



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4416

DATE FILMED 7-11-97 CAMERA NO. 4

CAMERAMAN JM 6

970438233694



National Republican Congressional Committee

Bill Paxton, M.C.  
Chairman

Maria Cino  
Executive Director

**ORIGINAL**

MUR 4416

**BEFORE THE FEDERAL ELECTION COMMISSION  
OF THE UNITED STATES OF AMERICA**

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
JUL 25 3 35 PM '96

In the Matter of :

Lee Hamilton for Congress campaign committee

NOW COMES, the National Republican Congressional Committee by and through its Executive Director, Maria Cino, whose principal office is located at 320 First Street, S.E., Washington, D. C. 20003 ("Complainant") to file this Complaint pursuant to 2 U.S.C. 441 (a) (2)(A) and (f), relative to certain Federal Election Commission disclaimer violations.

**VIOLATION**

When a campaign committee uses public political advertising (1) to solicit contributions or (2) to expressly advocate the election or defeat of a clearly identified candidate, the communication must display an authorization notice. 11 CFR 110.11. The disclaimer must appear in a clear and conspicuous manner. In the fact situation as set out below there are violations as a result of failure to place disclaimers on each item. The shopping bag advocates Rep. Hamilton's election. The flyer advocates his election and solicits contributions. Neither item is exempt from the disclaimer requirement because it was not impracticable nor inconvenient to print a disclaimer on them. Disclaimers are required on each item and are not present.

**FACTS**

The Lee Hamilton for Congress campaign committee has distributed many thousands of shopping bags (Exhibit "A" attached) at numerous parades, festivals, and

320 First Street, S.E.  
Washington, D.C. 20003  
(202) 479-7020

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other events throughout the 9th Congressional District in Indiana. Upon information and belief the number distributed exceeds 50,000 bags. The bags are approximately 15 1/2 inches by 12 1/2 inches on the face and open to a 6 inch fold. On both main sides they contain in large letters LEE HAMILTON FOR CONGRESS. Thus, they clearly expressly advocate the election of Rep. Hamilton a clearly identified candidate. The bags contain no disclaimer whatsoever. To place a disclaimer on the bags would be convenient to print and clearly not impracticable. The bags are printed, contain a union bug, and contain adequate space to display a clear and conspicuous disclaimer.

In addition the Lee Hamilton for Congress campaign committee has distributed in the 9th Congressional District in Indiana numerous flyers. The flyer (Exhibit "B" attached) contains the following words:

"Lee Needs Your Support!  
Send your contribution to:  
Lee Hamilton for Congress  
P.O. Box 99  
Jeffersonville, Indiana 47131"

These words are intended to solicit contributions. In addition, the flyers state "Lee Hamilton for Congress". Thus, they additionally advocate Rep. Hamilton's election. The flyers contain no disclaimer as required by FEC law.

### CONCLUSION

Because both attached items failed to properly contain disclaimers providing an authorization notice, as required, the Lee Hamilton for Congress campaign committee is in violation of the provisions of 11 CFR 110.11 which reads: **Communications; advertising (2 U.S.C. 441d)**

"(a)(1) General rules. Except as provided at paragraph (a)(6) of this section, whenever any person makes an expenditure for the purpose of financing a communication that expressly advocates the election or defeat of a clearly identified candidate, or that solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing or any other form of general public political advertising, a disclaimer meeting the requirements of paragraphs (a)(1)(i), (ii), (iii), (iv) or (a)(2) of this section shall appear and be presented in a clear and conspicuous

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manner to give the reader, observer or listener adequate notice of the identity of persons who paid for and, where required, who authorized the communication."

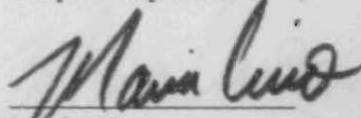
**PRAYER FOR RELIEF**

Therefore, the Complainant respectfully requests the Federal Election Commission fully investigate this violation and determine that there has been a violation of law as appropriate.

Accordingly, the Complainant further requests the Federal Election Commission assess all appropriate penalties against the Lee Hamilton for Congress campaign committee for said willful and knowing violation of 11 CFR 110.11 in accordance with 2 U.S.C. 437g(a)(5)(B) and (C).

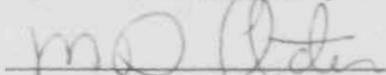
The above statements are true and correct to the best of my knowledge, information, and belief.

Respectfully Submitted,



Maria Cino  
Executive Director  
National Republican Congressional  
Committee

Subscribed and sworn before me, on this, the 24 day of July, 1996.

  
(Notary Public)

My Commission Expires: \_\_\_\_\_

M. D. Acton  
Notary Public, District of Columbia  
My Commission Expires July 14, 1999

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LEE



HAMILTON

FOR CONGRESS

97043823698

April 26, 1996

## Message from Lee

On Tuesday, May 7, just a few weeks from now, Hoosiers will exercise their freedom to vote in the Democratic Primary election. Much is at stake for Democrats in 1996, and we need your participation now to help ensure our Party's success this Fall.

In your conversations with friends, neighbors and relatives over the next few weeks, it is important to remind them to vote. Let them know that Democrats will continue to fight for ordinary Hoosier families on matters that affect them — such as education, Medicare, better roads and bridges, and more.

As citizens, it is our responsibility to know what is at stake and vote. I encourage you to participate.

LEE H. HAMILTON



Lee welcomes Luke Clippinger.

## 1996 Campaign Manager Named

Congressman Lee Hamilton has chosen Luke Clippinger to manage his 1996 re-election campaign.

"Luke brings great enthusiasm and strong political experience to the campaign," Hamilton said. "I look forward to his able leadership of the 1996 campaign."

Clippinger is a 1994 graduate of Earlham College in Richmond, Indiana, where he studied politics. While at Earlham, he managed Richmond's public radio station, WECL-FM.

In addition, Clippinger served as the communications director for the Wayne County Democrats from 1992-94. He was a candidate for Wayne Township Assessor in 1994, and interned with Senators Lindel Hume and Joe O'Day during the 1995 session of the Indiana General Assembly. Most recently, Clippinger interned in Hamilton's Washington office.

Clippinger will handle the day-to-day operations of the campaign, including volunteer recruitment.



Lee greets student supporters at the kickoff ceremony for Frank O'Bannon's campaign for Governor, held recently in Corydon.

## Hoosiers Show Strong Grass-Roots Support for Lee's '96 Election Campaign

More Hoosiers are demonstrating their support for Lee by contributing to his 1996 campaign.

The latest fundraising report shows a total of 857 Hoosiers contributing between January 1 and March 31, 1996. Nearly 90% of those contributors were from Indiana, around 500 of these are first-time contributors.

"I am deeply grateful for the enthusiasm that Hoosiers are showing for my campaign," said Lee.

"The fact that so many hard-working Ninth District voters would contribute to my re-election effort shows that they want to be represented by someone who believes a better future is possible and will work with them to make it happen."

He continued, "I believe Hoosiers want leaders who are forceful and determined, yet reasonable. They reject the negativity

and negativity which so often permeates our politics today, and are pleased to support a campaign which takes the high road.

"Hoosiers value the independent, strong leadership I have provided. I pledge to them that I will continue to do my best to fight for their concerns in Washington."



Lee and Nancy Hamilton at last fall's Harvest Homecoming Parade.

To help Lee's campaign, call 1-812-949-VOTE (8683)!

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## Lee Visits Jefferson-Jackson Day Dinners Across District, Stumps With O'Bannon

During the last few months, Lee has been busy on the campaign trail, speaking with Hoosiers about issues that concern them. Among his stops have been Jefferson-Jackson Day dinners in Spencer, Clark, Jennings, Dearborn and Fayette counties.

Lee recently shared speaking honors with Frank O'Bannon, Democratic nominee for Governor, at the Clark County Jefferson-Jackson Day dinner. The audience opened by paying tribute to a special guest, Nancy Hamilton, Lee's wife of 43 years, and by singing "Happy Birthday" to Lee.

Lee implored the audience to support Frank O'Bannon and other Democratic candidates. "The Democrats have to come together and unite behind our candidates. If we don't, you know what happens."

He said the one key to victory for Democrats is to let the ordinary, hard-working, decent people know that Democrats are on their side.

"These are the people the Democratic Party represents," said Lee. "The Democratic Party may not be perfect, but at least it tries to help the ordinary man and woman in this country."



Lee, visiting with friends at a recent Jennings County Jefferson-Jackson day dinner in North Vernon, Indiana.

## Straight Facts About Lee's Voting Record

Since Lee's record has been distorted in recent attacks by the Republican Party, we thought it would be a good idea to set the record straight. Here's some facts to share with your friends:

Lee votes to protect Social Security in a balanced budget amendment (Roll Call vote #50, January 26, 1995).

Lee votes in favor of balancing the budget (RC #741, October 26, 1995).

Lee votes to preserve and protect Medicare (RC #743, October 26, 1995).

Lee voted against slashing job training funds for working families (RC #626, August 4, 1995).

Lee voted for comprehensive welfare reform (RC #206, March 23, 1995).

Lee voted for a line-item veto (RC #98, March 28, 1996).

Lee voted against education cuts (RC #626, August 4, 1995, RC #743, October 26, 1995).

When it comes to Lee's record, know the facts, and share the facts!



Lee visits with children from the Crawford County Head Start Program, administered by Lincoln Hills Development Corporation. Lee has always voted to fund Head Start, a program that was supported by President Reagan, giving educational assistance to children from disadvantaged families. The current leadership in Congress wants to dramatically curb funding for Head Start.

## Lee Needs Your Support!

Send your contribution to:  
Lee Hamilton for Congress  
P.O. Box 99  
Jeffersonville, Indiana 47131

## Campaign Manager's Corner

by Luke Clippinger

Let me take this opportunity to introduce myself to you and to say that I am honored to be Lee's campaign manager for 1996. This will be a tough, but fun campaign. I look forward to working with you to make it one of the most successful campaigns for the House of Representatives in the nation.

One of the most important parts of my job is to assemble the best group of volunteers that I can. With a strong volunteer base, we will be able to bring Lee's message of security, opportunity and reform to the people of the Ninth District, and we will return Lee Hamilton to the U.S. House of Representatives.

Enclosed with this newsletter is a volunteer card. Our goal is to put together a strong group of volunteers in every county across the district. Please complete the card and mail it to:

Lee Hamilton for Congress  
P. O. Box 99  
Jeffersonville, IN 47131

Your completed volunteer card will help us get a head start on this year's campaign. Thanks!

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FEDERAL ELECTION COMMISSION  
Washington, DC 20463

July 30, 1996

Maria Cino, Executive Director  
National Republican Congressional Committee  
320 First Street, SE  
Washington, DC 20003

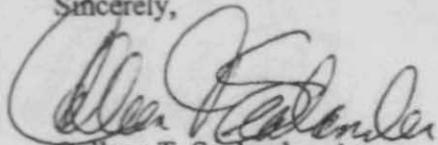
RE: MUR 4416

Dear Ms. Cino:

This letter acknowledges receipt on July 25, 1996, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

The respondents will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4416. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

  
Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

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FEDERAL ELECTION COMMISSION

Washington, DC 20463

July 30, 1996

Robert L. Prather, Treasurer  
Hamilton for Congress  
PO Box 99  
Jeffersonville, IN 47150

RE: MUR 4416

Dear Mr. Prather:

The Federal Election Commission received a complaint which indicates that Hamilton for Congress ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4416. Please refer to this number in all future correspondence.

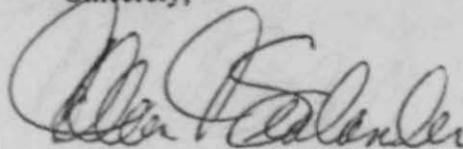
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Alva E. Smith at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen T. Sealander, Attorney  
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: The Honorable Lee Herbert Hamilton

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RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL



AUG 19 11 13 AM '96

Post Office Box 99, Jeffersonville, Indiana 47131

August 15, 1996

**BULK FILE**

Federal Election Commission  
Attn: General Counsel  
999 E. Street, N. W.  
Washington, D. C. 20463

Dear Sirs:

RE: MUR 4416

I am writing as Treasurer of the Hamilton for Congress Committee, in response to your letter of July 30, 1996 (received by Hamilton for Congress on August 5, 1996) advising this Committee of the disclaimer charge filed by the NRCC (National Republican Campaign Committee). I acknowledge there was a mistake, and steps have been taken to correct this error.

In April 1996 the Hamilton for Congress Committee ordered shopping bags which were to be distributed as a part of the campaign. They arrived the first part of May and the staff immediately started to distribute them. After they were distributed at some events in the district, the campaign staff discovered on July 22, 1996 that the bags did not contain a disclaimer message (as stated in the complaint Exhibit "A"). Upon discovering the problem, the campaign staff and volunteers immediately moved to correct the problem. Please see enclosed exhibits (SB 1 thru SB 3) of the corrected bag, as well as shopping bags used in previous campaigns which carried the disclaimer. It was an oversight on our part and I believe you will see there was no intent to violate the law.

The second part of the complaint (by NRCC) noted the absence of a disclaimer on a Team Report flyer the campaign staff produces and distributes to Democrat Party Officials, Democrat Officeholders and Lee Hamilton volunteers in the Ninth District of Indiana. The Team Report in question (Exhibit "B"- dated April 26, 1996, see enclosed) did not have a disclaimer. Enclosed please find a copy of the July 5, 1996 Team Report with a full disclaimer. The campaign staff has been instructed to place this disclaimer on all Team Reports that are produced by the Hamilton for Congress campaign.

I have enclosed several items that are being used in the 1996 campaign as well as items that were used in past campaigns, all of which fully complied with pertinent federal election laws. These items are intended to demonstrate that the violations cited on the NRCC complaint were inadvertent mistakes. At no time did the campaign knowingly and willfully intend to violate the federal election laws (see enclosed list that describes the enclosures).

Thank you very much for this opportunity to respond. If additional information is required, please feel free to contact me at the address listed above or by phone at 812-949-8683.

Sincerely,

*Robert L. Prather*

Robert L. Prather, Treasurer  
HAMILTON FOR CONGRESS COMMITTEE

RLP/grf  
enclosures:

97043823705

TO: Federal Election Commission  
Attn: General Counsel Office RE: MUR 4416

FROM: Hamilton for Congress Committee  
Robert L. Prather, Treasurer

Items of Inventory included with response

1)	Shopping Bag	1996 Exhibit A in the complaint	SB1
2)	Shopping Bag	1994 Printed Disclaimer	SB2
3)	Shopping Bag	1992 Printed Disclaimer	SB3
4)	Yard Sign	1994 & 96 Printed Disclaimer	YS1
5)	Poster	1994 & 96 Printed Disclaimer	P1
6)	Poster	1992 Printed Disclaimer	P2
7)	Poster	1990 Printed Disclaimer	P3
8)	Poster	1978 Printed Disclaimer	P4
9)	Handout Card	1996 Printed Disclaimer	H1
10)	Handout Card	1994 Printed Disclaimer	H2
11)	Mailer	1994 Printed Disclaimer	M1
12)	Bumper Sticker	1996 Printed Disclaimer	BS1
13)	Bumper Sticker	1994 Printed Disclaimer	BS2
14)	Letterhead	1992,94,96 Printed Disclaimer	LH1
15)	Letterhead	1996 Printed Disclaimer	LH2
16)	Team Report	Exhibit B of Complaint	TR1
17)	Team Report	7-5-96 Printed Disclaimer	TR2

The above is being presented to show that the Hamilton for Congress Committee makes every effort to do what is required by the FEC rules and regulations.

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

FEDERAL ELECTION  
COMMISSION  
COMMUNICATIONS

MAR 24 11 19 AM '97

FIRST GENERAL COUNSEL'S REPORT

**SENSITIVE**

MUR: 4416  
DATE COMPLAINT FILED: 7/25/96  
DATE OF NOTIFICATION: 7/30/96  
DATE ACTIVATED: 1/8/97

STAFF MEMBER: Frances B. Hagan

COMPLAINANT: Maria Cino for the National Republican Congressional Committee

RESPONDENTS: Hamilton for Congress  
Robert L. Prather, Treasurer

RELEVANT STATUTES: 2 U.S.C. § 441d(a)

INTERNAL REPORTS CHECKED: FEC indexes, Disclosure reports

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

This matter originated as a complaint submitted by Maria Cino, Executive Director of the National Republican Congressional Committee. Complainant alleges that the Hamilton for Congress Committee ("the Committee"), principal campaign committee for Representative Lee Hamilton (9th CD, Indiana), and Robert Prather, as treasurer, violated 2 U.S.C. § 441d(a) by failing to place a disclaimer on campaign advertising literature which expressly advocates Mr. Hamilton's candidacy and solicits campaign funds.

**II. FACTUAL AND LEGAL ANALYSIS**

Pursuant to 2 U.S.C. § 441d(a), all expenditures for communications which expressly advocate the election or defeat of a clearly identified candidate, or expenditures to solicit any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility,

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direct mailing, or any other type of general public political advertising, must include a disclaimer. Pursuant to Section 441d(a), the disclaimer must clearly state the identity of the person or committee who paid for the communication and whether the communication was authorized by the candidate or the candidate's committee. According to 11 C.F.R. § 110.11(a)(1), the disclaimer shall be presented in a clear and conspicuous manner. A disclaimer is not clear and conspicuous if the printing is difficult to read or if the placement is easily overlooked. The disclaimer need not appear on the front of the communication as long as it appears within the communication, except on communications such as billboards that contain only a front face. 11 C.F.R. § 110.11(a)(5)(i).

#### **Complaint**

Complainant provided copies of the Committee's shopping bags and newsletter-style flyers that promote Lee Hamilton's candidacy by expressly advocating his election ("Lee Hamilton for Congress" on the bags), and by soliciting contributions on the campaign flyers ("Lee Needs Your Support! Send your contribution to: Lee Hamilton for Congress P.O. Box 99 Jeffersonville, Indiana 47131"). The flyer includes the campaign address, but an appropriate disclaimer does not appear. Complainant notes that there is "adequate space" on the bags to place a disclaimer, that both campaign items expressly advocate the election of a clearly identified candidate, and the flyer solicits contributions. 2 U.S.C. § 441d(a). See Complaint at p. 2.

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## Response

In response to the complaint, respondents readily agree that the disclaimer omissions occurred, stating affirmatively that "there was a mistake," while asserting that "steps have been taken to correct this error." Attachment A, p.1. Respondents explain that the shopping bags (allegedly more than 50,000 of them) were ordered in April 1996 and distributed in district campaign events until July 22, 1996, when the disclaimer omission was discovered. According to the response, the disclaimer was included on all shopping bags used thereafter. Respondents provided examples of the Committee's subsequent 1996 advertising bags with the disclaimer on the bottom, along with bags displaying the disclaimer (also on the bottom) from the 1992 and 1994 campaigns. Respondents assert that the 1996 omission was "an oversight on our part" and "there was no intent to violate the law." *Id.*

Respondents also admit that the April 26, 1996, newsletter/flyer entitled "Team Report" did not contain a disclaimer. The response states that the campaign staff produced and distributed the flyer to "Democrat Party officials, Democrat Officeholders and Lee Hamilton volunteers in the Ninth District of Indiana." *Id.* After respondents were notified of the flyer's missing disclaimer, campaign staff was instructed to place the disclaimer on all Hamilton "Team Reports" campaign flyers. The flyer dated July 5, 1996, displayed the appropriate disclaimer. To further demonstrate the inadvertence of their disclaimer omissions, respondents submitted 15 examples of campaign advertising items (shopping bags, yard signs, posters, handout cards, mailers, bumper stickers, letterhead, and "Team Report" flyers) dating from 1978 to 1996, all displaying the appropriate disclaimer message. *Id.*, at 3.

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## Discussion

Reports show that the cost of producing the paper shopping bags totaled \$25,756, or 26% of total pre-primary disbursements as of April 17, 1996.<sup>1</sup> This amount represents a substantial portion of the Committee's pre-primary election disbursements and a significant part of the winning candidate's primary election advertising. The cost of producing the "Team Report" flyer is not specifically noted on disclosure reports, but its solicitation purpose is clear. Pursuant to 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1), these types of general public political advertising must contain a disclaimer.

Respondents provided evidence of previous and ongoing compliance with the disclaimer requirement (e.g., on letterhead stationery), and they included the disclaimer on later versions of the same campaign items. However, these experienced campaigners initially failed to place the required disclaimer on Committee advertising representing fully a quarter of the campaign's pre-primary disbursements. Furthermore, respondents failed to discover or correct the disclaimer omissions during the crucial pre-primary days and for two months after the May 7, 1996, primary. In view of these substantial omissions from materials widely disseminated during the primary and early general election seasons, the Office of the General Counsel recommends that the Commission find reason to believe that the Hamilton for Congress Committee and Robert Prather, as treasurer, violated 2 U.S.C. § 441d(a) in this matter.

<sup>1</sup> Source: 1996 12-Day Pre-Primary Report, covering April 1 through April 17, 1996.

The Indiana primary election was held May 7, 1996. Mr. Hamilton won the primary and the general elections, garnering 86% and 56% of the vote, respectively.

Using an estimate of \$210 per 1000 printed bags, or \$0.21 per bag (size 13" x 6" x 15.5"), perhaps 124,000 bags could have been purchased for \$26,000.

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III. CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Find reason to believe the Hamilton for Congress Committee and Robert L. Prather, as treasurer, violated 2 U.S.C. § 441d(a).
2. Enter into conciliation with the respondents prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, Proposed Conciliation Agreement, and the appropriate letter.

Lawrence M. Noble  
General Counsel

3/21/97  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments:

- A. Response to Complaint
- B. Factual and Legal Analysis
- C. Proposed Conciliation Agreement

97043823711

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Hamilton for Congress and ) MUR 4416  
Robert L. Prather, Treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 28, 1997, the Commission decided by a vote of 5-0 to take the following actions in MUR 4416:

1. Find reason to believe the Hamilton for Congress Committee and Robert L. Prather, as treasurer, violated 2 U.S.C. § 441d(a).
2. Enter into conciliation with the respondents prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis, Proposed Conciliation Agreement, and the appropriate letter, as recommended in the General Counsel's Report dated March 21, 1997.

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

Attest:

3-28-97  
Date

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

Received in the Secretariat: Mon., March 24, 1997 11:19 a.m.  
Circulated to the Commission: Mon., March 24, 1997 4:00 p.m.  
Deadline for vote: Thurs., March 27, 1997 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 3, 1997

Robert L. Prather, Treasurer  
Hamilton for Congress  
P.O. Box 99  
Jeffersonville, IN 47150

RE: MUR 4416  
Hamilton for Congress  
Robert L. Prather, as treasurer

Dear Mr. Prather:

On July 30, 1996, the Federal Election Commission notified the Hamilton for Congress Committee ("Committee") and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information you supplied, the Commission, on March 28, 1997, found that there is reason to believe the Committee and you, as treasurer, violated 2 U.S.C. § 441d(a), a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

To expeditiously resolve this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement to settle this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement along with the civil penalty to the Commission. In that conciliation

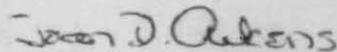
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negotiations prior to a finding of probable cause to believe are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,



Joan D. Aikens  
Vice Chairman

Enclosures  
Factual and Legal Analysis  
Conciliation Agreement

cc: Candidate

97043823714

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS: Hamilton for Congress Committee  
Robert L. Prather, Treasurer

MUR: 4416

This matter was generated by a complaint filed with the Federal Election Commission by Maria Cino, Executive Director of the National Republican Congressional Committee. See 2 U.S.C. § 437g(a)(1). Complainant alleged that the Hamilton for Congress Committee ("the Committee"), principal campaign committee for Representative Lee Hamilton (9th CD, Indiana), and Robert Prather, as treasurer, violated 2 U.S.C. § 441d(a) by failing to place a disclaimer on campaign advertising literature which expressly advocates Mr. Hamilton's candidacy and solicits campaign funds.

Pursuant to 2 U.S.C. § 441d(a), all expenditures for communications which expressly advocate the election or defeat of a clearly identified candidate, or expenditures to solicit any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, must include a disclaimer. Pursuant to Section 441d(a), the disclaimer must clearly state the identity of the person or committee who paid for the communication and whether the communication was authorized by the candidate or the candidate's committee. According to 11 C.F.R. § 110.11(a)(1), the disclaimer shall be presented in a clear and conspicuous manner. A disclaimer is not clear and conspicuous if the printing is difficult to read or if the placement is easily overlooked. The disclaimer need not appear on the front of the communication as long as it appears within the communication, except on communications such as billboards that contain only a front face. 11 C.F.R. § 110.11(a)(5)(i).

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### Complaint

Complainant provided copies of the Committee's shopping bags and newsletter-style flyers that promote Lee Hamilton's candidacy by expressly advocating his election ("Lee Hamilton for Congress" on the bags), and by soliciting contributions on the campaign flyers ("Lee Needs Your Support! Send your contribution to: Lee Hamilton for Congress P.O. Box 99 Jeffersonville, Indiana 47131"). The flyer includes the campaign address, but an appropriate disclaimer does not appear. Complainant notes that there is "adequate space" on the bags to place a disclaimer, that both campaign items expressly advocate the election of a clearly identified candidate, and the flyer solicits contributions. 2 U.S.C. § 441d(a).

### Response

In response to the complaint, respondents readily agree that the disclaimer omissions occurred, stating affirmatively that "there was a mistake," while asserting that "steps have been taken to correct this error." Respondents explain that the shopping bags (allegedly more than 50,000 of them) were ordered in April 1996 and distributed in district campaign events until July 22, 1996, when the disclaimer omission was discovered. According to the response, the disclaimer was included on all shopping bags used thereafter. Respondents provided examples of the Committee's subsequent 1996 advertising bags with the disclaimer on the bottom, along with bags displaying the disclaimer (also on the bottom) from the 1992 and 1994 campaigns. Respondents assert that the 1996 omission was "an oversight on our part" and "there was no intent to violate the law."

Respondents also admit that the April 26, 1996, newsletter/flyer entitled "Team Report" did not contain a disclaimer. The response states that the campaign staff produced and distributed the flyer to "Democrat Party officials, Democrat Officeholders and Lee Hamilton volunteers in the Ninth District of Indiana." After respondents were notified of the flyer's missing disclaimer, campaign staff was instructed to place the disclaimer on all Hamilton "Team Reports" campaign flyers. The flyer dated July 5, 1996, displayed the appropriate disclaimer. To further demonstrate the inadvertence of their disclaimer omissions, respondents submitted 15

97043823716

examples of campaign advertising items (shopping bags, yard signs, posters, handout cards, mailers, bumper stickers, letterhead, and "Team Report" flyers) dating from 1978 to 1996, all displaying the appropriate disclaimer message.

#### Discussion

Reports show that the cost of producing the paper shopping bags totaled \$25,756, or 26% of total pre-primary disbursements as of April 17, 1996.<sup>1</sup> This amount represents a substantial portion of the Committee's pre-primary election disbursements and a significant part of the winning candidate's primary election advertising. The cost of producing the "Team Report" flyer is not specifically noted on disclosure reports, but its solicitation purpose is clear. Pursuant to 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a)(1), these types of general public political advertising must contain a disclaimer.

Respondents provided evidence of previous and ongoing compliance with the disclaimer requirement (e.g., on letterhead stationery), and they included the disclaimer on later versions of the same campaign items. However, these experienced campaigners initially failed to place the required disclaimer on Committee advertising representing fully a quarter of the campaign's pre-primary disbursements. Furthermore, respondents failed to discover or correct the disclaimer omissions on materials widely disseminated during the crucial pre-primary days and for two months after the May 7, 1996, primary. Therefore, there is reason to believe that the Hamilton for Congress Committee and Robert Prather, as treasurer, violated 2 U.S.C. § 441d(a) in this matter.

<sup>1</sup> Source: 1996 12-Day Pre-Primary Report, covering April 1 through April 17, 1996. The Indiana primary election was held May 7, 1996. Mr. Hamilton won the primary and the general elections, garnering 86% and 56% of the vote, respectively.

Using an estimate of \$210 per 1000 printed bags, or \$0.21 per bag (size 13"x 6" x 15.5"), perhaps 124,000 bags could have been purchased for \$26,000.

CONGRESSMAN LEE H. HAMILTON  
P. O. Box 99  
Jeffersonville, IN 47131-0099

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JUN 16 12 12 PM '97

June 12, 1997

Office of the General Counsel  
Federal Election Commission  
% Jonathan Bernstein, Assistant General Counsel  
999 E Street, N.W.  
Washington, D.C. 20463

M4416

Dear Jonathan:

Enclosed please find a copy of the conciliation agreement (MUR 4416) with original signature. You received a facsimile copy of this agreement on June 11, 97.

This is being sent at the direction of Frances B. Hagan, Paralegal Specialist for the General Counsel's office, as stated in her June 9, 1997 letter.

Thank you very much and if additional information is needed please feel free to contact the Hamilton for Congress Committee.

Sincerely,

*Robert L. Prather*

Robert L. Prather, Treasurer  
HAMILTON FOR CONGRESS COMMITTEE

97043823718

REC'D  
FEDERAL ELECTION  
COMMISSION  
WASHINGTON, D.C.

JUN 12 4 21 PM '97

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Hamilton for Congress ) MUR 4416  
Robert L. Prather, Treasurer )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

**I. BACKGROUND**

Attached is a conciliation agreement which has been signed by Robert L. Prather, Treasurer regarding a violation of 2 U.S.C. §441d(a).

**II. RECOMMENDATIONS**

1. Accept the attached conciliation agreement submitted by Hamilton for Congress and Robert L. Prather, as treasurer.
2. Close the file.

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3. Approve the appropriate letters.

Lawrence M. Noble  
General Counsel

6/12/97  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

97043823720

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Hamilton for Congress and ) MUR 4416  
Robert L. Prather, Treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 18, 1997, the Commission decided by a vote of 4-0 to take the following actions in MUR 4416:

1. Accept the conciliation agreement submitted by Hamilton for Congress and Robert L. Prather, as treasurer, as recommended in the General Counsel's Report dated June 12, 1997.
2. Close the file.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated June 12, 1997.

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

Attest:

6-19-97  
Date

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

Received in the Secretariat: Thurs., June 12, 1997 4:21 p.m.  
Circulated to the Commission: Fri., June 13, 1997 12:00 p.m.  
Deadline for vote: Wed., June 18, 1997 4:00 p.m.

bjr

97043823721



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

July 1, 1997

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Maria Cino, Executive Director  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, D.C. 20003

RE: MUR 4416  
Hamilton for Congress Committee  
and Robert L. Prather, as treasurer

Dear Ms. Cino:

This is in reference to the complaint you filed with the Federal Election Commission on July 25, 1996, concerning possible violations of the Federal Election Campaign Act of 1971, as amended.

The Commission found that there was reason to believe Hamilton for Congress Committee and Robert L. Prather, as treasurer, violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended, and conducted an investigation in this matter. On June 18, 1997, a conciliation agreement signed by the respondents was accepted by the Commission. Accordingly, the Commission closed the file in this matter on June 18, 1997. A copy of this agreement is enclosed for your information.

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

Sincerely,

Erik Morrison  
Paralegal Specialist

Enclosure  
Conciliation Agreement

97043823722



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

July 1, 1997

Robert L. Prather, Treasurer  
Hamilton For Congress Committee  
P.O. Box 99  
Jeffersonville, IN 47131-0099

RE: MUR 4416

Dear Mr. Prather:

On June 18, 1997, the Federal Election Commission accepted the signed conciliation agreement you submitted in settlement of a violation of 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

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

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

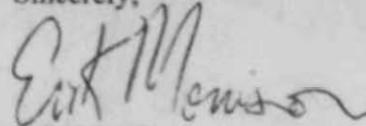
Enclosed you will find a copy of the fully executed conciliation agreement for your files.

97043823723

Mr. Robert L. Prather  
Page 2

Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3690.

Sincerely,



Erik Morrison  
Paralegal Specialist

Enclosure  
Conciliation Agreement

cc: The Honorable Lee Herbert Hamilton

97043823724

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

**BEFORE THE FEDERAL ELECTION COMMISSION**

JUN 16 12 12 PM '97

In the Matter of	)	
	)	MUR 4416
Hamilton for Congress	)	
Robert L. Prather, Treasurer	)	

**CONCILIATION AGREEMENT**

This matter was initiated by a signed, sworn, and notarized complaint by Maria Cino, Executive Director of the National Republican Congressional Committee. The Federal Election Commission ("Commission") found reason to believe that Hamilton for Congress Committee and Robert L. Prather, as treasurer, ("Respondents") violated 2 U.S.C. § 441d(a).

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. The Hamilton for Congress Committee, principal campaign committee for Representative Lee Hamilton (9th CD, Indiana), is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Robert L. Prather is treasurer of the respondent committee.

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3. Pursuant to 2 U.S.C. § 441d(a), all expenditures for communications which expressly advocate the election or defeat of a clearly identified candidate, or expenditures to solicit any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, must contain a disclaimer. Pursuant to Section 441d(a), the disclaimer must clearly state the identity of the person or committee who paid for the communication and whether the communication was authorized by the candidate or the candidate's committee.

4. According to 11 C.F.R. § 110.11(a)(1), the disclaimer shall be presented in a clear and conspicuous manner. A disclaimer is not clear and conspicuous if the printing is difficult to read or if the placement is easily overlooked. The disclaimer need not appear on the front of the communication as long as it appears within the communication, except on communications such as billboards that contain only a front face. 11 C.F.R. § 110.11(a)(5)(i).

5. Between April 1996 and July 22, 1996, Respondents ordered and distributed shopping bags touting Representative Lee Hamilton's candidacy by expressly advocating his election to federal office ("Lee Hamilton for Congress" was printed on the bags).

6. Respondents produced and distributed newsletter-style "Team Report" flyers dated April 26, 1996, to Democrat Party officials, Democrat officeholders, and Lee Hamilton volunteers in Indiana's Ninth District, expressly advocating Rep. Hamilton's candidacy and soliciting contributions ("Lee Needs Your Support! Send your contribution to: Lee Hamilton for Congress P.O. Box 99 Jeffersonville, Indiana 47131").

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7. Respondents' 12-Day Pre-Primary Report shows that Respondents spent \$25,756, or approximately 26% of total pre-primary disbursements, to produce the shopping bags (perhaps as many as 124,000 bags).

8. Neither of the advertising and solicitation items identified that Respondents paid for and authorized the campaign advertising pieces noted in 5 and 6 above.

V. Respondents failed to place disclaimers on campaign advertising literature that solicited campaign funds and expressly advocated the election of a clearly identified candidate in violation of 2 U.S.C. § 441d(a).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of three thousand dollars (\$3,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral,

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made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner 6/30/97  
Lois G. Lerner Date  
Associate General Counsel

FOR THE RESPONDENTS:

Robert L. Prather May 10, 1997  
(Name) Robert L. Prather, Date  
(Position) Treasurer  
HAMILTON FOR CONGRESS COMMITTEE

97043823728



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MJR # 4216

DATE FILMED 7-11-97 CAMERA NO. 4

CAMERAMAN JMH

97043823729



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Date: 5/4/98

           Microfilm

           Press

THE ATTACHED MATERIALS ARE BEING ADDED TO CLOSED RMR 4416

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Congressman Lee H. Hamilton

Post Office Box 99  
Jeffersonville, Indiana 47131

July 24, 1997

JUL 30 9 46 AM '97

Federal Election Commission  
& Lawrence M. Noble, General Counsel  
999 E. Street N.W.  
Washington, D.C. 20463

Dear Sirs:

RE: MUR 4416  
Hamilton for Congress Comm.

We are writing in response to your letter of July 1, 1997 regarding the signed conciliation agreement for settlement of the above referenced MUR.

Please find check # 007388 in the amount of \$ 3,000.00 for payment of the above referenced violation.

It is the understanding of the Hamilton for Congress Committee that this payment closes the file on this matter.

Thank you very much and if you have further questions please feel free to contact the committee at the above listed address.

Sincerely,

*Robert L. Prather*

Robert L. PRATHER, Treasurer  
HAMILTON FOR CONGRESS COMMITTEE

9304000321

**HAMILTON FOR CONGRESS COMMITTEE**

P.O. BOX 99  
JEFFERSONVILLE, INDIANA 47131

20-8  
740

007388

DATE July 24, 1997

PAY TO THE ORDER OF Federal Election Commission \$ 3,000.00

Three Thousand and 00/100----- DOLLARS

HAMILTON FOR CONGRESS COMMITTEE

NATIONAL CITY BANK, INDIANA  
INDIANAPOLIS, INDIANA

*Paul R. Smith*

⑈00007388⑈ ⑆074000065⑆ 00006225⑆⑈

HAMILTON FOR CONGRESS COMMITTEE

PLEASE DETAIL BEFORE DEPOSITING. BY ENDORSEMENT THE CHECK IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING:

PERIOD ENDING	HOURS			EARNINGS				DEDUCTIONS					NET PAY
	REG	O.T.	TOTAL	REGULAR	OVERTIME	OTHER	TOTAL	F.I.C.A.	WITHHELD INC. TAX	STATE TAX	INS.		

INVOICE DATE	INVOICE NUMBER	DESCRIPTION	OUR NUMBER	AMOUNT OF INVOICE	DEDUCTIONS	AMOUNT PAID
		Payment of the Conciliation Agreement with FEC				

9 8 0 4 3 8 0 3 2 2



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

JUL 30 9 40 AM '97  
16. 111 00 G DC INF

July 29, 1997

**TWO WAY MEMORANDUM**

TO: OGC Docket  
FROM: Leslie D. Brown *LD*  
Disbursing Technician  
SUBJECT: Account Determination for Funds Received

We recently received a check from Hamilton for Congress Committee, check number 7388, dated July 24, 1997, for the amount of \$3,000.00. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

-----  
TO: Rosa E. Swinton                      Leslie D. Brown  
Accounting Technician              Disbursing Technician  
FROM: OGC Docket  
SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$3,000.00, the MUR/Case number is 74416 and in the name of Hamilton for Congress Committee. Place this deposit in the account indicated below:

- Budget Clearing Account (O&C), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: \_\_\_\_\_

Francie Hampton  
Signature

July 31, 1997  
Date

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99.04.391.0675



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Date: 3/18/99

           Microfilm

           Press

99.04.391.0675

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 4416

# BALES MOTOR COMPANY

INCORPORATED

NEW AUTOMALL ■ I-65 JUST NORTH OF KENNEDY BRIDGE  
630 BROADWAY ■ JEFFERSONVILLE, INDIANA 47130 ■ (812) 282-4356

# CLOSED

February 10, 1999

Hamilton for Congress  
PO Box 99  
Jeffersonville IN 47130

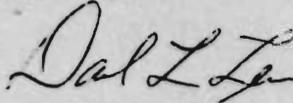
Dear Sir:

In reviewing our records, we find no-place where we received check #6116 in the amount of \$ 3339.00. A review of our records show the Hamilton for Congress account was paid in full and there are no outstanding debts owed to the Bales Leasing, Inc.

We do not know why the check was not returned and to our knowledge it was never processed.

Thank you very much and if we may be of additional assistance please feel free to contact us.

Sincerely,



David L. Lewis  
Vice President  
Bales Leasing Co. Inc.

9290016E4066  
99043910676

FEB 26 4 00 PM '99  
RECEIVED  
ADM. CONTROL

99.04.391.0677

s10Hs12H

DETAILED SUMMARY PAGE  
of Receipts and Disbursements  
(Page 2, FEC FORM 3)

NAME OF COMMITTEE(in Full) Report Covering the Period  
HAMILTON FOR CONGRESS COMMITTEE C00073221 From:01/01/98 To:06/30/98

s12H

I. RECEIPTS

This Period Year-To-Date

11. CONTRIBUTIONS(other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees.			
(i) Itemized.....\$	0.00		
(ii) UnItemized.....\$	0.00		
(iii) Total of contributions from individual.\$	0.00	\$	0.00
(b) Political Party Committees.....\$	0.00	\$	0.00
(c) Other Political Committees(such as PACs)....\$	0.00	\$	0.00
(d) The Candidate.....\$	0.00	\$	0.00
(e) TOTAL CONTRIBUTIONS.....\$	0.00	\$	0.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....\$	0.00	\$	0.00
13. LOANS.			
(a) Made or Guaranteed by the Candidate.....\$	0.00	\$	0.00
(b) All Other Loans.....\$	0.00	\$	0.00
(c) TOTAL LOANS.....\$	0.00	\$	0.00
14. OFFSETS TO OPERATING EXPENDITURES.....\$	0.00	\$	0.00
15. OTHER RECEIPTS.....\$	821.14	\$	821.14
16. TOTAL RECEIPTS.....\$	821.14	\$	821.14

s12H

II. DISBURSEMENTS

This Period Year-To-Date

17. OPERATING EXPENDITURES.....\$	-1219.32	\$	-1219.32
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....\$	0.00	\$	0.00
19. LOAN REPAYMENTS			
(a) Of Loans Made/Guaranteed by the Candidate....\$	0.00	\$	0.00
(b) Of All Other Loans.....\$	0.00	\$	0.00
(c) TOTAL LOAN REPAYMENTS.....\$	0.00	\$	0.00
20. REFUNDS OF CONTRIBUTIONS			
(a) Individuals/Persons Not Political Committees.\$	0.00	\$	0.00
(b) Political Party Committees.....\$	0.00	\$	0.00
(c) Other Political Committees(such as PACs)....\$	0.00	\$	0.00
(d) TOTAL CONTRIBUTION REFUNDS.....\$	0.00	\$	0.00
21. OTHER DISBURSEMENTS.....\$	0.00	\$	0.00
22. TOTAL DISBURSEMENTS.....\$	-1219.32	\$	-1219.32

s12H

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....\$	31067.30
24. TOTAL RECEIPTS THIS PERIOD.....\$	821.14
25. SUBTOTAL.....\$	31888.44
26. TOTAL DISBURSEMENTS THIS PERIOD.....\$	-1219.32
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD.....\$	33107.76

99.04.391.0678

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20-6/740 180

1005

**HAMILTON FOR CONGRESS COMM**  
**ROBERT PRATHER TREAS**  
580 LASHER DR  
SEYMOUR IN 47274-1982

DATE February 19, 1999

PAY TO THE ORDER OF U. S. Treasury

\$ 163.54

One Hundred Sixty-Three and 54/100-----

DOLLARS  Security Features include: Ours on back.

**National City.**  
National City Bank of Indiana  
Indianapolis, Indiana

FOR \_\_\_\_\_

*Robert Prather*

⑈001005⑈ ⑆074000065⑆ 584502505⑈

99.04.391.0679

# CLOSED



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 2, 1999

**TWO WAY MEMORANDUM**

**TO:** OGC Docket  
**FROM:** Rosa E. Swinton  
Accounting Technician  
**SUBJECT:** Account Determination for Funds Received

We recently received a check from **Hamilton for Congress Comm Robert Prather Treas**, check number **1005**, date **February 19, 1999**, for the amount of **\$ 163.54**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

=====  
**TO:** Rosa E. Swinton  
Accounting Technician  
**FROM:** OGC Docket  
**SUBJECT:** Disposition of Funds Received

In reference to the above check in the amount of \$ 163.54, the MUR/Case number is 4416 and in the name of Hamilton for Congress Comm. Place this deposit in the account indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: Reimbursement

Retha L. Ripon  
Signature

3-17-99  
Date