



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

84040472248

THIS IS THE END OF MUR # 1685

Date Filmed 8/22/84 Camera No. --- 1

Cameraman JRL

FEDERAL ELECTION COMMISSION

Routing Cards

Conciliation Negotiations

Commissioner's Objection Statement

12 Day Report

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):

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☒ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☒ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed Paul Reys
date 8/8/84

FEC 9-21-77

84040472249

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Environmental Action's
Political Action Committee
Richard Asinof, Treasurer

MUR 1685

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 24, 1984, the Commission decided by a vote of 5-0 to take the following actions in MUR 1685:

1. Accept the signed conciliation agreement submitted with the General Counsel's Report signed July 16, 1984.
2. Close the file.

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

Attest:

7-24-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on tally vote basis:

7-16-84, 3:08
7-17-84, 11:00

84040472250

BEFORE THE FEDERAL ELECTION COMMISSION

OFFICE OF THE
COMMISSION SECRETARY

84 JUL 16 P 3: 08

In the Matter of
Environmental Action's
Political Action Committee
Richard Asinof, Treasurer

MUR 1685

GENERAL COUNSEL'S REPORT

SENSITIVE

Background

Attached is a conciliation agreement which has been signed by Richard Asinof, treasurer of Environmental Action's Political Action Committee.

A check for the civil penalty of \$500 has been received.

Recommendation

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Charles N. Steele
General Counsel

July 16, 1984
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

- Conciliation Agreement (1)
- Letter (1)
- Check copy
- Check receipt copy

840404721251



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 26, 1984

Gail Harmon, Esquire
Harmon, Weiss and Jordan
2001 S Street, N.W.
Washington, D.C. 20009

RE: MUR 1685
Environmental Action's Political
Action Committee
Richard Asinof, Treasurer

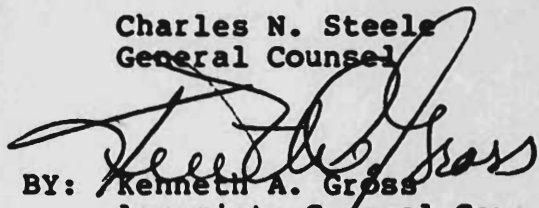
Dear Ms. Harmon:

On July 24, 1984, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, 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

84040472252

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED AT THE FED
G-CC#3995
84 JUL 9 PM 12:50

In the Matter of)
)
Environmental Action's) MUR 1685
Political Action Committee)
Richard Asinof, 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 Environmental Action's Political Action Committee ("EnactPAC") and Richard Asinof, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to timely file a 1982 Year End Report.

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.

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

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

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2. Respondent Richard Asinof served in the capacity of treasurer for Environmental Action's Political Action Committee on May 30, 1984.

3. Section 434(a)(4)(A) of Title 2, United States Code, requires timely filing of quarterly, mid-year, year-end and post-election reports by unauthorized political committees.

4. During the 1981-1982 election cycle, Respondents filed quarterly, mid-year, year-end and post-election reports.

V. 1) Respondents filed the 1981 Mid-Year Report ten days late, and the 1981 Year End report nine days late. Respondents' 1982 July Quarterly Report was filed eleven days late, the 1982 30 Day Post-General Election Report was seven days late, and the 1982 Year End Report was filed thirty-eight days late by Respondents.

2) Respondents have undertaken measures to ensure future timely filing of reports required by the Federal Election Campaign Act which include: (a) acquiring a new staff member whose full-time responsibility will be to coordinate activities of EnactPAC, including the timely filing of reports required by the Federal Election Campaign Act of 1971, as amended; and (b) training the Committee staff in the requirements of the FECA.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Five Hundred Dollars. (\$500) pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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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 relief in the United States District Court for the District of Columbia.

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

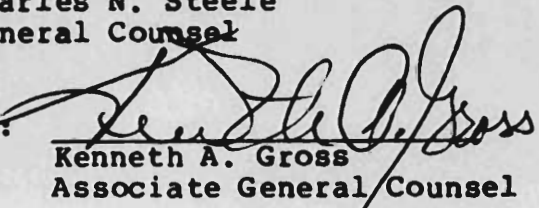
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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.

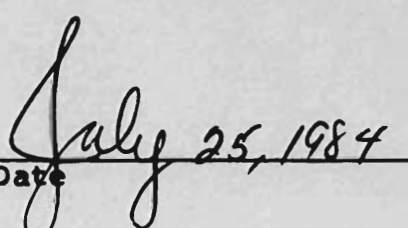
FOR THE COMMISSION:

Charles N. Steele
General Counsel

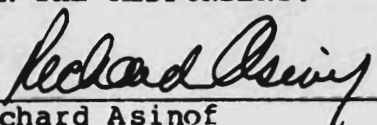
BY:


Kenneth A. Gross
Associate General Counsel

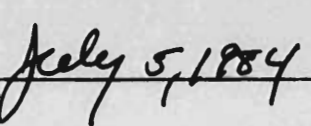
Date


July 25, 1984

FOR THE RESPONDENT:


Richard Asinof
Treasurer

Date


July 5, 1984

34040472255

Environmental Action

Connecticut Avenue, N.W.

Washington, D.C. 20036

84 JUN 28 P 2: 37

Mr. Charles W. Steele
General Counsel
Federal Election Commission
Washington, DC 20463

Hand Delivered

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4040472251

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FEDERAL ELECTION COMMISSION

1100 K Street, N.W.
Washington, D.C. 20543

7-60-88

MUR 100

The Federal Election Commission has received \$ 500.00 in payment for the purchase of copies of documents on file at the Federal Election Commission, or other materials made available by the Commission.

John D. Kelly
Federal Election Commission

Purchaser understands any information copied from reports and statements shall 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. 2 U.S.C. Section 439

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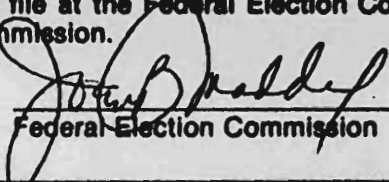
RECEIPT
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

MUR 1685

7-10-84

Date

The Federal Election Commission has received \$ 500.00 in cash/check for the purchase of copies of documents on file at the Federal Election Commission, or for other materials made available by the Commission.


Federal Election Commission

Purchaser understands any information copied from reports and statements shall 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. 2 U.S.C. Section 438

U.S. GOVERNMENT PRINTING OFFICE: 1983-57-871

8 4 0 4 0 4 7 2 2 5 9

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RECEIPT
FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

7-10-84
Date

MUR 1685

The Federal Election Commission has received \$ 500.00 in cash/check for the purchase of copies of documents on file at the Federal Election Commission, or for other materials made available by the Commission.

John B. Malley
Federal Election Commission

Purchaser understands any information copied from reports and statements shall 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. 2 U.S.C. Section 438

Attachment III

U.S. GOVERNMENT PRINTING OFFICE: 1982-07-01



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Gail Harmon, Esquire
Harmon, Weiss and Jordan
2001 S Street, N.W.
Washington, D.C. 20009

PRR
7/25/84

RE: MUR 1685
Environmental Action's Political
Action Committee
Richard Asinof, Treasurer

Dear Ms. Harmon:

On , 1984, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, 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

84040472260



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CW*
DATE: July 16, 1984
SUBJECT: MUR 1685 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote	☒
Sensitive	☒
Non-Sensitive	☐
24 Hour No Objection	☐
Sensitive	☐
Non-Sensitive	☐
Information	☐
Sensitive	☐
Non-Sensitive	☐
Other	☐

DISTRIBUTION

Compliance	☒
Audit Matters	☐
Litigation	☐
Closed MUR Letters	☐
Status Sheets	☐
Advisory Opinions	☐
Other (see distribution below)	☐

84040472261

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED AT THE FED
GCC#3995
84 JUL 6 P12: 50

In the Matter of)
Environmental Action's) MUR 1685
Political Action Committee)
Richard Asinof, 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 Environmental Action's Political Action Committee ("EnactPAC") and Richard Asinof, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to timely file a 1982 Year End Report.

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.

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

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

Attachment I

①

84040472262

2. Respondent Richard Asinof served in the capacity of treasurer for Environmental Action's Political Action Committee on May 30, 1984.

3. Section 434(a)(4)(A) of Title 2, United States Code, requires timely filing of quarterly, mid-year, year-end and post-election reports by unauthorized political committees.

4. During the 1981-1982 election cycle, Respondents filed quarterly, mid-year, year-end and post-election reports.

V. 1) Respondents filed the 1981 Mid-Year Report ten days late, and the 1981 Year End report nine days late. Respondents' 1982 July Quarterly Report was filed eleven days late, the 1982 30 Day Post-General Election Report was seven days late, and the 1982 Year End Report was filed thirty-eight days late by Respondents.

2) Respondents have undertaken measures to ensure future timely filing of reports required by the Federal Election Campaign Act which include: (a) acquiring a new staff member whose full-time responsibility will be to coordinate activities of EnactPAC, including the timely filing of reports required by the Federal Election Campaign Act of 1971, as amended; and (b) training the Committee staff in the requirements of the FECA.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Five Hundred Dollars. (\$500) pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not 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 relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed 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

FOR THE RESPONDENT:

Richard Asinof
Richard Asinof
Treasurer

July 5, 1984
Date

94040472264



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Gail Harmon, Esquire
Harmon, Weiss and Jordan
2001 S Street, N.W.
Washington, D.C. 20009

RE: MUR 1685
Environmental Action's Political
Action Committee
Richard Asinof, Treasurer

Dear Ms. Harmon:

On , 1984, the Commission accepted the conciliation agreement signed by your client, and a civil penalty in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, 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

Attachment II

(4)

84040472265

Attachment 111

(5)

BnAg/PAC

SU7K 732

1346 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

1262

12-33/540

July 6 19 84

PAY TO THE ORDER OF Treasurer of The United States of America

\$ 500.00

Five Hundred no/100 DOLLARS

AMERICAN SECURITY BANK, N.A.

1000 15th St. N.W.
Washington, D.C.

FOR RE: MUR 1605

Richard O'Leary

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RECEIPT
FEDERAL ELECTION COMMISSION

1325 K Street, N.W.
Washington, D.C. 20463

7-10-84

Date

MUR 1685

The Federal Election Commission has received \$ 500.00 in cash/check for the purchase of copies of documents on file at the Federal Election Commission, or for other materials made available by the Commission.

John B. Bradley
Federal Election Commission

Purchaser understands any information copied from reports and statements shall 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. 2 U.S.C. Section 438

Attachment IN

U.S. GOVERNMENT PRINTING OFFICE: 1984-571-491

Environmental Action

1346 Connecticut Avenue, N.W. Suite 731 Washington, D.C. 20036 (202) 833-1849

6004-2995
04 JUL 84 P12:50

4 JUL 10 P 1:28

July 5, 1984

RE: MUR 1685

Mr. Charles M. Steele
General Counsel
Federal Election Commission
Washington, DC 20463

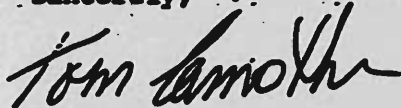
Dear Mr. Steele:

Enclosed is the signed conciliation agreement in the matter referenced above.

A check for this amount is also enclosed.

Please let me know if there is anything more that we should do with regards to this matter.

Sincerely,



Tom Lamothe
Financial Coordinator
for
Richard Asinof, Treasurer (EnAct/PAC)

enc.

cc: Gail Harmon

840404721268

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1685

NAME OF COUNSEL: Gail Harmon

ADDRESS: Harmon, Weiss & Jordan

2001 S Street, NW

Washington, DC 20009

TELEPHONE: 328-3500

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 19, 1984
Date

Richard Asinof
Signature

RESPONDENT'S NAME: Richard Asinof

ADDRESS: Environmental Action, Inc.

1346 Connecticut Avenue, NW # 731

Washington, DC 20036

HOME PHONE: 234-2951

BUSINESS PHONE: 833-1845

84040472269



environmental action
Suite 731, 1346 Connecticut Ave. NW, Washington, DC 20036

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environmental action

Suite 731, 1346 Connecticut Ave. NW, Washington, DC 20036



Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K street, NW
"Mail Room"

RETURN POSTAGE GUARANTEED



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 4, 1984

Mr. Richard Asinof, Treasurer
Environmental Action's Political
Action Committee
1346 Connecticut Avenue, N.W.
Washington, D.C. 20036

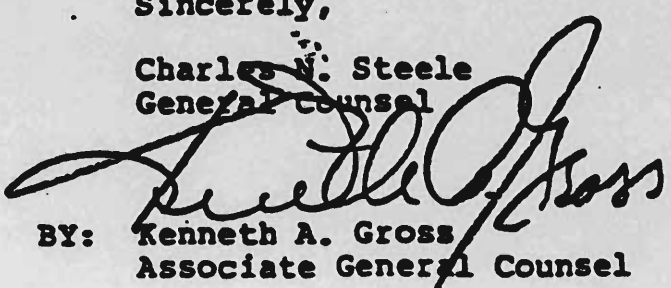
RE: MUR 1685

Dear Mr. Asinof:

- On April 25, 1984, the Commission found reason to believe that you, as treasurer, and Environmental Action's Political Action Committee (EnactPAC) violated 2 U.S.C. § 434(a)(4)(A)(i).

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure

84040472271



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/SUSAN M. TEIR *smt*
DATE: MAY 22, 1984
SUBJECT: OBJECTION - MUR 1685 - GENERAL COUNSEL'S
REPORT signed May 17, 1984

The above-named document was circulated to the
Commission on MAY 18, 1984 at 2:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____ X

This matter will be placed on the Executive Session
agenda for Wednesday, May 30, 1984.

84040472272



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cit*
DATE: May 18, 1984
SUBJECT: MUR 1685 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]
Audit Matters []

Litigation []
Closed MUR Letters []

Status Sheets []
Advisory Opinions []

Other (see distribution below) []

84040472273



SENSITIVE



BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of	)	
	)	
Environmental Action's	)	MUR 1685
Political Action Committee	)	
Richard Asinof, Treasurer	)	

84 MAY 18 AIO: 10

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was referred to the Office of General Counsel by the Reports Analysis Division. On April 25, 1984, the Commission determined that there is reason to believe that Environmental Action's Political Action Committee and Richard Asinof, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) of the Federal Election Campaign Act ("the Act") by failing to timely file a Year End Report for 1982. The respondents were notified of this determination on April 27, 1984. A written response from Mr. Tom Lamothe, Financial Coordinator of Environmental Action, arrived at the Commission on May 11, 1984, following a brief telephone conversation with staff on May 11, 1984.

II. LEGAL ANALYSIS

Section 434(a)(4)(A) of Title 2, United States Code, requires that all unauthorized political committees file timely reports of receipts and disbursements. In years when a regularly scheduled general election is held, quarterly reports are due no later than the 15th day after the last day of each calendar quarter. A Year End Report for the calendar quarter ending December 31 is due by January 31 of the following year. A Post-General Election Report is due no later than the 30th day after

84040472274

the general election. In calendar years when no regularly scheduled general election is held, a Mid-Year (six month) Report is due by July 31 and a Year End (six month) Report is due by January 31 of the following year.

The Environmental Action's Political Action Committee ("the Committee") and Richard Asinof, as treasurer, failed to file five (5) reports in a timely manner during the 1981-1982 election cycle. The filings were between 7 and 38 days late.

On December 14, 1983, a chronic late filer notice was sent to the Committee requesting reasons for lateness. The Committee responded in writing on December 23, 1983, stating reasons for lateness and steps taken to prevent further late reporting. Mr. Asinof stated then that the reports were filed late because the Committee is a small organization with an overworked staff. Individuals responsible for filing reports, he stated, also performed other duties including issue development and bookkeeping. He explained that "our late filing was a result of overwork and time pressure, not by any intent to avoid full disclosure ... [y]our letter was useful in bringing this problem to our attention, and we will make every effort to assure timely filing of future reports." No specific method of assuring timely filing was suggested at that time. Review of the Committee's 1983 reports indicates that the Mid-Year Report was received 12 days late on August 12, 1983, and the Year End Report was received 6 days late on February 6, 1984. The Committee's 1984

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First Quarterly Report, due by April 15, 1984, was not filed on that date and the Committee was notified on May 8, 1984, by the Reports Analysis Division that it may have failed to file this report.

Mr. Lamothe's response to the Commission's reason to believe determination reiterates that limited resources and an overworked staff have been the only reasons for the Committee's late filing.

The response states that as of April 15 (presumably 1984), the Committee has a new staff person whose full-time job will be coordinating activities of the political action committee,

including responsibility for filing reports with the Commission.

Staff advised Mr. Lamothe by telephone on May 14, 1984, that the Commission provides assistance to filers daily via its information telephone lines, periodic local clinics and meetings with the Reports Analysis Division analysts.

Listed below are the 1981-1982 election cycle reports filed late, the Committee's 1983-1984 election cycle reports filed late, the financial status of each report and the number of days each was late.

8404047276

<u>Report</u>	<u>Beginning Cash</u>	<u>Receipts</u>	<u>Disburse.</u>	<u>End Cash</u>	<u>Days Late</u>
Mid-Year (1/1/81-6/30/81)	\$ 1,632	\$ 390	\$ 1,518	\$ 503	10
Year End (7/1/81-12/31/81)	10,027	15,980	8,757	17,250	9
July Quarterly (4/1/82-6/30/82)	17,721	269	5,048	12,941	11
30 Day Post-General (10/14/82-11/22/82)	26,609	3,889	15,636	14,862	7
Year End (11/23/82-12/31/82)	10,122	<u>15,980</u>	<u>8,757</u>	17,345	38
		\$36,508 (59.03%)	\$ 39,716 (78.9%)		
Mid-Year ^{2/} (1/1/83-6/30/83)	13,184	706	6,095	7,899	12
Year End (7/1/83-12/31/83)	5,895 ^{3/}	<u>4,089</u> \$4,795	<u>13</u> \$6,108	9,968	6

April Quarterly
(1/1/84-3/30/84)

Receipts and disbursements activity for the 1981-82 election cycle totaled \$112,137. Receipts and disbursements disclosed late, as seen above, total \$76,224. Thus, 67.97 percent of the Committee's overall financial activity was disclosed late in the 1981-82 election cycle. Receipts reported late represent 59.03 percent of all receipts reported in the 1981-82 cycle and

1/ This report included transactions through January 31, 1983.

2/ This reported covered the period from February 1, 1983 through June 30, 1983.

3/ The January 1, 1983 beginning cash-on-hand figures are different on the Mid-Year and Year End Reports. The Mid-Year Report January 1, 1983 figure is \$13,184. The Year End figure for January 1, 1983 is \$9,700. The figure \$5,895 is apparently the cash-on-hand for February 1, 1983.

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disbursements reported late represent 78.9 percent of all disbursements reported by the Committee.

IV. RECOMMENDATIONS

3. Approve and send the attached letter.

Charles N. Steele
General Counsel

Date

May 17, 1984

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Proposed Conciliation Agreement
2. Letter to Respondent
3. Committee's Reason to Believe Response

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Environmental Action's) MUR 1685
Political Action Committee)
Richard Asinof, 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 Environmental Action's Political Action Committee ("EnactPAC") and Richard Asinof, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to timely file a 1982 Year End Report.

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.

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

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

ATTACHMENT 1

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2. Respondent Richard Asinof served in the capacity of treasurer for Environmental Action's Political Action Committee on May , 1984.

3. Section 434(a)(4)(A) of Title 2, United States Code, requires timely filing of quarterly, mid-year, year-end and post-election reports by unauthorized political committees.

4. During the 1981-1982 election cycle, Respondents filed quarterly, mid-year, year-end and post-election reports.

V. 1) Respondents filed the 1981 Mid-Year Report ten days late, and the 1981 Year End report nine days late. Respondents' 1982 July Quarterly Report was filed eleven days late, the 1982 30 Day Post-General Election Report was seven days late, and the 1982 Year End Report was filed thirty-eight days late by Respondents.

2) Respondents filed the 1983 Mid-Year Report twelve days late and the 1983 Year End Report was filed six days late.

3) As of May , 1984, Respondents have failed to file the 1984 April Quarterly Report which was due on April 15, 1984.

4) Respondents have undertaken measures to ensure future timely filing of reports required by the Federal Election Campaign Act which include: (a) acquiring a new staff member whose full-time responsibility will be to coordinate activities of EnactPAC, including the timely filing of reports required by

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the Federal Election Campaign Act of 1971, as amended; and
(b) training the Committee staff in the requirements of the FECA.

5) Respondents will file the 1984 April Quarterly Report within thirty (30) days of the effective date of this agreement.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of [redacted], pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not 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 relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed 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

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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 _____

FOR THE RESPONDENT:

Richard Asinof
Treasurer

Date _____

84040472283



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**Mr. Richard Asinof, Treasurer
Environmental Action's Political
Action Committee
1346 Connecticut Avenue, N.W.
Washington, D.C. 20036**

RE: MUR 1685

Dear Mr. Asinof:

On April 25, 1984, the Commission found reason to believe that you, as treasurer, and Environmental Action's Political Action Committee (EnactPAC) violated 2 U.S.C. § 434(a)(4)(A)(i).

Sincerely,

**Charles N. Steele
General Counsel**

**BY: Kenneth A. Gross
Associate General Counsel**

Enclosure

ATTACHMENT 2

(1)

340404721283

Environmental Action

1345 Connecticut Avenue, N.W. Suite 731 Washington, D.C. 20036 (202) 833-1945

84 MAY 11 P 5: 10

mm 1685
Reyes

Lee Ann Elliott
Chairman
Federal Election Commission
Washington, D.C. 20463

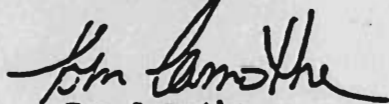
Dear Chairman Elliott:

I'm writing on behalf of Richard Asinof, treasurer of Environmental Action's Political Action Committee (EnAct/PAC). We are in receipt of your letter dated April 27, 1984 regarding the failure on our part to file the required reports with the Commission on a timely basis.

Our tardiness in filing has been in no way an attempt to evade the legal filing requirements established by the Commission. Rather, limited resources and an overworked staff have been the only reason we have failed to meet filing deadlines. As of April 15, we have a new person on staff whose full-time job will be to coordinate the activities of the Political Action Committee. This will include responsibility for filing the necessary reports with the Federal Election Commission. I propose that our PAC coordinator, Amy Chapman, and myself as the financial coordinator for Environmental Action, Inc. meet with a representative from the FEC to go over filing requirements and deadlines.

We believe that the addition of Ms. Chapman to our staff will enable us to meet all future filing deadlines. Please let me know what further action is required on our part.

Sincerely,



Tom Lamothe
Financial Coordinator

ATTACHMENT 3

(6)

34040471284

Environmental Action

1346 Connecticut Avenue, N.W. Suite 731 Washington, D.C. 20036 (202) 833-1843

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 MAY 11 P5: 10

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Ker

Lee Ann Elliott
Chairman
Federal Election Commission
Washington, D.C. 20463

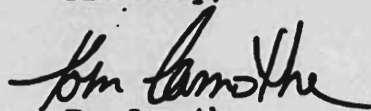
Dear Chairman Elliott:

I'm writing on behalf of Richard Asinof, treasurer of Environmental Action's Political Action Committee (EnAct/PAC). We are in receipt of your letter dated April 27, 1984 regarding the failure on our part to file the required reports with the Commission on a timely basis.

Our tardiness in filing has been in no way an attempt to evade the legal filing requirements established by the Commission. Rather, limited resources and an overworked staff have been the only reason we have failed to meet filing deadlines. As of April 15, we have a new person on staff whose full-time job will be to coordinate the activities of the Political Action Committee. This will include responsibility for filing the necessary reports with the Federal Election Commission. I propose that our PAC coordinator, Amy Chapman, and myself as the financial coordinator for Environmental Action, Inc. meet with a representative from the FEC to go over filing requirements and deadlines.

We hope to resolve this matter as soon as possible. We believe that the addition of Ms. Chapman to our staff will enable us to meet all future filing deadlines. Please let me know what further action is required on our part.

Sincerely,



Tom Lamothe
Financial Coordinator

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14 MAY 11 P 1 13

GENERAL

environmental action

1751, 1348 Connecticut Ave. NW, Washington, DC 20036



RECEIVED AT THE FEC

84 MAY 11 5:17

HAND DELIVERED

Lee Ann Elliott

Chairman

Federal Election Commission

Washington, DC 20463

8 4 0 4 0 4 7 2 2 8 6



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 APR 27 A9: 47

April 26, 1984

SENSITIVE

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: RAD Referral 84NF-17

On April 25, 1984 the Commission approved the recommendation that the subject RAD Referral be made a MUR. Therefore, all documents which had previously been identified as RAD Referral 84NF-17 should now become MUR # 1685.

Attachment
Copy of Certification

84040472287

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Environmental Action's Political) RAD Referral #84NF-17
Action Committee)
Richard Asinof, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 25, 1984, the Commission decided by a vote of 5-1 to take the following actions in RAD Referral #84NF-17 as set forth in the First General Counsel's Report dated April 18, 1984, and amended by the General Counsel's Errata dated April 23, 1984:

1. Open a MUR.
2. Find reason to believe that Environmental Action's Political Action Committee and Richard Asinof, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Send the letter as attached to the First General Counsel's Report dated April 18, 1984.

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

Attest:

4-26-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

4-18-84, 11:11
4-18-84, 4:00
4-23-84, 4:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 27, 1984

Mr. Richard Asinof, Treasurer
Environmental Action's Political
Action Committee
1346 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1685
Environmental Action's
Political Action Committee
Richard Asinof, Treasurer

Dear Mr. Asinof:

On April 25, 1984, the Commission determined that there is reason to believe that Environmental Action's Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failure to file a timely Year End Report for 1982. 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. Please 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 the 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.

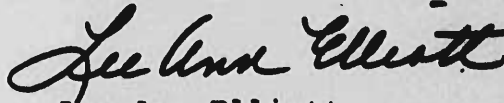
34040472289

Richard Asinof, 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 Paul Reyes, the staff member assigned to this matter, at (202) 523-4000.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

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

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Environmental Action's
Political Action Committee
Richard Asinof, Treasurer

MUR NO. 1685
STAFF MEMBER & TEL. NO.
Paul Reyes
(202) 523-4175

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

SUMMARY OF ALLEGATIONS

The Environmental Action's Political Action Committee ("the Committee") and Richard Asinof, as treasurer, failed to file five (5) reports in a timely manner during the 1981-1982 election cycle. The filings were between 7 and 38 days late.

On December 14, 1983, a chronic late filer notice was sent to the Committee requesting reasons for lateness. The Committee responded in writing on December 23, 1983, stating reasons for lateness and steps taken to prevent further late reporting.

FACTUAL BASIS AND LEGAL ANALYSIS

Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Mid-Year (1/1/81-6/30/81)	7/31/81	8/10/81
Year End (7/1/81-12/31/81)	1/31/82	2/9/82
July Quarterly (9/1/82-6/30/82)	7/15/82	7/26/82
30 Day Post-General (10/14/82-11/22/82)	12/2/82	12/9/82
Year End (11/23/82-12/31/82)	1/31/83	3/10/83

The Committee has had several treasurers. As of August 30, 1983, Mr. Richard Asinof serves as treasurer. In a letter filed with the 1981 Mid-Year Report, the then treasurer, Mr. Matthew C. MacWilliams, stated that "[p]ursuant to the FEC Advisory Opinion issued on June 15 regarding PACs and other committees involved in the Philadelphia Special Election, we believed that we did not have to file our semi-annual report."

On December 14, 1983, the Committee was sent a chronic late filer notice requesting reasons for lateness. Mr. Asinof responded orally on December 19, 1983, inquiring as to the reason for the notice, since the Committee had filed its reports no later than a week after the due date. Mr. Asinof responded in writing on December 23, 1983, stating that the reports were filed late because the Committee is a small organization with an overworked staff. Individuals responsible for filing reports, he stated, also performed other duties including issue development and bookkeeping. He explains that "our late filing was a result of overwork and time pressure, not by any intent to avoid full disclosure ... [y]our letter was useful in bringing this problem to our attention, and we will make every effort to assure timely filing of future reports." No specific method of assuring timely filing was suggested in the Committee's written response. Review of the Committee's 1983 reports indicates that the Mid-Year Report was received 12 days late on August 12, 1983, and the Year End Report was received 6 days late on February 6, 1984.

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The Committee's statement of reliance on a June 15, 1981, FEC Advisory Opinion concerning the special election held in Philadelphia is misplaced. No Advisory Opinions were issued by the Commission in connection with the 1981 special election in Philadelphia. The Information Division did, however, mail a notice of June 15, 1981, to five candidates (and their committees) on the ballot in that election which notice was dated June 15, 1981. In addition, the July issue of the FEC Record which is mailed to all registered committees, contained a page one article explaining the filing requirements of the special election. This article made clear that the filing of a Mid-Year Report would only be waived for those political committees supporting candidates in the special election that filed timely pre-election reports.

As of December 31, 1982, the Committee had a cash on hand balance of \$13,184.

The 1982 election year receipts for the Committee total approximately \$61,000, election cycle reports were between 7 and 38 days late; also, despite the Committee's assurances of measures taken to prevent late filing, its 1983 reports were 12 and 6 days late. For these reasons, the General Counsel's Office recommends that the Commission find reason to believe that Environmental Action's Political Action Committee and Richard Asinof, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by its failure to file a 1982 election year Year End Report for a period of 38 days.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

**Mr. Richard Asinof, Treasurer
Environmental Action's Political
Action Committee
1346 Connecticut Avenue, N.W.
Washington, D.C. 20036**

**RE: MUR
Environmental Action's
Political Action Committee
Richard Asinof, Treasurer**

Dear Mr. Asinof:

On , 1984, the Commission determined that there is reason to believe that Environmental Action's Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") by failure to file a timely Year End Report for 1982. 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. Please 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 the 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.

34040472294

Richard Asinof, 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 Paul Reyes, the staff member assigned to this matter, at (202) 523-4000.-

Sincerely,

Enclosures

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

84040472295

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral #84NF-17
Environmental Action's Political)
Action Committee)
Richard Asinof, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 25, 1984, the Commission decided by a vote of 5-1 to take the following actions in RAD Referral #84NF-17 as set forth in the First General Counsel's Report dated April 18, 1984, and amended by the General Counsel's Errata dated April 23, 1984:

1. Open a MUR.
2. Find reason to believe that Environmental Action's Political Action Committee and Richard Asinof, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Send the letter as attached to the First General Counsel's Report dated April 18, 1984.

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

Attest:

4-26-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

4-18-84, 11:11
4-18-84, 4:00
4-23-84, 4:00

34040472296



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: April 23, 1984
SUBJECT: RAD Referral 84NF-17: Memorandum to The Commission
(Errata)

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

34040472297



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 APR 23 AM: 12

April 23, 1984

MEMORANDUM

TO : The Commission

FROM : Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: Errata - RAD Referral 84NF-17
Environmental Action's PAC, Richard Asinof, Treasurer

SENSITIVE

The Recommendations Section on page 4 of RAD Referral 84NF-17 inadvertently omitted the recommendation to "Open a MUR" before recommending "Find reason to believe." The attached Errata Sheet should be attached to page 4 of RAD Referral 84NF-17.

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ERRATA

RAD Referral 84NF-17
Environmental Action's PAC,
Richard Asinof, Treasurer

The Recommendations on page 4 should read as follows:

1. Open a MUR.
2. Find reason to believe that Environmental Action's Political Action Committee and Richard Asinof, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Send the attached letter.

84040472299



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS/SUSAN M. TEIR *SMT*
DATE: APRIL 19, 1984
SUBJECT: RAD REFERRAL 84NF-17: FIRST GENERAL
COUNSEL'S REPORT signed April 18, 1984

Attached is a copy of Commissioner McDonald's
vote sheet with comments regarding his objection for
record purposes only.

94040472300

ATTACHMENT:
Copy of Vote Sheet



RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

84 APR 19 P 2: 32

Date and Time Transmitted: WEDNESDAY, 4-18-84.

COMMISSIONER: McGARRY, ATKINS, McDONALD, ELLIOTT, REICHE, HARRIS

RETURN TO COMMISSION SECRETARY BY FRIDAY, APRIL 20, 1984, 4:00

SUBJECT: RAD REFERRAL 84NF-17: FIRST GENERAL COUNSEL'S REPORT
signed April 18, 1984

() I approve the recommendation.

(✓) I object to the recommendation

COMMENTS:

Date: April 19, 1984

Signature: Danny McDonald

A DEFINITE VOTE IS REQUIRED. ALL BALLOTS MUST BE SIGNED AND DATED.

PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY.

PLEASE RETURN BALLOT NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

From the Office of the Commission Secretary

84040472301



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: April 18, 1984
SUBJECT: RAD Referral 84NF-17: First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[X]	Compliance	[X]
Sensitive	[X]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[]	Other (see distribution below)	[]
Sensitive	[]		
Non-Sensitive	[]		
Other	[]		

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

84 APR 18 AM: 11

DATE AND TIME OF TRANSMITTAL BY OGC
TO THE COMMISSION 4/18/84 - 11:10

RAD REFERRAL NO. 84NF-17
STAFF MEMBER
Paul Reyes

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

RESPONDENT'S NAME: Environmental Action's Political
Action Committee
Richard Asinof, Treasurer

SENSITIVE

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A) (1980)
11 C.F.R. § 105.4(c)(1) and (2) (1983)

INTERNAL REPORTS

CHECKED: Committee Reports

FEDERAL AGENCIES

CHECKED: None

GENERATION OF MATTER

This matter was referred to the Office of General Counsel by
the Reports Analysis Division.

SUMMARY OF ALLEGATIONS

The Environmental Action's Political Action Committee ("the
Committee") and Richard Asinof, as treasurer, failed to file five
(5) reports in a timely manner during the 1981-1982 election
cycle. The filings were between 7 and 38 days late.

On December 14, 1983, a chronic late filer notice was sent
to the Committee requesting reasons for lateness. The Committee
responded in writing on December 23, 1983, stating reasons for
lateness and steps taken to prevent further late reporting.

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FACTUAL AND LEGAL ANALYSIS

Listed below are the reports filed late, the date each was due, and the date each report was filed:

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Mid-Year (1/1/81-6/30/81)	7/31/81	8/10/81
Year End (7/1/81-12/31/81)	1/31/82	2/9/82
July Quarterly (9/1/82-6/30/82)	7/15/82	7/26/82
30 Day Post-General (10/14/82-11/22/82)	12/2/82	12/9/82
Year End (11/23/82-12/31/82)	1/31/83	3/10/83

The Committee has had several treasurers. As of August 30, 1983, Mr. Richard Asinof serves as treasurer. In a letter filed with the 1981 Mid-Year Report, the then treasurer, Mr. Matthew C. MacWilliams, stated that "[p]ursuant to the FEC Advisory Opinion issued on June 15 regarding PACs and other committees involved in the Philadelphia Special Election, we believed that we did not have to file our semi-annual report."

On December 14, 1983, the Committee was sent a chronic late filer notice requesting reasons for lateness. Mr. Asinof responded orally on December 19, 1983, inquiring as to the reason for the notice, since the Committee had filed its reports no later than a week after the due date. Mr. Asinof responded in writing on December 23, 1983, stating that the reports were filed late because the Committee is a small organization with an overworked staff. Individuals responsible for filing reports, he stated, also performed other duties including issue development

34040472304

and bookkeeping. He explains that "our late filing was a result of overwork and time pressure, not by any intent to avoid full disclosure ... [y]our letter was useful in bringing this problem to our attention, and we will make every effort to assure timely filing of future reports." No specific method of assuring timely filing was suggested in the Committee's written response. Review of the Committee's 1983 reports indicates that the Mid-Year Report was received 12 days late on August 12, 1983, and the Year End Report was received 6 days late on February 6, 1984.

3 4 0 4 0 4 7 2 3 0 5
The Committee's statement of reliance on a June 15, 1981, FEC Advisory Opinion concerning the special election held in Philadelphia is misplaced. No Advisory Opinions were issued by the Commission in connection with the 1981 special election in Philadelphia. The Information Division did, however, mail a notice of June 15, 1981, to five candidates (and their committees) on the ballot in that election which notice was dated June 15, 1981. In addition, the July 1981 issue of the FEC Record which is mailed to all registered committees, contained a page one article explaining the filing requirements of the special election. This article made clear that the filing of a Mid-Year Report would only be waived for those political committees supporting candidates in the special election that filed timely pre-election reports.

As of December 31, 1982, the Committee had a cash on hand balance of \$13,184.

The 1982 election year receipts for the Committee total approximately \$61,000, election cycle reports were between 7 and 38 days late; also, despite the Committee's assurances of measures taken to prevent late filing, its 1983 reports were 12 and 6 days late. For these reasons, the General Counsel's Office recommends that the Commission find reason to believe that Environmental Action's Political Action Committee and Richard Asinof, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by its failure to file a 1982 election year Year End Report for a period of 38 days.

RECOMMENDATIONS

1. Find reason to believe that Environmental Action's Political Action Committee and Richard Asinof, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
2. Send the attached letter.

Charles N. Steele
General Counsel

April 18, 1984
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

RAD Referral
Letter (1)

General Counsel's Factual and Legal Analysis

34040472306

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: March 2, 1984ANALYST: Eugene LaCroce

I. COMMITTEE:

Environmental Action's Political Action
Committee
(C00041491)

Richard Asinof, Treasurer^{1/}
1346 Connecticut Avenue, N.W.
Washington, D.C. 20036

II. RELEVANT STATUTE:

2 U.S.C. 434(a)(4)(A)
11 CFR 104.5(c)(1) and (2)

III. BACKGROUND:

Failure to Timely File Reports - 2 U.S.C. 434(a)(4)(A)
11 CFR 104.5(c)(1) and (2)

The Environmental Action's Political Action Committee ("ENACT PAC") failed to file five (5) reports in a timely manner during the 1981-82 election cycle (Attachments 2a-e). The filings were between 7 and 38 calendar days late. Listed below are the reports filed late, the date each was due, and the date each report was filed.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Mid-Year (1/1/81-6/30/81)	7/31/81	8/10/81 ^{2/}

^{1/} On August 30, 1983, a letter was received designating Richard Asinof as treasurer in place of Debra Fried. Prior to that date, several other changes occurred. On July 1, 1981, Matthew C. MacWilliams replaced Richard Munson as treasurer; on April 15, 1982, Debra Fried replaced Mr. MacWilliams as "coordinator of the PAC"; and on July 26, 1982, a letter was received designating Ms. Fried as treasurer.

^{2/} ENACT PAC stated in a letter filed with the report that "[p]ursuant to FEC Advisory Opinion issued on June 15 regarding PACs and other committees involved in the Philadelphia Special Election, we believed that we did not have to file our semi-annual report" (Attachment

84040472307

ENVIRONMENTAL ACTION'S POLITICAL ACTION COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

Year End		
(7/1/81-12/31/81)	1/31/82	2/9/82
July Quarterly		
(4/1/82-6/30/82)	7/15/82	7/26/82
30 Day Post-General		
(10/14/82-11/22/82)	12/2/82	12/9/82
Year End		
(11/23/82-12/31/82) ^{3/}	1/31/83	3/10/83

On December 14, 1983, ENACT PAC was sent a chronic late filer notice requesting reasons for lateness (Attachment 3). Richard Asinof, ENACT PAC's treasurer, telephoned the Chief of the Party/Non-Party Branch on December 19, 1983 (Attachment 4). He inquired as to the reason for the notice, since the Committee had filed its reports no later than a week after the due date. Mr. Asinof was instructed to respond in writing to the notice by addressing the reasons for late filing and any steps to be taken to ensure timely filing of future reports.

Mr. Asinof responded in writing on December 23, 1983 (Attachment 5). He stated that the reports were filed late because Environmental Action is a small organization with an overworked staff. The individuals, who were responsible for the activities of the PAC during the period in question, were also responsible for assignments in other areas.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

^{3/} The 1982 Year End Report disclosed activity through January 31, 1983.

84040472308

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (81-82)

DATE 28FEB84
PAGE 1

8 4 0 4 0 4 7 2 3 0 9
NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
ENVIRONMENTAL ACTION'S POLITICAL ACTION COMMITTEE(ENACT/PAC) CONNECTED ORGANIZATION: ENVIRONMENTAL ACTION				NON-PARTY QUALIFIED		ID 8C00041491
1981	STATEMENT OF ORGANIZATION - AMENDMENT			1JUL81	2	81FEC/198/0548
	MID-YEAR REPORT	390	1,518	1JAN81 -30JUN81	6	81FEC/203/5062
	MID-YEAR REPORT - AMENDMENT	390	1,603	1JAN81 -30JUN81	4	81FEC/204/4781
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN81 -30JUN81	2	83FEC/289/4448
	REQUEST FOR ADDITIONAL INFORMATION			1JAN81 -30JUN81	1	83FEC/290/0176
	POST-RUN-OFF	10,027	324	1JUL81 -30JUL81	4	81FEC/204/4777
	POST-RUN-OFF - AMENDMENT	10,027	324	1JUL81 -30JUL81	4	83FEC/267/4185
	REQUEST FOR ADDITIONAL INFORMATION			1JUL81 -30JUL81	1	83FEC/266/0226
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL81 -30JUL81	1	83FEC/267/2386
	YEAR-END	15,980	8,757	1AUG81 -31DEC81	8	82FEC/223/3679
	YEAR-END - AMENDMENT	15,980	8,757	1AUG81 -31DEC81	4	83FEC/267/4189
	YEAR-END - AMENDMENT	-	-	1JUL81 -31DEC81	1	83FEC/289/5026
	REQUEST FOR ADDITIONAL INFORMATION			1AUG81 -31DEC81	1	83FEC/266/0224
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1AUG81 -31DEC81	4	83FEC/267/1991
	REQUEST FOR ADDITIONAL INFORMATION			1JUL81 -31DEC81	1	83FEC/290/0177
1982	STATEMENT OF ORGANIZATION - AMENDMENT			15APR82	1	82FEC/227/4058
	STATEMENT OF ORGANIZATION - AMENDMENT			26JUL82	1	82FEC/239/2195
	APRIL QUARTERLY	1,000	529	1JAN82 -15APR82	4	82FEC/227/4059
	APRIL QUARTERLY - AMENDMENT	1,000	529	1JAN82 -15APR82	6	83FEC/267/4193
	REQUEST FOR ADDITIONAL INFORMATION			1JAN82 -15APR82	1	83FEC/266/0816
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN82 -15APR82	1	83FEC/267/2389
	JULY QUARTERLY	269	5,048	16APR82 -15JUL82	6	82FEC/239/2196
	JULY QUARTERLY - AMENDMENT	-	-	1APR82 -30JUN82	1	83FEC/289/5027
	JULY QUARTERLY - AMENDMENT	269	5,048	16APR82 -15JUL82	4	83FEC/267/4203
	REQUEST FOR ADDITIONAL INFORMATION			1APR82 -30JUN82	1	83FEC/290/0178
	REQUEST FOR ADDITIONAL INFORMATION			16APR82 -15JUL82	1	83FEC/266/0815
	REQUEST FOR ADDITIONAL INFORMATION 2ND			16APR82 -15JUL82	1	83FEC/267/2388
	OCTOBER QUARTERLY	29,281	15,612	16JUL82 -15OCT82	11	82FEC/250/4758
	OCTOBER QUARTERLY - AMENDMENT	29,281	15,612	16JUL82 -15OCT82	8	83FEC/267/4207
	REQUEST FOR ADDITIONAL INFORMATION			16JUL82 -15OCT82	1	83FEC/266/0222
	REQUEST FOR ADDITIONAL INFORMATION 2ND			16JUL82 -15OCT82	1	83FEC/267/2387
	POST-GENERAL	3,889	15,636	16OCT82 - 2DEC82	9	82FEC/259/1802
	POST-GENERAL - AMENDMENT	-	-	1OCT82 -22NOV82	1	83FEC/289/5028
	POST-GENERAL - AMENDMENT	3,889	15,636	16OCT82 - 2DEC82	4	83FEC/267/4215
	POST-GENERAL - AMENDMENT	-	-	16OCT82 - 2DEC82	3	83FEC/281/1460
	REQUEST FOR ADDITIONAL INFORMATION			1OCT82 -22NOV82	1	83FEC/290/0179
	REQUEST FOR ADDITIONAL INFORMATION			16OCT82 - 2DEC82	1	83FEC/274/9755
	REQUEST FOR ADDITIONAL INFORMATION 2ND			16OCT82 - 2DEC82	2	83FEC/275/4278
	YEAR-END	0	2,782	3DEC82 -31JAN83	4	83FEC/267/4199
	YEAR-END - AMENDMENT	1,010	2,782	3DEC82 -31JAN83	3	83FEC/281/1820
	YEAR-END - AMENDMENT	-	-	23NOV82 -31DEC82	1	83FEC/289/5029
	REQUEST FOR ADDITIONAL INFORMATION			23NOV82 -31DEC82	1	83FEC/289/5028
1983	REQUEST FOR ADDITIONAL INFORMATION			23NOV82 -31DEC82	1	83FEC/266/0228
	REQUEST FOR ADDITIONAL INFORMATION 2ND				2	83FEC/267/1996

Amended (Chas 1-8-83)

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (81-82)

DATE 28FEB84
PAGE 2

3 4 0 4 0 4 7 2 3 1 0
NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
	TOTAL	61,846	0	50,291	0	126 TOTAL PAGES

ALL REBATS REVIEWED.

ENDING CASH (12-31-82): \$ 13,184

DEBTS (12-31-82): \$ -0-

Document 1 (Page 2 of 3)

8 4 0 4 0 4 7 2 3 1 1
NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
ENVIRONMENTAL ACTION'S POLITICAL ACTION COMMITTEE(ENACT/PAC) CONNECTED ORGANIZATION: ENVIRONMENTAL ACTION				NON-PARTY QUALIFIED	ID 8C99041491	
1983	STATEMENT OF ORGANIZATION - AMENDMENT			10MAR83	4	83FEC/267/4102
	STATEMENT OF ORGANIZATION - AMENDMENT			30AUG83	2	83FEC/282/2468
	MID-YEAR REPORT	760	6,045	1FEB83 -31JUL83	7	83FEC/281/1872
	YEAR-END	4,089	13	1JUL83 -31DEC83	3	84FEC/396/0791
	TOTAL	4,849	0	6,058	0	18 TOTAL PAGES

NO REPORTS REVIEWED.

ENDING CASH (12-31-83) : \$ 9,960

DEBTS (12-31-83) : \$ --

Attachment 1 (Page 3 of 3)

Environmental Action

Box 731 1346 Connecticut Ave. NW Washington, DC 20036 (202) 833-1846

7 August 1981

Federal Election Commission
1325 K Street NW
Washington, DC

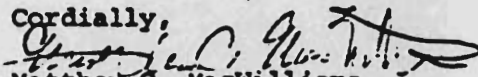
Dear Sir/Madam,

Enclosed please find Environmental Action's Political Action Committee's semi-annual report.

Pursuant to FEC Advisory Opinion issued on June 15 regarding PACs and other committees involved in the Philadelphia Special Election, we believed that we did not have to file our semi-annual report. Please note that on page two of this Opinion there is no mention of having to file a pre-election report to qualify for substituting the post-election special report for the semi-annual report. We were informed today by mailgram that we would have to file a semi-annual report. We have endeavored to complete the semi-annual report as quickly as possible to fulfill your request.

2
3
0
3
8

Cordially,


Matthew C. MacWilliams

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee
(Summary Page)

ATTACHMENT 25
AUG 10 **Aug 10**
(Page 2 of 2)

1. Name of Committee (in Full)
Exxon Mobil Action PAC

Address (Number and Street)
1346 Connecticut Ave NW

City, State and ZIP Code
Washington, DC 20036

2. Check if address is different than previously reported.

2. FEC Identification Number

3. This committee qualified as a multicandidate party during this reporting period on _____ (date)

4. TYPE OF REPORT (check appropriate box)

(a) ☐ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☐ January 31 Year End Report
☒ July 31 Mid Year Report (Pre-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		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	Jan 1 Through Jun 30		
6. (a) Cash on Hand January 1, 1981			\$ 1,323.34
(b) Cash on Hand at Beginning of Reporting Period		\$ 1,323.34	
(c) Total Receipts (From Line 10)		\$ 390.00	\$ 390.00
(d) Subtotal (Add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 2,022.34	\$ 2,022.34
7. Total Disbursements (From Line 20)		\$ 1,518.46	\$ 1,518.46
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 503.88	\$ 503.88
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.

Matthew C. Magallon
Type or Print Name of Treasurer

Matthew C. Magallon
SIGNATURE OF TREASURER

7 August 81
Date

For further information, contact:

Federal Election Commission
Toll Free 800-424-6528
Local 202-623-6088

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

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 3X (3-80)

81033035063

HAND DELIVERED

82 FEB 9 14:38

ATTACHMENT 2b

(Summary Page)

1. Name of Committee (in Full) Environmental Action PAC Address (Number and Street) 1346 Connecticut Ave, NW City, State and ZIP Code Washington, DC 20004 ☐ Check if address is different than previously reported.	4. TYPE OF REPORT (check appropriate boxes) (a) ☐ April 15 Quarterly Report ☐ July 15 Quarterly Report ☐ October 15 Quarterly Report ☒ January 31 Year End Report ☐ July 31 Mid Year Report (Non-election Year Only) ☐ Monthly Report for _____ ☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ ☐ Thirtieth day report following the General Election on _____ in the State of _____ ☐ Termination Report
2. FEC Identification Number 3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)	(b) Is this Report an Amendment? ☐ YES ☐ NO

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>August 1</u> Through <u>December 31</u>			
6. (a) Cash on Hand January 1, 19 <u>81</u>			\$ 1,532.34
(b) Cash on Hand at Beginning of Reporting Period		\$ 10,027.47	
(c) Total Receipts (from Line 1B)		\$ 15,980.54	\$ 25,762.01
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 26,008.01	\$
7. Total Disbursements (from Line 2B)		\$ 8,752.42	\$
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 17,255.59	\$
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$	0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$	0	

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

For further information, contact:

Federal Election Commission
Toll Free 800 476 9530
Local 202 573 4088

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

31 January 81
Date

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

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 3X (3/80)

3 4 0 8 4 2 8 0 4 3 2 3 3 3 4 7 9

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

(Summary Page)

ATTACHMENT 2c
82 JUL 26 AIO: 42

1. Name of Committee (in Full)
**EnAct/PAC
Environmental Action**

Address (Number and Street)
1346 Connecticut Ave., NW

City, State and ZIP Code
Wash., DC 20036

☐ Check if address is different than previously reported.

2. FEC Identification Number

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

(a) ☐ April 15 Quarterly Report
☒ July 15 Quarterly Report
☐ October 15 Quarterly Report
☐ January 31 Year End Report
☐ July 31 Mid Year Report (Non-election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (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		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>April 16 Through July 15</u>		
6. (a) Cash on Hand January 1, 1982			\$ 17,250.53
(b) Cash on Hand at Beginning of Reporting Period		\$ 17,721.31	
(c) Total Receipts (from Line 18)		\$ 269.00	\$ 1,269.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 17,990.31	\$ 18,519.53
7. Total Disbursements (from Line 28)		\$ 5048.53	\$ 5,577.75
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 12,941.78	\$ 12,941.78
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.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9640
Local 202-673-4088

Debra Fried
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date

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

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 3x (3-80)

8404047336595

REPORT OF RECEIPTS AND DISBURSEMENTS
For Political Committee Other Than an / orial Committee

ATTACHMENT 2d

(Summary Page)

1. Name of Committee (in Full) EnAct/PAC Environmental Action's Political Action Committee Address (Number and Street) 1346 Connecticut Ave., NW City, State and ZIP Code Washington, DC 20036 ☐ Check if address is different than previously reported. 2. FEC Identification Number C00041491 3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)	4. TYPE OF REPORT (check appropriate boxes) (a) ☐ April 15 Quarterly Report ☐ July 15 Quarterly Report ☐ October 15 Quarterly Report ☐ January 31 Year End Report ☐ July 31 Mid Year Report (Non-election Year Only) ☐ Monthly Report for _____ ☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ ☐ Thirtieth day report following the General Election on <u>Nov 2</u> in the State of <u>Nationwide</u> ☐ Termination Report (b) Is this Report an Amendment? ☐ YES ☐ NO
---	--

SUMMARY		
	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>Oct 16</u> Through <u>Dec 2, 1982</u>		
6. (a) Cash on Hand January 1, 1982		\$ 17,250.00
(b) Cash on Hand at Beginning of Reporting Period	\$ 26,609.82	
(c) Total Receipts (from Line 18)	\$ 3889.00	\$ 34,439.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$ 30,498.82	\$ 51,689.53
7. Total Disbursements (from Line 28)	\$ 15,636.75	\$ 36,827.46
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d)) ..	\$ 14,862.07	\$ 14,862.07
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.

For further information, contact:

Debra Fried

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4058

Type or Print Name of Treasurer

2 December 82

SIGNATURE OF TREASURER

Date

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

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 3X (3/80)

ALIGN AREA

Summary Form

ALIGN AREA

1. Name of Committee (in Full)

EnAct/PAC

Environmental Action's political
action committee

Address (Number and Street)

1346 Connecticut Ave., NW

City, State and ZIP Code

Washington, DC 20036

☐ Check here if address is different than previously reported.

2. FEC Identification Number

COC41491

2. ☐ This committee qualified as a multicandidate committee during
this Reporting Period on _____

3. TYPE OF REPORT (Check appropriate boxes)

☐ April 15 Quarterly Report ☐ December 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

election on _____

☐ Thirtieth day report

on _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES☐ NO

SUMMARY

5. Covering Period Dec 3, 1982 through Jan 31, 19836. (a) Cash on hand January 1, 19 82

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 12)

(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 28)

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)

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

Debra Fried

Signature of Treasurer

SIGNATURE OF TREASURER

31 Jan 83

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9630

Local 202-527-4088

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 USC § 437c.

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

FEC FORM 3X (3-80)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-2

14 December 1983

Richard Asinof, Treasurer
 Environmental Action's Political
 Action Committee
 1346 Connecticut Avenue, N.W.
 Suite 732
 Washington, DC 20036

Identification Number: C00041491

Reference: 1981-82 Election Cycle Reports

Dear Mr. Asinof:

This letter is prompted by the Commission's review of the reports filed by your committee for the 1981-82 election cycle. A review of the reports listed below indicates that your committee repeatedly failed to file reports in a timely manner. Timely filing is a specific requirement of the Federal Election Campaign Act and essential to fulfilling the public disclosure concept embodied in the law. The Commission views late filing as a serious violation of the Act.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Mid-Year (1/1/81-6/30/81)	7/31/81	8/10/81
Year End (7/1/81-12/31/81)	1/31/82	2/9/82
July Quarterly (4/1/82-6/30/82)	7/15/82	7/26/82
30 Day Post-General (10/1/82-11/22/82)	12/2/82	12/9/82
Year End (11/23/82-12/31/82)	1/31/83	3/10/83

This communication affords you the opportunity to present the reasons behind the late tenders noted above. Your response should be filed with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 within fifteen (15) days of the date of this letter. The Commission will consider your response to this notice before taking action in this matter. If you need assistance or have any questions regarding this matter, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 357-0026.

Sincerely,

Michael B. Filler
 Chief
 Party/Non-Party Branch
 Reports Analysis Division

34040472318

December 19, 1983

MEMORANDUM TO THE FILE

FROM : MICHAEL FILLER
COMMITTEE : ENVIRONMENTAL ACTION PAC
SUBJECT : CHRONIC LATE FILING

Mr. Richard Asinof, a representative of Environmental Action PAC, called regarding receipt of a chronic late filing notice. He inquired as to the reason for the notice, since the committee had filed its reports no later than a week after the due date. I informed him that the Commission had conducted a comprehensive review of reports filed during the 1982 election cycle, to determine which committees had continually submitted reports in an untimely manner. Mr. Asinof asked how the selection was made and the number of such notices sent. I responded that I could not divulge that information, since it was an internal policy manner.

Mr. Asinof also expressed concern over the sternness of the notice. I informed him that the Commission wished to emphasize the necessity of filing reports in a timely manner. In concluding the conversation, I instructed Mr. Asinof to respond in writing to the notice by addressing the reasons for late filing and any steps to be taken to ensure timely filing of future reports. He stated that a response would be submitted by the end of the week.

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Environmental action

Suite 731 1346 Connecticut Ave. NW Washington, DC 20036 (202) 833 1846

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ATTACHMENT 5
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December 22, 1983

Michael B. Filler
Chief, Party/Non-Party Branch
Reports Analysis Division
Federal Election Commission
Washington, DC 20463

Dear Mr. Filler:

This is in response to your letter of December 14, identification number C00041491, regarding filing of Environmental Action's political action committee reports.

We are sorry for our tardiness in filing the listed reports (all but one of which was filed within 7-10 days of the deadline). Environmental Action is a small organization with an overworked staff. Our political action coordinator during the time period in question was also responsible for work on clean air issues, and our bookkeeper for our magazine design/layout and direct mail programs. ¹ *up to bookkeeper*

I believe it is also relevant that our late filing was a result of overwork and time pressure, not by any intent to avoid full disclosure of contributor and expenditure information. I've noted with interest recent newspaper reports about large, well-funded PACs that have forced FEC staff to spend months pressuring them for complete election reports, particularly in the area of contributor names and addresses. It seems to me this is a much more serious violation of the FEC Act's concept of public disclosure.

In any event, these are explanations, not excuses. Your letter was useful in bringing this problem to our attention, and we will make every effort to assure timely filing of future reports.

Sincerely,

Richard Asinof

Richard Asinof
Treasurer, EnActPAC

63032901448

RAD REFERRALS TO OGC

RAD # 84NF-17

Description: Environmental Action's Political

Action Committee (Richard Asinof, Treas)

Date Received: March 5, 1984

Staff Person Assigned:

Paul Reyes

Due date:

3/9/84
3/10/84

Comments:

Pls. submit 12 days w/in 3 days
+ submit for circ w/in 10 days

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FEDERAL ELECTION COMMISSION

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

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8/22/81

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