FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 2046

Date Filmed _____ Camera No. --- 2

Cameraman _____

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 12, 1986

Mark Begich
Begich for Congress Committee
P.O. Box 201627
Anchorage, Alaska 99520-1627

RE: MUR 2046
Begich for Congress Committee
Mark Begich, as treasurer

Dear Mr. Begich:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Michele Brown, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark Begich
Begich for Congress Committee
P.O. Box 201627
Anchorage, Alaska 99520-1627

RE: MUR 2046
Begich for Congress Committee
Mark Begich, as treasurer

Dear Mr. Begich:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Michele Brown, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

mb 5/6/86

BY: Kenneth A. Gross
Associate General Counsel

86040590410

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 12, 1986

Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Paul Begich

Dear Mr. Begich:

On May 5, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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. Please note you will be required to submit the $400 civil penalty within 90 days.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Paul Begich

Dear Mr. Begich:

On May 5, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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. Please note you will be required to submit the $400 civil penalty within 90 days.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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RECEIVED AT THE FEC
HAND DELIVERED
86 APR 24 P4:27
GCC#327

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Paul Begich	)	MUR 2046
	)	
	)	

86 APR 25 AM 10:31
RECEIVED
OFFICE OF
GENERAL COUNSEL

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 Paul Begich ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A).

NOW, THEREFORE, the Commission and Respondent, 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 Respondent, 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Begich for Congress Committee (the "Committee") is the principal campaign committee of Pegge Begich for the 1984 primary election.

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2. Respondent made a $5,500 loan to the candidate, which was turned over to the Committee on July 23, 1984. The loan was designated for the August 28, 1984, primary.

3. On January 14, 1985, Respondent was repaid $5,500 by the Committee.

V. Respondent violated 2 U.S.C. § 441a(a)(1)(A) by contributing $5,500 in excess of the contribution limitation with respect to the primary election campaign of Pegge Begich.

VI. Respondent will pay a civil penalty of Four Hundred Dollars ($400) to the United States Treasurer, pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

IX. Respondent shall have no more than ninety (90) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

May 7, 1986
Date

FOR THE RESPONDENT:

Paul Begich

4/21/86
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 12, 1986

Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Stephanie Begich

Dear Ms. Begich:

On May 5, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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. Please note you will be required to submit the $500 civil penalty within 90 days.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Stephanie Begich

Dear Ms. Begich:

On May 5, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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. Please note you will be required to submit the $500 civil penalty within 90 days.

Sincerely,

Charles N. Steele
General Counsel

nl 5/6/86

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Stephanie Begich	)	MUR 2046
	)	
	)	

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 Stephanie Begich ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A).

NOW, THEREFORE, the Commission and Respondent, 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 Respondent, 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Begich for Congress Committee (the "Committee") is the principal campaign committee of Pegge Begich for the 1984 primary election.

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2. Respondent made a $6,500 loan to the candidate which was turned over to the Committee on July 23, 1984. The loan was designated for the August 28, 1984 primary election.

3. By check dated January 14, 1985, Respondent was repaid $6,500 by the Committee.

V. Respondent violated 2 U.S.C. § 441a(a)(1)(A) by contributing $6,500 in excess of the contribution limitation with respect to the primary election campaign of Pegge Begich.

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

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

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

IX. Respondent shall have no more than ninety (90) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

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

May 7, 1986
Date

FOR THE RESPONDENT:

Stephanie Begich
Stephanie Begich

April 21, 1986
Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2046
Stephanie Begich	)	
Paul Begich	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 5, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 2046:

1. Accept the conciliation agreements, as recommended in the General Counsel's Report signed April 30, 1986.

2. Close the file.

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

Attest:

5-5-86
Date

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

Received in Office of Commission Secretary:	Wed.,	4-30-86,	2:29
Circulated on 48 hour tally basis:	Thurs.,	5-1-86,	11:00
Deadline for vote:	Mon.,	5-5-86,	11:00

86040590421

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel Rd

DATE: April 30, 1986

SUBJECT: MUR 2046 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of	)	
	)	
Stephanie Begich	)	MUR 2046
Paul Begich	)	

GENERAL COUNSEL'S REPORT

Background

Attached are conciliation agreements which have been signed by Stephanie Begich and Paul Begich.

The attached agreements contain no changes from the agreements approved by the Commision.

Recommendation

The Office of General Counsel recommends the acceptance of these agreements and the closing of the file.

Charles N. Steele
General Counsel

April 30, 1986
Date

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

Attachments
Conciliation Agreements - Two
Proposed Letters

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Stephanie Begich

Dear Ms. Begich:

On , 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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 2

7

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Paul Begich

Dear Mr. Begich:

On , 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), 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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark Begich
Begich for Congress Committee
P.O. Box 201627
Anchorage, Alaska 99520-1627

RE: MUR 2046
Begich for Congress Committee
Mark Begich, as treasurer

Dear Mr. Begich:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Michele Brown, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Begich for Congress Committee	)	MUR 2046
Mark Begich, as treasurer	)	
Stephanie Begich	)	
Paul Begich	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of March 4, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2046:

1. Accept the agreement signed by Mark Begich, as treasurer, on behalf of himself and the Begich for Congress Committee.

2. Close the file with respect to the Begich for Congress Committee and Mark Begich, as treasurer.

3.

4.

5. Approve and send the letter and conciliation agreement attached to the General Counsel's report dated February 19, 1986.

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

Attest:

3-4-86
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1986

Mark Begich
Begich for Congress Committee
P.O. Box 201627
Anchorage, Alaska 99520-1627

RE: MUR 2046
Begich for Congress Committee
Mark Begich, as treasurer

Dear Mr. Begich:

On March 4 , 1986, the Commission accepted the conciliation agreement signed by you and part of a civil penalty in partial settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Begich for Congress Committee and you, as treasurer, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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 within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. Please note you will be required to submit the $1,500 balance of the civil penalty within 90 days.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark Begich
Begich for Congress Committee
P.O. Box 201627
Anchorage, Alaska 99520-1627

RE: MUR 2046
Begich for Congress Committee
Mark Begich, as treasurer

Dear Mr. Begich:

On , 1986, the Commission accepted the conciliation agreement signed by you and part of a civil penalty in partial settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Begich for Congress Committee and you, as treasurer, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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 within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files. Please note you will be required to submit the $1,500 balance of the civil penalty within 90 days.

Sincerely,

Charles N. Steele
General Counsel

mb 3/6/86

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Begich for Congress	)	MUR 2046
Committee and	)	
Mark Begich, as treasurer	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Begich for Congress Committee and Mark Begich, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f).

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

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

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

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

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

1. Begich for Congress Committee (the "Committee") is the principal campaign committee of Pegge Begich for the 1984 primary election.

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2. Mark Begich is the treasurer of Begich for Congress Committee.

3. The Committee reported the receipt of a $3,000 contribution from Alaska Political Action Committee ("Alaska PAC"), an unregistered committee, on March 9, 1984. The contribution was designated for the primary election, held August 28, 1984.

4. Begich for Congress Committee reported the receipt of a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate contributions of $310 from Ms. Ritchie, all designated for the primary election.

5. Begich for Congress Committee reported the receipt of $1,100 in aggregate contributions from John Alderson for the primary election.

6. On July 23, 1984, Begich for Congress Committee reported the receipt of a $6,500 loan from the candidate on July 23, 1984. The funds were loaned to the candidate by Stephanie Begich and designated for the primary election.

7. On July 23, 1984, Begich for Congress Committee reported the receipt of a $5,500 loan from the candidate on July 23, 1984. The funds were loaned to the candidate by Paul Begich and designated for the primary election.

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8. On June 23, 1984, a $2,000 refund was sent to Alaska PAC by Begich for Congress Committee.

9. On August 6, 1984, Begich for Congress Committee repaid a $1,000 loan to Margaret Ritchie.

10. On August 6, 1984, Begich for Congress Committee sent a $100 refund to John Alderson.

11. By check dated January 14, 1985, Begich for Congress Committee repaid Stephanie Begich $6,500.

12. By check dated January 14, 1985, Begich for Congress Committee repaid Paul Begich $5,500.

V. Respondents violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Alaska PAC, Margaret Ritchie, John Alderson, Stephanie Begich and Paul Begich.

VI. Respondents will pay a civil penalty of Two Thousand Dollars to the United States Treasurer, 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

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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 ninety (90) 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, that is not contained in this agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

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

March 5, 1986
Date

FOR THE RESPONDENTS:

Mark Begich
Mark Begich, Treasurer
Begich for Congress Committee

12/06/85
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ ARNITA D. HESSION a.H.

DATE: FEBRUARY 24, 1986

SUBJECT: MUR 2046 - General Counsel's Report Signed February 19, 1986

The above-named document was circulated to the Commission on Thursday, February 20, 1986, 11:00.

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

Commissioner Aikens	
Commissioner Elliott	
Commissioner Harris	
Commissioner Josefiak	
Commissioner McDonald	X
Commissioner McGarry	

This matter will be placed on the Executive Session agenda for March 4, 1986.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel RD

DATE: February 20, 1986

SUBJECT: MUR 2046 - 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	[XX]	Compliance	[XX]
Sensitive	[XX]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING

DATE: JANUARY 16,1986

SUBJECT: OBJECTION - MUR 2046 - General Counsel's Report Signed January 13, 1986

The above-named document was circulated to the Commission on Wednesday, January 15, 1986, 11:00 A.M.

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

Commissioner Aikens	
Commissioner Elliott	
Commissioner Harris	X
Commissioner Josefiak	
Commissioner McDonald	X
Commissioner McGarry	

This matter will be placed on the Executive Session agenda for Wednesday, January 22, 1986.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING CAF

DATE: JANUARY 15, 1986

SUBJECT: OBJECTION MUR 2046 - General Counsel's Report Signed January 10, 1986

The above-named document was circulated to the Commission on Monday, January 13, 1986, 11:00 A.M.

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

Commissioner Aikens	X
Commissioner Elliott	
Commissioner Harris	
Commissioner Josefiak	
Commissioner McDonald	
Commissioner McGarry	

This matter will be placed on the Executive Session agenda for Wednesday, January 22, 1986.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING

DATE: JANUARY 14, 1986

SUBJECT: OBJECTION - MUR 2046 - General Counsel's Report Signed January 10, 1986

The above-named document was circulated to the Commission on Monday, January 13, 1986, 11:00 A.M.

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

Commissioner Aikens _____

Commissioner Elliott X

Commissioner Harris _____

Commissioner Josefiak _____

Commissioner McDonald _____

Commissioner McGarry _____

This matter will be placed on the Executive Session agenda for Wednesday, January 22, 1986.

86040590438

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: CHARLES STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING

DATE: NOVEMBER 7, 1985

SUBJECT: MUR 2046 - COMPREHENSIVE INVESTIGATIVE REPORT

The above-captioned matter was circulated by the Commission Secretary's Office to the Commissioners on Wednesday, November 6, 1985, 11:00.

There were no objections received in the Office of the Secretary of the Commission to the above-captioned matter at the time of the deadline.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 3, 1985

Mr. Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Paul Begich

Dear Mr. Begich:

On July 1, 1985, you were notified that the Commission found reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached questions which ask you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to these questions. However, it is required that you submit the information within ten days of your receipt of this letter.

If you have any questions, please direct them to Michele D. Brown, the staff member handling this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Questions

8 5 0 4 0 3 9 0 4 4 0

Interrogatories and Request for Production of Documents
for Paul Begich

I. Please answer the following interrogatories:

A. Reports filed with the Federal Election Commission indicate that you made a loan of $5,500 to your mother, Margaret J. Begich, a candidate for the House of Representatives, on July 23, 1984. The term "loan" includes a guarantee, endorsement, and any other form of security. 11 C.F.R. 100.7(a)(1)(i).

1. Please state whether you made a loan of $5,500 to Margaret J. Begich.

2. If you did make this loan, please state:

a. Whether you made the loan at someone's suggestion.

i. If so, please state at whose suggestion you made the loan.

b. What your age was at the time you made the loan.

c. Whether you were employed at the time.

i. If so, please state your place of employment, length of employment and job title.

ii. If not, please state whether you were a student at the time you made the loan, the name and location of the school you were attending, your grade level, and dates of your attendance.

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d. Whether you received any financial assistance from your family at the time you made the loan.

i. If so, please state from whom, the relationship to you, and the type of assistance (for example, room and board, tuition payment, etc.)

e. Whether you had an independent source of income at the time you made the loan and what the source of the income was.

f. Whether you resided with any members of your family at the time you made the loan.

i. If so, please state their names, relationship to you, and the dates of residence.

II. Please provide a copy of any checks, front and back sides, used to make any loan to Margaret J. Begich.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 4, 1985

Ms. Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99501

RE: MUR 2046
Stephanie Begich

Dear Ms. Begich:

On July 1, 1985, you were notified that the Commission found reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached questions which ask you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to these questions. However, it is required that you submit the information within ten days of your receipt of this letter.

If you have any questions, please direct them to Michele D. Brown, the staff member handling this matter, at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Questions

8604 059 0443

Interrogatories and Request for Production of Documents
for Stephanie Begich

I. Please answer the following interrogatories:

A. Reports filed with the Federal Election Commission indicate that you made a loan of $6,500 to your mother, Margaret J. Begich, a candidate for the House of Representatives, on July 23, 1984. The term "loan" includes a guarantee, endorsement, and any other form of security. 11 C.F.R. 100.7(a)(1)(i).

1. Please state whether you made a loan of $6,500 to Margaret J. Begich.

2. If you did make this loan, please state:

a. Whether you made the loan at someone's suggestion.

i. If so, please state at whose suggestion you made the loan.

b. What your age was at the time you made the loan.

c. Whether you were employed at the time.

i. If so, please state your place of employment, length of employment and job title.

ii. If not, please state whether you were a student at the time you made the loan, and include the name and location of the school you were attending, your grade level, and dates of your attendance.

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d. Whether you received any financial assistance from your family at the time you made the loan.

i. If so, please state from whom, the relationship to you, and the type of assistance (for example, room and board, tuition payment, etc.)

e. Whether you had an independent source of income at the time you made the loan and what the source of the income was.

f. Whether you resided with any members of your family at the time you made the loan.

i. If so, please state their names, relationship to you, and the dates of residence.

II. Please provide a copy of any checks, front and back sides, used to make any loan to Margaret J. Begich.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: August 15, 1985

SUBJECT: MUR 2046 - 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]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
85 AUG 15 P2:50

In the Matter of	)	
	)	
Begich for Congress Committee;	)	MUR 2046
Mark Begich, as treasurer;	)	
Stephanie Begich; Paul Begich	)	
	)	
	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 24, 1985, the Commission found reason to believe that Begich for Congress Committee (the "Committee") and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f), and that Stephanie Begich and Paul Begich violated 2 U.S.C. § 441a(a)(1)(A). Subsequent to the Commission's findings, the Committee, Mark Begich, as treasurer, Stephanie Begich and Paul Begich requested to settle this matter through conciliation prior to a finding of probable cause to believe. Attachments No. 1, 2 and 3.

II. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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II. RECOMMENDATIONS

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4. Approve the attached letters.

Charles N. Steele
General Counsel

August 14, 1985
Date

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

Attachments
1. Letter from Stephanie Begich
2. Letter from Paul Begich
3. Letter from Mark Begich
4.
5. Proposed Letters (3)

8 5 0 4 0 5 9 0 4 4 9

RECEIVED AT THE FEC
SCC#P046
85 JUL 18 P12:42
Groso/Cullina

Stephanie Begich
1812 Parkside Dr.
Anchorage, Alaska 99508
(907) 274-6075

85 JUL 18 P2:54

Federal Elections Commission
Washington D.C. 20463

RE: MUR 2046

Atten: Joan D. Aikens

Dear Ms. Aikens;

I am in receipt of your letter dated July 1, 1985 in regards to my possible violation of the federal Election Campaign Act. I hope that the following explanation will explain the loan in question.

Let me give you some history on this money and where it came from. The money originally was a life insurance benefit of my fathers who died in 1972. This money over the past 13 years has been loaned back and forth between my mother and I for various purposes, this has been a long standing practice between us.

About this time last year my mother asked if she could borrow the money again, which I agreed to loan her. Not knowing the ins and outs of federal election law I thought this was ok to do as we had loaned this money back and forth for years. After my brother, the treasurer for the Begich For Congress Committee was notified by the elections commission that this may not be legal he issued a check back to me in January of this year.

As you can see by the explanation I did not knowingly violate the election laws and once we were aware of this we corrected the problem.

I hope this brief but to the point explanation of the source of the money and the use of it over the past several years clarifies how this possible violation came about.

I am anxious to clarify this issues as soon as possible and I am not sure if this is the time to request pre-probable cause conciliation or if it is appropriate. Could you please let me know and if there is anything I can do or any additional information that you may need please let me know.

Sincerely,

Stephanie Begich 1/14/85

Stephanie Begich

Attachment #1

8 5 0 4 0 7 9 0 4 5 0

RECEIVED AT THE FEC
BCC#8054
85 JUL 19 A8:42
Gross/Collins

Paul Begich
1812 Parkside Dr.
Anchorage, Alaska 99508
(907) 274-6075

Federal Elections Commission
Washington D.C. 20463

85 JUL 19 A11:09

RE: MUR 2046

Atten: Joan D. Aikens

Dear Ms. Aikens;

I am in receipt of your letter dated July 1, 1985 in regards to my possible violation of the federal Election Campaign Act. I hope that the following explanation will explain the loan in question.

Let me give you some history on this money and where it came from. The money originally was a life insurance benefit of my fathers who died in 1972. This money over the past 13 years has been loaned back and forth between my mother and I for various purposes, this has been a long standing practice between us.

About this time last year my mother asked if she could borrow the money again, just as she did with my sister Stephanie, which I agreed to loan her. Not knowing the ins and outs of federal election law I thought this was ok to do as we had loaned this money back and forth for years. After my brother, the treasurer for the Begich For Congress Committee was notified by the elections commission that this may not be legal he issued a check back to me in January of this year.

As you can see by the explanation I did not knowingly violate the election laws and once we were aware of this we corrected the problem.

I hope this brief but to the point explanation of the source of the money and the use of it over the past several years clarifies how this possible violation came about.

I am anxious to clarify this issues as soon as possible and I am not sure if this is the time to request pre-probable cause conciliation or if it is appropriate. Could you please let me know and if there is anything I can do or any additional information that you may need please let me know.

Sincerely,

Paul Begich by Margaret J. Begich (Mother)

Paul Begich

1/15/85

Attachment #2

Paul is a minor and at present is out of state and will not

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GCC#8053
85 JUL 19 A8:43
Gross/Cile

Mark Begich
5232 East 24th., Ave.
Anchorage, Alaska 99508
(907) 333-6898

July 14, 1985

Federal Elections Commission
Washington D.C., 20463

RE: MUR 2046

Atten: Joan D. Aikens

85 JUL 19 A11:00

Dear Ms. Aikens;

I am in receipt of your letter dated July 1, 1985 in regards to the possible violations of 2 U.S.C. 441 a (f), accepting excessive contributions. After reading the General Counsel's factual and legal analysis I have attempted to answer the concerns that you have brought up.

The first item, the $3,000 we received from the Alaska PAC on March 9, 1984. At that time the person who was doing the books did not realize that this was not a federal PAC, (just a note the Alaska PAC did not know they could not give to us until they were notified by the FEC or someone else) and could not accept the contribution. By this time the contribution had already been accepted and we indicated on our 1/16//84 - 3/30/84 report we filed with your office that we intended to pay it back, which we have.

The second item was the two loans received from Paul and Stephanie Begich in July of 1984. The loans were given to Margaret J. Begich and then she in turn loaned the money to the committee. At the time the loans were made we did not know that children could not loan the money to their mother and be the guarantors on the loan. The children for the last several years have loaned this money back and forth between each other as normal practice. Our intent was in no way was a method to by pass the law that prohibits contributions in excess of $1000.00 per election.

Once I was notified that this was illegal I issued a check as soon as was able to for the amounts that were in question.

The third item was the loan that Margaret Ritchie gave to the committee. This loan was given through our Juneau, Alaska office with out my knowledge to purchase t-shirts for a fundraising effort. Once I was told that this was done I asked Margaret Ritchie how she wanted this amount of money treated as a contribution or as a loan. She had indicated that this should be a loan. So on the committees 4/1/84 - 6/30/84 report we had

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Attachment #3

indicated so.

A few weeks later I was notified by the Federal Elections Commission that her loan of $1,000 was counted as a contribution and this combined with the previous contributions put her over the allowable amount for each election and that we were to refund the excess. As indicated on our 7/1/84 - 8/8/84 reports we did so by giving her the t-shirts back that she purchased.

On the last item, the contribution by John Alderson. Even though the commission sent no notice of the excess contribution this was picked up by our own auditing of the books , as I had mention earlier the books were being done by someone else early in the campaign. Also there was an error on the 7/1/84 - 8/8/84 report which indicated John Alderson gave a $400.00 contribution actually it should have read $300.00 to make the aggregate a total of $1,100.00 before the refund. I will amend the report to show the correct amount.

I hope the above explanations gives an understanding how each of the possible violations came about. As this was my first time being a treasurer for a federal elections and there was many new laws that I had to learn in a very short time which lead to the mistakes that have been indicated.

I am not sure if this is the time to request a pre-probable cause or if it is appropriate to do so at this time. But I would like to settle this as soon as possible as I wish to correct any possible wrong doing that may have occurred. I hope it is clear that I had no intent to by pass any law or break any law and that these mistakes were just a lack of understanding of the federal election laws on my part.

As I had mentioned I would like to clear up this matter as soon as possible and if there is any thing that I could do please let me know.

Sincerely,

Mark Begich
Treasurer
Begich For Congress Committee

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Attachment #3a

RECEIVED AT THE FEC
GCC#8046
85 JUL 18 P12:42

Stephanie Begich
1812 Parkside Dr.
Anchorage, Alaska 99508
(907) 274-6075

JUL 18 P2:54

Federal Elections Commission
Washington D.C. 20463

RE: MUR 2046

Atten: Joan D. Aikens

Dear Ms. Aikens;

I am in receipt of your letter dated July 1, 1985 in regards to my possible violation of the federal Election Campaign Act. I hope that the following explanation will explain the loan in question.

Let me give you some history on this money and where it came from. The money originally was a life insurance benefit of my fathers who died in 1972. This money over the past 13 years has been loaned back and forth between my mother and I for various purposes, this has been a long standing practice between us.

About this time last year my mother asked if she could borrow the money again, which I agreed to loan her. Not knowing the ins and outs of federal election law I thought this was ok to do as we had loaned this money back and forth for years. After my brother, the treasurer for the Begich For Congress Committee was notified by the elections commission that this may not be legal he issued a check back to me in January of this year.

As you can see by the explanation I did not knowingly violate the election laws and once we were aware of this we corrected the problem.

I hope this brief but to the point explanation of the source of the money and the use of it over the past several years clarifies how this possible violation came about.

I am anxious to clarify this issues as soon as possible and I am not sure if this is the time to request pre-probable cause conciliation or if it is appropriate. Could you please let me know and if there is anything I can do or any additional information that you may need please let me know.

Sincerely,

Stephanie Begich 11/14/85

Stephanie Begich

8 5 0 4 0 7 9 0 4 5 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1985

Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR 2046

Dear Ms. Begich:

On June 24, 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

8604059045

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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

8604059045 6

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENT Stephanie Begich

SUMMARY OF ALLEGATIONS

It is alleged that Stephanie Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

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If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 12 Day Pre-Primary Report, the Committee reported receiving a loan on July 23, 1984, from the candidate, Peggy Begich, for $6,500. According to the report, the loan was guaranteed by Stephanie Begich. The loan was for the primary election.

On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Stephanie Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Stephenie Begich violated 2 U.S.C. § 441a(a)(1)(A).

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

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

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

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

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If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

9 5 0 4 0 7 9 0 4 5 0

Federal Election Commission
Washington DC
20463

Attn: Joyce Cullinan
or
Joan D Aikens

85 JUL 18 P12:41

RECEIVED AT THE FEC
BCC#8054
85 JUL 19 A8:42

Paul Begich
1812 Parkside Dr.
Anchorage, Alaska 99508
(907) 274-6075

Federal Elections Commission
Washington D.C. 20463

85 JUL 19 A11:09

RE: MUR 2046

Atten: Joan D. Aikens

Dear Ms. Aikens;

I am in receipt of your letter dated July 1, 1985 in regards to my possible violation of the federal Election Campaign Act. I hope that the following explanation will explain the loan in question.

Let me give you some history on this money and where it came from. The money originally was a life insurance benefit of my fathers who died in 1972. This money over the past 13 years has been loaned back and forth between my mother and I for various purposes, this has been a long standing practice between us.

About this time last year my mother asked if she could borrow the money again, just as she did with my sister Stephanie, which I agreed to loan her. Not knowing the ins and outs of federal election law I thought this was ok to do as we had loaned this money back and forth for years. After my brother, the treasurer for the Begich For Congress Committee was notified by the elections commission that this may not be legal he issued a check back to me in January of this year.

As you can see by the explanation I did not knowingly violate the election laws and once we were aware of this we corrected the problem.

I hope this brief but to the point explanation of the source of the money and the use of it over the past several years clarifies how this possible violation came about.

I am anxious to clarify this issues as soon as possible and I am not sure if this is the time to request pre-probable cause conciliation or if it is appropriate. Could you please let me know and if there is anything I can do or any additional information that you may need please let me know.

Sincerely,

Paul Begich by Margaret J Begich (Mother)

Paul Begich

1/15/85

PAUL IS A MINOR AND AT PRESENT IS OUT OF STATE AND WILL NOT RETURN IN TIME TO MEET YOUR DEADLINE.

85040590462

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1985

Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR 2046

Dear Mr. Begich:

On June 24, 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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

85040590464

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENT Paul Begich

SUMMARY OF ALLEGATIONS

It is alleged that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

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If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 12 Day Pre-Primary Report, the Committee reported receiving a loan on July 23, 1984, from the candidate, Peggy Begich, for $5,500. According to the report, the loan was guaranteed by Paul Begich. The loan was for the primary election.

On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Paul Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $5,500 to Paul Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A).

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

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

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

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

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If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

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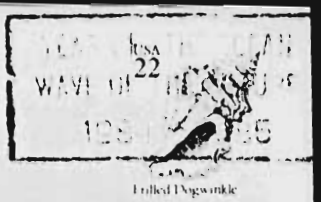

Federal Elections Commission
Washington DC 20463

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Mark Begich
5232 East 24th., Ave.
Anchorage, Alaska 99508
(907) 333-6898

July 14, 1985

Federal Elections Commission
Washington D.C., 20463

RE: MUR 2046

Atten: Joan D. Aikens

Dear Ms. Aikens;

I am in receipt of your letter dated July 1, 1985 in regards to the possible violations of 2 U.S.C. 441 a (f), accepting excessive contributions. After reading the General Counsel's factual and legal analysis I have attempted to answer the concerns that you have brought up.

The first item, the $3,000 we received from the Alaska PAC on March 9, 1984. At that time the person who was doing the books did not realize that this was not a federal PAC, (just a note the Alaska PAC did not know they could not give to us until they were notified by the FEC or someone else) and could not accept the contribution. By this time the contribution had already been accepted and we indicated on our 1/16//84 - 3/30/84 report we filed with your office that we intended to pay it back, which we have.

The second item was the two loans received from Paul and Stephanie Begich in July of 1984. The loans were given to Margaret J. Begich and then she in turn loaned the money to the committee. At the time the loans were made we did not know that children could not loan the money to their mother and be the guarantors on the loan. The children for the last several years have loaned this money back and forth between each other as normal practice. Our intent was in no way was a method to by pass the law that prohibits contributions in excess of $1000.00 per election.

Once I was notified that this was illegal I issued a check as soon as was able to for the amounts that were in question.

The third item was the loan that Margaret Ritchie gave to the committee. This loan was given through our Juneau, Alaska office with out my knowledge to purchase t-shirts for a fundraising effort. Once I was told that this was done I asked Margaret Ritchie how she wanted this amount of money treated as a contribution or as a loan. She had indicated that this should be a loan. So on the committees 4/1/84 - 6/30/84 report we had

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indicated so.

A few weeks later I was notified by the Federal Elections Commission that her loan of $1,000 was counted as a contribution and this combined with the previous contributions put her over the allowable amount for each election and that we were to refund the excess. As indicated on our 7/1/84 - 8/8/84 reports we did so by giving her the t-shirts back that she purchased.

On the last item, the contribution by John Alderson. Even though the commission sent no notice of the excess contribution this was picked up by our own auditing of the books , as I had mention earlier the books were being done by someone else early in the campaign. Also there was an error on the 7/1/84 - 8/8/84 report which indicated John Alderson gave a $400.00 contribution actually it should have read $300.00 to make the aggregate a total of $1,100.00 before the refund. I will amend the report to show the correct amount.

I hope the above explanations gives an understanding how each of the possible violations came about. As this was my first time being a treasurer for a federal elections and there was many new laws that I had to learn in a very short time which lead to the mistakes that have been indicated.

I am not sure if this is the time to request a pre-probable cause or if it is appropriate to do so at this time. But I would like to settle this as soon as possible as I wish to correct any possible wrong doing that may have occurred. I hope it is clear that I had no intent to by pass any law or break any law and that these mistakes were just a lack of understanding of the federal election laws on my part.

As I had mentioned I would like to clear up this matter as soon as possible and if there is any thing that I could do please let me know.

Sincerely,

Mark Begich
Treasurer
Begich For Congress Committee

86040590471

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

July 1, 1985

Mark Begich, Treasurer
Begich for Congress Committee
5232 East 24th Avenue, #D
Anchorage, Alaska 99508

RE: MUR 2046

Dear Mr. Begich:

On June 24, 1985, the Federal Election Commission determined that there is reason to believe the Begich for Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENTS Begich for Congress Committee
Mark Begich, as treasurer

SUMMARY OF ALLEGATIONS

It is alleged that the Begich for Congress Committee (the "Committee") and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from the Alaska Women's Political Caucus PAC ("Alaska PAC"), Margaret Ritchie, John Alderson, Stephanie Begich and Paul Begich.

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Under 2 U.S.C. § 441a(f), a political committee is prohibited from knowingly accepting a contribution in violation of the provisions of section 441a. It is the Commission's interpretation that a contribution is "knowingly" accepted if the recipient knew that it received the contributions at issue. It is not necessary to a finding of knowing acceptance to show the recipient knew the contributions were prohibited in violation of the law.

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Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 1984 April Quarterly Report, the Committee reported the receipt of a $3,000 contribution, on March 9, 1984, from Alaska PAC, an unregistered committee. The contribution was designated for the primary election, held August 28, 1984. In its report, the Committee noted that the contribution was excessive and that a refund of the amount in excess would be made. On June 13, 1984, a Request for Additional Information ("RFAI") was sent to the Committee regarding this excessive contribution. As no response was received, a Second Notice was sent to the Committee. In response, the Committee filed an amended report showing that a $2,000 refund had been made to Alaska PAC on June 23, 1984.

On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate

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contributions of $310 from Ms. Ritchie, all for the primary election. On August 14, 1984, an RFAI was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson, bringing his total to $1,100 in aggregate contributions for the primary election.*/ However, on that same report the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984. No notice was sent by RAD regarding this excessive contribution.

On its 12 Day Pre-Primary Amended Report, the Committee reported receiving two loans on July 23, 1984, from the candidate, Peggy Begich, one for $6,500, which was guaranteed by Stephanie Begich, and the second for $5,500, which was guaranteed by Paul Begich. Both loans were for the primary election. An RFAI was sent by RAD on December 11, 1984, and, as no response was received, a Second Notice was sent January 3, 1985. On January 11, 1985, a RAD analyst spoke with the treasurer, Mark Begich, who explained that the sources of both loans were Stephanie and Paul Begich, who had loaned the candidate the funds

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*/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

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after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich and $5,500 to Paul Begich.

In light of the above facts, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Begich for Congress Committee and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f).

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

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

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

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

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If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

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Frilled Dogwinkle

1985

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

gc 6/27/85

Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR

Dear Mr. Begich:

On June , 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

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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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Paul Begich

SUMMARY OF ALLEGATIONS

It is alleged that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

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On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Paul Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $5,500 to Paul Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1985

Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR 2046

Dear Mr. Begich:

On June 24, 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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Designation of Counsel Statement

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENT Paul Begich

SUMMARY OF ALLEGATIONS

It is alleged that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

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If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 12 Day Pre-Primary Report, the Committee reported receiving a loan on July 23, 1984, from the candidate, Peggy Begich, for $5,500. According to the report, the loan was guaranteed by Paul Begich. The loan was for the primary election.

On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Paul Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $5,500 to Paul Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A).

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

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

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

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

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If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

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STATEMENT OF DESIGNATION OF COUNSEL

MUR _____

NAME OF COUNSEL: _____

ADDRESS: _____

_____

_____

TELEPHONE: _____

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

_____ _____

Date Signature

RESPONDENT'S NAME: _____

ADDRESS: _____

_____

_____

HOME PHONE: _____

BUSINESS PHONE: _____

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1985

Margaret Ritchie
800 F. Street
Suite C-2
Juneau, Alaska 99801

RE: MUR 2046

Dear Ms. Ritchie:

On June 24, 1985, the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and close its file. The General Counsel's Factual and Legal analysis which formed a basis for the Commission's finding is attached for your information.

The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of an excessive contribution nevertheless appears to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENT Margaret Ritchie

SUMMARY OF ALLEGATIONS

It is alleged that Margaret Ritchie violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution.

On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate contributions of $310 from Ms. Ritchie, all for the primary

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election. On August 14, 1984, a Request for Additional Information was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

In light of the above facts, the Office of the General Counsel recommends that the Commission find reason to believe that Margaret Ritchie violated a2 U.S.C. § 441a(a)(1)(A). However, in light of the low excessive amount, it is also recommended that no further action be taken against Ms. Ritchie.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1985

Mark Begich, Treasurer
Begich for Congress Committee
5232 East 24th Avenue, #D
Anchorage, Alaska 99508

RE: MUR 2046

Dear Mr. Begich:

On June 24, 1985, the Federal Election Commission determined that there is reason to believe the Begich for Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENTS Begich for Congress Committee
Mark Begich, as treasurer

SUMMARY OF ALLEGATIONS

It is alleged that the Begich for Congress Committee (the "Committee") and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from the Alaska Women's Political Caucus PAC ("Alaska PAC"), Margaret Ritchie, John Alderson, Stephanie Begich and Paul Begich.

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Under 2 U.S.C. § 441a(f), a political committee is prohibited from knowingly accepting a contribution in violation of the provisions of section 441a. It is the Commission's interpretation that a contribution is "knowingly" accepted if the recipient knew that it received the contributions at issue. It is not necessary to a finding of knowing acceptance to show the recipient knew the contributions were prohibited in violation of the law.

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Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 1984 April Quarterly Report, the Committee reported the receipt of a $3,000 contribution, on March 9, 1984, from Alaska PAC, an unregistered committee. The contribution was designated for the primary election, held August 28, 1984. In its report, the Committee noted that the contribution was excessive and that a refund of the amount in excess would be made. On June 13, 1984, a Request for Additional Information ("RFAI") was sent to the Committee regarding this excessive contribution. As no response was received, a Second Notice was sent to the Committee. In response, the Committee filed an amended report showing that a $2,000 refund had been made to Alaska PAC on June 23, 1984.

On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate

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contributions of $310 from Ms. Ritchie, all for the primary election. On August 14, 1984, an RFAI was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson, bringing his total to $1,100 in aggregate contributions for the primary election.*/ However, on that same report the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984. No notice was sent by RAD regarding this excessive contribution.

On its 12 Day Pre-Primary Amended Report, the Committee reported receiving two loans on July 23, 1984, from the candidate, Peggy Begich, one for $6,500, which was guaranteed by Stephanie Begich, and the second for $5,500, which was guaranteed by Paul Begich. Both loans were for the primary election. An RFAI was sent by RAD on December 11, 1984, and, as no response was received, a Second Notice was sent January 3, 1985. On January 11, 1985, a RAD analyst spoke with the treasurer, Mark Begich, who explained that the sources of both loans were Stephanie and Paul Begich, who had loaned the candidate the funds

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*/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

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after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich and $5,500 to Paul Begich.

In light of the above facts, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Begich for Congress Committee and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f).

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

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

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

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

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If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

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STATEMENT OF DESIGNATION OF COUNSEL

MUR _____

NAME OF COUNSEL: _____

ADDRESS: _____

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TELEPHONE: _____

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

_____ _____

Date Signature

RESPONDENT'S NAME: _____

ADDRESS: _____

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HOME PHONE: _____

BUSINESS PHONE: _____

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JC 6/27/85

John Alderson
P.O. Box 103361
Anchorage, Alaska 99510

RE: MUR ____

Dear Mr. Alderson:

On June , 1985, the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and close its file. The General Counsel's Factual and Legal analysis which formed a basis for the Commission's finding is attached for your information.

The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of an excessive contribution nevertheless appears to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT John Alderson

SUMMARY OF ALLEGATIONS

It is alleged that John Alderson violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson on July 6, 1984, for the primary election. The Committee also reported that Mr. Alderson's aggregate total contributions for the primary election amounted to $1,100.*/ On that same report, the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984.

In light of the above facts, the Office of the General Counsel recommends that the Commission find reason to believe

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2/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

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that John Alderson violated 2 U.S.C. § 441a(a)(1)(A). However, in light of the low excessive amount, it is also recommended that no further action be taken against Mr. Alderson.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1985

John Alderson
P.O. Box 103361
Anchorage, Alaska 99510

RE: MUR 2046

Dear Mr. Alderson:

On June 24, 1985, the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and close its file. The General Counsel's Factual and Legal analysis which formed a basis for the Commission's finding is attached for your information.

The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of an excessive contribution nevertheless appears to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENT John Alderson

SUMMARY OF ALLEGATIONS

It is alleged that John Alderson violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson on July 6, 1984, for the primary election. The Committee also reported that Mr. Alderson's aggregate total contributions for the primary election amounted to $1,100.*/ On that same report, the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984.

In light of the above facts, the Office of the General Counsel recommends that the Commission find reason to believe

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2/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

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that John Alderson violated 2 U.S.C. § 441a(a)(1)(A). However, in light of the low excessive amount, it is also recommended that no further action be taken against Mr. Alderson.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1985

Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR 2046

Dear Ms. Begich:

On June 24, 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

Joan D. Aikens

JOAN D. AIKENS
Vice-Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENT Stephanie Begich

SUMMARY OF ALLEGATIONS

It is alleged that Stephanie Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

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If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 12 Day Pre-Primary Report, the Committee reported receiving a loan on July 23, 1984, from the candidate, Peggy Begich, for $6,500. According to the report, the loan was guaranteed by Stephanie Begich. The loan was for the primary election.

On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Stephanie Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Stephenie Begich violated 2 U.S.C. § 441a(a)(1)(A).

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STATEMENT OF DESIGNATION OF COUNSEL

MUR _____

NAME OF COUNSEL: _____

ADDRESS: _____

_____

_____

TELEPHONE: _____

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

_____ _____

Date Signature

RESPONDENT'S NAME: _____

ADDRESS: _____

_____

_____

HOME PHONE: _____

BUSINESS PHONE: _____

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

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

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

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

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If, during this period of investigation, the respondent(s) indicate a desire to enter into conciliation, the Office of General Counsel staff may begin the conciliation process prior to a finding of probable cause to believe a violation has been committed. Conciliation is an informal method of conference and persuasion to endeavor to correct or prevent a violation of the Federal Election Campaign Act (FECA). Most often, the result of conciliation is an agreement signed by the Commission and the respondent(s). The Conciliation Agreement must be adopted by four votes of the Commission before it becomes final. After signature by the Commission and the respondent(s), the Commission shall make public the Conciliation Agreement.

[If the investigation warrants], and no conciliation agreement is entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent(s) of his intent to proceed to a vote on probable cause to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed. Included with the notification to the respondent(s) shall be a brief setting forth the position of the General Counsel on the legal and factual issues of the case. Within 15 days of receipt of such brief, the respondent(s) may submit a brief posing the position of respondent(s) and replying to the brief of the General Counsel. Both briefs will then be filed with the Commission Secretary and will be considered by the Commission. Thereafter, if the Commission determines by an affirmative vote of four (4) Commissioners, that there is probable cause to believe that a violation of the FECA has been committed or is about to be committed conciliation must be undertaken for a period of at least 30 days but not more than 90 days. If the Commission is unable to correct or prevent any violation of the FECA through conciliation the Office of General Counsel may recommend that the Commission file a civil suit against the respondent(s) to enforce the Federal Election Campaign Act (FECA). Thereafter, the Commission may, upon an affirmative vote of four (4) Commissioners, institute civil action for relief in the District Court of the United States.

See 2 U.S.C. § 437g, 11 C.F.R. Part 111.

November 1980

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

gc 6/27/85

Margaret Ritchie
800 F. Street
Suite C-2
Juneau, Alaska 99801

RE: MUR ____

Dear Ms. Ritchie:

On June , 1985, the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and close its file. The General Counsel's Factual and Legal analysis which formed a basis for the Commission's finding is attached for your information.

The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of an excessive contribution nevertheless appears to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Margaret Ritchie

SUMMARY OF ALLEGATIONS

It is alleged that Margaret Ritchie violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution.

On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate contributions of $310 from Ms. Ritchie, all for the primary

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election. On August 14, 1984, a Request for Additional Information was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

In light of the above facts, the Office of the General Counsel recommends that the Commission find reason to believe that Margaret Ritchie violated a2 U.S.C. § 44la(a)(l)(A). However, in light of the low excessive amount, it is also recommended that no further action be taken against Ms. Ritchie.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

6/27/85

Mark Begich, Treasurer
Begich for Congress Committee
5232 East 24th Avenue, #D
Anchorage, Alaska 99508

RE: MUR

Dear Mr. Begich:

On June , 1985, the Federal Election Commission determined that there is reason to believe the Begich for Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENTS Begich for Congress Committee
Mark Begich, as treasurer

SUMMARY OF ALLEGATIONS

It is alleged that the Begich for Congress Committee (the "Committee") and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from the Alaska Women's Political Caucus PAC ("Alaska PAC"), Margaret Ritchie, John Alderson, Stephanie Begich and Paul Begich.

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Under 2 U.S.C. § 441a(f), a political committee is prohibited from knowingly accepting a contribution in violation of the provisions of section 441a. It is the Commission's interpretation that a contribution is "knowingly" accepted if the recipient knew that it received the contributions at issue. It is not necessary to a finding of knowing acceptance to show the recipient knew the contributions were prohibited in violation of the law.

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Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 1984 April Quarterly Report, the Committee reported the receipt of a $3,000 contribution, on March 9, 1984, from Alaska PAC, an unregistered committee. The contribution was designated for the primary election, held August 28, 1984. In its report, the Committee noted that the contribution was excessive and that a refund of the amount in excess would be made. On June 13, 1984, a Request for Additional Information ("RFAI") was sent to the Committee regarding this excessive contribution. As no response was received, a Second Notice was sent to the Committee. In response, the Committee filed an amended report showing that a $2,000 refund had been made to Alaska PAC on June 23, 1984.

On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate

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contributions of $310 from Ms. Ritchie, all for the primary election. On August 14, 1984, an RFAI was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson, bringing his total to $1,100 in aggregate contributions for the primary election.*/ However, on that same report the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984. No notice was sent by RAD regarding this excessive contribution.

On its 12 Day Pre-Primary Amended Report, the Committee reported receiving two loans on July 23, 1984, from the candidate, Peggy Begich, one for $6,500, which was guaranteed by Stephanie Begich, and the second for $5,500, which was guaranteed by Paul Begich. Both loans were for the primary election. An RFAI was sent by RAD on December 11, 1984, and, as no response was received, a Second Notice was sent January 3, 1985. On January 11, 1985, a RAD analyst spoke with the treasurer, Mark Begich, who explained that the sources of both loans were Stephanie and Paul Begich, who had loaned the candidate the funds

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*/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

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after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich and $5,500 to Paul Begich.

In light of the above facts, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Begich for Congress Committee and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

GC 6/27/85

Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR

Dear Ms. Begich:

On June , 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 2046

RESPONDENT Stephanie Begich

SUMMARY OF ALLEGATIONS

It is alleged that Stephanie Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

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If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 12 Day Pre-Primary Report, the Committee reported receiving a loan on July 23, 1984, from the candidate, Peggy Begich, for $6,500. According to the report, the loan was guaranteed by Stephanie Begich. The loan was for the primary election.

On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Stephanie Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Stephenie Begich violated 2 U.S.C. § 441a(a)(1)(A).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Begich for Congress Committee and Mark Begich, as treasurer; Margaret Ritchie; John Alderson; Stephanie Begich and Paul Begich	))))))	RAD Referral 85L-17

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 24, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85L-17:

1. Open a MUR.

2. Find reason to believe that Margaret Ritchie and John Alderson violated 2 U.S.C. §441a(a)(1)(A), take no further action and close the file as it pertains to these Respondents.

3. Find reason to believe that Stephanie Begich and Paul Begich violated 2 U.S.C. § 441a(a)(1)(A).

4. Find no reason to believe that Begich for Congress Committee and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f).

5. Approve the letters attached to the First General Counsel's Report signed June 19, 1985.

6. Approve the General Cousnel's Factual and Legal Analysis attached to the First General Counsel's Report signed June 19, 1985.

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

Attest:

6-26-85
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel Rd

DATE: June 20, 1985

SUBJECT: RAD Ref. 85L-17: First General Counsel's Rpt.

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	[xx]
Sensitive	[x]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
85 JUN 20 P3:16

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION _____

RAD REFERRAL NO. 85L-17
STAFF MEMBER
Joyce Cullinan

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

RESPONDENTS' NAMES: Begich for Congress Committee and Mark Begich, as treasurer; Margaret Ritchie; John Alderson; Stephanie Begich and Paul Begich

RELEVANT STATUTE: 2 U.S.C. §§ 44la(a)(l)(A), 44la(f)

INTERNAL REPORTS CHECKED: Reports filed by Begich for Congress Committee

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was referred to the Office of the General Counsel by the Reports Analysis Division ("RAD").

SUMMARY OF ALLEGATIONS

It is alleged that Margaret Ritchie, John Alderson, Stephanie Begich and Paul Begich made excessive contributions in violation of 2 U.S.C. § 44la(a)(l)(A) and the Begich for Congress Committee (the "Committee") and Mark Begich, as treasurer, accepted excessive contributions in violation of 2 U.S.C. § 44la(f).

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 44la(a)(l)(A), a person is prohibited from making contributions to any candidate or his authorized

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political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Under 2 U.S.C. § 441a(f), a political committee is prohibited from knowingly accepting a contribution in violation of the provisions of section 441a. It is the Commission's interpretation that a contribution is "knowingly" accepted if the recipient knew that it received the contributions at issue. It is not necessary to a finding of knowing acceptance to show the recipient knew the contributions were prohibited in violation of the law.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

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On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate contributions of $310 from Ms. Ritchie, all for the primary election. On August 14, 1984, an RFAI was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

On its 12 Day Pre-Primary Amended Report, the Committee reported receiving two loans on July 23, 1984, from the candidate, Peggy Begich, one for $6,500, which was guaranteed by Stephanie Begich, and the second for $5,500, which was guaranteed by Paul Begich. Both loans were for the primary election. An RFAI was sent by RAD on December 11, 1984, and, as no response was received, a Second Notice was sent January 3, 1985. On January 11, 1985, a RAD analyst spoke with the treasurer, Mark Begich, who explained that the sources of both loans were Stephanie and Paul Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich and $5,500 to Paul Begich.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson, bringing his total to $1,100 in aggregate contributions for the primary

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election.1/ However, on that same report the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984. No notice was sent by RAD regarding this excessive contribution.

On its 1984 April Quarterly Report, the Committee reported the receipt of a $3,000 contribution, on March 9, 1984, from the Alaska Women's Political Caucus PAC (AWPC PAC).2/ The contribution was designated for the primary election, held August 28, 1984. In its report, the Committee noted that the contribution was excessive and that a refund of the amount in excess would be made. On June 13, 1984, a Request for Additional Information ("RFAI") was sent to the Committee regarding this excessive contribution. As no response was received, a Second Notice was sent to the Committee. In response, the Committee filed an amended report showing that a $2,000 refund had been

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1/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

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made to AWPC PAC on June 23, 1984.3/

In light of the above facts and the fact that the contributions apparently were refunded, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Respondents violated 2 U.S.C. § 441a.4/ However, in light of the low amounts, it is further recommended that no further action be taken against Margaret Ritchie and John Alderson.

RECOMMENDATIONS

1. Open a MUR.

2. Find reason to believe that Margaret Ritchie and John

3/ A registered committee with a similar name, the National Women's Political Caucus of Alaska, (Alaska NWPC), contributed $1000 to the primary campaign on August 6, 1984. These two committees also have similar P.O. Box numbers in Anchorage: Alaska NWPC lists P.O. Box 1571; AWPC PAC's number is 101571. The reports of ALASKA NWPC do not list AWPC PAC. Even if the committees are affiliated, however, the total contribution is below the threshold for RAD referral and no recommendations are made with regard to Alaska NWPC or AWPC PAC.

4/ The referral also contains information indicating a possible excessive contribution from the UAW V CAP, a qualified multicandidate committee. On September 6, 1984, the UAW V CAP contributed $5,000 to the Committee for the general election. Then the Committee reported receiving another $2,500 from UAW V CAP on October 18, 1984, for the general election. An RFAI was sent by RAD on April 10, 1985, regarding this matter. As no response was received, a Second Notice was sent out by RAD. However, in looking at UAW V CAP's reports, the $2,500 contribution is reported by that committee as a contribution to defray the primary debt. See Attachment 2. In looking at the Committee's reports, it is clear that the Committee had a large debt from the primary at the time of the contribution. In light of these facts, there does not appear to be a violation of 2 U.S.C. §441a and UAW V CAP is not considered a respondent in this matter.

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Alderson violated 2 U.S.C. §441a(a)(1)(A), take no further action and close the file as it pertains to these Respondents.

3. Find reason to believe that Stephanie Begich and Paul Begich violated 2 U.S.C. § 441a(a)(1)(A).

4. Find reason to believe that the Begich for Congress Committee and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f).

5. Approve the attached letters.

6. Approve the General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

June 19, 1985
Date

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

Attachments

1. RAD Referral
2. Pages from UAW V CAP's reports
3. Proposed letters
4. General Counsel's Factual and Legal Analysis

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 19 April 1985

ANALYST: Marybeth Morici

I. COMMITTEE: Begich for Congress Committee
C00182758
Mark Begich, Treasurer
5232 East 24th Avenue, #D[1]
Anchorage, AK 99508

II. RELEVANT STATUTE: 2 U.S.C. §441a(f)

III. BACKGROUND:

The Begich for Congress Committee ("the Committee") disclosed the receipt of apparent excessive contributions totalling either $12,410 or $12,510 on the 1984 April Quarterly, July Quarterly, 12 Day Pre-Primary and Amended 12 Day Pre-Primary Reports.

The 1984 April Quarterly Report disclosed the receipt of a $3,000 contribution from an unregistered committee, the Alaska Women's Political Caucus PAC ("the AWPC PAC"), on March 9, 1984. The contribution was designated for the primary election, resulting in an apparent excessive contribution of $2,000 (Attachment 2). The report included a letter which stated that the Committee was aware of the excessive amount and that it was in the process of being refunded (Attachment 3). The Committee indicated that the AWPC PAC was affiliated with the National Women's Political Caucus. Commission records indicate that the only Alaska committee affiliated with the National Women's Political Caucus is the NWPC of Alaska PAC ("Alaska NWPC"). The Alaska NWPC did not register until August 13, 1984 and does not report a $3,000 contribution to the Committee. The Alaska NWPC appears to have an address which is similar to that of AWPC PAC.

1/ The Committee's 30 Day Post-General Report changed the address from 329 F Street, Suite 204, Anchorage, AK 99501 to 5232 East 24th Avenue, #D, Anchorage, AK 99508.

Attachment #1

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A Request for Additional Information ("RFAI") was sent to the Committee on June 13, 1984, noting the receipt of the excessive contributon and the Committee's intention to refund the excessive amount (Attachment 4). A Second Notice was sent on July 5, 1984, because of the Committee's failure to respond (Attachment 5). On July 19, 1984, the Committee filed an amendment which disclosed a $2,000 refund to the AWPC PAC made on June 23, 1984 (Attachment 6).

The 1984 July Quarterly Report disclosed two (2) contributions from Margaret Ritchie on April 28, 1984, totalling $110 and an aggregate year-to-date total of $310. The contributions were designated for the primary election (Attachment 7). Schedule C of this report disclosed a loan of $1,000 from Margaret Ritchie incurred on May 20, 1984. The loan was not designated for any election; therefore, the provisions of 11 CFR 110.1(a)(2)(ii) were applied. Since the Alaska primary was to be held on August 28, 1984, the loan when aggregated with the previous contributions appeared to exceed the contribution limitations for the primary election by $310 (Attachment 8).

On August 14, 1984, an RFAI was sent to the Committee noting the possible receipt of excessive contributions (Attachment 9). A Second Notice was sent on September 6, 1984, because of the Committee's failure to respond (Attachment 10). The 1984 12 Day Pre-Primary Amendment, received on October 18, 1984, disclosed a $1,000 loan repayment to Margaret Ritchie made on August 6, 1984 (Attachment 11).

The 1984 April Quarterly Amendment disclosed a $400 contribution designated for the primary election from John Alderson on May 25, 1984 (Attachment 12). The report disclosed an aggregate year-to-date total of $800. The 1984 12 Day Pre-Primary Report disclosed an additional contribution of $400 designated for the primary election from John Alderson on July 6, 1984 (Attachment 13). The report disclosed an aggregate year-to-date total of $1,100. An error in reporting the aggregate year-to-date totals makes it unclear as to whether the excessive amount is $100 or $200. The 1984 12 Day Pre-Primary Report also disclosed a refund of $100 to John Alderson on August 6, 1984 (Attachment 14). No notice was sent to the Committee regarding this matter.

On October 18, 1984 the Committee filed the 1984 12 Day Pre-Primary Amendment and the 1984 October Quarterly Reports. The reports disclosed the receipt of the same two (2) contributions in the form of loans from the candidate

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totalling $12,000 incurred July 23, 1984 on Schedule C (Attachments 15 and 16). One loan for $6,500 appeared to have been guaranteed in full by Stephanie Begich, the other loan for $5,500 appeared to be guaranteed in full by Paul Begich. Both loans were designated for the primary election, resulting in the receipt of apparent excessive contributions totalling $10,000.

An RFAI was sent to the Committee on December 11, 1984, noting the receipt of excessive loans (Attachment 17). A Second Notice was sent on January 3, 1985, because of the Committee's failure to respond (Attachment 18).

On January 11, 1985, the Reports Analysis Division ("RAD") analyst contacted Mark Begich, treasurer of the Committee. During this discussion the RAD analyst inquired about the nature of the two loans guaranteed by Stephanie Begich and Paul Begich. Mr. Begich informed the RAD analyst that the sources of both loans were Stephanie Begich and Paul Begich. They had loaned the candidate the funds in question after she became a candidate. The candidate in turn, loaned the money to the Committee. The RAD analyst informed the treasurer that a loan was considered a contribution until it was repaid. Since they had each exceeded the $1,000 limitation the loans were considered excessive contributions and should be refunded as soon as possible. Mr. Begich said that both loans would be refunded immediately and the Commission would be notified of this action in writing prior to the due date of the 1985 Mid-Year Report (Attachment 19).

The 30 Day Post-General Report received January 22, 1985, disclosed a copy of the checks issued to Stephanie Begich for $6,500 and Paul Begich for $5,500 on January 14, 1985 (Attachment 20).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

The Committee's 1984 30 Day Post-General Report disclosed the receipt of an apparent excessive contribution of $2,500 from a multicandidate committee. On April 10, 1985, an RFAI was sent to the Committee noting the problem and recommending a refund or, if incorrectly reported, a correction to the report.

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LINE NUMBER 21(b)

(Use separate schedule(s) for each category of the Detailed Summary Page)

SCHEDULE B

ITEMIZED DISBURSEMENTS

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

Name of Committee (in Full)

UAW V CAP

A. Full Name, Mailing Address and ZIP Code Begich for Congress Committee 329 F Street, Suite 204 Anchorage, Alaska 99501	Purpose of Disbursement Pegge Begich, At-Large, Alaska Disbursement for ☐ Primary ☒ General ☐ Other (specify)	Date (month, day, year) 9/6/84	Amount of Each Disbursement This Period 5,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			5,000.00
TOTAL This Period (last page this line number only)			

ALASKA ONLY

Attachment #2

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SCHEDULE B — ITEMIZED DISBURSEMENTS

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

Name of Committee (in Full): UAW V CAP

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for	Date (month, day, year)	Amount of Each Disbursement This Period
A. Begich for Congress Committee 329 F. Street, Ste. 204 Anchorage, Alaska 99501	Pegge Begich, At Large, Alaska Disbursement for: ☒ Primary ☐ General ☐ Other (specify): To defray	10/5/84	2,500.00
B.	Purpose of Disbursement: deficit Disbursement for ☐ Primary ☐ General ☐ Other (specify)		
C.	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
D.	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
E.	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
F.	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
G.	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
H.	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
I.	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		

SUBTOTAL of Disbursements This Page (optional) 2,500.00

TOTAL This Period (last page this line number only) . . . . . .

ALASKA ONLY

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Paul Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR

Dear Mr. Begich:

On June , 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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Attachment #3(a)

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Paul Begich

SUMMARY OF ALLEGATIONS

It is alleged that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

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Attachment # 4 (a)

If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 12 Day Pre-Primary Report, the Committee reported receiving a loan on July 23, 1984, from the candidate, Peggy Begich, for $5,500. According to the report, the loan was guaranteed by Paul Begich. The loan was for the primary election.

On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Paul Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $5,500 to Paul Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Paul Begich violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stephanie Begich
1812 Parkside Drive
Anchorage, Alaska 99508

RE: MUR

Dear Ms. Begich:

On June , 1985, the Federal Election Commission determined that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

Attachment #3(b)

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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

8 6 0 4 0 5 9 0 5 4 8

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Stephanie Begich

SUMMARY OF ALLEGATIONS

It is alleged that Stephanie Begich violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

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Attachment #4 (b)

If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 12 Day Pre-Primary Report, the Committee reported receiving a loan on July 23, 1984, from the candidate, Peggy Begich, for $6,500. According to the report, the loan was guaranteed by Stephanie Begich. The loan was for the primary election.

On January 11, 1985, a Reports Analysis Division analyst spoke with the Committee's treasurer, Mark Begich, who explained that the source of the loan was Stephanie Begich, who had loaned the candidate the funds after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich.

In light of the above facts, the Office of General Counsel recommends that the Commission find reason to believe that Stephenie Begich violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John Alderson
P.O. Box 103361
Anchorage, Alaska 99510

RE: MUR ____

Dear Mr. Alderson:

On June , 1985, the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and close its file. The General Counsel's Factual and Legal analysis which formed a basis for the Commission's finding is attached for your information.

The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of an excessive contribution nevertheless appears to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

Attachment #3(c)

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT John Alderson

SUMMARY OF ALLEGATIONS

It is alleged that John Alderson violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson on July 6, 1984, for the primary election. The Committee also reported that Mr. Alderson's aggregate total contributions for the primary election amounted to $1,100.*/ On that same report, the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984.

In light of the above facts, the Office of the General Counsel recommends that the Commission find reason to believe

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2/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

Attachment #4 (c)

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that John Alderson violated 2 U.S.C. § 441a(a)(1)(A). However, in light of the low excessive amount, it is also recommended that no further action be taken against Mr. Alderson.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark Begich, Treasurer
Begich for Congress Committee
5232 East 24th Avenue, #D
Anchorage, Alaska 99508

RE: MUR

Dear Mr. Begich:

On June , 1985, the Federal Election Commission determined that there is reason to believe the Begich for Congress Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, along with your answers to the enclosed questions, within fifteen days of your receipt of this letter.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

Attachment #3(d)

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

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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(g)(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 Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

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

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GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENTS Begich for Congress Committee
Mark Begich, as treasurer

SUMMARY OF ALLEGATIONS

It is alleged that the Begich for Congress Committee (the "Committee") and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from the Alaska Women's Political Caucus PAC ("Alaska PAC"), Margaret Ritchie, John Alderson, Stephanie Begich and Paul Begich.

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000. Pursuant to 2 U.S.C. § 431(11), the term "person" includes an individual, partnership, committee, association, corporation, labor organization or any other organization or group of persons.

Under 2 U.S.C. § 441a(f), a political committee is prohibited from knowingly accepting a contribution in violation of the provisions of section 441a. It is the Commission's interpretation that a contribution is "knowingly" accepted if the recipient knew that it received the contributions at issue. It is not necessary to a finding of knowing acceptance to show the recipient knew the contributions were prohibited in violation of the law.

Attachment #4(d)

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Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution. Under 11 C.F.R. § 100.7(a)(1)(i), the term "loan" includes a guarantee, endorsement, and any other form of security.

On its 1984 April Quarterly Report, the Committee reported the receipt of a $3,000 contribution, on March 9, 1984, from Alaska PAC, an unregistered committee. The contribution was designated for the primary election, held August 28, 1984. In its report, the Committee noted that the contribution was excessive and that a refund of the amount in excess would be made. On June 13, 1984, a Request for Additional Information ("RFAI") was sent to the Committee regarding this excessive contribution. As no response was received, a Second Notice was sent to the Committee. In response, the Committee filed an amended report showing that a $2,000 refund had been made to Alaska PAC on June 23, 1984.

On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate

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contributions of $310 from Ms. Ritchie, all for the primary election. On August 14, 1984, an RFAI was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

On its 12 Day Pre-Primary Report, the Committee reported receiving a $400 contribution from John Alderson, bringing his total to $1,100 in aggregate contributions for the primary election.*/ However, on that same report the Committee reported making a $100 refund to Mr. Alderson on August 6, 1984. No notice was sent by RAD regarding this excessive contribution.

On its 12 Day Pre-Primary Amended Report, the Committee reported receiving two loans on July 23, 1984, from the candidate, Peggy Begich, one for $6,500, which was guaranteed by Stephanie Begich, and the second for $5,500, which was guaranteed by Paul Begich. Both loans were for the primary election. An RFAI was sent by RAD on December 11, 1984, and, as no response was received, a Second Notice was sent January 3, 1985. On January 11, 1985, a RAD analyst spoke with the treasurer, Mark Begich, who explained that the sources of both loans were Stephanie and Paul Begich, who had loaned the candidate the funds

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*/ Although Mr. Alderson's aggregate total was reported as $1,100 in this report, the Committee's previous report revealed an aggregate total of $800 before receipt of this $400 contribution on July 6, 1984. Due to the $100 refund, this Office will assume that $1,100 and not $1,200 was the correct total.

8 6 0 4 0 5 9 0 5 5 8

after she had become a candidate and that the candidate had, in turn, loaned the Committee the money. On January 14, 1985, the Committee repaid $6,500 to Stephanie Begich and $5,500 to Paul Begich.

In light of the above facts, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Begich for Congress Committee and Mark Begich, as treasurer, violated 2 U.S.C. § 441a(f).

8 6 0 4 0 1 9 0 5 5 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret Ritchie
800 F. Street
Suite C-2
Juneau, Alaska 99801

RE: MUR ____

Dear Ms. Ritchie:

On June , 1985, the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and close its file. The General Counsel's Factual and Legal analysis which formed a basis for the Commission's finding is attached for your information.

The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of an excessive contribution nevertheless appears to be a violation of the Act. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Joyce Cullinan, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

8604059560

Attachment #3(e)

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. _____

RESPONDENT Margaret Ritchie

SUMMARY OF ALLEGATIONS

It is alleged that Margaret Ritchie violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Begich for Congress Committee (the "Committee").

FACTUAL BASIS AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), a person is prohibited from making contributions to any candidate or his authorized political committee with respect to any election for federal office, which in the aggregate, exceed $1,000.

Pursuant to 2 U.S.C. § 431(8)(A), the term "contribution" includes a loan. Under 11 C.F.R. § 100.7(a)(1)(i), a loan which exceeds the contribution limitations of 2 U.S.C. § 441a is unlawful whether or not it is repaid and the aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, may not exceed the contribution limitations of 2 U.S.C. § 441a. In addition, pursuant to 11 C.F.R. § 100.7(a)(1)(i)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. If repaid, a loan is no longer a contribution.

On its 1984 July Quarterly Report, the Committee disclosed a $1,000 loan from Margaret Ritchie on May 20, 1984, and aggregate contributions of $310 from Ms. Ritchie, all for the primary

8604079051

Attachment #4(e)

election. On August 14, 1984, a Request for Additional Information was sent to the Committee regarding these excessive contributions and, as no response was received, a Second Notice was sent. The Committee filed an amended report on October 18, 1984, which disclosed a $1,000 loan repayment to Margaret Ritchie on August 6, 1984.

In light of the above facts, the Office of the General Counsel recommends that the Commission find reason to believe that Margaret Ritchie violated a2 U.S.C. § 44la(a)(l)(A). However, in light of the low excessive amount, it is also recommended that no further action be taken against Ms. Ritchie.

8 6 0 4 0 7 5 9 0 5 6 2

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2046

Date Filmed _____ Camera No. --- 2

Cameraman _____

8 6 0 4 0 7 9 0 5 6 3

FEDERAL ELECTION COMMISSION

Documents and correspondence pertaining to conciliation; internal memoranda; blue routing cards; pre-brief report and comments; audit referral; draft brief (not sent).

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
X	(2) Internal rules and practices	___	(7) Investigatory files
X	(3) Exempted by other statute	___	(8) Banking Information
___	(4) Trade secrets and commercial or financial information	___	(9) Well Information (geographic or geophysical)
X	(5) Internal Documents		

Signed Lawrence E. Tobey

date June 3, 1986

FEC 5-21-77

8604019054

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 2046.

9004070376

06044506

CLOSED

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 FEB 23 AM 9:34

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 19, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stephanie Begich
1812 Parkside Drive
Anchorage, AK 99501

RE: MUR 2046
Stephanie Begich

Dear Ms. Begich:

On May 7, 1986, the Federal Election Commission and you entered into a conciliation agreement in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. According to the agreement, you were required to pay a civil penalty of $500 within ninety (90) days of the date the agreement became effective.

According to Commission records, your payment, which was due by August 5, 1986, has not been received. Please be advised that, pursuant to 2 U.S.C. § 437g(a)(5)(D), violation of any provision of the conciliation agreement may result in the institution of a civil suit for relief in the United States District Court. Unless we receive the payment from you in ten days, this Office will recommend that the Commission file suit to remedy this violation.

Should you have any questions, please contact Noriega E. James, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

90040703877

3306

90 FEB 23 PM 3:50

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

BEGICH APARTMENTS
P.O. BOX 201627
ANCHORAGE, ALASKA 99520

MUR2046

THIS CHECK IS IN PAYMENT OF THE FOLLOWING
Paul Begich $ 400-
Stephanie Begich $ 500-

0521

89-5/1252

PAY Nine hundred 00 DOLLARS

CHECK AMOUNT

DATE	TO THE ORDER OF	CHECK NO	DESCRIPTION	DISCOUNT
2/10/90	U.S. Treasury	521		

$ 900 00

NATIONAL BANK OF ALASKA
P.O. BOX 196127
ANCHORAGE, AK 99519

Paul Begich

⑈000521⑈ ⑆125200057⑆ 01⑈164769⑈

MEMORANDUM

TO: CHERYL FLEMING WILLIAMS

FROM: CHERYL T WILLIAMS

TO: CHERYL T WILLIAMS

FROM: CHERYL FLEMING WILLIAMS

CHECK NO. _____ { A COPY OF WHICH IS ATTACHED } RELATING TO MUR _____ AND NAME _____ WAS RECIEVED ON _____. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

/ / BUDGET CLEARING ACCOUNT { 95F3875.16 }

/ / CIVIL PENALTIES ACCOUNT { 95-1099.160 }

/ / OTHER _____

SIGNATURE _____ DATE 2/26/90

OGC #5507

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 FEB 23 AM 9:34

CLOSED

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 19, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Begich
Begich for Congress Committee
P.O. Box 201627
Anchorage, AK 99520-1627

RE: MUR 2046
Begich for Congress Committee
Mark Begich, as treasurer

Dear Mr. Begich:

On March 5, 1986, the Federal Election Commission and Begich for Congress Committee and you, as treasurer, entered into a conciliation agreement in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. According to the agreement, you were required to pay a civil penalty of $2,000 within ninety (90) days of the date the agreement became effective.

According to Commission records, you have paid only $500 of the $2,000 that was due by June 3, 1986. Please be advised that, pursuant to 2 U.S.C. § 437g(a)(5)(D), violation of any provision of the conciliation agreement may result in the institution of a civil suit for relief in the United States District Court. Unless we receive the outstanding balance of $1,500 from you in ten days, this Office will recommend that the Commission file suit to remedy this violation.

Should you have any questions, please contact Noriega E. James, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Will close upon receipt of that if not possible. Let me know. Thanks

9004070397

OGC 550

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 FEB 23 PM 3:50

MARK P. BEGICH
ADL 5042610 SSN 574-34-0735
P. O. BOX 201627
ANCHORAGE, AK 99520-1627

3986

2/17 1990

89-7204/3252

PAY TO THE ORDER OF U.S. Treasury $ 500-

Five hundred & 00/100 DOLLARS

ALASKAN FEDERAL CREDIT UNION
3400 Latouche
Anchorage, AK 99508

MEMO MUR 2046

⑆325272047⑆50 016885 ⑈ 3986

MEMORANDUM

TO: CHERYL FLEMING WILLIAMS

FROM: CHERYL T WILLIAMS

TO: CHERYL T WILLIAMS

FROM: CHERYL FLEMING WILLIAMS

CHECK NO. 3986 { A COPY OF WHICH IS ATTACHED } RELATING TO

MUR 2046 AND NAME Mark

WAS RECIEVED ON 2/23/90. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

/ ✓ / BUDGET CLEARING ACCOUNT { 95F3875.16 }

/ / CIVIL PENALTIES ACCOUNT { 95-1099.160 }

/ / OTHER _____

SIGNATURE [illegible] DATE 2/23/90

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 2046.

9004074058

CLOSED

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Begich
Begich for Congress Committee
P.O. Box 201627
Anchorage, AK 99520-1627

RE: MUR 2046
Begich for Congress Committee
Mark Begich, as treasurer

Dear Mr. Begich:

On March 5, 1986, the Federal Election Commission and Begich for Congress Committee ("Committee") and you, as treasurer, entered into a conciliation agreement in settlement of a violation of 2 U.S.C. § 441a(f). According to the agreement, you were required to pay a civil penalty of $2,000 within ninety (90) days of the date the agreement became effective.

On March 6, 1990, you spoke with a staff person from this office and stated that payment on the remaining balance would be forthcoming. According to Commission records, you have only paid $1,000 of the $2,000 that was due on June 3, 1986. Please be advised that, pursuant to 2 U.S.C. § 437g(a)(5)(D), violation of any provision of the conciliation agreement may result in the institution of a civil suit for relief in the United States District Court. Unless we receive the outstanding balance of $1,000 from you in five days, this Office will recommend that the Commission file suit to remedy this violation.

Should you have any questions, please contact Tamara Kapper, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9 8 0 3 0 7 0 4 0 0