOLATIONS DISCOVERED BY THE
FEDERAL ELECTION COMMISSION

Possible violations discovered during the normal course of the Commission's supervisory responsibilities shall be referred to the Enforcement Division of the Office of General Counsel where they are assigned a MUR (Matter Under Review) number, and assigned to a staff member.

Following review of the information which generated the MUR, a recommendation on how to proceed on the matter, which shall include preliminary legal and factual analysis, and any information compiled from materials available to the Commission shall be submitted to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that a possible violation of the Federal Election Campaign Act (FECA) may have occurred or is about to occur and that the Commission conduct an investigation of the matter; or (b) that the Commission find no reason to believe that a possible violation of the FECA has occurred and that the Commission close the file on the matter.

Thereafter, if the Commission decides by an affirmative vote of four (4) Commissioners that there is reason to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed, the Office of the General Counsel shall open an investigation into the matter. Upon notification of the Commission's finding(s), within 15 days a respondent(s) may submit any factual or legal materials relevant to the allegations. During the investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for depositions, and to order answers to interrogatories. The respondent(s) may be contacted more than once by the Commission in its investigation.

85040552645

STATEMENT OF DESIGNATION OF COUNSEL

MUR _____

NAME OF COUNSEL: _____

ADDRESS: _____

TELEPHONE: _____

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

Date

Signature

RESPONDENT'S NAME: _____

ADDRESS: _____

HOME PHONE: _____

BUSINESS PHONE: _____

85040552646



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Larry N. Spiller, Treasurer
American Consulting Engineers PAC
1015 15th Street, N.W. #602
Washington, D.C. 20005

RE: MUR
Larry N. Spiller, Treasurer
American Consulting Engineers
PAC

Dear Mr. Spiller:

On March , 1985, the Federal Election Commission determined that there is reason to believe American Consulting Engineers PAC, and you, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's 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 you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040552647

Larry N. Spiller, Treasurer
Page 2

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,

JAY 3/19/85

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

85040552648



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE FEC
COMM. SECRETARY

05 MAR 18 P 1: 59

SENSITIVE

March 18, 1985

MEMORANDUM TO: The Commission
FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

SUBJECT: RAD Referral 85NF-4

On March 14, 1985 the Commission approved the recommendation that RAD Referral 85NF-4 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 85NF-4 should now become MUR 1936.

Attachment
Copy of Certification

85040552649

BEFORE THE FEDERAL ELECTION COMMISSION

DBrown
M 1936

In the Matter of)	RAD Referral No. 85NF-4
American Consulting Engineers PAC)	
Larry N. Spiller, as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 14, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral No. 85NF-4:

1. Open a MUR.
2. Find reason to believe American Consulting Engineers PAC and Larry N. Spiller, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B).
3. Approve letter and Factual and Legal Analysis attached to the First General Counsel's Report signed March 11, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

3-14-85
Date

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

Received in Office of Commission Secretary:	3-11-85, 2:16
Circulated on 48 hour tally basis:	3-12-85, 11:00

85040552650

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral No. 85NF-4
American Consulting Engineers PAC)
Larry N. Spiller, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 14, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral No. 85NF-4:

1. Open a MUR.
2. Find reason to believe American Consulting Engineers PAC and Larry N. Spiller, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i) and 434(a)(4)(B).
3. Approve letter and Factual and Legal Analysis attached to the First General Counsel's Report signed March 11, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

3-14-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 3-11-85, 2:16
Circulated on 48 hour tally basis: 3-12-85, 11:00

85040552651



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1936

Date Filmed 9/26/85 Camera No. --- 2

Cameraman AS

85040552652