



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE BEGINNING OF MUR # 2470
DATE FILMED 12/3/87 CAMERA NO. 3
CAMERAMAN AS

87040565101

PUBLIC RECORD INDEX MUR 2470

1. Memo, 22 May 87, John D. Gibson (Reports Analysis Division) to Lawrence M. Noble (Acting General Counsel), subj: Referral of the American Meat Institute Political Action Committee, w/atch (RAD Referral Pkg)
2. First General Counsel's Report, 10 Jun 87
3. Certification of Commission Action, 16 Jun 87.
4. Ltr. 29 Jun 87, Scott E. Thomas (Chairman, FEC) to Susan G. Magaw (Treasurer, American Meat Institute PAC), w/atch (Factual and Legal Analysis).
5. Ltr, 16 Jul 87, Robert G. Hibbert (V.P.AMI) to FEC, subj: Request for pre-probable cause conciliation w/atch (statement of Designation of Counsel)
6. General Counsel's Report, 28 Jul 87
7. Certification of Commission Action, 31 Jul 87
8. Ltr, 4 Aug 87, Lawrence M. Noble (Acting General Counsel) to Robert G. Hibbert (Counsel for AMI)
9. General Counsel's Report, 17 Sep 87
10. Certification of Commission Action, 23 Sep 87
11. Ltr, 25 Sep 87 L.M. Noble to R.G. Hibbert, w/atch (executed conciliation agreement)

-End-

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.

87040565102



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 22, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

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

SUBJECT: QUARTERLY FILERS (UNAUTHORIZED COMMITTEES) WHICH
FAILED TO FILE THE 1986 12 DAY PRE-GENERAL REPORT
BY ELECTION DAY

The attached list of unauthorized committees consists of forty-nine (49) quarterly filers which failed to file a 1986 12 Day Pre-General Report by Election Day, November 4, 1986. In accordance with Standard 3 of the RAD Review and Referral Procedures, further examination is required by your office.

Unlike the mandatory reporting requirement placed upon monthly filers, 2 U.S.C. §434(a)(4)(A)(ii) requires quarterly filers to submit 12 Day Pre-General Reports only if the committees make contributions to or expenditures on behalf of federal candidates involved in the general election. All unauthorized committees were sent prior notification regarding the pre- and post-general filing requirements on September 29, 1986 (Attachment 50).

The Party/Non-Party Branch conducted a thorough examination to identify quarterly filers disclosing contributions or expenditures between October 1 and October 15, 1986. The research revealed committees that submitted:

- a) 12 Day Pre-General Reports in an untimely manner;
- b) 30 Day Post-General Reports indicating that 12 Day Pre-General Reports should have been filed; and
- c) Year End Reports indicating that 12 Day Pre-General Reports should have been filed.

ATTACHMENT 1

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For your information, the pertinent supporting documentation on each committee has been arranged in alphabetical order. Statistics on all C indices only reflect activity through December 31, 1986. Any reports disclosing activity in 1987 have not been reviewed.

The following committees were previously referred either to your office or to the Audit Division for a possible 2. U.S.C. §438(b) audit.

(1)

(2)

(3)

(4)

(5)

(6)

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

Attachments

87040565104

C00024281

American Meat Institute Political
Action Committee

87NF-89

87040565105

AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE

(Attachments 4a - 4d)

87040565106

8704065107

FEDERAL ELECTION COMMISSION
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)

DATE 6MAY87
 PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE CONNECTED ORGANIZATION: MEAT INSTITUTE; AMERICAN				NON-PARTY QUALIFIED		ID #C00024381
1985	MID-YEAR REPORT	25,010	28,725	1JAN85 -30JUN85	22	85FEC/384/0991
	MID-YEAR REPORT - AMENDMENT	25,010	28,725	1JAN85 -30JUN85	6	86FEC/403/3743
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -30JUN85	1	86FEC/401/4661
	YEAR-END	48,498	45,000	1JUL85 -31DEC85	18	86FEC/399/2628
1986	STATEMENT OF ORGANIZATION - AMENDMENT			23MAY86	2	86FEC/413/2758
	APRIL QUARTERLY	9,050	15,125	1JAN86 -31MAR86	11	86FEC/410/2269
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN86 -31MAR86	4	86FEC/415/4344
	REQUEST FOR ADDITIONAL INFORMATION			1JAN86 -31MAR86	1	86FEC/415/0368
	JULY QUARTERLY	40,645	24,925	1APR86 -30JUN86	17	86FEC/432/0482
	OCTOBER QUARTERLY	15,850	32,875	1JUL86 -30SEP86	14	86FEC/433/4383
	PRE-GENERAL	450	4,500	1OCT86 -15OCT86	5	86FEC/442/0367
	POST-GENERAL	503	2,200	16OCT86 -24NOV86	3	86FEC/448/5441
	POST-GENERAL - AMENDMENT	400	2,200	16OCT86 -24NOV86	5	87FEC/452/5468
	TERMINATION REPORT	2,352	1,500	24NOV86 -31DEC86	3	87FEC/452/5463
	1'ST LETTER INFORMATIONAL NOTICE			24NOV86 -31DEC86	1	87FEC/454/3027
1987	APRIL QUARTERLY	10,069	11,250	1JAN87 -31MAR87	12	87FEC/465/1204
	TOTAL	152,324	0 166,100	0	129	TOTAL PAGES

Total receipts 1985-1986: \$142,255
 Total disbursements 1985-1986: \$154,850
 All 1985-1986 reports have been reviewed.

Ending cash-on-hand as of 12/31/86: \$20,822
 Debts as of 12/31/86: \$0

**AMERICAN HEAT EXCHANGERS
POLITICAL ACTION COMMITTEE**

From 10-1-88 To 10-12-88

COLUMN A Year To Date
COLUMN B Calendar Year To Date

	COLUMN A Year To Date	COLUMN B Calendar Year To Date	
11. CONTRIBUTIONS (other than from:			
(a) Individuals/Persons Other Than Political Committees	228.00	22,025.00	11a
(b) Political Party Committees	-0-	-0-	11b
(c) Other Political Committees	-0-	1,000.00	11c
(d) TOTAL CONTRIBUTIONS (other than from Sub 11a, 11b and 11c)	228.00	23,025.00	11d
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	-0-	-0-	12
13. ALL LOANS RECEIVED	-0-	-0-	13
14. LOAN REPAYMENTS RECEIVED	-0-	-0-	14
15. OFFSETS TO OPERATING EXPENDITURES (Refund, Return, etc.)	-0-	-0-	15
16. REFUND OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	-0-	-0-	16
17. OTHER RECEIPTS (Interest, Rental, etc.)	-0-	-0-	17
18. TOTAL RECEIPTS (Lines 11d, 12, 13, 14, 15, 16 and 17)	228.00	23,025.00	18
B. ENCUMBRANCES			
19. OPERATING EXPENDITURES	-0-	-0-	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	-0-	-0-	20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	9,525.00	77,925.00	21
22. INDEPENDENT EXPENDITURES (See Schedule B)	-0-	-0-	22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEE (U.S.C. § 401 (a)(2) (See Schedule F))	-0-	-0-	23
24. LOAN REPAYMENTS MADE	-0-	-0-	24
25. LOANS MADE	-0-	-0-	25
26. REFUND OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees	-0-	-0-	26(a)
(b) Political Party Committees	-0-	-0-	26(b)
(c) Other Political Committees	-0-	-0-	26(c)
(d) TOTAL CONTRIBUTION REFUND (Lines 26a, 26b and 26c)	-0-	-0-	26(d)
27. OTHER ENCUMBRANCES	-0-	-0-	27
28. TOTAL ENCUMBRANCES (Lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	9,525.00	77,925.00	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than from Line 11d)	456.00	65,925.00	29
30. TOTAL CONTRIBUTION REFUND (from Line 26(d))	-0-	-0-	30
31. NET CONTRIBUTIONS (other than from Subpart Line 29 from Line 29)	456.00	65,925.00	31
32. TOTAL OPERATING EXPENDITURES (from Line 19)	-0-	-0-	32
33. OFFSETS TO OPERATING EXPENDITURES (from Line 15)	-0-	-0-	33
34. NET OPERATING EXPENDITURES (Subpart Line 32 from Line 33)	-0-	-0-	34

SCHEDULE B

Any information omitted from each Report and Statement may not be used or used by any person for the purpose of identifying contributions or for campaign purposes, other than using the name and address of any political committee to solicit contributions from such persons.

NAME OF COMMITTEE (in Full)

AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE

87040565110
86734430379

MD

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
People For Mark Andrews Comm. Box 1773 Fargo, ND 58107	R-ND Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/6/86	\$2000.00
G.V. Montgomery for Congress Committee -P.O.Box 5252 Meridian, Mississippi	D-Mississippi Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/6/86	\$500.00
Joe Skeen for Congress P.O.Box 2046 Roswell, NM 88201	R-NM 02 Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/10/86	\$1000.00
People for Wortley 8112 Caronvia Road Manlius, NY 13106	R-NY Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/10/86	\$500.00
Helen Delich Bentley 2323 York Road Timonium, MD 21093	R-Maryland Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/10/86	\$500.00
(Empty)	(Empty)	(Empty)	(Empty)
(Empty)	(Empty)	(Empty)	(Empty)
(Empty)	(Empty)	(Empty)	(Empty)
(Empty)	(Empty)	(Empty)	(Empty)

SUBTOTAL of Disbursements This Page (optional)	\$4500.00
TOTAL This Period (see page 4th line number only)	\$4500.00

end 1

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

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PI2:

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRALS: 87NF-86134
STAFF MEMBER: George F. Rishel

SOURCE OF NUR:

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

RESPONDENTS:

American Meat Institute Political Action
Committee and Susan G. Magaw, as treasurer

87040565111

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(ii)

**INTERNAL REPORTS
CHECKED:** Referral Materials

**FEDERAL AGENCIES
CHECKED:** None

I. GENERATION OF MATTER

The Report Analysis Division ("RAD") referred the above-listed 49 committees to the Office of the General Counsel on May 22, 1987. The basis of the attached referrals is their failure to either file a 12-day Pre-Election Report or file such report in a timely fashion.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, complete as of October 15, 1986. Quarterly

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filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report.

The following committees filed a 12-Day Pre-Election Report, but did not file it in a timely fashion:

<u>Committee</u>	<u>Date Filed</u>	<u>Pre-Election Activity</u>
American Meat Institute PAC	11-26-86 (34 days late)	\$4,500 in contributions to five candidates

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The following committees filed a 1986 Post-General Report that disclosed activity indicating a 12-Day Pre-Election Report should have been filed:

<u>Committee</u>	<u>Date Filed</u> ^{1/}	<u>Pre-Election Activity</u>
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^{1/} The date filed is that on which the Post-General Election Report was filed. The number of days late is that for the filing of the 12-Day Pre-Election Report. In some cases, the Post-General Election Report was filed after December 4, 1986. The late filings of such reports, however, were not included as a basis for these referrals. Therefore, no recommendations have been made with respect to the late filing of any Post-General Election Report.

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The following committees filed a Year End Report disclosing activity indicating that 12-Day Pre-Election Report should have been filed:

Accordingly, with regard to 48 of these 49 committees, the Office of the General Counsel recommends that the Commission open Matter Under Review and find reason to believe these committees

III. RECOMMENDATIONS

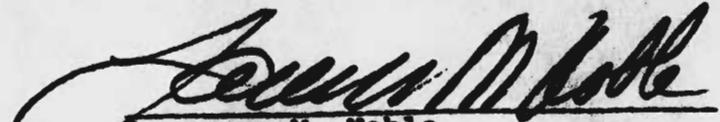
1. **Open Matters Under Review with respect to the following committees and find reason to believe the following committees and their treasurers violated 2 U.S.C. § 434(a)(4)(A)(ii):**

American Meat Institute Political Action Committee and Susan G. Magaw, as treasurer

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2. Approve and send the attached letters and factual and legal analyses to the respective committees listed in recommendation 1.
- 3.

6/10/57
Date


Lawrence M. Noble
Acting General Counsel

Attachments

1. Referral Materials
2. Letters and Factual and Legal Analyses (48)

87040565117

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

**American Meat Institute Political Action
Committee and Susan G. Magaw, as treasurer**

**RAD Ref.'s
87NF-86
THROUGH
87NF-134**

37040465118

(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 2

87040565119



(continued)

Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 4

American Meat Institute Political Action Committee and
Susan G. Magaw, as treasurer

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Federal Election Commission
Certification for RAD Ref.'s 87NF-86
through 87NF-134
June 15, 1987

Page 5

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2. Approve and send the letters and factual and legal analyses to the respective committees listed in recommendation 1.

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

Attest:

6-16-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Thurs., 6-11-87, 12:34
Circulated on 48 hour tally basis: Thurs., 6-11-87, 4:00
Deadline for vote: Mon., 6-15-87, 4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 29, 1987

Susan G. Magaw, Treasurer
American Meat Institute
Political Action Committee
1700 N. Moore Street, Room 1600
Arlington, VA 22209

RE: MUR 2470
American Meat Institute
Political Action Committee and
Susan G. Magaw, as treasurer

Dear Ms. Magaw:

On June 15, 1987, the Federal Election Commission found that there is reason to believe American Meat Institute Political Action Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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

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 the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the 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.

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Further, the Commission will not entertain requests for pre-probable cause conciliation 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 the General Counsel will not ordinarily give extensions beyond 20 days.

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

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) 376-5690.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

87040565125

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: American Meat Institute
Political Action Committee
and Susan G. Magaw, as
treasurer

MUR: 2470

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The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that for unauthorized committees filing quarterly, such committees shall file a Pre-Election Report before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. Such report shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

The 1986 Pre-Election Report for the 1986 General Election was due on October 23, 1986, and complete as of October 15, 1986. Quarterly filers were notified on September 29, 1986, of the requirement for filing the Pre-Election Report. The committee filed a 12-Day Pre-Election Report on November 26, 1986, (which was 34 days late). Accordingly, the committee and its treasurer failed to file the 12-Day Pre-Election Report in a timely fashion in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

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July 16, 1987

Phillip Wise, Esq.
Federal Election Commission
999 E Street, NW #657
Washington, DC 20463

87 JUL 16 P 5: 30

RE: MUR 2470
American Meat Institute
Political Action Committee
Susan Magaw, Treasurer

Dear Mr. Wise:

This responds to your letter of June 29, 1987, alleging that the American Meat Institute Political Action Committee ("Committee") has violated the Federal Election Campaign Act of 1971. According to the accompanying documents, the alleged violation is based upon the Committee's failure to file its 1986 Pre-Election Report in a timely manner. Ms. Magaw and I have completed the attached statement of designation of counsel.

This is obviously a serious concern and we have taken steps to identify the source of this problem. As far as we can determine, the facts are as follows:

- 1) The report in question was prepared by Ms. Magaw in a timely manner;
- 2) She forwarded it to her secretary for mailing to the Commission;
- 3) The report was apparently misplaced or mishandled by the secretary and was not dealt with for several weeks; and
- 4) On November 24, 1986, the secretary in question dated the report in her own handwriting and mailed it to the Commission.

Our Committee has been in existence since 1977, and your records will indicate that it has consistently complied with all applicable requirements of the election laws, including reporting deadlines. We have sent the required reports via registered mail in an additional effort to assure compliance and maintain appropriate documentation.

87040565127

Page 2 of 2
Phillip Wise, Esq.
July 16, 1987

In August 1986 a new secretary was hired in Ms. Magaw's department who assumed clerical responsibilities in this area. She did not follow the practice of using the certified mail for these reports. For a variety of reasons, some of which included the mishandling of other documents, her employment with the office was terminated on April 1, 1987.

We have already taken steps to assure that such problems will not reoccur in the future.

The new secretary has been instructed to resume the practice of submitting these reports via registered mail, and the overall importance of the FEC filing deadlines has been emphasized to her. Ms. Magaw will make sure that these reports are being sent, via registered mail, in a timely manner.

Under these circumstances we believe that this matter should be resolved through pre-probable cause conciliation per 11 CFR 111.18(d) and hereby request such a disposition. In this regard, we would hope and anticipate that your office would take into account our compliance history, the fact that the problems arose from a one-time oversight and that steps have been taken to see that the problem does not occur in the future.

In summary, both the Committee and Ms. Magaw are fully aware of the importance of full compliance with the requirements in question. We hope that these comments will facilitate a prompt resolution of this matter.

Sincerely,



Robert G. Hibbert
Vice President, Regulatory
Affairs & General Counsel

RGHlwc
Attachments

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STATEMENT OF DESIGNATION OF COUNSEL

NUR 2470
NAME OF COUNSEL: Robert G. Hibbert
ADDRESS: American Meat Institute
1700 N. Moore Street #1600
Arlington, VA 22209
TELEPHONE: (703) 841-2400

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.

7/16/87
Date

Susan G. Magaw
Signature

RESPONDENT'S NAME: Susan G. Magaw
ADDRESS: American Meat Institute
1700 N. Moore Street #1600
Arlington, VA 22209
HOME PHONE: (703) 536-2098
BUSINESS PHONE: (703) 841-2400

87040565129

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
American Meat Institute Political) MUR 2470
Action Committee and Susan G.)
Magaw, as treasurer)
)

6:27

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 15, 1987, the Commission found reason to believe that the American Meat Institute Political Action Committee and Susan G. Magaw as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii) by failing to file its Pre-General Election Report in a timely manner. By letter dated July 16, 1987, respondents requested to settle this matter prior to a finding of probable cause to believe (Attachment 1).

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III. RECOMMENDATIONS

1. Enter into conciliation with the American Meat Institute Political Action Committee and Susan Magaw, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

7/28/87
Date

Lawrence M. Noble (L.M.N.)
Lawrence M. Noble
Acting General Counsel

Attachments

1. Request for conciliation
2. Proposed agreement and letter

97040665132

Attachments to General
Counsel's Report

have been removed from this position in the Public Record File either because they duplicate documents located elsewhere in this file, or because they reflect exempt information.

For Attachment 1 see 5
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
American Meat Institute Political) MUR 2470
Action Committee and Susan G.)
Magaw, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 31, 1987, the Commission decided by a vote of 5-0 to take the following actions in MUR 2470:

1. Enter into conciliation with the American Meat Institute Political Action Committee and Susan Magaw, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's Report signed July 28, 1987.

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

Attest:

7-31-87
Date

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

Received in the Office of Commission Secretary: Wed., 7-29-87, 9:27
Circulated on 48 hour tally basis: Wed., 7-29-87, 4:00
Deadline for vote: Fri., 7-31-87, 4:00

87040565133



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 4, 1987

rum

Robert G. Hibbert, Esquire
American Meat Institute
1700 N. Moore Street #1600
Arlington, VA 22209

RE: MUR 2470
American Meat Institute Political
Action Committee and Susan G.
Magaw, as treasurer

Dear Mr. Hibbert:

On June 15, 1987, the Federal Election Commission found reason to believe that American Meat Institute Political Action Committee and Susan G. Magaw, as treasurer violated 2 U.S.C. § 434(a)(4)(A)(ii). At your request, on July 31, 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
Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

87040565134

8

SENSITIVE

RECEIVED
FEDERAL ELECTION COMMISSION
SEP 17 1976

87 SEP 17 PM 4:41

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
American Meat Institute Political) MUR 2470
Action Committee and Susan G.)
Magaw, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Robert G. Hibbert, the Attorney for the American Meat Institute Political Action Committee and Susan G. Magaw, as treasurer. (Attachment 1).

During the reporting period involved the Committee reported receipts of \$450.00 and disbursements of \$4,500.00. In addition respondents contended that this was a one-time, inadvertent violation on their part. (Attachment 3).

It should be noted that the Committee registered with the Commission on April 12, 1976, and has consistently filed all reports in a timely manner, except for the late report involved herein.

the Office of the General Counsel believes that the counterproposed civil penalty is reasonable.

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II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the American Meat Institute Political Action Committee and Susan G. Magaw, as treasurer.
2. Close the file.
3. Approve the attached letter.

Date

9/17/87



Lawrence M. Noble
Acting General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check
3. Letter from Respondent
4. Letter to Respondent

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Attachments to General
Counsel's Report

have been removed from this position in the Public Record File either because they duplicate documents located elsewhere in this file, or because they reflect exempt information.

For Attachment 1 see 11

4 11

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AMERICAN MEAT INSTITUTE

FEDERAL ELECTION COMMISSION		CHECK DATE	CHECK NUMBER
Federal Election Commission		8/19/87	12477
INVOICE IDENTIFICATION	AMOUNT	AMOUNT PAID	
Civil Penalty for FEC report	300.00	300.00	



P.O. BOX 3556
WASHINGTON, D.C.
20007

NATIONAL BANK OF WASHINGTON
WASHINGTON, D.C. 20007

12477

15-7
540

CHECK NO
12477

PAY TO THE ORDER OF
Three hundred and no/100 DOLLARS

DATE
8/19/87

PAY EXACTLY
300.00

TO THE ORDER OF
Federal Election Commission
Attn: Lawrence M. Noble
Washington, DC 20463

[Handwritten Signature]
AUTHORIZED SIGNATURE

⑈012477⑈ ⑆054000072⑆ 187 99 6⑈

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 AUG 26 PM 1:27

Attachment #2

9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
American Meat Institute Political) MUR 2470
Action Committee and Susan G.)
Magaw, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 22, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2470:

1. Accept the conciliation agreement with the American Meat Institute Political Action Committee and Susan G. Magaw, as treasurer, as recommended in the General Counsel's report signed September 17, 1987.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report signed September 17, 1987.

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

Attest:

9-23-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 9-17-87, 4:41
Circulated on 48 hour tally basis: Fri., 9-18-87, 12:00
Deadline for vote: Tues., 9-22-87, 4:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

25 September 1987

Robert G. Hibbert, Esquire
American Meat Institute
1700 N. Moore Street, #1600
Arlington, VA 22209

RE: MUR 2470
American Meat Institute
Political Action Committee
and Susan G. Magaw,
as treasurer

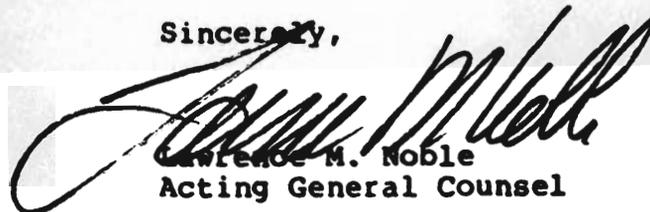
Dear Mr. Hibbert:

On September 22, 1987, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

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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Handwritten initials

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
American Meat Institute Political) MUR 2470
Committee and Susan Magaw, 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 American Meat Institute Political Action Committee and Susan Magaw, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(ii).

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

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

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

2. Respondent, Susan Magaw, is the treasurer of the American Meat Institute Political Action Committee.

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3. Respondents were required to file their 1986 12 Day Pre-General Election Report by October 23, 1986. This report was filed on November 26, 1986, 33 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)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of ^{Three ~~per~~} ~~\$1300~~ ^{RET}, 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.

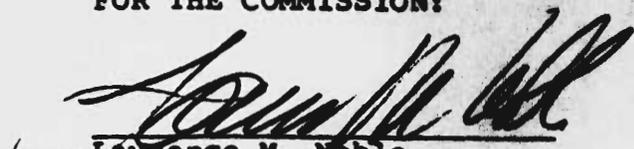
X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and

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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.

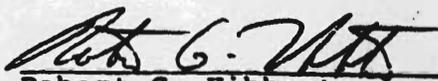
FOR THE COMMISSION:



Lawrence M. Noble
Acting General Counsel

9/24/87
Date

FOR THE RESPONDENTS:



Robert G. Hibbert
Attorney for Respondents

8/14/87
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE END OF MUR # 2470

DATE FILMED 12/3/87 CAMERA NO. 3

CAMERAMAN AS

87040365144



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20461

M12-28-87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MLR 2470

93040670153

AMERICAN MEAT INSTITUTE

VENDOR NUMBER	VENDOR NAME	CHECK DATE	CHECK NUMBER		
	Federal Election Commission	8/19/87	12477		
INVOICE IDENTIFICATION	MEMO INFORMATION	INVOICE DATE	INVOICE AMOUNT	TERMS DISCOUNT	AMOUNT PAID
Civil Penalty for FEC report			300.00		300.00



P.O. BOX 3556
WASHINGTON, D.C.
20007

NATIONAL BANK OF WASHINGTON
WASHINGTON, D.C. 20007

12477

15-7
540

CHECK NO
12477

PAY Three hundred and no/100 DOLLARS

DATE
8/19/87

PAY EXACTLY
300.00

TO THE ORDER OF Federal Election Commission
Attn: Lawrence M. Noble
Washington, DC 20463

[Signature]
AUTHORIZED SIGNATURE

⑈012477⑈ ⑆054000072⑆ 1 187 99 6⑈

RECEIVED
 FEDERAL ELECTION COMMISSION
 OFFICE OF GENERAL COUNSEL
 87 AUG 26 PM 1:27

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Geo. A. Hormel & Co.
Austin, Minnesota

President & CEO
C. Manly Molpus
American Meat Institute
Washington, DC

Vice Chairman
Kenneth W. Monfort
Monfort of Colorado
Greeley, Colorado

Treasurer
Gustave L. Juengling, III
Gus Juengling & Son, Inc.
Cincinnati, Ohio

Secretary
D. Clyde Riley
Hygrade Food Products Corp.
Southfield, Michigan

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Emge Packing Co., Inc.

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Bob Evans Farm

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Oscar Mayer Foods Corp.

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John Jacobson, Sr.
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Gustave L. Juengling, III
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Robert E. Kessler
Kessler's Inc.

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Richard L. Knowlton
Geo. A. Hormel & Company

Ted Lay
Lay Packing Company

A. E. Leonard
L & H Packing Company

George E. Liechti
Dugdale of Nebraska, Inc.

Leonard L. Litvak
Litvak Meat Company

Leroy O. Lochmann
Swift-Eckrich, Inc.

Joseph W. Luter, III
Smithfield Foods, Inc.

Ray McGregor
Cumberland Gap Provision Co.

John G. McKenzie
John McKenzie Packing Co., Inc.

John R. Miller
E. A. Miller Inc.

Kenneth Monfort
Monfort of Colorado

Thomas R. Neese, Jr.
Neese Country Sausage, Inc.

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The Nissen Company

Douglas G. Odom, Jr.
Odom's Tennessee Pride Sausage

Harold Oelbaum
Kane-Miller Corp.

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Plymouth Rock Provision Co.

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Donald Slotkin
John Morrell & Company

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IBP, Inc.

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Dubuque Packing Company

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Thies Companies, Inc.

Billy L. Thomas
Thomas Packing Company

Charles Vignieri
Kenosha Beef International, Ltd.

Jack L. Wagner
Valleydale Packers, Inc.

Robert H. Wahlert
FDL Foods, Inc.

Donald L. Williams
Pioneer in Grenada, Inc.

William E. Wright
Wright Brand Foods, Inc.

* As of September 1986



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 4, 1987

Robert G. Hibbert, Esquire
American Meat Institute
1700 N. Moore Street #1600
Arlington, VA 22209

RE: MUR 2470
American Meat Institute Political
Action Committee and Susan G.
Magaw, as treasurer

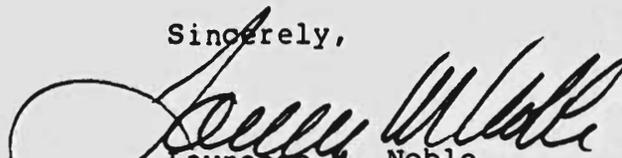
Dear Mr. Hibbert:

On June 15, 1987, the Federal Election Commission found reason to believe that American Meat Institute Political Action Committee and Susan G. Magaw, as treasurer violated 2 U.S.C. § 434(a)(4)(A)(ii). At your request, on July 31, 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
Acting General Counsel

Enclosure
Conciliation Agreement

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