



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3722

DATE FILMED 2/22/78 CAMERA NO. 1

CAMERAMAN E.E.S.

93040932384

REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: November 5, 1992

ANALYST: Kelly Huff

I. COMMITTEE: Phoenix Firefighters Local 493
Fire PAC Committee
(C00134676)
Brian Tobin, Treasurer
7228 North Dreamy Draw
Phoenix, AZ 85020

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

III. BACKGROUND:

Failure to Timely File the 1992 July Quarterly Report

The Phoenix Firefighters Local 493 Fire PAC Committee ("the Committee") failed to timely file the 1992 July Quarterly Report. On June 19, 1992, the Committee was notified that the 1992 July Quarterly Report was due on July 15, 1992 (Attachment 2). On August 6, 1992, a Non-Filer Notice was sent to the Committee for failure to file the 1992 July Quarterly Report (Attachment 3). On September 4, 1992, the treasurer of the Committee, Brian Tobin called and agreed that the report had been omitted. The analyst stressed that the Committee should file this outstanding report immediately. Mr. Tobin informed the analyst that he would file the report as soon as possible (Attachment 4). On September 11, 1992, the Committee submitted a complete 1992 July Quarterly Report (Attachment 5).

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FEDERAL ELECTION COMMISSION
1991-1992

DATE 4NOV92

COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	8 OF PAGES	MICROFILM LOCATION TYPE OF FILER
PHOENIX FIREFIGHTERS LOCAL 493 FIRE PAC COMMITTEE						
CONNECTED ORGANIZATION: FIRE FIGHTERS; INT'L ASS'N OF						
1991	APRIL QUARTERLY	-	-	1JAN91 -31MAR91	8	91FEC/694/4212
	MID-YEAR REPORT	-	-	1JAN91 -30JUN91	10	91FEC/702/3162
	PRE-SPECIAL	41,042	40,263	1JAN91 -24JUL91	11	91FEC/710/2819
	PRE-SPECIAL - AMENDMENT	-	-	1JAN91 -24JUL91	2	91FEC/721/1982
	PRE-SPECIAL - AMENDMENT	41,042	40,263	1JAN91 -24JUL91	11	92FEC/740/1079
	REQUEST FOR ADDITIONAL INFORMATION			1JAN91 -24JUL91	3	91FEC/713/3668
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN91 -24JUL91	4	91FEC/717/1960
	REQUEST FOR ADDITIONAL INFORMATION			1JAN91 -24JUL91	2	92FEC/737/3386
	PRE-RUN-OFF	12,128	1,400	25JUL91 - 4SEP91	8	91FEC/712/4416
	PRE-RUN-OFF - AMENDMENT	12,128	1,400	25JUL91 - 4SEP91	8	92FEC/740/1090
	REQUEST FOR ADDITIONAL INFORMATION			25JUL91 - 4SEP91	1	92FEC/737/3071
	POST-SPECIAL	6,064	3,990	5SEP91 -14OCT91	7	91FEC/717/0545
	POST-SPECIAL - AMENDMENT	6,064	3,990	5SEP91 -14OCT91	7	92FEC/740/1098
	REQUEST FOR ADDITIONAL INFORMATION			5SEP91 -14OCT91	1	92FEC/740/1262
	YEAR-END	12,146	15,082	15OCT91 -31DEC91	11	92FEC/725/2793
	YEAR-END - AMENDMENT	12,146	15,082	15OCT91 -31DEC91	11	92FEC/741/3271
	REQUEST FOR ADDITIONAL INFORMATION			15OCT91 -31DEC91	1	92FEC/737/3070
	REQUEST FOR ADDITIONAL INFORMATION 2ND			15OCT91 -31DEC91	2	92FEC/741/0510
1992	STATEMENT OF ORGANIZATION - AMENDMENT			15OCT92	1	92FEC/795/5456
	APRIL QUARTERLY	24,578	20,230	1JAN92 -31MAR92	13	92FEC/749/4557
	JULY QUARTERLY	18,486	14,234	1APR92 -30JUN92	7	92FEC/778/0827
	JULY QUARTERLY - AMENDMENT	18,486	15,234	1APR92 -30JUN92	7	92FEC/791/4940
	NOTICE OF FAILURE TO FILE			1APR92 -30JUN92	1	92FEC/772/3415
	OCTOBER QUARTERLY	18,480	14,589	1JUL92 -30SEP92	10	92FEC/791/4930
	PRE-GENERAL	0	4,970	1OCT92 -14OCT92	8	92FEC/791/4922
TOTAL		132,924	0 115,758 0	155 TOTAL PAGES		

ALL REPORTS HAVE BEEN REVIEWED EXCEPT THE 1992 AMENDED JULY QUARTERLY REPORT, THE OCTOBER QUARTERLY REPORT, AND THE 12 DAY PRE-GENERAL REPORT.

ENDING CASH-ON-HAND AS OF 10/14/92: \$17,832

OUTSTANDING DEBTS OWED TO/BY THE COMMITTEE AS OF 10/14/92: \$0

93040932386

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

June 19, 1992

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
July Quarterly	04/01/92 - 06/30/92	07/15/92	07/15/92

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in July.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See the January 1992 Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from quarterly to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

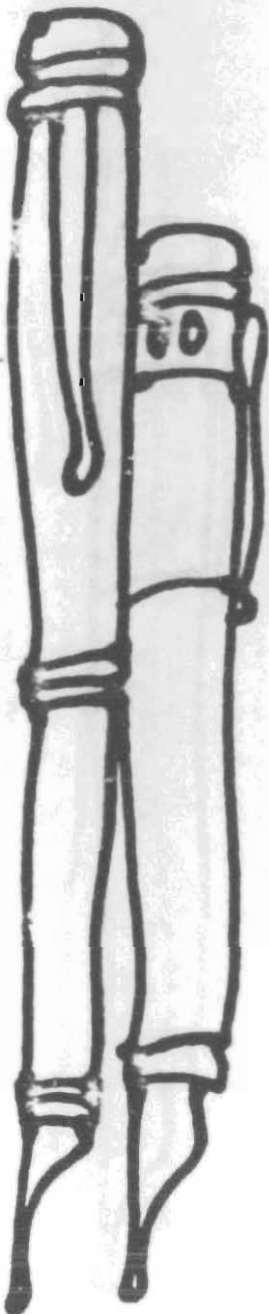
COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

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

FOR INFORMATION. Call: 800/424-9530 or 202/219-3470



93040932387



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-7

August 6, 1992

Brian Tobin, Treasurer
Phoenix Firefighters Local 493 Fire
PAC Committee
7228 N Dreamy Draw
Phoenix, AZ 85020

Identification Number: C00134676

Reference: July Quarterly Report (4/1/92-6/30/92)

Dear Mr. Tobin:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Kelly Huff on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

93040932388

ANALYST: Kelly Huff

CONVERSATION WITH: Brian Tobin

COMMITTEE: Phoenix Firefighters Local 493 Fire PAC Cmte

DATE: September 4, 1992

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Mr. Tobin returned my telephone call. I explained that the Firefighters July Quarterly Report needed to be filed as soon as possible. Mr. Tobin explained that they had fail to file a report because the bank had lost their records and they were having trouble gathering their information. I suggested he write to the Commission explaining his situation and provide us with a report with as much information they could gather. Mr. Tobin explained he would do that on Tuesday, September 8, 1992.

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)RECEIVED
FEDERAL ELECTION
COMMISSION
WASHINGTON, D.C.

SEP 11 12 23 PM '92

NAME OF COMMITTEE
C00134676
BRIAN T. JOBIN
PHOENIX FIREFIGHTERS LOCAL 693
FIRE PAC COMMITTEE
7228 N DREARY DR
PHOENIX AZ 85020

061092 P 241

FEC IDENTIFICATION NUMBER

C00134676

This committee qualified as a multicandidate
committee DURING THIS Reporting Period on
(Date)

4. TYPE OF REPORT

☐ April 15 Quarterly Report☒ July 15 Quarterly Report☐ October 15 Quarterly Report☐ January 31 Year End Report☐ July 31 Mid Year Report (Plan-election Year Only)☐ Termination Report

Monthly Report Due On:

☐ February 20	☐ June 20	☐ October 20
☐ March 20	☐ July 20	☐ November 20
☐ April 20	☐ August 20	☐ December 20
☐ May 20	☐ September 20	☐ January 31

☐ 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 _____

(a) Is this Report an Amendment?

☐ YES☒ NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5 Covering Period <u>4-1-92</u> through <u>6-30-92</u>		
6 (a) Cash on Hand January 1, 19 <u>92</u>		\$11313.85
(b) Cash on Hand at Beginning of Reporting Period	\$15660.92	
(c) Total Receipts (from Line 10)	\$18446.00	\$43064.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$34146.92	\$54377.35
7 Total Disbursements (from Line 30)	\$14234.70	\$34465.13
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$19912.22	\$19912.22
9 Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ 0	
10 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/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.

Type or Print Name of Treasurer

Signature of Treasurer

Brian P. Jobin


Date

9-4-92

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 9437g.

FEC FORM 3X

(Revised 1/1/91)

USE FEC MAILING LABEL
OR
TYPE ON FORM

92037760827

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

01/07/92 11:00

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral: #92NF-11
Staff Member: Tamara Kapper

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

RESPONDENTS: Phoenix Firefighters Local 493 Fire PAC Committee
and Michael Gibson, as treasurer

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

INTERNAL REPORTS CHECKED: Referral Material
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On November 5, 1992, the Office of the General Counsel received a referral from the Reports Analysis Division ("RAD"). Attachment 1. The basis for the attached referral is the failure of the Phoenix Firefighters Local 493 Fire PAC Committee and Michael Gibson, as treasurer ("FIREPAC"), to file timely its 1992 July Quarterly Report.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 2, this Office recommends the Commission find reason to believe FIREPAC violated 2 U.S.C. § 434(a)(4)(A)(i).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe Phoenix Firefighters Local 493 Fire PAC Committee and Michael Gibson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

November 27, 1992
Date

BY:

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Factual and Legal Analysis
3. Proposed Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Phoenix Firefighters Local 493
Fire PAC Committee and
Michael Gibson, as treasurer.

)
) RAD Referral #92NF-11
)
) (MUR 3722)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 3, 1992, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral #92NF-11:

1. Open a MUR.
2. Find reason to believe Phoenix Firefighters Local 493 Fire PAC Committee and Michael Gibson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and enter into conciliation prior to a finding of probable cause to believe.

(Continued)

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3. Approve the Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter, as recommended in the General Counsel's Report dated November 27, 1992.

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

Attest:

12-4-92
Date

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

Received in the Secretariat: Fri., Nov. 27, 1992 3:59 p.m.
Circulated to the Commission: Mon., Nov. 30, 1992 11:00 a.m.
Deadline for vote: Thurs., Dec. 3, 1992 4:00 p.m.

dr

93040932394



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 7, 1992

Michael Gibson, Treasurer
Phoenix Firefighters Local 493
Fire PAC Committee
7250 N. 16th Street, #402
Phoenix, AZ 85020

RE: MUR 3722
Phoenix Firefighters Local 493
Fire PAC Committee and Michael
Gibson, as treasurer

Dear Mr. Gibson:

On December 3, 1992, the Federal Election Commission found that there is reason to believe the Phoenix Firefighters Local 493 Fire PAC Committee (the "Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

93040932395

Michael Gibson
Page 2

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

93040932396

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Phoenix Firefighters
Local 493 Fire PAC
Committee and Michael Gibson,
as treasurer

MUR: 3722

SUMMARY OF ALLEGATIONS

It is alleged that the Phoenix Firefighters Local 493 Fire PAC Committee and Michael Gibson, as treasurer ("FIREPAC"), failed to file timely the 1992 July Quarterly Report in violation of 2 U.S.C. § 434(a)(4)(A)(i).

FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the "Act"), requires treasurers of political committees to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). In a calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of candidates that choose not to file on a monthly basis, shall file quarterly reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i).

FIREPAC is not an authorized committee of a candidate. FIREPAC is a political committee that has elected to file disclosure reports on a quarterly basis. In calendar year 1992 a regularly scheduled general election was held. FIREPAC was required to file quarterly reports no later than the 15th day

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after the last day of each calendar quarter. 2 U.S.C.
§ 434(a)(4)(A)(i). The due date for FIREPAC's 1992 July
Quarterly Report was July 15, 1992. Id.

FIREPAC was notified, in writing, on June 19, 1992 that its
1992 July Quarterly Report was due on July 15, 1992. The
Commission sent a Non-Filer Notice to FIREPAC on August 6, 1992
and informed it that the failure to file the report could result
in audit or legal enforcement action.

On September 11, 1992, FIREPAC filed its 1992 July
Quarterly Report, 58 days late, disclosing receipts totaling
\$18,486 and disbursements totaling \$14,234.70. Therefore, there
is reason to believe the Phoenix Firefighters Local 493 Fire PAC
Committee and Michael Gibson, as treasurer, violated 2 U.S.C.
§ 434(a)(4)(A)(i).

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 24, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Gibson, Treasurer
Phoenix Firefighters Local 493
Fire PAC Committee
7250 N. 16th Street, #402
Phoenix, AZ 85020

RE: MUR 3722
Phoenix Firefighters Local 493
Fire PAC Committee and Michael
Gibson, as treasurer

Dear Mr. Gibson:

On December 7, 1992, you were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact me at (202) 219-3690.

Sincerely,

A handwritten signature in cursive script, reading "Tamara Kapper", is written over a rectangular stamp area.

Tamara Kapper
Paralegal

93040932399

United Fire Fighters Association



7250 N. 16TH ST. • SUITE 402 • PHOENIX, AZ 85020 • (602) 997-1231 • FAX 944-1292



Phoenix LOCAL 493

December 29, 1992

Federal Election Commission
999 E. Street, N.W.
Washington D.C. 20463

MUR 3722

Dear Sirs,

We have agreed with the conciliation agreement and have enclosed a check for eight hundred and fifty dollars (\$850.00). However for the record please note that Mike Gibson was not the Treasurer at the time of the infraction.

Thank you for your assistance in this matter.

Sincerely

Mike Gibson, Treasurer
Phoenix Fire Fighters
Local 493
Fire PAC Committee

RECEIVED
FEDERAL ELECTION COMMISSION
JAN 5 6 PM 1:12

RECEIVED
FEDERAL ELECTION
COMMISSION
JAN 5 10 48 AM '93
MAIN COPY ROOM

PHOENIX FIREFIGHTERS LOCAL 493
FIRE PAC COMMITTEE

FEC NO. C00134676 SEC. OF STATE NO. 88-01460

7250 N. 16TH ST., NO. 402
PHOENIX, AZ 85020

1602

Dec. 29 1992 91-7279/3221
00

PAY TO THE ORDER OF Federal Election Commission

eight hundred & fifty dollars & No/100 1 \$ 850 00/100
DOLLARS

 Arizona Federal Credit Union
P.O. Box 11990, Phoenix, Arizona 85061

VOID AFTER 60 DAYS

FOR

#001602# 13221727971

#00006627671



21:114 9-61733

10422604036

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Phoenix Firefighters Local) MUR 3722
493 Fire PAC Committee and)
Michael Gibson, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Phoenix Firefighters Local 493 Fire PAC Committee and Michael Gibson, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(i).

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

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

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

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

93 JAN -6 PM 1:12

RECEIVED
FEDERAL ELECTION COMMISSION

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

1. The Phoenix Firefighters Local 493 Fire PAC Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is not an authorized committee of any candidate.

2. Michael Gibson is the treasurer of the Phoenix Firefighters Local 493 Fire PAC Committee.

3. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), in a calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate that choose not to file on a monthly basis, shall file quarterly reports no later than the 15th day after the last day of each calendar quarter.

4. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), Respondents' 1992 July Quarterly Report was due on July 15, 1992. Respondents filed the 1992 July Quarterly Report on September 11, 1992, 58 days late, disclosing receipts totaling \$18,486 and disbursements totaling \$14,234.70.

V. Respondents failed to file the 1992 July Quarterly Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of eight hundred fifty dollars (\$850), 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.

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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.

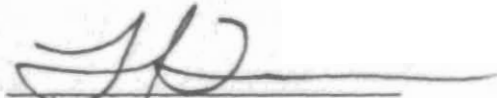
IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Date

1/28/93

FOR THE RESPONDENTS:


(Name)
(Position) Treasurer

Date

12-29-92

93040932404

BEFORE THE FEDERAL ELECTION COMMISSION 9 PM 1:20

In the Matter of)
) MUR 3722
Phoenix Firefighters Local)
493 Fire PAC Committee and)
Michael Gibson, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Michael Gibson, the treasurer of Phoenix Firefighters Local 493 Fire PAC Committee.

The attached agreement contains no changes from the agreement approved by the Commission on December 3, 1992. Along with the signed conciliation agreement, the Commission received a check in payment of the civil penalty.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Phoenix Firefighters Local 493 Fire PAC Committee and Michael Gibson, as treasurer.
2. Close the file in this matter.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

1/18/93
Date

BY:

[Signature]
Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Tamara Kapper

93040932405

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Phoenix Firefighters Local
493 Fire PAC Committee and
Michael Gibson, as treasurer.

)
)
) MUR 3722
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 25, 1993, the Commission decided by a vote of 6-0 to take the following actions in MUR 3722:

1. Accept the conciliation agreement with the Phoenix Firefighters Local 493 Fire PAC Committee and Michael Gibson, as treasurer, as recommended in the General Counsel's Report dated January 18, 1993.
2. Close the file in this matter.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated January 18, 1993.

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

Attest:

1-25-93
Date

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

Received in the Secretariat:
Circulated to the Commission:
Deadline for vote:

Tuesday, Jan. 19, 1993 1:20 p.m.
Tuesday, Jan. 19, 1993 4:00 p.m.
Monday, Jan. 25, 1993 4:00 p.m.

dr

93040932406



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 1, 1993

Michael Gibson, Treasurer
Phoenix Firefighters Local 493
Fire PAC Committee
7250 N. 16th Street, #402
Phoenix, AZ 85020

RE: MUR 3722
Phoenix Firefighters Local 493
Fire PAC Committee and Michael
Gibson, as treasurer

Dear Mr. Gibson:

On January 25, 1993, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you 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 ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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.

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CLOSED

Mr. Gibson
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 219-3690.

Sincerely,



Tamara K. Kapper
Paralegal

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3722

DATE FILMED 2/22/93 CAMERA NO. 1

CAMERAMAN E.E.S.

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