



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2436  
DATE FILMED 11/25/87 CAMERA NO. 3  
CAMERAMAN AS

87040564689

Public Record Index - MUR 2436

1. Memo, 10 Feb 87, John D. Gibson (Reports Analysis Division) to Charles N. Steele (General Counsel, FEC) subj: Referral of Forrest Industries Political Action Committee, w/atch (RAD Referral Package).
2. First General Counsel's Report, 18 May 87.
3. Certification of Commission Action, 22 May 87.
4. Ltr, 8 Jun 87, Scott E. Thomas (Chairman, FEC) to Eileen D. Elgin (Treas., Forrest Industries, PAC).
5. Ltr, 23 Jun 87, Robert A. Kirshner to FEC w/atch (Statement of Designation of Counsel).
6. General Counsel's Report, 22 Jul 87.
7. Certification of Commission Action, 24 Jul 87.
8. Ltr, 29 Jul 87, Lawrence M. Noble to R.A. Kirshner.
9. Ltr, 28 Aug 87, R.A. Kirshner to FEC, w/atch (copy of civil penalty check).
10. General Counsel's Report, 2 Sep 87.
11. Memo, 10 Sep 87, M.W. Emmons/J.L. Warren to L.M. Noble, subj: Objection to MUR 2436.
12. Certification of Commission Action, 16 Sep 87.
13. Ltr, 23 Sep 87, L.M. Noble to R.A. Kirshner w/atch (executed Conciliation Agreement).

NOTE: In preparing its file for the public record, O.G.C. routinely removes those documents in which it perceives little or no public interest, and those documents, or portions thereof, which are exempt from disclosure under the Freedom of Information Act.

87040564690

*Attachment 1*

*(1)*



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

February 10, 1987

MEMORANDUM

**TO:** CHARLES N. STEELE  
GENERAL COUNSEL

**THROUGH:** JOHN C. SURINA  
STAFF DIRECTOR

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

**SUBJECT:** NON-FILER REFERRALS OF MONTHLY UNAUTHORIZED COMMITTEES

87040564691

Attached is a listing of thirty-four (34) monthly filers which failed to file a report covering the pre-election period by Election Day, November 4, 1986. In accordance with Standard 3 of the 1985-1986 RAD Review and Referral Procedures, further examination is required by your office.

On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 23, 1986 (Attachment 35). Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 14, 1986 (Attachment 36). The following six (6) committees were not sent Non-Filer Notices because a report covering the pre-election period was indexed by November 14, 1986:

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*1*

The attached printout lists the name, address and treasurer for each committee being referred. Any telephone conversations are referenced under Contacts with Filers. The Summary Pages of the late-filed reports and/or letters of explanation are included under Reports Filed/Response(s).

In addition, a "C" index has been included for each committee. Please note that the aggregate receipt and disbursement figures may be inflated in some cases because a) reports were submitted covering portions of the same period (e.g., a 12 Day Pre-General Report covering October 1, 1986 through October 15, 1986 and a November Monthly Report covering October 1, 1986 through October 31, 1986), or b) 1987 February Monthly Reports have been filed.

If you have any questions, please contact Lisa Stolaruk at 376-2480.

Attachments

87040564692

(3)

87040564693

C00029348

Forest Industries Political Action  
Committee

87NF-25

1

87040564694

**FOREST INDUSTRIES POLITICAL ACTION COMMITTEE**

**(Attachments 18a and 18b)**

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
<b>FOREST INDUSTRIES POLITICAL ACTION COMMITTEE</b>				<b>NON-PARTY QUALIFIED</b>		<b>ID 4C00039248</b>
<b>CONNECTED ORGANIZATION: FOREST PRODUCTS ASS'N, NAT'L</b>						
1985	FEBRUARY MONTHLY	800	-	1JAN85 -31JAN85	4	85FEC/366/1112
	MARCH MONTHLY	2,979	1,250	1FEB85 -28FEB85	5	85FEC/368/3444
	APRIL MONTHLY	2,125	2,250	1MAR85 -31MAR85	5	85FEC/370/4991
	MAY MONTHLY	4,860	350	1APR85 -30APR85	6	85FEC/372/5427
	JUNE MONTHLY	5,315	2,500	1MAY85 -31MAY85	6	85FEC/375/4250
	JULY MONTHLY	700	4,550	1JUN85 -30JUN85	6	85FEC/378/1214
	AUGUST MONTHLY	2,790	2,000	1JUL85 -31JUL85	5	85FEC/385/3896
	SEPTEMBER MONTHLY	300	0	1AUG85 -31AUG85	4	85FEC/387/3512
	OCTOBER MONTHLY	1,049	7,050	1SEP85 -30SEP85	6	85FEC/389/3811
	NOVEMBER MONTHLY	4,375	7,150	1OCT85 -31OCT85	6	85FEC/391/0010
	DECEMBER MONTHLY	1,050	2,500	1NOV85 -30NOV85	5	85FEC/392/3435
	YEAR-END	4,645	942	1DEC85 -31DEC85	6	86FEC/399/1396
	YEAR-END - AMENDMENT	4,645	942	1DEC85 -31DEC85	7	86FEC/405/2697
	REQUEST FOR ADDITIONAL INFORMATION			1DEC85 -31DEC85	2	86FEC/404/4254
1986	STATEMENT OF ORGANIZATION - AMENDMENT			18MAR86	2	86FEC/405/2507
	FEBRUARY MONTHLY	4,135	1,500	1JAN86 -31JAN86	6	86FEC/402/3724
	MARCH MONTHLY	2,875	5,400	1FEB86 -28FEB86	5	86FEC/405/2570
	APRIL MONTHLY	7,213	4,450	1MAR86 -31MAR86	7	86FEC/411/1913
	MAY MONTHLY	7,600	9,550	1APR86 -30APR86	8	86FEC/414/4948
	MAY MONTHLY - AMENDMENT	7,600	9,550	1APR86 -30APR86	3	86FEC/417/1014
	JUNE MONTHLY	1,955	3,750	1MAY86 -31MAY86	6	86FEC/417/1008
	JULY MONTHLY	3,250	4,750	1JUN86 -30JUN86	5	86FEC/422/2825
	AUGUST MONTHLY	3,477	3,500	1JUL86 -31JUL86	5	86FEC/429/0034
	SEPTEMBER MONTHLY	3,317	0	1AUG86 -31AUG86	4	86FEC/430/4279
	OCTOBER MONTHLY	3,015	6,000	1SEP86 -30SEP86	6	86FEC/432/4339
	PRE-GENERAL	3,985	8,720	1OCT86 -15OCT86	6	86FEC/444/2622
	NOTICE OF FAILURE TO FILE			1OCT86 -15OCT86	1	86FEC/444/1514
	POST-GENERAL	5,340	4,400	16OCT86 -24NOV86	7	87FEC/452/3434
	NOTICE OF FAILURE TO FILE			24NOV86	1	86FEC/452/1543
	<b>TOTAL</b>	<b>77,150</b>	<b>0</b>	<b>82,562</b>	<b>0</b>	<b>146 TOTAL PAGES</b>

Ending cash-on-hand as of 11/24/86: \$2,080  
 Debts: \$0  
 All reports have been reviewed.

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

RECEIVED AT THE FEC

(Summary Page)

AG NOV 19 11 11 AM '86

1. Name of Committee (in Full)  
**FOREST INDUSTRIES POLITICAL ACTION COMMITTEE**

Address (Number and Street)  
**1250 Connecticut Ave.  
Suite 200**

City, State and ZIP Code  
**Washington, D.C. 20036**

Check box if address is different than previously reported.

2. FEC Identification Number  
**C00029348**

3.  This committee qualified as a multi-candidate committee during this Reporting Period on \_\_\_\_\_

4. TYPE OF REPORT (check appropriate box)
- (a)  April 15 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 **General, 11/86**  
(Type of Election)
  - 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 **10/1/86** through **10/15/86**
6. (a) Cash on hand January 1, 86 \_\_\_\_\_
- (b) Cash on hand at beginning of reporting period \_\_\_\_\_
- (c) Total Receipts (from Line 10) \_\_\_\_\_
- (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 20) \_\_\_\_\_
- 8 Cash on hand at close of reporting period (subtract Line 7 from Line 6(d)) \_\_\_\_\_
- 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)

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6 (d)	\$ 5,875.90	\$ 7,938.27
7	\$ 3,985.00	\$ 40,822.63
6 (d) - 7	\$ 9,860.90	\$ 48,760.90
8	\$ 8,720.05	\$ 47,620.05
8	\$ 1,140.85	\$ 1,140.85
9	\$	\$
10	\$	\$

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

Eileen D. Elgin  
Type or Print Name of Treasurer  
*Eileen D. Elgin*  
SIGNATURE OF TREASURER

11/19/86  
Date

For further information contact:  
Federal Election Commission  
800 E Street, N.W.  
Washington, D.C. 20543  
Toll Free 800-424-9523  
Local 202-596-9120

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

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3a (3-80)

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3534412622

**SENSITIVE**

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

**FIRST GENERAL COUNSEL'S REPORT**

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION \_\_\_\_\_

RAD REFERRALS 97NF-08 to 41  
STAFF MEMBER  
Deborah Curry

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

RESPONDENTS' NAMES:

87040564697

Forest Industries Political Action  
Committee and Eilee D. Elgin,  
as treasurer

87040564698

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(B) and  
11 C.F.R. 104.5(c)(3)(ii)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by the Reports Analysis Division ("RAD") after a review of the disclosure reports of the above-named committees. The RAD referral reveals that the above mentioned committees and their treasurers, may have violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1986 Pre-General Election Report in a timely manner.

II. FACTUAL AND LEGAL ANALYSIS

Attached is a listing of thirty-four (34) monthly filers which failed to file a report covering the pre-election period by Election Day, November 4, 1986. (Attachment 1) On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Report by October 23, 1986. (Attachment 1, page 137) Each committee which failed to submit either a 12 Day Pre-General Report or a November Monthly Report was sent a Non-Filer Notice on November 14, 1986. (Attachment 1, page 139) The following six (6) committees were not sent Non-Filer Notices because a report covering the pre-election period was indexed by November 14, 1986:

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The attached printout lists the name, address and treasurer for each committee being referred. (Attachment 1, pages 5-10) Any telephone conversations are referenced under Contacts with Filers. The Summary Pages of the late-filed reports and/or letters of explanation are included under Reports Filed/Response(s).

In addition, a "C" index has been included for each committee. (Attachment 1) Please note that the aggregate receipt and disbursement figures may be inflated in some cases because (a) reports were submitted covering portions of the same period (e.g., a 12 Day Pre-General report covering October 1, 1986 through October 15, 1986 and a November Monthly Report covering October 1, 1986 through October 31, 1986), or (b) 1987 February Monthly Reports have been filed.

2 U.S.C. § 434(a)(4)(B) requires that monthly filers file a Pre-General Election Report, covering financial activity from October 1 through October 15, by October 23, 1986. The above

referenced committees failed to file the 1986 Pre-General Election Report by the required deadline. Therefore, though the Commission is in receipt of report(s) disclosing financial activity covering the pre-general election period, such report(s) were not filed in a timely manner.

With regard to thirty-two non-filers listed below, the Office of General Counsel recommends that the Commission open MURs and find reason to believe these committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B).

III. RECOMMENDATIONS

1. Open MURs with respect to those committees listed in Recommendation 2.
2. Find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B):

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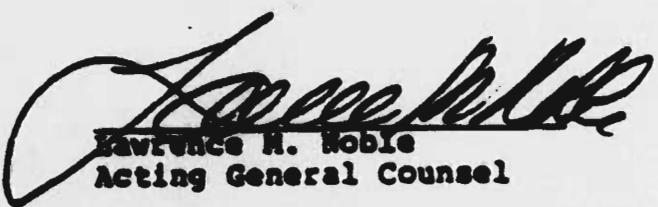
Forest Industries Political Action  
Committee and Eileen D. Elgin,  
as treasurer

87040564703

3. Approve the attached sample letter and sample Factual and Legal Analysis to be sent to each committee listed in Recommendation 2.

Date

5/13/87

  
Lawrence M. Noble  
Acting General Counsel

**Attachments**

1. Referral Materials
2. Sample Letter (1)
3. Sample Factual and Legal Analysis (1)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

RAD Ref. 87NF-08 to 41

87040564704

(continued)

Federal Election Commission  
Certification for RAD Ref. 87NF-08 to 41  
May 21, 1987

Page 2.

Forest Industries Political Action  
Committee and Eileen D. Elgin,  
as treasurer

87040564705



3

(continued)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 21, 1987, the Commission decided by a vote of 6-0 to take the following actions in RAD Ref. 87NF-08 to 41:

1. Open MURs with respect to those committees listed in Recommendation 2.
2. Find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a) (4) (B):

87040564706

Federal Election Commission  
Certification for RAD Ref. 87NF-08 to 41  
May 21, 1987

Page 4

87040664707

Forest Industries Political Action  
Committee and Eileen D. Elgin, as  
treasurer

3

(continued)

87040564708

3. Approve the sample letter and sample Factual and Legal Analysis to be sent to each committee listed in Recommendation 2, as recommended in the First General Counsel's Report signed May 18, 1987.
- 4.

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

Attest:

5-22-87

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

3

Received in the Office of Commission Secretary:	Tues.,	5-19-87,	9:22
Circulated on 48 hour tally basis:	Tues.,	5-19-87,	4:00
Deadline for vote:	Thurs.,	5-21-87,	4:00



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 8, 1987

Eileen D. Elgin, Treasurer  
Forest Industries Political  
Action Committee  
1250 Connecticut Avenue, N.W.  
Suite 200  
Washington, D.C. 20036

RE: MUR 2436  
Forest Industries Political  
Action Committee and  
Eileen D. Elgin, as  
treasurer

Dear Ms. Elgin:

On May 21, 1987, the Federal Election Commission determined there is reason to believe Forest Industries Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), 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 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. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or

87040564709

*File*

4

recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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 General Counsel is not authorized to 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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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 Phillip Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

87040564710

4

John

**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**RESPONDENTS:** Forest Industries Political Action  
Committee and Eileen D. Elgin,  
as treasurer

MUR 2436

The RAD referral reveals that the above-mentioned committee and treasurer, may have violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1986 Pre-General Election Report in a timely manner.

On September 29, 1986, prior notification was sent to all unauthorized committees which specifically informed monthly filers of the requirement to file a 12 Day Pre-General Election Report by October 23, 1986. The above-mentioned Committee failed to file a report covering the pre-election period by Election Day, November 4, 1986. Each Committee which failed to submit either a 12 Day Pre-General Election Report or a November Monthly Report was sent a Non-filer Notice on November 14, 1986, unless the Commission had received the reports by that date.

2 U.S.C. § 434(a)(4)(B) required that monthly filers file a Pre-General Election Report, covering financial activity from October 1 through October 15, by October 23, 1986. The above-referenced committee failed to file the 1986 Pre-General Election Report by the required deadline. Though the Committee may have filed a report which disclosed financial activity covering the pre-general election period, such report was not filed in a

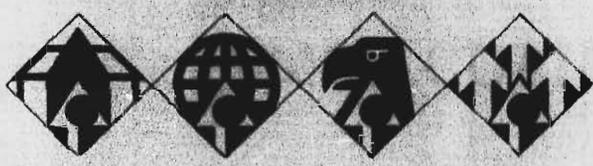
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tinely manner. Therefore, the Office of General Counsel recommends the Commission open a MUR in this matter and find reason to believe the above-mentioned Respondents have violated 2 U.S.C. § 434(a)(4)(B).

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RECEIVED AT THE FEC  
GCC#3680

87 JUN 24 4:59



ROBERT A. KIRSHNER  
GENERAL COUNSEL  
202 463-2590

June 23, 1987

87 JUN 24 3:21

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

Phillip Wise, Esquire  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2436  
Request for Pre-Probable Cause Conciliation

Dear Mr. Wise:

I have been authorized to represent the Forest Industries Political Action Committee and its treasurer Eileen D. Elgin with regard to Matter Under Review (MUR) 2436. A completed "Statement of Designation of Counsel" form is enclosed.

I am writing pursuant to 11 C.F.R. § 111.18(d) to explore the possibility of entering into a conciliation agreement with the Commission before a finding of probable cause. The informal nature of the conciliation process is appropriate in light of the facts and circumstances of this case.

The failure to file a timely report was an innocent oversight by inexperienced staff and was corrected immediately on notification of the oversight. Due to the turn over of personnel and reassignment of responsibilities, the people responsible for complying with filing requirements were inexperienced. In particular, the staff had not worked through an election cycle before.

The inexperienced staff conscientiously and routinely filed the monthly reports in a timely fashion. Not realizing that there were other reports to file, the staff apparently began to ignore the content of the Commission's blue notices and just treat them as a reminder to prepare the monthly filing. Again, without the experience of a previous election cycle the staff inadvertently failed to file the 1986 Pre-General Election Report in a timely manner.

Ms. Elgin was notified of the failure to submit the appropriate filing in a November 14, 1986 letter from John D. Gibson, Assistant Staff Director of the Reports Analysis

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MUR 2436  
June 23, 1987  
Page 2

Division. That letter was received on Monday, November 17, 1986. Ms. Elgin submitted the Pre-General Election Report the very next day, on November 18, 1986.

We ask that you take these factors into consideration in deciding whether or not to enter into pre-probable cause conciliation. I look forward to hearing from you and to working out a conciliation agreement.

Sincerely,

  
Robert A. Kirshner

RAK/dlb

Enclosure

87040364714

STATEMENT OF DESIGNATION OF COUNSEL

**MUR** 2436  
**NAME OF COUNSEL:** Robert A. Kirshner  
**ADDRESS:** 1250 Connecticut Ave., N.W.  
Suite 210  
Washington, D.C. 20036  
**TELEPHONE:** (202) 463-2590

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.

June 16, 1987  
Date

Eileen D. Elgin  
Signature

**RESPONDENT'S NAME:** Eileen D. Elgin  
**ADDRESS:** Treasurer, Forest Industries Political Action Committee  
1250 Connecticut Ave., N.W. (Suite 200)  
Washington, D.C. 20036  
**HOME PHONE:** \_\_\_\_\_  
**BUSINESS PHONE:** (202) 463-2745

87040564715

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 )  
Forest Industries Political Action ) MUR 2436  
Committee, and Eileen D. Elgin, )  
as treasurer )  
 )

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On May 21, 1987, the Commission found reason to believe that the Forest Industries Political Action Committee, and Eileen D. Elgin, as treasurer violated 2 U.S.C. § 434(a)(4)(B) by failing to file the 1986 Pre-General Election Report in a timely manner. By letter dated June 23, 1987 respondents requested to settle this matter prior to a finding of probable cause to believe (Attachment I).

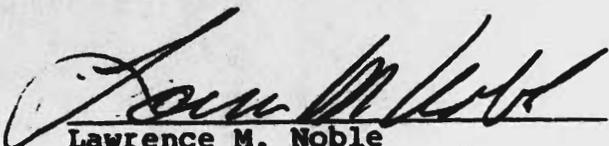
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**III. RECOMMENDATION**

1. Enter into conciliation with the Forest Industries Political Action Committee, and Eileen D. Elgin, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

7/22/57  
Date

  
Lawrence M. Noble  
Acting General Counsel

- Attachments:
- 1) Request for Conciliation
  - 2) Proposed agreement and letter

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Forest Industries Political Action ) MUR 2436  
Committee, and Eileen D. Elgin, )  
as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 24, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2436:

1. Enter into conciliation with the Forest Industries Political Action Committee, and Eileen D. Elgin, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in General Counsel's Report Signed July 22, 1987.

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

Attest:

7-24-87

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary:	Wed., 7-22-87, 10:40
Circulated on 48 hour tally basis:	Wed., 7-22-87, 4:00
Deadline for vote:	Fri., 7-24-87, 4:00

87040564718



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 29, 1987

*Handwritten initials*

Robert A. Kirshner, Esquire  
1250 Connecticut Ave., N.W.  
Suite 210  
Washington, D.C. 20036

RE: MUR 2436  
Forest Industries Political  
Action Committee, and  
Eileen D. Elgin, as treasurer

Dear Mr. Kirshner:

On May 21, 1987, the Federal Election Commission found reason to believe that the Forest Industries Political Action Committee and Eileen D. Elgin, as treasurer violated 2 U.S.C. § 434(a)(4)(B). At your request, on July 24, 1987, the Commission determined 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 your clients 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 Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

*Lawrence M. Noble (Signature)*

Lawrence M. Noble  
Acting General Counsel

Enclosure  
Conciliation Agreement

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GCC#4261



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FEDERAL ELECTION COMMISSION  
MAIL ROOM

87 AUG 31 AM 8:51



ROBERT A. KIRSHNER  
GENERAL COUNSEL  
202 463-2590

August 28, 1987

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
87 AUG 31 AM 10:15

Phillip Wise, Esquire  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2436  
Forest Industries Political Action Committee

Dear Mr. Wise:

The Forest Industries Political Action Committee and its treasurer Eileen D. Elgin agree to the provisions of the Conciliation Agreement you sent with your July 29, 1987 letter. A signed copy of the Conciliation Agreement is enclosed. I would appreciate receiving a copy of the fully executed document after it is signed by Mr. Noble.

Our other obligation, the civil penalty has already been satisfied. In our telephone conversation last week you acknowledged receipt of our civil penalty payment of Three Hundred Seventy-Five Dollars (\$375.00)

I appreciate your help in working out the Agreement.

Sincerely,

*Robert A. Kirshner*

RAK/dlb

Enclosure

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**SENSITIVE**

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	
Forest Industries Political	)	MUR 2436
Action Committee and Eileen D.	)	
Elgin, as treasurer	)	

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SECRETARIAL

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

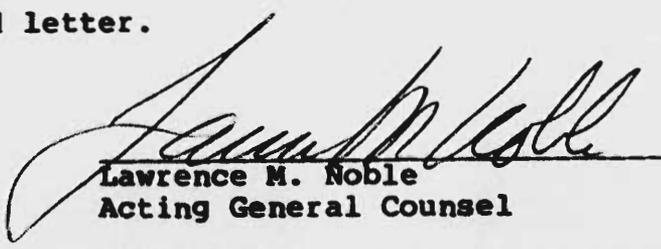
Attached is a conciliation agreement which has been signed by Robert A. Kirshner, the attorney for the Forest Industries Political Action Committee and Eileen D. Elgin, as treasurer (Attachment 1). The agreement contains no changes from the agreement approved by the Commission on July 24, 1987.

Also attached is a copy of a check for \$375.00 representing payment of the civil penalty.

**II. RECOMMENDATION**

1. Accept the attached conciliation agreement with Forest Industries Political Action Committee and Eileen D. Elgin, as treasurer.
2. Close the file.
3. Approve the attached letter.

Date 9/2/87

  
 Lawrence M. Noble  
 Acting General Counsel

- Attachments:
- 1) Conciliation agreement
  - 2) Proposed letter

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FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20461

MEMORANDUM TO: LAWRENCE M. NOBLE  
ACTING GENERAL COUNSEL  
FROM: MARJORIE W. EMMONS /JERYL L. WARREN *JW*  
DATE: SEPTEMBER 10, 1987  
SUBJECT: OBJECTION TO MUR 2436 - GENERAL COUNSEL'S REPORT  
SIGNED SEPTEMBER 2, 1987

The above-captioned document was circulated to the Commission on Thursday, September 3, 1987 at 11:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens \_\_\_\_\_  
Commissioner Elliott \_\_\_\_\_  
Commissioner Josefiak \_\_\_\_\_  
Commissioner McDonald \_\_\_\_\_  
Commissioner McGarry \_\_\_\_\_  
Commissioner Thomas \_\_\_\_\_ X

This matter will be placed on the Executive Session agenda for Tuesday, September 15, 1987.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Forest Industries Political ) MUR 2436  
Action Committee and Eileen )  
D. Elgin, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 15, 1987, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2436:

1. Accept the conciliation agreement with Forest Industries Political Action Committee and Eileen D. Elgin, as treasurer, as recommended in the General Counsel's report dated September 2, 1987.
2. Close the file.
3. Approve the letter attached to the General Counsel's report dated September 2, 1987.

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

Attest:

9-16-87  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 23, 1987

Robert A. Kirshner, Esquire  
1250 Connecticut Ave., N.W.  
Suite 210  
Washington, D.C. 20036

RE: MUR 2436  
Forest Industries Political  
Action Committee and Eileen D.  
Elgin, as treasurer

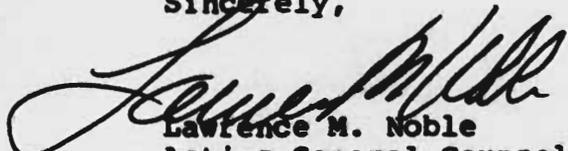
Dear Mr. Kirshner:

On September 15, 1987, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you on behalf of the Forest Industries Political Action Committee and Eileen D. Elgin, as treasurer, in settlement of a violation of 2 U.S.C. § 434(a)(4)(B) a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed. 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 Phillip L. Wise, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

  
Lawrence M. Noble  
Acting General Counsel

Enclosure  
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Forest Industries Political Action) MUR 2436  
Committee, and Eileen D. Elgin, )  
as treasurer )  
 )

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Forest Industries Political Action Committee, and Eileen D. Elgin, as treasurer violated 2 U.S.C. § 434(a)(4)(B).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent, Forest Industries Political Action Committee, is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. Respondent, Eileen D. Elgin, is the treasurer of Forest Industries Political Action Committee.

3. Respondents were required to file their 12 Day Pre-General Election Report by October 23, 1986. This report was filed on November 19, 1986, 27 days late.

V. Respondents failed to file their 1986 12 Day Pre-General Election Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Three Hundred Seventy-Five dollars (\$375), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

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

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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

*Lawrence M. Noble*

Lawrence M. Noble  
Acting General Counsel

Date

*9/22/87*

FOR THE RESPONDENTS:

*Robert A. Kirshner*

Robert A. Kirshner  
Representative for Respondents

Date

*8-28-87*

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FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

THIS IS THE END OF MUR # 2436

DATE FILMED 11/25/87 CAMERA NO. 3

CAMERAMAN AS

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